

IS LIBERALISM THE ONLY WAY TOWARD DEMOCRACY? Confucianism and Democracy

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This article identifies a foundation for Confucian democratic political thought in Confucian thought. Each of the three aspects emphasized is controversial, but supported by views held within the historical debates and development of Confucian political thought and practice. This democratic interpretation of Confucian political thought leads to (1) an expectation that all people are capable of ren and therefore potentially virtuous contributors to political life; (2) an expectation that the institutions of political, social, and economic life function so as to develop the virtue of being a perfected human being; and (3) an expectation that there be public space for political criticism and for ongoing contestation over the duties and behaviors of individual leaders and citizens and over the functioning of the institutions that are to cultivate their behavior.

Keywords: *Confucian; Neo-Confucian; democracy; liberalism; cultivation; practices; humanity; human nature; accountability; social criticism*

1. INTRODUCTION

In the contemporary political climate, for many advocates and critics of liberal democracy, liberalism is the partner of democracy. In their view “democracy” means “liberal democracy” regardless of cultural or national context. (Of course, what is meant by “liberal democracy” ranges hugely!)

AUTHOR'S NOTE: The author wishes to thank Choong-Yeol Kim, Fumio Iida, Manfred Steger, Russell Fox, Chenshan Tian, Ted Slingerland, Daniel Bell, Leigh Jenko, George Graham, James Booth, Michael Goodhart, Yong Chen, Stephen White, and two anonymous reviewers for constructive feedback during the development of this project. In addition, the project benefited from the thoughtful research assistance of Yong Chen and Li Mingyan. I am grateful for the support of the Center for International Studies at the University of Southern California where this project began and of the Robert Penn Warren Center for the Humanities at Vanderbilt University where the project was completed.

POLITICAL THEORY, Vol. 33 No. 4, August 2005 547-576
DOI: 10.1177/0090591705276879
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Recent efforts of democratization in non-Western contexts illustrate that, politically, democratization may not be sustainable if it must be wed to the values on which liberalism and Western liberal democracies rely. Most problematic is the Western liberal assumption of an autonomous individual rights-bearing citizen. Historically in the West, individual rights provided a check on the anticipated attempted misuse of the untested political authority of republican government. However, capitalism and consumerism have allowed autonomy to manifest itself as a pursuit of self-interest that threatens social cohesion.¹

While comparative politics can help us think about institutional options for emerging democracies,² comparative political theory can help us bring to light the theoretical resources within various contexts for theorizing about democracy. For example, is there a theoretical alternative to liberalism that could guide the development of institutional possibilities for preventing the abuse of political power while supporting democracy? Are there ways of fostering community bonds that do not sacrifice *some* individuals to the community?³

Both Western liberalism and Confucianism have in their long and complicated histories made distinctions between classes of people. If democracy is a system of government in which political equality is foundational, then both liberalism and Confucianism are curious partners of democracy. Anglo-American theorists have historically found the relationship between liberalism and democracy interesting terrain. The relationship between Confucianism and democracy is likewise interesting terrain that bears different fruit. Yet, both being dynamic, complex traditions with mixed histories of taking seriously other intellectual traditions, both being terrains of internal contestation, we should not expect the differences between them to be so foreign as to be alien.

Despite the familiar political characterization of liberalism and democracy as going hand in hand, in this article I describe elements of a democratic theory that does not rely on an autonomous liberal rights-bearing individual. Much of the recent comparative literature on Confucianism focuses on its compatibility with rights.⁴ This is not the focus of this essay. I want to use our reflections on Confucian thought to see if those of us familiar with debates within liberal democratic theory might find dimensions of that debate further stimulated or find new questions to debate. At a minimum, I offer Anglo-American political theorists a Confucian way of thinking about democracy which may further inspire our curiosity about the vibrant theoretical discussions about democracy taking place in Chinese.⁵

In addition to offering a more culturally sensitive avenue for context-specific policy development, a comparative political theoretical exploration

of the meaning of Confucian democratization makes four contributions to political theory. First, Confucianism offers democratic theorists an alternative to the liberal democratic Western intellectual history of democratic practice and thus offers an alternative set of values that may be used to develop political community in Western liberal democracies. Confucianism offers a way of respecting, and a justification for politically protecting, the humanity of people without disconnecting them from the familial and other social bonds that sustain their humanity.⁶

Second, for the theorist who recognizes that individuals do not spring from the earth as fully formed adults but rather become citizens through the socialization processes of the family, community, and state long before they can influence the design and function of those processes,⁷ Confucian reflections on democratic theory are thought provoking. Confucianism offers an unfinished path of interpretation, reinterpretation, and cultivation.

Third, the inquiry into democracy within Confucian political thought offers a case for examining an intellectual tradition for its potential contributions to democratization despite its past political association with elitism, exclusivity, economic and political stratification, or authoritarianism. Such insights might provoke self-reflection among those seemingly content to leave the elitism, exclusivity, economic and political stratification, and authoritarianism of contemporary neo-liberal capitalist representative democracy unexamined.

Fourth, and more generally, Confucian reflections for democracy illustrate why democracy is always an essentially contested concept: because it operates in a theoretical and practical dialogue with the other social and political values of its context (liberal, Confucian, or other). This conceptual disunity is undertheorized and generates *internal* contestation.⁸ This internal contestation is the context in which societies debate the form of institutions, the priority of complementary yet competing values, and the effectiveness of complementary yet often antagonistic practices. Importantly, recognizing the contested character of democratic theory, the project of this article would not be served by attempting to reconcile liberalism and Confucianism.⁹ As Chang Yun-Shik notes, while *liberal* democracy is inconsistent with certain Confucian values and has proved to lead to authoritarianism in South Korea, Confucian democracy holds great promise for developing democratic institutions with an emphasis on mutuality.¹⁰

My method is to observe political thought in history and through the history of political thought. After brief introductions to democratic theory in comparative perspective and the history of Confucianism, the body of this article is devoted to describing a constellation of Confucian ideas that are conducive to political equality and to fostering the social, economic, and

political institutions of a society such that they make political equality increasingly substantively meaningful.

2. THE WAY'S WAY TOWARD DEMOCRATIC THEORY

Against the view that democracy is best realized as some form of liberal democracy, I offer an example of a non-liberal democratic theory (or the foundations thereof). For this to be a fruitful engagement we need to start with an idea of democracy without liberal baggage. In my view "democracy" means minimally *governance consistent with political equality that is functional, not merely formal*. (Formal legal equality is not substantively meaningful if it is undermined by social and economic practices and institutions.) On its own, "democracy" doesn't tell us what institutions best secure that political equality (theoretically, or in a given context). But we do know that a commitment to political equality alone *cannot* secure political equality. Simple majoritarian, one-person, one-vote democratic decision making can yield political decisions to live by political, economic, and social institutions that support a range of unjust inequalities which undermine the political equality of the numerical minority and which they cannot overturn. Further, any attempt to alter the meaning of political equality from formal political equality cannot be justified on the basis of political equality alone. Any attempt to further define democracy so that it can describe functional political equality needs to turn to other arguments.

A common liberal understanding is that individual rights and freedoms provide a check on the potential for democratically endorsed oppression of simple majoritarian democracy. But many theorists of liberal democracy are not so sure. For example, John Rawls draws our attention to the basic structures of social, economic, and political life as the site of justice.¹¹ Robert Dahl describes the contemporary basic structure as undermining democracy because it tends to "produce inequalities in social and economic resources so great as to bring about severe violations of political equality and hence the democratic process."¹² Susan Okin argues that gender hierarchies in social, economic, and political life are mutually reinforcing.¹³ The obstacles to political equality posed by the institutions of the basic structure are problematic to many liberal democrats, and many are aware of the ways in which the daily practices sustain these institutions.¹⁴ However, as illustrated by the tensions between multiculturalism and feminism, liberalism alone does not seem to have the resources to assess the injustices of what we observe: individuals value their social bonds and economic way of life and act in ways that sustain not only those social bonds and that economic way of life but also the hierar-

chies that limit their capabilities, including their ability to be equal politically.¹⁵ Not all liberal democrats see the problem. Even those who do are having trouble using the tools of liberal democracy to solve it.¹⁶

Despite this fundamental problem, many treat liberal values as the theoretical bedrock of democratic institutions.¹⁷ In addition, theorists supplement our understandings of the values and institutions of democracy by examining those practices which they argue are constitutive of liberal democracy including deliberation,¹⁸ discourse,¹⁹ participation,²⁰ and representation.²¹

Although liberalism's values and institutions are a way of constraining democratically endorsed oppression, liberalism may not be the only value suitable for constraining democratic exclusion or oppression. Further, it may be that from within another political fabric, Confucian institutions and practices may develop a functional democracy that doesn't have the problems of liberal democracy.

Perhaps other values and practices could support democratic institutions—such as elected representative government, competition and cooperation among representatives, a free press, mechanisms for accountability, a rigorous and independent judicial system, and a pluralist civil society.²² Candidates from Confucian thought include respect for the cultivated scholar-elite,²³ ritual propriety (*li*),²⁴ accountability,²⁵ mutual aid,²⁶ limitations on central power,²⁷ moral education,²⁸ and intra-community communication.²⁹ Likewise, Confucian history demonstrates practices which can constrain the abuse of authority³⁰ and institutions that might be redesigned and redeployed to democratic ends in the present.³¹

Other comparative approaches to the study of Confucianism and democracy focus on finding commonality within Western and Confucian values.³² Hall and Ames (1999) and Tan Sor-hoon (2003) focus on the comparison of American pragmatist and Confucian values. Another approach to the study of Confucianism and democracy focuses on the Confucian values that could sustain respect for liberal democratic norms. Most literature of this sort, however, focuses on rights.³³ These approaches respectfully illuminate differences and similarities between "Asian" and "Western" values and offer interesting and important discussions of the politics surrounding the characterization of "Asian" and "Western" values.

