

Improving Confucian Democracy: Replies to Elstein and Angle

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Published online: 17 June 2016
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1 Introduction

I am deeply grateful to David Elstein and Stephen Angle for their thoughtful and challenging comments on my book. Their comments not only encouraged me to critically revisit and reflect upon my previous arguments; they also provided me with a number of important questions, philosophical as well as practical, that I believe are worth serious attention and examination. In fact, some of the questions raised in their comments—such as the compatibility between Confucian public reason and value pluralism, the relationship between Confucian civic virtue and moral virtue, and the philosophical connection between Confucian democracy and moderate perfectionism—are core themes of my new book entitled *Public Reason Confucianism: Democratic Perfectionism and Constitutionalism in East Asia* (Cambridge University Press, 2016). Therefore, I hope that these and related philosophical questions are more thoroughly treated in my new book.

Before replying to the issues they have raised, let me briefly recapitulate the general outline of my book. My book has three parts. In the first part I critically engage with two dominant understandings of Confucian democracy in the existing literature, namely Confucian communitarianism and Confucian meritocratic elitism. Though I embrace certain communitarian and meritocratic elements in my conception of Confucian democracy, I reject the core arguments of both positions, which concentrate on role ethics and ritual aestheticism on the one hand and political elitism on the other, by giving close attention to modern East Asia's republican and increasing pluralist societal contexts. Then, in the second part, I present my alternative vision of Confucian democracy that is not only compatible with value pluralism but also robustly democratic, first by articulating a Confucian mode of public reason, which is familial-

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affectionate (and self-reflectively critical toward what is familial) rather than rationalist, as non-neutral public parameters for democratic deliberation and collective self-government, then by exploring the implications of Confucian public reason(ing) for democratic civil society, democratic welfarism, and meritorious representative democracy. Finally, in the third part of the book, I apply the theory of Confucian democracy constructed in the second part to South Korea, arguably the most Confucian society in East Asia, and examine the theory's practical applicability in Korea's increasingly individualized, pluralized, and multicultural society, by looking at cases of freedom of expression, freedom of association, insult law, and immigration policy.

My central aim in the book is to explore a democracy that is culturally relevant and socially practicable in historically Confucian East Asian societies, a democracy that can enable East Asian citizens' collective self-determination in their own societal culture, by rejecting the (perfect) congruence between democratic political institutions of Western provenance, ushered in after the "Western impact" and transplanted during the subsequent republican and democratic periods, and local Confucian culture with which East Asians are still deeply saturated, sometimes unconsciously. I argue that in East Asia, Confucian mores, social habits, moral sentiments, and ritual practices critically influence public reason(ing) and the democracy to be constructed and consolidated there should be one that operates on as well as is evaluated by Confucian public reason.

2 Reply to David Elstein

2.1 Communitarianism

Elstein's comments center around the following five subjects: communitarianism, meritocracy, pluralism, public reason, and the project of Confucian democracy itself. In this section I go over the first four, starting with communitarianism, and discuss the last subject in my conclusion.

My discontent with what I call "thick Confucian communitarianism" (note: I do not completely dismiss the value of Confucian communitarianism) is largely for political reasons, that its strong emphasis on role ethics and ritual aestheticism is likely to promote docility, the archenemy of democratic citizenship. My philosophical discontent revolves around a series of assumptions made by communitarian Confucians—that (a) the Western liberal self is not a social self and thus is fundamentally at odds with society, (b) the Confucian self is essentially a social self and thus grows symbiotically with the community, and therefore (c) the Confucian self is morally superior to the liberal self, which is preoccupied with self-interest and thus is morally impoverished or even amoral.

