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Political Intimacy and Self-Governance in the *Dialogues of Confucius*: An Exploratory Study on the Philosophical Potential of the *Kongzi Jia Yu*

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Abstract

The *Dialogues of Confucius* (*Kongzi Jia Yu* 孔子家語) is an unexplored resource for the philosophy of Confucius. In this article, I make a first attempt at mining its riches. Focusing on Chapters 21 and 32, I reconstruct a multilevel theory of governing that is a cyclic process proceeding from the moral psychology of the individual to social organization, to the society as grounded in natural processes, and to the metaphysics of the natural processes themselves, thus adumbrating a metaphysics of morals from the microcosmic to the macrocosmic. This movement between macrocosmic and microcosmic levels encompasses moral psychology, economics, politics, aesthetics, and metaphysics. The metaphysical forces that account for the blowing of the wind and the motivation of human behavior are forces that flow when functioning properly and that otherwise stagnate. Maintaining that flow is the task of the leadership. Once that task is accomplished, and the flywheel spins of its own momentum, the people become self-governing. This multilevel cyclic process is compared to contemporary Western economic and political theory that is based on the unimpeded individual, aggregated into majoritarian democratic rule, based on the social contract, and vulnerable to the tragedy of the commons. Contrary to current Confucian-based correctives to democracy that seek to limit the power of the people, this Confucian argument empowers the people via a frugal, caring, well-regulated leadership.

Keywords Political intimacy · Self-governance · Confucianism · Self-regulation

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1 Introduction

The *Dialogues of Confucius* (*Kongzi Jia Yu* 孔子家語; hereafter *Dialogues*) is a document dating to the Warring States period, or, rather, many documents collected together, all purported to originate in the ideas of Confucius (Kramers 1950, Yang and Song 2013). In his epilogue to the *Dialogues*, Kong Anguo 孔安國 (2nd c. BCE) says that the *Dialogues* is made up of the leftovers after the "most authentic and sensible" documents were formed into the *Analects*. But some parts of the *Dialogues*, he says, "reflect the original thoughts of Confucius."[1]

What distinguishes the *Dialogues* from the *Analects* on a formal level is the length of many of the passages. Whereas the longest thematic statement (11.26) in the *Analects* is a mere 315 Chinese characters, the longest thematic statement (all of chapter 32) in the *Dialogues* has 2,208 Chinese characters. And it is not unique in this respect. In fact, a large portion of the *Dialogues* is comprised of long thematic statements, which I will refer to going forward as essays, even though, precisely speaking, they belong to the dialogue genre. The briefest of these is 497 Chinese characters, and there are 13 further essays between the shortest and the longest, for a total of 15, most of them whole chapters in themselves (Table 1). Of the 44 chapters of the book, 11 are unified statements around a single theme, or a single set of closely related themes.

The textual histories of the *Analects* and the *Dialogues* are complicated and run parallel to each other. Neither text is attested as a unified text prior to the Han 漢 dynasty, and yet both are said to be collections of pre-Han material (Loewe 1993, Makeham 1996). The reason that the *Analects* is widely known and the *Dialogues* is not is that the *Analects* circulated in various forms during the early Han, whereas the documents of the *Dialogues* remained housed in the imperial archives, uncollated (Kong Anguo, epilogue of the *Dialogues*). But there is a second, and more important, reason for the historical preeminence of the *Analects* over the *Dialogues*, which is that the contents of the *Analects* are largely found only in the *Analects*, while much of the content of the *Dialogues* is found in various other collections that date to the Han dynasty, and this overlap allowed for the *Dialogues* to be falsely branded a forgery, arresting its development (see Huang 2017, Kramers 1950, and Yang and Song 2013 for details). The relationships of the *Dialogues* and other texts

[1] The most important scholarly study of the *Dialogues* in English is Kramers 1950. Robert Kramers translates the title *School Sayings of Confucius*. In Bruya and Li (under review), Li Wenwen and I make the case that in the text, the term *yu* 語, rather than meaning *sayings* in the abstract, invariably refers to *saying to* or to a conversation between people, for example:

> 孔子之郯, 遭程子於塗, 傾蓋而語, 終日, 甚相親。
> On his way to the state of Tan, Confucius encountered Chengzi. They pulled their carriages alongside each other and began to chat. Their conversation continued for the whole day, as if they were long lost family. (8.13)

On this basis, we translate the term "*yu*" with the English "dialogue." The full title would be "The *Dialogues* of the Family/School of Confucius," which we abbreviate to the *Dialogues of Confucius*.

The authenticity of the *Dialogues* has been a topic of debate over many centuries. The most recent large-scale studies in both Chinese and English converge on the conclusion that it is largely authentic (Huang 2017, Kramers 1950, Yang and Song 2013).

Table 1 Essays in the *Dialogues*

Essay Number	*Dialogues* Passage	Chinese Characters	Versions also in:
1	Ch. 3	1,272	*Da Dai Li Ji*
2	Ch. 4	814	*Da Dai Li Ji* *Li Ji*
3	Ch. 5	1,085	*Li Ji*
4	Ch. 7	1,609	*Xunzi* *Shuo Yuan*
5	17.1–4	825	*Li Ji*
6	Ch. 21	1,100	*Da Dai Li Ji*
7	Ch. 23	958	*Da Dai Li Ji*
8	Ch. 24	597	
9	Ch. 26	853	*Da Dai Li Ji* *Li Ji*
10	27.1	802	*Li Ji*
11	27.2	433	*Li Ji*
12	Ch. 29	493	*Li Ji*
13	30.1	983	*Da Dai Li Ji*
14	Ch. 31	649	*Li Ji*
15	Ch. 32	2,208	*Li Ji*

with overlapping material (e.g., *Xunzi* 荀子, *Shuo Yuan* 說苑 [*Garden of Eloquence*], *Li Ji* 禮記 [*Record of Ritual Propriety*], *Da Dai Li Ji* 大戴禮記 [*Older Dai's Record of Ritual Propriety*]) is like the relationship of the Gospels of Luke and Matthew. Just as Luke and Matthew likely date back to an earlier manuscript, known as Q (in addition to the Gospel of Mark), so the contents of the *Dialogues* and other texts containing overlapping material date back to common sources. For the most part, it is not the case that one extant text is the basis of the other extant texts.[2]

Both the *Analects* and *Dialogues* are compilations of Warring States material, and both represent the thoughts of Confucius. Today, however, only the *Analects* has been examined philosophically. In this article, I take a first step in the direction of examining the philosophical content of the *Dialogues*, with a focus on two of the essays: chapters 21 and 32. Chapter 21 has, to my knowledge, never been translated into English. The *Li Ji* version of chapter 32 was translated by James Legge.[3]

In this article, I introduce the moral metaphysics of the *Dialogues*, which possesses characteristics traditionally associated with both Daoism and Confucianism. In this way, the *Dialogues* resembles the contents of the Guodian and Shanghai Museum manuscripts, which predate the *Mencius* and the *Zhuangzi* 莊子 and range

[2] In Bruya and Li (under review), we provide an overview and analysis of recent literature examining the authenticity of the *Dialogues*, provisionally concluding that the *Dialogues* is largely genuine. If it were to turn out that relevant parts are not genuine, it would not alter the argument offered here, except that attributions to Confucius would be more complicated.

[3] Partial translations of the *Li Ji* version of the essay can be found in various places, such as Chan 2013; de Bary, Chan, and Watson 1960; Ing 2012; Nylan 2001; and Puett 2010.

in topics from cosmogony to Confucian political theory. In the following section, I take the preliminary step of explaining how *Dialogues* chapter 32 and the "Li Yun 禮運 (Ritual Propriety in Motion)" chapter of the *Li Ji*, which overlap significantly in content, differ as to the nature and significance of *li* 禮.[4] In section 3, I attempt to explain the main elements of the multilevel political theory from *Dialogues* chapters 21 and 32, with an emphasis on the notion of *qin* 親 (bonds of intimacy), and make the case that this dimension of Confucian political theory was overlooked by admiring Europeans, notably the French physiocrats. In the final section, I attempt to show the potential relevance of the *Dialogues* to contemporary political and economic theory as derived, in part, from the French physiocrats, via Adam Smith, by demonstrating how Confucian theory may offer a solution to the tragedy of the commons. I should emphasize that each of these sections is, by necessity, cursory and exploratory. Much more work is required to do justice to the depth and breadth of the subject matter.

2 *Li* in the *Dialogues* vs. in the *Li Ji*

Taken together, *Dialogues* chapters 21 and 32 present a seamless theory of governing, from the moral psychology of the individual, to social organization, to the society as grounded in natural processes, to the metaphysics of the natural processes themselves, thus adumbrating a metaphysics of morals from the microcosmic to the macrocosmic. Much of this theory is also present in its more well-known articulation in the *Li Ji*, but with crucial differences. Exploring these differences is an important first step to understanding the political philosophy of the *Dialogues*.

