



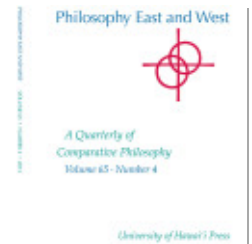
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ACHIEVING THE WAY: CONFUCIAN VIRTUE POLITICS AND THE PROBLEM OF DIRTY HANDS



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In his classic essay “Political Action: The Problem of Dirty Hands,” Michael Walzer claims that “the dilemma of dirty hands is a central feature of political life, that it arises not merely as an occasional crisis in the career of this or that unlucky politician but systematically and frequently.”¹ Defining the dilemma of dirty hands as a generic problem inherent in political life, Walzer then turns to Machiavelli’s provocative statement that a ruler must “learn to be able *not to be good*,”² yet without subscribing to the Machiavellian severance of morals from politics. That is, while knowing what the moral good is or what makes a good man, a ruler must be able to violate the good in order to achieve some morally weighty political end, thus giving up moral innocence. Thus, “[n]o one,” says Walzer, “succeeds in politics without getting his hands dirty.”³

What makes such political actions the right thing to do, though they require the actor to dirty his hands, is his guilt over compromising his moral integrity:

We don’t want just *anyone* to make the deal; we want *him* to make it, precisely because he has scruples about it. We know he is doing right when he makes the deal because he knows he is doing wrong. . . . If he is [the] good man I am imagining him to be, he will feel guilty, that is, he will believe himself to be guilty. That is what it means to have dirty hands.⁴

The political actor who has dirtied his hands is not morally innocent. After all, his soul has been tainted. But his guilt testifies that he is a *moral politician*: “If he were a moral man and nothing else his hands would not be dirty; if he were a politician and nothing else, he would pretend that they were clean.”⁵

Walzer’s argument has invited numerous criticisms not only from the advocates of moral absolutism,⁶ who were his main target, but also from consequentialists.⁷ However, even these critics largely agree that the problem of dirty hands is a genuine one, though some scholars still assert that the dirty hands argument is merely a muddle, “a conceptual confusion with unfortunate moral residues.”⁸ The criticism (especially the absolutist criticism), therefore, has been focused on the chastisement of Walzer’s failure to do justice to the crucial role that absolutism plays in the political community, for example maintaining its overall ethical climate⁹ or providing a moral framework for action.¹⁰ More often, what is at issue among moral and political theorists is not so much whether or not the dirty hands problem is a genuine problem, but whether the political actor who has dirtied his hands must feel guilty.¹¹

What has been largely glossed over in the recent debate on the dilemma of dirty hands, however, is that though Walzer traces the dirty hands tradition back to Machiavelli (and Max Weber), the notion, as constructed philosophically, makes sense only against the backdrop of the absolutism tradition represented most notably by Plato, Augustine, Aquinas, and Kant.¹² And Walzer clearly notes that “the notion of dirty hands derives from an effort to refuse absolutism without denying the reality of the moral dilemma.”¹³ However, the much discussed question of whether the problem of dirty hands is a philosophically meaningful one—which is indeed the question of whether the notion of dirty hands can be accommodated, with certain modifications, to existing ethical theories such as consequentialism (e.g., Kai Nielson’s “weak consequentialism”¹⁴) or deontology (e.g., Thomas Nagel’s “threshold deontology”¹⁵)—flies in the face of the radical absence of moral absolutism in a certain non-Western ethical tradition.

In this regard, Confucianism (especially early Confucianism) presents itself as a powerful case that both belies the generic nature of the problem of dirty hands and questions the notion’s general applicability across cultures, because not only did Confucianism produce no viable tradition of moral absolutism, but, more importantly, as an ethical tradition it is characterized by the theme of “the primacy of the situation.”¹⁶ For instance, Confucius 孔子 (551–479 B.C.E.) never attempted to synthesize general principles by analyzing ethical complications or moral dilemmas, and he consistently emphasized the variability of situation. Finding Confucius himself embodying this “principle” of the timely middle way (*shi zhong* 時中), Mencius 孟子 (372–289 B.C.E.), the second most important sage in the Confucian tradition, therefore praised him as having sagaciously acted according to circumstances.¹⁷ Strong emphasis on moral integrity notwithstanding, Mencius himself was never tempted to formulate absolute moral principles and valorize the purity of the soul (in the manner Socrates did¹⁸) but, instead, employed the situation-sensitive method of “analogical reasoning”¹⁹ to educate the people, including political leaders.

This does not mean that no moral dilemma was recognized in the Confucian tradition. Quite the contrary, throughout early Confucian texts we can find a plethora of moral dilemmas faced by legendary moral paragons, mostly kings and their ministers, who were not “Confucians” in the strict sense, as they preceded Confucius but were later reinvented by progenitors of Confucianism as *Confucian* moral heroes. What is important is how these early Confucians—who held no background faith in absolute morality (which must not be broken in the first place) and did not valorize the guilty feeling, which, according to Walzer, reveals *ex post facto* the political actor’s pre-commitment to absolute morality—made sense of the ostensibly problematic actions by their moral heroes within their ethical framework. Put differently, what makes early Confucianism a curious case in the philosophical study of the problem of dirty hands is the peculiar way in which early Confucians came to terms with the moral dilemmas faced by *their* moral heroes without compromising their ethical commitment to the (Confucian) Way (*dao* 道) and, quite interestingly, without invoking “dirty hands.”

Notwithstanding Walzer's understanding of the dilemma of dirty hands as the generic political problem, no early Confucian was persuaded that a political leader must sometimes do the wrong thing in order to do the right thing.²⁰ In their minds, if the political actor is a truly moral person, he can never do genuine wrongdoing even in the critical political moment.²¹ It is this type of reasoning so typical in early Confucianism that this essay aims to investigate.

In this essay, by investigating the early Confucian cases of "virtue politics," I refute the received wisdom (though not intended by Walzer himself) that the problem of dirty hands is a generic problem inherent in politics across cultures. My key claims are as follows. (1) Confucian virtue politics, a mode of moral politics advanced by early Confucians, does not allow stark separations between public and private and between political and ethical, and thus, contra Walzer (and Weber), gives the political no privileged moral status.²² (2) Confucian virtue politics, nevertheless, acknowledges a critical moment in which a political actor must take an "expedient measure" (*quan* 權) to achieve the Way, which may involve a politically controversial decision, but the decision is not a "tough" decision because the actor in question does not engage in internal struggle, a flawed process that would disqualify him from being a sage or being benevolent (*ren* 仁).²³ (3) The virtues required of a political actor in the moment of expediency are not distinct from moral virtues that Confucian thinkers ordinarily advocate for people in general. (4) These three propositions thus lead to the preclusion of the problem of dirty hands in the Confucian ethical tradition.

In making this argument, I pay special attention to Mencius and Xunzi 荀子 (ca. 312–230 B.C.E.), the two greatest Confucians after Confucius, not only because of their canonical importance in the history of Confucian political thought, but, more importantly, because in the *Mengzi* 孟子 and the *Xunzi* 荀子 they grapple with the ostensibly puzzling actions (at least to their interlocutors) of their sagacious moral heroes, most notably Yi Yin 伊尹 (for Mencius) and the Duke of Zhou 周公 (for Xunzi), and rationalize such actions in a way that is consistent with the core stipulations of Confucian virtue politics. Though the primary purpose of this essay is to make a Confucian contribution to the philosophical study of the problem of dirty hands, the finding that Mencius and Xunzi, often understood as archrivals in the Confucian tradition, equally allow no room for the case of dirty hands in their respective political theories will also support an argument for a robust political theory of Confucian virtue politics, largely independent of their different accounts of human nature and moral self-cultivation.

The Core Stipulations of Confucian Virtue Politics

Admittedly, virtue politics is the paradigm of Confucian moral-political governance.²⁴ For instance, when Ji Kangzi 季康子, the notorious usurper of the lord's power,²⁵ asks Confucius where he thinks the essence of politics or governing (*zheng* 政) should lie, Confucius replies, "To govern (*zheng* 政) is to correct (*zheng* 正). If you set an example by being correct, who would dare to remain incorrect?"²⁶ But what exactly

Confucius meant here by “correct” is ambiguous. Another conversation between Confucius and Ji Kangzi in *Analects* 12.19 offers an important clue:

Ji Kangzi asked Confucius about governing effectively (*zheng* 政), saying, “What if I kill those who have abandoned the way (*dao* 道) to attract those who are on it?” “If you govern effectively,” Confucius replied, “what need is there for killing? If you want to be truly good (*shan* 善), the people will also be good. The exemplary person’s (*junzi* 君子) virtue (*de* 德) is the wind, while that of the petty person is like grass. As the wind blows, the grass is sure to bend.”