Overall, Elstein is sympathetic to my critique but wonders about the nature of my discontent—is it because communitarians' interpretation of the Confucian texts is mistaken or that their accurate textual interpretation is nevertheless philosophically incoherent? Or, even if the Confucian self they advocate is philosophically coherent, is it less attractive than the liberal self? My short answer is that none of these questions directly has to do with my critique of Confucian communitarianism. My primary concern in the book was neither accurate textual interpretation nor the possibility of a

philosophically coherent Confucian selfhood, but, rather, questioning precisely in what sense the Confucian social self is ethically superior to other types of the social self, including the liberal self, and whether it is robustly civil and democratic, and if so, what kind of democratic civility it practices that is simultaneously plausible in contemporary East Asia's pluralist society. Put differently, I engage with Confucian communitarians who are both students of Confucian classics and normative political philosophers, mainly by focusing on their normative philosophical argument and political advocacy.

Elstein says that my criticism of communitarian Confucians—Henry Rosemont Jr. in particular—is too strong because while advocating the role-conception of the self, Rosemont still believes that “this kind of social self can criticize injustice and argue for greater equality just as well as or better than the liberal self.” This is good to know but I do not understand clearly how one can offer a coherent philosophical account of social criticism and political equality *from* the role conception of the self. Since Confucian communitarians generally rely on the classical Confucian account of the self and do not generate a distinctively modern role-conception of the self, I do not know exactly how their generic notion of the Confucian self can give rise to modern civility and democratic citizenship (Kim 2015a). Precisely for this reason, in my book I explore *civil Confucianism*, which includes what I call the virtue of incivility (Chapter 2), as a middle-level theory toward Confucian democracy, by reinterpreting classical Confucian texts.

In Chapter 2, I also critically engage with David Hall and Roger Ames by taking issue with their strong emphasis on the importance of tacit consensus (enabled by role performance and ritual aestheticism); in response, Elstein notes that they may not have “intended this to mean *all* consensus has to be tacit.” However, given their valorization of Confucian rituals as the single greatest medium of social exchange and their stark contrast between (contentious) political debate and ritual-mediated tacit consensus, it is difficult to see clearly how Hall and Ames can coherently support political debate and a more deliberative form of democracy. Again, it is good to know that these scholars (seem to) believe in a need for deliberative components in their political theory, but they never explicitly offer a philosophical basis for or explanation of such an account. I find it difficult to understand how ritual maximalism can be compatible with deliberative politics and public contestation (also see Angle 2012: 92–98), which I believe are essential components of any viable democracy in a pluralist society.

2.2 Meritocracy

Elstein says my criticisms of meritocratic elitism are cogent but he is not sure that I represent my targets charitably, namely Bai Tongdong, Daniel Bell, and Joseph Chan. Perhaps he is right, when I criticized them by drawing attention to the fact that no classical Confucian advocated political meritocracy, as they understand the term, and its core institution, the civil examination, was invented in the later imperial period. Furthermore, I argued that classical Confucians' central concern was to make the ruler, who is already *there* by hereditary right, virtuous and to elevate the people to moral goodness. However, as Elstein rightly notes, my real concern was not so much historical accuracy as evaluating the normative argument for meritocratic elitism.

At the heart of meritocratic elitism is its consequentialist justification of rule by the best and the brightest with a view to superior efficacy. Some advocates of meritocratic

elitism, such as Bai, Bell, and arguably Chan, even reject the democratic principle of “one person one vote,” based on a purely instrumental understanding of democracy. My initial Confucian response to this claim in the book was more or less rhetorical: if the core Confucian belief lies in the lofty ideal of human perfectibility (that is, everyone can become a sage), then why should we be skeptical of ordinary citizens’ moral capacity for collective self-determination and equal democratic citizenship, a far more realistic ideal? Elstein is convinced that the elitists have an answer to my question: “It is much harder to find sages, but you do not need as many. ... [I]t is easier to find a hundred or two hundred worthy people for a meritocratic house than to cultivate millions of good citizens for effective democratic participation.” Sympathetic to this line of reasoning, Elstein draws my attention to their more modest claim that “people with relevant expertise are more likely to make good decisions than those without it” and supports it in terms of a doctor-laypeople relationship.