Both versions divide the development of human society into eras, from a primitive, precivilized era to a civilized, well-ordered era, but interpretations of the *Li Ji* differ as to the number of discrete stages and as to the constituents of each stage. Some interpretations of the *Li Ji* version identify only two stages: the *da tong* 大同 (grand unity) stage, which is precivilized and harmonious, and the present stage, which is civilized and harmonious, but to a lesser degree of harmony (*xiao kang* 小康).[5] Michael Ing, following standard commentaries, he says, posits an interpretation of four stages: a precivilization stage, the stage of grand unity, the stage of modest prosperity, and the present stage (Ing 2012).

According to Michael Puett's reading, the key developmental factor for Confucius is the development of *li* (ritual propriety) and the differentiations it requires (or on which it is based) (Puett 2010). This development is what sets off the period of modest prosperity from the preceding period of grand unity, meaning that Confucius has no aspiration to return to the circumstances of the period of grand unity. For Ing,

[4] I leave a number of key philosophical terms in transliteration, assuming that the reader will already have a sufficient grasp of them: *li* 禮, *ren* 仁, *yi* 義, *dao* 道, *de* 德, *junzi* 君子, and *xiao* 孝. The exact interpretation of each differs from text to text and interpreter to interpreter, and translating them not only does not necessarily provide interpretive clarity, it can even mislead. For extensive explanations of each see Ames 2021 or Cua 2003.

[5] See, for example, Chan 2013; de Bary, Chan, and Watson 1960; and Puett 2010.

ritual develops continuously from the earliest times to the present, but people are conflicted as to its overall value, and what divides the period of grand unity from the period of modest prosperity is a growing sense of self-centeredness in the period of modest prosperity.

Ing remarks that some of the difficulties of interpreting the *Li Ji* version of the chapter are avoided in the *Dialogues* version because the *Dialogues* version does not contain the passage about primitive times. It is correct that the *Dialogues* version of the chapter does not contain the passage; however, the passage does occur in *Dialogues* 6.2, where Confucius clearly explains the development and role of *li* in civilization. Consistent with other early Confucian texts, *li* is depicted throughout the *Dialogues* as a human innovation contributing to the betterment of humanity, like fire and clothing. Unlike the *Li Ji* version, which allows for *li* to be interpreted as problematic, the *Dialogues* unambiguously praises the efficacy and normative value of *li*.

The first specific difference we should note between *Dialogue*s chapter 32 and the similar version in the *Li Ji* is that *Dialogues* 32 does not contain the quasi-affirmative term *xiao kang*, and so there is no ambiguity in it regarding the fact that the present stage is an unsatisfactory step down from the stage of grand unity. Likewise, there is no ambiguity in *Dialogues* 32 that the period of grand unity was the period of the great sage-kings, and not the period of precivilization (as Puett suggests with regard to the *Li Ji* version). Also, crucially, whereas the *Li Ji* version begins the *xiao kang* passage by noting that a distinguishing feature of the period is *li* (大人世及以為禮), the equivalent passage in the *Dialogues* reads: 大人世及以為常, both translated as follows:

> *Li Ji*: [They][6] considered it ritually proper to pass down positions of authority on the basis of lineage. (Ing 2012: 106)
> *Li Ji*: Hereditary offices and titles are granted by ritual law. (de Bary, Chan, and Watson 1960: 176)
> *Dialogues*: Power is passed down only through family lines.[7]

Notice that the heredity system in the *Li Ji* version is accounted for by *li*, but in the *Dialogues* version, it is not.

Yet another small but crucial difference, one that is expounded on at length by both Ing and Puett, lies in the *Li Ji* phrase 禮義以為紀, translated:

> [They] took ritual and righteousness as their standards. (Ing 2012: 106)
> Ritual and propriety are used as the binding. (Puett 2010: 368)
> As for the rites and duties, they think them the main structures…. (Nylan 2001: 196)
> Ritual and righteousness are used to regulate…. (de Bary, Chan, and Watson 1960: 176)

Both Ing and Puett base their problematization of *li* in the *xiao kang* stage largely on this phrase. *Li*, according to them, gets its full and problematic realization in this

[6] Brackets supplied by Ing.

[7] All translations of the *Dialogues* in this article are from Bruya and Li (under review).

stage, and although it is viewed as good, *li* is not viewed as a cure-all for the ills of society, and brings with it its own complications.

The *Dialogues* version, in contrast, does not contain the phrase in question. Instead, it contains the following phrase later in the description:

> 禮之所興, 與天地并。
> *Li* flourishes in concert with nature.

Perhaps the most important difference of all between the two versions of the chapter is what occurs right after the thought, in the *Li Ji* version, of *li* as a standard. It says:

> 故謀用是作, 而兵由此起。
> It was at this point that people created and employed deceitful schemes; and military weapons came about. (Ing 2012: 107)

and then:

> 禹、湯、文、武、成王、周公, 由此其選也。
> The figures Yu, Tang, Wen, Wu, King Cheng, and the Duke of Zhou arose in the midst of all this. (Ing 2012: 107)

Some interpreters (e.g., Ing and Puett) take the succession of these lines in the *Li Ji* (first *li* arose, and on account of that, deceitful scheming military weapons arose) to mean that *li* is the cause of deceitful human scheming.

Not only does the *Dialogues* version not contain the phrase with *li* as the standard of the hereditary system, it also does not refer to scheming. Further, its reference to the former sage-kings reads as follows:

> 禹、湯、文、武、成王、周公由此而選, 未有不謹於禮。
> Yu, Tang, Wen, Wu, King Cheng, and the Duke of Zhou obtained power this way, [but] they also earnestly performed *li*. (32.2)

We do see a certain kind of theoretical tension in the *Dialogues*, but it has nothing to do with *li*, which is viewed as unequivocally good. The tension is between loyalty to the ruler as a person and loyalty to the ruler as a virtuous head of state. This tension gets fleshed out in the *Mencius*, where regicide of tyrannical rulers is condoned. According to chapter 32 of the *Dialogues*, the tension arose with Yu's 禹 passing the crown to his son and beginning the Xia 夏 dynasty, the first imperial dynasty—the origin of the hereditary system. Prior to that, as many early texts profess (and as *Dialogues* chapter 23, which is dedicated to describing the Five Chiefs, spells out), each of the Five Chiefs passed the crown to men of high capability, not to their own sons. The theoretical tension is resolved in the virtue of the ruler and his use of *li*. As long as the hereditary system produces rulers who are virtuous and follow *li*, the primary purpose of government—safeguarding the peace and prosperity of the populace—is achieved. And so, Confucius states that although his heroes (Yu, Tang, Wen, Wu, King Cheng, and the Duke of Zhou) all perpetuated the dynastic system, they were also virtuous leaders, guiding the government and the people through their use of *li*. And this *li*, chapter 32 goes on to say, is consistent with the natural processes, which are also viewed as fundamentally good.

Ing says that "the reasons" problems arose during the stage of modest prosperity "are not explained in the text" (Ing 2012: 3). Actually, they are, but the tying of *li* to scheming and dynastic relations in the *Li Ji* version obscures them. The problem arose, Confucius says, in both versions of this chapter, in Zhou kings You 幽 and Li 厲,[8] who are notorious for their disregard of *li*. The *Dialogues* version of the chapter is clear, though, that *li* accounts for the good of civilization, and disregard of *li* accounts for the problems of the present. Compare the two versions of the fourth section of *Dialogues* chapter 32 (substantive differences are underlined):

Dialogues
言偃曰：「今之在位莫知由禮，何也?」孔子曰：「嗚呼，哀哉!我觀周道，幽、厲傷也。吾捨魯何適?夫魯之郊及禘皆非禮, 周公其已衰矣, 杞之郊也禹, 宋之郊也契, 是天子之事守也，天子以杞、宋二王之後。周公攝政致太平，而與天子同是禮也。諸侯祭社稷宗廟, 上下皆奉其典, 而祝嘏莫敢易其常法, 是謂大嘉。」

Li Ji
孔子曰：「於呼哀哉!我觀周道, 幽、厲傷之, 吾舍魯何適矣!魯之郊、禘, 非禮也, 周公其衰矣!杞之郊也, 禹也; 宋之郊也, 契也。是天子之事守也。故天子祭天地, 諸侯祭社稷。祝、嘏莫敢易其常古, 是謂大假。」

Here is a translation of the *Dialogues* version, with the differences from the *Li Ji* version underlined:

Yan Yan said, "Why is it that those in power today don't understand that they should proceed from *li*?"

Confucius said, "Ugh. When I look back at the *dao* of the Zhou, it was under Kings You and Li that it was harmed. If we were to leave Lu, where would we go? That the *Jiao* and *Di* sacrifices in Lu violate *li* shows that the system of the Duke of Zhou is in decline. When the Qi 杞 state conducts the *Jiao* ceremony, it does so on behalf of its founder, Yu. When the Song state conducts the *Jiao* ceremony, it does so on behalf of its founder, Xie. This is the Zhou king maintaining his heritage and recognizing the descendants of the founding kings of Qi and Song. When the Duke of Zhou brought peace to the land by taking the reins of government, he used this same *li* in concert with the king. When the nobility held agrarian and ancestral sacrifices, those at each level made offerings to their forebears, and the performer of the rite dared not alter the long-standing methods. We can call this the Grand Celebration."

