The May Fourth Movement and New Confucianism:
A Fusion of Cultural Conservatism and Political Progressivism

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Preface

It is true that the leading New Confucians, including Mou Zongsan (牟宗三 1909-1995), Tang Junyi (唐君毅 1909-1978) and Xu Fuguan (徐復觀 1904-1982), have been widely labeled as conservatives in a negative sense. In this study I contend that a significant but often overlooked aspect of the political philosophy of New Confucianism is to wield a fusion of cultural conservatism and political progressivism, with the purpose of reuniting the habitual practices of “Confucian civility” with the progressive values of liberal democracy. In short, my view is that a comprehensive study of the concept of “civility” may not only help explain away some of the misconceptions about the limited reception of modernity and liberal values in the writings of Westernized liberalism, but also, and for this reason, open the door to rebuild what I call “Confucian liberalism” from a “civil” perspective.

More precisely, in light of the ideological debate regarding cultural encounter, “Confucian liberalism” is conceived in objection to the two extreme poles identified as the Western-centric and the Sino-centric, or anti-Confucian liberalism (i.e., Westernized liberalism) and anti-liberal Confucianism (i.e., traditionalist Confucianism), still hovering over Chinese political discourse. Indeed, in the realm of Chinese political discussion, the stereotype often has it that where liberalism is a modern creation accommodating the values of individuality, democracy, freedom, and rights, Confucianism as a traditional manner of thinking appreciates in its place those of community, meritocracy, inner-sageliness, and duty.¹ As opposed to this “standard viewpoint,” I take it that one of the greatest achievements of New Confucianism is to arrive at a philosophical reconciliation between a series of antitheses embedded in the normal belief that Confucian civilization is in serious collision with Western civilization.

To make my point, this paper will be divided into five sections. In the opening section, I shall embark on a brief examination of the discourse of political modernity in the Chinese context by reference to a deep crisis of Chinese civilization caused by

¹ For a succinct comparison between Confucian values and Democratic values, see Chenyang Li, The Tao Encounters the West: Explorations in Comparative Philosophy (Albany, NY: State University of New York Press, 1999), chapter 7.
the conflict between “the rule of li” and “the rule of law.” Putting aside for the moment traditionalist Confucianism, my central argument is that mirroring the spirit of the May Fourth Movement, the prevailing form of Westernized liberalism is based on an uncritical attitude toward the Western-centric stance and an ambiguous understanding of liberal democracy as holding a clear-cut distinction between politics and morality, or alternatively, between politics and civility.

Despite the difficulties involved in defining civility, I assert in the next section that civility, by and large, denotes both “good manners” (which are similar to li and by default related to tradition and civilization) and “shared norms” (which for some thinkers are analogous to “civic virtues.”) While Westernized liberalism is prone to detach democracy from civility in both senses, what I mean by “civil liberalism” is one that is inclined to relocate liberal democracy and its related values into the civic virtue that embodies the manners of behavior and forms of life in a community. In short, civil liberalism takes tradition and civilization seriously.

To make possible the anticipation of Confucian liberalism in a fuller sense, in the following two sections I plan to pose challenges to the Western-centric stance and the non-moral concept of politics underlining Westernized liberalism in a way that may disclose further the importance of civility in substantiating a well-ordered civil society (in respect of a common good), which in turn fosters liberal democracy. Finally, I am going to make a case that the political thought of New Confucianism in general and that of Mou Zongsan in particular fit perfectly into the scheme of civil liberalism so understood.

1. The Discourse of Political Modernity

Let me now begin this essay by sketching out “the rule of li” in traditional Confucianism.

1.1. The Rule of Li and Meritocracy

For Confucius, as Benjamin Schwartz rightly puts it, jen is the highest good of humanity, and its associated te (virtues) cannot be obtained “without the structuring and educative effects of li (rites),” meaning “all those ‘objective’ prescriptions of behavior, whether involving rite, ceremony, manners, or general deportment.”

Put differently, in Confucianism li basically signifies the approved patterns of behavior, the lasting duration of human relationships, and the general meanings of social

2 Benjamin J. Schwartz, *The World of Thought in Ancient China* (Cambridge Mass.: The Belknap Press of Harvard University Press, 1985). It is possible that virtues go astray and rites are mistaken; the righteousness and appropriateness of human practices, in the end, rely on the reflection and judgement that a person makes in his social life.
practices; as such, it not only contains a sense of good feeling and emotional comfort, but it is also able to show an individual the way to reach *jen* through self-effort. “Unless a man has the spirit of *li,*” says Confucius, “in being respectful he will wear himself out, in being careful he will become timid, in having courage he will become unruly, and in being forthright he will become intolerant.”

Furthermore, it can be deduced from the above discussion that as for the idea of governance, classical Confucianism involves two important principles, and they are connected to each other. The first of these is “the rule of *li,*” implying that a society should embody an order of ethics, and a series of relations within humanity. In other words, whether in politics or in social life, there exists an ethical order between the superior and inferior, between the more and less noble, between the young and the old, and between relatives and strangers. In short, in addition to serving as a tradition of behavior that actually guides the behavior of people, *li* at the same time conveys an ideal for the order of society. In this regard, it seems plain that “the rule of *li*” is opposed to what we today call “the rule of law.”

Rather than endorsing the idea of democracy, then, the second principle of governance in Confucianism holds a form of meritocracy, stating that there are two ways of enhancing the effectiveness of *li.* On the one hand, society must be guided by virtues, rather than ruled by regulations; on the other hand, the personal virtue of the leader will naturally function as a role model for the people and will therefore influence people’s behavior. Put in other terms, since virtue will not proliferate naturally, the political leader has to be the role model for the people and, moreover, has the responsibility of preserving and continuing the rituals and proprieties; these

3 The *Analects*: VIII. 2.
4 Therefore, “between father and son, there should be affection; between sovereign and minister, righteousness; between husband and wife, attention to their separate functions; between old and young, a proper order; and between friends, fidelity.” *Mencius*: III. 4.
5 To quote *The Doctrine of the Mean*: “benevolence is the characteristic element of humanity, and the great exercise of it is in loving relatives. Righteousness is the accordance of actions with what is right, and the great exercise of it is in honoring the worthy.” *The Doctrine of the Mean*: XX
6 Hence the “law” only refers to regulations and punishments; laws can only tell people *what not to do* and therefore will remain second order. Beyond them is a higher order, namely, the rituals and proprieties through which people come to know what is *right to do* and lead positively to a virtuous and harmonious society, rather than to a society negatively regulated by punishments. Thus, Confucius says: “When proprieties and music do not flourish, punishments will not be properly awarded. When punishments are not properly awarded, the people do not know how to move hand and foot.” The *Analects*: XIII. 3.
7 As we mentioned earlier, there exist two levels of social order: that of the regulation of laws and punishments, and that of the guidance of rituals and proprieties. Although the enforcement of punishments is quite fundamental to the maintenance of social order, it would only forbid people to commit crimes and therefore would not lead to a better society. Only through a plethora of virtues and proprieties will people be transformed from *within,* becoming better people. Here, Confucius’ own words cannot be surpassed: “If the people be led by laws, and uniformity sought to be given them by punishments, they will try to avoid the punishment, but have no sense of shame. If they be led by virtue, and uniformity sought to be given them by the rules of propriety, they will have the sense of shame, and moreover will become good.” The *Analects*: II. 3.
two ends must be achieved through the deeds and conduct of a virtuous leader.\textsuperscript{8} It is quite clear from Confucius’ views on politics being “rectification”\textsuperscript{9} in terms of \textit{te} that for him the purpose of governing is of special concern to a moral business in educating people to pursue a good life.

With regard to the preceding discussions, it seems appropriate to remark that there is a huge cleavage between the Western concept of democracy associated with the rule of law and the traditional meaning of meritocracy adherent to the rule of \textit{li}. In brief, whereas democratic \textit{modernity} spells out the division between the public and private spheres, the importance of freedom, and the protection of individual rights, in the Confucian \textit{tradition}, the public (political) and private (moral) are never divided, and it lacks the ideas of a civil society, personal freedom and political rights.

\textbf{1.2. The Crisis of Chinese Civilization}

Historically, the encounter between Chinese culture and Western modernity arrived on the scene around the late nineteenth century, and from the very beginning, the episode took its roots in a wider interrogation of whether Confucianism was in conflict with Western modernity featuring democracy (and science). Another way of making the same point is to remark that the emergence of \textit{modern} Chinese political thought was part of the enduring practice of the incorporation of Western liberal democratic achievements into the Chinese world that had been evolving slowly from the late nineteenth century.