Let me clarify my original argument. My intent was not to protest that Confucian meritocrats are seeking an impracticable idea or to demonstrate that everyone can actually become a sage. My focus was rather on a certain *sensibility* largely shared by Confucian meritocrats toward ordinary citizens, concentrated on their preoccupation with narrow self-interest, their fundamentally myopic view of politics, and their inability to vote for good candidates. Elstein describes Confucian meritocrats’ central argument as the following:

The Confucian meritocrats believe the problem is that people *do not* try to choose the best candidate and that this is not going to change. Furthermore, they believe most people could not choose the best qualified candidate even if they wanted to, simply because they are not capable of reliably making that judgment.

It is difficult to make sense, both philosophically and empirically, of phrases like “people do not try” and “most people could not choose.” Does this mean that ordinary people, by virtue of their ordinariness, have inherent moral and epistemic limitations? What I do not understand is why we should understand the people in terms of these deficiencies in the first place when Confucianism draws our attention to all the promises of self-improvement, development, and even transformation toward morality and the common good. Like other political ideals, democracy has foundational assumptions that all humans are equal, morally as well as politically, and that people as free and equal citizens can govern themselves as both corulers and cosubjects. Based on these assumptions, we design institutions that can moderate, if not eliminate, our (individual and collective) weaknesses and enhance our self-governing abilities. Since nations differ in weaknesses and strengths as well as in public culture and other societal conditions, they each design democracy differently, of which Confucian democracy is one example.

What I find unconvincing and politically dangerous about the meritocratic thesis is that based on certain empirical evidence of the aforementioned deficiencies of ordinary people, it rejects core democratic principles of popular sovereignty and political equality, although democracy as a normative ideal and political vision is not founded on certain empirical knowledge about human beings. The result is a kind of virtue-epistocracy, to which the so-called “modest” thesis of meritocratic elitism nevertheless subscribes, which Elstein finds reasonable. But then we must ask whether the doctor-laypeople

analogy is appropriate for depicting a political relationship. What makes politics, including democratic politics, distinct from other types of social relationships is that it involves coercive power that binds *all* citizens, regardless of their personal preference or choice, in terms of law and public policy. Of course, we can make political compliance more agreeable or less coercive but we cannot make political power uncoercive (which then would require no justification in the use of power by the state), especially in our modern pluralist world where we differ in values, faiths, and opinions and hence our life is characterized by pervasive moral conflict.

The flip side of the coerciveness of political power is that all citizens are collectively liable for the wrong decisions that their leaders make. Democracy, which is not only about rulership but also cosubjectship, can explain legitimately why citizens should take responsibility when things have gone wrong, even if the decision itself was not made by themselves but by their elected representatives or public officials who were appointed according to democratic procedures. Confucian meritocrats are completely silent about the issue of political power, its coercive nature, the question of collective complicity, and the plural standards of “merit” in the world of value pluralism. Where meritocratic elitism fails to offer a philosophically compelling answer for these important normative challenges, democracy can do so in a principled way. Therefore, my objection to meritocratic elitism is primarily philosophical. I do not agree with Elstein when he says, “The difference between Kim and the meritocrats is probably this: Kim is optimistic that voters can be educated to a level where they can reliably choose candidates based on merit, while the meritocrats (Bai is quite clear on this) think voter ignorance and bias cannot be rectified and systemic changes are required.” If democracy as a normative ideal is defective, there should be an argument for its normative disvalue. Democracy’s practical shortcomings themselves do not invalidate democracy as a normative ideal; they only require better institutional design.

Speaking of institutional design, there is a practical reason for my criticism of meritocratic elitism as well. It is simply incorrect to believe that modern representative democracy is nonmeritocratic—its large bureaucracy and independent judiciary are not directly buttressed by popular mandate. We should not forget that at the core of the controversy surrounding judicial review and juristocracy in the U.S. lies in whether or not courts that lack direct popular mandate nevertheless have democratic legitimacy (Waldron 1999; Kramer 2004). The point is that modern representative democracy has a number of meritocratic components that can moderate the practical exercise of popular sovereignty. In fact, as many democratic theorists note, the very idea (and institutions) of representation itself involves political meritocracy (Mansbridge 2003; Pettit 2012). Thus understood, the difference between me and Confucian meritocrats is not so much whether or not one supports political meritocracy, but whether or not the political meritocracy in question is compatible with and further justified by democratic principles such as popular sovereignty, political equality, and the right to political participation. It is difficult to understand how an epistocracy of the sort Confucian meritocrats advocate can be morally justified in the modern pluralist world.

