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**Kohlberg and Chinese Moral Philosophy**

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In the first part of his paper, the author uses a phylogenetic adaptation of Kohlberg's cognitive-developmental theory to reconstruct different positions of the ethical debate of the Chinese "axial age" as stages of progress towards a postconventional morality. In the second half, various aspects of the controversy revolving around the applicability of Kohlberg's categories to Chinese moral thought are critically examined.

Lawrence Kohlberg's "cognitive-developmental theory" is one of the great theoretical conceptions that have stimulated substantial research on Chinese culture. Dozens of articles and reports on Chinese and East Asian moral reasoning inspired by Kohlberg have been published (Gielen 1987 and 1990) whether to confirm or to refute his claim: that the development of moral reasoning follows a qualitative sequence of preconventional, conventional, and postconventional stages, and that this sequence is interculturally valid. In a time of value neutralism and cultural nominalism, Kohlberg has met with severe criticism from the relativistic and contextualistic corner. Though most of the empirical research done in the Chinese societies has substantiated the basic assumptions of his theory, there is no unanimity among cross-cultural psychologists and anthropologists concerning basic traits of Chinese moral reasoning.

All of the studies on China known to me follow the ontogenetic approach. Several considerations, however, suggest that the ontogenetic dimension should be supplemented by a phylogenetic one. Phylogenesis provides the presuppositions for ontogenesis, as its level determines to a large extent the possibilities, though not necessarily the reality, of individual development.[[1]](#footnote-1) Moreover, principal arguments of the critics maintaining that Kohlberg's theory cannot be applied to China refer to alleged foundations of Chinese culture and can only be answered by considering the history of Chinese ethics. It is not possible to make claims on a "culture," especially a literate one, by the synchronic cut provided by modern field research.

In this paper, I will first give a schematic overview of the moral reasoning of the last centuries of the Zhou era (11th-3rd century B. C.), the period in which the main intellectual foundations of Chinese civilizations were laid. My aim is to show that contrary to the view of the skeptics Kohlberg's categories are not simply a product of modern Western male educated middle class ideology, but are well suited to describe the genetic structure of the thought of the Chinese "axial age" (K. Jaspers). I thus want to counterbalance the focus of some critics who reject the applicability of Kohlberg's system to China by absolutizing Chinese conventional mores and equating these with "Confucianism."[[2]](#footnote-2) This is not the general Chinese response to Kohlberg, to be sure, whose theory has been welcomed by prominent representatives of contemporary "New Confucianism." Liu Shuxian assents to Kohlberg's universalism as well as to the idea of a development towards autonomous morality (Liu 1986),[[3]](#footnote-3) and Lee Ming-huei has demostrated in his work the fruitfulness of a Kantian approach to Confucian ethics (Lee 1990).

In the second half of my article, I will turn to some of the specific points in the debate about the applicability of Kohlberg's theory to China. I will especially discuss the relationship of sensitivity for tradition, context, and convention on the one hand and principledness on the other. As far as Confucianism is concerned, this relationship, as I see it, constitutes a certain *double structure* of ethics which is normally overlooked, with the result of a reading in terms of conventionalism.[[4]](#footnote-4)

**The ethical discourse of the Chinese "axial age" in the light of Kohlberg's cognitive developmental theory**

Contextualistic or communitarian interpretations quite popular among contemporary American sinologists present Confucianism, the culturally most influential ancient school, as emphasizing collectively shared traditions and the importance of moral standards embedded in given social contexts.[[5]](#footnote-5) I believe, by contrast, that classical Chinese philosophy in its entirety is the answer to a *dissolution of context and tradition* that creates, in parallel with ontogenesis, an "adolescent crisis" of ancient Chinese society. The very emergence of Chinese moral philosophy depends on the historical decline of what Hegel has termed "substantielle Sittlichkeit" ("ethical life" in the English standard translation) and of its main bearing pillars, the family, the state, and the ethos of propriety. Its inner logical development can be subsequently traced from the crisis of these fundamental orientation marks of "ethical life" (Kohlberg's conventional level), via the breakthrough to a critical consciousness (Stage 4 1/2), towards the search for new norms (postconventional level). In the following I will give a survey of this process. I will mainly focus on Confucius (551-479 B. C.), Mengzi (372-281 B. C.), and Xunzi (ca. 310-230 B. C.), the three great figures of classical Confucianism, Mo Di (5th century B. C.), the first great critic of the Confucian school, Han Fei (280-233 B. C.), the chief theoretician of Chinese Legalism, the Daoist classics *Zhuangzi* and *Laozi* (3rd century B. C.), and the syncretistic *Lüshi chunqiu* (239 B. C.).

Except for Legalism, *family* conflict is not a too salient topic in Zhou literature. But there exists much scattered evidence that a family centered morality, in the sense of a typical Stage 3 orientation towards the expectations of primary groups,[[6]](#footnote-6) is for several reasons being called into question. First of all, parents might be immoral, and a way must be found to cope with this. Confucius already faces the necessity of admonition (*jian*), though it should be done in moderate form (*Lunyu* 4.18). Mengzi condemns "not to murmur when the parents' fault is great" (*Mengzi* 6b3). That "a filial child, faced with an justice, cannot but quarrel with the father" is also stressed in the later canonized *Xiaojing,* the "Classic of Piety." This sentence was regarded as important enough to be handed down thrice (*Xiaojing* 15, *Xunzi* 29, *Kongzi jiayu* 9). In *Xunzi* 29 we find a radicalization of this motif. According to this chapter, "great piety" consists in "following justice (*yi*) and not the father" (full quotation below). For "great piety," it would be precisely an expression of "respect" (*jing*) for the parents, to critically check their instructions and not to follow an "animalish," i.e., inhumane order. "How can a son be considered as filial, if he follows orders?" the text concludes. "We can only speak of filial piety as well of (political) loyalty, after the reasons for obedience have been examined." (*Xunzi* 29, pp. 347f) Radical Confucians have concluded from such reservations that "a scholar of abundant virtue may neither be treated as a subject by his prince nor be treated as a son by his father" (*Mengzi* 5a4). Morality may suspend role obligations.

Family morals not only might contradict higher moral norms. They can also conflict with public interests. Because of endless retaliation, the archaic familistic habit of blood revenge is destabilizing and has to be replaced by state law. This is above all advocated by the Legalists, while the Confucian position is not homogeneous in this respect. There is broad agreement, however, that nepotism prevents the really fit and worthy from taking office and thus is detrimental to effective and just government. And Xunzi attacks group punishment, a legal measure likewise belonging to Stage 3 of moral development (though imposed by the state), as an indication of the decadence of his chaotic age (*Xunzi* 24, p. 301).

Whereas family morals in spite of a number of reservations can still claim to express natural feelings, obedience to the *state* is much less self-evident. Again except for the Legalists, who advocate a strict Stage 4 law-and-order orientation, Chinese philosophy assumes a much more outspoken critical attitude towards the state than towards the family. The state gets under the pressure of legitimationand is subject to severe attacks--in Daoism as a rapacious institution, in Confucianism for the wicked politics de facto pursued, but also because of distrust into purely administrative procedures. Mengzi confronts the authority by rank with the authority by virtue (*Mengzi* 2b2). He calls the feudal rulers murderers and supports, like Xunzi, by historical analogy the assassination of tyrants (*Mengzi* 1b8, *Xunzi* 18, p. 216). Confuciusalready condemns the taking of office in a state devoid of morality (8.13, 14.1). Though in principle acknowledging the necessity of a political order, the Confucians support a moral restraint on politics.

The limits of conventional morality also become apparent in the crisis of *propriety* (*li*). Propriety, the code of demaenor which regulates all affairs of life with detailed prescriptions hierarchically tailored to station, role, and gender, is indispensable. Without propriety, man would be "without any standing," Confucius states (*Lunyu* 20.3, 16.13, 8.8). In the decline of Western Zhou society, however, the rules of proper behavior had lost their binding force. He who still kept to the boundaries defined by the *li* became suspected of "flattery" (*Lunyu* 3.18). According to Mengzi's pupil Wan Zhang, forms of propriety might even be practiced by a robber (*Mengzi* 5b4). For the Daoists, the *li* represent the final state of decay of the primordial unity of nature and are an incarnation of constrained artificiality. Han Fei calls them no more than "varnish" of a "bad essence" (*Hanfeizi* 20, p. 97, commenting upon *Laozi* 38). And Confucius' famous demand to "return to propriety" by "overcoming oneself" (*Lunyu* 12.1) shows that the feeling of *alienation* inherent in conventional role observance, a signature of the epoch, has also left its mark on Confucianism.

