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<CT>Aging, Equality, and Confucian Selves

<CA>Steven F. Geisz

<COTX1>A number of authors have recently brought the Confucian tradition into meaningful contact with the theory and practice of democracy. The literature includes accounts of what Confucian democracy is or would be,¹ explorations of the relationship between Confucianism and fundamental features of political liberalism such as rights,² and a variety of attempts to link Confucianism and, more broadly, Chinese political theory and practice in general to theories of deliberative democracy in particular.³ In this essay, I would like to add to this growing discussion by thinking about ways in which a Confucian valuation of and deference to the elderly might challenge and inform liberal democracy.

<TX>Liberal democracy aims to treat all adult citizens as politically equal. Once a citizen is over the age of majority, then—at least in standard cases in which a person's right to participate is not curtailed by a felony conviction, for example—she is deemed a full-fledged member of the community and in theory has equal standing with all other adult citizens when it comes to making policy and participating in the political realm in general. While the liberalism of liberal democracy will typically tolerate a significant degree of social and economic inequality among adult citizens as the necessary by-product of valuing individual property rights and other kinds of individual freedoms, it is committed to the fundamental idea that all adult citizens are and must be treated as *political* equals.

In what follows, I want to consider three main questions. First: Is there any plausible alternative to a standard "all adult citizens have equal political standing" model of democracy

that could be drawn from a specifically Confucian valuing of elder members of the community?

Second: Insofar as there is a plausible alternative, what might it reveal about differences between how liberalism and Confucianism think of human selves as located in time? Third: What sort of difference would it make if the Confucian valuing of age were implemented via informal social norms, on the one hand, or via explicit institutional mechanisms and procedures, on the other?

I will begin by outlining a hypothetical Confucian version of deliberative democracy that allocates opportunity within a democratic community's deliberative forums so as to allocate political power in a way that tracks the age of adult citizens. I will consider the ways in which such a Confucian version of deliberative democracy is related to other proposals for Confucian democracy and various ways it might provide a plausible alternative to standard liberal versions of deliberative democracy. Specifically, I will focus on the ways that such a hypothetical Confucian deliberative democracy treats all citizens as politically equal over the course of an average lifetime, even though it does not treat all adult citizens as political equals at any given time. By comparing and contrasting the synchronic equality of standard liberal versions of deliberative democracy with the diachronic equality of this hypothetical, Confucian-inspired deliberative democracy and by considering the ways in which such a Confucian-inspired deliberative democracy is a formalized version of what Confucian ritual propriety aims to achieve, we can identify an independently interesting Confucian notion of human selves as essentially extended in time. Finally, I will consider the differences between infusing a Confucian valuing of the elderly into democracy via informal mechanisms and doing so via more formal institutional structures and procedures.

<H1>Age, Speaking Time, and Democratic Deliberation

<TX1>There are many facets to the Confucian tradition, and there are multiple ways in which one might try to apply the Confucian valuing of the elderly to contemporary community life. Confucianism emphasizes the virtue of *xiào* (孝), or filial piety, and at least part of that virtue involves a specific sort of deference toward older family members. Beyond that, the Confucian virtue of *lǐ* (禮), or ritual propriety, demands among other things that one behave deferentially toward elder members of one's community, and that one do so in ways that track subtle differences in status that are partially a function of an individual's age.

<TX> A Confucian deference toward the elderly is enmeshed in various other Confucian virtues, and the quick gloss I have given only hints at the ways in which such deference is grounded in the overall tradition. And, admittedly, Confucianism is not unique among the traditions of China—much less the traditions of other cultures—in its insistence that people deserve some sort of deference simply on account of their age. Nevertheless, both the degree to which Confucianism values the aged and the centrality of that value to the tradition makes deference toward the elderly a defining characteristic of the Confucian tradition.

In order to consider whether Confucianism can provide a plausible alternative to the "all adult citizens have equal political standing" model of liberal democracy, in what follows I will consider first a specific Confucian-inspired variation on the liberal deliberative democracy proposed by a number of theorists. Some stage setting will be helpful. Deliberative democratic theory comes in many forms, but they all insist that something important is missing in the preference-combining mechanisms that are at the heart of aggregative democracy. Deliberative democrats typically identify what is missing as one or more of the following: the rationality or rational justifiability of the results of the policy-making process; significant opportunity for the

policy preferences of community members to be transformed by the decision-making process;⁴ or the overall legitimacy of the process.⁵ Often, what is seen as lacking involves all three.

In order to improve upon aggregative democracy, the deliberative democratic solution is to add deliberation to the democratic process. Details vary depending on the specific proposal, but the general idea is to set up a deliberative forum and then coax, encourage, or possibly even require community members to work together to try to reach meaningful agreement on policy by engaging in deliberation with one another. Ideally, such deliberation will lead to agreement about important community decisions, but, if the deliberation fails to reach meaningful agreement, the processes of aggregative voting and other hardball political activities such as bargaining can come into play in addition to—and, importantly, *after*—deliberation in order to set policy.

