Love, Justice, and Autonomy

Philosophical Perspectives

Edited by Rachel Fedock, Michael Kühler, and Raja Rosenhagen

Routledge
Taylor & Francis Group
NEW YORK AND LONDON

14 Love's Extension: Confucian Familial Love and the Challenge of Impartiality

Andrew Lambert

Introduction

The question of possible moral conflict between commitment to family and to impartiality is particularly relevant to traditional Confucian thought, given the importance of familial bonds in that tradition. While Confucian thought does recognize commitments beyond familial attachments, and does give expression to forms of justice and fairness, it consistently prioritizes family. Classical Confucian ethics also appears to lack any developed commitment to impartiality as a regulative ideal and a standpoint for ethical judgment, or to universal equality (all people matter equally). The Confucian prioritizing of family has prompted criticism of Confucian ethics, and doubts about its continuing relevance in China and beyond.[1]

This chapter assesses how those sympathetic to the Confucian vision of the good life might respond. It first explores Confucian conceptions of love and highlights the importance of familial love. Next, problems arising from this commitment to partiality are discussed, and how a modern Confucian ethics might respond. One possible defense is that classical Confucian thought does, in fact, contain robust notions of impartiality and justice-as-fairness. Another response is to advocate the introduction of norms and institutions from outside the tradition, in order to strengthen conceptions of the public interest, ethical impartiality, and moral equality. On this view, such values, though largely absent from the tradition, can function alongside traditional Confucian concerns about family without conflict. Another argument prioritizes indigenous Confucian normative ideals, such as harmony; these take priority over impartiality, which emerges from a different historical and cultural milieu. In what follows, I review these responses and discuss their shortcomings.

I then explore a different response, which begins by accepting the primacy of familial attachments to the Confucian ethical life. I explore what notions of impartiality—understood largely pragmatically, as a value that functions in everyday social life rather than as an explicit moral principle that guides deliberation or judgment—can be derived

from an ethics that focuses on family commitments. Stated another way: how can particularistic motivations, rooted in personal attachments, give rise to greater benefit or concern for those outside the family, but who share civic or public space? While this reconstruction of traditional Confucian ethical ideas might not entirely assuage the concern over impartiality, it will nevertheless raise interesting questions for the ethics of liberal individualism and suggest areas in which Confucian ethics and contemporary ethical theorizing might develop a dialogue.

Love in Classical Confucian Thought

How has love been understood in the Confucian tradition? What relevant love-like states or ideas appear in the classical texts such as the *Analects* and the *Mencius*? Answers to these questions are not straightforward, as no single term entirely equates to "love." The most obvious match is *ai* (愛)—which is also the modern term for romantic love. In the *Analects*, Confucius is asked to explain the key Confucian virtue, *ren* (仁, variously translated as humaneness, goodness, or exemplary conduct), which is central to the aim of personal cultivation:[2] "Fan Chi asked about *ren*. The Master said: It is to love (*ai*) all men" (12.22, James Legge, trans.).[3] In so far as love involves personal familiarity and strong feelings of attachment, however, such translations can be misleading. *Ai* does sometimes indicate some form of intimate personal regard and affection in the early Confucian literature.[4] However, *ai* is often an attitude directed toward non-intimates, or those of limited or no personal acquaintance.[5] In the Analects, it often refers to a ruler's attitude toward his subjects or people in general, and here a better translation is arguably "care," albeit with some degree of affection or feeling.[6] We return to the theme of love-as-care below, but here note that *ai* as a single attitude or affection is not, by itself, central to classical Confucian ethics.[7]

Another obstacle to understanding the nature of love in the Confucian texts is the muted interest in some familiar forms of love, particularly romantic or sexual love. *Ai* does occasionally refer to something like romantic love,[8] and the erotic occasionally features in the *Book of Odes* (*Shijing*).[9] Desire (*yu* 欲) is also recognized as a powerful force in human conduct, to be harnessed rather than suppressed.[10] The desire for food and sex is recognized as the most prevalent and generic of human desires.[11] However, discussions of desire, including those of a sexual nature, often arise in the context of urging appropriate levels and the avoidance of excess, issued as advice to rulers.[12] Furthermore, the relationship between husband and wife (marriage in general), although one of the key relationships mentioned in the Analects, receives less attention in the texts than other relationships[13] and is often described in vague and dutiful terms.[14] In general, romantic love does not feature strongly in classical Confucian social thought.