To be sure, in this process the dramatic “linguistic paradigm shift” in modern China took place when “the traditional Chinese culture simply could not withstand the onslaught of a superior Western civilization and was forced to change its ways.”\textsuperscript{10} For this reason, a good number of political expressions currently used in the Chinese context, including individuality, freedom, autonomy, the state, democracy, the rule of law, constitutionalism, rights, social justice, liberalism, socialism, and Marxism originate largely from a generalized European context.\textsuperscript{11}

However, the motivation behind the “linguistic paradigm shift” points to an unwavering “moral anxiety” driven by the deepest civilization crisis caused by Western imperialism. A famous contemporary philosopher has even borrowed MacIntyre’s conception of “epistemological crisis” to illustrate the current condition

\begin{itemize}
  \item \textsuperscript{8} Hence Confucius articulates that “when a prince’s personal conduct is correct, his government is effective without the issuing of orders. If his personal conduct is not correct, he may issue orders, but they will not be followed.” The \textit{Analects}: XIII. 6.
  \item \textsuperscript{9} The \textit{Analects}: XII. 7; cf. XIII. 3, 6, 13, XIV. 15.
  \item \textsuperscript{11} In an important sense, I agree with Oakeshott’s comment that “European has become an adjective which refers to something which may be found in any part of the world.” Michael Oakeshott, \textit{What Is History? and Other Essays}, ed. Luke O’Sullivan (Exeter: Imprint Academic, 2004), p. 436.
\end{itemize}
of Chinese culture, meaning that in the actual world which Chinese people inhabit, the language of morality and politics, the system of beliefs, and even the way of life, are in "the same state of grave disorder." Therefore, some sort of "radicalism" in the sense of bringing to the fore a gigantic change in the rudiments of Chinese culture has long been taken as the main spring offering the meanings of "liberalism" (in the broader sense) and its related values for Chinese speakers, and many of its crucial features still hover in the minds of Chinese liberals.

To see more clearly the long-lived debate between Confucian tradition and Western modernity, as a result, it seem appropriate to remark that the call for political legitimation began reframing the Chinese mindset largely thanks to Yan Fu’s (1854-1921) ground-breaking translations and interpretations of Western political canons. While Yan asserted that China would become a modern civilized country by treating “liberty as the substance and democracy as the function,” Kang Youwei (康有為 1858-1927), the leading Confucian thinker at that time, all at once embarked on a reactionary mission of transforming Confucianism into a sturdy form of “state religion.”

In spite of the launching of different solutions for a stronger and wealthier China, a common belief in the antagonism between Confucianism and modernity then took shape in the Chinese cultural setting, and before long reached its high point during the May Fourth Movement (1919). On the one hand, it seems plain that both Chen Duxiu’s (陳獨秀 1879-1942) promotion of “Mr. Democracy” and “Mr. Science” over old Chinese thinking and Hu Shi’s (胡適 1891-1962) mission of “reorganizing the national heritage” with “the new methods of historiography and philology” consisted of similar endeavors to “demolish the Confucian shop” in the name of modernity.

On the other hand, even though the rival traditionalists such as Liang Shuming (梁漱溟 1893-1988) passed judgment on the radicalism of the May Fourth Movement, the real question Liang flagged was not so much about the conflict between Confucianism and modernity but about the superiority of Western values over Confucian civilization. In truth, despite the fact that after 1949 Hu Shi’s “liberal wing” of anti-Confucianism and Chen Duxiu’s “socialist wing” of anti-Confucianism

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14 For a historical review of this issue, see Carl Shaw, “Confucianism and Democracy: A Historical Survey and Theoretical Reflections” (forthcoming).
15 Put briefly, Kang Youwei and his celebrated disciple, Liang Qichao (梁啟超 1873-1929), set out to embark on a discourse involved in reinterpreting the “theory of Three Ages” depicted in the Gongyanyang commentary of the Spring and Autumn Annals (春秋公羊傳). As a result, in contrast to Yan Fu’s anti-Confucian stance, the counter-proposal for the political modernization of China was otherwise set forth with the purpose of establishing a form of “constitutional monarchy” anchored in “Confucian religion.”
seemed to have affected the formulation of political cultures in Taiwan and China respectively, what remains unchanged is the “standard viewpoint” hovering over Chinese political discourse in general, namely that Confucianism is deeply at odds with modernity.

1.3. Westernized Liberalism Reconsidered

This explains to some extent why both the extremes of anti-Confucian liberalism based in Taiwan and anti-liberal Confucianism recently reemerging from China share in common the “standard viewpoint” that there is an incompatible tension between Confucianism and liberal democracy. To be exact, whereas Confucianism stresses manners, virtues and duties, liberal democracy gives priority to the individual, freedom, and rights. And from the above discussion, we may further identify anti-Confucian liberalism and anti-liberal Confucianism as Westernized liberalism and traditionalist Confucianism, respectively.

Leaving untouched traditionalist Confucianism, in this paper I only want to draw on the version of Westernized liberalism advocated by Taiwan’s liberal thinkers such as Hu Shih, Yin Haiquang (殷海光 1919-1969) and Zhang Foquan (張佛泉 1908-1994) in the 1950s and 1960s, as it was largely against this context that the alternative theorization on “Confucian liberalism” was envisaged by Mou and his fellow New Confucians. Accordingly, as I have said, there are two major matters that concern me here, namely, the credulous attachment to “Westernization” and partial reception of “liberalism” in the writings of Westernized liberalism.

To begin with, if focusing on the issue of civility, the so-called Western-centric stance basically rests on three key assumptions: First, Western civilization is superior because it has entirely developed out of barbarism, which in turn assumes an absolute divergence between civilization and barbarism. Second, Western civilization is superior because it has succeeded in developing democracy and science, which in turn insinuates a sharp contrast between modernity and tradition. Third, Western civilization is superior because it gives priority to freedom and rights over communal ties, which in turn implies an inner tension between individuality and community.

When coming to liberal democracy, as a result, Westernized liberalism keeps a clear-cut distinction between politics and morality. It is apparently on this account

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16 In a nutshell, in the eyes of Westernized liberalism based in Taiwan, the attempt to combine Confucianism with liberal values not only commits an error of neglecting the cultural incompatibility between the Chinese and Western worlds, but also falls victim to a categorical confusion between morality and politics and to ill-treatments of positive freedom, a common good and the authoritative character of the state. In contrast, in the works of recent anti-Westernized Confucianism emerging from China, while the error of neglecting the cultural incompatibility is further negatively taken to be Western-centric, the pursuit of liberal politics is bitterly blamed for being unrealistic about the failure of democracy and the political problems confronting China, as well as unauthentic toward the political tradition of Confucianism itself.
that Yin Haiquang fiercely rebuffs the plausibility of justifying democracy in moral terms, especially in Confucian terms, by writing eloquently that:

If we take morality as the basis of democracy, then, it will coincide with Hegelian pan-logicism, which in turn is one of the groundings of pan-politicism, laying foundation to totalitarianism. Under the great influence or determination of modern technology, process becomes more important than goal. …… Morality itself does not have the use of preventing immoral behavior from emergence. So, morality cannot serve as the basis of democracy at all. Even without these catastrophes, the truth is that morality belongs to the sphere of ethics, falling outside of institution. For this reason, morality and politics are two poles apart.17

Indeed, as we have seen, the clear-cut distinction between outer political action regulated by laws and inner moral conduct governed by autonomy is completely blurred in traditional Confucianism. So, Zhang Foquan echoes Yin by remarking that: “in terms of morality, the dignity of man consists of virtue … in terms of politics, the dignity of man consists of basic rights.”18 As a result, Zhang and many other Westernized liberals also further the point, basically in agreement with Isaiah Berlin, that real liberals should promote negative freedom (i.e., rights) and reject positive freedom (whether it be moral autonomy or self-realization), as the latter is apt to give rise to political totalitarianism.

At this point, it is interesting to note that even in today’s China, as one scholar correctly puts it, political modernization simply denotes an entire acceptance of “universally applicable truths” offered by Westernized liberalism. That is to say, as regards liberal language, there exists a propensity to understand “democracy as defined by universal suffrage, free elections, and party politics,” to treat freedom as a “gift” to make one’s own choice, absolutely regardless of moral considerations and the traditional ways of life. In short, “Chinese discourse reflects not only a simplistic liberalism but also, and primarily, what Michael Oakeshott called ‘Rationalism.’”19

A significant part of this paper, accordingly, makes the point that the assumptions of the Western-centric stance are doubtful and that the notion that “the dignity of man consists of virtue” is essential to what may be called the virtue of the citizen, or so to speak, the civic virtue appropriate to a liberal democratic society. Or alternatively, let

me repeat again, civil liberalism urges that the civic virtue that is embodied in the manners of behavior and the forms of life can not only “serve as the basis of democracy” but also lay a foundation for the rational order of a civil society.