Here Confucius clarifies that “correct” means “being good” (*shan*) and that one’s inner power to become good by correcting oneself, or by the inner traits that have been acquired (*de* 得) by doing so, is “virtue” (*de*). In this reasoning, only a virtuous ruler can transform the people into good.

Confucius’ belief that the essence of governing lies in the virtue of the morally rectified ruler and that the people would be accordingly transformed by the moral example exhibited by such a ruler may appear too simple and completely apolitical, as was indeed the case with many of his interlocutors. For the political here is presented as absolutely subsumed by the ethical—more specifically, to the ruler’s moral character. In fact, Confucius describes the legendary sage-king Shun’s government purely in terms of “effortless action” (*wuwei* 無為) by likening Shun to the North Star: “Governing with virtue (*de*) can be compared to being the North Star: the North Star dwells in its place, and the multitude of stars pay it tribute.”²⁷ According to Confucius, Shun was able to generate and maintain proper order while virtually “doing nothing” (*wuwei*) but simply assuming an air of deference and facing due south.²⁸

Eric Hutton challenges this more or less simplistic (almost mythical) understanding of Confucian virtue politics by clarifying that the actual process of the transformation of the people who are morally uncultivated and therefore whose behavior is largely determined by the situation in which they find themselves is mediated by the institutions of the Confucian ritual. On Hutton’s account, the core stipulation of Confucian virtue politics is: “If there are people who do have robust character traits and are resistant to situational variation, they can design and reliably maintain the broad range of institutions and situations that facilitate good behavior for everyone else.”²⁹ One of the most famous passages in the *Lunyu* justly attests to Hutton’s realistic interpretation of Confucian virtue politics, which balances virtue and ritual:

Lead the people by administrative injunctions (*zheng* 政), keep them orderly with penal law (*xing* 刑), and they will avoid punishments but will have no sense of shame. Lead them by virtue (*de*) and keep them orderly through observing ritual propriety (*li*) and they will develop a sense of shame, and moreover, arrive at good by rectifying themselves.³⁰

This passage does not, however, illuminate the relation between “leading by virtue” and “ordering through ritual” or their relative status. Yet, Zhu Xi (1130–1200), the authoritative compiler of Cheng-Zhu Neo-Confucianism, extends an unequivocal

support to Hutton's interpretation in his famous *Commentary to the Lunyu* (*Lunyu-jizhu* 論語集註):

Zheng are the tools of governing; punishments are statutes that assist in governing. Virtue and ritual, then, are the foundation on which to build government, and *virtue, in turn, is the foundation of ritual*. . . Thus, in governing the people, one must not rely vainly on the inessentials; rather, one should deeply examine the fundamentals.³¹

Thus understood, Confucian virtue politics is by no means the mysterious rule of *wuwei*, nor is it purely "rule by man" (*renzhi* 人治) as is often assumed. It is a particular type of institutional governance, the proper operation of which requires the ruler's formidable moral character.

Here arises a very important set of political questions, which can collectively be called the *Confucian constitutionalism problem*: What relation does a virtuous ruler have with the institutions of ritual that he maintains? And, where and how does a virtuous ruler attain his virtue? Is his virtue a special kind comparable to the Machiavellian ruler's *virtù*, a purely political virtue? Put another way, is a virtuous ruler standing outside (or above) or within the system of ritual that he manages?³² Confucius' answer for this set of questions is quite straightforward: notwithstanding its foundational status vis-à-vis ritual, virtue is the inner trait acquired through the (reflexive) observance of the ritual.³³ Consider the following statement by Confucius:

If their superiors cherished the observance of ritual propriety (*li*), none among the common people would dare be disrespectful; if their superiors cherished appropriate conduct (*yi* 義), none among the common people would dare be disobedient; if their superiors cherished making good on their word (*xin* 信), none among the common people would dare be duplicitous.³⁴

Confucius' point is, first, that the virtue that a ruler should possess in order to maintain the institutions of ritual to govern the common people is not qualitatively different from the kind of virtue that the transformed people would eventually acquire, and second, that virtue can be attained when the ruler voluntarily submits himself to the ritual that he simultaneously maintains. Though this is not directly addressed to the ruler, Confucius makes a generalized statement on the second point when he explains *ren*: "Through self-discipline (*keji* 克己) and observing ritual propriety (*fuli* 復禮) one becomes virtuous (*ren*) in one's conduct. If for the space of a day one were able to accomplish this, the whole world (*tianxia* 天下) would become virtuous (*ren*)."³⁵ Thus understood, in Confucian virtue politics a ruler's political power is at once constrained and enabled by ritual. The Confucian virtuous ruler is neither a Nietzschean "Higher Man" (*Übermensch*) who stands outside the body politic as a solitary *person* to whom the people are deemed as the pathetic herd nor an enlightened despot whose benevolent government depends solely upon his *personal* good will.

Perhaps more important in the present context is the first point that there is no qualitative difference between the ruler's political virtue (virtue required to maintain the ritual-constituted political order) and the commoner's virtue acquired after the

moral transformation by ritual. It is particularly worth noting that Confucius stressed filiality (*xiao* 孝, or more broadly *xiaoti* 孝悌 if fraternal piety is included) as one of the core moral virtues embodying the spirit of *ren*,³⁶ through which a ruler can transform the people, as well as one of the essential virtues at which the transformed people will ultimately arrive.³⁷

Firmly trusting the transformative power of the virtue of filiality, the core element of ritual,³⁸ Confucius thus never posited any special political virtue (say, *virtù*) as a *moral* requirement of the ruler's effective statecraft. When Ji Kangzi asked how to inculcate in the common people the virtue of reverence, Confucius replied: "Oversee them with dignity and the people will be reverent; *be filial to your elders (xiao)* and kind to your juniors, and the people will do their utmost; raise the good and instruct those who are not and the people will be imbued with enthusiasm."³⁹ Confucius' core argument is that when a ruler exemplifies the virtue of filiality (among others) and extends it to the government of the people, the people will become filially responsible to their close ones and further transformed into goodness, at the core of which lies benevolence (*ren*). It is for this reason that Youzi 有子, Confucius' disciple, called filiality the root of *ren*.⁴⁰

Seen in this way, Confucian virtue politics, in which (to use the Socratic language) statecraft and soulcraft are inextricably intertwined, is extended from Confucian virtue ethics.⁴¹ As Hutton shows, all three key Confucians in ancient China uniformly upheld virtue politics,⁴² although Mencius and Xunzi further developed their own distinctive visions of Confucian virtue politics.⁴³ What is interesting is that Confucian virtue ethics (and by extension Confucian virtue politics) does not make a vivid distinction between *human-moral virtue*, desirable for its own sake for all human beings, and *civic-political virtue*, required in sustaining a political community.⁴⁴ Its concern was to make a person (including the ruler) a sage (*shengren* 聖人), or, more practically, a *junzi*, a man of formidable moral character, and accordingly Confucians were supremely concerned with the moral (even spiritual) transformation of the self (*xiushen* 修身 as they called it) through the cultivation of moral virtues such as *ren* 仁 (benevolence), *yi* 義 (righteousness), *li* 禮 (ritual propriety), and *zhi* 智 (wisdom). Since no conceptual and practical distinction between politics and morals was posited, a good man (i.e., *junzi*) was directly analogous to a good political actor in the Confucian ethical tradition.

Therefore, in Confucianism there is no qualitative difference between the *political* virtue by which a ruler governs the people and the *moral* virtue that the common people, who have been morally transformed by such a ruler, are to acquire. And the moral virtue acquired by the people is simultaneously the *political* virtue that sustains the Confucian body politic, ideally the *tianxia*.⁴⁵ More importantly, since the ruler's political legitimacy derives solely from his moral virtue, it is logically possible (though almost impossible in the non-ideal world) that *any person*, regardless of his social origin, can become a ruler (i.e. king) if he possesses brilliant moral virtues. Not surprisingly, therefore, many Confucians and Confucian-minded scholars (except, most notably, Xunzi) supported the so-called "abdication doctrine," according to which royal power is to be transmitted not by bloodline but by individual merit,

although, due to both the rapid sociopolitical changes during the late Warring States period and, more importantly, its internal limitations (most importantly, its vulnerability to “counternarratives”), it ultimately yielded to the argument for hereditary succession.⁴⁶

Since the political is subsumed by the ethical in Confucian virtue politics, there cannot be two separate standards for the political and the moral, which implies the impossibility of the problem of dirty hands. And since in Confucian virtue politics the political is in continuum with the ethical, in principle it cannot override moral considerations because doing so only undermines the very root of the political.