Another form of love mentioned sparingly is friendship. Confucian texts lack the detailed analysis found in Aristotle's *Nicomachean Ethics* or Plato's *Lysis*. Friendship is often presented in moralized terms, as a means through which people can learn from others as a means of self-cultivation (*Analects* 1.9), or a relationship of mutual exhortation and moral improvement (*Mencius* 3B30). While friends (and virtue) are valued in the text, they are not a locus for discussions of love.

Evidently, many forms of love found in the Western canonical tradition are treated cursorily in the classical Confucian tradition. There is little interest in strong feelings or passions, physical attraction, attraction to mind or soul, the sense that another can make up for some deficiency in oneself, or the importance of finding another self. One form of love is found throughout the Confucian texts, however: feelings and attachments centered on the family.

The Chinese term that most closely approximates to family is *jia* (家). As Ambrose King notes (1985, 61), however, *jia* has a range of meanings. This includes the nuclear family, clan or kinship relations, and even feudal estates. To retain the broad scope of the Chinese notion, the term *familial* will sometimes be used. The importance of the familial to classical Confucians can be articulated in several ways. First, the topic of family pervades the early texts. Discussions of family affairs and the use of familial language or motifs to describe social life are commonplace. In the *Analects*, for example, these include the importance of the father-son relationship (*Analects* 1.11, 4.20), instructions for children regarding treatment of parents (4.18–4.21), and normative guidance for relations between older and younger (9.16, 13.20, 14.43). Teacher-student relations are also conceived in familial terms (11.11), as are ruler and the ruled (*Mencius* 1A4), and even the relation between states (13.7). The family is thus the focus for much "moral discourse." The *Mencius* declares: "What is the most important duty? It is one's duty towards one's parents" (4A19).

Second, the texts feature a wide range of inter-personal attitudes found in familial relationships, with each—including *ai*—comprising an aspect of a Confucian notion of familial love. These attitudes often appear to be normative—desirable forms of family-like relations to be fostered or cultivated. For example:

> "A humane man (*ren*仁) does not lay up anger, nor cherish resentment against his brother, but only regards him with affection and love (*ai*)" (*Mencius* 5A3).
>
> Wan Zhang said, "When his parents love (*ai*) him, a son rejoices and forgets them not" (5A1).

Besides *ai* (love/care), many other psychological states and forms of conduct are implicated in loving familial relations. These include: filial piety

or family reverence (*xiao* 孝), fraternal responsibility (*ti*悌), nurturing or nourishing (*yang*養), concern or anxiety (*you*優), reverence or respect (*jing*敬), affection (*qin*親), loyalty or commitment (*zhong*忠), deference (*rang*讓), giving honor or esteeming (*gong*恭), bringing comfort or respite (*an*安), cherishing (*huai*懷),[15] and shame (*chi*恥). The *Mencius* illustrates both the range and the significance of familial feelings:

> Children carried in the arms all know to love (*ai*) those giving affection (*qin*), and when they are grown a little, they all know to respect (*jing*) their elder brothers. To be affectionate (*qin*) towards parents – this is humaneness (*ren*). To have respect for elders – this is appropriateness (*yi*). All that remains is to extend these to the entire world.' (7A15, original translation, Legge, translation modified for clarity.)

Here, the cardinal Confucian values of humaneness (*ren*) and appropriateness (*yi*) are equated with care, affection, and respect for family and kin.[16] A full account of the various affective states involved in Confucian family life is beyond the scope of this paper, but this brief survey illustrates some key points. While familial love is the most important form of love for the Confucians, it is not characterized by a single property or feeling. Also, the psychological states and experiences involved in loving relations are not symmetrical or generic, common to both or all parties; this differs from unitary characterizations of love such as longing for the other, lovingly gazing upon another, and so on. Instead, distinctive affective experiences or psychological states attach to particular relationships or social roles, and their distinctive perspectives within the web of familial relations. For example, the older should be kind to the young, while the young should feel respect for elders (*Mencius* 6B6). The "Liyun" chapter of the *Book of Rites* (*Liji*) illustrates this point:[17]

> What are "the things which men consider right?" Kindness on the part of the father, and filial reverence on that of the son; gentleness on the part of the elder brother, and obedience on that of the younger; righteousness on the part of the husband, and submission on that of the wife; kindness on the part of elders, and deference on that of juniors; with benevolence on the part of the ruler, and loyalty on that of the minister – these ten are the things which men consider to be right. (Legge, trans. modified)