There are two points to be made with regard to the differences in these two versions.

1) In the *Dialogues* version, the question by Yan Yan makes it clear that the discussion is about the failure of leaders to implement *li*, not with any failures of *li* itself.
2) Both versions agree that the current Lu ruler is at fault for not properly implementing *li*, but they disagree on the exact nature of the fault. In the *Dialogues* version, this section of the chapter first describes the proper *li* of worshipping royal ancestral lines of transmission, and then the fifth section of the chapter continues the discus-

[8] 我觀周道, 幽、厲傷也. When I look back at the *dao* of the Zhou, it was under Kings You and Li that it was harmed.

> sion of Lu's transgressions by providing a long list of improprieties. This list of improprieties also occurs in the *Li Ji*, but the transition between the two sections is less clear. The *Li Ji* version suggests, through Qi and Song's conducting the *Jiao* ceremony, a prerogative reserved for the Zhou king, that all of the noble lords of the various states, including Lu, violate *li*. The *Dialogues* version, in contrast, describes the rites of Qi, Song, and Lu (because of the Duke of Zhou's special status) as consistent with the Zhou and continuing a tradition begun by the Zhou founders.[9]

To summarize, the *Li Ji* version of this chapter is problematic for its association of *li* with 1) the questionable practice of hereditary rulership (instead of meritocratic rulership) and 2) scheming.[10] In this, the *Li Ji* is out of step not only with the *Dialogues* version of the same chapter, but with the entire early Confucian tradition, which contrarily views *li* as the prime avenue of regulating conduct for the benefit of all. In what follows, I will outline the multilevel process of self-cultivation and governing found in *Dialogues* chapters 21 and 32 and demonstrate their distinction from more familiar theories from the West.

3 *Qin* and the Multilevel Theory of Governing in the *Dialogues*

We saw in the above description of the theoretical tension in chapter 32 a worry over the method of selecting rulers. Confucianism is often blamed for perpetuating a fundamentally authoritarian style of government, preferring methods of amelioration over revolution. The *Dialogues* as a whole, however, while not going so far as openly advocating revolution,

[9] There is a clear distinction established in the *Li Ji* version of this chapter, with the prerogative of worshipping heaven and earth (understood as the *Jiao* ceremony) reserved for the Zhou king, and the *Sheji* ceremony left to the leaders of the various states. Such a distinction is also implied in *Dialogues* 32.12, although a close inspection of the text will reveal that the situation is actually more complicated than just saying that the king has the exclusive privilege and so other states cannot perform the ceremony. The *Li Ji* view can also be shoe-horned into an interpretation of the *Dialogues* version, and in 29.2 it says something about *Jiao* being the prerogative of the king, but that appears to be a reference to specific dates, not to the ceremony itself. Historically, we see about a dozen references in *Chunqiu Zuo Zhuan* (*Zuo Tradition: Commentary on the "Spring and Autumn Annals"*) to the *Jiao* ceremony performed in Lu. It is technically true that the *Jiao* ceremony is the exclusive privilege of the king, but in that the Qi, Song, and Lu (by virtue of the Duke of Zhou's special status as founder of Lu) carry on the traditions of the kings of the three states, they are also granted the right of performing the ceremony. So, the infraction against *li* is not in the performing of the ceremony itself but in other aspects, such as the time of year it is performed or other details of the ceremony. For a detailed argument similar to the perspective given here, see Wang 2005.

[10] Michael Nylan's interpretation is quite different from those of Ing and Puett. Whereas Ing and Puett take the "Xiao Kang" chapter as representative of an anti-*li* sentiment in the *Li Ji*, Nylan takes it as an aberration, as an emphasis on the letter rather than the spirit of the rules. She says that the ideas "embodied in the rites" are "caring for others, especially the needy, in a morally serious society" (Nylan 2001: 197). She continues:

> Often misconstrued as a Daoist or Mohist interpolation in a *Rites* classic, the ["Li Yun" chapter of the *Li Ji*] beautifully expands upon three of the most moving passages in the Confucian *Analects*, the first insisting that no person of true humaneness need ever feel alone since "all within the Four Seas are brothers"; the second enjoining the good man "to behave when dealing with those outside the home as though in the presence of important guests"; and the third encapsulating "the Master's dearest wish" in just three simple lines: "With the aged, to comfort them; with friends, to keep faith with them; with the young, to cherish them." The ["Li Yun"] chapter, then, in keeping with the spirit of all three *Rites* canons, would have us rethink and then reorder the proprieties that inform our social relations and customary habits. (Nylan 2001: 197)

repeatedly stresses the popular foundation of the government—in both positive terms of valuing the people over all else,[11] and in negative terms of the dangers of not putting the people first.[12] Chapters 21 and 32 detail the complexities and subtleties of this multilevel, cyclic process of governing and self-governance, as described below (graphically depicted in Figure 1). In this process, we see a form of self-governance founded on the people, and yet it is not democracy in a recognizable sense—nor does it resemble authoritarianism.

Because it is a cycle, the process has no discrete beginning, and so a description of it must arbitrarily select a starting point. Let us begin by continuing with the theme of the people as the foundation of the government. In contemporary Western economic and political structures, which have been developed from a combination of social contract theory and free market theory, the fundamental unit is the individual, who freely associates with others, who through this association, create the laws that allow for political and economic order. The individual under this scheme is presumed to be free and rational, each individual pursuing their own ends and constrained by the regulations agreed on by majoritarian decision-making.[13]

It is widely known that the free market system devised by Adam Smith stems from theories of the French physiocrats (Carey 2020, Young 2002), and J. J. Clarke has shown that the physiocrats in their theories were influenced by the Chinese notion of *wu wei* 無為, or nonaction (Clarke 1997; see also Gerlach 2005). The similarities are not hard to see. In the so-called "invisible hand" of the marketplace (Smith 2013: 237), the decisions and actions of self-interested individuals create prosperity for society overall. In Daoist *wu wei*, the ruler does nothing, and yet society is well-ordered.

Dialogues 11 is devoted to the story of Confucius visiting Laozi 老子, but few details are given beyond the statement that Confucius studied *li* with him and learned from a set of aphorisms inscribed on a statue. Other chapters, however, fill in some details, closing the purported gap between Daoist and Confucian theories.

Clarke's account of the influence of the Daoist/Confucian economic theory of *wu wei* on the theory of the French physiocrats is as follows:

> Quesnay's… most direct source of inspiration came from Pierre Poivre, who had journeyed extensively in China between 1740 and 1756 [the *pax sinica* reign of Qianlong] and who painted a rosy picture of China as the happiest and best organized country

[11] For example, in *Dialogues* 13.9, Confucius replies to a question from Lu Duke Ai 哀 about how to govern, saying:

> 政之急者, 莫大乎使民富且壽也。
> As for the crucial aspects of good government, nothing is more important than helping the people live long and prosper.

[12] For example, *Dialogues* 7.2 says:

> 夫君者, 舟也; 庶人者, 水也。水所以載舟, 亦所以覆舟。君以此思危, 則危可知矣。
> A sovereign is a boat, and the people are water. Water not only supports a boat, but it can also capsize it. You can come to understand danger by reflecting on this.

[13] This description of our current system is admittedly rough, and such descriptions have been subjected to revision by contemporary political theorists, but it reflects in broad outline our current system as it stems from Locke, Hobbes, Rousseau, and Smith. It is the general theory that is the subject of this article, not contemporary revisions of particular aspects if it, although relations are drawn to contemporary theories in notes below.

> in the world because it was founded on a mode of activity that was closest to nature's own way of operating, namely that of agriculture. This foundational principle was consciously supported by the state which sought to encourage agriculture and free it as far as possible from the burdens of regulation and taxation. It was expressed philosophically in the idea that nature inclines towards a condition of harmony and balance, not through being forced and constrained but rather through following its own way—the *dao*. The function of the emperor, therefore, was not to direct and manipulate the economy but to ensure that the ways of nature were respected, a role which was largely a symbolic one…. Nature must be respected… because as a self-regulating system it tends, through the workings of its own laws, to produce the best outcome for all. The wise ruler knows that, at a certain level of operating, the best policy is in a sense to do nothing, a policy summed up in the central philosophical concept of *wu wei*, which is translated into French as *laissez-faire*. (Clarke 1997: 50)[14]

[14] According to Basil Guy, Quesnay viewed enlightened despotism as the ideal form of government. He said that such a government, following the model of China, should be "in agreement as much as possible with the laws of Nature. Both lawmaker and law had to recognize the principles of this natural order, and in so doing conform to the Chinese ideal of *wu wei*" (Guy 1963: 350).