The logical impossibility of the problem of dirty hands, however, does not imply the radical absence of moral dilemmas in Confucian virtue politics. Indeed, after Confucius proposed a seminal idea of Confucian virtue politics as an alternative political vision to the then dominant trend toward *realpolitik*, ardent followers of the Confucian Way such as Mencius and Xunzi, despite their different understandings of human nature and conceptions of moral self-cultivation, devoted themselves to making Confucian virtue ethics-cum-politics more robust and internally consistent by grappling with the controversial actions taken by some key cultural heroes of Chinese antiquity, requiring them to re-interpret history and (re-)invent the Confucian ethical “tradition.”⁴⁷ In the remainder of this essay, I will investigate how Mencius and Xunzi made sense of the ostensibly problematic actions taken by their putatively immaculate moral heroes within the paradigm of Confucian virtue politics, without invoking the notion of dirty hands.

Mencius on Shun and Yi Yin

As noted, when envisaging the perfect form of Confucian virtue politics, Confucius occasionally referred to the sage-king Shun’s government, but he did not offer a detailed account of this remarkable government, which reportedly achieved everything through effortless action (*wuwei*). Mencius fills this important lacuna in the political theory of Confucian virtue politics by attributing the secret of Shun’s government to his moral virtue, particularly his impeccable filiality, the root of *ren*.

According to the *Mengzi*, Shun, before being handpicked by the sage-king Yao 堯, was a farmer who had vicious family members, especially his father Gu Sou 瞽瞍 and his younger brother Xiang 象, who constantly plotted to kill him. However, according to Mencius, Shun was not resentful toward them. Rather, what worried him most was that he would fail in filial piety and fraternal love to his wicked father and brother:

Shun alone was able to look upon the fact that the whole world, being greatly delighted, was turning to him, as of no more consequence than trash. When one does not please one’s parents, one cannot be a human being; when one is not obedient to one’s parents, one cannot be a son. Shun did everything that was possible to serve his parents, and succeeded, in the end, in pleasing Gu Sou. Once Gu Sou was pleased, the whole world was transformed. Once Gu Sou was pleased, the pattern for the relationship between father and son in the whole world was set. This is the supreme achievement of a filial son.⁴⁸

What is implied here is that Shun's political leadership stems not so much from some mystical source (as the image of *wuwei* often conveys), nor from a distinctively "political" virtue, but from his remarkable virtue of filial piety toward his father. What is important here is that Mencius understands filiality as one of the ruler's (and everyone's) core character traits, which can resist situational variations, the defining feature of character.⁴⁹ The following statement by Mencius, though lengthy, vividly illustrates how the virtue of filiality helps to form a formidable character as the foundation of political leadership:

The king [Yao] sent his nine sons, and two daughters, together with the hundred officials, taking with them the full quota of cattle and sheep and provisions, to serve Shun in the fields. Most of the Gentlemen in the whole world placed themselves under him, and the king was about to hand the whole world over to him. But because he was unable to please his parents, Shun was like a man in extreme straits with no home to go back to. Every man wants to please the Gentleman of the whole world, yet this was not sufficient to deliver him from anxiety; beautiful women are also something every man desires, yet the bestowal of the king's two daughters on Shun as wives was not sufficient to deliver him from anxiety; wealth is something every man wants, yet the wealth of possessing the whole world was not sufficient to deliver him from anxiety; rank is something every man wants, yet the supreme rank of king was not sufficient to deliver him from anxiety. None of these things was sufficient to deliver him from anxiety which the pleasure of his parents alone could relieve. . . . A son of supreme filiality (*da xiao* 大孝) yearns for his parents all his life.⁵⁰

For Mencius, therefore, filiality is not a mere consanguineous sentiment one naturally possesses toward his parents⁵¹ but a moral virtue that one should strive to inculcate in one's self, even when his family is far from the haven of love and affection.⁵² Only a ruler who has acquired an unswerving moral character, Mencius would assert, is able to practice virtue politics, resisting any situational variation (be it wealth, sexual pleasure, or perhaps most importantly, political power). Such a ruler alone can realize benevolent government (*ren zheng*) by extending (*tui* 推) his benevolent heart (e.g., the kind that one has toward one's family members) to the general public. Hence, Mencius advises King Xuan of Qi, who has a seminal interest in the Kingly Way (*wang dao* 王道) but is preoccupied with power and interest, by saying:

Treat the aged of your own family in a manner befitting their venerable age and extend this treatment to the aged of other families; treat your own young in a manner befitting their tender age and extend this to the young of other families, and you can roll the whole world on your palm. . . . In other words, all you have to do is take this very heart here and apply it to what is over there.⁵³

Does Mencius imply that a political actor would encounter no moral dilemma that would require him to make a tough decision (*tough* in the sense that some or many people may consider it wrong), as long as he devotes himself to moral self-cultivation? While understanding early Confucian ethics (particularly Mencius') in terms of "character consequentialism," Philip Ivanhoe submits that "the possession

of certain virtues *usually* leads to the realization of certain good consequences above and beyond the possession of the virtue itself," consequences which I suppose include, most crucially, a benevolent government. He then immediately adds, "[b]ut these good consequences are not guaranteed to one who pursues or possesses the virtue."⁵⁴ And according to Confucian ethics, humans "are to pursue the Way because it is the Way, not just for the good consequences associated with it."⁵⁵ Shun (in Mencius' description) is no exception: though being wholly devoted to the Way, he finds himself in a problematic situation, particularly in relation to the virtue of filial piety.

In *Mencius* 5A2, Mencius acknowledges that it is a normal expectation for a son to inform his parents before getting married. In the same passage, however, Mencius admits that the sage-king Shun did not do this. In a different passage, Mencius justifies Shun's behavior as follows: "There are three ways of being a bad son. The most serious is to have no heir. Shun married without telling his father for fear of not having an heir. To the gentleman, this was as good as having told his parents."⁵⁶ In this case, in not informing his parents, Shun does not act according to what is normally expected of a son, but according to Mencius he does so precisely out of a desire to fulfill the requirement of filiality. For Mencius, Shun's apparent deviation from what is normally expected of a son is explained by appeal to the very virtue of filiality. In resolving the ostensible moral dilemma, no moral compromise has incurred.

However, this case is about a moral dilemma (more accurately, the ostensible violation of the norm) in a non-political setting, and thus our core question still remains unanswered: What about the moral dilemma in the political arena? Does resolving it for the sake of the greater good necessarily involve dirty hands (that is, committing a genuine wrongdoing), or should doing so invoke a guilty feeling in the actor?

Consider Mencius' appraisal of Yi Yin, the sagacious minister of the sage-king Tang 湯王 (founder of the Shang dynasty, 1566–1046 B.C.E.), who took Tai Jia 太甲, Tang's grandson, into custody when he did not follow the Kingly Way and gave him back his power after three years of regent rule.⁵⁷ In *Mencius* 7A31, Gongsun Chou 公孫丑, Mencius' own student, asks Mencius about Yi Yin's seemingly problematic action:

Gongsun Chou: Yi Yin banished Tai Jia to Tong, saying, "I do not wish to be close to one who is intractable," and the people were greatly pleased. When Tai Jia became good, Yi Yin restored him to the throne, and the people, once again, were pleased. When a prince is not good, is it permissible for a good and wise man who is his subject to banish him?

Mencius: It is permissible only if he had the motive of a Yi Yin; otherwise, it would be usurpation.

First of all, it should be noted that Yi Yin's action is potentially "problematic" (but not "wrong," as shall be shown) according to Mencius' own standard, which stipulates that only ministers of royal blood are entitled to depose the king in the event that the king makes serious mistakes and the repeated remonstrations fall on deaf ears; while the ministers of families other than the royal house, like Yi Yin, can only

remonstrate with the king in such cases, and if repeated remonstrations fall on deaf ears, they would just have to deal with him or leave him.⁵⁸ However, interestingly, Mencius finds Yi Yin's action morally permissible, assuming that he had the right motive (*zhi* 志). Given the violation of the rules of ritual propriety involved in Yi Yin's action, what are the grounds for Mencius' surprising judgment? Before turning to the question of the right motive, let us first examine whether breaking norms stipulated in *Mencius* 5B9 is a genuine moral violation involving dirty hands.