Along with the vanishing belief in the conventional mores and in the community's long established inherited forms of life, faith in the community itself and in its judgments suffers decay. The "good" ceases to be identical with public opinion (*Lunyu* 13.24), and enjoying reputation is no longer a guarantee for being a truly respectable person (*Lunyu* 12.20). A Confucian "gentleman" must be prepared to be misjudged by the "others" (*Lunyu* 1.1, 1.16, 14.30, 15.19). All philosophers of the axial age feel superior to the opinions of the majority (*zhong*) and the vulgar world with its fashions (*shisu*)*.* There is no familiar intimate context in which they would still feel at home. As travelling philosophers, they wander around restlessly, their unsettledness standing against the rootedness that dominated in former times. Confucius even wants to dwell among barbarian tribes. When he is asked how he could put up with their "primitiveness," he answers, "What primitiveness would there be, where a gentleman lives?" (*Lunyu* 9.14) In the failure of the established traditions, the "gentleman" becomes the center of a new, unmythical and unbounded world. In Mengzi, morality itself becomes the "abode" of the Confucian intellectual (*Mengzi* 7a33, 3b2, 4a10). A most drastic example for the detachment from the context and for the separation of the normatively valid from the merely current is given by Mo Di: Whoever advocates funeral ceremonies (what Mo Di rejects), because they represent an established custom, would ultimately also have to advocate infanticide, gerontocide, and cannibalism. Are not these habits, too, established customs among some peoples, yet contradicting humaneness and justice(*Mozi* 25, p. 115f)? Mo Di therefore recommends to establish the criterion of the "good" above considerations whether old or novel ways should be pursued.

*Turning away* from the world, *turning inwards* into the self, and finally *returning* to society or breaking with it forever--this is the pattern of response of many Chinese thinkers to the crisis of conventional morality.[[7]](#footnote-7) A key indication for the step towards a postconventional perspective can be found in the numerous attacks on culture and custom, especially in Daoist literature. These attacks can be identified as exemplary representations of Kohlberg's Stage 4 1/2, the phase of youthful protest against everything that has previously been blindly accepted. At this stage, conventional morality is typically exposed as artificial (*wei,* also meaning "false"). Nature, life, and individual happiness are played off against the despotism of custom by an appeal to the preconventional rationality of the first two stages. We find classic topoi coined for this recourse in Daoist literature: the unaffected child, not yet corrupted by education (*Zhuangzi* 23, p. 342f; *Laozi* 10, 20, 28, 55), the Hedonist giving free vent to his inclinations (*Liezi* 7, p. 80f), and the Hedonist's most striking manifestation, the robber (*Zhuangzi* 10, p. 156f, and 29, passim). The opportunism of Shen Dao, who views norms as a physical compulsion and bows to behavioral expectations solely in order to remain unharmed (*Zhuangzi* 33, p. 470f), fits well into this framework. All these seemingly contrasting figures are linked together by one and the same deep structure reflecting a postconventional recourse to the preconventional past. And if today the frankness of the Daoist "professional youths" with their special liking for a subcultural symbolism of disintegration still appeals and strikes a sympathetic chord in us, it is because it evokes reminiscences of the naive spontaneity of childhood.

The Daoists, however, do not show a way out of the crisis of China. They succeed in exposing the crass shortcomings of the conventional ethos, but they neither do justice to its achievements nor do they establish any truly substantial new morality.[[8]](#footnote-8) They shy away from the task that the Confucians try to face up to, although they, too, know that the *dao* "does not succeed" (*Lunyu* 18.7, see also 18.6 and 14.38): to provide a new, inner foundation for the conventional ethos. The weakness of the Daoist position manifests itself most strikingly in its exploitability by Legalism. In order to enforce a heteronomous conduct, the Legalist ideologists of a defence of raisons d'état make strategic use of the same preconventional rationality, to which the Daoists pay homage. Thus they have little difficulty in usurping the latter. The fact that both schools, in spite of originally totally divergent aims, can enter into the affiliation documented by many texts rests upon their shared preference for one and the same "natural" interests of man. While the Daoists play these off against the institutions, the Legalists view natural interests as reliable "handles" to functionalize man for an authoritarian state-machine kept in motion by punishment and reward. Punishment and reward appeal to man's naked self-love which is devoid of any disturbing and incalculable moral sentiments.

Daoism and Legalism throw a piercing light on the intellectual milieu of the Zhou era. Because of their pointedly anticonventional stance, they document the breakthrough in thought much clearer than Confucianism with its seemingly conventional profile. This is because the Confucians typically try simultaneously to *keep faith with the conventional ethos and yet not surrender to it*. They accept the role obligations towards the family, the community, the state, the friends etc., but impose restraints on them in order to prevent their degeneration into blind conformity. Though there is a widespread tendency among them to evade society, they take pains not to shirk the "ethical life," but to provide a new basis for it.

If one follows Kohlberg's logic, this basis may be found in ascribing the rules of social life to an *agreement* for the *benefit* of all. What is right is no longer conventionally predetermined by tradition or the mere existence of concrete norms nor is it revealed by physical nature. It is the outcome of the stipulations of free contractors with relative opinions and interests. This is Stage 5 in Kohlberg's scheme, and it appears to be a logical continuation of Stage 4 1/2 insight into the arbitrariness of social norms.

Relativistic contractualism is often regarded as completely absent from Chinese thought and certainly does not belong to its striking features. Still, against the social background of a gradual replacement of paternalistic relations by contractual ones, it does play a role in Mo Di's and especially in Xunzi's legitimation of the state. Both assume a chaotic original position where men fight each other to assert their own opinion or to secure their living. According to Mo Di, a ruler is selected to put a stop to chaos by setting up an administration. For Xunzi, ingenious cultural heroes (*shengren*) create morals and institutions in order to guarantee a well-regulated access by all to the scarce resources. This seems to exclude the idea of an agreement. But a *shengren* for Xunzi in the final analysis is little more than a personification of human reason as such. That the *shengren* have created political order as the only means to secure stability is therefore equivalent to stating that order is based on *rational insight*. The state is not simply sanctified by tradition or a body to be upheld for its own sake (Stage 4). It is a product of reasonable deliberation that in principle can be shared and approved by everybody. This deliberation is in turn based on a utilitarian rationale: To adapt oneself to the order is useful, while to reject it will lead to the ruin of all. But only by conceding rule, hierarchy, and a division of unequal roles, this is Xunzi's essential clue, will order endure. Stating that "equality is not equality" and "if all roles were equal, there would be no universality" (*Xunzi* 9, p. 96), and characterizing social order as "fissured and yet equal" (*Xunzi* 4, p. 44), he proposes a dialectical model reminiscent of Rawls' "principle of difference,"[[9]](#footnote-9) designed to make plausible the necessity of social inequality. *Inequality* turns out to be the condition for the possibility of an order that *equally* guarantees a living to everyone. The reverse of this idea is that inequality is only acceptable if in return social care, public relief and a just administration are provided for by the powerful. Xunzi even speaks of a "mutual supervision" of the involved parties (*Xunzi* 9, p. 96).

Thus, the basic idea of legitimation of the state is derived from "shared benefit" (*Xunzi* 9, p. 105), and the state is obliged to fulfill this its own raison d'être. Reciprocity becomes the complement of hierarchy. A tyrant who violates this linkage can be killed like an "isolated fellow" (*Xunzi* 18, p. 216, similarly *Mengzi* 1b8), as he has lost the indispensable approval of his subjects.