Each of the above attitudes or stances—kindness, filial reverence, gentleness, obedience, deference, etc.—entails a range of habits, actions, and feelings, which are cultivated through ritual and social practice; these attitudes, along with ritual, direct inter-personal interactions and maintain larger social networks. The deference expected of juniors, for example, is not a simple psychological state but also entails certain thoughts

and feelings that direct behavior. Filial reverence (*xiao*) includes warm affective experiences—such as gratitude for parents' care and reverence for the more experienced or accomplished—and also patterns of behavior action. *Xiao* involves gratitude, which leads to trust, and so to obedience, which itself is a method of learning (*xue*). Obedient children learn through thoughtful attentiveness to how the more experienced construct their lives (*Analects* 1.11). Conversely, the attitudes of elder brothers (gentleness) or elders (kindness) suggest support, patience, and even forgiveness for junior parties striving for competence in the social world.

This web of related attitudes collectively constitutes familial love and explains another feature of Confucian familial love: it is instrumental in realizing the Confucian notion of the good life. This well-functioning "eco-system" of interpersonal attitudes and roles produce both virtuous individuals and social harmony and stability. Such wide-reaching effects of well-ordered family life are expressed in *Analects* 1.2:

> Master You said, "A young person who is filial and respectful of his elders rarely becomes the kind of person who is inclined to defy his superiors, and there has never been a case of one who is disinclined to defy his superiors stirring up rebellion.
>
> "The gentleman applies himself to the roots. 'Once the roots are firmly established, the Way will grow.' Might we not say that filial reverence and respect for elders constitute the root of humanness (*ren*)?"[18]

The long process of personal cultivation (*ren*) begins with familial love and includes the development of the right kinds of interpersonal attitudes and affective responses.[19] The emergence of patterns of deference (and remonstrance—*jian*諫—which prevents deference becoming mere submission) serves to integrate the subject into a social web of relations and shared traditions, which enables people to find "meaning in life" (Rosemont 2015, 90). Ultimately, the result of such cultivation through the family was the capacity for political authority—which was guided by the same attitudes of reverence, deference and sympathetic response.[20]

A final feature of classical Confucian thinking about love is "graded love" or "love with distinctions." Love toward one's family should be stronger than love toward other families or strangers. This contrast informs the disputes between Mencius and another early philosophical school, the Mohists. The latter promoted a kind of general care or concern (*jianai*), in which one's own family did not receive special consideration.[21] All fathers were to be treated as fathers, all sons as sons, etc. Other families were treated in the manner of one's own family. Mencius believed this was psychologically implausible and perhaps against human nature (*xing*性).[22] Basic motivations to care about others originate in the family and have one's family as their immediate object;

ideally, conditions permitting, such motivations are to be extended (*tui*推) toward more distant others, ultimately covering all under heaven (Mencius 1A7, 4A1, 7A15). How such extension might proceed is discussed below.[23]

Problems of Familial Love: A Failure of Fairness and Impartiality?

The priority of familial love in the Confucian tradition has engendered an ethical dilemma among contemporary Confucian scholars. The motivations and commitments associated with the family seem frequently in tension with the moral requirements of impartiality or justice. The locus classicus for this tension is *Analects* 13.18:

> The Duke of She said to Confucius, "Among my people there is one we call 'Upright Gong.' When his father stole a sheep, he reported him to the authorities."
>
> Confucius replied, "Among my people, those who we consider 'upright' are different from this: fathers cover up for their sons, and sons cover up for their fathers. 'Uprightness' is to be found in this."

Confucius advocates "covering up" for the thieving father, which constitutes being "upright" or a "true person" (*zhi*直). However, justice demands that wrongdoing be addressed and due consideration given to the broader community. The commitment to family members appears to conflict with duties to a more impersonal public realm; and which side Confucius is on seems clear.

This passage has been widely discussed.[24] Some interpretations attempt to ameliorate the tension and portray Confucius sympathetically. Interpretations include: the passage cautions against the failure to understand filial reverence, comparable to Plato's *Euthyphro*, rather than disregards public interest; it describes a profound ethical conflict and, while respecting and not dismissing justice, prioritizes familial values; it indicates that surrendering a loved one for a minor crime is unnecessary or counterproductive, with the wrong-doing better dealt with via familial structures (e.g., the son remonstrates with the father to make amends to those harmed).[25] This passage is not an isolated example, however. The second Confucian classic, the *Mencius*, contains a similar problem:

> Tao Ying asked, "When Shun was Son of Heaven, and Gao Yao was his Minister of Crime, if 'the Blind Man' [Shun's father] had murdered someone, what would they have done?"
>
> Mengzi said, "[Justice Minister] Gao Yao would simply have arrested him!"