In actuality, the wording of 5B9 is sufficiently general that it is not clear if the statement commits Mencius to judging Yi Yin's action as a moral violation at all. It only tells us that when a non-related minister deposes a king, it is *usually* wrong. As for the case of Yi Yin, Mencius makes it clear that his action does not constitute a case of usurpation, which involves genuine moral violation.⁵⁹ That is, for Mencius, Yi Yin's action may look problematic in light of the general norm to which he subscribes in principle, but given the situation and considering his right motive, he is not engaged in any moral violation whatsoever.⁶⁰

Mencius' judgment can be additionally justified with reference to his notion of Tianli 天吏 (Heaven's Delegated Official). Mencius famously accepts righteous rebellion as legitimate, in the case of serious violations of *ren* (benevolence) and *yi* (righteousness) by a tyrannical ruler.⁶¹ However, as Justin Tiwald shows, Mencius "is careful to say that the leading revolutionary must be a person whose mettle has already been tested in prior positions of authority—a person Mengzi refers to as 'Heaven's Delegated Official' (Tianli 天吏). This would-be usurper may be a member of the wayward monarch's ruling house⁶² or a popular prince in a neighboring state,⁶³ but in either and any case, it is not for the people to instigate an uprising on their own."⁶⁴ Though Yi Yin's case has nothing to do with a righteous rebellion, Mencius' reasoning can be plausibly inferred that the constitutional crisis generated by Tai Jia's misconduct as the Son of Heaven impelled Yi Yin to assume the role of the Tianli, whose moral and political legitimacy originates in Heaven's (though temporal) mandate (*tianming* 天命).

The question of Heaven in Mencius' moral and political theory brings us back to the question of the right motive in the case of Yi Yin. In another place in the *Mengzi*, Mencius gives a detailed account of Yi Yin's motive:

Yi Yin said, "I serve any prince; I rule over any people. I take office whether order prevails or not." Again, he said, "Heaven, in producing the people, has given to those who first attain understanding the duty of awakening those who are slow to understand; and to those who are the first to awaken the duty of awakening those who are slow to awaken. I am amongst the first of Heaven's people to awaken. I shall awaken this people by means of this Way." When he saw a common man or woman who did not enjoy the benefit of the rule of Yao and Shun, Yi Yin felt as if he had pushed him or her into the gutter. This is the extent to which he considered the world (*tianxia*) his responsibility (*ren* 任).⁶⁵

In emphasizing the right motive (*zhi*), Mencius sounds like a deontologist who argues either that a right motive always yields the right consequence(s) or that an action is morally justifiable only if it is propelled by a right motive, regardless of the

consequence(s) that it ultimately brings. But the Chinese term *zhi*, the classical definition of which is “where the mind is going,” should be understood more broadly, in a way that corresponds with its standard usage in the classical texts—as (moral) “commitment,” a defining disposition of moral character.⁶⁶ Put differently, when Mencius finds Yi Yin’s action morally permissible, his focus seems to be on Yi Yin’s commitment to the Way and his moral character, namely his moral *qualification* for acting in the way he did (as the Tianli, I suppose) rather than his right intentions. That is, only a person like Yi Yin, Mencius would argue, is qualified to take an action that, albeit temporarily, upsets the norms of ritual propriety but that can eventually contribute to the Way, of which ritual propriety is only a part.

This, however, is only half the story. What is equally important for Mencius is a political actor’s responsibility (*ren* 任) toward the world (*tianxia*). Mencius posits no tension between his virtue ethics (or character consequentialism), which is inner-directed, and a political actor’s responsibility *toward* the world, by assuming that the latter is extended from the former. This seamless continuum between inner morality and outer political action accounts for the virtual absence of inner struggle or guilt in Yi Yin (at least in Mencius’ narrative), even when he had to make a tough decision, a decision that would seem politically suspicious to others.

When he was still a private individual, Yi Yin considered the world his responsibility. At this stage, there is no conflict between his inner moral growth and his Heaven-given moral responsibility toward the world. Strictly speaking, as a private individual, Yi Yin’s responsibility is basically toward Heaven, and the world offers an arena where this moral responsibility can be exercised. Once he becomes the minister, however, Yi Yin’s responsibility is no longer purely a personal moral responsibility toward Heaven; it is *also* a political responsibility, a responsibility toward Heaven as well as toward the moral-cultural-political institutions of the dynasty that the sage-king(s) founded, and it is at this latter stage where virtue *ethics* is transformed (or extended) to virtue *politics*.

What is important in this process, however, is that there is no fantastic transformation of virtue from the moral to political, and even at the critical moment in which special political virtues (analogous to Machiavelli’s *virtù*) seem to be necessary in order to safeguard the institutional character of the regime, they turn out to be essentially the same kind of virtues (such as *ren* and *yi*) that the political actor in question has cultivated as a moral person.

In *Mencius* 4A17, Mencius calls an expedient measure, which (temporarily) violates the norm of ritual propriety (and any moral norm), *quan* 權.⁶⁷ With the notion of *quan*, Mencius implies that “moral or ritual rules are never absolute, and that the agent, occasionally, may face the necessity of breaking them. A failure to break the rules would have extreme and unpleasant consequences: the death of one’s sister-in-law, one’s father, one’s lord, or oneself, or the destruction of one’s state. It is, indeed, the extreme cost of upholding the rule under a particular set of circumstances that seems to validate breaking the rule.”⁶⁸ But as Griet Vankeerberghen rightly notes, central to *quan* is not breaking the rule as such but its function “as a [balancing] mechanism that can help maintain [the] constant rules as the agent applies them to

his own unique circumstances," allowing "the agent . . . to act at his own discretion without necessarily being guilty of transgressing the norm."⁶⁹ Especially for an official exercising *quan*, Sarah Queen adds, "he must be sure not to compel the ruler to violate the constant norms. He must ensure that 'bending the rules' will not preclude the ruler from fulfilling his responsibility as living moral exemplar to his people. . . . [B]ending the rules can be justified only if it is done with the intention of realizing a righteous principle."⁷⁰

Thus understood, Mencius' praise of Yi Yin's exercise of *quan* is not to hail his great statesmanship, which, according to Walzer, necessarily involves having dirty hands, but to extol his moral character. After the whole affair, for Mencius the Way has been achieved and in the process no hands (neither Yi Yin's nor Tai Jia's) have been made dirty.

Xunzi on the Duke of Zhou

In the history of Chinese political thought, Xunzi occupies a unique position not least because of his heavily controversial notion that human nature is bad but also because of his immense interest in ritual both as virtue and sociopolitical institution.⁷¹ Though both Mencius and Xunzi were equally committed to the Confucian Way, Xunzi was comparatively more interested in "situational control" by means of ritual, than in "virtue training," to which Mencius was almost single-mindedly devoted.⁷²

Though important, this relative difference between Mencius and Xunzi should not be stressed too much, at least in the present context. After all, Xunzi's political theory is built on and further develops Confucius' seminal idea of the inextricable intertwinement of virtue and ritual, the articulation of which goes beyond the scope of this essay. For instance, Xunzi declares that "there are men who can bring order about, but there is no model (*fa* 法) that will produce order. . . . The model is the first manifestation of order; the gentleman (*junzi*) is the wellspring of the model."⁷³ When he responds to the inquiry of administering the state in this manner by saying that "I have heard about cultivating character, but I never heard about administering the state,"⁷⁴ there seems to be no critical difference between him and Mencius.⁷⁵ Eric Hutton thus presents Xunzi as the champion of Confucian virtue politics when he submits that "Xunzi makes it clear that a proper ruler is an expert in ritual himself and promotes ritual practice generally, and that this is crucial for transforming the people. Considering these points, one can see how acknowledging situationist concerns might actually drive one to emphasize the importance of robust, virtuous character even more, rather than less, because it may be that only if some people really do have robust character can society turn out well."⁷⁶

What is worth noting is that the Duke of Zhou, the younger brother of King Wu 武王, who co-founded the Zhou dynasty with his father King Wen 文王, was the sole focus of Xunzi's admiration as he called him the Great Ru (*da ru* 大儒),⁷⁷ though Xunzi judged him neither frugal (*jian* 儉) nor respectful (*gong* 恭).⁷⁸ Xunzi's admiration of the Duke of Zhou is all the more interesting because the Duke virtually made a similar decision that Yi Yin had made during the formative stage of the Shang

dynasty, when he strove to stabilize the newly founded Zhou dynasty after defeating Zhouxin 紂辛, the last king of Shang and one of the two most notorious tyrants in Chinese history (along with Jie 桀, the last king of the Xia dynasty). But before delving into the Duke of Zhou's seemingly problematic action, let us first examine the Duke's moral character. Unlike the *Mengzi*, which scarcely provides an account of Yi Yin's moral character and his political leadership, we find in the *Xunzi* quite a detailed description of the Duke of Zhou as both a moral person *and* a political leader.