2. The Meaning of Civility

In proposing a political theory of civil liberalism, I am aware that “even in scholarly discussion, civility rests on a much looser less formalized (in any sense) set of meanings than, say, justice, democracy, or equality, which are the subjects of concerted efforts at definition and analysis.”20 To round off my argument, I am obligated to clarify the concept of civility by reference to its twofold meanings, namely, good manners and shared norms.

2.1. Good Manners

In terms of etymology, just as courtesy originates from court and politeness has roots in polis, the Latin word for civility is civilitas and related to it, civilis, meaning refined and urbane.21 Although there were numerous “courtesy books” in the Middle Ages, the popularity of the usage of civility in early modern was largely thanks to Erasmus of Rotterdam’s De Civilitate Morum Puerilium (1530). In an original sense, civility denoted the styles and tastes for the upper classes, and with the rapid growth of the city and town life in the Middle Ages a civilized person was gradually identified as “an urban gentleman” with a group of polished manners. To this, it can be immediately added that civility could be learnt and taught and that the reverse of civility was incivility or rudeness underpinning a set of “invective behaviors.”22

As a rule, then, civility thus understood is akin to the notion of li in Confucianism. Furthermore, insofar as an essential part of this study is to recount the dispute between Westernized liberalism and New Confucianism, it is relevant to

22 For instance, as C. Craig points out, there were “seventeen conventional loci of invective established in Greek and Roman practice by Cicero’s time: embarrassing family origin; being unworthy of one’s family, physical appearance; eccentricity of dress; gluttony and drunkenness, possibly leading to acts of crudelitas and libido; hypocrisy for appearing virtuous; avarice, possibly linked with prodigality; taking bribes; pretentiousness; sexual misconduct; hostility to family; cowardice in war; squandering of one’s patrimony/financial embarrassment; aspiring to regnum or tyranny; cruelty to citizens and allies; plunder of private and public property; and oratorical inaptitude.” Quoted in Kathleen Hall Jamieson, et al., “The Political Uses and Abuses of Civility and Incivility,” in The Oxford Handbook of Political Communication, eds. Kate Kenski and Kathleen Hall Jamieson (Oxford: Oxford University Press, 2017), p. 209.
mention that there are two crucial terms that have bearing on our general understanding of civility, namely, tradition and civilization. On the one hand, the key character of civility recognized as the good manners grounded in local cultures or habitual practices resembles that of a “tradition” or a “practice” in Michael Oakeshott’s connotation. To quote Oakeshott:

A practice may be identified as a set of considerations, manners, uses, observances, customs, standards, canon’s maxims, principles, rules, and offices specifying useful procedures or denoting obligations or duties which relate to human actions and utterances. It is a prudential or a moral adverbial qualification of choices and performances, more or less complicated, in which conduct is understood in terms of a procedure. Words such as punctually, considerately, civilly, scientifically, legally, candidly, judicially, poetically, morally, etc., do not specify performances; they postulate performances and specify procedural conditions to be taken into account when choosing and acting.23

On the other hand, civility also shares with the words civilizing and civilization a common etymology. In keeping with the goal of this study, there are three things about civilization that must be pointed out at the outset: First, seen in light of the history of historiography, the idea of “the civilizing process” was actually put into practice much earlier than the beginning of modernity. For instance, as long ago as the twelfth century, the very idea had been envisioned by William of Malmesbury, the author of the Deeds of the Kings of the English (Gesta Regum Anglorum).24 According to John Gilligham, whether or not we call it “civilization,” William and his readers clearly had a conception of a superior life-style, fueled by the amenities of towns and markets. In part it may well have been their response to real historical changes: town growth and foundation, a building boom; the newly chivalrous style of politics that freed political leaders from the fear of being killed or mutilated as a consequence of defeat and capture; the end of slavery; the great growth in the number of teachers leading to the emergence of universities.25

24 The three main themes of the Deeds of the Kings, as Rees Davies summarizes, are: “first, the making of the English into one people; second, the political unification of England under a single king; third, the cultural and social improvement in manners and civility, learning and governance”; or in the words of Revd. J. Sharp writing in 1815, the topics that concern William include: “the gradual progress of man towards civilization; his mental improvement; his advance from barbarism to comparative refinement.” Quoted in Gillingham, “Civilizing the English?” pp. 17-18.
25 Ibid., p. 40.
And here, it is notable that the idea of “civilizing the English” as such also had been conveyed to discuss the improvement of Scotland and to justify the invasion of Ireland in the eleven-seventies.26

Be that as it may, it was, once again, “Erasmus who popularized the notion that some people were civilized and others uncivilized—and that the difference might have moral consequences.”27 That said, although the verb civilize, from which civilization stems, did not officially appear in English until the seventeenth century,28 during the sixteenth century civility had already started to absorb “some of the connotations of ‘civilization’, as the opposition between the ‘civil’ and the ‘barbaric’ implicit in classical writings was allegedly developed in response to the challenge presented by the discovery of the ‘savage’ inhabitants of the New World, and then applied in a contrast between English civility and Irish barbarity.”29

Second, it was not until the eighteenth century, the age of the Enlightenment, that the word civilization had at last come into view in the bulk of writings of philosophers and historians.30 To be sure, as Arnaldo Momigliano remarks, the main theme of history in the eighteenth century “was the idea of civilization.”31 And, under the blueprint of what J. G. A. Pocock calls “the Enlightened narrative,” a series of important authors, including Giannone, Voltaire, Hume, Robertson, Ferguson and Adam Smith, were concerned to write the history of the “Christian millennium” regarding the “descent from classical antiquity into the darkness of ‘barbarism and religion’”, and then to recount “the emergence from the later set of conditions of a ‘Europe’ in which civil society could defend itself against disruption by either.”32

For instance, the subject matter of David Hume’s History of England completed in 1761 was about nothing but the civilizing process of England. To quote Hume, his work was written in fulfilling “the curiosity entertained by all civilized nations of inquiring into the exploits and adventures of their ancestors,” and he closed the volume one of History of England by remarking that “Thus we have pursued the history of England through a series of many barbarous ages, till we have at last

26 For a detailed account of the English version of “Celtic barbarians,” which regards the Welsh, Scots, and Irish as people of barbarity, see John Gillingham, The English in the 12th Century: Imperialism, National Identity and Political Values (Woodbridge, 2000).
reached the dawn of civility and science.”

Third, this implies that the discourse of civility in the eighteenth century was thoroughly associated with the formulation of the modern state. Indeed, seen from the perspective of historical sociology, Norbert Elias has famously singled out that the “civilizing process” means that one of the major tasks of the modern state was to educate its members how to act civilly by means of the self-control of the body, emotions, and speech. What is more important in the present context, however, is to carry on Pocock’s key argument by articulating that the historiography of Enlightenment actually had two themes: “the emergence of a system of sovereign states—multiple monarchies, confederacies and republics—in which the ruling authority was competent to maintain civil government and conduct an independent Außenpolitik; and the emergence of a shared civilization of manners and commerce, through which, in addition to treaties and statecraft, the independent states could be thought to constitute a confederation or republic.”

Central to Pocock’s inquiry, then, is a vital thread running throughout this paper: In contrast to the universalistic, anti-traditionalistic viewpoint of Westernized liberalism, an important but often ignored story about the Enlightenment was to bring together the emergence of the sovereign state and a civilization of manners, virtue, and commerce. In other words, for many great thinkers of Enlightenment, the philosophical attempt to conceive an “enlightened Europe” of which themselves a part, far from being culturally blind and historically insensitive, was led to examine the ways in which traditional manners and beliefs could be transformed into a new set of civic virtues appropriate to the advent of civil society in support of civil government. Beyond doubt, this “practice-based” method of theorizing on politics matches with what I have referred to as civil liberalism to a great extent. To see more fully the character of this method, I now turn to the second facet of civility.