> Tao Ying asked, "So Shun would not have forbidden it?"
>
> Mengzi said, "How could Shun have forbidden it? Gao Yao had a sanction for his actions."
>
> Tao Ying asked, "So what would Shun have done?"
>
> Mengzi said, "Shun looked at casting aside the whole world like casting aside a worn sandal. He would have secretly carried him [his father] on his back and fled, to live in the coastland, happy to the end of his days, joyfully forgetting the world." (7A35)

The conflict between public interest or justice and the actions of an exemplary Confucian is clear. The emperor Shun would flee with his father, helping him to evade justice. Such are the demands of familial love. Here, the crime and normative roles involved (emperor, minister, father, son) leave less room for interpretation than the sheep-stealing passage. Shun is aware of due process, and what the minister for justice ought to do. While Shun did not abuse his power by granting immunity to his father, he nevertheless prioritized his father's well-being, and at the cost of governing the empire.[26]

Many have found this prioritizing of the family over the interests of the wider community morally troubling, due to the apparent neglect of moral impartiality. This might be explained as the failure to adequately recognize the interests of those with whom no ties of affection exist. Stated in modern terms, Confucian ethics has been accused of failing to recognize moral equality between persons and impartiality as foundational moral principles: differential treatment of people is justified only if meaningful differences in cases exist, and family ties or particularistic affections are insufficient reason in many cases. Furthermore, in Western liberal democratic traditions, such moral ideals have informed the construction of social and political institutions that govern public life, fairly and impartially administering goods and burdens (as well as punishments). In contrast, traditional Confucian ethics has been accused of fostering nepotism and corruption (Liu 2003, 7). This raises doubts about the viability of Confucian ethics, and whether it can serve as a resource for modernizing China, as well as global and comparative ethical theorizing (Tu Wei-Ming 1985; Robert Neville 2010).

The difficulty facing Confucian ethics might be summed up in two points. The first is the lack of a strong distinction between the familial and the public or political realm. Contemporary sociologist Ambrose King locates the problem in a Confucian classification of the human community into three categories: the individual, the family, and the group (or non-familial group, *qun*); in Confucian theory, however, "there is no formal treatment of the concept of *qun*" (King 1985, 61). King writes, "The root of the Confucian problematik lies in the fact that the boundary between the self and the group has not been conceptually articulated" (King 1985, 62). It is difficult to conceive of society as a

community of separate and equal persons, upon which impartial institutions are constructed, because the self has not been considered independently of the relationships that constitute it. As Ci Jiwei notes, "those who have absorbed the Confucian concept of human relations would be socially and ethically at sea if they were to enter into relations with strangers, where the conjunction of hierarchical-reciprocal relations and kinship ties simply does not exist" (Ci 1999, 334).

This failure to distinguish the two realms leads to a second issue in traditional Confucian thought: treating the familial as a model for the political realm. This is seen in the reoccurring motif of the ruler as the father (or parent) of the people (*minzhi fumu* 民之父母).[27] This equating can be understood in various ways, but all invite objections. One gloss is the claim that good sons make good rulers: excellence in one realm ensures excellence in another. But someone can be a good son without being an effective leader, since the requirements of political leadership differ from those of family life. Good sons do not obviously develop good administrative skills by being sons. A second gloss is that how one acts as a father just is how one should act as a ruler. However, this seems insufficient for effective political leadership, since the two are very different social or professional roles. Furthermore, Chinese critics frequently regard the familial model of political organization as the basis for authoritarianism, hierarchical social structures, and political subservience.

This apparent failure to distinguish the partiality of familial life from a public or political realm characterized by impartiality has led to damning assessments of the Confucian tradition in modern China. The late Qing dynasty (1644–1911) saw intense debate about how to modernize China and respond to the hegemony of the Western powers, and prominent intellectuals such as Kang Youwei (1858–1927) and Tan Sitong (1865–1898) argued that the bonds of family were holding China back.[28] Complex modern political and economic realities required bureaucratic forms of regulation and impartiality in public administration; traditional Confucian family-based ethics, however, struggled to meet this demand. This led many to question the worth of traditional Confucian social ethics in post-imperial China.[29] New Confucian thinker Xiong Shili (1885–1968) claimed "Family is the source of all evil and the root of decline [...] It is because of family that the Chinese people lack ideas of country, of nation, and of public life" (Xiong 1996, 336–337).