I want to focus on the kind of political-liberalism-inspired deliberation that is associated with the touchstone work of Gutmann and Thompson,⁶ but which is widely supported by deliberative democrats, especially those who are broadly liberal in their commitments and outlook.⁷ Gutmann and Thompson allow that both the electoral mechanisms of aggregative democracy and the associated processes of political bargaining might be fine ways of establishing policy in some cases, but in other cases—especially where there is deeply entrenched, morally charged disagreement within a community—the legitimacy of the community decision-making process requires that members of the community come together and discuss their policy preferences in a rather constrained way. Specifically, Gutmann and Thompson require that community members offer explicit *reasons* in support of their preferred policies, rather than merely expressing their support for such policies. According to the ideal of such deliberative democracy, one should not just announce the policy preferences one has, at least in situations in which there is morally charged disagreement. One must also offer reasons in

support of one's preferences. Moreover, reason giving must take place in a particular way. The reasons must be framed in terms of the *common good* (not in terms of mere self-interest), and they must be *publicly accessible* (meaning, roughly, that the truth and relevance of what is offered as a reason in support of a policy position must be assessable equally by all members of a community). Beyond constraints on the reasons themselves, the explicit reason-giving process must be marked by the exemplification of particular virtues by the deliberators—broadly liberal virtues such as *tolerance* for difference of opinion and more specific virtues such as *reciprocity*.⁸

On this kind of liberal deliberation, the entire deliberative process aims to support the political equality that is at the heart of political liberalism, and to protect and insulate it from both economic and social inequalities.⁹ In concrete terms, liberal deliberation protects political equality by providing a forum that heads off the aggregative mechanism of voting. The motivation for wanting to do so is that mere voting processes are seen as ineliminably susceptible to the influences of economic and social inequalities and are therefore potentially damaging to the enjoyment of political equality. In addition, the strictures on the appropriate exchange of reasons that are essential to the deliberative forum serve to limit self-interested bargaining of the sort that happens in association not only with aggregative voting, but with many other kinds of political situations. Though the motivation for limiting such bargaining might seem obvious, it will still help to highlight it here: self-interested bargaining will (it seems¹⁰) be driven by and will reinforce (and possibly even exacerbate) the economic and social inequalities that exist in a community.¹¹

The feature of liberal deliberation involving the defense of political equality is typically manifest in part by giving everyone in a community an equal say within the deliberative forum. At a most basic level, this usually means giving everyone an equal amount of time in which to

speak, and it often also involves the introduction of structural features such as the presence of a moderator whose job involves adjusting for emerging patterns of dominance in the conversation (or at least those patterns of conversational dominance that are not driven solely by prowess in logical argumentation).¹²

What might a specifically Confucian-inspired alternative to liberal deliberation be? There are a number of different avenues we might take here, and indeed there are suggestions already available in the literature.¹³ Suppose we think of Confucian deliberation as aiming to fill the same role in an eventual Confucian version of deliberative democracy as liberal deliberation is to fill in an eventual liberal deliberative democracy. That is, Confucian deliberation will be added to full-blown aggregative democracy as a kind of decision-making forum of first resort, at least in the case of deep, morally charged disagreement about policy within an otherwise established democratic community.¹⁴ Ideally, for the decisions for which this forum is appropriate, agreement will be reached by deliberation, and the mechanisms of aggregation and political bargaining will be used only as a last resort.

Confucian deliberation could be similar to the proposed liberal deliberation in some ways, but there would be crucial differences. For example, rather than explicit reason giving as the definitive feature of deliberation, Confucian deliberation could be guided by speech acts constrained by the social pragmatics embodied in Confucian ritual (*li*, 禮) and tradition. Depending on what features of Confucian ritual are emphasized, we could come up with a Confucian version of democratic deliberative democracy that, for example, downplays Gutmann and Thompson's explicit-reason-giving requirement in favor of a requirement that one's policy preferences be expressed in accord with Confucian ritual and get supported via speech acts that are broadly constrained by Confucian social pragmatics. I will not explore that possibility in

much detail in what follows but will focus instead on a hypothetical Confucian deliberative forum within which the Confucian valuation of the elderly is made explicit by allocating speaking time to participants in a way that tracks the participants' ages. Such a Confucian deliberative forum will highlight and defend a version of a specifically Confucian social hierarchy based on age.¹⁵

There are two broad ways in which a Confucian deference to age could be incorporated into democratic deliberation. First, the deference could be produced as a result of ritual-inspired deferent behavior on the part of participants in the forum who have internalized Confucian social pragmatics, even without explicitly allocating extra speaking time to people the older they get. If the majority of the participants in the deliberative forum were to have a tendency to defer to elder members of the community by refraining from certain kinds of criticism and by taking the utterances of their elders more seriously than the utterances of younger members of the community, then the deliberative forum would be marked by a Confucian deference to the aged, even in the absence of any explicit changes to the procedures that constitute a non-Confucian, Gutmann-and-Thompson-style deliberative forum.

Alternatively, the Confucian deference to the elderly could be incorporated into a democratic deliberative forum in a more obvious and explicit way. In concrete terms, imagine an up-and-running Confucian deliberative forum in which community members come together to communicate about policy choices, prior to allowing political bargaining and aggregative voting mechanisms to run their course and determine policy. In this forum, the amount of *say* that any given person has is determined by that person's age in the following way: the older a person is, the more speaking time she has.

As one way to pump intuitions, imagine that every person over a given age—say, age eighteen—is admitted to the deliberative forum, but that mere admittance does not confer any privilege to speak. For every five years a person is aged over twenty, one minute is given to that person's allotted speaking time in the deliberative forum. Thus, twenty-year-olds are allowed only to attend silently and learn from the deliberative forum, forty-year-old participants each are allotted four minutes to speak, and eighty-year-olds would each be allotted twelve minutes to speak. Variations in the algorithm used to determine speaking time would track different conceptions of the appropriate privileges of age. My concern here is not with the exact details of the amount of time a person has and how that amount is calculated. Rather, I introduce this example as one way to think about how a Confucian respect for age might be incorporated into a working deliberative forum. However such Confucian deliberation gets spelled out in detail, it will reject the basic requirement of standard liberal versions of democratic deliberation that everyone in the forum have an equal chance to speak.

Such a proposal could provide a plausible way to introduce some sort of deliberation into various cultural contexts, depending on how deeply infused a Confucian valuing of age is in a given context. My hope is that the proposal might help in thinking about how to improve actual governance in various real-world contexts, but evaluating the likelihood that such Confucian deliberation could be implemented is not my concern here. Rather, I am interested primarily in how we might evaluate this ideal of Confucian deliberation vis-à-vis the ideal of standard "all citizens are political equals" deliberation put forward by liberal deliberative democrats such as Gutmann and Thompson.