2.2. Shared Norm
We will have an opportunity to resume the issues of civilization and tradition shortly. For the moment, it is more urgent to point out that in terms of etymology, civilitas is

34 According to Norbert Elias, the development of civility in the seventeenth and eighteenth centuries entered the new era with a brand-new look, because the modern state had tried hard to employ rules of civility in teaching the citizens the importance of gaining control of the impulses and appetites of the body, such as urinating in the street or burping at the dinner table. Norbert Elias, The Civilizing Process: Sociogenetic and Psychogenetic Investigation (Oxford: Blackwell, 2000).
36 For a detailed account of “commercial civilization” and the emergence of civil society, see J. G. A. Pocock, Virtue, Commerce and History (Cambridge: Cambridge University Press, 1995).
lexically kin to the political expressions of *cive* (citizen) and *civitas* (civil association) as well.\(^37\) And thus, we are not surprised that another aspect of civility “focuses on politics, citizenship, and community, and is related to good character and virtue.”\(^38\)

Seen in this light, it appears that one of the key features of modern political thought is to elevate the “subject” into the “citizen,” that is, to seek a proper “norm of civility,” so to speak, that is appropriate to a civil society which is made of *multiple individuals*. On this account, as K. H. Jamieson writes, “it makes practical sense to embrace civility as a norm” concerning “the rhetorical exchanges that occur between those in an ongoing relationship” and “those who have come together as a community to address problems.”\(^39\)

It goes without saying that what is essential to liberalism in general and to civil society in particular points to the notion of the individual. However, it is equally true that different liberal writers may have employed different methods in justifying the norm of civility regulating the interactions between multiple individuals in civil society. Considering the aim of this paper, in what follows I intend to follow Oakeshott’s footsteps in dividing the liberal theorization on individuality into hypothesis-based and practice-based approaches, and then, try to reach an “overlapping consensus” on the norm of civility between these two approaches.\(^40\)

First, in Oakeshott’s denotation, those who take the hypothesis-based approach toward an understanding of the individual basically fall into three different versions. They are: the Lockean theological or natural law vision, where “individuality is the gift of an omnipotent and infinitely wise Maker”;\(^41\) the Kantian metaphysical vision, where a “metaphysical and ethical context” is given to justify the experience of the individual;\(^42\) the utilitarian vision, where each man is considered as having a natural character “to make his own choices for himself about his own happiness.”\(^43\) Despite the fact that Oakeshott finds all of them inadequate with regard to the method of

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\(^{40}\) Alternatively, scholars have argued that the function of civility varies in accordance with the different models of the public spheres in modern democracies, such as representative, participatory, discursive, and constructionist. Myra Marx Ferree et al., “Four Models of the Public Sphere in Modern Democracies,” *Theory and Society* (2002), 31 (3): 289-324. See also, Myra Marx Ferree et al. *Shaping Abortion Discourse: Democracy and the Public Sphere in Germany and the United States* (New York: Cambridge University Press, 2002).


\(^{42}\) Ibid., p. 64.

\(^{43}\) Ibid., p. 78. For Oakeshott, it is an exaggeration to associate Mill with Bentham in terms of utilitarianism, and Mill has substituted an almost entirely different doctrine for the utilitarianism of Bentham (ibid., pp. 78-83). Yet, I interpreted Mill as a utilitarian, because what really matters for Bentham and Mill is the attempt to justify the value of the individual in terms of “human nature.”
political theorization, they provide the main sources for the identification of liberalism as a prevailing political tenet.

In this understanding, it seems clear that what we today refer to as “rights-based liberalism” in the works of John Rawls and Ronald Dworkin, among others, is a modification of the hypothesis approach, which is apt to describe the shared norm of a liberal society as what “defines the kinds of behavior that persons can rightfully expect from others.” In the main, for liberals as such, the norm of civility consistent with liberal citizens and liberal culture, as Richard C. Sinopoli puts it, consists in the manners in which we “treat others with the concern and respect they owned as persons able to act upon plans advancing a conception of the good life.”

Moreover, as a consequence of the progress of deliberative democracy, there also has been a tendency to relate the norm of civility to the “constructive engagement with others through argument, deliberation, and discourse” too. Accordingly, the idea of deliberation, together with concern and respect, has turned out to be the core of the civil norm in contemporary liberalism. John Rawls, for example, argues that in a well-ordered civil society, the citizen is under a “duty of civility” to sustain the political values of public reason, implying “a willingness to listen to others and a fairmindedness in deciding when accommodations to their views should reasonably be made.”

By way of contrast, as we shall see in detail, the practice-based approach is prone to take Herder’s notion of linguistic context and Hegel’s notion of Sittlichkeit into account when discussing the meaning of individuality, resulting in an alternative form of “historical individualism” as opposed to “abstract individualism” sticking to the hypothesis-based approach. The crucial point here, however, is that in spite of the

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44 To quote Oakeshott: “I believe it to be a virtue in any theory that it avoids calling upon unnecessary hypotheses. And if this is so we are likely to conclude that many of the versions of the political theory of individualism are capable of improvement in this respect. Writers in this idiom, in order to make their position impregnable, have been accustomed to construct a foundation [emphasis mine] far in excess of what is required to carry the superstructure.” Ibid., pp. 83-84.

45 It is basically along this line of thinking that the regulations of Wikipedia, for instance, state that: “Civility is part of Wikipedia’s code of conduct ….. Stated simply, editors should always treat each other with consideration and respect.”


47 In fact, even in political science some scholars have payed attention to the notion of civility as communication and collaboration. For instance, according to Heinz Eulau, the politics of civility “refers to a broad range of potential behavioral patterns that can be expressed by such participles as persuading, soliciting, consulting, advising, bargaining, compromising, coalition-building, and so on—in other words, forms of behavior in which at least two actors stand in a mutually dependent relationship to each other…. In a civil relationship, then, the interaction is reciprocal, though not necessarily symmetrical, in that both actors gain from it.” Heinz Eulau, “Technology and the Fear of the Politics of Civility,” Journal of Politics 35, no. 2 (1973): 369.

48 Herbst, Rude Democracy, p. 19.

disparate methods of theorization on individuality and liberal values, these two approaches share in common a group of the elements of civil norm, such as humanity, dignity, respect, and concern.

In the case of Oakeshott, for instance, the practice-based approach is applied to explain the norm of civility in terms of a set of non-instrumental rules constituting what he famously calls *societas*. In brief, according to Oakeshott, *societas* stands for a *moral* mode of civil association in which human beings are “associated solely in being related to one another in terms of their common acknowledgement of the authority of rules of conduct (law)”;\(^{50}\) by contrast, what he calls *universitas* is one that is recognized as a *prudential* mode of enterprise association in which human beings are “associated in terms of their joint pursuit or promotion of a chosen substantive purpose or interest.”\(^{51}\)

Throughout his career, the contrast at stake underwent a number of reformulations that include disparities between “the politics of individualism” and “the politics of collectivism,”\(^{52}\) between “the politics of skepticism” and “the politics of faith,”\(^{53}\) and between “nomocracy” and “telocracy.”\(^{54}\) Despite the different expressions and the slight shifting of focuses, what remains unchanged is Oakeshott’s key point that: “the language of civil intercourse is a language of rules; *civitas* is rule-articulated association,”\(^{55}\) In short, for Oakeshott, the norm of civility in question lies in a genuine meaning of the rule of law, that is, to protect the dignity and freedom of every individual in making his or her own choices.

### 2.3. Civic Virtue

From the standpoint I have been taking, however, there is another application of the practice-based approach in justifying the norm of civility in respect of humanity, dignity, concern and respect that bears the most striking similarities to New Confucianism. That is, to see civility as what Montesquieu calls the public spirit embedded in the manners of behavior and the forms of life in a community. For Montesquieu, public spirit is “love of the republic,” and “love of the republic in a democracy is love of democracy.”\(^{56}\) In this sense, civility known as public spirit is

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\(^{51}\) Ibid., p. 254; see also Oakeshott, *On Human Conduct*, pp. 203-206, 315-317.

\(^{52}\) See, for example, Michael Oakeshott, *Morality and Politics in Modern Europe*.


analogous to civil virtue, and to pursue civic virtue entails an endeavor to transfigure the good manners between persons into concern for the common good in public affairs.\textsuperscript{57}

On this account, Edward Shils’s landmark work on civility, \textit{The Virtue of Civility}, desires much more discussion. For the most part, Shils grants that civility is “a belief which affirm the possibility of the common good” within “a morally valid unity of society”; that civility denotes “an attitude of concern for the good of the entire society”; and that civility represents “the image of the common good inherent in the nature of collective self-consciousness.”\textsuperscript{58} In short,

Civil politics are based on civility, which is the virtue of the citizen, of the man who shares responsibly in his own self-government, either as a governor or as one of the governed. Civility is compatible with other attachments to class, to religion, to profession, but it regulates them out of respect for the common good.\textsuperscript{59}

All this, however, does not imply that Shils’s version of civil politics abandons the liberal commitment, nor does it endorse a form of \textit{universitas} in Oakeshott’s usage.\textsuperscript{60} The upshot is that as with Rawls and Dworkin, Shils also firmly believes that “civility is basically respect for the dignity and the desire for dignity of other persons.”\textsuperscript{61} What is more, civility recognized as “an attitude of respect, even love, for our fellow citizens,” as Stephen Carter powerfully adds, is based on the moral belief “that humans matter, that we owe each other respect, and that treating each other well is a moral duty”; Or to put it another way, since “shared moral norms generate the mutuality of respect (especially for those who follow the norms) that in turn allows civilization and, thus, civility,” civility will impose on the citizens of a liberal society a “duty to treat all human beings with equal respect.”\textsuperscript{62}