In each of the works cited above, the authors highlight one or two aspects of Confucian thought that may be complementary to democracy and may be an intellectual resource for a Confucian democracy. I appreciate each of these values, as I think the authors do, as situated in a system of values. Developing Confucian democracy may require developing certain aspects of Confucianism such as those identified by these authors. Further, it may require critically reevaluating other aspects of Confucianism. In order for Confucian democ-

racy to be meaningful, it must *develop from within the value system*, not merely borrow decisive features of it. I am arguing for a Confucian democracy that is very Confucian and democratic.

Although two millennia of dynastic rule and hierarchical bureaucratic structures reified early Confucianists' relationships of hierarchy into exploitable obligations, Confucianism is an intellectual tradition that long predates and post-dates its association with imperial rule.³⁴ My reading of Confucianism is based on appreciating it as a *dynamic* tradition in which sometimes competing philosophical views were put to political ends through the practice of the cultivated critic. I observe a critical dynamism in a history that others have characterized as uniformly hierarchical. As Li Chenyang notes, much of that characterization itself has more recently benefited those with a particular, sometimes totalitarian agenda, including Western missionaries, the May Fourth New Culture Movement, the Communist Party more generally, and some Western feminist scholarship.³⁵ The unexamined characterization of Confucianism as hierarchical and static prematurely closes off its consideration as a source of insight for theories about democracy. Moreover, given that in practice democracy is a struggle against anti-democratic politics, a theory of democracy that emerges in an undemocratic context is worthy of further exploration.

Through Confucianism's seemingly hierarchical political history, I see an evolving democratic logic. Although there are many aspects of this logic, I treat three as definitive. First, I share the common reading of *ren* as the core value in early Confucianism which is reasserted as the foundational value of Confucianism by the Neo-Confucianists in the Song and Ming dynasties and which remains a foundational concept for contemporary Confucianists. Second, I provisionally take one side in the historical debate among Confucianists about human nature. I follow Mengzi in the view that human nature is essentially good. This view requires a lesser degree of deference to hierarchy than the view of Xunzi, whose *ethical* deference to hierarchy can be used to *justify* political hierarchy. Moreover, the view of human nature as essentially good treats all institutions as important for their cultivation of individuals and society. Distinctions between social, economic, and political institutions may be descriptive but not theoretically important. Third, I see in the critical practice of Confucian scholar-activists—from Kongzi through the present—an obligation to criticize political authority in a way that contemporary democratic theorists treat as foundational to democracy.³⁶ Confucian critics carry out two critical projects. They criticize political practice for not following the way (*dao*)—the cosmic order which requires among other things treating the people humanely—and they reinterpret their own critical practice in response to external criticism and criticism from the margins.³⁷

While historically, the institutional space for such criticism and political contest has been limited, Confucian political thought suggests that such space is essential for *Confucianism* and thus institutions of democratic contestation are the realization of Confucian thought.³⁸

Taken together these three values—humanity, good human nature, and political criticism—are constitutive practices of cultivation. We need to assess critically social, economic, and political practices so that they are most conducive to developing each person such that a Confucian democracy is a society where *ren* is lived. The framework itself is ready to deal with the functioning of the institutions of the basic structure—with how people actually act within them. Although there are ways in which anti-democratic tendencies may develop through these practices of cultivation, the Confucian practice of reflection on institutions *and* practices suggests that the theory itself has a method for reflecting on potentially anti-democratic practices. Using these three as a foundation, we can then further the Confucian democratic project by thinking about the Confucian democratic way to understand and foster ritual propriety (*li*), righteousness (*yi*), wisdom (*zhi*), right action (*xin*), reverence (*jing*), benevolence (*hui*), dutifulness (*zhong*), thinking (*si*), and virtue (*de*). But first, let's see how these ideas emerge in the history of Confucian political thought.

3. INTRODUCTION TO THE HISTORY OF CONFUCIANISM

Confucianism is an intellectual tradition of political and social thought that predates Kongzi (Confucius, 551-479 B.C.), the scholar for whom it is named, and continues today as a vibrant field in ethical, theological, social, legal, and political thought. Although Confucian ethical thought entails notions of hierarchy and has been appealed to to justify abusive authoritarianism during parts of its history, the *abuse* of political authority is not supported by the ethical tradition. Throughout its long history, key elements of Confucianism have been subjects of debate and interpretation. The three steps which I argue are part of a Confucian path to democracy are present in early Confucian thought, reemerge throughout its history, and are recurring subjects of debate within the tradition. Thus, this Confucian path to democracy is as dynamic as the tradition itself.

Kongzi was born into the low aristocracy and briefly held an administrative government post. As a public administrator and throughout his life as a teacher of future political advisors, Kongzi was a political and social critic. He taught that the “way” meant living according to traditional virtues: humaneness (*ren*), ritual propriety (*li*), righteousness (*yi*), and wisdom (*zhi*).

According to Kongzi, these virtues—the value of *ren* principle among them—were the keys to the social and political stability of the period of the three sage kings and therefore should be valued in the present. In this sense Confucianism predates Kongzi himself.

Ren means at once a kind of being (human), a way of being (humane), and a reason for being (other humans). The meaning of *ren*—“the overarching virtue of being a perfected human being”—varies according to translation and context and cannot be captured by a single word in English.³⁹ Everyone is capable of *ren*, but only the gentleman properly cultivated and educated in ritual propriety (*li*), righteousness (*yi*), right action (*xin*), and reverence (*jing*) will be a superior man and rule in a manner consistent with *ren*.

Early criticism of the Confucian interpretation of *ren* came from Mozi (470–391 B.C.) and his followers (Mohists), who argued that *ren* was a universal concept that required each to be morally obligated to the rest of humanity in the same way. Mohists emphasized the strength of rational argument over ritual in cultivating humane behavior toward all of mankind without distinction or attention to particular relationships.

Mengzi (Mencius 372–289 B.C.), perhaps the most famous Confucianist next to Kongzi himself, argues against the Mohists that we are connected to people in different ways based on our relationships with them.⁴⁰ According to Mengzi, our duty to fellow humans depends not merely on their being human, but rather on the character of one’s *relationship* to each other human: “[B]etween father and son, there should be affection; between sovereign and minister, righteousness; between husband and wife, attention to their separate functions; between old and young, a proper order; and between friends, fidelity” (*Mencius* IIIA4, 8).⁴¹

According to Mengzi, the way requires behavior toward others that is prefigured by relationships. Importantly, these “five relationships” (*wu lun*) and the duties they require are consistent with, in fact definitive of, *ren* and not an ethical invitation for the first in each pair to exploit politically the second. The good ruler does not exploit his rule but uses it to provide for his people. In the advice he gives to the duke Wen of Teng, Mengzi says,

The way of the people is this.—If they have a certain livelihood, they will have a fixed heart. If they have not a certain livelihood, they have not a fixed heart. And if they have not a fixed heart, there is nothing which they will not do in the way of self-abandonment, of moral deflection, of depravity, and of wild license. When they have thus been involved in crime, to follow them up and punish them:—this is to entrap the people. How can such a thing as entrapping the people be done under the rule of a benevolent man? (*Mencius* IIIA3, 3)

His advice to King Hui of Liang is the same. Good rule means making sure that your people are fed and protected, that they are not subjected to famine or war. In a year of low productivity, Mengzi advises, open your grain stores. Not to do so is the equivalent of killing the people yourself (*Mencius* IA3). “When a prince, being the parent of his people, administers his government so as to be chargeable with leading on beasts to devour men, where is that parental relation to the people?” (*Mencius* IA4).

In the very establishment of the hierarchy is the prohibition against exploiting it.⁴² Part of appreciating *ren* as a first step on a democratic path requires reinterpreting the duties of each relationship so that, consistent with the intended meaning of *ren*, they are not sources of exploitation.⁴³

Despite Confucian teachings, during the early Confucian period, relationships were exploited in practice, leading Xunzi (340-245 B.C.) to refute Mengzi’s claim that “human nature is good” (*xingshan*). Both Mengzi and Xunzi argued that humans would act rightly only through proper education and cultivation in the way, but Mengzi saw that the undeveloped sprouts of human nature (*Mencius* VIA9)—exhibited through impulsive acts to save a drowning child, for example (*Mencius* IIA6)—demonstrated that the essence of human nature was good.⁴⁴

The resurgence of Confucianism during the Han dynasty (206 B.C.–A.D. 220) was preceded by a period in which the Legalist perspective informed political practice (221-207 B.C.). According to Legalists, human nature is essentially bad and best kept in check through the formal structures of government which should ensure impartiality (compared with the partiality that is attentive to relationships that Confucian *ren* and *li* seemed to require).⁴⁵ In the Han synthesis of Legalism and Confucianism, Confucian virtues of government became government values, instituted through the civil service and its exam system. Interestingly for those who associate Confucianism with the abuse of hierarchy, the Han dynasty did away with some of the more harsh aspects of the first Empire (Qin dynasty, 221-206 B.C.). A large and growing empire covering a huge geography and a range of economic bases and ethnic communities, the central government required administrative bureaucrats who would be loyal to the central government, even as they carried out their duties in the provinces. Confucianism became the foundation of the educational curriculum. Those who succeeded in the exams were guaranteed posts (and commensurate status).