Xunzi 8.8 describes the Duke of Zhou's contributions to King Wu's expedition of his enemies and the founding of the new dynasty as follows:

When King Wu [started the campaign that ended in the] execution of Zhouxin, he did it on a day the army dreaded. . . . When he reached the Fan 汜, it was in flood stage. When he reached the Huai 懷, the walls had collapsed. When he reached Gongtou 共頭, the side of the mountain had given away. Houshu 霍叔 [King Wen's seventh son and the younger brother of King Wu and the Duke of Zhou] was apprehensive and said: "In the past three days of our march, five portents of ill have come! How could we have done nothing that will doom our plans?" The Duke of Zhou replied: "He has disemboweled Bigan 比干, imprisoned the Viscount of Ji 箕子, and allowed Feilian 飛廉 and Wulai 惡來 to administer the government. Again, how can there be anything impermissible in our plans?" . . . At dawn of the next day, they pressed on to the Fields of Mu 牧. When they beat the signal to attack, the troops of Zhouxin turned on their heels, left the field, proceeded to bully the adherents of Yin 殷 [read: the ruling class of the Shang dynasty], and to put Zhouxin to death.

Surely the assassins were not the men of Zhou, for it was the consequence of the men of Yin. Accordingly, there was no taking of heads or captives and no rewards for daring and difficult feats. . . . Within the four seas [read: *tianxia*] all without exception changed their hearts and altered their thoughts in order to transform themselves into obedient subjects of Zhou. Accordingly, the outside doors were not locked, and one could cross the whole empire without encountering any obstructions.

Here *Xunzi*'s interest is not in demonstrating how great a military commander the Duke of Zhou is. In *Xunzi*'s view, what is so great about the Duke of Zhou is his unswerving commitment to the Way and his unflagging faith in Heaven's mandate—his (and his brother's) mission as Heaven's Delegated Official (Tianli) to punish the tyrant who brutally executed and unjustly imprisoned righteous subjects admonishing on behalf of Heaven and the people. Withdrawing from the mission of Heaven's Delegated Official because of the bad omen ("five portents of ill"), *Xunzi* implies, is only to reveal one's lack of faith in the Way, thereby succumbing to fate.⁷⁹

Eventually, the consequence of unflagging faith in the Way is moral transformation of the people and the world of grand peace, the *telos* of Confucian virtue politics. Thus, *Xunzi*, trusting Mencius' bold statement that "the benevolent ruler has no match,"⁸⁰ reiterates the typical Mencian narrative of the punitive expedition of the tyrant by Heaven's Delegated Official: "Hence, when the Duke of Zhou marched to the south, the countries to the north were resentful and said, 'Why does he not come to us alone?' When he marched to the east, the countries to the west were resentful

and said, 'Why does he leave us to the last?' Who could contest with such a ruler! One who could make his country like this would become king!"⁸¹

But just like Yi Yin (more accurately, Mencius' Yi Yin), Xunzi notes, the Duke of Zhou, too, was exposed to a similarly difficult situation, requiring him to make a controversial decision (controversial, at least, to his contemporaries). And it is how Xunzi understands the Duke's ostensibly problematic action that is interesting.

In *Xunzi* 8.8, Xunzi mentions almost in passing that "[w]hen King Wu had died and King Cheng 成王 [King Wu's son] was still a minor, the Duke of Zhou acted as a screen for King Cheng, succeeded King Wu, and took charge of the registers of the Son of Heaven." In another place, Xunzi provides a more detailed story (with some repetitions) about what happened after the death of King Wu and why the Duke of Zhou acted in the way he did, as follows:

When King Wu died, King Cheng was only a child. The Duke of Zhou acted as a screen for King Cheng and succeeded King Wu in order to keep the allegiance of the world, since he dreaded the prospect of a general revolt against Zhou throughout the empire (*tianxia*). The Duke of Zhou took charge of the registers of the Son of Heaven, heard the judicial cases of the empire, acted with such ease that it was as though his position were securely held, yet the empire did not regard him as covetous of the throne. He killed Guanshu 管叔 [King Wen's second son and the Duke of Zhou's older brother] and laid waste to the capital of Yin, but the empire did not regard him as brutal. When he had established universal dominion of the world, . . . [h]e educated, admonished, taught, and guided King Cheng, had him instructed in the Way, that he should be able to follow in the footsteps of Wen and Wu. The Duke of Zhou restored Zhou, turned over the registers to King Cheng, and the empire did not cease to serve the House of Zhou. Then the Duke of Zhou faced north as a subject and attended the morning audience.⁸²

In order to better appreciate Xunzi's ethical rationalization of the Duke of Zhou's action within his virtue-ethical-cum-political framework, it is necessary to understand the historical context of the early Zhou period. In particular, two points are important: the nature of the Duke's regency and his controversial retirement.

First, whether the Duke of Zhou was called king (and hence "usurped" the throne) during the time that he served as regent is still the subject of an ongoing debate.⁸³ But according to Edward Shaughnessy there are indications that the Duke of Zhou's taking control of the government was viewed as a usurpation by his brothers serving in the east, which prompted them to join together with Wu Geng 武庚, the scion of the last Shang king, and other former subjects of the Shang to rebel against the House of Zhou.⁸⁴ Thus, despite Xunzi's apparent denial of the Duke of Zhou's usurpation of the throne, there were grounds for such an allegation.

Second, though Xunzi insinuates that the Duke of Zhou returned power back to King Cheng voluntarily when the latter was capable of governing himself, some historical texts indicate that the Duke's retirement was forced rather than voluntary. For instance, the "Jun Shi" 君奭 chapter of the *Book of Documents* (*Shujing* 書經), which records an address made by the Duke of Zhou to the Duke of Zhao 召公, the Grand Protector,⁸⁵ indicates that there was a serious disagreement between them regarding

the Duke of Zhou's continued control of power. According to Shaughnessy's interpretation, the Duke of Zhou was arguing to be allowed to continue in power: "The Duke of Zhou then seems to admit his own illegitimacy to govern (*zai jin yu xiaozi* 在今予小子且非克有正), but makes the apology that he is just ensuring that the 'young man' (*chongzi* 冲子, presumably King Cheng) can benefit from his predecessors' merit,"⁸⁶ recalling, for instance, that King Tang had a virtuous minister like Yi Yin. All the more troubling (to Xunzi and Confucians in general) is the existence of a subcurrent tradition among the voluminous hagiography devoted to the Duke of Zhou that he found himself in disfavor at the court of King Cheng, being forced to go into some form of exile.⁸⁷

What is interesting is the way Xunzi reports and evaluates the whole affair, as he comments that "[t]he transference of power had taken place in an orderly and methodical fashion within an appropriate span of time. Hence, for a cadet branch of a family to supplant the main line does not constitute a 'transgression'; a younger brother's execution of an older brother does not constitute a 'crime of violence'; and for the ruler and minister to change positions does not constitute an 'act of disobedience.'"⁸⁸

Like Mencius, Xunzi explicitly denies that there was any wrongdoing on the part of the Duke of Zhou. Though not explicitly invoking the term, Xunzi apparently rationalizes the Duke of Zhou's action from the perspective of *quan*: in exercising *quan* during the formative stage of the dynasty, one is reminded, the Duke of Zhou had to (temporarily) bend ritual propriety, which stipulates the proper order between king and subject and the distance and hierarchical relationship among the (royal) family members (especially between the main line and the branch line), but by doing so he achieved the Way, thereby putting the dynasty, newly founded according to the mandate of Heaven, on firmer ground.

No inner struggle should be involved in a sage's (such as the Duke of Zhou) exercise of *quan*, for having inner scruples only makes one disqualified from being a sage or being *ren* and from acting in the way the Duke of Zhou (and Yi Yin) did. As Xunzi puts it:

The sage follows his desires and fulfills his emotions, but having regulated them, he accords with rational principle of order (*li* 理). Truly what need has he for strength of will, for endurance, or for keeping guard against unsteadiness? Thus, the man of *ren* in practicing the Way requires no assertion (*wuwei*) in his action. The sage's practice of the will requires no strength of will. The thought of the man of *ren* is reverent; that of the sage is joyous. This is the Way of putting the mind in order.⁸⁹

Put differently, there is no tension between the Way as the source of the Duke of Zhou's personal virtue and the Way that he aspires to achieve as a political leader. There is only "one Way,"⁹⁰ and accordingly no differentiation of virtue into two different kinds, moral and political. Therefore, even when the Duke of Zhou was bending the rules of ritual propriety, his hands were never made dirty. In the end, his moral integrity remained untarnished.⁹¹

Conclusion

The purpose of this essay has been to refute the received wisdom that the dilemma of dirty hands is an inherent political problem across cultures by investigating the early Chinese cases of Confucian virtue politics. My central argument has been that though early Confucians (particularly Mencius and Xunzi) did recognize the cases of moral dilemma faced by their moral heroes, their deep commitment to the single and holistic Way and their strong faith in virtue politics allowed no room for dirty hands on the part of the actor, even in critical political moments.