Xunzi's legitimation of political order, which is part of his concept of justice (*yi*), is hence based on the idea of an *implicit utilitarian agreement.* If we consider, moreover, the "prior-to-society perspective" (Kohlberg 1981, pp. 412 and 152ff) that his legitimation program presupposes, and if we add his fundamental anthropological assumption that man has a mind to choose and reject freely at its own discretion (see below), Xunzi's political theory as a whole can be interpreted as representing Stage 5 of Kohlberg's scheme. That Xunzi does not explicitly formulate the idea of a social contract might be due to a specific weakness of contractualism which makes him hesitate to build his theory on it: A contract by itself can never guarantee its observance which requires trust and thus an additional safeguard. The same calculation of profit that now advises one to enter into the agreement might at another time recommend the breaking of it. This crux was well known to the Zhou thinkers. Mengzi points out that the principle of profit would ultimately override every norm whatsover (*Mengzi* 3b1), and that under its auspices one will "not be satisfied before one has not seized hold of all" (*Mengzi* 1a1). Mo Di, who bases social intercourse on a self-regulating "exchange of mutual benefit," seems to realize the problem, too, since he at the same time advocates a strong institutional control. This would be superfluous if the pursuit of mutual benefit alone were to provide a solid basis of society. The Legalists emphasize that one can well offer the exchange of benefits to others, but can never be sure that they on their side will really enter into a lasting relation of reciprocity (*Guanzi* 65, p. 338; *Shangjunshu* 18, p. 33). They therefore rely exclusively on institutionalized distrust.

But there is another answer to the aporias of utilitaristic contractualism that transcends it instead of falling back into an external control of human self-interest. It can only be found in the inner part of man and beyond his egoism. Both are central aspects of Kohlberg's highest Stage 6 which contains a *non-egoistic fundamental norm*, a *principle of autonomy* in which such a norm is anchored, and, furthermore, a *commitment to* *universality.* An ethical theory without these aspects misses the intrinsic "moral point of view."

Within the context of a pylogenetic adaptation of Kohlberg's developmental theory, it would be quite unreasonable to expect a full-fledged version of Stage 6 morality in Chinese--as well as Western--antiquity. Yet, it constitutes the nature of what Karl Jaspers has called the "axial age" of the ancient high cultures to contain the anticipation, a first glimpse of such a morality, and to initiate a process the structure of which becomes later perceivable in retrospect from its mature stage of development. I even assume that certain features of Confucian ethics revolving around context sensitivity, which seem to contradict the assumptions of the cognitive- developmental theory and are a main reason for denying its application to China in reality do not outrule the comparison, but match the problems of a highest stage of ethics as discussed in the last formulations of Kohlberg's theory (see below).

What are the steps, then, classical Chinese ethics make in the direction of a Stage 6 morality? The non-egoistic fundamental norm is above all represented by Confucius' concept of *humaneness* (*ren*), namely in its prominent reading as the *Golden Rule* (*shu*). The Golden Rule, as "the one that goes through all" (*Lunyu* 4.15) and a general maxim that "consists of one word and can be practiced through all one's life" (*Lunyu* 15.24), is obviously thought of as a quintessence of morality requiring no further justification. It does, indeed, neither depend on a casuistry impregnated by tradition or on inherited forms of behavior, nor on the opinion of the community or on the emulation of examples. It only depends on the thought operation of the self-reflective *ego* and its fictitious change of roles with the *alter* on the basis of ego's generalizable basic dislikes or likes*.* *Ren,* in terms of the Golden Rule, introduces an abstract and formal principle of analogizing and role-taking into ethics, of putting myself in the place of the other and conceding to the other anything that I would claim for myself. A hidden strategic reservation when following this principle is ruled out by the overall deontic context of Confucian ethics. Though in Confucian literature the idea of profit-oriented reciprocity is not completely absent, *ren* is in general accepted for its own sake and not for any personal advantage. A truly humane person "rests in humaneness," i.e., takes it as a value in itself, instead of regarding it as "profitable" (*Lunyu* 4.2).

A similar formal operation is proposed by Mengzi: the enlargement of natural sentiments (love towards the family or hate of what we cannot endure) to persons or situations that are normally beyond the reach of our feelings. He defines *ren,* humaneness, as "extending [the attitude towards] what we cannot endure to what we can endure" (*Mengzi* 7b31). Both the various conceptions of the Golden Rule and Mengzi's central motif of "extension" show that a formal approach going beyond the practice of specific virtues occupies a crucial position in Confucian ethics. This approach is not far removed from Mo Di's idea of "replacing exclusion by inclusion" and "standing up for others as one stands up for oneself," (*Mozi* 16, pp. 70-71) though Mo Di bases his ethics on considerations of utility.

But who is the "other" who should be regarded as a being like myself? Whereas there is wide-spread agreement concerning Mo Di's universalism, the universality of the Confucian concept of the "other" has often been called into question. It is, for instance, argued that in the Chinese tradition as formed by Confucianism humanity itself is "not essentialistically defined," but understood as an "achievement." This would imply that those who do not perform this acheivement are "truly brutes" and to be treated as such (Ames 1988, p. 202, Perenboom 1993, p. 129). However, according to Mengzi, to whom the most influencial definition of human nature belongs, there is a "true condition" of man that is *not* defined by his achievements, but by his moral possibilities (*Mengzi* 6a8). Man becomes what he already *is.* Critics have moreover claimed that the Confucian concept of *ren* is designed only for a closed social group, namely the family or the ruling aristocracy. But there is no positive evidence for this claim, too. True, the family is a place of major responsibility for most Confucians. When Mengzi occasionally identifies *ren* with "love towards one's relatives," however, he does not seek a limitation, but a foundation of morality that later should be "extended" (*tui, da, ji*) to all others (*Mengzi* 1a7, 7a15, 7b1). The common people, though regarded as hardly capable to act on behalf of themselves, should be made to "rise to the level of ren" (*Lunyu* 8.2) and be subject to a "humane regime" (*ren zheng,* *Mengzi* passim). Accordingly, there are many efforts to make the Golden Rule a political device by reconciling its implicit horizontal symmetry with the necessities of hierarchical rule. It is to remind the powerful that their subjects are human beings with basic desires and dislikes like themselves and deserve to be treated as such. It would be too rash to conclude that because of this vertical context of application there is no egalitarian grain in the Confucian Golden Rule in the first place (e. g. Vandermeersch 1980, p. 504 f.). For it does make a difference to formulate the commitment of the powerful merely in terms of virtues of rank (like mercy, generosity or benevolence) or, additionally, in terms of a fictitious role taking with all those who are affected by their acts. Again, the concept of virtue does not suffice to describe form and content of Confucian ethics.

Last but not least, *ren* does not lose its binding force when a "gentleman" stays among "barbarian" tribes (*Lunyu* 13.19). Humaneness, therefore, is not merely a convention within a specific meritocratic, social or ethnic group. There is at least no principal curtailment of the range over which it is valid. In its reading as the Golden Rule, it would therefore be a candidate for a universal morality of Stage 6.

As far as the principle of autonomy is concerned, it first appears in Confucius and is later explicitly formulated by Xunzi.[[10]](#footnote-10) Confucius knows the concept of a "self" (*ji*) that stands firm against the misunderstandings and the hostility of others. It reflects on itself and "sits in judgment on itself" (*Lunyu* 5.27), knowing a private seclusion analogous to conscience. If such a critical self-reflection reveals that one has been upright, this will enable one "to withstand thousands or tens of thousands" (Confucius as quoted in *Mengzi* 2a2). Xunzi declares the human mind to be an absolutely sovereign organ of decision that "does not receive commands from anywhere," "cannot be forced to alter its opinion," is "free and unrestricted in its choices" and at its own discretion "accepts what it regads as right and rejects what it regards as wrong" (*Xunzi* 21, p. 265). And reminding of Aristotle's famous dictum that he loves his teacher, but loves truth more, Xunzi proclaims as his teacher whoever "criticizes me and is right" (*Xunzi* 2, p. 12).

Autonomy is not only claimed for one's judgment, but also for the much more difficult task of practice. A Confucian "gentleman," if necessary, will "stride his way alone" and cannot be "led astray by poverty and mean conditions and bent by authority and power" (*Mengzi* 3b2). If the world does not recognize him, he will "stand proudly and independently between heaven and earth, and will not let himself be intimidated" (*Xunzi* 23, p. 298). He is not guided by the fear of death, of institutional sanctions or of community disrespect, but by a feeling of *inner* shame obliged to his ideals and to his self-respect. Contrary to the picture often presented in sinological literature, the genuine Confucian concept of shame is definitely an internal, not an external one. It is primarily oriented towards the inner self, not, as in the case of "face," towards the perception of others. Xunzi distinguishes "just" honor and disgrace that come "from the inside" from honor and disgrace "by circumstances" that are only caused "from the outside." A gentleman can fall into "disgrace by circumstances" and yet deserve "just honor" (*Xunzi* 18, p. 228f). And the Han-Confucian Xun Yue states that "shame before oneself" is "the highest form of shame," while "to feel shame before others is external" and will only lead to an "accumulation of badness" (*Shenjian* 5, p. 28). The Confucian motive for moral action thus is based on the same distinctions between public blame and self-respect that a postconventional Kohlbergian actor would make (Kohlberg 1981, p. 122).