During the Tang dynasty (A.D. 618-907), the Confucian civil service system was further developed. Non-local Confucian-trained and -examined bureaucrats would have local status, but not be subject to pressures from fam-

ily and local elites. The civil service exam required memorization of Confucian texts *and* interpretation of those texts. The skill of interpretation was valued in a bureaucrat who had to interpret imperial dictates for a local context.

During the Song dynasty (A.D. 960-1279), civil servants replaced regional military leaders and the Confucian-trained bureaucrats gained more political power at the same time that political power became more centralized with the emperor. In the hands of the Neo-Confucianists of the eleventh and twelfth centuries, the period of Chinese thought in which Confucianism experienced its first substantial renaissance, Confucian thought is rearticulated in part in response to Buddhism and, to a lesser extent, Taoism and Legalism.⁴⁶ This response took the form of both critique and reconciliation. Neo-Confucian thinkers grounded their cosmology in the reality of the present world (rather than contemplating another world as the Buddhists did). Partly in critique of the Buddhist renunciation of human relations, Neo-Confucianists construct an alternative cosmology in which *ren* is foundational.⁴⁷ Neo-Confucian scholars believed that man could and should act in accordance with the universe and that he has the potential for knowledge and morality necessary to do so. To the traditional virtues recognized by Confucian scholars—humanness (*ren*), righteousness (*yi*), propriety (*li*), and wisdom (*zhi*)—the Neo-Confucianists added sincerity (*cheng*) and reverence (*jing*). These moral values serve *ren*.

According to Zhang Zai (1020-1077), humanity not only pertains to family relations but also has universal significance.⁴⁸ Likewise, as Cheng Hao (1032-1085) argues, other values, “[r]ighteousness (*yi*), propriety (*li*), wisdom (*zhi*), and good faith (*xin*)[,] are all [expressions] of humanity.”⁴⁹ Early Confucianists draw from the *Five Classics* of Chinese philosophy—*The Book of Changes*, *The Book of History*, *The Book of Odes*, *The Book of Rites*, and *The Spring and Autumn Annals*. Under the Neo-Confucianists, Kongzi’s *Analects*, *Great Learning*, and *Doctrine of the Mean*, and Mengzi’s *Mencius* or *The Four Books*, became the canon of Neo-Confucian thought. *Ren* is a foundational value in all *Four Books*. One’s humanity means that as a moral person, one can recognize the humanity of others, act humanely toward them, and identify shared goals.

As *ren* is asserted as the foundational virtue, the debate about human nature recurs. The brothers Cheng Hao and Cheng Yi (1033-1107) rekindle the debate between Mengzi and Xunzi. Neo-Confucianism splits into two schools of thought—the school of mind/heart and the school of principle. The former emphasizes Mengzi’s interpretation of human nature. The latter emphasizes Xunzi’s concern about human nature. I will argue shortly that

Xunzi's view promotes deference to a moral authority that defines right and wrong and administers public life accordingly, but that Mengzi's view does not require such deference to hierarchy. The latter allows and encourages a *critical* deference to moral authority as part of moral education, enabling the developing person to carry out moral action because he understands their propriety, not just because he was told they were right.

During the Song and Ming dynasties, Confucianism was again the state philosophy. However, over time in the civil service exams, *certain* interpretations were required to pass the exam. State Confucianism became the practice of deference to authority by bureaucrats rather than the practice of advising authority by ministers. In this sense Confucianism was institutionalized in authoritarian rule.

From this specific political history, Confucianism earned its reputation as the handmaiden of authoritarianism. During this rule, texts were abridged to delete references critical of absolute monarchy,⁵⁰ works were banned, and critics were imprisoned. Yet, importantly for a Confucian path to democracy, despite repression, there continued internal debates about the appropriate political policies and practices for following the way. And, as de Bary argues with in-depth discussion of Lü and Fang, Neo-Confucianists were critical of abuses of political authority when they were out of political favor too (1991).⁵¹ With the collapse of the Chinese empire, due to its political association with failed empire, Confucianism was somewhat discredited. Yet, because it knits together strands of thought that have been part of Chinese intellectual and common thought for thousands of years, it maintains its appeal and is used by democratic reformers.⁵²

Contemporary Confucianists discuss the meaning of *ren*, human nature, and the possibilities for rearticulating Confucianism without undermining its core. One key question for the rearticulation of Confucianism for democracy is the importance and role of hierarchy.

According to some contemporary Confucianists, Confucianism requires ritual propriety, which in the historical cultural context of the primary texts meant filial piety and fraternal duty, but which need not take so hierarchical a character.⁵³ For others, the essential insights of Confucianism can be formulated without hierarchy and gender roles.⁵⁴ In my view, *exploitable* hierarchy, not hierarchy *per se*, is an important practical obstacle to democracy.⁵⁵ The challenge for contemporary scholars of Confucianism is to reveal Confucianism's dynamism and not to reinvent or reify its associations with authoritarian and exploitable hierarchies.

4. A CONFUCIAN DEMOCRATIC THEORETICAL FOUNDATION

In this section, I argue that a Confucian democratic theory grows out of Confucianism, not in any teleological sense, but through the continuation of the Confucian tradition of interpretation and immanent critique. What emerges is not Confucian liberal democracy—a reconciling of Confucian and liberal democratic political thought—but rather a Confucian democratic theory, a democratic resolution of complementary strains within Confucian political thought.

Reconciling these strains requires reinterpreting the virtue of *ren* while upholding it as a foundational virtue. It requires favoring the view of human nature that requires less deference to hierarchy and yet understanding both sides of the debate about human nature as requiring institutions to cultivate *ren*. Finally, but essential to the first two, a Confucian democracy requires reading Confucianism as a tool for social and political criticism and thus for not only allowing but *requiring* institutional space for continuous contestation and background conditions that enable people to access the space of contestation.

4.1. *Ren*

Emphasizing the Confucian scholar-official's role as critic, I read *ren* as a value basic to democratic practice. I read *ren* as concerning the disposition of "the heart/mind of human beings" (*Mencius* 6A11) toward other human beings. Others, emphasizing the strength of social norms, have read the Confucian emphasis on *ren* as valuing only those humans with whom one is in direct relation of rule, family, or friendship.⁵⁶ According to this latter reading, *ren* requires and fosters hierarchy at the expense of democracy. However, with Shun Kwang-loi, I read *li* as concerning the appropriate behavior of one in one's *particular* situation.⁵⁷

Certainly, Mengzi teaches the importance of duty to others, and of particular duties due to particular relationships (*Mencius* IIIA4, 8). But Mengzi also appreciates obligations that are not defined by the five relationships. Mengzi demonstrates the universal significance of *ren* in his example of the duty to save a child who has fallen in a well even when one has no personal relationship with the child or her family (*Mencius* IIB6). Mengzi explicitly situates relationships of hierarchy in the context of broader social responsibility (see also *Mencius* IA4, IIIA3). Likewise, according to Kongzi, appreciating an

obligation to intimate familiars is an exercise that leads to appreciating the greater obligations to humanity.

Master You said, "A young person who is filial and respectful of his elders rarely becomes the kind of person who is inclined to defy his superiors, and there has never been a case of one who is disinclined to defy his superiors stirring up rebellion. The gentleman applies himself to the roots. 'Once the roots are firmly established, the Way will grow.' Might we not say that filial piety and respect for elders constitute the root of Goodness?" (*Analects* 1.2)

People foster their sense of moral obligation toward humanity in their every-day practice of filial piety and fraternal duty. Likewise, for Mengzi, good rule by a ruler will provide a context and a model for good behavior toward one another. The particular duties are the bases for the larger social good in the sense that they provide opportunities for cultivating humane behavior toward others and for learning to empathize with others. In other words, the way teaches that we understand people as commitment-bearing and not as unembedded abstract individuals equally obliged to all humanity, as the Mohists argued, or obliged only to oneself, as the followers of Yang Zhu (c. 395-335 B.C.) argued. Through following the way, we may come through cultivation to behave humanely toward those who are not connected to us by the five relationships.

Most read Kongzi's constant reference to the "gentleman," scholar-minister, or scholar-critic to imply that for Confucianists only the elite-educated can exhibit *ren*. However, *ren* entails obligations to all humanity, to people with whom one is not in hierarchical relation (*Mencius* IIA6), or to the youth whose character is not yet formed (*Doctrine of the Mean* XIV1, XIV2). Neo-Confucianists develop the broader reading of humaneness as not merely humaneness among sages, rulers, political advisors, and scholars.

Mengzi invites the people not to change their place in the hierarchy but to be disciples of the sages.

If the way of Yang and Mo does not subside and the way of Confucius is not proclaimed, the people will be deceived by heresies and the path of morality [benevolence and righteousness] will be blocked. . . . What arises in mind will interfere with policy, and what shows itself in policy will interfere with practice. . . . Whoever can, with words, combat Yang and Mo is a true disciple of the sages. (*Mencius* IIIB9, in J. Chan 1999, 229)

One need not be a sage to appreciate the path of humaneness.⁵⁸ Here, Mengzi prompts students and all people to reflect critically on the alternative princi-

ples offered by Yang (Yang Zhu)—“each one for himself”—and Mo (Mozi), “to love all equally.”⁵⁹ Upon reflection, Mengzi asserts, the student will discover that neither principle sustains human relations. Yang Zhu’s principle undermines community and Mozi’s principle does not recognize the special bonds and obligations between people in specific hierarchical relation to one another.