Lewis Maverick says that Quesnay's view of natural order was distinct from earlier European understandings of natural order:

> Medieval thinkers had set the Natural Order against civilization in a clear opposition; this was continued in Locke, Rousseau and Thoreau, often with a sentimental longing for the golden age of simplicity, the noble savage, etc. According to Quesnay, however, there is a Natural Order that underlies the civilized state; there is a natural form and frame for modern society, a Natural Order which will supervene if the obstructive laws of men are removed, an order which can be facilitated and effectuated by sound "positive" legislation. (Maverick and Quesnay 1946: 131)

Quesnay, himself, says:

> The constitution of the government of China is based upon natural law in such an irrefragable and so emphatic a manner that it deters the sovereign from doing evil and assures him in his legitimate administration, supreme power in doing good; so that this authority is a beatitude for the ruler and an idolized rule for the subjects. (Maverick and Quesnay 1946: 225)

No laws, Quesnay says, are required other than natural law:

> In the economical administration of the cultivation of the soil of a farm, which is a sample of the broad government of the nation, the farmers have no other laws except the knowledge they have acquired through training and experience. Positive laws, which would arbitrarily regulate the administration of the cultivation of the soil, might disturb the economical administration by the cultivator, and might interfere with the success of the agriculture. The cultivator, subjected to the natural order, should not be compelled to observe other laws than the physical laws and the conditions that they prescribe for him. It is, moreover, these laws and these conditions that should regulate the administration of the general government of the nation. (Maverick and Quesnay 1946: 277–278)

Offering an analogy from nature, Quesnay says:

> A flock of birds come to a place where they find some good, or some food accessible to all; there is no dispute at all among them over the sharing: the portion of each depends upon his activity in seeking to satisfy his need. Thus, gregarious animals are subject to this peaceful law laid down by nature, which has decreed that the right of each individual is limited, in the natural order, to what he can obtain by his own labor. Thus, the right of everyone to everything is an idle fancy. Liberty of the person, and property, or the assurance of enjoying the products that each procures primarily through looking out for his own needs, are thus henceforth guaranteed to man by the natural laws which constitute the essential order of properly regulated societies. (Maverick and Quesnay 1946: 284)

The *Dialogues* offers a theoretic roadmap for the unification of ideas that are often unfairly separated into Daoist and Confucian camps.

The basic elements of the system are the sage (also referred to here as sovereign, king, and ruler), the leadership (officials in the government bureaucracy at all levels), and the people (who are eligible to rotate into the leadership). What marks this system as fundamentally egalitarian/meritocratic and democracy-adjacent is that there is no ontological or transcendent distinction between any of the elements of the system. Just as in the structure of a family a son can eventually end up in the role of a father, so, in the posited theory of government, any young commoner could also eventually end up in the role of the leadership or even a sage.[15] The self-regulating *system* that Clarke refers to is not in conflict with the notion of a self-regulating *people*.

The self-regulating system of governance, according to *Dialogues* 21, is also more complex than just sitting back and allowing the people to pursue their own self-interest. It is not just the king that matters but all leaders. *Dialogues* 21 stresses the need for a special kind of relationship between leaders and the people. First, a leader must lead with *de*, an authority that stems not from coercion but from virtue. *De* is viewed as the active manifestation of *dao* in the individual and is effected through emptying oneself of overt ambition and preconceived notions.

> If as a *junzi* 君子 you wish your speech to be treated as trustworthy, nothing beats hollowing yourself out. If you wish your policies to be swiftly put into practice, nothing beats exhibiting them in your own person first. If you wish the people to swiftly follow along, nothing beats leading them with *dao*. Therefore, if obedience must be forced, neither conscientiousness nor trustworthiness will arise, and the common people will not feel close to you. If interior and exterior do not resonate, the common people will not trust you. (*Dialogues* 21.8)

By witnessing virtue in their leaders, the people come to trust them, and this allows for a close (*qin* 親) relationship to form. The people, therefore, no longer feel the need to act out of self-protective fear of menacing law and oppressive edicts.

> When crooked people must be set straight, make it so they achieve it of their own accord. When the worried require comfort, make it so they seek it of their

[15] That a commoner could aspire to be a sage is undoubtedly true in Confucius' eyes, but could a commoner aspire to be a sovereign? I doubt that Confucius would overtly encourage such thinking, but the fact that one of his favorite exemplars is Shun 舜 suggests that the possibility is not off the table. Shun, as depicted in the *Dialogues* ("Confucius said,… 'Shun started out as a commoner, and through accumulating *de* and possessing inner harmony, he ended as chief [*di* 帝]'" [35.2]; see also 23.4, 23.5) and elsewhere (e.g., *Shang Shu* 尚書 [*The Documents Classic*] and *Shi Ji* 史記 [*Records of the Historian*]—according to *Shi Ji*, Shun was a commoner but also seventh-generation descendent of Chief Zhuanxu 顓頊), rose from commoner to the leadership to sovereign.

> own accord. When the immoderate require moderation, make it so they find it of their own accord.
>
> If a commoner commits a minor offense, look for the good in it and pardon the wrongdoing. If a commoner commits a serious offense, seek the reason, and use *ren* to help them reform. If there is an offense that is punishable by death, allowing them to live is still preferable. In this way, the upper and lower levels of society maintain close ties and do not become estranged. The transformative powers of *dao* continue to flow without obstruction. And so, governing begins in *de*. (*Dialogues* 21.7)

Self-regulation of the people, therefore, begins in the humility and virtue of the leaders, who demonstrate that they have the people's best interests at heart rather than their own. The close ties between upper and lower echelons then becomes a self-reinforcing mechanism. But it is not as simple as just this. The people are motivated by their own desires and emotions. Leaders cannot be obtuse to, or even ambivalent about, the people's wants and needs.

> In supervising the people, a *junzi* must understand their natural inclinations (*xing* 性) and attend to their emotions (*qing* 情). When officials understand the inclinations of the people and work with their emotions, the people will be able to follow edicts. Thus, when society is flourishing, the people will feel an intimate bond with the leader, and when governing is equitable, the people will be without complaint. Therefore, in supervising the people, the *junzi* doesn't reach too high, doesn't stretch too far, doesn't demand what the people can't do, and doesn't force the people to accomplish the impossible.
>
> If you attempt to enlarge the people's opportunities in order to accomplish great things on behalf of an enlightened king but do not consider their emotions, they will be standoffish and unwelcoming. If you attempt to deepen their opportunities in order to establish a long career but do not consider their abilities, they will not follow your lead. If you require the people to do what they can't or force them to do the impossible, the people will grow hostile; hostile, they will break away. (*Dialogues* 21.6)

The leader's goal isn't to govern but for the people to be self-governed. Both levels of society—the leaders and the people—need to internalize the model for proper behavior, which acts like an endless constructive resource.

> When the manifestation of the model for proper behavior (*fa xiang* 法象) has been internalized, it is never far away, like a natural spring that never ceases flowing. In this way, there will be accumulations across the land, and the root will not be diminished. (*Dialogues* 21.3)

The *fa xiang* terminology resonates with the *Xi Ci* 繫辭 commentary on the *Changes*:

> Changes begin in *taiji* 太極, which generates the two poles, from which spring the four images (*xiang* 象), from which spring the eight trigrams,

> which identify the auspicious and inauspicious, from which all enterprises spring. Thus, there is no greater foundational model than nature.[16]

Image here should be understood as a visual manifestation. The *taiji* and the two poles (*qian* 乾 and *kun* 坤) are forces that are too subtle to be perceived. Only when they differentiate into their four possible permutations (*qian-qian*, *qian-kun*, *kun-qian*, *kun-kun*), variously conceived as the four directions, four elements, four seasons, and so on, are they perceptible. Insofar as humans are to take nature as a model of behavior, these images are the foundational model—*fa xiang*. The term gets a Confucian elucidation in the text *Zhong Lun* 中論 (*Balanced Discourses*), written by Xu Gan 徐幹, an older contemporary of Wang Su 王肅 (who first brought the *Dialogues* to prominence). Xu writes:

> The establishing of an exterior manifestation of a model of behavior is what creates the *junzi*. In the exterior manifestation of a model of behavior, nothing is prior to getting one's facial appearance and expression correct and taking care to appear serious and awe-inspiring. And so, in organizing *li*, the Ancient Kings created standards through the color and presentation of apparel and headgear, and the clinking of jade belt ornaments was the aural manifestation. Wishing to project respect and dignity, how can one shirk these? Facial appearance and expression are outer expressions that tally with one's interior. When that tally is correct, it means one's inner nature and disposition are in order, which means *ren* and *yi* are present, which means an effulgence of *de*. It is the effulgence of *de* that allows for the exterior manifestation of a model of behavior. (*Zhong Lun*, "Fa Xiang")

Modeling good behavior that is rooted in natural processes is good for both the leader and the people and results in a self-regulated society.