2.3 The Fact of Pluralism

Another question Elstein raises concerns how the Confucian democracy that I propose can accommodate the fact of pluralism. This poses an important challenge because I

identify one of Confucian communitarianism's weaknesses as its failure to confront the reality of pluralism in East Asia. Elstein writes, "Yet Kim is after all advocating a Confucian democracy, so there is some assumption of shared Confucian values. Again, he takes his cue from Rawls, distinguishing constitutional unity from moral unity, and civic virtues from comprehensive moral virtues. A Confucian government should only develop virtues necessary for political and civic culture, not attempt to promote Confucianism as a comprehensive moral doctrine." Elstein's statement touches one of the most controversial parts of my book. Since I take up this issue extensively in my response to Steve Angle, let me briefly make some important points here.

First, as Elstein rightly notes, my idea of Confucian democracy is predicated on the assumption of shared Confucian values. I made it explicit in the book that just like Joseph Chan's perfectionist Confucian polity, "my proposed Confucian democracy, too, is moderately purposive (hence equally susceptible to the Oakeshottian criticism) but I find this much of purposiveness of the polity to be an ineluctable price for democratic coexistence and flourishing of human pluralities" (Kim 2014: 127, n90). Second, when I made a practical (though not conceptual) distinction between Confucian civic virtues (virtues relevant to modern East Asian *citizens* who otherwise subscribe to diverse moral and religious doctrines as private individuals) and traditional Confucian moral virtues (which are still cherished by religious or traditionalist Confucians as *human* virtues), and advocated public promotion of only the Confucian civic virtues, I was supporting a moderate version of Confucian perfectionism, which I call in my new book "Confucian democratic perfectionism" to distinguish it from Joseph Chan's (and company's) "Confucian meritocratic perfectionism." I even admit that the Confucianism here—which I called in the book "civil Confucianism" (also see Kim 2015b) and now "public reason Confucianism" (Kim 2015c)—is not completely decoupled from traditional fully comprehensive Confucianism but rather partially comprehensive, as there is still a loose connection between the two kinds of Confucianism.¹

My wording in the book perhaps gives readers the impression that I strictly separate moral and civic virtues in the way Rawls separates the metaphysical from the political in his *Political Liberalism*. However, this is far from my original intent. What I intended to say was that in a modern Confucian constitutional democratic polity, the state can have a perfectionist ambition to promote Confucian virtues only as civic virtues, character traits directly relevant to the polity's constitutional integrity and the citizenship's public character (i.e., Confucian democratic citizenship), not as moral virtues pertaining to (a certain metaphysical conception of) human nature, human excellence, or human good. These are the virtues that maintain the polity's constitutional or political unity without making it an all-encompassing moral community in which Confucianism as a philosophical doctrine and state ideology would enjoy unrivaled moral hegemony, regulating both the public and private lives of the people. The Confucianism that I propose is moderately perfectionist precisely in this sense.

I hope it is now clear that I do not advocate state neutrality. In fact, when I upheld Confucian virtues as civic virtues, I had in mind the kind of education that most children in Taiwan received not too long ago (such as stories about Zengzi's 曾子 filial

¹ For a distinction between fully comprehensive doctrine and partially comprehensive doctrine, see Rawls 1993: 13.

behavior), which Elstein himself experienced as a young child as well.² I doubt that the elementary school Elstein attended was a Confucian school founded by a Confucian organization, but rather an education system applicable to *all* attending students regardless of their (parents') private moral or religious value systems. The main purpose of this sort of education—namely, civic education—is not to infuse a certain religious doctrine or even to make a student a moral person, as defined by philosophical Confucianism, but to create a good citizen, good in light of the polity's characteristically Confucian public culture. The filial piety thus inculcated is a civic virtue, though it is loosely connected with the comprehensive Confucian notion of filial piety.