Although particular relationships are hierarchical, the notion of duty or obligation does not support *exploitative* social or political hierarchies.⁶⁰ In fact, if we argue that obligations extend to all of humanity, the concept of obligation can be used to critique exploitative hierarchy. Neo-Confucian Zhang Zai sets out the basis for our obligation toward all of humanity in “the Western Inscription”:

Heaven (*qian*) is my father, and earth (*kun*) is my mother. . . . All men are my brothers. . . . The great ruler is the eldest son of my parents, and the ministers [of state affairs] are his stewards. [One should] pay respect to the aged and extend mercy towards the orphans and the helpless because they deserve such treatment. . . . [T]he wise man is the most accomplished [above all ordinary men, therefore,] all under heaven, the aged, the weak, maimed, crippled, helpless, lonely, widow, and widower, who are in distress and have no one to appeal to are my brothers. To care for these in times of need is to pay reverence [to heaven and earth].⁶¹

In this view, though the political elite and the scholar are due the same reverence they are due in earlier texts, all of humanity are equally brothers. As Zhu Xi (1130-1200), perhaps the most well-known and influential Neo-Confucianist, argued, duty comes from being conscious of one’s relationships—“in substance *ren* is the moral character of man’s mind and in function it is the principle of love (*ai*).”⁶²

The teacher in Confucian and Neo-Confucian thought is the elite, cultivated scholar-official who advises the government and plays an active role in government administration, according to Neo-Confucianist Lu Xiang-shan (1139-1193), yet the path toward moral cultivation is open to every man.⁶³ Further, following Mengzi, even those who cannot become a sage can act as disciples of the sages in offering criticism (Mencius IIIB9).

Among contemporary Confucianists there is some disagreement as to the appropriate relative emphasis of *ren* (humaneness) and *li* (ritual propriety),⁶⁴ but both schools understand *ren* as requiring moral behavior toward humanity. Running throughout is the understanding that *ren* requires acting humanely, benevolently, and sympathetically toward others. Rulers fail when they do not; individuals cannot realize their internal principle or follow the way if they do not; society will not function well if leaders and the people do not behave humanely toward one another. Moral behavior can be expected of

rulers, ministers, and scholars who cultivate their individual virtues, but it can also be recognized and practiced by those less cultivated (*Mencius* IIB9; *The Great Learning* VI).

While not uncontroversial, my view of *ren* as a system of obligation based on respect for close relationships and requiring the extension of humane behavior toward those beyond one's immediate relationships is supported by the historical texts themselves and affirmed by some Neo-Confucianists and contemporary Confucianists. Note: I am not arguing that alone *ren* is a tool for democracy.⁶⁵ Rather, with human nature (understood as I describe in the next section), *ren* can guide social criticism (as understood in the following section) toward Confucian democracy. *Ren* without confidence in human nature and social criticism can be conducive to a wide range of political theory, not all of which would be considered democratic.

4.2. Human Nature

A second piece of a Confucian democratic theory is to view human nature as essentially good, taking one side in a historical debate within Confucianism. Confucianists debate whether the purpose of cultivation in the way is to develop humans' essentially good character or to counter their essentially bad character. Both conceptions of human nature require attention to the educational role of institutions; however, the latter view may be a tool for justifying more rigid adherence to rites as a hierarchical practice of cultivation.⁶⁶ At stake is our ability to integrate our knowledge with our moral intuitions and experiences.

Both intuition and inquiry require cultivation. According to Mengzi and Lu Xiang-shan we know right and wrong through intuition; whereas according to Xunzi we know right and wrong through inquiry and study. Following Xunzi, Neville argues that because humans fall short in humaneness, ritual propriety—and its associated practices of hierarchy, structured education, and cultivation of lay people by scholar-officials—fosters healthy community life and thus human development.⁶⁷ Neville does not argue that contemporary hierarchies should mimic historically Confucian hierarchies, but rather he sees a significant role for ritual propriety in guiding Confucian life. Tu Weiming and Berthrong place greater relative importance on *ren*, which for them means emphasizing human potential and human creativity.⁶⁸ In this they display a greater confidence in the lay person's cultivation and ability to weigh Confucian values and thus to criticize misguided authority for failing to follow the way. Though different in emphasis, both perspectives yield a criticism of abuse of political authority which I argue next is important for Confucian democratic theory.

To the extent that the negative view of human nature provides an ethical justification for political oppression, Mengzi's interpretation is more democratic: human nature needs to be cultivated in order to follow the way and the process is one of developing good human potential, not of suppressing an innately bad human nature. A Confucian democracy must foster a Confucian life understood as being cultivated through the rites and practices of social, economic, and political institutions. The democratic implication of this understanding is that while all institutions play a role in cultivating "the overarching virtue of being a perfected human being" (*ren*), they also play a role in fostering the functional political equality of citizens. A Confucian democracy requires practices of cultivation that do not create exploitable hierarchies and thus threaten political equality. Confucian democratic theory can be further developed through reflection on the ways in which social, economic, and political duties can cultivate *ren* in people and political equality among citizens. Politics for all people (*tian xia weigong*) is theoretically open to a range of social, economic, and political institutional designs for cultivating *ren*.

4.3. Criticism, Cultivation, and Modeling

The third piece of a Confucian democratic theory is not based on interpretation of texts in the same way that the first is. Nor is it based on a historical debate as the second is. Rather, through the texts and practices, I read into the history of Confucianism a practice of social and political criticism that, when guided by *ren* and the cultivation of human nature, is democratic. Although there is no reason that viewing political life as always changing or opposites as complementary need be the basis of democratic norms, when combined with a basic respect for humanity and human relations, they can be. Combined, these norms require the institutional space for maintaining the contestability of political decisions. They require an ethical fabric to political life, but not the use of political authority to impose ethical life. Within this interpretation of the tradition, Confucian ethical and political life are always in process, always changing, and always the legitimate subject of criticism such that the role of the Confucian scholar-critic is to try to change political practice so that it realizes respect for *ren*.

Just as the meaning of *ren* is not static, Confucian philosophy, as Ouyang Xiu (1007-1072) argued more generally, does not defend a static or constant view of political life or authority.⁶⁹ Although in the dynastic history of China, the authority of the state has been labeled "Confucian," as a political philosophy, Confucianism does not endorse the abuse of authority or the use of rites to maintain political authority, but rather fosters a system of social order in

which both political authorities and the people live according to rites, which teach them “all the great principles of morality.”⁷⁰ As suggested by the passages from the *Mencius* above, morality—the way of heaven, an all-encompassing humaneness—is realized through ethical and political practice: through the modeling of the sages, the critical attention of scholars, and the cultivation of the character of all people under proper leadership and institutions. From its earliest available accounts, Confucian political thought has had both philosophical and practical dimensions. Although there is disagreement among them on administrative issues, Confucianists and Neo-Confucianists envision political reform as incremental and subject to administrative stability.⁷¹

Scholar-officials, Kongzi and Mengzi were social and political reformers. They sought to advise emperors on political reform but they did not offer authoritarian dictates. Instead they encouraged self-cultivation in line with morality.

Ji Kangzi asked, “How can I cause the common people to be respectful, dutiful, and industrious?”

The Master said, “Oversee them with dignity, and the people will be respectful; oversee them with filiality and kindness, and the people will be dutiful; oversee them by raising up the accomplished and instructing those who are unable, and the people will be industrious.” (*Analects* 2.20)

This form of authority certainly respects hierarchy and may often end in the exploitation of hierarchy. But such exploitation is a failure of duty. In the exploitative exercise of authority, humaneness is sacrificed and authority (whether parental or public) cannot be understood as following the way. However, as in the above passage from the *Analects*, social change is encouraged by good modeling, not by dictate.⁷²

Because in practice people, especially rulers, fall short of realizing *ren*, *ren* is a basis of, or guide for, criticism. Appreciating other humans as essential for one’s moral life, the Confucianists use *ren* to encourage both the treatment that one may be due and the treatment that one may owe others individually and collectively. The scholar’s moral education of rulers requires political criticism of those rulers who do not act benevolently toward their people. Scholars sometimes refuse to advise those who seek to exploit and who do not govern well (*Mencius* IIA2, VB1).

While upholding *ren*, Confucianism is a basis for contextually relevant social criticism. While his following of the way must be unchanging, the Confucian scholar who advises authority recognizes that circumstances preclude a-contextual assumptions about what morality requires for upright behavior. “The Master said, ‘With regard to the world, the gentleman has no

predispositions for or against any person. He merely associates with those he considers right” (*Analects* 4.10).⁷³

In their respect for context *and* the way, Confucianists offer a model of social change without relativism (*Doctrine of the Mean* XXVII, XXVIII; *Mencius* IVA17, IVB30-31). Early followers of Confucius carried forward the notion of social change consistent with the way. Tillman cites Dong Zhongshu (179-104 B.C.) on this point: “There are not two ways in the world. Therefore, the sage kings shared different administrations, but followed the same principles”.⁷⁴ Even Xunzi, who is skeptical of the goodness in human nature, appreciates the need for social change:

. . . [I]n danger, [a true Confucianist’s] responses to changing situations are indirectly appropriate; at the right time he shifts his position, he bends and unbends with the world; through a thousand affairs and ten thousand changes, his Way is the same.⁷⁵

Confucianists have an explicit responsibility to guide social change with social criticism that is appropriate to the times and yet consistent with *ren* and the way.