Now, based on what has been said, it becomes clearer that Westernized liberalism neglects the historical significance of incorporating a civilization of manners and virtue into the making of civil society in the modern sense; and that it adopts the hypothesis-based approach when introducing liberal values into the Chinese context. Owing to the dominance of Westernized liberalism, as a consequence, even in a liberal democratic society like Taiwan people are accustomed to see the Confucian

\textsuperscript{57} Ibid., p. 49 note 24, p. 68.
\textsuperscript{58} Ibid., pp. 4, 335, 340.
\textsuperscript{59} Ibid., p. 49.
\textsuperscript{60} In general, Shils is similar to Oakeshott in making distinction between tradition and traditionalism, in reconciling modernity (individuality) with tradition (forms of life), in defending pluralism, and in arguing against “ideological politics” or “Rationalistic politics,” among other things.
\textsuperscript{61} Shils, \textit{The Virtue of Civility}, p. 338.
\textsuperscript{62} Carter, \textit{Civility}, pp. xii, 74, 50, 98.
manners of behavior and forms of life as nothing less than cultural hindrances to democracy. Contrary to this “standard viewpoint,” Confucian liberalism not only remains faithful to the practice-based approach, but also, and for this reason, endorses the merit of civil liberalism in combining the double meanings of civility—good manners and shared norm—into a cultural convention of “Confucian civic virtue,” upon which the political innovation of liberal democracy rests.

3. Civilization and Tradition: A Rejoinder to Total Westernization

Before turning to make better sense of Confucian liberalism, in the following two sections, I am about to defy the Western-centric stance as well as the non-moral concept of politics attached to Westernized liberalism in a fuller sense. In this section, I plan to tackle the first topic by explaining away the three misconceptions mentioned above; they are: the absolute disparity between civilization and barbarism, the sharp contrast between modernity and tradition, and the uncompromising tension between individuality and community.

3.1. Civilization and Barbarism

Putting aside the issue of “liberal imperialism,”63 I just want to begin this section by remarking that it is misleading to claim that Western civilization is superior to other civilizations simply because it has absolutely developed out of barbarism into an ideal stage of civilization. This claim, together with the ultimate triumph of liberal democracy, is dubious, because, as R. G. Collingwood claims, there are elements of barbarity, and thus, incivility, left over in Western civilization, which in turn gives rise to the predicament of liberalism. To make my point, let me cast light on the Hegelian insights of Collingwood’s political theory.

For Collingwood, civilization is, by and large, equivalent to civility. More exactly, whereas civility is used for “the ideal condition into which whoever is trying to civilize a community is trying to bring it,” civilization is the name for “the process itself,” i.e., “the condition to which in a given case it leads.”64 In the Collingwoodian setting, that is to say, civilization stands for a process of the development of the human mind toward a superior life-style, a polished way of acting or a refined form of life that is worth pursuing. And thus, the civilizing process denotes a change for the

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63 As a matter of fact, due to the political developments in the British and French empires, the growth of civilizational confidence, economic development and industrialization, as well as the bias of race and human difference, since about 1830 there even appeared a turn to “liberal imperialism” (in the writings of Mill and Tocqueville). Jennifer Pitts, A Turn to Empire: The Rise of Imperial Liberalism in Britain and France (Princeton, New Jersey: Princeton University Press, 2005), pp. 11-21.

better, that is, to arrive at a higher level of rationality, marking out the elements of civilization.

Furthermore, as Collingwood continues, the idea of a civilized society, or what he otherwise dubs a social community, can be seen as “a collection of individuals capable of free choice, having chosen to pursue a joint purpose with others whom they deem equally as free and rational.”65 In Collingwood’s eyes, the more rational its individual members have become, the more civilized a society will be. Thus seen, civilization denotes not only a rationalizing process in terms of which sensational persons (e.g., members of the family) will learn to become rational individuals (i.e., members of the civil society), but also a socializing process in terms of which the “non-social community” will be transfigured into the “social community.” That said, for Collingwood, the words rational and social are synonyms, and there is no straightforward distinction between the non-social and the social community.

What is more, in Collingwood’s scheme, the social community is not utterly identified with “the body politic” too. On the whole, the body politic is a mixed community embracing both elements of social and nonsocial community, and it is, by and large, governed by three basic laws: (1) a body politic is divided into a ruling class and a ruled class; (2) the barrier between the two classes is permeable in an upward sense; (3) there is a correspondence between the ruler and the ruled.66 Taken together, this implies that “the life of the body politic is that of the continuous process of conversion from the nonsocial to the social, that is, the dialectical process of growing up in a body politic to share the business of rule.”67

From this, it follows that the purpose of a body politics is entirely consistent with the ideal of civility on the account that it is aimed at assisting the social community in making the most of the elements of civilization, such as education, wealth, law and order, and peace and plenty. Or alternatively, the major task of politics is to reduce the perils of barbarity that will bring about “hostility towards civilization”68 by making every effort to maintain a civil order. Due to the following two factors, however, the elements of barbarity can never be completely wiped out.

For one thing, just as the lives on the earth are renewed again and again, the attendance of new members in the social community is incessant; therefore, the civilizing process is always an endless process in the face of numerous contingent matters. In other words, for Collingwood, there are always barbarity, rudeness, incivility and cruelty remaining in the social community, because every civilization in

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the process of civilizing must at the same time preserve the “primitive survivals” of the condition out of which it develops, that is, barbarity.

Again, in the real world, politics always involves the use of power. Accordingly, in every civilization the “elements of barbarity and civility coexist, and the former can never be totally eradicated by the later, because the conversion of the nonsocial into the social community is a process which has no end, and the transeunt rule exercised by the rulers over the nonsocial community in the body politic entails an element of force which is incompatible with the ideal of civility.”

On this reading, the big crisis confronting Western civilization is that the pursuit of a continuous progression toward perfection commonly held by the dominant schools of thought, including scientism, realism, positivism, and indeed, the hypothesis-based approach in political theory, are basically culturally blind and historically insensitive; and thus, they all fall victim to missing the point that the survivals of barbarism will give rise to the total collapse of liberal democracies. For this reason, Collingwood furthers his diagnosis by saying that a serious defeat rooted in the classical liberalism of Hobbes, Locke and Rousseau is that none of them has succeeded in providing a throughout discussion of the nonsocial community in respect of barbarism.

In comparison to Hobbes’s Leviathan, then, the important message that Collingwood’s New Leviathan delivers to us is that there are always situations and moments in which a civilized society will return to the state of barbarity. In this regard, liberal democracy per se is certainly not the panacea for the future of Chinese civilization, for the truth is rather that even today the exercise of liberal democracy is entwined with the uncivil behaviors associated with populism and the uncivil discourse appearing on the internet and in social media, for instance. In short, democracy is, as always has been, at risk of self-dissolution, largely thanks to the radical evils of incivility in human nature.

This is not to say that we should give up pursuing liberal democracy. But rather, it means that just because “man seeks to be inherently both a law-maker and a law-breaker,” when considering the stability of liberal democracy, we should bear in mind both the danger of incivility and the norm of civility. In this understanding, my search for civil liberalism in this study is predicated not only upon the fact that it echoes the gist of Confucian liberalism in relocating the basis of liberal democracy on the cores of the norm of civility that are embedded in the Confucian forms of life, but also upon the deep worry about the pitfalls of mainstream liberalism. Before going any further, it thus seems well to resume my criticisms of the hypothesis-based

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70 Frank Knight, Freedom and Reform (Indianapolis: Liberty Fund, 1982), pp. 253-254; see also Shils, The Virtue of Civility, p. 112.
3.2. Modernity and Tradition

As regards the sharp distinction between modernity and tradition, I have three general points to make. First, by defining civilization as an endless process of converting the non-social community into the social community, I am at the same time seeing the civilizing process as an immanent process. And thus, instead of arguing that the future of Chinese civilization lies in an actualization of the past achievement of Western modernity, I shall make it clearer later that for the New Confucians, the future of Chinese civilization in the political sphere lies in a synthesis process in terms of which the habitual practices of Confucian civility will be reconciled with the renovated version of modern democracy. That said, as with Hume on this point, they try to merge the newly emergent historical condition featuring democracy (which for Hume is commerce) with the enduring establishments of Confucian dictums and mottos (which for Hume are the customs and habits of English Constitutionalism).