2.4 Public Reason

In Chapter 5, I construct Confucian public reason as a non-neutral normative parameter for public deliberation in a Confucian democratic polity. Central to Confucian public reason is (a) it is not completely detached from comprehensive doctrines, (b) it is not only concerned with constitutional essentials but open to all kinds of public political debates among democratic citizens, and finally (c) it is not rationalist but constituted by familial moral sentiments. Focusing on the third characteristic of Confucian public reason, Elstein wonders why I call it “public reason” at all “since it is not connected to giving reasons in any obvious way.” He thinks it is closer to public sentiment.

Following John Rawls, I understand “public reason” as the reason of democratic citizens. This is the kind of reason that citizens rely on when deliberating shared public issues with which they are all concerned. Rawls did not pay special attention to this affective dimension of public reason by understanding it only as concerned with basic liberties, rights, and duties, namely constitutional essentials. I reconstruct public reason from the Humean-cum-Mencian perspective with special focus on familial affectionate sentiments. I argue that such sentiments that Confucian citizens share broadly with those who they consider extended family members critically constitute moral reasons that they believe other citizens can understand and agree upon. My case studies on religious freedom and freedom of expression in Chapters 9 and 10 illustrate how reasons employed in public political deliberation and judicial prudence in South Korea are underpinned by familial moral sentiments widely shared by Koreans. I argue in the book that these affectionate sentiments are moral because of strong critical or self-reflective components in them toward the objects to which they are otherwise positively attached.

Elstein is right in saying that what I focus on is public sentiment. He may believe that public sentiment is categorically different from public reason and this is what most Kantian rationalists believe as well (Cohen 1996; Larmore 2003; Quong 2011). However, if we, following Hume (and perhaps Mencius), resist a stark dichotomy between reason and sentiment and between moral motivation and moral decision/behavior, we can reconstruct public reason with reference to public moral sentiments (cf. Krause 2008). In doing so, we can also endorse a more active interaction between public reason and comprehensive doctrines that shape distinctive modes of our moral sentiments.

² Note that in his original paper presented in the APA panel, Elstein used this example (his personal experience) to challenge my distinction between moral virtue and civic virtue. In the current version of his essay, the reference has been removed.

3 Reply to Stephen Angle

In his commentary, Angle pays special attention to the pluralism question that I have discussed earlier. Like Elstein, Angle is curious how my response to pluralism by means of a practical distinction between civic virtue and moral virtue can do its job as intended. Briefly put, Angle's core question is this: if civic virtues are different from moral virtues, only practically and not in kind, and they are further "extended" from the latter, how can there be distinct "civic" virtues that do not depend on a comprehensive moral framework?

I hope that my reply to Elstein offers an answer to this question. To repeat: in the book I inadvertently attributed moral virtue to comprehensive Confucianism (i.e., Confucianism as a comprehensive moral doctrine) and civic virtue to civil Confucianism, and I admit that this seeming dualism may give readers the misguided impression that I uphold a categorical distinction between moral and civic virtues. However, as I noted, the distinction I had in mind was only a practical one. Let me give an example. We can reasonably call Korean society a Confucian society in the sense that the majority of the people there have inherited Confucianism as their national or public culture and still conduct their lives (especially their public lives) according to Confucian social norms and civilities, despite their dramatic modern-liberalization and increasing subscriptions to diverse moral and religious doctrines as private individuals. In the book I called these people (East Asian citizens of Confucian heritage) "Confucian citizens" and addressed my argument mainly to them. These are the people to whom Confucian civic virtues are directly relevant. My argument was that Confucian citizens, as I define them, can permit the state to civically promote Confucian values or virtues (such as filial piety) in corresponding with their shared public conception of citizenship. More specifically, they can permit the state to promote a particular set of public policies or laws non-neutrally, in the service of Confucian civic virtues.