In the second millennium of Confucianism, the Neo-Confucianists’ predecessors looked to immediate history to address practical problems. For example, Liu Zongyuan (773-818), Du You (735-812), and Sima Guang (1019-1086) reason by analogy, drawing on the classics for moral cultivation and on history for “more detailed data for evaluating policy and responding to continuous and diverse changes. Recent history was most useful and relevant” (Tillman 1982, 34). The predecessors of the Neo-Confucianists were more conservative than the Confucianists or Neo-Confucianists in that they raised the role of tradition and historical experience in guiding critical thought. Yet, they did not abandon the critical project.

Due to the philosophical threats they considered from Buddhism and Taoism, and to the political threats from foreigners, the Neo-Confucianists were likewise reformers. Among themselves, the Neo-Confucianists differ in their cosmological ideas and likewise differ on practical, political, and administrative questions. Generally, however, following and developing the intellectual work of their teachers and guided by *ren*, the Neo-Confucianists fostered social change through changes in custom and education in order to bring practice in line with humaneness, and turned to social and political criticism when either through intuition or experience they found government action falling short.⁷⁶

The Neo-Confucianists were critical of corruption and also of specific practices. In his capacity as a government administrator, Zhu Xi was a

reformer of social customs including marriage and education. According to Zhu Xi, morality ought to follow the past but not be a slave to it; rather one should be reflective with a critical mind. Though he disagreed with Zhu Xi about functions of knowledge and action, Lu Xiang-shan's views lead us to the same conclusion about the necessity of social change.⁷⁷ Following Mengzi, he argued that knowledge is useless unless carried out.

Virtue alone is not sufficient for the exercise of government; laws alone cannot carry themselves into practice (*Mencius* IVA1).

For society to follow the way, it needs laws, good governors, and virtuous government advisors. The implication is that the scholar-advisor should speak out even against authority in order to promote the way.

De Bary argues even that social criticism is the highest political service among Neo-Confucianists, including Huang Zongxi (1610-1695).⁷⁸ He interprets Neo-Confucianist activity during the Ming, one of the more repressive periods in Chinese history, as demonstrating the importance of political criticism to Neo-Confucianism. During this time, scholars and officials continued to speak out against despotism. Their speech might have been ineffective and have brought about the punishment of the critic, as in the example of Wang Yang-ming (1472-1529), who was put in prison as a result of coming to the defense of two censors who had revealed the corruption of a powerful eunuch, Liu Jin (d. 1510).⁷⁹ Yet, other critics were not deterred such that the practice of criticism is affirmed as part of the Neo-Confucian tradition by their actions. Further, their role was institutionalized in the form of the "censorate, whose function was to investigate and report on abuses of official authority or violations of the law by those in power. Their function was, quite literally, to 'speak out.'"⁸⁰

Social criticism in the context of a repressive regime, when sometimes both the criticism and the regime claim to be upholding Confucian values, seems a tenuous place at best to rest an understanding of democratic practice. Certainly, some have used the critical role to justify oppressive political power and repression of ideas. For example, between 1093 and 1125 those in power used the arguments of Wang Anshi (1021-1086) to justify a literary inquisition that suppressed the works of the Su family and Sima Guang (1019-1086). The point is not to say that a repressive regime is democratic if within it dissenting voices are able to be heard (if only briefly). Rather, I mean to emphasize that from its beginnings within Confucian political philosophy, criticism by scholar-officials, despite personal risk, is a respected practice. With *ren* and a view of human nature that doesn't require political

authority for ethical development, this historical practice suggests that Confucian political thought requires political space for criticism and contest.

Although criticism and authoritarianism may seem to inhabit opposite poles of a political spectrum, they are complementary.⁸¹ If criticism were only free speech and authoritarianism referred only to totalitarian authority, then it may not be possible to reconcile these political activities. However, with an understanding of human nature as good, social criticism cultivates in leaders the most humane rule and respect for the humanity of the people. Even when authoritarian, feudal, and imperial, Confucian rule means *humane* rule. Confucian political criticism involves assessing government policies, particular local and regional administrations, and military strategy in order to make these more consistent with the moral virtue, humaneness. Through a huge bureaucracy, Confucian scholars were both critics and servants of the emperor and the state. Authoritarian regimes desired criticism for administrative and moral improvement, and criticism made authoritarian rule more humane.

The elite scholar or administrator does not act in his own interest when criticizing the corruption. Rather he acts in the interests of humanity when he directs authority to follow the way. Contemporary Confucianists—including those who think about the appropriateness of Confucianism in global (not just ethnically confined) thought—develop the notion of social criticism within Confucianism further by interpreting certain hierarchies as culturally and historically specific and thus no longer relevant for Confucian practice,⁸² though certain hierarchies and ritual propriety are important for contemporary Confucian practice.⁸³ Ongoing criticism of abusive hierarchy is a foundational Confucian practice. It can be applied to political, economic, and social practices, including gendered practices, that enable the exploitation of hierarchy. The practice of criticism serves humaneness and promotes the way. However, like other modes of political thought that rely on critical discourse, Confucian political thought requires a theoretical methodology for promoting ongoing reflection.⁸⁴ In politics, this would mean emphasizing institutions that create public space for ongoing criticism and contestation.

The three elements of Confucian democracy I have been describing—*ren*, good human nature, and political criticism—are contested concepts. Who can practice *ren*, and toward whom? What is human nature? What political criticism should be made? Each of these questions could be answered in a decisively undemocratic way. In a Confucian democratic theory, while respecting the alternative view, the democrat answers that *ren* is a practice by all toward all but the practice takes place in the context of relationship. While appreciating that hierarchy can be an important tool in self-cultivation, the democrat does not rely on it to determine the will of the people. Conse-

quently, while political criticism could be directed elsewhere as well, it should at least generate scrutiny of potentially exploitable hierarchies.

4.4. A Confucian Democratic Foundation

While I have not argued that Confucianists or Neo-Confucianists took these three ideas in a democratic direction, it would be *Confucian* to do so. Moreover, it is *democratic* to take these Confucian ideas seriously.

First, the notion that *ren*—"the overarching virtue of being a perfected human being"—is potentially realizable by all of humanity has institutional implications that are democratic. Even if one expects that few but the scholar-elite would actually be able to achieve *ren*, the possibility means that social, economic, and political institutions should *not* function so as to constrain anyone's potential. Further, institutions should not prejudge the potential contributions of all.

Moreover, *ren* is a social concept. As Ames and Rosemont describe it, *ren*

is a fairly simple graph, and according to the *Shuowen* lexicon, is made up of the elements *ren* "person", and *er*, the number "two." This etymological analysis underscores the Confucian assumption that one cannot become a person by oneself—we are, from our inchoate beginnings, irreducibly social. . . . Certainly the human being as a focus of constitutive relationships has an initial disposition (*Analects* 17.2). But *ren* is foremost the process of "growing (*sheng*)" these relationships into vital, robust, and healthy participation in the human community.⁸⁵

The implication of *ren*'s social dimension when all of humanity is understood as having the potential to cultivate *ren* is that it *cannot* be realized without institutional conditions that enable its development for all.

Focusing on the Neo-Confucian reworking of the Buddhist concept of *yin* and *yang*, Chan Sin Yee argues that it is Confucian to criticize social and political barriers to women's political participation and workplace opportunities and barriers to men's active role in nurturing and developing children.⁸⁶ Again, the interpretive implication of this reading of *ren* is that it is *more* Confucian to have institutions that are conducive to the development of all.

The second element draws our attention more closely to the integrated role that all institutions play in developing human potential. Both sides of the human nature debate value moral cultivation, but the interpretation of human nature as good invites us to be more critical of potentially exploitable hierarchies. Further, Confucian thought gives us lots of reasons to appreciate the impact of social and economic institutions and practices on political life. Consequently, the institutional implication of this second element of Confucian democratic theory is that institutions of the family, work life, social life,

and political life should function so as not to create hierarchies that would limit the potential of anyone to develop. Like the first, this view treats all of these institutions as resources for developing our understandings of our obligations and duties toward one another. A Western liberal interpretation of this might be to argue that there should be institutional mechanisms for restraining discrimination. The Confucian interpretation is that we should design institutions such that they do not discriminate because discriminatory practices restrain the cultivation of human potential.⁸⁷ However, because it is Confucian to build on political tradition, Confucian democratization does not mean designing institutions from scratch. Therefore, we may need to make existing institutions more Confucian by removing barriers to developing all humans' potential.

Consequently, the third practice of criticism is essential and cannot be meaningfully directed at political institutions only. In social, economic, and political institutions, critical practices need to be cultivated. Moreover, the possibility of critical analysis of social and economic practices to influence political discussions should be cultivated through institutional channels as well. Again, a Western liberal interpretation of the institutional implications of this practice might be institutional protections for critics as captured in a free press or freedom to associate. However, the institutional implications are not merely protective. *Confucian democracy* would have institutions that cultivate critical practices, not merely allow them, not merely prevent their oppression.