It might seem as if the proposal of introducing a deliberative forum that allocates additional speaking time to people depending on how old they are would be politically naive, at

least if the proposal is meant literally. As I discuss later, there is value to considering such a proposal, even if it never would be implemented, because a fine-grained look at potential objections to the proposal and how they compare and contrast to objections that could be raised against more straightforwardly liberal proposals for deliberative democracy reveals important information about standard liberal assumptions about the nature of political equality and about ways of thinking about political selves through time. However, even when taken as a literal proposal for how to structure a deliberative democratic forum in a Confucian cultural setting, the hypothetical Confucian deliberative forum I am considering is no more naive or improbable than other proposals that have been made in the literature on Confucianism or even implemented as real-world experiments by deliberative democrats. Daniel A. Bell, for instance, has considered concrete ways in which a community might work Confucian commitments into democracy, and he even explicitly suggests that seating arrangements could manifest respect for the elderly in deliberative forums by allowing the elderly to have better seating positions.¹⁶ James Fishkin and his collaborators have theorized about and experimented in real-world situations—both in and outside of China—with various sorts of deliberative forums that, from the perspective of many people who are entrenched in a nondeliberative vision of democracy that emphasizes hardball political bargaining and the messy amorality of so many contemporary political campaigns, would look equally far-fetched. For instance, in what Fishkin, Baogang He, and Alice Shu describe as the first Chinese deliberative poll, the town of Zeguo in Zhejiang Province conducted a policy poll after a kind of deliberative forum that included “Chinese indigenous deliberative methods” such as having “democratic heart-to-heart talk[s].”¹⁷ So even if at first the Confucianism-inspired deliberative forum I am considering here seems unlikely ever to be implemented, it is not obviously more implausible than other proposals in the literature, and, in

any case, we should be cautious about relying too heavily on our initial conceptions of what is possible and probable when trying to think about the possibilities of democracy.

So before moving on to a detailed consideration of objections that might be raised to this hypothetical Confucian-inspired deliberative forum and what those objections reveal to us, I want to make clear the following:

1. <NL>I am here considering a hypothetical system in which older participants are given more speaking time in a democratic deliberative forum than younger participants, *and this is meant literally*.
2. Even if the forum in question were not literally to allocate additional speaking time to older participants, the consideration of the situation in which literal speaking time is allocated unequally is helpful to us in understanding the ways in which a Confucian deliberative democracy might look different than a more straightforwardly liberal deliberative democracy.
3. Regardless of whether or not such a Confucian deliberative forum is ever implemented, the consideration of it and the comparison of it to the kinds of deliberative democratic experiments conducted by people like James Fishkin and advocated by Amy Gutmann and Dennis Thompson helps us understand important assumptions about the nature of liberal democracy and its conceptions of fairness.

<H1>Evaluating a Confucian Age-Privileging Deliberative Forum

<TX1>At the very start, it might seem as if the inequality of allotted speaking time in this Confucian-inspired deliberative forum would be unfair and ad hoc—that there is something

prima facie unjust about the unequal allotted speaking times in Confucian deliberation, at least in contrast to the liberal alternative.

<TX>How might a defender of Confucian deliberation respond? On the one hand, such an objection might seem simply to amount to an insistence that a person's age is not a legitimate factor in determining the amount of say she should have in community decision making (at least for anyone at or above the age of majority). If that is what the objection amounts to, a defender of Confucian deliberation could simply say that the objection begs the central question against Confucian deliberation.

Leaving aside the line of response to the initial objection that such inequality in speaking time would be unjust, I want to explore a way in which the social inequality expressed in the unequal allotment of speaking time might—in spite of first appearances—really be perfectly compatible with a kind of meaningful political equality, even a political equality that liberals should recognize. If so, then even though the proposed Confucian deliberation is driven by an acceptance of a particular social hierarchy involving age that is prima facie incompatible with a liberal insistence on keeping such social inequalities out of the political process (at least insofar as we are talking only about people over the age of majority), on closer analysis the Confucian alternative is not as antithetical to meaningful political equality as it at first seems.

Assuming variation in age within a community, there is, of course, going to be unequal say in an individual Confucian deliberative session, considered in itself. However, if we begin by looking at individual community members rather than individual deliberative sessions, then, over the course of an average human life-span, we see that every person's opportunity to speak in the totality of Confucian deliberation sessions that she can be expected to attend is equal to the opportunity of everyone else. Over the course of an average lifetime, everyone will have an

equal amount of time to participate in a Confucian deliberative forum. It is only if we look at participation in deliberation at the temporal scale of an individual deliberative session (or at a scale of time that encompasses a small or relatively low number of deliberative sessions) that the inequality of allotted speaking times seems to lead to age-driven inequality of opportunity to participate in political discussion and decision making.

Of course, some people will in fact not live as long as others, and consequently their actual amount of participation in the political decision making of a community that adopts this sort of Confucian deliberative democracy will be less than that of others in the community who live longer. However, this is not a telling objection. On the one hand, such inequalities in life-span are arguably beyond the scope of concerns about the sort of fairness of political processes. Furthermore, if we look at the amount of participation a person has in *liberal* deliberation over the course of her lifetime in a liberal deliberative democracy, those with shorter life-spans will have less overall chance to participate than those with longer life-spans. (Admittedly, the problem may still be bigger in this regard for Confucian deliberation, since in the case of a Confucian deliberation, a person's overall amount of participation per year lived beyond the age of majority is only equalized at the time a person reaches the high end of the expected life-span in a community.)