Not surprisingly, though, there are a good number of traditionalist or religious Confucians in Korea today who live according to Confucian philosophical doctrines, ritual theories, and other related moral precepts. For them, Confucianism is a fully comprehensive moral doctrine and Confucian virtues are not merely civic virtues, pertaining to the character of their citizenship, but primarily moral virtues understood as human excellence that is profoundly related to their moral well-being. For example, for traditionalist Confucians who often create cultural associations by means of their constitutional rights to freedom of association, filial piety is philosophically rooted in their moral understanding of human nature and moral theory of self-development. Depending on which Confucian moral community one belongs to, particularly the clan association, one subscribes to a distinctive moral conception of filial piety. If we render the generic moral virtue of filial piety endorsed by traditional Confucian philosophy as X, the distinctive moral conceptions of filial piety cherished and practiced within particular Confucian moral communities in contemporary Korea can be rendered as X1, X2, X3, and so on. Filial piety as Confucian civic virtue is not conceptually distinct from either the generic X or its equally comprehensive particulars in various Confucian communities (X1, X2, X3 ...); generally applied to all citizens who are not traditionalist (hence fully comprehensive) Confucian, it is only practically differentiated from either version of the fully comprehensive conception of filial piety. Let us call this civic version of filial piety *x* in contradistinction to its fully comprehensive counterpart of X.

Nonetheless, by virtue of its moral connection, however attenuated, with the fully comprehensive notion of filial piety, the civic filial piety is still morally comprehensive, though only partially, and its partial character is reinforced by its ceaseless cultural negotiations with democratic principles of individual dignity and gender equality. Seen in this way, my practical distinction between civic virtue and moral virtue can be best understood in the context of the institutional distinction between Confucian democratic citizenship and Confucian associational membership.³

Angle offers three strategies to explain and normatively endorse how a Confucian democracy might be able to sustain a mutually reinforcing mix of affect, virtue, and ritual among its citizenry. Let me go over Angle's suggestions one by one.

First, Angle suggests that I can avoid the potential tension between my apparent but unarticulated endorsement of a weak form of perfectionism and my seemingly (in Angle's view) neutralist separation between civic and moral virtue (which is not the case as my earlier discussion demonstrates) by taking Rawls's notion of "decent society" as a point of departure. In Angle's view, this notion can help me better justify my controversial claim that non-Confucians in Korea should submit themselves to the Confucian political/civic culture. Angle says, "[T]aking something like the idea of a decent society as a point of departure, Kim should more confidently put weight on the obligation of citizens in a Confucian democracy to endorse its conception of the common good, at least at a suitable level of generality."

I have two reservations with this suggestion. First, it is difficult to understand why Angle thinks that for a nonliberal society to enjoy general public allegiance to generally shared common good(s) that are also nonliberal, it must have a special moral justification. By way of contrast, consider American society. American society is generally deemed as a secular liberal society and its public culture and constitutional system revolve around substantively liberal values to which many nonliberals (for example, evangelical Christians) do not subscribe. If Angle thinks my civic Confucianism is sectarian and thus requires a special moral apparatus like "decent people," he should also note that many American civic liberals' substantive moral conceptions of "liberal purposes" (Galston 1991), "liberal virtues" (Macedo 1990), or "liberal peoplehood" (Smith 2003) are equally sectarian and accordingly require special moral justification for their special political standing in American society. My point is that there is nothing presumptuous about a society promoting certain moral values non-neutrally with a view to public character of their common citizenship, be it Confucian or liberal. My second reservation with Rawls's idea of decent people has to do with the deep liberal presumption implicated within. It is indisputable that Rawls's realistic utopia is a liberal society, and his strong philosophical preference and cultural allegiance to liberal society makes a decent society less than ideal, which according to Rawls is not necessarily democratic. The Confucian democracy that I propose aims at a nonliberal yet robustly democratic polity, institutionally buttressed by democratic constitutionalism. I am not sure why this sort of fully democratic regime should be seen as merely "decent," rather than as generating its own regulative ideal.