These three form a foundation for a Confucian democratic theory, but they are not sufficient. Such a theory has additional issues and institutional implications to consider. Three problems related to this foundation itself bear considering. First, how good are Confucian theoretical resources for evaluating whether a hierarchy is exploitable? Second, what are the Confucian theoretical resources for assuring that duties are practiced in a way that supports Confucian democracy? Is political criticism an adequate tool for perpetually submitting to evaluation social, political, and economic practices for their potential to exploit hierarchies? Third, how important to Confucianism is it that the concept of Heavenly Principle be understood transcendently? If Confucianism relies on a transcendent concept, is Confucian democracy appropriate only in contexts where this worldview is universally shared? A Confucian democratic theory needs to engage with these questions. The foundation of Confucian democratic theory proposed in this article has the resources to engage with these questions, but I don't offer it as *the* Confucian democratic theory, but more modestly as a historical and theoretical way to think about the foundations of a Confucian democracy.

5. CONCLUSION: A CRITICAL APPROACH TO GLOBAL DEMOCRATIC THEORY

The ongoing dialogue among critics (lay, scholar-official, activist, and theorist) maintains democratization as a vibrant way of life and not merely as a prescribed set of values or institutions criticized from the margins and hypocritically defended from the center. Western liberal thought provides only one set of traditional contexts for those lives, values, and institutions. Confucian political thought offers another. If we think of democratization as critical practice, clarified and deepened by its engagement with complementary and contaminating traditions, then we may fruitfully learn from these engagements in the further development of democratic theory.

The Confucianism I learn from in this article is not wed to a particular political program or form of government. Further, its relation to political power has changed over time. Because of these two ways in which it is dynamic, Confucianism offers the same depth to the study of political philosophy that it has offered philosophers, theologians, and scholars of religion.⁸⁸

With its experiences of dissent and change, each cultural and political tradition offers valuable information for developing a theory of democracy through criticism. Critical and deliberative democratic theorists have begun to develop this vein of thinking about democratic theory within the Western tradition. Comparative political thought is essential to this project.⁸⁹ The goal is not to add "foreign" insights to an existing Western model, but to develop a theory of democracy through interpretation *cross-culturally*, drawing on the strengths of various traditions, learning from dissenting voices within and across them, and transforming their respective notions of democratization into a collectively recognizable practice. If our philosophies and cultural tropes are constrained by our cultural, intellectual, and practical experiences, then cross-cultural dialogue offers real promise for expanding human imaginations such that we may be able to bring about democratic life where it is overtly valued and constructively support its development where it is valued by people at the margins of their polities.

NOTES

1. Gilbert Rozman, "Center-Local Relations: Can Confucianism Boost Decentralization and Regionalism," in *Confucianism for the Modern World*, ed. Daniel A. Bell and Hahm Chaibong (Cambridge: Cambridge University Press, 2003), 181-200; and Robert D. Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Schuster, 2000).

2. On Confucianism cross-culturally, see John H. Berthrong, *Transformations of the Confucian Way* (Boulder, Colo.: Westview Press, 1998); and on contemporary Chinese enthusiasm for

minzhu ("rule by the people") and its contemporary Confucian support, see Thomas Metzger, "Sources of Resistance," *Journal of Democracy* 9, no. 1 (1998): 18-26. See also Deng Xiaojun's argument that *tianxia weigong* ("politics is for all people") can be interpreted as popular sovereignty in Deng Xiaojun, *Rujia sixiang yu minzhuxixiang de luoji jiehe* (The logical reconciliation of Confucianism and democracy) (Chengdu: Sichuan People's Press, 1995); and the critique by Jiang Qing in *Zhengzhi Ruxue* (Political Confucianism) (Beijing: Shenghuo, dushu, xinzhi Sanlian shudian, 2003).

3. A stereotype about Confucianism is that it requires sacrifice of the self to community. This accusation is not implicit in the question I pose. For exploration of this accusation, see David L. Hall and Roger T. Ames, *Democracy of the Dead* (Chicago: Open Court, 1999).

4. For examples presenting a range of views, see William Theodore de Bary and Tu Weiming, eds., *Confucianism and Human Rights* (New York: Columbia University Press, 1998); Joanne R. Bauer and Daniel A. Bell, eds., *The East Asian Challenge for Human Rights* (Cambridge: Cambridge University Press, 1999); Michael C. Davis, ed., *Human Rights and Chinese Values* (Hong Kong: Oxford University Press, 1995); Li Chenyang, *The Tao Encounters the West: Explorations in Comparative Philosophy* (Albany: State University of New York Press, 1999); William P. Alford, "Making a Goddess of Democracy from Loose Sand: Thoughts on Human Rights in the People's Republic of China," in *Human Rights in Cross-Cultural Perspective: A Quest for Consensus*, ed. Abdullahi Ahmed An-Na'im (Philadelphia: University of Pennsylvania Press, 1992); Daniel Bell, "Human Rights and Social Criticism in Contemporary Chinese Political Theory," *Political Theory* 32, no. 3 (2004): 396-408; William Theodore de Bary, *Asian Values and Human Rights: A Confucian Communitarian Perspective* (Cambridge, Mass.: Harvard University Press, 1998); Stephen C. Angle, *Human Rights and Chinese Thought: A Cross-Cultural Inquiry* (Cambridge: Cambridge University Press, 2002); and Michael Davis, ed., *Human Rights and Chinese Values: Legal, Philosophical, and Political Perspectives* (Oxford: Oxford University Press, 1995).

5. Democratic activists in China since Kang Youwei and the Institutional Reform Movement (1895-1898) have used Confucian values as a justification for democratic reforms; see Wang Juntao, "Confucian Democrats in Chinese History," in *Confucianism for the Modern World*, ed. Daniel A. Bell and Hahm Chaibong (Cambridge: Cambridge University Press, 2003), 69-89. Contemporary contributions to the debate in Chinese include Jiang Qing, *Zhengzhi Ruxue* (Political Confucianism); and Deng Xiaojun, *Rujia sixiang yu minzhuxixiang de luoji jiehe* (The logical reconciliation of Confucianism and democracy). I thank Li Mingyan for discussing these texts with me. My focus on intellectual culture is consistent with that of Hall and Ames, *Democracy of the Dead*; Francis Fukuyama, "Confucianism and Democracy," *Journal of Democracy* 6, no. 2 (1995): 20-33; and Ronald Inglehart and Wayne E. Baker, "Modernization, Cultural Change, and the Persistence of Traditional Values," *American Sociological Review* 65, no. 1 (2000): 19-51. My epistemological assumption is that attention to cultural values should require attention to dissenting voices within an intellectual tradition and acknowledgement that the keepers of culture for the ages had the power of literacy that those without could not use to share their views with interlocutors from the future.

6. One might argue that this is what Michael Sandel is fishing for in *Democracy's Discontent: America in Search of a Public Philosophy* (Cambridge, Mass.: Harvard University Press, 1996). Liberty and equality complement and compete with each other in liberal democratic theory. Rawls's justice as fairness provides one way of reconciling these competing norms; see John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993); and John Rawls, *The Law of Peoples* (Cambridge, Mass.: Harvard University Press, 1999). By contrast, Chantal Mouffe offers a useful articulation of the role of their tension in contemporary democratic theory; see *The Democratic Paradox* (New York: Verso, 2000).

7. Michael Walzer, *Spheres of Justice* (New York: Basic Books, 1983); Seyla Benhabib, *The Claims of Culture: Equality and Diversity in the Global Era* (Princeton, N.J.: Princeton University Press, 2002); Susan Moller Okin, *Justice, Gender and the Family* (New York: Basic Books, 1989); and cf. Sandel, *Democracy's Discontent*.

8. Mouffe criticizes the characterization of liberal democracy as either complementary or antagonistic and sees liberalism and democracy as working together through mutual "contamination." To use Mouffe's language, Confucianism contaminates democracy just as liberalism contaminates democracy; democracy contaminates Confucianism just as democracy contaminates liberalism. By contrast, Chenyang, "The Tao Encounters the West," argues that Confucianism and democracy can coexist as *independent* value systems. Understanding democracy and liberal democracy, Jiang Qing argues that Confucianism and liberal democracy are incommensurable value systems. He builds his argument in part on a critique of Deng Xiaojun, who he accuses of trying to reconcile through logic two political practices that can be understood only in the contexts of their political, social, cultural, and religious contexts.

9. Hall and Ames, *Democracy of the Dead*; and Tan Sor-hoon, *Confucian Democracy: A Deweyan Reconstruction* (Albany: State University of New York Press, 2003) both argue that Confucianism supports a Deweyan form of democracy. Bell describes an institutional innovation that looks like early nineteenth-century representative bodies through which elites mediate democratic impulses; see Daniel A. Bell, *East Meets West: Human Rights and Democracy in East Asia* (Princeton, N.J.: Princeton University Press, 2000).

10. Chang Yun-Shik, "Mutual Help and Democracy in Korea," in Bell and Chaibong, *Confucianism for the Modern World*, 90-123.

11. Rawls, *Political Liberalism*. And Young under review at *Perspectives on Politics*.

12. Robert A. Dahl, *A Preface to Economic Democracy* (Cambridge: Polity Press, 1985), 60.

13. Okin, *Justice, Gender and the Family*.

14. Iris Young, *Justice and the Politics of Difference* (Princeton, N.J.: Princeton University Press, 1990).

15. See Susan Okin, *Is Multiculturalism Bad for Women?* (Princeton, N.J.: Princeton University Press, 1999); and associated critical debates. See also Nancy Fraser, *Justice Interruptus: Critical Reflections on the "Postsocialist" Condition* (New York: Routledge, 1997); and related critical debates with Iris Marion Young. See also Patchen Markell, *Bound by Recognition* (Princeton, N.J.: Princeton University Press, 2003); Nancy Fraser and Axel Honneth, *Redistribution or Recognition? A Political-Philosophical Exchange* (London: Verso, 2003); and related exchanges.