Both Mencius and Xunzi wholeheartedly agreed that a moral-political actor sometimes has to bend the rules of ritual (or any rule) in order to safeguard or uphold the Way, but in doing so he neither does genuine wrongdoing (and compromises his moral integrity) nor undergoes guilt-generating inner struggles. In their judgment, the hallmark of the sage as the paragon of moral character was his ability to make timely and effortless adaptations to changing situations. Since there is only “one Way,” they concurred, there could be no differentiation of virtue into moral and political virtues, and since the political was given no privileged status but rather extended from the ethical, even when the expedient measure (*quan*) was required to cope with the politically critical moment, it was only to achieve the Way, never to bend the Way itself.

In a sense, this absolutist commitment to the Way, or “Dao absolutism,” enabled early Confucians, their internal differences notwithstanding, to find a way to solve the moral dilemma in both political and non-political situations by approving remarkable moral flexibility in the service of the Way, thus avoiding both moral absolutism (of the kind Walzer criticizes) and dirty hands.

One may wonder, even if the core stipulations of Confucian virtue politics are accepted, whether Confucian rulers are able to violate the good in order to achieve some morally weighty political end without being guilty of a moral wrong. That is, it may be argued that even if a Dao absolutism undergirded by the idea of *quan* allows Confucian rulers to resolve moral dilemmas without committing moral wrongs, in many, if not all, cases where *quan* is exercised there is a *prima facie* moral inappropriateness involved, hence the need of moral justification—for instance, in the case of Yi Yin or Mencius’ case of physically touching the sister-in-law’s hand in an emergency. Doesn’t the very awareness of moral dilemma imply that acting either way would make one guilty of something?

This is an important question that we can raise for Mencius or Xunzi. After all, it should be recalled, throughout this essay our focus has been on Shun, Yi Yin, and the Duke of Zhou in Mencius’ and Xunzi’s virtue-ethical and/or virtue-political narratives. And it is *their narratives* (and their ethical and political theories) that allow no room for the problem of dirty hands and philosophical conundrums accompanying it. For instance, Mencius’ justification of Yi Yin’s seemingly problematic action was not to admit, through a back door, the inevitability of guilt in the course of resolving (ostensibly) dilemmatic situations, but rather to vindicate the ethical system that he

champions (i.e., Confucian virtue ethics-cum-politics), in that it helps a *moral agent* (e.g., Yi Yin in his narrative, not necessarily the historical Yi Yin) to rectify certain moral inappropriateness or imbalance noted in a particular situation, including a political crisis, in a way that does not involve committing moral wrongs, undergoing inner struggles, and/or developing guilty feelings. In short, what I have discussed in this essay is the *theoretical* or *normative* account of Confucian virtue ethics-cum-politics with regard to moral dilemma, particularly in politics.

That being said, whether this way of resolving moral dilemmas is realistic or desirable is a wholly separate matter. In fact, while interpreting *Mencius* 7A35, in which Mencius speculates on what sage-king Shun would do if his father had killed someone, Stephen Angle boldly claims that Mencius is mistaken in leaving grief out of the picture.⁹² Angle says, “I believe that Shun should feel grief. The ‘and they lived happily ever after’ implication of Mencius’ tale is too pat, ignoring the complexities of the situation.”⁹³ I take Angle’s point to be that Mencius must have made *his* Shun (or any moral hero in Confucianism that he is now reconstructing) feel grief about casting aside his responsibilities to his people. Though not directly dealing with the cases of Yi Yin and Duke of Zhou, I surmise that Angle would respond likewise to Mencius and Xunzi: in each narrative the protagonist engaging in a “problematic” action should feel grief because it involves a transgression of conventional moral norms.

However, there is a great difference between feeling grief and feeling guilt. After all, according to Mencius’ or Xunzi’s virtue-ethical-political account, the protagonist, a moral paragon, committed no wrongs (as he sees them); he only transgressed what is conventionally conceived as right. So I agree with Angle when he says, “But supposing a sage sees that it is the right thing to do, does it with an appropriately heavy heart, feels appropriate grief, and works through the grief in ritually appropriate ways, is his or her life ‘marred’? . . . The sage might have a strong emotional reaction to such an experience . . . [b]ut ex hypothesi the sage does not wallow in guilt.”⁹⁴

Given Mencius’ endorsement of grief as an appropriate emotion for a sage to have in a particular situation,⁹⁵ the argument that a sage should feel grief when he or she engages in a “problematic” action is not only convincing but also perfectly compatible with my central argument that Confucian virtue politics allows no room for the problem of dirty hands. Though ancient Confucians left the question of emotion out of the picture in their normative account(s) of virtue politics, because of their strong commitment to Dao absolutism, contemporary Confucian theorists should further develop Confucian political theory by taking full advantage of the (classical) Confucian attention to complex emotions such as grief and (affective) resentment.⁹⁶

Notes

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- 1 – Michael Walzer, “Political Action: The Problem of Dirty Hands,” *Philosophy and Public Affairs* 2, no. 2 (1973): 162.
- 2 – Ibid., p. 164. Also see Niccolò Machiavelli, *The Prince*, trans. Harvey C. Mansfield (Chicago: University of Chicago Press, 1998), p. 61.
- 3 – Walzer, “Political Action,” p. 164.
- 4 – Ibid., p. 166.
- 5 – Ibid., p. 168.
- 6 – Sissela Bok, *Lying: Moral Choices in Public and Private Life* (New York: Vintage Books, 1979); Maureen Ramsay, “Democratic Dirty Hands,” in *The Politics of Lying: Implications for Democracy*, ed. Lionel Cliffe, Maureen Ramsay, and David Bartlett (New York: St. Martin’s Press, 2000).
- 7 – The consequentialist critique of Walzer’s notion of dirty hands is especially noteworthy given its strong utilitarian implications that Walzer fully acknowledges: “[The problem of dirty hands] does not mean that it isn’t possible to do the right thing while governing. It means that a particular act of government (in a political party or in the state) may be exactly the right thing to do in utilitarian terms and yet leave the man who does it guilty of a moral wrong” (Walzer, “Political Action,” p. 161).
- 8 – Kai Nielson, “There Is No Dilemma of Dirty Hands,” in *Cruelty and Deception: The Controversy of Dirty Hands in Politics*, ed. David P. Shugarman and Paul Rynard (Peterborough, Ontario: Broadview Press, 2000), p. 140.
- 9 – Suzanne Dovi, “Guilt and the Problem of Dirty Hands,” *Constellations* 12, no. 1 (2005): 128–146.
- 10 – David P. Shugarman, “Democratic Dirty Hands?” in Shugarman and Rynard, *Cruelty and Deception*.
- 11 – Ibid. Also see William A. Galston, “Value Pluralism and Political Means: Toughness as a Political Virtue,” in *The Practice of Liberal Pluralism* (Cambridge: Cambridge University Press, 2005); Dennis F. Thompson, *Political Ethics and Public Office* (Cambridge, MA: Harvard University Press, 1987).
- 12 – As Suzanne Dovi understands, “In order to negotiate the problem of dirty hands properly, it is necessary to have political actors who unequivocally abide by certain ethical commitments and political actors who are willing to transgress those commitments for desirable political ends” (Dovi, “Guilt and the Problem of Dirty Hands,” p. 135).
- 13 – Walzer, “Political Action,” p. 162.
- 14 – Nielson, “There Is No Dilemma of Dirty Hands.”
- 15 – Thomas Nagel, “Personal Rights and Public Space,” *Philosophy and Public Affairs* 24, no. 2 (1995): 83–107.