Angle's second suggestion is that I take seriously what Joseph Chan calls "moderate perfectionism" (Chan 2014). As it should be clear by now, I fully endorse this suggestion. In fact, I regret that I did not clearly articulate the mildly perfectionist

³ For a fuller account of this distinction and its implications for Confucian civic virtue, see Kim 2016: 194–201.

dimension of my political theory in the book. That being said, there is an important distinction between my version of moderate perfectionism and Chan's. First, while Chan makes his Confucian perfectionism moderate by completely decoupling it from comprehensive Confucianism or by making it purely political (à la Rawls), my version of moderate Confucian perfectionism is attained by interlocking democratic perfectionism and partially comprehensive Confucianism in mediation of Confucian public reason. I elaborate on this unconventional connection between public reason, perfectionism, and comprehensive doctrine in my recent writings (Kim 2015b, 2016). Second and relatedly, while Chan's Confucian perfectionism is tethered with meritocratic elitism and embraces democracy primarily for instrumental reasons, mine is robustly democratic, endorsing democracy's constitutive principles such as popular sovereignty, political equality, and the right to political participation, as integral to the idea of Confucian democracy. When I took issue with Chan's moderate Confucian perfectionism in the book (Kim 2014: 127, n90), my point of criticism was not so much his moderate perfectionism as such but the problematic connection between moderate Confucian perfectionism and meritocratic elitism (justified independently of democracy's core principles), which renders the former politically overbearing and potentially oppressive in a pluralist society. Again, I flesh out this important distinction in my other writings.

Finally, Angle draws attention to rituals as an important means through which Confucian virtues can be learned in my proposed Confucian democracy. Angle worries that my understanding of rituals, focused on their expressive/communicative functions, is "too flat" and "too stripped-down" to accomplish the important aims that Confucian theory assigns to it. In Angle's view, I gloss over the disciplinary functions of rituals, which also transform our dispositions. Though Angle suspects that I might object to this educational function of ritual by believing it applies only to comprehensive Confucian believers, quite the contrary, I fully embrace this strategy. In fact, in another essay, I discussed extensively, on a general philosophical level, how Confucian rituals can help a person come to terms with unsocial passions, thereby generating Confucian civility (Kim 2009). So I am fully open, in principle, to the possibility of the contributions that Confucian rituals can make to the formation of robust civic virtues.

What I am not sure about as a political theorist is what kinds of *Confucian* rituals we should reinstate or revivify in East Asia for this civic purpose. Confucian rituals that have actually been practiced in Confucian East Asia are largely androcentric, patriarchal, and patrilineal, and not surprisingly, many women of the region are rightly resistant to any substantive attempt to restore bygone Confucian ritual systems. Therefore, the challenge for us Confucian political theorists is twofold: first, how to reinvigorate Confucian rituals in ways compatible with modern constitutional values such as individual dignity and gender equality; and second, how to practice them in ways conducive to democratic civic virtues. I leave these challenges for my future project.

4 Conclusion: Is This a Scholar's Fantasy?

Let me conclude this essay by responding to Elstein's poignant observation when he questions "whether the continued relevance of Confucianism in modern political culture in East Asia is a scholar's fantasy more than anything else." I hope that

discussions thus far and my case studies in my book offer him some answers. By way of conclusion, though, I have a few remarks. First, why do East Asian political theorists engage in Confucian political theory? I cannot generalize what drives my colleagues in this field; but speaking for myself, I do Confucian political theory because it can offer East Asian citizens, whose political institutions were largely imported from the West, sometimes by threat and violence, a political theory that can *better* track their public life and make *more* sense to their moral sensibility. Because of various historical contingencies including wars and colonial experiences, East Asians did not have the leisure to deliberate what kind of constitution they themselves wanted (not just communist leaders or Western-educated liberals, but citizens themselves). They also did not have the opportunity to think deeply about what kind of democracy they would like to have and to develop, as they were fighting authoritarian forces during the democratic transition by shedding blood and risking lives.

Certainly, it is difficult to say that there remain any visible Confucian legacies in contemporary China, and in the virtual absence of viable Confucian public culture there, I also sometimes wonder if there is any practical meaning to the scholarly attempts to create a text-inspired Confucian polity, which ultimately may have very little to do with the lives of ordinary men and women. That said, I think it is fully justified to explore a political theory based on one's own cultural tradition, especially when the tradition in question that once guided substantive parts of our collective lives was never given a genuine opportunity for modern evolution. In the end, I think it is the citizens of East Asia who should judge whether or not this sort of effort is merely a scholarly fantasy, and if not, we ought to explore what kind of Confucian political theory is morally compelling and politically attractive *for them*.