By claiming that we find the constituent elements of Stage 6--a non-egoistic fundamental norm, autonomy, universalism--in classical Confucianism, I do not mean that it represents a full-fledged ethics of this kind. As far as its content is concerned, the Confucian program focusses on the *moral cultivation* of the *scholar* (*shi*), which gives it an elitist bias with relatively little concern for postconventional *institutions*, and the restraints it imposes on the conventional authority relations do not result in accordingly novel conceptions of political and social structures. And as far as its structure is concerned, the abovementioned elements are integrated aspects of a more complex ethical system. Yet, the same applies to Kohlberg's highest stage, if we consider his late theory. Whereas earlier versions stress the point of view of justice and equality alone, in his "The Return of Stage 6" he conceives of the highest stage as a *coordination of justice and beneficience*, which entails a concern for interpersonal relations and the well-being of concrete individuals in concrete sircumstances. A similar proposal has been made by Karl-Otto Apel in terms of a Stage 7 ethics of responsibility (Apel 1988). What I describe as the "double structure" of Confucian ethics comes close to the basic idea of this integrative version of Kohlberg's theory. I will come back to this point below.

I have given a sketchy survey demonstrating how Chinese ethical reasoning of the axial age can be brought into a Kohlbergian system that shows its logical structure and provides criteria to evaluate the different positions. China's entrance into the "axial age," then, means the transcending of the conventional level of "ethical life" and a breakthrough to a "postconventional" perspective, from where conventional morality is either rejected or, with new restraints, re-established. As Mo Di says, "norms and standards" are needed that go beyond the authority of the parents, of the teacher, and of the ruler, because too many of these have proven to be inhumane (*Mozi* 4, pp. 11f). The breakthrough in thinking is the outcome of a crisis of Chinese society and of the experienced the failure of the traditional ethos in the decline of the old aristocratic order. It is a time when "there was no longer any measure for right and wrong, and what was proper or improper changed every day," as the *Lüshi chunqiu* (18.4, p. 225) tells about the situation in the state of Zheng at Confucius' time. The salient characteristic of the intellectual atmosphere is that *alternatives* become imaginable and are discussed and reflected upon. The thinking of the intellectual elite as such reflects a Stage 5 point of view, and the epoch as a whole holds Kohlberg's "lawmaker's perspective." The attention shifts from "established standards" to "how to establish standards" (*Lüshi chunqiu* 15.8). "To change the customary" (*yi su*) and to "institute new customs" (*zhi su*) are typical mottoes of the time, with a far-reaching practical consequence--the abolition of the feudal system and the establishment of the centralized bureaucratic state. In the most remarkable self-reflection of the epoch, we find an impressive testimony of the autonomous spirit in which free thinkers conceive of novel ways:

"Numerous are those in the world who explore methods and arts, and all of them think they have something to which nothing can be added.... The Dao and the primordial virtue are no longer one, and the world often grasps just one aspect, and is selfcomplacent upon examining it.... Every single man in the world does just what he prefers and *thinks of himself as the model*. Alas! The hundred schools proceed and do not return, and will never be reunited.... The art of the Dao will be split by the world." (*Zhuangzi* 33, pp. 462, 463)

"Thinking of oneself as the model" (*yi zi wei fang*) is nearly a literal equivalent of the Greek concept of "autonomia."[[11]](#footnote-11)

**Controversial Issues**

In order to clarify some points of possible disagreement, I will now turn to some objections that have been raised against the application of the cognitive-developmental theory to China. They all refer to first glance differences between "Western" and "Chinese" morality.

**Fraternité versus égalité and liberté?**

Uwe P. Gielen, who defends the applicability of Kohlberg's approach to China and has impressively confirmed it by his own research, nevertheless, hypothetically raises the question whether Kohlberg's indebtedness to the European Enlightenment and its concepts of liberté, égalité, and fraternité might limit the universality of his claim. "The Chinese moral tradition," he suggests (1990, p. 12), "has emphasized fraternité at the expense of égalité and liberté," whereas, "the Maoist version of Marxism introduced the theme of égalité into Chinese society." Most of the Enlightenment philosophers themselves would not have agreed with this assessment. For them, China bore witness to a universal "consensus gentium" and to the possibility of a "natural morality"--a morality any man was equally capable of attaining by virtue of his very reason, instead of being dependent on revelation or the external authority of an institution like the church. What makes Kohlberg interesting in a time of relativism and nominalism of cultures is precisely the opportunity to reenter the deadlocked program of the Enlightenment yet to avoid its naivety. To stand in its tradition today need not result in a "Western" bias. On the contrary, it can provide the chance to combine our own concern for moral progress with a systematic interest in the foreign.

Let me now respond to Gielen's questions. First of all, we have to determine the object of discussion. We get very different and even contradictory pictures of China depending on our emphasis on the common sense of the "average Chinese" (the normal subject of cultural anthropology), the so-called "moral tradition," the demands of the philosophical schools, or what has been solidified in political, social, and juridical institutions. Until very recently, no Chinese State had achieved a democratic form of government with fully guaranteed human rights and civil liberties and an institutionalized possibility of change (Stage 5). Today, such a political system is evolving in Taiwan. Nevertheless, the continuing authoritarianism of the People's Republic, as well as of other East Asian boom-countries, makes some scholars (like S. Huntington) doubt whether a political system after the model of Stage 5 is part and parcel of a "modern" development, primarily understood in terms of economy, in the first place. Such a phenomenon, however, might simply point to the fact that there is no necessary internal linkage between economic and political freedom rather than be due to cultural reasons. In any case, it would be problematic, to conclude from the lack of institutionalized political liberty and democratic rights that there has been no conceptual basis at all for freedom and equality. To the contrary, China has developed corresponding ideas, that could, within the context of a non-regressive appropriation of tradition, underpin the modern, imported demands for a liberal democracy. The topic of this paper is not the current state of moral reasoning of the Chinese people, but the indigenous potentials of China--the textually fixed and transmitted stock of critical, postconventional consciousness inherent in the philosophical writings.

These writings tells us that the idea of *equality*, a prerequisite of Kohlberg's highest stage, was an important theme in China long before Mao. Forming a remarkable contrast to the view of prominent Greek philosophers, it is the shared conviction of the ancient Chinese that all men are equal by nature. This was hardly doubted before China was repeatedly defeated by nomadic conquerors. Zhou philosophy consistently developed anthropologies resting on the assumption that the differences between men are merely due to education and cultivation and that they all share one and the same natural endowment. "The sage and I are of the same kind," states Mengzi (*Mengzi* 6a7, also 2a2). Xunzi declares that "all men are commoners by birth" (*Xunzi* 18, p. 221 and 4, p. 39f), and that "the man in the street can become an ideal emperor like Yu" (*Xunzi* 23, p. 296). And though Xunzi, like all Confucians, advocates a privileged position for the "gentleman" by education, he holds the idea that regardless of his intellectual and moral level everyone should be treated with the same "respect" (*Xunzi* 13, see below).

It is a different matter what kind of conclusions the Confucians were ready to draw from such general assumptions, for example concerning the role of women, or concerning the participation of all in political decision making. Their aim was to humanize the paternalistic order, not to abolish it. This indicates a contradiction between the ethical and the sociopolitical convictions of the school as well as between the content of the proposed morals and the "second-level reasoning standards" (Hansen 1996, p. 107).[[12]](#footnote-12) But it does not set aside the egalitarian potential of its moral anthropology. Xunzi's aforementioned principle of difference can be seen as a mediation between the two aspects. Reciprocity in this conception is the pendant of hierarchy.