- 16 – Paul R. Goldin, “The Theme of the Primacy of the Situation in Classical Chinese Philosophy and Rhetoric,” *Asia Major* 18, no. 2 (2005): 1–25. To clarify, Goldin presents the theme of the primacy of the situation as the general characteristic of classical Chinese philosophy and rhetoric, of which Confucianism is only a part, though an important one. For the Confucian emphasis on the particularity of a given situation and the flexible adaptation to it, see Marion Hourdequin, “Engagement, Withdrawal, and Social Reform: Confucian and Contemporary Perspectives,” *Philosophy East and West* 60, no. 3 (2010): 369–390.
- 17 – *Mencius* 5B1.
- 18 – Dana Villa, *Socratic Citizenship* (Princeton: Princeton University Press, 2011).
- 19 – David Wong, “Reasons and Analogical Reasoning in Mengzi,” in *Essays on the Moral Philosophy of Mengzi*, ed. Xiusheng Liu and Philip J. Ivanhoe (Indianapolis: Hackett, 2002).
- 20 – It should be cautioned that my focus in this essay is how early Confucians understood moral dilemmas faced by their heroes, and not on whether or not those heroes actually dirtied their hands. As such, this study does not aim to refute Walzer’s core political argument, based on the popular belief, that political actors sometimes are forced to do the wrong thing in order to do the right thing.
- 21 – The problem of dirty hands is not simply the problem that morally good political leaders will have to do things that some or even most people will consider wrong, but rather that they have to do things that truly are wrong, especially in the view of the person doing them, because it is only if the actions truly are wrong that their hands are “dirty.”
- 22 – Walzer says, “The effect of supreme-emergency argument should be to reinforce professional ethics and to provide an account of when it is permissible (or necessary) to get our hands dirty” (Michael Walzer, *Arguing about War* [New Haven: Yale University Press, 2005], p. 46).
- 23 – According to Galston (see note 11 above), the person with the virtue of toughness is quite aware of the ways in which he is violating moral requirements, and this awareness generates a subjective feeling (if not a guilty feeling) of internal tension in the person with such toughness.
- 24 – Paul R. Goldin, *Confucianism* (Berkeley: University of California Press, 2011), pp. 23–30.
- 25 – Ji Kangzi headed the Lu government between the years 492 and 468 B.C.E., during the reign of Lord Ai of Lu (魯哀公, r. 494–468), whom he completely sidelined. See Yuri Pines, *Envisioning Eternal Empire: Chinese Political Thought of the Warring States Era* (Honolulu: University of Hawai’i Press 2009), p. 231 n. 23.

- 26 – *Analects* 12.17. Here I have adapted the English translation of the texts of the *Lunyu* 論語 from Confucius, *The Analects*, trans. D. C. Lau (New York: Penguin Books, 1979). Unless otherwise noted, though, all subsequent English translations from the *Analects* are adapted from Roger T. Ames and Henry Rosemont, Jr., *The Analects of Confucius: A Philosophical Translation* (New York: Ballantine Books, 1998).
- 27 – *Analects* 2.1 (modified).
- 28 – *Analects* 15.5.
- 29 – Eric L. Hutton, “Character, Situationism, and Early Confucian Thought,” *Philosophical Studies* 127 (2006): 50.
- 30 – *Analects* 2.3.
- 31 – D. K. Gardner, *Zhu Xi’s Reading of the Analects: Canon, Commentary, and the Classical Tradition* (New York: Columbia University Press, 2003), p. 109 (emphasis added). Also see *Xunzi* 12.1.
- 32 – For illuminating studies on so-called “Confucian ritual constitutionalism,” see Chaihark Hahm, “Ritual and Constitutionalism: Disputing the Ruler’s Legitimacy in a Confucian Polity,” *American Journal of Comparative Law* 57 (2009): 135–203.
- 33 – For philosophical explorations on the inextricable relation between virtue (particularly *ren*, the Confucian virtue par excellence) and ritual in Confucian virtue ethics (and by extension politics), see Kwong-loi Shun, “*Jen* and *Li* in the *Analects*,” *Philosophy East and West* 43, no. 3 (1993): 457–479; Karyn Lai, “*Li* in the *Analects*: Training in Moral Competence and the Question of Flexibility,” *Philosophy East and West* 56, no. 1 (2006): 69–83.
- 34 – *Analects* 13.4; also see 14.41.
- 35 – *Analects* 12.1 (modified).
- 36 – Philip J. Ivanhoe, “Filial Piety as Virtue,” in *Working Virtue: Virtue Ethics and Contemporary Moral Problems*, ed. Rebecca L. Walker and Philip J. Ivanhoe (Oxford: Clarendon Press, 2007); Chenyang Li, “Shifting Perspectives: Filial Morality Revisited,” *Philosophy East and West* 47, no. 2 (1997): 211–232.
- 37 – *Analects* 2.21
- 38 – Originally, the ritual Confucius praised and creatively re-appropriated originated from the clan ritual-cum-law (*zongfa* 宗法), by which the King of the Zhou dynasty (1045–256 B.C.E.), called the “Son of Heaven” (*tianzi* 天子), governed his kingdom (called *tianxia*, literally “all under Heaven”), consisting of many feudal states, where many persons were of blood-relation to the Zhou court. On the origin and the changing notions of the idea of *tianxia* in ancient China, see Yuri Pines, “Changing Views of *Tianxia* in Pre-Imperial Discourse,” *Oriens Extremus* 43 (2002): 101–116.

- 39 – *Analects* 2.20 (modified by Lau’s translation and emphasis added). It is important to note that the Duke of Zhou, whom Confucius admired most, allegedly addressed his son, the ruler of Lu, saying that “[to govern the people] the ruler (*junzi* 君子) should not be remiss in family relations” (*Analects* 18.10, modified).
- 40 – *Analects* 1.2.
- 41 – Admittedly, among students of Chinese philosophy, whether Confucian ethics can be called a virtue ethics is an ongoing controversy, and some scholars indeed understand Confucian (especially early Confucian) ethics in terms of “role-ethics.” See most notably Roger T. Ames, *Confucian Role Ethics* (Honolulu: University of Hawai’i Press, 2011). However, these scholars do not claim that in Confucianism virtue is unimportant; their main claim is that the Confucian emphasis on virtue can be accommodated by the standpoint of role ethics. For a more direct defense of Confucian virtue ethics, see Philip J. Ivanhoe, *Confucian Moral Self Cultivation* (Indianapolis: Hackett 2000); Bryan W. Van Norden, *Virtue Ethics and Consequentialism in Early Chinese Philosophy* (Cambridge: Cambridge University Press, 2007); Jiyuan Yu, *The Ethics of Confucius and Aristotle: Mirrors of Virtue* (London: Routledge, 2007).
- 42 – Hutton, “Character, Situationism, and Early Confucian Thought.”
- 43 – See Sungmoon Kim, “Confucian Constitutionalism: Mencius and Xunzi on Virtue, Ritual, and Royal Transmission,” *Review of Politics* 73, no. 3 (2011): 371–399.
- 44 – This distinction is from William A. Galston, “Pluralism and Civic Virtue,” *Social Theory and Practice* 33, no. 4 (2007): 625–636.
- 45 – On the ancient Confucian ideal of the body politic, see Michael Nylan, “Boundaries of the Body and Body Politics in Early Confucian Thought,” in *Boundaries and Justice: Diverse Ethical Perspectives*, ed. David Miller and Sohail H. Hashmi (Princeton: Princeton University Press, 2011). On why the ideal of *tianxia*, which had originated in the Zhou dynasty, continued to remain the core inspiration for political imagination throughout pre-Qin China, see Yuri Pines, *Envisioning Eternal Empire: Chinese Political Thought of the Warring States Era* (Honolulu: University of Hawai’i Press, 2009). In this essay, I translate it as the “whole world.”
- 46 – See Yuri Pines “Disputers of Abdication: Zhanguo Egalitarianism and the Sovereign’s Power,” *T’oung Pao* 91, no. 4 (2005): 243–300; Kim, “Confucian Constitutionalism.” This is not to say, however, that abdication doctrine belonged exclusively to the Confucian school. In fact, it was Mozi 墨子 who first espoused this doctrine, and it was quite popular among Warring States scholars as evidenced in recently excavated texts such as the *Tang Yu zhi Dao* 唐虞之道 and *Rong Cheng shi* 容成氏.