Again, it seems to me that the contrast under discussion rests on a profound confusion between tradition and traditionalism. As Edward Shils correctly puts it, while tradition embraces the sources of the meanings of life that make possible the exercise of freedom in a real sense, “traditionalism is almost always ideological and extremist.”\(^{71}\) In this sense, “traditionalism is not only hostile to liberty, it is also radically hostile to tradition”; in short, traditionalism is “the greatest enemy of the tradition of civility which is essential to its life.”\(^ {72}\) Or alternatively, in the words of Jaroslav Pelikan, tradition accommodates the “living faith of the dead,” but traditionalism holds on to the “dead faith of the living.”\(^ {73}\)

As a final point, in keeping with Pocock’s thesis on “the Enlightenment narrative,” it seems that for many distinguished writers of the eighteenth century, modernity is, after all, a continuous process of tradition. That is to say, they bear out the way of thinking that we had better give new ideas to the new world without entirely “breaking up with the past.” To quote Hume once again, “almost all improvements of the human mind had reached nearly to their state of perfection about the age of Augustus.” Thus, he was driven to find a middle course between modernity and antiquity by remarking at the same time that “it may be justly affirmed, without any danger of exaggeration, that we, in this island, have ever since [1688] enjoyed, if not the best system of government, at least the most entire system of liberty, that was ever known amongst mankind”; and that it was largely through numerous contingent

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\(^{71}\) Shils, The Virtue of Civility, p. 115.

\(^{72}\) Ibid., p. 116.

habitual practices that “a civilized nation like the English [had] established the most perfect and most accurate system of political liberty that was ever found compatible with government.”

3.3. Individuality and Community

The third misconception that I wish to deal with is about the uncompromising tension between the individual and the community in which he or she lives. On this matter, it can be restated in the beginning that Shils’s understanding of tradition as the “vicissitudes of the human mind” is analogous to Oakeshott’s definition of a “practice” in his later work. In a nutshell, a practice, just like a language, “is not the creation of grammarians”; but rather, it is made by speakers. Accordingly, as regards the relation between freedom and practice or between individuality and community, Oakeshott writes that:

(T)he “freedom” which can be pursued is not an independently premeditated “ideal” or a dream; like scientific hypothesis, it is something which is already intimated in a concrete manner of behaving. Freedom, like a recipe for game pie, is not a bright idea; it is not a “human right” to be deduced from some speculative concept of human nature. The freedom which we enjoy is nothing more than arrangements, procedures of a certain kind.

Thus read, I think Timothy Fuller is right in remarking that “Oakeshott was an individualist, but not an abstract individualist. Individuality is a self-understanding composed in responding to others in a certain tradition of behaviour. We understand ourselves to be individuals because we are self-conscious within a context of innumerable self-conscious agents.” In a word, the real point concerning Oakeshott’s connection to liberalism is not about whether Oakeshott is “a lover of liberty” or not, but about whether his love of freedom has the same quality as that of mainstream liberals who adopt the hypothesis-based approach.

75 Shils takes tradition seriously because what he calls macro-sociology is aimed at understanding “a variant in a contemporary idiom of the great efforts of the human mind to render on man’s vicissitudes on earth (emphasis mine.)” Edward Shils, The Calling of Sociology and Other Essays on the Pursuit of Learning (Chicago, Illinois: The University of Chicago Press, 1980), p. 32.
76 Oakeshott, On Human Conduct, p. 79.
Overall, if the term “individualism” is taken to mean views about the relation of the individual to communities (such as societies, cultures, languages, and traditions), then there are likewise two distinguishable forms of individualism related to the two approaches of liberal political theory under discussion, namely, “historicist individualism” (or “concrete individualism”) and “methodological individualism” (or “atomist individualism.”) Considering the aim of this essay, it seems advisable to reiterate what I mean by “historicist individualism” by drawing attention to the two crucial points related to Herder’s philosophy of language\(^{80}\) that I have elucidated elsewhere.\(^{81}\)

First, it will be remembered that Charles Taylor’s deconstruction of the “disengaged reason,”\(^{82}\) Michael Sandel’s critique of the “disencumbered self,”\(^{83}\) and Alasdair MacIntyre’s repudiation of the “emotivist self”\(^{84}\) can all be understood as attempts to revitalize the Herderian expressionist self or the Hegelian embodied self. Seen in this light, Oakeshott’s discussion of a free agent in terms of self-disclosure and self-enactment is likewise a regeneration of the Herderian-Hegelian pursuit of the value of the individual.

Second, it is to Herder’s credit that he makes every effort to reconcile the sharp contrast between reason and tradition as defined by the Westernized liberals; for Herder, human reason, properly understood, is precisely the ability to express oneself as one wishes by means of language. In some sense, Herder’s idea of context dependence accords perfectly with Hegel’s *Sittlichkeit*, implying that ethical principles are specific to a certain community, and thus that human reason and freedom, as the principle of embodiment shows, can only be completely achieved within a concrete context. From my point of view, it seems evident that the historicist emphasis on context-dependence or *Sittlichkeit*, which has had great impact on British Idealism and philosophical communitarianism, also plays an important role in making sense of Oakeshott’s idea of a practice.\(^{85}\)

To conclude, it is my understanding that the practice-based approach not only

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\(^{84}\) See MacIntyre, *After Virtue*, chaps. 2-3.

resonates with the recent Hegelian turn to liberalism, but also, and for this reason, leads to a renovated way of appreciating liberal values by taking seriously the worth of tradition and the diversity of civilizations. In short, the practice-based approach is anything but Western-centric.

4. Civility and Democracy: A Reply to Mainstream Liberalism

That being said, let me now turn to object to the view that liberal democracy implies a clear-cut distinction between politics and morality. For the most part, my alternative opinion is that civility understood as civil virtue not only comprises the grounding of a civil society in terms of a common good, but also, and for this reason, plays a crucial part in preventing the exercise of democracy from sliding into rudeness and incivility.

4.1. Civil Society

Instead of giving a detailed analysis of Hegel’s enlarged treatment of civil society in terms of the system of needs (market), the administration of justice (law) and the police and the corporation (regulation), it suffices to say that although I agree with Hegel on seeing civil society as a domain that is separate both from family and the state, influenced by Collingwood and Shils, among others, I also contend that the ingredients of civil society in our time are more complex than what Hegel has in mind.

In a nutshell, civil society comprises the institutions of liberal democracy, voluntary associations, nationality and patriotism, together with what Shils else calls “the civil capacities of contemporary liberal democratic societies.” On this reading, in spite of Karl Popper’s criticisms of Hegel, Proper’s definition of “the open society” wherein we may use “what reason we may have to plan as well as we can for both security and freedom” is similar to the idea of the civil society discussed here.

In a philosophical sense, I have already indicated that as far as the liberal tradition is concerned, the norm of civility consists of humanity, dignity, respect, and concern. Seen in this light, civil society is nothing but “a society of civility in the conduct of the members of the society towards each other,” or to put it another way, civility recognized as civic virtue is “an appreciation of attachment to the institutions which constitute civil society.”

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87 Shils, *The Virtue of Civility*, p. 87.
89 Shils, *The Virtue of Civility*, pp. 322, 335.
In short, here as elsewhere in this study, I take it that civility is of great significance in buttressing the exercise of democracy, as I am deeply indebted to the intellectual heritage of Montesquieu and Tocqueville, among others, which is likely to see democracy both as “a type of government” and “a system of manners, a form of social life.”

4.2. The Common Good

Furthermore, in the words of Shils, the identification of civility as civic virtue is parallel to the common good:

The common good is a pattern which permits or enables the living of a good life, by individuals, collectivities and the entire society—or at least a better life than they otherwise might live. The civil society is the common good. Civility is the concern for the maintenance of the civil society as a civil society. Civility is therefore a concern to reconcile—not abolish—divergent interests.

And here, it will be remembered that the idea of the common good that Shils proposes is a liberal one, since it is largely characterized by the liberal values of humanity, dignity, respect and caring about others.

In some sense, I do not intend to deny that on some occasions “democracy may require withdrawal from civility itself.” For instance, one writer remarks that:

The civility movement is deeply at odds with what an invigorated liberalism requires: intellectual clarity; an insistence upon grappling with the substance of controversies; and a willingness to fight loudly, openly, militantly, even rudely for policies and values that will increase freedom, equality, and happiness in America and around the world.