What then might be said in defense of the Confucian ethical tradition? Can it move beyond the commitment to familial life and its tendency to favor partiality over more impartial or impersonal perspectives? In what follows I explore four possible ways to rehabilitate Confucian ethics and establish its relevance to modernity and to meta-ethical theorizing. The four responses are: Confucian ethics does value impartiality; Confucian social thought can import (and is consistent with) modern ideals such as

impartiality and political equality; Confucian thought offers alternative moral ideals, which can trump impartiality; and Confucian partiality can bring about states of affairs roughly approximate with the demands of impartiality (in its local and bounded forms) without treating the latter as a foundational moral ideal—by harnessing the motivational force of familial love and attachments.

Confucian Responses to the Challenge of Impartiality

Confucian Impartiality?

Some have argued that traditional Confucian thought does value non-familial relationships and also limits the family-as-state analogy (Joseph Chan 2004, Erin Cline 2007). Chan (2004) points out that while avoiding harm to the father-son bond is a prominent demand in the texts (Mencius 4A17), the ruler-minister (ruler-subject) relationship lacks such privileged status. Ministers can refuse to serve and, in extremis, rulers can be disposed (Mencius 1B8). The ruler's fatherly concern for the people's welfare is better understood as an expression of paternalism and perfectionism; while political liberals might reject such values, they do not equate the state with the family. Furthermore, the texts distinguish between civil virtues and relationship virtues (Chan 2004). Civic virtues are found throughout the early texts—such as tolerance, trustworthiness and generosity—and apply to all relationships, not merely familial ones. The rudiments of a public realm and the means to limit the influence of familial ties are present in the tradition.

Others (e.g., Cline 2007) argue that the *Analects* is concerned with questions of fairness beyond special relationships. Confucius did not discriminate when accepting students, for example, and the virtue of rightness or appropriateness (yi義) limits the pursuit of profit or self-interest. Cline draws on John Rawls' account of a personal *sense of justice* that underpins his formal principles and argues that the exemplary person or *junzi* in the *Analects* can be similarly understood.[30] This sense of justice has three aspects (Cline 2007, 367–369): a sense of fairness (the *junzi* is neither for nor against anything, 4.10, 16.1), sympathy toward people's suffering (6.30), and a sense of responsibility to the wider community (benevolent rulers respond to people's needs, Mencius 1A7). Both accounts are developmental, with a sense of justice cultivated over time: Rawls follows Jean Piaget, while the Confucian-Mencian tradition recognizes four incipient moral responses (*siduan*; 2A2, 6A6) to be nurtured. A sense of justice is thus part of a Confucian ethical naturalism—a guiding "moral" sense that naturally develops, conditions permitting.

These arguments claim, in effect, that Confucian familial love coexists alongside impartiality or fairness in the public realm. They are

inconclusive, however. First, the textual evidence is unclear. There is some awareness of the need for fairness and extended concern for others (rulers for their subjects, etc.); but whether these constitute a robust commitment to impartiality is unclear. For example, the so-called civic virtues identified by Chan are still relational virtues, guiding everyday social interaction. Such virtues might induce a widening sphere of moral concern, but this extension arguably proceeds within networks of personal attachments and affect (see the discussion below). Also, Chan (2004, 69–70) translates *gong* (公) in the *Xunzi* as impartiality, suggesting explicit recognition of this ideal. But this seems forced and possibly anachronistic. The text defends a profoundly hierarchical social structure, in which common people must defer to sagely rulers and the norms of ritualized order.[31] *Gong* can mean "public mindedness," and a ruler might be mindful of public need; however, it is ritual propriety and the ruler, advised by ministers, who ultimately determines what is just and fair (*ping*).[32]

The issue here is whether judgments of fairness or rightness (*yi*) in early Confucian thought are sufficiently detached from historical context and personal prejudices. A ruler's or minister's "impartial" judgments, although made in good faith, could nevertheless be shaped by ritualized norms and traditional precedents that are not impartial in a more expansive sense—e.g., reflecting the moral equality of persons. After all, the tradition regards as appropriate the prioritizing of family. There is no meta-level reflection on the dominant social institutions and their role in propagating hierarchical Confucian social roles.