> When right and wrong are correctly recognized, people set their minds on good governing, eliminating disorder. *De* is habituated in your mind and concealed in your intentions, revealed in your exterior, and expressed through your voice. By doing these things, your position will be stable, your reputation will be made, and the people will be self-governed. (*Dialogues* 21.3)

The system laid out in *Dialogues* 21 begins with a humble, virtuous, and caring leader, who, through modeling his behavior, creates intimate bonds with the people and thereby brings out a similar kind of virtuous behavior in them, who, then, instead of needing to be governed, become self-governing (see right-hand side of Figure 1). In *Dialogues* 32, we see three clarifications of this system of self-regulation: in the ruler, in the moral psychology, and in the metaphysics.

[16] Unattributed translations of texts other than the *Dialogues* are mine.

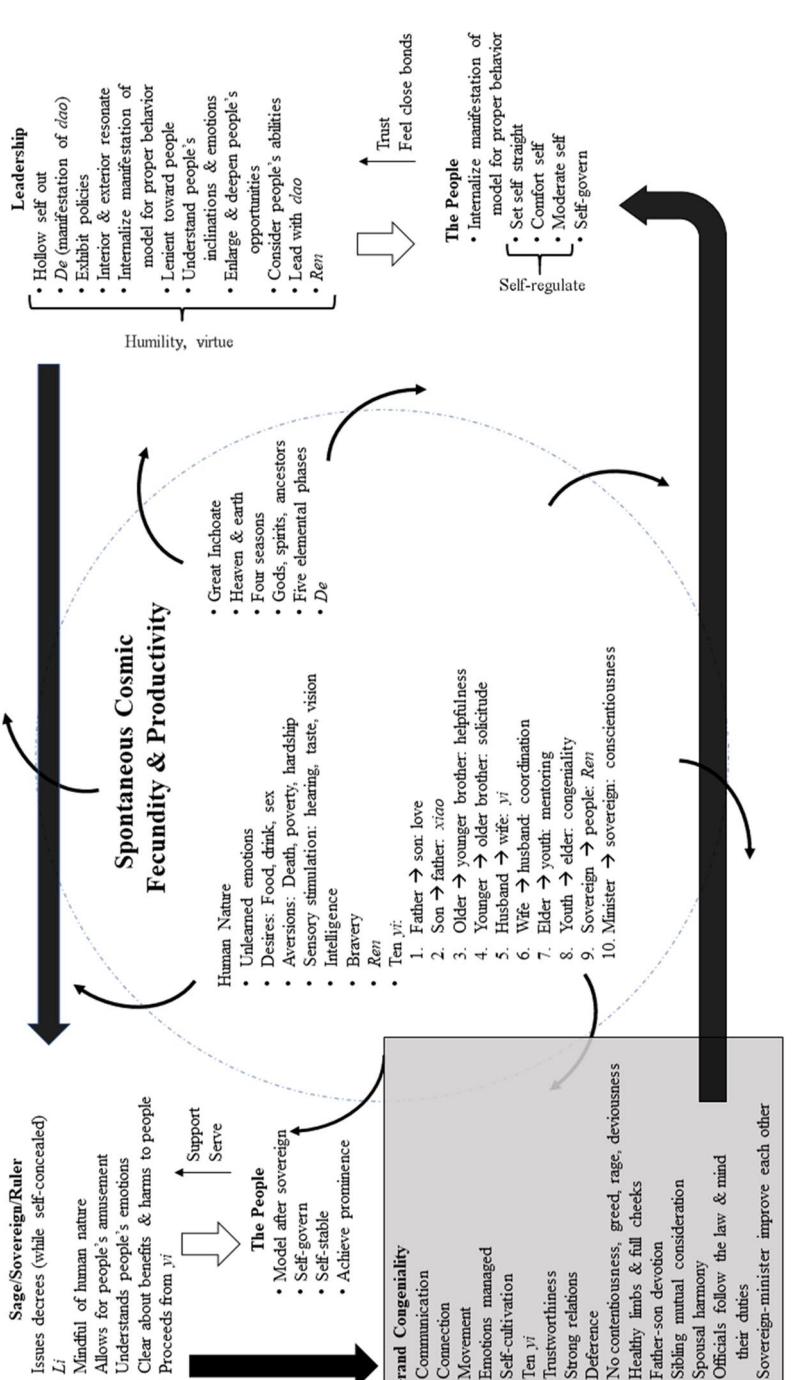

Fig. 1 How creating *li* and modeling virtue result in the people's self-regulation and self-governance, according to *Dialogues* chapters 21 and 32

Whereas the *Laozi* focuses on the ruler in the apex position, *Dialogues* 21 focuses on the level of the civil service leadership. *Dialogues* 32 turns us toward the position of the ruler (in terms that resonate with the *Han Feizi* 韓非子—a text that also employs Daoist-like vocabulary):

> And so, the execution of good government is how the sovereign conceals (*cang* 藏) himself, rooting himself in nature and bringing it to fruition through issuing decrees. Decrees applied to altars to the soil are modeled after the earth. Those applied to ancestral temples have to do with *ren* and *yi*. Those applied to the natural landscape promote flourishing. Those applied to the five sacrificial ceremonies regulate and moderate. This is the stability achieved when the sage conceals himself. To achieve good government, the sage participates with heaven and earth and cooperates with the ancestors. The sequencing of *li* lies in placing things properly. The governing of the people lies in allowing for their amusement. Seasons come from the heavens and resources from the earth. Our bodies come from our fathers and instruction from our teachers. By making good use of these four things in governing, the sovereign establishes himself without error. (*Dialogues* 32.6)

The term *cang* here is not just about hiding away but has the sense of storage for later use, as in a granary that stores grain to be distributed as needed. In this sense, it resonates with the image of the endless spring in chapter 21. The ruler is a resource for the people. In addition, this passage points in the direction of both the microcosmic moral psychology (the need for people's amusement) and the macrocosmic functioning of the universe (participating with heaven and earth). The crucial technology that mediates these is *li*. *Dialogues* 32 continues:

> And so, as for people, there are the *de* of heaven and earth, the interaction of *yin* and *yang*, the convening of deceased ancestors, and the fruition of the five elemental phases.
>
> By virtue of *yang*, the heavens suspend the sun and stars. By virtue of *yin*, the earth carries the mountains and rivers. They distribute the phases out among the four seasons and harmonize the four climatic conditions, from which the months are created. And so, the waxing and waning of the moon each last fifteen days, propelled by the exhaustive interactions of the elemental phases. (*Dialogues* 32.9)

The ruler recognizes the great fecundity and productivity of these cosmic forces because they are closely associated with human behavior:

> In creating guides for behavior, the sage necessarily takes heaven and earth as the root, *yin* and *yang* as sprout, the four seasons as the handle, the sun and stars as the mainstays, the moon as the measure, deceased ancestors as companions, the five elemental phases as constituents, *li* and *yi* as implements, human feelings as fertile ground, and the four auspicious creatures as domestic animals.
>
> With heaven and earth as the root, things can be nurtured. With *yin* and *yang* as the sprout, circumstances can become apparent. With the four seasons as handle, affairs can be facilitated. With the sun and stars as guidelines,

enterprises will be differentiated. With the moon as measure, labor will fall within rhythms. With deceased ancestors as companions, affairs will be safeguarded. With the five phases as constituents, affairs can fall into cycles. With *li* and *yi* as implements, there can be confidence in the execution of affairs. With human feelings as fertile ground, there will be leadership. With the four auspicious creatures as domestic animals, food and drink will have a reliable source. (*Dialogues* 32.10)

The inherent power of nature is a unifying force, known not only as *dao* but also as the great inchoate (*tai yi* 太一):

Li must root itself in the great inchoate,[17] which separates into heaven and earth, transforms into *yin* and *yang*, changes into the four seasons, and splits into the gods and spirits.

Its issuing is called a decree, its authority lies in *tian* [天], and it harmonizes natural talents. When it resides inside people, it is called cultivation, by which one becomes trustworthy in speech and forges strong relations. It also keeps one's skin and muscles together and one's sinews strong. It is the primary starting point for living life and sending off the dead, as well as for serving gods and spirits. It is the broad way of attaining the *dao* of *tian* as well as flowing along with human emotions.

Only sages fully understand that *li* must not be dispensed with. If one wishes to destroy a country, annihilate a family, or put an end to a person, first eliminate *li*. (*Dialogues* 32.13)

Here, the mediating role of *li* is made explicit. But what are the concrete mechanisms?

The five sounds, the six tones, the twelve notes of the panpipe—their interactions form the primary division of the musical scale.[18]

The five flavors, the six blends, the twelve foods—their interactions form the primary divisions of the palate.

The five colors, the six patterns, the twelve articles of clothing—their interactions form the primary divisions of fashion.