However, I still firmly believe that a liberal conception of the common good is of great significance in making possible the stability of liberal democracy. For one thing, we are living in an age of “ideological politics” characterized by radical “progressivism.” And so, “being civilized, having good manners, controlling one’s

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90 Quoted in Carter, Civility, pp. 23, 279; see also chapter 4 for a more detailed explication of this point.
91 Ibid., p. 346.
94 In the analysis of Shils, progressivism in this context includes emancipationism, egalitarianism, populism, scientism, and ecclesiastical abdication, as well as what he calls “collective liberalism” and anti-patriotism. See the essays of “Observations on some Tribulations of Civility,” “Ideology and
behavior, and showing restraint in expression are necessary (even if not sufficient) for the civility needed in a strong democratic polity."\(^95\) Again, civility may protect liberal democratic society from “the danger of extremes of partisanship” by diminishing “the real losses which are bound to be inflicted on a society in which conflicts are both inherent – they are inherent in all societies – and provided for by its liberal democratic constitution."\(^96\)

### 4.3. The Plurality of Liberalisms

From the above discussion, we may now arrive at the conclusion that the ordinary understanding of liberal expressions in the Chinese-speaking world is one-sided, since what Westernized liberalism represents to us is just a peculiar side of liberalism. More precisely, if the ideas of individuality and freedom have most vitally underlined liberalism, then there are different ways of defending the free agent in the modern history of political thought. The intellectual legacy of Oakeshott, as indicated, offers an excellent example. In fact, in the recent development of political theory, there has been a tendency to revitalize the importance of Hegel in marking the historicist turn to liberalism, leaving us space to reflect on the possibility, plausibility and creativity of Confucian liberalism from a Hegelian point of view. Put in other terms, instead of regarding liberalism as a single, undivided whole, there exist several alternative groupings of liberalism in recent scholarship. For example, we have, with John Gray, rationalistic liberalism versus agonistic liberalism;\(^97\) with Richard Rorty, Kantian liberalism versus Hegelian liberalism;\(^98\) and with Charles Taylor, procedural liberalism versus communitarian liberalism.\(^99\)

For my purposes here, it seems sufficient to indicate that all these writers share the common understanding that the meanings of liberalism have been redefined at least in part by a growing sense of its historicity, a sense which increases our awareness of the plurality of ways of thinking and forms of life in the modern world. As a result, it may not be inappropriate to reformulate the two faces of liberalism as “hypothesis-based liberalism” vs. “practice-based liberalism.” Based on this schema, it at once appears that the Westernized liberalism advocated by Yin and Zhang and the Confucian liberalism promoted by Mou, as a matter of fact, belong to the streams of

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Civility,” “Tradition and Liberty,” “the Antinomies of Liberalism,” and “Nation, Nationality, Nationalism, and Civil Society,” collected in The Virtue of Civility.

\(^95\) Herbst, Rude Democracy, p. 13.

\(^96\) Shils, The Virtue of Civility, p. 341.


“hypothesis-based liberalism” and “practice-based liberalism” respectively.\(^{100}\)

Seen in this light, to reject the connection between the moral spirit of Confucianism and democracy simply on the account that morality and politics are two different things is misleading. On the one hand, even the so-called rights-based liberalism of John Rawls and Ronald Dworkin grants that the moral basis of liberal democracy depends on the norm of civility anchored in “respect and concern.” On the other hand, seen from the perspective of civil liberalism, the moral grounding of liberal democracy hinges on the civic virtue that is embodied in the manners of behavior and the forms of life in a community. Accordingly, in pursuit of Confucian liberalism, my real point is not that “the rule of li” is compatible with “the rule of law” and liberal democracy; rather, my central argument is that the anticipation of Confucian liberalism in the work of Mou, for instance, is remarkably akin to civil liberalism, as it is aimed at relocating liberal democracy and its related values into the Confucian civic virtue that deeply reflects the Confucian forms of life.

5. Toward a Confucian Liberalism

To further our re-appreciation of Confucian liberalism, I now move on to the intellectual legacy of New Confucianism.

5.1 The Significance of New Confucianism

By and large, the philosophical endeavor to combine Confucian tradition with democratic modernity was made possible by Xiong Shili’s (熊十力 1885-1968) transfiguration of democracy as the new telos of the Confucian political ideal widely recognized as “the kingly way” or “outer kingliness.” Greatly influenced by Xiong, the second generation of New Confucianism, including Mou Zongsan, Tang Junyi, and Xu Fuguan, was eager to build Confucian democracy in their own way. In comparison to the “standard viewpoint” at work, the cultural hybridity identified as Confucian democracy in their writings is all but in opposition to both the extremist poles of Westernized liberalism and traditionalist Confucianism.

More precisely, unlike Westernized liberalism, it is generally approved by the New Confucians that there are two related but distinguishable aspects of democracy,

\(^{100}\) As far as this contrast is concerned, Berlin actually belongs to the category of “practice-based liberalism.” Therefore, to incorporate Berlin into the narrow Chinese liberal project that rejects New Confucianism is to commit an error of cultural transmission. For, in making this move, some of the vital features of Berlin’s liberalism, such as expressionism, value pluralism, and Humean moderate skepticism are replaced with a prevailing form of political rationalism fostered by Popper’s “methodological individualism” (and indeed, “abstract universalism”). For a further discussion on the error of cultural transmission, see Michael Freeden and Andrew Vincent, “Introduction: The Study of Comparative Political Thought,” in *Comparative Political Thought: Theorizing Practices*, eds. Michael Freeden and Andrew Vincent (London: Routledge, 2013), pp. 15-18.
namely, rational or moral and political or institutional. And thus, it is likely that the moral spirit of Confucianism may provide solid ground for the functioning of democratic institutions, as long as the “moral rationality”—to use Tang Junyi’s phrase—spelling out the character of Confucianism in respect of dignity and respect is to be reunited with liberal democracy through practice.101

In no way, then, do the New Confucians deny that ancient China did not develop democracy due to the robust commitment to “the rule of li.” But this gives us no sufficient reason to infer that the moral spirit of Confucianism, if properly rebuilt, will do more harm than good to democracy. For the most part, it is against this context that Xu Fuguan sets out to embark on a ground-breaking examination of the disparity between “cultivating oneself” and “governing the people” in Confucianism, resulting in a potential differentia between the personal and the public.102

Put clearly, the New Confucians actually realize that the institutions of democracy cannot develop out of Confucianism itself directly, for to develop democracy in real terms involves power desire, interest conflict, class struggle, and so forth. But in philosophical terms, a disclosure of the anticipation of democracy in Chinese societies will definitely be insufficient, if we refuse to ask this vital question: How can democracy work at all in a cultural setting traditionally fostered by Confucian civilization? Consequently, for the New Confucians, the starting point for examining the possibility and plausibility of merging liberal democracy with Confucian civility is a bid to develop “a significantly different political philosophy.”103 All things considered, one of the main tasks of Confucian political philosophy at present is to connect the basis of democracy, not with the morality of Confucianism as a whole—this is apparently the business of a “moral metaphysics”—but with a restatement of the moral principles of “governing the people,” or to put it another way, the moral codes of the political ideal of “humane government” (renzhang 仁政).

For this reason, Mou thus progresses to make a famous distinction between “the way of politics” (zhengdao 政道) associated with the institutions and values of democratic politics and “the way of governance” (zhidao 治道) related to the cores of “humane government.” In brief, while “the way of politics” denotes a “politics of innovation” in face of the newly emergent historical condition identified as the age of


democracy, Mou’s reconstruction of the cores of “the way of governance” gives rise to a liberal rebuilding of “Confucian civility,” i.e., the Confucian norm of civility, which functions as something like “the etiquette of democracy,” to use Stephen Carter’s expression,104 in an open society. For Mou, democracy cannot be separated from morality as the Westernized liberals claim, mainly because good operation of democracy in the Chinese cultural setting must rest on a well-ordered civil society grounded in Confucian civic virtue, consistent with the elements of “humane government” or “the kingly way.”

5.2. Confucian Civic Virtue

In a nutshell, Mou’s reconstruction of “humane government” at least embraces three basic principles in relation to the moral basis of liberal democracy:

(1) As regards the legitimacy of authority, Confucianism adopts the principle of “obtaining all-under-Heaven by virtue” (yi de qutianxia 以德取天下), or in a stricter sense, “public rulership” (gong tianxia 公天下), which, for instance, emblematizes an appeal of what Mencius has referred to as “government for the people” or “the people as fundamental” (minben 民本).

(2) As regards the purpose of government, Confucianism asserts the principle of “ruling all-under-Heaven by virtue” (yi de zhitianxia 以德治天下), i.e., “the rule of virtue” (dezhi 德治), including the stress on the direction of people’s hearts (minxin suoxiang 民心所向), the tenet of “stepping aside, spreading out, and leaving things as they are” (rangkai sankai, wu gefu wu 讓開散開，物各付物), the endeavor to “attain accomplishment according to the individual’s nature” (jiu geti er shuncheng 就個體而順成), and the like.

(3) As regards the use of power, Confucianism believes that the exercise of “cultivation” (jiaohua 教化) must abide by the principle of “self-restriction” (ziwoxianzhi 自我限制), which can be found in the dictums of daily language such as “being strict with oneself and lenient towards others” (yanyilü ji kuan yidairen 嚴以律己寬以待人). In a nutshell, while “being strict with oneself” implies “looking into yourself” (fanqiu zhuji 反求諸己), “being lenient towards others” contains the aim of “making the people wealthy before cultivation” (xianfu houjiao 先富後教).