Perhaps the best response on the part of a defender of Confucian deliberation to a worry about differing life-spans is as follows: if we think of inequalities in actual life-span as a special case of inequalities in health more generally, then it is not obvious that Confucian deliberation is any worse off than liberal deliberation in this regard. Liberal deliberation, even in the quasi-ideal version we have been discussing, requires relatively robust health on the part of its practitioners. If the differences in actual health of community members is not thought to be a problem for the

fairness of liberal deliberation, then it is not clear why differences in actual age span should undermine the sense in which Confucian deliberation allows for equality of say over the course of an average life-span.

On the other hand, insofar as either health in general or expected life-span in particular correlates with factors that we do not want to have influence a person's ability to participate in a deliberative forum (be it liberal or Confucian), then we may want to think of ways to correct for that. Specifically, if health/life-span in a community correlates with socioeconomic class, racial/ethnic identity, gender/sex, or sexual orientation (or even with factors such as religious or political affiliation), then we may want to think about correcting for that in the allotment of time given to speakers in the deliberative forum. The issues here are tricky, and my hunch is that many of them are best left untouched, but the important point is that *if* we are worried about unfairness in the case of Confucian deliberation, we should be *equally* worried about it in the case of liberal deliberation, and there are ways in which we might correct for at least some of the unfairnesses in both kinds of deliberation.

Of course, if allotting more speaking time in any given deliberative session to people who are older does not compromise political equality over the span of a typical human lifetime, then there are other, *non*-Confucian forms of deliberation that award age-dependent speaking times that are *also* not a threat to political equality on the scale of a typical lifetime. I have in mind possible proposals that would award more time to *younger* participants rather than to older participants (or even crazy, complicated proposals that would award more time to a person as her age approaches forty, then decreasing time as her age approaches fifty-one, and then increasing time until her age approaches sixty-four, and then gradually decreasing time as she ages from there on out). Such non- (or even anti-) Confucian proposals for structuring speaking-time

allotments in deliberation would also, it seems, not create political inequalities based on age over the course of a lifetime. I presume other factors could be used to rule them out (although “the young have more say” proposal might have its own merits, especially if we think about giving them more time to learn how to participate and then later to use their increased skills more efficiently in the shorter allotted times that come with increasing age). My point here is that a great many age-dependent ways of allotting deliberation opportunity (or even of allotting political “say” more broadly) might have their particular merits or demerits relative to liberal, “everyone has equal say” deliberation, but the only way in which the age-dependent unequal-speaking-time proposal clearly seems to create a condition of unequal political opportunity is if we insist on looking at a person’s opportunity to participate in political decision making on a scale of time that is less than that of a full human lifetime. (In this regard, the Confucian proposal and the suggested non-Confucian, “young say more” proposals differ significantly from proposals that would allot speaking time in deliberation based upon gender/sex, racial or ethnic identity, economic class membership, etc.)

I have considered a specific alternative to the “all adult citizens have equal political standing” model of liberal democracy by considering a hypothetical Confucian-inspired modification of a liberal deliberative democratic forum. However, we could also explore similar elder-favoring modifications of other, *non*-deliberation-focused democratic practices, such as voting schemes that allocate more votes to citizens as they age. On such a model, we might allow every citizen of voting age to get an additional vote for every so many years they are aged beyond the legal voting age. We might consider variations that would allow voters who have multiple age-determined votes in any given election the opportunity to spread their allocated votes among the available candidates or ballot-option possibilities, or we might stick to models

that require all of a voter's allocated votes to be given to a single candidate or single answer to a ballot question. And, of course, different ways of valuing age might be encoded in the voting procedure by how many additional votes we give to an individual on account of her age. While there will be important differences between a model of deliberative democracy that allocates speaking opportunities within a deliberative forum in a way that tracks age and a voting scheme that allocates votes in accord with a voter's age, what remains the same is the general idea that such an elder-valuing modification of liberal democracy provides a way of ensuring political equality over the course of an average lifetime while institutionalizing age-based political inequality at any given moment.

<H1>**Selves through Time, and Democratic Institutions**

<TX1>The exploration of what time scale to use when asking about equality or inequality of political opportunity highlights a feature of Confucianism that is obvious when thinking about that tradition in some contexts but that is sometimes neglected when thinking about Confucian approaches to politics and political theory: Confucianism emphasizes our situatedness as individuals in time and as members of communities that extend through time. Conversely, political liberalism can be seen (at least in many of its manifestations) as treating people as relatively dehistoricized beings. By thinking of people as rational, autonomous agents and at the same time thinking of rationality and autonomy as being universal and (in some sense) culturally and historically transcendent, political liberalism arguably conceives of people as being outside the histories of their individual lives and the histories of their communities. Confucianism, in contrast, emphasizes the way in which historical tradition and the progression of time infuse a community and an individual human life (at least when a human life is appropriately lived). It insists that we look at people as beings that live through extended periods

of time, changing in significant ways as they do so, and filling different roles within a community as they age and master ritual, virtue, and so on.

<TX>At one level of description, we can say that a Confucian-inspired democratic political system that allocates political opportunity within a democracy at least partially in accord with age sees life as a journey of the self through time, whereas standard political liberalism sees all adults as having "made it," as it were, once they have reached the age of majority. The Confucian-inspired deliberative forum and the corresponding voting schema considered earlier institutionalize an acknowledgment that people tend to change with age, and they make this fact central to a person's political standing within a democracy in a way that standard liberal democracy does not, since standard liberal democracy does not mark the fact that there is such expected change in adults as they age within the political procedures of democracy themselves.

Of course, to be fair, liberals *can* acknowledge that, among the adults who are deemed to be political equals within a community, there are likely going to be differences in political perspective and preference, not to mention wisdom and general state of mind, that correlate at least roughly with a person's age. After all, almost everyone acknowledges that as most people age, they tend to develop a kind of perspective that is informed by past experiences and often contains a kind of wisdom that is lacking in youth (although, in contrast, some people instead simply become more jaded or narrow-minded as they age). And, of course, there are the expectable losses in a person's cognitive and emotional capacities that do or will likely accompany old age in many of us.