Thus, people are the heart of heaven and earth, the germination of the elemental phases, and the reason for the generation of flavors of food, musical notes, and fabric dyes. (*Dialogues* 32.9)

[17] *Great inchoate*, *tai yi* 太一: great one. This term occurs in other early Chinese texts but is rarely elucidated, as it is here. Two other elucidations are in the *Lü Shi Chunqiu* 呂氏春秋 (*Lü's Spring and Autumn*) and the excavated Guodian 郭店 document *Tai Yi Sheng Shui* 太一生水 (*The Great Inchoate Engenders Water*). All three appear mutually consistent, although the *Dialogues* version adds a perspective on its relation to human physiology and its association with *li* (Brindley 2019, Cook 2012, Henricks 2000).

[18] This is the second sentence of four sentences that are parallel in structure: five X, six/four Y, twelve Z—their interactions form the [primary term]. This sentence is specific in mentioning *gong* 宮 (the primary divisions of musical notes) as the primary term. The other three sentences use only synonyms for *primary*. The specificity of the primary term in this sentence suggests that the primary terms in the other sentences (i.e., "calendar," "palate," and "fashion") are implied and so have been added in the translation for clarity.

The divisions of the cosmos eventually become perceivable through human senses of sight, taste, and sound. As beings created by and living among the very same cosmic forces, human beings are motivated by and responsive to them. We live in a sea of perceptible cosmic resonance. But these forces must achieve balance and moderation internally and externally, and *li* is that moderating influence.

> What is meant by *human feelings*?[19] Delight, anger, sorrow, fear, preference, aversion, and desire—these seven are unlearned abilities.
>
> What is meant by *human yi*? Love on the part of a father, *xiao* [孝] on the part of a son, helpfulness on the part of an older brother, solicitude on the part of a younger brother, *yi* on the part of a husband, coordination on the part of a wife, mentoring on the part of an elder, congeniality on the part of a younger person, *ren* on the part of a sovereign, conscientiousness on the part of a minister—these ten refer to human *yi*.
>
> What is beneficial to people are trustworthiness and forging strong relations. What is disastrous for people are contentiousness and fighting. Other than through *li*, how can a sage govern such that the seven emotions are managed, the ten *yi* are cultivated, trustworthiness is promoted and strong relations are forged, deference is inculcated, and contentiousness is eliminated? He must be mindful of the primary desires for food, drink, and sex and of the primary aversions to death, poverty, and hardship. Desires and aversions are the two primary human motivations. They are concealed in people's hearts and unfathomable. With pleasure and aversion in people's hearts but not visible in their expressions, absent *li*, how can they best be channeled?[20] (*Dialogues* 32.8)

Li is not merely a tool wielded by an authoritarian ruler. On the contrary, it establishes an intimate and trusting relationship between social levels of the governing and the governed, resulting in a populace that, through the wise and virtuous ministrations and modelling of the governing strata, is not so much governed as self-governed.

> The common people govern themselves by virtue of modeling after the sovereign, achieve stability for themselves by supporting the sovereign, and bring themselves to prominence by serving the sovereign. This is how *li* is achieved and everyone's place decided.
>
> Because people prefer a good death and fear trouble in life, a ruler exploits the people's own intelligence to rid them of deviousness, exploits their own bravery to rid them of rage, and exploits their own *ren* to rid them of greed.
>
> When calamity is imminent, a sovereign willingly dies on behalf of his country in accord with *yi*. A high minister willingly dies on behalf of his clan in accord with what is proper.
>
> Whenever a sage is able to form the whole world into one family, to form the whole country into one person, it doesn't occur just by thinking about it. One

[19] *Human feelings*, *ren qing* 人情: This term has received a significant amount of analysis and explanation. See, for example, Bruya 2001, Eifring 2004, Middendorf 2008, Seok 2012.

[20] *Channeled:* The verb *channeled* in this sentence is implicit.

must understand people's feelings, proceed from *yi* accordingly, be clear about both the benefits and harms to them, and only then take action. (*Dialogues* 32.7)

The skill episodes in *Zhuangzi* are often taken to be examples of *wu wei*, and a moment's reflection on them reveals that the successful deployment of *wu wei* comes about through a long process of focused investment of attention. This realization is spelled out in an extensive passage of the *Dialogues* that not only summarizes the main points of our discussion so far but also points to the relevance of the *Dialogues* to our current political and economic system:

Li is to people as malt is to beer—in the *junzi* it is strong and in small-minded persons weak. The sage refines the haft of *yi* and the ordering of *li* to govern human emotions.

Human emotions are the fertile ground of sages and kings, who plow it by developing *li*, plant in it by displaying *yi*, weed it by teaching, bring a feeling of community through creating a foundation of *ren*, and create an atmosphere of stability through playing ceremonial music. Thus, *li* is the realization of *yi*.

Li harmonizes different *yi*, and in the very harmonizing shows itself to be *li*. Even if the Ancient Kings had not existed, we could still take *yi* as the starting point.

Yi is the differentiation of norms and the regulation of *ren*. With it, there can be harmony among the norms and attention paid to *ren*. Strength comes with its achievement and demise with its loss. *Ren* is the root of *yi* and the embodiment of congeniality.[21] Respect is accorded to those who achieve it.

Thus, governing a country without using *li* is like farming without plowing. Trying to enact *li* without rooting it in *yi* is like trying to farm without planting. Trying to enact *yi* without paying due attention to education is like sowing but not weeding. To pay attention to education but not match it with *ren* is like weeding but not harvesting. To match education with *ren* but not create a comfortable atmosphere through ceremonial music is like harvesting but not eating. To create a comfortable atmosphere but one that does not achieve congeniality is like eating but getting no nourishment.

Healthy limbs and full cheeks are a sign that people are getting adequate nourishment. Devotion between father and son, consideration between siblings, and harmony between spouses are signs that a family is getting adequate nourishment. Major officials following the law, minor officials minding their duties, official posts in good order, and sovereign and ministers improving each other are signs that a state is getting adequate nourishment. When the king takes *de* as his chariot and ceremonial music as the driver, when lords across the land treat each other with *li*, when high ministers use the law to keep themselves in order, when low officials use trustworthiness to keep each other in line, and when common people safeguard each other through mutual consideration, those are signs that the whole land is getting adequate nourishment. This is the Grand Congeniality.

[21] Congeniality: *shun* 順: *Shun* is a key term of political philosophy. Its basic meaning is to move smoothly along with the current. We see it used above in *Dialogues* 32.8 ("congeniality on the part of a younger person"), and 32.13 says, "*Li*… is the broad way of attaining the *dao* of *tian* as well as flowing along with human emotions."

> Congeniality is how one nurtures the living and sends off the dead, the standard for serving gods and spirits. When affairs multiply to a high degree, congeniality means that there is no stagnation, they can be conducted simultaneously without error and in miniscule detail without loss. With congeniality, communication can be maintained across gulfs, space can be opened up in thick growth, connection can be made without friction, and there can be movement without collision. Only by clearly understanding congeniality can one be safeguarded against crisis. (*Dialogues* 32.14)

According to this overarching model in the *Dialogues*, a model that moves between macrocosmic and microcosmic levels, that encompasses moral psychology, economics, politics, aesthetics, and metaphysics, the forces that account for the blowing of the wind and the motivation of human behavior are forces that flow when functioning properly and that otherwise stagnate. Maintaining that flow, that congeniality, is the task of the sage and the leadership. Once that task is accomplished, and the flywheel spins of its own momentum, the people become self-governing.

Figure 1 illustrates the self-regulating process depicted in the *Dialogues*. By "self-regulating," I mean two things. For a system, government, society, or people broadly, I mean it in the sense of self-organization, "the spontaneous formation of spatial, temporal, or functional structures" (Meyers 2009: v; see also Keller 2008). For an individual, I mean it in the sense of regulating one's own behavior in the direction of moderation. In these senses, "self-regulating" is synonymous with "self-governing" broadly. When they are distinguished (as in Figure 1), *self-regulate* is at the individual level, and "self-govern" is at the societal level. The discrete elements of the system, as mentioned, are the sage, the leadership, and the people, but these categories are dynamic. In theory, any single person (Shun 舜, for example) could begin among the people, enter the leadership, and end up a sage. All three elements benefit from the inexhaustible dynamism of nature—the center of the diagram.

Leaders and sages exploit the resources and regularities that nature provides, including human nature, which is characterized by certain desires, aversions, and emotions that can be fostered into full-blown virtues. The light arrows in the diagram, from the sage to the people and from the leadership to the people, indicate causal influence. The characteristics and behavior above the arrow create the conditions for the characteristics and behavior below the arrow. The items next to the small arrow from the people upward are the further results. The behavior of the sage and the leadership is coterminous, and the two depictions of the people are, in fact, one depiction, separated for the sake of clarity, and following the distinct presentations in chapters 21 (on the right of the diagram) and 32 (on the left of the diagram).