In this place, instead of delving deeper into these cores, I just want to make three general points. First, in my view, the political ideal of “humane government” so reconstructed by and large serves as “Confucian democratic ethics” embracing Confucian civic virtue, bringing to light the ethical import of the renovated type of democratic politics from a Confucian perspective. In this regard, under no circumstance does Mou misidentify the idea of “the people as fundamental” with

liberal democracy; but rather, his point is that the moral appeal of liberal democracy in respect of legitimacy is not at odds with the idea of “the people as fundamental.”

Second, Mou’s discussion of “the rule of virtue” is not simply a restatement of “the rule of li.” By contrast, Mou’s well-known expression of the spirit of “stepping aside, spreading out” functions as an essential virtue of political leaders in liberal democracy. To make his point, Mou quotes a famous statement from Wang Fuzhi 王夫之 in articulating that: “Let us investigate principle as we come into contact with things but never set up principle to restrict things” (you jishi yi qiongli, wu lili yi xianshi 有即事以窮理, 無立理以限事). On this reading, a “sagely king” or what is today called a “great statesman,” instead of “setting up principle to restrict” the diversity of human affairs in advance, is one who “investigates principle as he comes into contact with” public interests in concrete situations so as to retain the value of openness.

Third, the classical dictum about “being strict with oneself and lenient towards others,” echoing “the way of zhongshu,” actually denotes the vital virtues of respect, dignity, concern, and care about others that stick to the norm of civility, which in turn fosters liberal democracy. Because of the limit of space, nonetheless, I must leave this critical study for another day. For the moment, it suffices to explain in a fuller sense why the Hegelian scheme is of significance in making sense of Mou’s Confucian liberalism as a form of civil liberalism.

5.3. The Hegelian Turn
In spite of the great achievement of Mou in theorizing on the prospect of democracy in the modern transformation of Confucianism, his Hegelian presentation of “the development of democracy” (mingzhu kaichu 民主開出) has been severely criticized by both anti-Confucian liberalism and anti-liberal Confucianism. Again, since the attack on Hegel’s political philosophy, made by cold war liberals such as Karl Popper, has had a great impact on the recognition of “liberalism” in the Chinese context, even Mou’s disciples have afterward turned to recast Confucian democracy in a Kantian fashion. What is more, the landscape of contemporary Confucian political philosophy has been dramatically altered for the past two decades or so, owing to a variety of renovated perspectives, including Confucian pragmatism, progressive

106 Ibid., pp. 4, 23.
Confucianism, Confucian perfectionism, civic Confucianism, public reason Confucianism, etc., but the names of Mou and other leading New Confucians are only mentioned in passing.

In contrast to these perspectives, my view throughout this paper is that Mou’s political thinking fits perfectly into the stream of civil liberalism, as it is intended to relocate democracy and a group of liberal values into the Confucian forms of life. Unlike Mou’s disciples, then, I totally agree with John Rawls’ remark that Hegel “stands in the liberal tradition” and that Hegel is “a moderately progressive reform-minded liberal” as well as a “defender of the modern constitutional state.” Without complicating Hegelian liberalism in detail, it seems adequate to close this paper by giving three reasons to mark out the corollary of the turn to Hegel in reevaluating the achievement of Mou’s political theory.

First and foremost, as I have explained elsewhere, in Hegel’s eyes, the paradox of modern democracy can be pointed out as follows: While the possibility of democracy rests on the appearance of “subjective freedom,” i.e., subjective spirit, the pursuit of “subjective freedom” associated with atomism or abstract individualism will generate “the malaise of modernity” in respect of the alienation of the self, the dissolution of public meanings, and the ascendency of instrumental reason, to name only a few. To amend these defeats, the self must be reunited with the common meanings embedded in the lived forms of life, i.e., objective spirit. In a like manner, as regards the development of democracy, Mou claims that although Confucianism needs to endure a process of “self-negation” so to develop “political subjectivity” (with regard to subjective freedom) out of Confucian “moral subjectivity” (in pursuit of a complet actualization of ren), the subtlest model of Confucian democracy lies in a further dialectical process in terms of which the institutions and values of liberal democracy will be reunited with Confucian civic virtue demonstrated above.

Second, along the lines of Hegel’s revision of Kant, which sees freedom, not as a postulate, but as what is actually realized in a practice (in Oakeshott’s usage), Mou firmly believes that Confucianism has arrived at “a pinnacle of individualism.” In Mou words, the real meaning of individualism “is to lay emphasis on the individual,

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110 Norman Yujen Teng, Congmin Ruxue (Taipei: National Taiwan University, 2015).
not to place the individual before everything,” because the authentic meaning of human life that the individual is after can never be separated from “the concrete existence of the life relation and the social relation.” ¹¹⁴ That is to say, as with the Hegelian thinkers such as Collingwood, Oakeshott, and Taylor, Mou also takes serious issue with abstract individualism that underlies Westernized liberalism. In short, while Yin’s and Zhang’s identification of liberalism might have been influenced by Hayek’s and Popper’s laws of social and economic development, as well as methodological individualism,¹¹⁵ Mou’s idea of individuality is in parallel with what I have called the “historicist individualism” chiefly envisaged by Herder and Hegel.

Third, as regards freedom, Mou clearly writes in a Hegelian tone that “freedom must be affiliated with moral reason and a person’s self-awareness”; and that “various rights are merely the outcomes of its objectification, protected by the Constitution in a democratic regime.”¹¹⁶ In other words, as Mou continues,

The acquisition and enjoyment of rights, in point of fact, are apparently not ready at hand. Hegel extracts and condenses the expression that “men were born free and equal” into “an idea of humanity,” concerning what the nature of humanity should be [through the development of history]. Man, being a man as such, according to the necessity of his nature, is free. Here freedom is taken to mean a self-aware, active creativity essentially bestowed upon a man to actualize his necessity.¹¹⁷

The distinction between “freedom” and “rights” made by Mou here clearly echoes what Zhang Foquan and Isaiah Berlin have referred to as “positive freedom” (in Hegel’s usage) and “negative freedom” (i.e., rights).¹¹⁸ However, in line with the leading British Idealist T. H. Green, Mou makes it clear that a complete understanding of freedom embraces both negative and positive freedoms, and that the negative freedom of the political subject must be reunited with the positive freedom (i.e., “inner moral awareness” or moral potentiality) of the moral subject. In this respect, a re-appreciation of Green’s theory of freedom, the initiator of the two concepts of freedom in the English-speaking world, can help bring to light why the reunion of

¹¹⁴ Mou, Zhengdao Yu Zhidao, pp. 120, 122 [Complete Works X, pp. 123, 132].
¹¹⁵ In defending liberal values Zhang actually recognizes that the individualism he sanctions is one that Popper refers to as “methodological individualism.” This explains why he embraces the universalistic claim that all men are equal in terms of enjoying rights, irrespective of cultural differences. In other words, Zhang believes that liberal institutions are transferable across cultures, that there exists a “supranational bill of rights,” and that human rights are the “working hypotheses” of policy science and constitute a “temporal creed” in the political world. Zhang, Ziyou Yu Renquan, pp. 269, 276, 278, 302, 305.
¹¹⁶ Mou, Zhengdao Yu Zhidao, p. 60.
¹¹⁷ Ibid., p. 155.
positive and negative freedoms would not necessarily result in totalitarianism.

6. Conclusion

To close this long paper, let me repeat three main points. First, it will be remembered that Oakeshott, Collingwood, and Green are three key figures of British Idealism or British Hegelianism. Besides, it seems to me that whereas Collingwood’s philosophical account of civility is bordering on Pocock’s historical analysis of “the Enlightenment narrative,” Shils’ discussion of the virtue of civility bears striking resemblances to Oakeshott’s “practice-based” approach. Taken as a whole, what has been presented in this paper reaffirms my central argument that Mou’s political thought, if properly reconstructed in a Hegelian vein, will go some way toward transcending both the moral weakness of mainstream liberalism and the political pitfalls of Confucianism.

Second, in the course of this study, I have also tried to pose challenges to some of the misconceptions associated with the Western-centric stance and to the limited reception of liberalism in the Chinese context. In this regard, one of the major fruits that this research may have gained is to extend the mapping of liberalism by broadening our understanding of the complex meanings of civility with regard to good manners, civilization, tradition, shared norms, civic virtue, civil society, the individual, the common good, etc.

Finally, by this means, it is hoped that the author has been successful at explaining how and in what sense the Confucian liberalism encouraged by Mou is akin to a form of civil liberalism consistent with the “practice-based” approach. All in all, in sharp contrast to Westernized liberalism, central to Confucian liberalism is an endeavor to relocate the moral basis of liberal democracy into “Confucian civility,” that is, the civil virtue that is embodied in the Confucian manners of behavior and forms of life.