Although political liberalism does not attempt to work those expectable changes over the course of a lifetime into the institutional framework of democracy in any way (except insofar as it does not allow children to participate fully in political decision making), there seems to be no

reason to think that liberalism itself is ultimately incompatible with a conception of selfhood as essentially amounting to a progressive journey through time than is the sort of Confucianism expressed in *Analects* 2.4:

<EXT>The Master said: "From fifteen, my heart-and-mind was set upon learning; from thirty I took my stance; from forty I was no longer doubtful; from fifty I realized the propensities of *tian* (*tianming* 天命); from sixty my ear was attuned; from seventy I could give my heart-and-mind free reign without overstepping the boundaries."¹⁸

<TX1>In short, the liberal vision of all adult citizens as having political equality at all moments does not make explicit what might reasonably be expected to happen to a person as she journeys through adulthood, but its vision of responsible adult participation in a political community is at least minimally *compatible* with acknowledging that citizenship plays out against a complex backdrop of aging and changing individual selves.

<TX> Nevertheless, standard political liberalism sees expected age-dependent differences between and changes over time in adult citizens as being *irrelevant* to their status as political equals, in the same way that differences in economic status and non-age-related social status are seen as being irrelevant to the kind of political equality on which liberalism focuses. Just as economic and non-age-dependent social status are deemed irrelevant to political standing by liberalism (except insofar as what liberalism takes to be extreme cases of economic or social privilege might bubble over and undermine meaningful political equality), likewise differences in social status and perspective that at least roughly correlate with age are deemed irrelevant (but again, except insofar as those differences might bubble over and make a difference in political

equality—but here liberalism tends to see only being younger than the age of majority as an age-relevant difference that legitimately impacts the relative political standing of citizens). Political liberalism in effect abstracts away from age-dependent differences among adult citizens, at least when theorizing about public policy and political decision making.

Seen in this way, the Confucian-inspired approach is arguably preferable, since the liberal version might be taken to amount to a willful ignorance of the expectable effects of aging: since people *do* tend to develop as they age—and do so in roughly predictable ways—why shouldn't our political institutions and practices take that into account by awarding more political responsibility to citizens as they age, especially since doing so is compatible with a meaningful political equality, albeit one that is visible only diachronically rather than synchronically? Even if the particular details of the Confucian deliberative forum or the age-tracking voting schema discussed earlier as examples are not acceptable, it still might seem as if *some* Confucian-inspired schema of institutionalizing age-dependent political status would track a relevant feature of human life—the obvious fact that we tend to change with age. If a Confucian-inspired democracy tracks that change while a standard liberal democracy does not, isn't that in itself a point in favor of the Confucian-inspired form of democracy?

<H1>Age or Youth?

<TX1>Of course, even if we are open to the notion of developing democratic institutions and practices that track age while maintaining political equality over the course of an average adult lifetime, it is not obvious that correlating increased political influence with increasing age is in all cases better than, say, correlating increased political influence with youth. Consider the common wisdom one often hears scientists or mathematicians express, at least in certain kinds of conversations, according to which great and innovative discoveries are rarely made by anyone

over the age of thirty, or consider the ways in which some businesses in certain situations—say, the dot-com heyday of the late 1990s and early 2000s—tend to turn to youthful leadership precisely because young CEOs are seen as being more likely than older business leaders to better guide certain kinds of organizations in times of rapid change. Such situations in which common wisdom (whatever that is) trumpets the comparative value of a youthful perspective are at least arguably the exception rather than the rule when thinking about what sort of age-correlated judgment and perspective are most likely to contain the most insight and wisdom. At the same time, however, there are scientific mentors and various management consultants—not to mention many, many other people—who think there are cases where the predictable perspectives of the aged are *less* likely to be on the mark than those of the young might. The mere fact of this tendency to privilege youth should give us pause in thinking that a Confucian-inspired age-dependent democratic political scheme provides a viable alternative to an “all adult citizens are always politically equal” scheme, even if we are willing to say that there is no relevant difference in the kind of political equality among citizens in the two schemes that would lead us to favor one over the other on that basis alone.

<TX> We might also worry that a Confucian-inspired age-dependent democratic system would tend to favor certain policy choices over others. In other words, by giving the elderly more say, the system would tend to be conservative or simply to favor policies that benefit the elderly, or whatever. Here we would need empirical data to nail down whether any particular policy choices would be likely to be favored by a Confucian-inspired system in general, but it seems reasonable to suppose that an age-favoring democratic procedure would be likely to shift the policy outcomes in somewhat predictable ways. Regardless of whether such policy outcomes are acceptable, the mere fact that age-favoring procedures could be expected to benefit some policy

choices over others might seem to show that there is something wrong with building such age-tracking mechanisms into democratic institutions, since doing so is not merely a procedural change but instead amounts to taking a de facto political stand on substantive issues.

To the extent that we feel the pull of such an objection, we must already be committed to some broadly liberal democratic conception of state neutrality, at least among policy options that are equally likely to protect basic liberal democratic rights. But even if we accept that the institutional mechanisms of a democracy should be as neutral as possible vis-à-vis the likely policy debates they are intended to resolve, the mere fact that a Confucian-inspired age-dependent set of democratic institutions is likely to favor some policy choices over others in contrast to a more straightforwardly liberal set of institutions does not give us reason to favor the liberal set of institutions, since they themselves can be seen as favoring *their own set of policy choices*. At this level of description, there seems to be no set of policy choices that is obviously *the* set that is more neutral overall. Even if we can predict which kinds of policy choices would emerge from a Confucian age-dependent democratic system and which would emerge from a liberal “all adult citizens are always politically equal” system *and* we are committed to the idea that the democratic institutions themselves be as neutral as possible with regard to associated substantive policy choices, there still is no good reason to favor the non-Confucian system over the Confucian one on the basis of which is more neutral.