Radical conceptions of equality are to be found in Daoism and Legalism. For the "pandaoistic" wing of Daoism, even the seemingly meanest thing is not devoid of the *Dao.* And all beings, not only humans, deserve to remain untouched in their specific uniqueness. The Legalists, in their fight against the hereditary aristocracy, demand equality before the law (*Hanfeizi* 6, p. 26). They advocate that "everyone be uniformly judged by law, neither making a difference between near and far nor distinguishing between high and low" (*Shiji* 130, p. 3291). Though the Legalist concept of equality conjures up the image of cogs in the machinery of order, it might have led to quite different consequences, given an alternative fusion of Confucianism and Legalism. In Chinese history, the conventional side of Confucianism entered into a solid effective liaison with the socio-technical side of Legalism, i.e., the conceptions of administrative technique and of control by punishment. The alternative model would be: A society based on equal rights, governed by law and educated in the spirit of the postconventional morality of the Confucian ethics of responsibility. Such a society did not evolve in China, but it is imaginable without contradicting salient constituents of her intellectual tradition.

*Liberté*, too, the second of Gielen's points, is an important, though underestimated, theme of Zhou philosophy. The Daoists, for example, favor a natural freedom unrestricted by the dictates of convention, as exemplified by the natural spontaneity of the child or the roaming of the wild animal. They even provocatively idealize the libertinism of the robber. These forms of Stage 4 1/2-freedom are rejected by the Confucians (and, of course, by the Legalists) as detrimental to society. Nevertheless, liberté is also a Confucian concern, if we do not interpret it as modern freedom of individualistic self-realization only held in check by law, but as *independence* and *autonomy* in a world that has come off its hinges and no longer provides a sufficient external orientation for a moral conduct. To free oneself from public opinion, from the approval of the majority and from the dictates of authority has, dialectically, become a pre-condition for keeping the conventional ethos uncorrupted. The autonomous "self" of the "gentleman" with its free capacity to choose has become the last resort of this ethos. The Confucian dedicates his freedom of action and judgment to the cause of morality and not to his personal happiness. Because of its elitist implications, this Confucian notion of freedom certainly differs from the modern political notion of liberty. But it comes close to the non-strategic, morally responsible autonomy required at the highest stage.

**Gradual accumulation versus sequence of stages?**

Dora Dien has argued that in China moral development is "seen as a gradual accumulation of knowledge and wisdom rather than progressing along a sequence of qualitatively different stages."[[13]](#footnote-13) If this were true, it would not deliver an argument against Kohlberg, but just another meta-ethical theory. Nevertheless, I want to take up Dien's point since it demonstates the selective nature of the reading of Chinese texts which often underlies the juxtaposition of "Chinese" and "Western." As the documents show, "the Chinese" were quite familiar with qualitative stage models.

It is true that Mengzi conceives of moral development as a gradual accumulation. For him, moral competence is achieved by an "extension" or "enlargement" of family affection (*Mengzi* 1a7, 7a15, 7b1) or by an "expansion" (*kuo*) of innate moral dispositions, above all of a feeling of compassion (2a6). But stage theories, which appear to be more convincing than the enlargement model (Roetz 1993, p. 206) do hold an important position in Daoism and in the *Xunzi*. The Daoists lament (*Laozi* 38, *Zhuangzi* 22, p. 319, *Huainanzi* 11, p. 169) that the primordial virtue has degenerated step by step, descending from humaneness through justice down to conventional propriety. Since it is plausible to relate humaneness, justice (as underlying Xunzi's concept of social order, see above), and propriety to the Stages 6, 5, and 3/4 respectively, this idea of a step by step degeneration is precisely the reverse of Kohlberg's sequence. The deplored process being one of decay, Kohlberg's ranking of the different stages is confirmed. The Daoists even know the idea of a parallel between phylogenesis and ontogenesis. The development of man as a species from a member of the primitive commune embedded in nature to the harassed citizen of civilized society repeats itself in that of the individual from the free and spontaneous infant to the competitive, ambitious adult. In both cases, man ends up as a divided being, alienated from both inner and outer nature.

True, the Daoists would claim to stand above the paradigm of a movement towards something higher. This they would at best ridicule or, more probably, unmask as an ideology of destruction in the disguise of progress. Xunzi, however, the affirmative transvaluator of most of the negative motifs of the Daoist *Kulturkritik,* subscribes to a positive, normative development. He--if he is the author of the respective chapter--differentiates three subsequent stages of conduct: the "minor conduct" of serving the family (Stage 3), the "medium conduct" of serving in an office (Stage 4), and the "great conduct" of "not following the ruler, but the *Dao,* and not following the father, but justice" (*Xunzi* 29, p. 347, full quotation below). The last stage exceeds both filial piety and political loyalty, since they might mean blind submission to the family or to the state. The stage of "great conduct," which is not characterized by abandoning family and state, but by a more complex moral awareness, is obviously postconventional in nature.

**Embeddedness in collective standards and unity of thought and action versus detachment and hypothetical thinking?**

Alfred H. Bloom has argued that the "low level of social principledness" he claims to have found in Hong Kong and the "deferential orientation to authority" of the Chinese are linked to a "traditional Chinese view" that "no autonomous rational competence exists untied from action implications" (Bloom 1977a, pp. 77 and 78). If thoughts cannot be separated from action consequences, they have to be brought under control in the same manner as behavior. And "better" thought, Bloom writes (1977a, p. 78), "is that which leads to specific behavioral consequences considered more socially acceptable." Moreover, if the Chinese cannot separate thought from action, they would find it difficult to enter into *hypothetical* dilemmas of the kind proposed by Kohlberg. Such a situation would not only invalidate Kohlberg's methodology, but would call into question the fundamental cognitive presuppositions which underlie the transition towards postconventional stages. Mental detachment from the perceptual context and the deliberation of alternatives would become unlikely or impossible.[[14]](#footnote-14) Bloom suggests that an alleged absence of counterfactuals in Chinese language provides a linguistic basis for the putative Chinese attitude (1977a, p. 79).[[15]](#footnote-15)

Bloom thus contrasts the cognitive "hypothetico-deductive" orientation of Kohlberg with a non-principled "Chinese intellectual climate" rooted in language. He suggests a compensation: "social humanism," which unlike "social principledness" rests on empathy rather than cognition and should be viewed as an alternative representation of Stage 6. However, Bloom's presentation of that climate (based on Munro 1977) ignores fundamental convictions of the classical philosophy of China. The questioning of collective standards, of the hitherto socially accepted, is the starting point and basic characteristic of all early Chinese ethical and political conceptions. They all show a deep distrust of the opinions of the majority and prepare the thinker to founder in a deaf and injudicious world. Regardless of what kind of society these thinkers propose, they do this from a detached perspective. Even Shang Yang, who does advocate a system of absolute subordination and "deference to authority," claims for himself, as the intellectual who devises this system, a position "beyond the law" (*fa zhi wai,* *Shangjunshu* 1, p. 1).

Such a detached perspective implies the distinction between thought and action consequences, because it cannot be expected that the given conditions will offer the chance to put the right way into practice. In the ancient texts we find an outspoken and sometimes even coquettish endeavor to distance oneself from the "vulgar" world and to find one's identity in being repudiated by it. "What does it matter, not to be accepted," Confucius' disciple Yan Hui comforts his master. "Only in being not accepted one proves to be a gentleman." (*Shiji* 47, p. 1932) Not success, but motivation becomes decisive, and intention and effect are clearly separated from each other. The following statement from the Mohist canon may serve as an example: "Justice is beneficial and injustice is harmful--but one has to distinguish between intent (*zhi*) and achievement (*gong*). It is not admissible to regard intent and achievement as succeeding one another." (*Mozi* 44, p. 245, see also the abovementioned distiction of evaluating the reasons for an order and carrying it out in *Xunzi* 29) We have a distinct demarcation here of the realms of ideas and of action--what is "just" in the one might be unsuccessful in the other. Classical Chinese philosophy does not, as Bloom maintains with Munro, assume a general coincidence of thought and action. Hence there is no obstacle for imagining alternatives, for making thought experiments, and for hypothetical thinking. On the contrary, this is precisely what characterizes the "Chinese intellectual climate," if we refer to the most formative period of Chinese culture.