16. Compare to Charles Taylor, "The Dynamics of Democratic Exclusion," *Journal of Democracy* 9, no. 4 (1998): 143-56.

17. Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge, Mass.: Harvard University Press, 2000); Amy Gutmann, *Liberal Equality* (Cambridge: Cambridge University Press, 1980); Ian Shapiro, *State of Democratic Theory* (Princeton, N.J.: Princeton University Press, 2003); Okin, *Justice, Gender and the Family*; Rawls, *Political Liberalism*; and Walzer, *Spheres of Justice*.

18. James Bohman, *Public Deliberation: Pluralism, Complexity, and Democracy* (Cambridge, Mass.: MIT Press, 1996); Joshua Cohen, "Procedure and Substance in Deliberative Democracy," in *Democracy and Difference: Changing Boundaries of the Political*, ed. Seyla Benhabib (Princeton, N.J.: Princeton University Press, 1996); John S. Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (Oxford: Oxford University Press, 2000); James S. Fishkin, *Democracy and Deliberation: New Directions for Democratic Reform* (New Haven, Conn.: Yale University Press, 1991); Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, Mass.: Belknap Press of Harvard University Press,

1996); and Seyla Benhabib, "Toward a Deliberative Model of Democratic Legitimacy," in Benhabib, *Democracy and Difference*.

19. Susan Bickford, *The Dissonance of Democracy: Listening, Conflict, and Citizenship* (Ithaca, N.Y.: Cornell University Press, 1996); Jürgen Habermas, "Reconciliation through the Public Use of Reason: Remarks on John Rawls's Political Liberalism," *Journal of Philosophy* 92, no. 3 (1995): 109-31; and Jürgen Habermas, *Between Facts and Norms: Contributions to a Discourse Theory of Law and Democracy*, trans. William Rehg (Cambridge, Mass.: MIT Press, 1996).

20. Carole Pateman, *Participation and Democratic Theory* (Cambridge: Cambridge University Press, 1970).

21. Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Clarendon Press, 1997); Hanna Pitkin, *Representation* (New York: Atherton Press, 1969); and Bernard Manin, *The Principles of Representative Government* (New York: Cambridge University Press, 1997). Obviously, those I cite in these last footnotes are only a small subset of contemporary democratic theorists.

22. Phillip Schmitter and Terry Lynn Karl, "What Democracy Is and Is Not," *Journal of Democracy* 2, no. 3 (1991): 75-88; Robert D. Putnam, with Robert Leonardi and Raffaella Y. Nanetti, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton, N.J.: Princeton University Press, 1993); and Larry Diamond, "Foreword," in *China and Democracy: Prospect for a Democratic China*, ed. Suisheng Zhao (New York: Routledge, 2000), ix-xv.

23. Daniel Bell, "Which Rights Are Universal?" *Political Theory* 27, no. 6 (1999): 849-56.

24. Hahm Chaibong, "Constitutionalism, Confucian Civic Virtue, and Ritual Propriety," in Bell and Chaibong, *Confucianism for the Modern World*, 31-53; and Russell Fox, "Authority and Activity: The Politics of Puritan and Confucian Communities" (paper presented at the American Political Science Association annual meeting, Chicago, September 2004).

25. Hahm Chaibong, "Constitutionalism, Confucian Civic Virtue, and Ritual Propriety"; Mo Jongryn, "The Challenge of Accountability: Implications of the Censorate," in Bell and Chaibong, *Confucianism for the Modern World*, 54-68; and Wang Juntao, "Confucian Democrats in Chinese History," in Bell and Chaibong, *Confucianism for the Modern World*, 69-89.

26. Chang Yun-Shik, "Mutual Help and Democracy in Korea," 90-123.

27. Gilbert Rozman, "Center-Local Relations."

28. Geir Helgesen, "The Case for Moral Education," in Bell and Chaibong, *Confucianism for the Modern World*, 161-77.

29. David L. Hall and Roger T. Ames, *Thinking through Confucius* (Albany: State University of New York Press, 1987); Hall and Ames, *Democracy of the Dead*; and David L. Hall and Roger T. Ames, "A Pragmatist Understanding of Confucian Democracy," in Bell and Chaibong, *Confucianism for the Modern World*, 124-60.

30. Chen Albert H. Y., "Mediation, Litigation, and Justice: Confucian Reflections in a Modern Liberal Society," in Bell and Chaibong, *Confucianism for the Modern World*, 257-87; and Chan Sin Yee, "The Confucian Conception of Gender in the Twenty-first Century," in Bell and Chaibong, *Confucianism for the Modern World*, 312-33.

31. Fang Jue, "A Program for Democratic Reform," *Journal of Democracy* 9, no. 4 (1998): 9-19; Joseph Chan, "A Confucian Perspective on Human Rights," in Bauer and Bell, *The East Asian Challenge for Human Rights*, 212-37; and Bell, *East Meets West*. Daniel Bell and Joseph Chan have suggested some democratic institutions for China. William Theodore de Bary, *The Liberal Tradition in China* (New York: Columbia University Press, 1983), and J. Chan have reflected on Confucian values appropriate for sustaining democratic institutions in China. De Bary and J. Chan envision a liberal democracy for China; Bell envisions a democracy constrained by elites; cf. Neil A. Englehart's account of the People's Action Party's (PAP) rule in contempo-

rary Singapore, "Rights and Culture in the Asian Values Argument: The Rise and Fall of Confucian Ethics in Singapore," *Human Rights Quarterly* 22, no. 2 (2000): 548-68; and John Stuart Mill's account of representative democracy in *Considerations on Representative Government* (1861; reprint, New York: Prometheus Books, 1991).

32. Deng Xiaojun *Rujia sixiang yu minzhuxixiang de luoji jiehe* (The logical reconciliation of Confucianism and democracy), critiqued by Jiang, *Zhengzhi Ruxue* (Political Confucianism), ch. 3.

33. For example, Joseph Chan finds the Confucian value of humaneness (*ren*) similar to that of Western human rights. By contrast, Lee Seung-hwan identifies a practice of recognizing rights that is consistent with Western notions of rights without treating those rights as foundational to Confucian moral theory; see Lee Seung-hwan, "Was There a Concept of Rights in Confucian Virtue-Based Morality?" *Journal of Chinese Philosophy* 19 (1992): 241-61. See also references in note 4, above; Joshua Cohen, "Minimalism about Human Rights: The Most We Can Hope For?" *Journal of Political Philosophy* 12, no. 2 (2004): 190-221; and de Bary, *The Liberal Tradition in China*.

34. Fukuyama, "Confucianism and Democracy," notes the range of political environments that have described Confucian societies and notes that as a political philosophy (except for a period of repression of Buddhism), Confucianism has supported toleration to a degree incomparable with Islam and Christianity.

35. Li Chenyang, ed., *The Sage and the Second Sex* (Chicago: Open Court, 2000).

36. Ian Shapiro, *Political Criticism* (Berkeley: University of California Press, 1990); Michael Walzer, *Interpretation and Social Criticism* (Cambridge, Mass.: Harvard University Press, 1987); and Brooke Ackerly, *Political Theory and Feminist Social Criticism* (Cambridge: Cambridge University Press, 2000).

37. Li Chenyang, "The Tao Encounters the West: Explorations in Comparative Philosophy"; William Theodore de Bary, *The Trouble with Confucianism*, (Cambridge, Mass.: Harvard University Press, 1991), gives an account of Lü Liu-liang (1629-1683) and Fang Tung-shu (1772-1851), post-Song and -Ming scholars, reasserting the Neo-Confucian orthodoxy by criticizing the abuse of power. Cf. Walzer, *Interpretation and Social Criticism*; and Shapiro, *Political Criticism*.

38. Cf. Li Chenyang, "The Tao Encounters the West."

39. Edward Slingerland, *Confucius: Analects with Selections from Traditional Commentaries* (Indianapolis, Ind.: Hackett, 2003), 238. Other suggestions include humaneness or benevolence; humanity, shared humanness, compassion, or empathy; and human relations, social relationships, or shared goals. Arthur Waley, *Three Ways of Thought in Ancient China* (Stanford, Calif.: Stanford University Press, 1982); J. Chan, "A Confucian Perspective on Human Rights"; Lee Seung-hwan, "Was There a Concept of Rights in Confucian Virtue-Based Morality?" 252; and Huang Siu-chi, *Essentials of Neo-Confucianism: Eight Major Philosophers of the Song and Ming Periods* (Westport, Conn.: Greenwood Press, 1999). See also Tu Weiming, "Foreword," in Robert C. Neville, *Boston Confucianism: Portable Tradition in the Late-Modern World* (Albany: State University of New York Press, 2000). See Li Chenyang's interesting discussion of translation, "The Tao Encounters the West."