<H1>Informal and Formal Mechanisms of Implementation

<TX1>I have considered the pros and cons of formalized versions of a Confucian-inspired age-valuing democratic procedure—either in the form of a deliberative forum that allocates speaking time on the basis of age or, more briefly, in the form of a voting mechanism that allocates more votes per election to citizens as they age. I turn now to a deliberative forum

where Confucian norms of valuing the elderly do their work only informally. Imagine a deliberative-democratic forum in which the explicit procedures that guide deliberation are of a non-Confucian sort and where official speaking time is allocated equally to all participants. Even if a moderator were present at this imaginary forum to enforce time limits, if the people participating are acculturated in Confucian norms of deference to the elderly, then younger participants might be expected to limit their own speaking time to something shorter than the maximum. Maybe the younger members would allocate their unused speaking time to older participants, if that is allowed. There are numerous other ways in which Confucian-inspired norms could play out informally in a deliberative forum, even in the absence of any explicit measures to enforce them. Younger speakers could make reference to what elder members have previously said as they give their own remarks in the forum; younger members could signal their deference to elder members in subtle ways by what they say and how they say it; elder members could have their say toward the end of the deliberation session such that their temporal position in the order of speakers would be analogous to the privileged seats at the table at a Chinese dinner banquet;¹⁹ or, all else being equal, it could simply be that everyone participating in the forum would take the comments of the most elderly more seriously than those of younger participants. Depending on how deep Confucian values run, we can easily picture a situation in which the de facto age deference manifested within a deliberative forum, however explicitly structured to allocate equal speaking opportunities to all, might approximate or even equal the age deference of the Confucian-inspired deliberative forum discussed earlier.

<TX> It is more difficult to imagine a case in which Confucian age deference so strongly influences a non-age-tracking voting procedure. But even in that case there are ways in which informal Confucian valuation of the elderly might influence voting outcomes. Even if every

citizen has only one vote in an election, the background valuing of the elderly in a Confucian community might significantly influence election outcomes, despite there being no explicit mechanism encoding that Confucian value in the voting procedures themselves.

In short, in communities in which Confucian values are strong and widely held, we might find a Confucian-influenced age-deference system in effect grafted onto straightforwardly liberal democratic institutions and procedures in such a way that the overall functioning and outcome of the institutions will significantly approximate what we would get with an explicitly Confucian age-valuing model of the sort discussed previously. In assessing democratic institutions that are infused by Confucian age deference but without any formal structuring to reinforce that deference, it seems there could be no real objection from advocates of straightforward liberalism. Yes, these institutions would be influenced by Confucianism, perhaps even heavily, but the policy-forming mechanisms themselves would not encode the values of a specifically Confucian conception of the good society. In that way, it would seem possible to have a Confucian-inspired democracy, at least in the dimension of deference to valuing of the aged, without in most cases raising any liberal hackles. Of course, if the Confucian valuation of the aged becomes so strong or gets manifested in a such a way that it muffles the voices of younger members or somehow interferes with the policy-making decisions of the community, defenders of liberalism would object.²⁰ In moderation, though, a set of deliberative or voting procedures that do not mark age deference explicitly and formally but that are influenced informally by the Confucian age deference might approximate the features of the explicit age-valuing mechanisms discussed previously, but in a way that is more tolerable, and indeed more likely to be manifest, in real-world communities.

To the extent that the informal mechanisms would approximate the more formal versions of Confucian-inspired age-valuing democracy, they would still encode a vision of the self as extended through time. And, as in the case of the formal models considered in this chapter, participation in the democratic practices would influence the way people act and think about themselves. True, the way in which the vision of the self is extended through time would make a practical difference in the minds and self-conceptions of participants in those more formalized versions of age-valuing democratic procedures, but even then the influence on participants would presumably be subtle. Whether or not the Confucian age deference were formalized in the deliberative forum or the voting procedures, participants would probably not be influenced in such a way that they would think explicitly of themselves as being extended in time. Rather they might be expected to learn those lessons more slowly, and largely without being conscious of it, by participating over time in the democratic institutions that are age valuing. So these explorations into the ways to work age valuing into deliberative or nondeliberative democracy in explicit ways would be relevant to any kind of liberal democracy in a significantly Confucian context. The extent to which the Confucian-inspired valuation of the elderly impacts people through the conception of the self through time that it encodes is an open question—one perhaps best answered by social scientists doing empirical work.

<H1>Conclusion

<TX1>I have considered in this essay two different kinds of democratic decision-making procedures. First, there is a straightforward liberal kind of procedure that tries to ensure political equality among citizens at all moments. In deliberative democracy, such a procedure allocates equal speaking time within the deliberative forum. Not only does such an "all adult citizens are always political equals" model of democracy attempt to abstract away from differences between

citizens in terms of their economic and non-age-based social statuses, but it also—as we have seen in the Confucian-inspired procedures discussed in this chapter—attempts to abstract away from the expectable changes and developments in a person's faculties of judgment and perspective as she ages.

<TX>Second, there is a Confucian-inspired procedure that privileges age and favors the elderly either (1) by allocating increased speaking time in deliberative forums to older participants or (2) by allocating increased votes to citizens as they age. This Confucian-inspired alternative can, like the standard liberal approach, abstract away from differences in economic and non-age-based social status in order to emphasize some sort of real or imagined political equality among citizens, but the kind of political equality here is one that is manifest only at the scale of complete human lifetimes. Importantly, the Confucian-inspired procedures do not abstract away from expectable changes in a person's faculties of judgment as she ages.