**Empathy and context-sensitivity versus principledness?**

Nearly all of the objections raised against Kohlberg are motivated by a certain "methodological deficit in concreteness" (Apel 1988, p. 359) inherent in principled thinking. Principled thinking, it is argued, is far removed from real life situations, and the abstract justifications it demands fail to take into account the peculiarities of the dilemmas to be solved. Walker and Moran (1989, p. 20) have claimed that such an extreme "reluctance to generalize moral decisions" is "an important aspect of the moral reasoning" of the Chinese they have interviewed. Bloom has termed the corresponding attitude "social humanism" and opposed it to "social principledness." For Bloom, these are two "distinct, independent dimensions of moral reasoning" equally possible at Stage 6 (Bloom 1977b, p. 30). "Social humanism" attains an affective or empathic perspective, views the "individuals actually involved," and grants priority to the "consequences on the human level" (pp. 30 and 35). And according to Bloom, at least in the Chinese community of Hong Kong, "social humanism" is a more conspicuous concern than "social principledness," which he found to prevail in the USA and France. This cultural difference resembles that described by Carol Gilligan between female and male morality (Gilligan 1982).[[16]](#footnote-16) Is it an interesting coincidence that Chinese culture has time and again been labelled "feminine?"

Bloom also argues that "high level moral thinking" requires a context-sensitivity that is fundamental to Confucianism, but incompatible with the Kohlbergian view (Bloom 1986, p. 95). He admits that the Confucians not only know "specific morally-binding relationships such as that of children to parents and friend to friend," but also "essential concepts at the core of the moral realm such as benevolence." But for them, he says, as for himself, the complexity of peculiar situations forbids any priority ranking based upon principles.

I suppose that the problems raised by Bloom and others[[17]](#footnote-17) are to be taken as an important challenge to the principled morality of Kohlberg's Stage 6. Yet, the suggested alternatives, concerning both the cognitive-developmental theory and China, are not convincing. It is neither justified, from a philosophical point of view, to juxtapose paying attention to principles against context-sensitivity, care, and the consideration of action consequences, nor, from a philological point of view, to make China, with her apparent ethics of affection, a witness for such a proposal.

G. H. Mead's statement that "sociality gives the universality of ethical judgment" (Mead 1934, p. 379) can serve as a key to an understanding that both ethical dimensions must not be separated, but integrated. The very constitution of the individual as the possible agent of principled reasoning is owed to social interaction, and the norms such an individual holds are designed to represent not merely one's own subjective conviction, but a general interest. When postconventional norms will sooner or later conflict with the conventions of a concrete polity, a principled thinker is, therefore, morally obliged not to cut off all links to the community, if possible, but somehow to turn back and face its given less than ideal conditions. Surely, this cannot be done by ignoring the complexity of situations and by mechanically "imposing" principles or by "deducing" from them.[[18]](#footnote-18) There is always a gap between the general principle and the concrete action which has to be bridged by a necessarily fallible decision. This gap widens dramatically under the condition of extreme misery and the dissolution of social contexts as spreading today in many regions of this world of global injustice. A principled thinker, living in an unprincipled world, and being not only a "world-citizen," but also a member of specific social units, will have to mediate his principled competence will a strategy of care for those he is responsible for at the concrete "human level." Problems of care and of context-sensitivity, then, have inevitably also to be tackled within a principled framework. They do not constitute a separate ethical paradigm. Context-sensitive actions of care, however, should be justifiable by more than particularistic standards. Problems of justice, therefore, have also to be tackled within the framework of care. The necessity of balanced decisions and of an adaptation to circumstances does not render principles optional. It is only under the precondition that principles exist and we would be willing to follow them that the weighing of claims becomes an ethical problem in the first place. Bloom's concern thus becomes the essential concern of a principled morality of justice applied to the conditions of our empirical world.

Let me illustrate my argument by an example from Chinese sources. According to Han Fei, Confucius praised a soldier who had three times deserted from a battle, arguing "I have an old father. If I die, there will be nobody who cares for him." (*Hanfeizi* 49, p. 345) Asked for a more detailed justification, the soldier might bring forward a particularistic reason for his action, saying that he exclusively feels responsible for relatives. But he might also say that under the given conditions forced upon him it was not possible to treat all of the individuals involved by the abstract standard of the Golden Rule and that he had to choose between lessening the chance of each of his comrades to survive and endangering the life of his father. He might claim that in an unjust world without social care nobody except he himself would safeguard the old man's right to an equal chance to live, while his fighting comrades might manage to get through. Thus he would have been filial yet sensitive to the problem of justice.

Principled thinkers must bear abstract, nonpersonal norms in mind, but they must also care for the well-being of persons in their concrete social contexts and for the people directly entrusted to them. However, although compromise is necessary and specific constellations and individual biographies must be taken into account, the principled thinker would continue to consider the interest of the whole, which is equivalent to upholding a perspective for a just future and a world which might bring us closer to the ideal of treating all men as members of one community. Such a world is envisaged in the Confucian retrospective utopia of the "Great Unity" (*da tong*), where "the all-under-heaven was common to all" and people "loved not only their relatives and cared not only for their own children" (*Liji* 9). To put it in another way: In human interaction, a principled thinker should simultaneously see the specific individual and the general human being. A highest stage of ethics would have to integrate the two main aspects of the Confucian concept of "humaneness": the Golden Rule, and love or compassion.

Stage 6, therefore, should not be reformulated as a "multidimensional achievement" (Bloom 1977b, p. 42) either taking the more "Western" direction of social principledness or the more "Eastern" direction of social humanism. It should either be reformulated, as in Kohlberg's late conception of the stage, as the integration of justice and beneficience (or solidarity, cf. Habermas 1986), or has to be supplemented by a seventh stage of the kind suggested by K.-O. Apel (1988). Stage 7 would represent an ethic of *responsibility* taking into consideration that the principled moral competence attained at Stage 6 cannot be easily implemented in a world of particularism, social injustice, and strategic competition. Such a principled moral competence would take into account the given contingencies of life without regressing to a conventional orientation. In any case, insensitivity to contexts is not the distinctive element which would separate Kohlbergian from so-called "Eastern" ethics (cf. Wren 1989).[[19]](#footnote-19)

Thus, a principled and a situation-centered morality should not be played off against each other. They must be integrated, if principled morality is not to shut its eyes to the sobering historical *conditio humana*, and if situational decisions are not to be devoid of a perspective which incorporates the interest of humaneness or man as such.

I assume that this integration, and hence the content of the reformulated highest stage of moral competence, would have found the approval of the ancient Confucians. "Social humanism" is too a narrow concept to cover what they were striving for. One might even be tempted to turn the stereotype upside down. Social care for the members of one's group and concrete responsibility for the context one lives in is a central Confucian concern, but the texts never cease to stress the "gentleman's" independence from the collective. They contain a deontic ring not always consonant with the community-orientation of "social humanism." This tension results from the insight that affection towards the people one loves and willingness to take into consideration the claims of concrete individuals in concrete situations do not provide a sufficient orientation for moral action. It is true that emotional attachment for kin and for people in immediate danger is viewed as the basis of morality by Mengzi, the protagonist of an affective direction of Confucian ethics that conceives of "humaneness" primarily as love and compassion. But even Mengzi asks us to transcend the limited range of our affections and "extend" them to people that normally would not arouse our sympathy: "A humane person extens his attitude towards those he loves to those he does not love." (*Mengzi* 7b1) Mengzi's opponent Xunzi, the main representative of the cognitive approach in the Confucian school, rejects sentiment as irrelevant for or even dangerous to morality. He describes humaneness as "respect (*jing*) for others" equally owed to the wise and to the foolish, hence deserved by everyone. But though "respect is the same in both cases, the feelings are different" (*Xunzi* 13, p. 169f, cf. also *Han shi wai zhuan* 6.8). This distinction between sentiment and unaffected, detached recognition of the other as a person corresponds to the justice component of Kohlberg's highest stage. The same holds true for the concept of *gong* (justice, impartiality, civic sense) designed to introduce objective criteria into a moral decision, thus opposing subjective and sentimental predilections. *Gong* includes giving everybody the same chance, like in drawing straws (*Xunzi* 12, p. 151), which is also for Kohlberg, if need be, the ultimate method for solving dilemmas of justice (1981, p. 207f). For the Confucians, acting morally is not just a matter of inclination, as Dien has claimed (1982, p. 334). To the contrary, it can imply keeping a distance from one's feelings.