The dark arrows indicate the full cyclic process that hinges on the creation of the Grand Congeniality. Although situated in a small portion of the diagram, the Grand Congeniality is conceptualized as a pervasive aspect of the process, reaching across all levels of society. It is described in chapter 32 as resulting directly from the *li* that is implemented and modeled by the sage, but I view this as just one snapshot of the process. Notice that the very last item says, "sovereign-minister improve each other." The sovereign, like all other things in the diagram, functions interdependently. Consultation is a common theme in the *Dialogues*, and the ruler is often depicted as seeking and benefiting from the advice of others. This goes as well for all levels of society. Confucius says:

> There has never been a successful ruler who didn't have ministers of differing opinions to help him rectify his errors; likewise, for a father and his sons, an older brother and his younger brothers, and an up-and-comer and his friends. So, it is said that a ruler's errors are caught by his ministers; a father's errors are caught by his sons; an older brother's errors are caught by his younger brothers; one's own errors are caught by one's friends. When this occurs, countries remain whole, families remain harmonious, relations among father and sons and among brothers remain strong, and friendships remain solid. (*Dialogues* 15.2)

This, in my interpretation, is another description of the Grand Congeniality.

None of the individual factors or elements in the cyclic process of Figure 1 can be isolated from the rest, but my focus in the following section is on 1) the role of the leadership and 2) the self-regulating, or self-governing, of the people that results from (1).[22]

4 A First Attempt at Applying the *Dialogues* Theory of Governing to Contemporary Theory: The Problem of the Tragedy of the Commons in Democratic Capitalism

In our modern system of self-interested economics and a self-governing political system, there is an ever-present danger of the tragedy of the commons (Hardin 1968), which is manifested so self-evidently in the seemingly intransigent case of climate change. The destruction already effected by climate change and its manifold threat that looms over our future should raise doubts about our current system. Could it be that something was overlooked when the physiocrats and Adam Smith adopted the system of *wu wei* from the Chinese, and could the *Dialogues of Confucius* be the hidden key that unlocks this mystery and leads us to a more optimistic future?[23]

Hyperbole aside, there is an overlooked and very basic mechanism in the system depicted in the *Dialogues*. Could that mechanism be adapted and adopted into our current system? A complete answer to this question is beyond the scope of this article, but the novel idea is worth briefly considering in order to demonstrate the potential philosophical importance of the *Dialogues of Confucius*. Some contemporary theorists look at the defects of our current system, reflect on Confucian political theory, and suggest that our current system could profit by reducing the amount of self-governance and by increasing the amount of authoritarianism—such as in

[22] The question may arise as to whether the system depicted here is neutral with respect to specific goods and norms of a society. In that the system is resolutely Confucian, I think the answer would have to be that the goods and norms are consistent with fundamental Confucian positions. For example, the importance of *xiao* (respectful and caring feelings and behavior toward one's parents) could not be neglected.

[23] In what follows, I focus on Adam Smith rather than the physiocrats. Quesnay, who offered the most detailed theory among the physiocrats, elaborates on the role of officials and the need for them to treat the people with tenderness. For example, he says, "Notwithstanding the authority enjoyed by all mandarins, it is very difficult for them to remain in office unless they make effort to show themselves as fathers of the people, and demonstrate the sincerity of their affection" (Maverick and Quesnay 1946: 236). Quesnay's emphasis throughout, however, is not on relationships of *li* linking levels of society, as it is in the *Dialogues*. Rather, his emphasis is on rationality and the law. Nevertheless, a complete comparison between Quesnay and the *Dialogues* remains to be explored.

the form of an unelected (or at least not popularly elected) body of legislators, who would infuse the current system with expertise, virtue, and wisdom (Bai 2019, Jiang 2018). If the *Dialogues* is representative of a robust system of Confucian government, as I am suggesting it is, then supplementing democracy with authoritarianism is a misreading of the Confucian tradition.

Adam Smith had a theory of moral sentiments that both complimented his theory of economics of self-interest and was consistent with Confucian moral theory, but he did not integrate his two theories.[24] Instead, in his economic system, the inner regulatory power of moral sentiments is supplanted by the external power of competition in the marketplace. The good of society would emerge out of the competition among self-interested agents, he claimed.

The respective theories of moral sentiments that we see in Smith and in the Confucianism of the *Dialogues* are similar in their naturalistic foundations. Although the *Dialogues* version depends on mysterious vocabulary like *yin*, *yang*, and *tai yi*, we can easily interpret these today as metaphors for the balancing of polar opposites and the integration of multiple working components. Fundamentally, the forces that motivate human beings in the *Dialogues* are the same as the forces that create change and bring abundance in the cosmos.[25]

What sets the integrated Confucian system of the *Dialogues* apart from the bifurcated system of Smith is the behavior of the leadership.[26] For Smith, it is only the behavior of the individuals in the economic system that matters. The leaders should mostly be hands-off.[27] The *Dialogues*, in contrast, speculates that when people do not feel safe, because they do not feel connected to those around them up and down the hierarchy, their self-interested actions in competition with others will have negative consequences. There will be exaggerations of accumulation, extravagant demonstrations of wealth, the pursuit of personal

[24] Christopher Hanley notes that Smith understood how the complex emotional life of participants in his economic system matters and says that both *Wealth of Nations* and *Theory of Moral Sentiments* were based on a single series of lectures by Smith and so deserve to be seen as complementary (Hanley 2015).

[25] Gerald Gaus, a Smithian libertarian concerned with the moral foundations of society, also allows for (but not reductionistically, he says) naturalistic foundations of moral sentiments ("morality is an evolved technology for social living for beings with certain sentiments and capacities" [Gaus 2015: 4]). He notes, however, two competing moral trends—sentiments associated with egalitarianism that militate against dominance, and useful moral structures associated with hierarchical dominance that promote subservience. What matters, he says, is that "a moral technology of cooperation should reasonably cohere with our morally relevant sentiments" (Gaus 2015: 5).

[26] Elinor Ostrom, probably the most notable promoter of self-organized collective action to prevent tragedies of the commons ("some individuals have broken out of the trap inherent in the commons dilemma" [Ostrom 2015: 21]), emphasizes two factors consonant with the theory presented here: the importance of self-organization ("a group of principals who are in an interdependent situation can organize and govern themselves" [Ostrom 2015: 25]) and norms that regulate behavior. There are three relevant factors she does not emphasize: 1) the role of foundational moral sentiments, 2) how local tragedies of the commons fit into macro-social structures, and 3) the role of the leadership at all levels modeling moral norms that engender trust and close relationships across levels. J. McKenzie Alexander, who, like Gaus, views morality as having natural foundations in the processes of Darwinian evolution, does emphasize the role of the leadership but only in the senses of social pressure and imitation, not in a sense of trust or intimacy (Alexander 2007).

[27] For Smith, the role of government and public policy was to protect private property and the citizens from criminals and foreign invaders and to facilitate commerce through infrastructure projects, minimally necessary regulations, taxation, and so on (Smith 2013, Book 5, Chapter 1).

pleasures at the expense of others, and little concern for the welfare of others. An economic/political system all by itself is not self-regulating—it requires human relations.[28]

Self-regulation of the people, according to the *Dialogues*, depends first and foremost on the self-regulation of the ruling class. As long as they are unrestrained in their behavior, the people will be unrestrained in their behavior. But something almost magical happens when the leadership class cultivates virtue, humility, and respect. They need not deploy these moral traits for the benefit of the people in a complex system of government. They need only deploy them to the extent that they build trusting relationships with the people.[29]

[28] Was Confucius a free-marketeer? According to the *Dialogues*, the answer is: yes, but not without limitations. Consider the following three passages:

> Zengzi [曾子] asked, "May I learn more about the enlightened king who wastes neither effort nor finances?"
>
> Confucius responded, "Consider Chief Shun of former times. He was aided by Yu and Gao Yao [皋陶]. He never left his mat, and yet the whole land was well governed. Where is his effort in leadership? If the government is unfair, it is the fault of the sovereign. If fair decrees are not followed, it is the fault of the vassals. Take ten percent in taxes. Don't conscript the people to work more than three days in a year. Let the people hunt in the mountains and marshes at appropriate times of the year without obligation. Arrange for inspections of market stalls, but don't take a levy. This is the path to building wealth, and the enlightened king does it through thrift. Where is the waste in finances?" (*Dialogues* 3.1)

> Duke Ai asked Confucius, "I wish to be able to protect our state when it is small and weak and to be in a position to invade others when it is large and powerful. What is the way to accomplish this?"
>
> Confucius replied, "If your court is conducted with *li* and upper and lower levels of society interact with mutual affection [*qin* 親], then commoners across the land will see themselves as your people. Who will there be to invade? If you violate this way and the people naturally rebel, seeing themselves as your enemy, then who will be with you to protect the state?"
>
> The duke said, "Excellent!" He immediately attempted to relieve the burden of commoners by ending the prohibition on entering restricted terrain and by eliminating the market tax. (*Dialogues* 7.4)