40. Mengzi also refutes Yang Zhu, who argued that humans are autonomous individuals, not bound to anyone.

41. Translations of the *Mencius* are from James Legge, *The Four Books*, which includes *The Analects*, *The Great Learning*, *The Doctrine of the Mean*, and the *Mencius* (New York: Paragon Book Reprint Corp., 1966), unless otherwise noted. Translations of the *Analects* are from Slingerland, *Confucius*. I highly recommend this last text as an introduction to Confucian thought; the translator's use of traditional commentaries puts an English language reader in a

more interesting relationship to the text than a straight translation. The translation by Roger Ames and Henry Rosemont gives insight into the Chinese language; see Roger Ames and Henry Rosemont, *The Analects of Confucius: A Philosophical Translation* (New York: Ballantine, 1998). The authorship and history of these texts are subjects of scholarship which add nuance to but do not change my interpretation of these texts. Common nomenclature is to refer to the texts attributed to Mengzi as "the *Mencius*."

42. On the relationship of ethics and politics, see Tan Sor-hoon, *Confucian Democracy*, esp. ch. 4.

43. Within Western feminism, scholars debate whether relationships found or threaten justice for women. Compare Carol Gilligan, *In a Different Voice: Psychological Theory and Women's Development* (Cambridge, Mass.: Harvard University Press, 1982); and Okin, *Justice, Gender and the Family*. Feminist scholarship on *ren* sustains a like concern (see many of the contributors to Li Chenyang, *The Sage and the Second Sex*).

44. On Mengzi and Xunzi on human nature, see Philip J. Ivanhoe, *Confucian Moral Self-Cultivation*, 2nd ed. (Indianapolis, Ind.: Hackett, 2000).

45. Shun, Kwang-loi, *Mencius and Early Chinese Thought* (Stanford, Calif.: Stanford University Press, 1997); and Li Chenyang, "The Tao Encounters the West"; cf. Hall and Ames, *Democracy of the Dead*.

46. Huang Siu-chi, *Essentials of Neo-Confucianism*.

47. Zhang Zai, "Western Inscription," in *ibid.*, 71, 118.

48. Huang Siu-chi, *Essentials of Neo-Confucianism*, 70-80.

49. Cheng Hao, *On Understanding the Nature of Humanity*, cited by *ibid.*, 92; see also J. Chan, "A Confucian Perspective on Human Rights," 223-24.

50. Huang Chun-chieh, *Mencian Hermeneutics: A History of Interpretations in China* (New Brunswick, N.J.: Transaction Publishing, 2001).

51. De Bary, *The Trouble with Confucianism*.

52. Wang, "Confucian Democrats in Chinese History."

53. For example, Neville, *Boston Confucianism*; cf. Hahm Chaibong, "Constitutionalism, Confucian Civic Virtue, and Ritual Propriety."

54. Joel Kupperman, "Xunzi: Morality as Psychological Constraint," in *Virtue, Nature, and Moral Agency in the Xunzi*, ed. T. C. Kline III and Philip J. Ivanhoe (Indianapolis, Ind.: Hackett, 2000).

55. A range of Western political thought with very little else in common would agree that exploitable hierarchy is a challenge to democracy, liberty, equality, or some combination of these; see Walzer, *Spheres of Justice*; Catharine MacKinnon, "Crimes of War, Crimes of Peace," in *On Human Rights: The Oxford Amnesty Lectures 1993*, ed. Stephen Shute and Susan Hurley (New York: Basic Books, 1993), 83-109; Philip Pettit, *Republicanism: A Theory of Freedom and Government* (Oxford: Clarendon Press, 1997); and Johan Galtung, *The True Worlds: A Transnational Perspective* (New York: Free Press, 1980).

56. For example, R. P. Peerenboom, "What's Wrong with Chinese Rights? Toward a Theory of Rights with Chinese Characteristics," *Harvard Human Rights Journal* 6 (1993): 29-57; Roger T. Ames, "Rites as Rights: The Confucian Alternative," in *Human Rights and the World's Religions*, ed. Leroy S. Rouner (Notre Dame, Ind.: University of Notre Dame Press, 1988); and Lee Seung-hwan, "Was There a Concept of Rights in Confucian Virtue-Based Morality?"

57. Shun Kwang-loi, *Mencius and Early Chinese Thought*, 63; and Li Chenyang, "The Tao Encounters the West," esp. chs. 1, 4.

58. As Wang Yang-ming (1472-1529) further developed centuries later, great and small men have an intuitive knowledge of the good; see Huang Siu-chi, *Essentials of Neo-Confucianism*, 200-1. Legge and Liu's translations of this passage are similar to that cited here. Ivanhoe, on the

other hand, has a different emphasis and takes the point of the passage to be that another sage would agree with his criticism of Yang and Mo; see Philip J. Ivanhoe, *Ethics in the Confucian Tradition: The Thought of Mengzi and Wang Yangming*, 2nd ed. (Indianapolis, Ind.: Hackett, 2002), 118. The differences in interpretation are philosophical and not based on different translations. See also Li Chenyang's discussion of the person, "The Tao Encounters the West," 146 ff.

59. Legge, *The Four Books*, 678.

60. From a non-Confucian perspective, Onora O'Neill argues that obligation is the basis of rights and the equality of humans; see Onora O'Neill, *Bounds of Justice* (Cambridge: Cambridge University Press, 2000).

61. The entire text of the Western Inscription appears in Huang Siu-chi, *Essentials of Neo-Confucianism*, 69-70.

62. *Ibid.*, 158, also 151.

63. *Ibid.*, 180.

64. For example, Tu Weiming, "Foreword"; and Neville, *Boston Confucianism*.

65. Cf. J. Chan, "A Confucian Perspective on Human Rights."

66. In the West, concern about the latter supports various government protections and individual rights, and one might read Xunzi's views of human nature as consistent with liberal institutions.

67. Neville *Boston Confucianism*.

68. See Tu Weiming, "Foreword"; Tu Weiming, *Humanity and Self Cultivation: Essays in Confucian Thought* (Berkeley, Calif.: Asian Humanities Press, 1979); Tu Weiming, *Confucian Thought: Selfhood as Creative Transformation* (Albany: State University of New York Press, 1985); and Berthrong, *Transformations of the Confucian Way*.

69. See also Fukuyama, "Confucianism and Democracy."

70. Ouyang Xiu, "Essay on Fundamentals," cited by David S. Nivison, "Introduction," in *Confucianism in Action*, ed. David S. Nivison and Arthur F. Wright (Stanford, Calif.: Stanford University Press, 1959), 6. In Alan Wood, *Limits to Autocracy: From Sung Neo-Confucianism to a Doctrine of Political Rights* (Honolulu: University of Hawaii, 1995), Wood offers this reading of Neo-Confucianists of the Song dynasty.

71. Hoyt Cleveland Tillman, *Utilitarian Confucianism: Ch'en Liang's Challenge to Chu Hsi* (Cambridge, Mass.: Harvard University Press, 1982), 30-31. See also Hoyt Cleveland Tillman, *Confucian Discourse and Chu Hsi's Ascendancy* (Honolulu: University of Hawaii Press, 1992). Chen Jie and Zhong Yang offer a contemporary account of popular opinion in which they find that for democrats in China, social order is an important goal of democracy; see Chen Jie and Zhong Yang, "Valuation of Individual Liberty vs. Social Order among Democratic Supporters: A Cross-Validation," *Political Research Quarterly* 53, no. 2: 427-39.

72. See also *Analects*, 3.3, 12.19, 12.23, 13.4, and 15.14. J. Chan, "A Confucian Perspective on Human Rights," shares a similar view of paternalism. Fukuyama notes that political paternalism did become a part of Japanese Confucianism; see Fukuyama, "Confucianism and Democracy."

73. Slingerland's discussion of this passage is illuminating:

[W]e see here an indication of the situational responsiveness of the gentleman, who relies upon his internal moral sense—rather than conventional social prejudice—when judging people or affairs. Confucius' approval of his conventionally tabooed son-in-law in *Analects* 5.1 and his suspicion of unexamined social judgments in 13.4 can serve as . . . practical illustrations of this principle. (32-33)

74. Tillman, *Utilitarian Confucianism*, 29.

75. Xunzi cited in *ibid.*, 28-29.

76. Zhang Zai (1020-1077), an early Neo-Confucianist, lost his post for criticizing government policy under Wang An-shi (1021-1086); Huang Siu-chi, *Essentials of Neo-Confucianism*, 59.
77. *Ibid.*, 125, 154, 181.
78. De Bary, *The Liberal Tradition in China*, 3.
79. Huang Siu-chi, *Essentials of Neo-Confucianism*, 192.
70. De Bary, *The Liberal Tradition in China*, 91-98, 100; also Mo Jongryn, "The Challenge of Accountability: Implications of the Censorate."
81. And, to use Mouffe's concept, they contaminate each other (see note 4 above).
82. Tu Weiming, "Foreword."
83. Neville, *Boston Confucianism*.
84. Ackerly, *Political Theory and Feminist Social Criticism*.
85. Ames and Rosemont, *Analects*.
86. Chan Sin Yee, "The Confucian Conception of Gender in the Twenty-First Century."
87. Cf. *ibid.*, 323-25.
88. For example, those texts by Ames, Berthrong, Li Chenyang, Huang Chun-chieh, de Bary, Hall, Ivanhoe, Neville, and Tu Weiming, previously cited; as well as Irene Bloom, *Knowledge Painfully Acquired: The K'un-chih chi by Lo Ch'in-shun*, trans., ed., and intro. Irene Bloom (New York: Columbia University Press, 1987); and Alan K. L. Chan, *Mencius: Contexts and Interpretations* (Honolulu: University of Hawaii Press, 2002).
89. See Fred Dallmayr, "Beyond Monologue: For a Comparative Political Theory," *Perspectives on Politics* 2, no. 2: 249-57.

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