When confronting the alternative between human sentiments and moral norms, Confucian ethics does not exclusively favor feelings for the people actually involved. In such a situation, it may even adopt a quite rigid tone. When Confucius is asked which of the three pillars of politics, the military defence, the securance of food, and the confidence of the people, could first be abandoned in a state of emergency, he dispenses first with the military and then with food. "From old," he justifies this ranking, "death is man's lot; but without confidence nothing will have a standing." (*Lunyu* 12.7) I interpret this as a paradoxical over-accentuation of the priority of morality over the good life and care, which is not easily compatible with the assumption of a "social humanism." The same applies to some statements by Mengzi. He rejects Chunyu Kun's proposal to rescue the "drowning world" by sacrificing strict maxims (*Mengzi* 4a17). Mengzi defends the necessity of general measures, even though for most people they are difficult to sustain, and declares that "a great carpenter will not change or abolish plumb and line for the benefit of a clumsy craftsman" (7a41). Similarly, the self-protection of the moral agent does not allow the "bending of a foot for straightening a yard," i.e., the slightest compromise. The "determined scholar" has to realize that he might "end in a ditch" (3b1). I suppose that this statement presents somewhat of a challenge to the defenders of an aesthetic rather than deontic reading of early Confucian ethics.

These examples show the complexity of the Confucian position, though the school usually supports a well-balanced adaptation to a variety of circumstances. "Weighing" (*quan*) becomes the central category for concrete moral decision making, and we encounter polemics against simply trying to remain morally "clean" (*Lunyu* 5.19 and 18.7). Xunzi advocates that a "gentleman" should be able "to bend and stretch according to the time" (*Xunzi* 3, p. 25), yet "not be opportunistic," as the title of the corresponding essay demands. One tries to attain an incorruptible flexibility in order to steer a middle path between rigid insistance on moral claims and easygoing accommodation. The aim is to "harmonize, but not to swim with the stream" (*Zhongyong* 10), to be "sociable, but not cliquish" (*Lunyu* 15.22), to "show solidarity, but not be partisan" (*Lunyu* 2.14), to "bend, but not to bow" (Zhao Qi, *Mengzi tici*). Genuine Confucian morality comprises the two realms of emotive attachment and principled detachment. To do justice to both in a troublesome world turns out to be a burdensome task. The moral actor might perish or get lost in the conventional constraints of the social context. Compromise in the name of moral responsibility is inevitable, but experienced as painful and perhaps even tragic.[[20]](#footnote-20) According to the *Lüshi chunqiu*, a text that by its ingenious allegories and parables brings out quite a few of the points of Zhou philosophy, Confucius deplores the gap between the realm of ideals and the compulsion of facts by comparing himself to a dragon in a "murky" world:[[21]](#footnote-21)

"The dragon lives from purity and roams in purity. The *chi* (the hornless dragon) *lives from purity, but roams in the murky*. The fish lives from the murky and roams in the murky. Now I, Qiu, don't reach the dragon above and yet am not like the fish below. I suppose, I'm a *chi*! How could someone who wants to deserve well of the world hit the measuring line! He who saves a drowning man will get wet himself. And he who pursues a flying man must run." (*Lüshi chunqiu* 19.8)

Calling into question interpretations that stress community-orientation, role-observance, situation-centredness and concrete solidarity, I have tried to show the *double structure* of the ethics of classical Confucianism. This ethics comprises social duties and context-sensitivity, but also the complementary task of maintaining the moral integrity of the individual and of adherence to detached norms like justice, respect, and the Golden Rule. It tries to integrate principledness and concrete "humanism." The general pattern of the respective moral attitude is that of a *return* of the principled thinker into the concrete polity. A conspicuous paradox of the *Lunyu* can be explained from this point of view. *Lunyu* 12.1 defines *ren,* humaneness, as a "return to propriety" (*fu li*)*.* *Lunyu* 3.3, however, declares propriety meaningless, if "as a man one has no humaneness." The circularity of these evaluations points to the equal importance of general measures and the specific adaptation to one'slife-world. Conventional duties and role obligations must be met and reconciled with moral vigilance and integrity. In Hegel's terms: "Moralität" should not discard "Sittlichkeit" (ethical life), but protect it against its degeneration. Negatively, this means that the hierarchies of society remain largely untouched--the passive side of Confucianism. But it also means a critical distance that can lead to remonstrance, disobedience, resistance, or even dropping out of society. The seeming boundedness by context and convention of the Confucians is a *second-order* one and relative to the double structure of their ethics. Accomodative but not conformist, they feel responsible for the community, but do not hand themselves over to it. Knowing the community's fundamental susceptibility to deception and misjudgment, they take their bearings from the inner "self."

I would like to conclude my argument with a quotation from *Xunzi* 29. The author of this chapter entitled "The Way of a Child" (*Zi dao*) gives an impressive summary of what I think are the essentials of classical Confucianism:

"To practice filial piety at home and to respect the elders in public, this is the minor conduct of man. To be compliant towards one's superiors and exert one's energies towards one's subordinates, this is the medium conduct of man. *To* *follow the Dao and not the ruler, to follow justice and not the father, this is the great conduct of man*. When [in doing so] one's will rests in propriety and one's words are uttered only in accordance with the kind [of the situation], then the way of a Confucian is already complete. And even an ideal ruler like Shun would not be able to add anything.

There are three conditions under which a filial son does not follow an order: If obedience will bring his parents into danger, but disobedience will mean peace for them, then it is honest if the filial son does not follow the order. If obedience will mean disgrace to the parents, but disobedience will mean honor, then it is just if a filial son does not follow the order. If obedience will mean *animality*, but disobedience embellishment, then it is an *expression of* *respect if the filial son does not follow the order*. Therefore, not to follow an order which may be followed, this would mean not behaving like a son. But to follow an order which may not be followed would mean being dishonest. To get clear insight into the *principle (yi) of when to follow and when not to follow*, and then to translate one's insight into action with courtesy, respect, loyalty, trustworthiness, uprightness, and guilelessness, this can be called great filial piety. This is meant when it is said in the ancient records, *Follow the Dao and not the ruler, follow justice and not the father*.

In hardship and exhaustion to manage not to lose one's respect, in calamities and disaster to manage not to lose one's sense of justice, and not to lose one's own love when one is not loved but hated because of disobedience--this is only possible for someone who has humaneness. This is meant when it is said in the Songs that 'a filial child is not wanting in anything.'" (*Xunzi* 29, p. 347)

This passage is a highlight of Zhou ethics, envisioning a unity of "ethical life" and "morality." Not a single virtue is struck off the conventional codex, nor are the respective social bodies of family and state called into question. But all of them find their proper place only within the framework of postconventional higher moral norms. The observance of conventional obligations and expectations is accompanied by an independent, autonomous consciousness that scrutinizes the motives for any action. To be a person of highest, status-transcending moral judgment competence, and yet be sovereign and adaptable enough to avoid a pure "ethics of a good will" (*Gesinnungsethik*) and meet with one's responsibility--this surely is the ideal of genuine Confucianism not yet degenerated into an order-conformist ideology.

**CONCLUSION**

I have defended the intercultural validity of the cognitive-developmental theory by referring to the philosophical texts of Zhou China. I know of no other heuristic that would enable us to reconstruct the intellectual discourse of the Chinese axial age in such a differentiated and structured way. Ancient Chinese moral philosophy can not only be suggestively reconstructed by the model of Kohlberg's sequence of stages--as can the moral philosophy of the Greeks--, but it has also encountered problems that Kohlberg's mature theory tries to answer for us today. Many arguments of Kohlberg's critics, however, rest upon a neglect of central constituents of his approach (cf. also Gielen 1990) and, as I see it, of Chinese moral philosophy. These constituents include the complex content of a highest stage of morality and of the Confucian metaphor of "return."