> Zhonggong [仲弓] said, "Are those [certain kinds of dangerous speech] all of the things that were prohibited [under the sage rulers of the past]?"
>
> Confucius said, "Those are the most crucial ones, but there were fourteen more. They were prohibitions against selling certain items in the public market. The prohibited items were: royal or noble vestments and carriages; jade implements with ritual and burial uses; ritual implements used in ancestral temples; military vehicles and banners; animals and liquor used for sacrificial ceremonies; weapons and armor; vessels that were of non-standard measures; fabric that was of non-standard fineness or length; non-standard colors that could disrupt the standard color system; decorated jewelry and jades with wildly ornate patterns; ready-made clothing and prepared food and drinks; unseasonal fruit; lumber taken out of season; and fish and game taken out of season." (*Dialogues* 31.5)

[29] Elena Ziliotti, in a recent argument against the value of Confucian hierarchical structures, presents evidence from empirical studies that "social hierarchies are detrimental to people's health and they can hinder ethical development" (Ziliotti 2022: 348). She says that "the question for hierarchical Confucians is whether supposedly positive unequal distributions of decisional power and responsibility can be realized without the establishment of social hierarchical relations" (Ziliotti 2022: 343–344). It is worth noting that the emphasis throughout the *Dialogues* (with the important exception of the role of women) is on political, not social, status. A contemporary of Confucius who appears several times in the *Dialogues* and the *Chunqiu Zuo Zhuan* is Yan Pingzhong 晏平仲, who served as a high minister of Qi for more than fifty years. His thoughts and actions, in terms of an emphasis on *li*, on virtue over superstition, on harmony, and on moderation, are consistent with the views of Confucius, and he was praised by Confucius. One story in the *Chunqiu Zuo Zhuan* ("Zhao" 3.3) is illustrative of his relative disregard for social status and of his concern for those around him. Once while Yan was away for a considerable period of time, the ruler of Qi, in an effort to surprise him with a reward, had Yan's house torn down and replaced with a much larger mansion. When Yan returned home, he had the mansion demolished, replaced the house, and rebuilt the adjacent neighborhood houses that had been torn down in order to make room for his mansion.

It is worth speculating on the key causal mechanism that elicits self-regulating behavior in the people by dint of the self-regulating behavior of the ruling class. One causal mechanism is described with some clarity. If the rulers lead with good behavior, they will act as models for the behavior of the people, and the people will follow these models. Considering the recent cognitive and social scientific research on emulation (Meltzoff and Decety 2003, Flanagan 2008), there is certainly some truth to this. Human beings tend to imitate the behavior of those around them, especially the behavior of role models.

But the *Dialogues* also suggests another mechanism. When the leadership class pursues unrestrained desires, it is not only that the populace follows this model of unrestrained behavior. The people are also effectively abandoned by their leaders and left to their own devices. Conversely, when members of the leadership regulate themselves, they naturally forge caring ties with the people, and the levels become bound together in relationship, instead of just being independent parts pursuing their own individual ends.[30] There are connections between individuals, and there are connections between levels of social organization.[31] The close ties that are emphasized in both chapter 32 and 21, and throughout the *Dialogues*, turn us toward a society that is not made up of so many individually functioning agents but agents living beyond their own narrow ends.[32]

[30] In a detailed examination of hierarchical relationships, Daniel Bell and Wang Pei discuss the importance of intimacy in one-on-one hierarchical relationships but do not attempt to extend that to large-scale political hierarchical relationships (Bell and Wang 2022).

[31] Loubna El Amine contends that Confucian political theory "relies on institutional mechanisms, rather than virtue per se, for the regulation of society" (El Amine 2015: 195–196). She says, "early Confucians… never delineate a society where all members are engaged in a life of virtue, pursuing reciprocal relationships of care and trust, and coming together in a harmonious society, merit-based and ritual-centered, allowing all to flourish" (El Amine 2015: 11–12). El Amine can get to this conclusion because she focuses only on three sources: the *Analects*, the *Mencius*, and the *Xunzi*, explicitly eschewing the "Li Yun" chapter of the *Li Ji*, and ignoring excavated texts, the "Da Xue 大學 (Higher Learning)" and "Zhong Yong 中庸 (Everyday Moderation)" chapters of the *Li Ji*, and, of course, the *Dialogues*. She does, however, bring up the family-like relationship of the rulers to the people and the notion that Confucian government is "for the people." In a strained subargument, she concludes that "for the people" means that the people "benefit from living in an orderly, secure, and productive society" (El Amine 2015: 51). For these classical Confucians, El Amine says, political order is paramount, and the needs and wants of the people are a concern only to that end. It's hard to see, however, how political order is prior to the people. If not for the people, then who is it for? I think El Amine is wrong on this point, but at the same time, she is correct to raise the importance of political order to Confucians. In the *Dialogues*, Confucius repeatedly praises Zichan 子產 and Guan Zhong 管仲, who were successful leaders but not via *li*. The success of Zichan and Guan Zhong lay in their earning the trust of the people through virtuous and competent leadership. Of Zichan, Confucius says in the *Dialogues*, he was "a munificent leader on behalf of the people" (14.5), and Confucius notes how Zichan argued for preserving a public space where people voiced dissatisfaction with government policies (41.10).

[32] Consonant with the depiction here, Gaus emphasizes the importance of moral sentiments and moral relations in a functioning society based on fundamentally egalitarian principles but neglects the relevance of relational moral sentiments stemming from the natural hierarchy of the family (Gaus 2015, Vallier 2023). For him, our powerful moral sentiments must still be justified in the arena of public reason (Gaus 2011). In fact, there is in Gaus a belief that narrow, familial-like loyalties are at odds with impersonal social structures necessary in the public arena (Gaus 2015; though in his view the public arena is so diverse as to not admit of the possibility of consensus, see Gaus 2018). The Confucian leadership model presented here capitalizes on familial-like bonds up and down the social structure, making the impersonal personal, from top to bottom. Many have discussed how a government of personal relations can go wrong, none of which I am denying. The aim here is to discuss how it could go right. The personal is not necessarily at odds with the just.

Smith abandons sentimentality in favor of an arena where competition leads to goods, which are equated with the good.[33] Hobbes taught us that to temper the competition of dog-eat-dog competitiveness, we enter into a social contract, agreeing not to do each other direct harm. But neither of these systems protects us from the indirect harm of the tragedy of the commons.

I am not suggesting that Confucius anticipated the tragedy of the commons and constructed a micro-macrocosmic theory to combat it. Instead, I am suggesting that in a society where the people feel tied to each other by bonds of intimacy, not only laterally and within families, but up and down the wider social hierarchy, the full range of human desires, needs, and wants can be accounted for, and their moderate fulfillment will result in a life that is sufficiently rewarding, without putting communities, let alone the entire human population, at risk.

Recent Confucian solutions to the limitations of democracy and the tragedy of the commons reduce the influence of popular democracy in favor of a technocratic legislative body. This legislative body may help moderate the forces of laissez-faire economics, but what is to moderate the legislative body? Confucius favored a self-activated populace, not a subjugated populace. Recall his emphasis in *Analects* 2.3 on intrinsic over extrinsic motivation:

> Lead the people with administrative injunctions (*zheng* 政) and keep them orderly with penal law (*xing* 刑), and they will avoid punishments but will be without a sense of shame. Lead them with excellence (*de* 德) and keep them orderly through observing ritual propriety (*li* 禮) and they will develop a sense of shame, and moreover, will order themselves. (Ames and Rosemont 1998)

Smith asserts a bottom-up *economic* organization. Popular democracy, via social contract theory, is a bottom-up system of *political* organization. Contemporary Confucians assert a top-down corrective to moderate the drawbacks of the bottom-up organization. We see in the *Dialogues*, however, that rather than emphasizing top-down organization or bottom-up organization, Confucius asserts a multilayered organization that through the moral behavior of the upper levels,[34] the natural moral psychology of the lower levels is accounted for, resulting in close ties throughout, giving rise to fulfilling but moderate behavior. Neither top-down behavior nor bottom-up behavior will prevent the tragedy of the commons, nor will a mere

[33] Smith says, for example: "By pursuing his own interest, [every individual] frequently promotes that of the society more effectually than when he really intends to promote it" (Smith 2013: 237).

[34] A social structure based in part on morality at the top is not a new idea. We can see it at least as far back as Plato's *Republic* in the West. The successes of capitalism that have allowed the relative rise in average standard of living, combined with industrialization, which has allowed for a concomitant rise in longevity, has been cited by many as evidence that we don't need morality if we just have the right minimal structures in place. The tragedy of the commons challenges the amoral structural thesis. Furthermore, Samuel Bowles has argued convincingly that just economies require moral actors: "Good policies and constitutions are those that support socially valued ends not only by harnessing self-interest but also by evoking, cultivating, and empowering public-spirited motives" (Bowles 2017: 222). Bowles, however, does not give priority to any particular sector of society. The argument from Confucius is that morality must begin at the top, but not in a controlling, forceful, or coercive way. As in capitalism, Confucius believed that the people must be allowed to pursue their own ends. Only when a moral leadership activates that process, Confucius says, will a just society ensue.

combination of the two. It must be fully integrated multilevel behavior, based primarily in virtue above, which generates trust below.[35]

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[35] A much abbreviated version of this article is available in Bruya 2023.

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