Second, should the fact that there is little direct connection between Confucianism and how people think about politics in the region discourage us from engaging in Confucian political theory? Elstein presents the Sunflower Revolution in Taiwan and the Umbrella Movement in Hong Kong as revealing cases for his skepticism. This is a reasonable skepticism but I think the conclusion is too quick. When Koreans changed their regime in the late 1980s, no one—no political scientist, no media, and no activist—self-consciously associated the regime transition with Confucianism. Even the cases that I discussed in the book have never been approached with reference to Confucianism, neither in the Korean media nor public forums. The so-called “Confucian evidence” is not readily accessible because in the region, public policies, jurisprudence, social movements, and other less dramatic daily public actions and discourses are neither directly “caused” by nor formally framed in terms of Confucianism. The Korean experience shows that the “evidence” can be gleaned most often by means of *ex post facto* surveys with carefully designed questionnaires aimed to investigate political actors' moral motivations and their cultural underpinnings, assisted by a judicious content analysis of the cultural subtext underlying the otherwise liberal discourses. After all, this is what I intended to show in Part III of the book. And this is why I believe philosophers and social scientists should work closely.

This is not to say that my preferred methodology is perfectly suitable for every kind of contemporary political theory. However, if Part III of my book, in which I attempted to weave together mutually independent legal and policy cases from the Confucian perspective, makes any sense, we should be more patient in seeing how dialectical the interaction or negotiation between formal liberal discourses and informal Confucian

practices is in East Asians' real social and political experiences, which results in something that is neither purely Western-liberal nor traditional Confucian. One may be reluctant to call the product of such interactions and negotiations Confucian. But if we agree that Confucianism is an evolving cultural and sociopolitical tradition (as classical Confucianism evolved into political Confucianism during the imperial period, then into massively metaphysical Cheng-Zhu 程朱 Confucianism, which later critics understood as nothing more than "Buddhism in Confucian disguise"), a more important question for us is not so much whether this is real Confucianism but whether this is the kind of Confucianism we can accept and wish to develop further.

Finally, in saying this, am I returning back to cultural particularism that I critiqued in my book? I *am* a "particularist," if by this we mean the kind of self-understanding generally shared by Aristotle, Thomas Hobbes, John Locke, J. S. Mill, Alexis de Tocqueville, John Rawls (or Confucius, Mencius, and Xunzi 荀子, ZHU Xi 朱熹, WANG Yangming 王陽明, LIANG Qichao 梁啟超), and many others, who grappled with politics (and philosophical problems associated with it) primarily, if not exclusively, in their own local—British, French, American, or Chinese—context, addressing their political theory primarily to their own fellow citizens and/or political leaders, or to those to whom they envisaged their political ideas would be importantly relevant. If this way of doing political theory implies any liability, I am willing to take it. In any event, though, this sort of particularism, concerned with a theorist's self-understanding, is qualitatively different from what I call the particularism thesis, which implies incommensurability between cultures. One of my primary aims in writing this book was to develop a political theory that addresses and can engage with citizens in East Asia who often suffer chronic cacophony between their cultural self-understanding, social habits, moral sentiments, and public reasoning and the political theory (much of which is of Western provenance) that supposedly regulates their public life. Whether or how my idea of Confucian democracy might be relevant or intellectually stimulating to citizens outside East Asia is an open question. Whether my political theory meets a certain academic standard, if any, of "comparative political theory" is yet another matter.

Acknowledgments This essay was originally prepared for an author-meets-critics panel at the 2015 American Philosophical Association Pacific Division Meeting held in Vancouver. I would like to thank David H. Kim for organizing the panel and Stephen C. Angle, David Elstein, and Jeffrey Flynn for their valuable comments. This work was supported by the National Research Foundation of Korea Grant funded by the Korean Government (NRF-2014S1A3A2043763).

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