Although I have introduced this Confucian alternative in contrast to a standard liberal model of deliberative democracy, it might be more proper to see it as potentially only a variation of liberal deliberative democracy, since, as I have argued, it is compatible with protecting a kind of political equality in the face of property-rights-derived differences in economic and other social status. I have considered various ways in which one might try to defend the standard liberal model over the Confucian one, but none of the discussed considerations demonstrates that one or the other model is clearly preferable in all cases. That, in itself, is of interest.

The Confucian-inspired model does seem likely to reinforce among its participants a conception of the self as something that is essentially spread out in time and subject to a predictable sort of development and growth over time. This might be something to count in favor of the Confucian approach—but even here, it is not clear whether it is a good thing. Getting

people to think, however explicitly, about themselves—or at least their political selves—as being on a journey through time might encourage them to take longer-term perspectives on political questions, and it might encourage people to be patient and more thoughtful as they gradually move up in influence as they participate in democratic institutions over the years. But it could alternatively encourage complacency among the young, or even a kind of self-centered arrogance among the elderly.

So, it seems as if there is a hypothetical, Confucian-inspired, age-valuing alternative to a standard version of liberal democracy, and it seems as if it is at least potentially as legitimate as the standard, “all adult citizens always have equal political status” model. Whether it really would be a preferable alternative would depend on a host of microlevel considerations that will vary with particular context and the needs of various communities. At the very least, such an alternative is worth considering when thinking about ways to encourage democratization on the small and even large scale in Confucian-friendly cultural contexts, and it points to an often unnoticed way in which democratic institutions can shape our sense of ourselves as beings located in and developing through time.

<NH>Notes

<NT>Earlier versions of this paper were presented at the 2008 Central Division Meeting of the American Philosophy Association (under the title “Deliberation, Ritual, and Equality”) during a special session sponsored by the APA Committee on the Status of Asian & Asian-American Philosophers and Philosophies and at the 2007 Southeastern Conference of the Association of Asian Studies meeting (under the title “Deliberative Interactions and Confucian Perspectives [Liberal and Confucian Deliberation]”). I benefited from feedback received from the audiences and the other participants in both of those sessions, and I am grateful to Brooke Ackerly for

serving as the formal commentator for the session at the 2007 presentation. I received particularly helpful feedback from Daniel A. Bell on one of those earlier versions of the paper. I also wish to thank the audience at the Tenth East West Philosophers' Conference for their feedback after my presentation of the more mature version of this paper in May 2011 and at least one anonymous reviewer for additional feedback.

¹ Daniel A. Bell, "Deliberative Democracy with Chinese Characteristics: A Comment on Baogang He's Research," in *The Search for Deliberative Democracy in China*, ed. Ethan J. Leib and Baogang He (New York: Palgrave, 2006), 149–157; Daniel A. Bell, *Beyond Liberal Democracy: Political Thinking for an East Asian Context* (Princeton, NJ: Princeton University Press, 2006); Brook A. Ackerly, "Is Liberalism the Only Way toward Democracy? Confucianism and Democracy," *Political Theory* 3, no. 4 (August 2005), 547–576; Sor-hoon Tan, *Confucian Democracy: A Deweyan Reconstruction* (Albany: State University of New York Press, 2004); various contributions in Daniel A. Bell and Hahm Chaibong, eds., *Confucianism for the Modern World* (New York: Cambridge University Press, 2003).

² See various contributions in Kwong-loi Shun and David B. Wong, eds., *Confucian Ethics: A Comparative Study of Self, Autonomy, and Community* (New York: Cambridge University Press, 2004); and Will Kymlicka and Baogang He, eds., *Multiculturalism in Asia* (New York: Oxford University Press, 2005).

³ Ethan J. Leib and Baogang He, eds., *The Search for Deliberative Democracy in China* (New York: Palgrave, 2006).

⁴ John S. Dryzek, *Deliberative Democracy and Beyond: Liberals, Critics, Contestations* (New York: Oxford University Press, 2001).

⁵ Amy Gutmann and Dennis Thompson, *Democracy and Disagreement* (Cambridge, MA: Harvard University Press, 1996); and Amy Gutmann and Dennis Thompson, *Why Deliberative Democracy?* (Princeton, NJ: Princeton University Press, 2004).

⁶ Ibid.

⁷ While many deliberative democrats are liberal in the overall outlook, many others (especially those heavily influenced by the work of Habermas) advocate nonliberal versions of deliberation. Dryzek (*Deliberative Democracy*), for instance, advocates a kind of nonliberal deliberation that allows more room for rhetoric and other nonargument-based forms of political communication in the deliberative forum.

⁸ Reciprocity in this context is, roughly, the virtue not only of being disposed to offer reasons the offering of which shows appropriate respect to one's interlocutors, but also of being disposed to listen to and seriously consider the reasons offered by others and to do so with an attitude of openness to being convinced of the merits of a position that one heretofore thought of as wrongheaded or immoral.

⁹ By "social inequalities" I mean the kinds of differences in status and influence often associated with gender/sex, race, ethnicity, sexual orientation, education level, religious or other group affiliation, etc. All such sources of social status are, of course, tied in complex ways to economic status.

¹⁰ I say "it seems" because there are important complexities to political bargaining that potentially make it not really as antithetical to the goals of deliberative democrats as they often seem to think. I explore some of these complexities in "Deliberative Democracy, Bargaining, and What Doesn't Get Said" (conference paper delivered at the 2006 meeting of the Southern Society

for Philosophy and Psychology and at the American Philosophical Association's 2007 Central Division Meeting).