I do not claim, to be sure, that the picture presented by the Chinese texts is fully congruent with Kohlberg's system. To name some conspicuous differences: The ancient Chinese have a decided delight in Stage 4 1/2-reasoning which for the ontogenetic approach only counts as unstable and transitory.[[22]](#footnote-22) They put little trust in relativistic utilitarian contractualism which, as the official self-understanding of Western liberal democracies, occupies a very strong position in Kohlberg's sequence. Moreover, the Chinese arguments are often open to divergent accentuations, as in the case of the relationship of *li* and *ren* in the *Lunyu.* This had considerable consequences for the "effective history" (*Wirkungsgeschichte*) of Confucianism, where its strengths and weaknesses lie very close to each other. The effort to keep faith with the conventional ethos is the entrance door through which emphasis on inequality in relationships can enter. Thus the Confucians made no move towards a replacement of the paternalistic relationship of "superior" (*shang*) and "inferior" (*xia*) by democratic structures, despite their uncompromising criticism of the abuse of power. For the same reason, they did not call into question the traditional inequality of gender. Last but not least, it is primarily in favor of their own position that the thinkers of the axial age lay claim to intellectual freedom, but they remain quite intolerant of all other opinions. Hence, the concrete morality proposed for the polity does not necessarily reflect the same postconventional level as the thinker's own consciousness and reasoning standards. Taking the ancients seriously would entail to expose these contradictions. But what is more important for Chinese culture, is to take up and reconstruct their project and to continue their endeavor in a way that is open to the new possibilities and democratic demands of our time. In fact, this happens wherever Chinese intellectual culture can develop without regimentation. It is another question to what amount the spirit of the original philosophical ethics of China has been translated into Chinese "common sense." Assessments of Chinese common sense have to recognize this intracultural differential before drawing general conclusions concerning intercultural discrepancies.

The compatibility of Kohlberg's system with the ideas of the moral philosophers of the Chinese axial age is due to the program they all share. I would like to call this world-wide program the "project enlightenment." This project, which is not merely "Western" in nature, has aimed at overcoming group morality, conformism and the unquestioned authority of institutions. That it has not succeeded on a large scale and has suffered severe setbacks does not make it obsolete, but only the more urgent. Any immediate appeal to contexts, traditions, communities and given ways of life, however, which underlies most of the arguments against Kohlberg would subscribe to the state of history and fall below the moral standard already established.

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1. For some of the differences between onto- and phylogenesis which should be taken into account for a phylogenetic adaptation of Kohlberg's theory, cf. Roetz 1993, pp. 30f. [↑](#footnote-ref-1)
2. For an example, see Dien 1982. [↑](#footnote-ref-2)
3. What Liu misses in Kohlberg's approach is a normative grounding of the universalistic ethics in human nature. Nevertheless, his consent suffices to refute Metzger's claim that Kohlberg's theory does not do justice to a number of (sacrosanct?) shared premises of Chinese political discourse (Metzger 1989). [↑](#footnote-ref-3)
4. For detailed material and arguments concerning all of the following topics, cf. Roetz 1993. [↑](#footnote-ref-4)
5. I refer to the works of authors like Henry Rosemont Jr., Antonio Cua, Roger Ames, Chad Hansen, and, above all, Herbert Fingarette. They represent a Pragmatist or Neo-Aristotelian trend in contemporary Chinese studies. [↑](#footnote-ref-5)
6. Not every concern for the family is Stage 3, of course. In what follows, I will assign stages based on the main social perspective, which in turn entails idealtypical structures of moral reasoning. I assume affinities of content and structure rather than a strict separation of both. [↑](#footnote-ref-6)
7. For these movements, cf. what Arnold Toynbee (1951, pp. 248-263) has described as the "Withdrawal-and-Return motif." [↑](#footnote-ref-7)
8. It is true that there is more to Daoism than what is brought out in my interpretation. Nevertheless, what I refer to as Stage 4 1/2 reasoning is a conspicuous tendency in Daoist literature. It is also true that Kohlberg's theory ncessarily and willingly puts non-cognitive approaches like Daoist mysticism at a disadvantage. Though there is the element of universality in Daoist mysticism (Roetz 1993, p. 255), however, it does not transcend the limits of a private and punctualreunification with the lost *dao* und is unsuited to tackle the problems of a complex society. [↑](#footnote-ref-8)
9. Rawls 1971, Chapter 2. Contrary to Xunzi, Rawls as a democrat emphasizes equality. [↑](#footnote-ref-9)
10. In contrast to their rejection of a principled reading of Confucian ethics, reviewers of Roetz 1993 consent to the autonomy claim. Cf. for example Møllgard 1994, p. 158. [↑](#footnote-ref-10)
11. For *fang* in the meaning of "model" or "measure" cf. *Shijing* 241.6. The meaning of the sentence is obscured in B. Watson's and A. C. Graham's English standard translations. [↑](#footnote-ref-11)
12. I disagree with Hansen concerning the nature of these reasoning standards and do not think that the distinction he makes is a very plausible one within his interpretation of Chinese philosophy. Cf. for example Roetz 1993, pp. 13-17. [↑](#footnote-ref-12)
13. Dien 1982, p. 335. [↑](#footnote-ref-13)
14. A similar argument is put forward by Dora Dien. She regards the view of man as a being free to make choices as "Western" while the Chinese "primacy of the collective over the individual" does not leave room for choice (Dien 1982, pp. 339 and 336). [↑](#footnote-ref-14)
15. I regard this as one of the many aberrations of linguisticism that present a reductive view of Chinese language and make it responsible, if now and then in the disguise of compliments or neutralism, for alleged shortcomings of Chinese culture. The linguistic approach may sometimes be illuminating, but for the most part serves to cretinize Chinese thought and will only bar our access to it. For instance, the attribution of only a conditional style of thinking (if x, then y) to the speakers of Chinese language and the denial of a counterfactual style (if x were, then y would be) (Bloom 1977b, p. 79) makes it impossible to understand a decisive step in Zhou thought: the development of "as if"-fictions. These for instance underlie the Confucian attitude towards gods and ghosts and hence towards ritual, and are therefore crucial for the Confucian idea of culture in opposition to cult (cf. *Lunyu* 3.1, *Xunzi* 19, p. 50f, also *Guoyu,* Chuyu B2). For a critique of Bloom's liguistic thesis, cf. Wu 1987. [↑](#footnote-ref-15)
16. Bloom does not follow Gilligan in many of her other assumptions; see Bloom 1986, pp. 95 and 100. [↑](#footnote-ref-16)
17. Dien (1982, p. 335) contrasts "Confucian" "spontaneous feeling" and "taking into consideration all the aspects of a given situation" with Kohlberg's stress on thinking and choice. Cf. also my discussion of A. Cua's position in Roetz 1993*,* pp. 185 and 323f. [↑](#footnote-ref-17)
18. That in a Kohlbergian system deduction is all that is needed in order to apply the highest stage to practical situations is apparently assumed by Walker and Moran (1989, p. 20). Kohlberg faces the problem in "The Return of Stage 6." [↑](#footnote-ref-18)
19. When Metzger reproaches Kohlberg for "brushing aside the emic perspective in favor of etic categories" (1989, p. 16), he does not take into account the possibility of an integration of both perspectives at the highest stage. [↑](#footnote-ref-19)
20. Tragedy in the "classic" sense represents the aporetic conflict between Stages 3 and 4 prior to the availability of postconventional principles. Kohlberg has therefore held that "principled heroes do not make a tragedy" (1981, p. 391), because their principles enable them to solve the dilemmas they are involved in. After the breakthrough to a postconventional perspective, tragic consciousness would be due to a kind of immature principledness "at a level intermediate between conventional and principled morality, at the level where [modern heroes] can make a principled demand for justice but do not really accept to live by principles" (*ibid.*). However, together with the reformulation of the highest stage in terms of an ethics of responsibility, the problem of a suspension of principles is posed again in a new form. This may entail on a higher level a new conception of the problem of tragedy. [↑](#footnote-ref-20)
21. Critics have argued that the tension which to my mind runs through Confucian ethics and which is also demonstrated by the following passage from the *Lüshi chunqiu* does not exist in the first place. They refer, among other things, to the ideal of the sage (*shengren*) who, as Møllgard puts it, "is able to completely control the moment and impose an absolute order on the moral life" (1994, p. 158). I do not see, however, that the existence of such an ideal affects my analysis. There is a realistic level in Confucian ethics and in the *Lunyu* especially which is removed from the sage-ideal. For Confucius himself, this ideal counts as virtually unattainable. His ethics is primarily tailored to the "gentleman," thus entailing the problems that I have outlined. [↑](#footnote-ref-21)
22. Kohlberg has identified Stage 4 1/2 reasoning as occuring in late adolescence or early youth. He did not identify stabilized forms of Stage 4 1/2 reasoning among mature adults, yet the Chinese material suggests (as does the philosophy of some Greek Sophists) that a form of Stage 4 1/2 reasoning prevailed among some of the ancient "professional youths." Historical material, then, can be fed back into cognitive-developmental theory and suggest new hypotheses to be investigated in ontogenetic studies. [↑](#footnote-ref-22)