- 47 – John B. Henderson, *Scripture, Canon, and Commentary: A Comparison of Confucian and Western Exegesis* (Princeton: Princeton University Press, 1991); Mark E. Lewis, *Writing and Authority in Early China* (Albany: State University of New York Press, 1999).
- 48 – *Mencius* 4A28. With slight alterations of terminology and spelling, this and subsequent translations from the *Mencius* are from D. C. Lau, trans., *Mencius* (Harmondsworth: Penguin, 1970).
- 49 – Hutton, “Character, Situationism, and Early Confucian Thought”; Edward Slingerland, “The Situationist Critique and Early Confucian Virtue Ethics,” *Ethics* 121, no. 2 (2011): 390–419.
- 50 – *Mencius* 5A1.
- 51 – Cf., Qingping Liu, “Filiality versus Sociality and Individuality: On Confucianism as ‘Consanguinitism,’” *Philosophy East and West* 53, no. 2 (2003): 234–250.
- 52 – *Analects* 4.18.
- 53 – *Mencius* 1A7. Though Mencius stipulates that only a virtuous ruler can realize a benevolent government, he does not claim that a virtuous ruler alone is capable of “extension.” As noted by many contemporary scholars, Mencius employs extension as a general method of moral self-cultivation applicable to every human being, who, by nature, has the sprouts (*duan* 端) of virtue such as compassion.
- 54 – Philip J. Ivanhoe, “Character Consequentialism: An Early Confucian Contribution to Contemporary Ethical Theory,” *Journal of Religious Ethics* 19, no. 1 (1991), p. 56.
- 55 – *Ibid.*, p. 58.
- 56 – *Mencius* 4A26.
- 57 – The newly excavated *Bamboo Annals* (*Zhushu jinian* 竹書紀年) tells a different story, according to which “Yi Yin banished Tai Jia to Dong 棟 and installed himself in power. Yi Yin came to power and exiled Tai Jia; in the seventh year, Tai Jia sneaked out of Dong and killed Yi Yin, taking power. (Yi Yin’s) sons Yi Zhi 伊陟 and Yi Fen 伊奮 were appointed and their father’s lands and buildings were returned and divided between them.” This is the Han scholar Du Yu 杜預’s (222–284) account, which is translated by Shaughnessy. See Edward L. Shaughnessy, *Rewriting Early Chinese Texts* (Albany: State University of New York Press, 2006), p. 190. Whether there was indeed a power struggle between Yi Yin and Tai Jia is not my main concern here. What is important in the present context is Mencius’ virtue-ethical and virtue-political account of Yi Yin’s action.
- 58 – *Mencius* 5B9.
- 59 – Cf. *Analects* 3.1.

- 60 – Though Mencius does not invoke the virtue of *yi* 義 in this particular case, Yang Xiao’s illuminating study on the Confucian conception of *yi*, with special focus on its sensitivity to the particularity of situation, is helpful in making sense of Mencius’ position. See his “Trying to do Justice to the Concept of Justice in Confucian Ethics,” *Journal of Chinese Philosophy* 24, no. 4 (1997): 521–551.
- 61 – *Mencius* 1B8.
- 62 – *Mencius* 5B9.
- 63 – *Mencius* 2A5.
- 64 – Justin Tiwald, “A Right of Rebellion in the *Mengzi*?” *Dao* 7, no. 3 (2008): 273.
- 65 – *Mencius* 5B1 (modified).
- 66 – Drawing on some classical sources, mostly from the *Analects*, Stephen Angle argues for understanding *zhi* as “commitment” quite generally, implying that it only sometimes means “will,” “intention,” or “motive.” See Stephen C. Angle, *Sagehood: The Contemporary Significance of Neo-Confucian Philosophy* (New York: Oxford University Press, 2009), pp. 114–115.
- 67 – Mencius says, “Not to help a sister-in-law who is drowning is to be a brute. It is prescribed by the rites that, in giving and receiving, man and woman should not touch each other, but in stretching out a helping hand to the drowning sister-in-law one uses *quan*.” The *Gongyang* commentary to the *Spring and Autumn Annals* (*Chunqiu gongyangdian* 春秋公羊傳) defines *quan* as “go[ing] against (*fan* 反) the standard (*jing* 經), so that afterward one can possess the good (*shan* 善)” (Griet Vankeerberghen, “Choosing Balance: Weighing [*Quan* 權] as a Metaphor for Action in Early Chinese Texts,” *Early China* 30 [2006]: 76).
- 68 – Vankeerberghen, “Choosing Balance,” p. 74.
- 69 – *Ibid.*, p. 77.
- 70 – Sarah A. Queen, *From Chronicle to Canon: The Hermeneutics of the Spring and Autumn, according to Tung Chung-shu* (Cambridge: Cambridge University Press, 1996), p. 156.
- 71 – Kurtis Hagen, *The Philosophy of Xunzi: A Reconstruction* (Chicago: Open Court, 2007).
- 72 – Hutton, “Character, Situationism, and Early Confucian Thought,” p. 48. Also see Slingerland, “The Situationist Critique and Early Confucian Virtue Ethics,” p. 418.
- 73 – *Xunzi* 12.1. Throughout this essay, all English translations of the text of the *Xunzi* are adopted from John Knoblock, *Xunzi: A Translation and Study of the Complete Works*, 3 vols. (Stanford: Stanford University Press, 1988–1994).
- 74 – *Xunzi* 12.4.
- 75 – Cf. *Mencius* 1A1.

- 76 – Hutton, “Character, Situationism, and Early Confucian Thought,” 50–51.
- 77 – *Xunzi* 8.1. Though the Chinese character *ru* 儒 commonly refers to Confucians in early Chinese texts, *ru* cannot be understood here as “Confucian” because the Duke of Zhou preceded Confucius. I follow Eric Hutton’s interpretation that *ru* here means something like “a very cultivated person” in general. It is worth noting that the Duke of Zhou was Confucius’ most revered moral hero as well (*Analects* 7.5).
- 78 – *Xunzi* 8.8. However, one should be reminded that here Xunzi is responding to the unnamed interlocutor’s use of the terms “frugal” and “respectful.” While Xunzi seems to deny that the Duke of Zhou was “frugal” and “respectful” in the passage (8.8), it is not clear that in doing so he intends to endorse the interlocutor’s understanding of “frugality” and “respectfulness” as virtues in the first place, and hence it is not clear that in denying the Duke of Zhou these labels, Xunzi is attributing to him “prodigality” or “disrespectfulness” as moral faults himself.
- 79 – Compare the Duke of Zhou’s statement with Confucius’ in *Analects* 7.23: “Heaven (*tian* 天) has given life to and nourished virtue (*de* 德) in me—what can Huan Tui 桓魋 [the minister of Song 宋, who attempted to kill Confucius] do to me?” The point is that for both Confucius and the Duke of Zhou (in Xunzi’s description), nothing—be it a human being or a bad omen—is in the way of their pursuit of the Way.
- 80 – *Mencius* 1A5.
- 81 – *Xunzi* 9.19a. Compare this to the almost identical statement by Mencius in *Mencius* 1B11. Note that while Mencius attributes to King Wu the success of the punitive expedition, for Xunzi it is the Duke of Zhou who was the real hero.
- 82 – *Xunzi* 8.1.
- 83 – See Edward L. Shaughnessy, “The Duke of Zhou’s Retirement in the East and the Beginnings of the Minister-Monarch Debate in Chinese Political Philosophy,” in *Before Confucius: Studies in the Creation of the Chinese Classics* (Albany: State University of New York Press, 1997), pp. 103–107.
- 84 – *Ibid.*, p. 103. After the conquest of the Shang dynasty, the Duke of Zhou continued to assist King Wu in the Zhou capital, while other royal siblings, including Guanshu, were deputed to oversee the former Shang territory in the east.
- 85 – The Duke of Zhao (born as Shi 奭) is one of King Wen’s secondary sons (i.e., sons by secondary consorts) and the Duke of Zhou’s older brother.
- 86 – Shaughnessy, “The Duke of Zhou’s Retirement,” p. 111.
- 87 – *Ibid.*, pp. 118 ff.
- 88 – *Xunzi* 8.1.

- 89 – *Xunzi* 21.7d (modified). Also see *Analects* 2.4, particularly the last line, where Confucius says “[F]rom seventy I could give my heart-and-mind free rein without overstepping the boundaries.”
- 90 – *Xunzi* 21.1. Also see Goldin, *Confucianism*, pp. 84–86.
- 91 – For Xunzi’s emphasis on moral integrity (*cheng* 誠), see *Xunzi* 3.9a. Given Mencius’ immense emphasis on the virtue of filiality, how Mencius would appraise the Duke of Zhou’s killing of his brother is a curious case, but the investigation of this issue, which would expose a certain critical difference between Mencius and Xunzi as moral and political theorist, goes beyond the scope of this essay. Suffice it to say that though Mencius revered the Duke of Zhou (*Mencius* 2B9), this particular sage does not seem to be the focus of his admiration.
- 92 – Mencius says, “Shun looked upon casting aside the whole world as no more than discarding a worn shoe. He would have secretly carried the old man on his back and fled to the edge of the Sea and lived there happily, never giving a thought to the world” (*Mencius* 7A35).
- 93 – Angle, *Sagehood*, pp. 103–104.
- 94 – *Ibid.*, p. 105.
- 95 – *Mencius* 5A1.
- 96 – For Mencius’ endorsement of affective resentment, particularly in the familial context, see *Mencius* 6B3. For the concept’s philosophical articulation, see Sungmoon Kim, *Confucian Democracy in East Asia: Theory and Practice* (New York: Cambridge University Press, 2014), pp. 64–67.