¹¹ Beyond heading off both aggregative voting mechanisms and bargaining processes, liberal deliberation also seeks to minimize the influence of rhetoric and emotional appeal. After all, the vision of political equality inherent in political liberalism goes hand in hand with a conception of a person as an autonomous agent, which in most cases is defined in terms of the notion of a *rational* agent freely making decisions for herself on the basis of reason. The nonargumentative means of persuasion typified by rhetoric and emotional appeal are thus threats to the exercise of rational control by people of their decision-making processes. Consequently, rhetoric and emotional appeal are seen as threats to the exercise of political equality. See Dryzek, *Deliberative Democracy*, for a nonliberal version of deliberative democracy that explicitly allows for some kinds of rhetoric and emotional appeal to be proper parts of the deliberative process.

¹² See James S. Fishkin, "Realizing Deliberative Democracy: Strategies for Democratic Consultation," in *The Search for Deliberative Democracy in China*, ed. Ethan J. Leib and Baogang He (New York: Palgrave, 2006), 37–52, as well as his earlier work.

¹³ Daniel A. Bell has developed a proposal for a Confucian kind of deliberative democracy in the form of a "House of Scholars" in the following publications: "Democratic Deliberation: The Problem of Implementation," in *Deliberative Politics: Essays on Democracy and Disagreement*, ed. Stephen Macedo (New York: Oxford University Press, 1999), 70–87; *East Meets West: Human Rights and Democracy in East Asia* (Princeton, NJ: Princeton University Press, 2000); "Deliberative Democracy with Chinese Characteristics: A Comment on Baogang He's Research," in *The Search for Deliberative Democracy in China*, ed. Ethan J. Leib and Baogang

He (New York: Palgrave, 2006), 149–157; and *Beyond Liberal Democracy*, esp. chap. 6. Other proposals for forms of deliberation that are compatible with a Chinese cultural context, if not with a specifically Confucian worldview, include various essays in Leib and He, *Search for Deliberative Democracy in China*, esp. Chen Shenyong’s contribution, “Native Resources of Deliberative Politics in China.” Also relevant here is the outline of a specifically Confucian version of democracy in Ackerly, “Is Liberalism the Only Way toward Democracy?”

¹⁴ This differs from many of the proposals and accounts of deliberation and deliberative democracy in Leib and He, *Search for Deliberative Democracy in China*, where the concern is more often with infusing deliberation and aspects of deliberative democracy in the current or near-current real-world political environment.

¹⁵ I will set aside two aspects of the traditional Confucian hierarchy: the assumed unequal standing of rulers and ruled and the prescribed inequality of men and women. With regard to the ruler/ruled inequality, while it is central to classical and premodern Confucianism, I take it to be antithetical to Confucian *democracy*, and the Confucian deliberation I am exploring is supposed to function in a Confucian deliberative democracy in the way liberal deliberation is supposed to function in a liberal deliberative democracy. Ackerly presents a vision of Confucian democracy that retains elements of Confucian hierarchy that can arguably be thought of as being in part a ruler/ruled hierarchy. Ackerly opposes what she calls “exploitable hierarchy,” not hierarchy per se (see Ackerly, “Is Liberalism the Only Way toward Democracy?” esp. 557 and 567–578).

Though it is not perfectly clear, it seems to me that Ackerly would allow a kind of social hierarchy that includes what I am thinking of as the ruler/ruled inequality to be a part of something meaningfully called “Confucian *democracy*”—albeit with the proviso that the hierarchy not be what she calls “exploitable.” It depends on whether or not nonexploitable

hierarchy could allow for an inequality of ruler(s) and ruled. In any case, I am not considering any such hierarchy—exploitable or not—in the hypothetical Confucian deliberative democracy I discuss.

As for the man/woman inequality, in line with what a number of commentators have suggested (see Ackerly, “Is Liberalism the Only Way toward Democracy?” 557 and 574n54), if we allow contemporary political liberalism to treat men and women as political equals in spite of the history of the cultures from which such liberalisms emerged, there is no reason (or at least no *obvious* reason) why we could not analogously detach Confucianism from the gender inequalities of its history, even while retaining some of the other social hierarchies from its history.

By thinking about age and bracketing the other sources of social inequality that are part of classical Confucianism, I do not mean to indicate that age inequality could function by itself in such a way as to give us a distinctively Confucian way of life, nor do I claim that Confucianism lends itself easily to the breaking off of particular features and separating them from the rest. I only mean to say that we have to begin somewhere, and I think we can begin by thinking about ways in which the age dimension of an unequal Confucian social hierarchy might challenge and inform a liberal ideal of democratic deliberation.

¹⁶ See Bell, “Deliberative Democracy with Chinese Characteristics,” 151.

¹⁷ See James S. Fishkin, Baogang He, and Alice Shu, “The First Chinese Deliberative Poll,” in *The Search for Deliberative Democracy in China*, ed. Ethan J. Leib and Baogang He (New York: Palgrave, 2006), 229–244 (esp. 237–238); as well James S. Fishkin, “Realizing Deliberative Democracy: Strategies for Democratic Consultation,” in *The Search for Deliberative Democracy in China*, ed. Ethan J. Leib and Baogang He (New York: Palgrave, 2006), 37–52; and Fishkin’s earlier work.

¹⁸ *Analects* 2.4; translation from Roger T. Ames and Henry Rosemont, Jr., trans., *The Analects of Confucius: A Philosophical Translation* (New York: Ballantine Books, 1998).

¹⁹ See again Bell, "Deliberative Democracy with Chinese Characteristics," 151, where he discusses seating arrangements in Chinese deliberative forums.

²⁰ And, indeed, we can imagine John Stuart Mill objecting, especially if the Confucian influence becomes the sort of strong social pressure he worries about in *On Liberty* (1859; Mineola, NY: Dover Publications, 2002) as being an infringement on individual liberty even in the absence of explicit legal sanctions. Mill himself is, to say the least, not a fan of the "despotism of custom" that he thinks is characteristic of China in the nineteenth century; see Mill, *On Liberty*, chap. 3.