Furthermore, justice appears in the text mainly as a personal virtue of the ruler (though a version of the Golden rule in the *Analects* suggests some role for abstract principle). But a personal sense of justice does not itself ensure critical perspective on institutions and historical precedent. In Rawls' account, the development of a sense of justice or fairness starts with the family, strengthens through the community, and arrives at recognition of an impersonal public realm where personal ties are unimportant; but the Confucian texts lack this final step. One example of this historically conditioned sense of rightness or justice is the texts' critical view of the "barbarians" in the hinterlands surrounding the early Chinese states (Mencius 3A4). This shows little regard for difference or otherness, and also confidence in the superiority of Confucian culture. Thus, the Confucian ethical code appears more important than abstract notions of moral community and equality.

In sum, there is reason to believe that the early Confucian understandings of fairness and impartiality are shaped by traditional norms and established social practices, and while some forms of justice and impartiality are recognized, these do not trump familial priority. The texts lack higher level commitments to institutional forms or regulative ideals of justice or impartiality that might curb personal vagaries or cultural norms.[33]

Importing Impartiality from the Western Liberal Tradition

Given that the strength of the commitment to impartiality in traditional Confucian social ethics' is unclear, a possible response is to introduce to the tradition novel institutions and mechanisms that cultivate awareness of impartiality as a personal value and ensure impartiality in the public realm. On this view, the tradition of authoritative virtuous rulership, grounded in familial attachment, is inadequate for the needs of modern East Asian societies. Economic, technological, and social changes have led to value pluralism and disagreement about the good life (as well as concerns about gender equality, and the rejection of caste systems and legal restrictions on self-determination). This situation pragmatically justifies the adoption of ideals and political institutions from outside the tradition, such as political equality (the right to participate in decisions affecting oneself) and democracy (one person one vote), and institutions that ensure the impartiality of legal and political processes (Sungmoon Kim 2018, 6). In turn, these regulate the influence of particularistic ties and ensure substantive impartiality.

Ideally, a Confucian heritage is not rejected but enriched, and a distinctively Confucian modernity can emerge. Robust notions of impartiality and impartial public institutions are to exist alongside the Confucian commitment to familial attachments. For example, in some East Asian countries, public debate and political institutions have produced laws promoting filial piety, making children legally responsible for the care of aging parents.[34] Confucian particularistic attachments are thus reimagined within institutions guided by explicit regulative ideals of impartiality, equality, and fairness. This is perhaps the most convincing response to the sheep-stealing dilemma above, since here impartiality is enshrined in institutions and is not merely a personal virtue.

However, the problem with this approach is that the extent to which such a society remains Confucian is debatable. If diversity and disagreement are such that an impersonal and impartial system of decision making is required, with Confucian values merely one competing vision of the good life, is this a meaningful continuation of the Confucian tradition?[35] Confucian culture becomes a sub-set of a multi-cultural society, and its influence might wane over time. Furthermore, in the face of social disagreement and conflict, people might be increasingly compelled to appeal to self-conceptions based on individual autonomy and self-determination; but this elides the Confucian emphasis on a relational and role-constituted self.

Rejecting the Priority of Impartiality

As a path to a Confucian modernity, another defense of Confucian familial love and partiality involves rejecting the *priority* of ideals such as

justice and impartiality, without rejecting them per se. Instead, an ideal internal to the Confucian tradition is deemed more fundamental, and constitutive of human flourishing within that tradition. Harmony (*he* 和) is such an ideal. Contemporary thinker Li Zehou has argued that "emotional harmony is higher than rational justice" (Li 2014, 1098–1100). On this view, the priority of justice and impartiality assumes a particular kind of human subject, which can be questioned. This is one characterized by desires. Desires explain action and lead to an influential conception of rationality (means-end reasoning). People have different desires and pursue different ends; rather than judge which desires are most worthwhile, the moral task is to enable all to pursue personal projects within ethical constraints (fairness, not harming others, etc.). Justice entails impartially adjudicating between competing ends or projects. On Li's view, however, this focus on personal desires bound up in individuated conceptions of a single life is misguided. He draws on Liang Shuming (1893–1988) and Chinese interpretations of Yogacaran Buddhism, which understand desires as originating in the body. Being bodily in nature, desires are experienced as private and individual. This in turn generates the impression of the self as a discrete independent entity, with its own life plans. This is the self that informs liberal political theory and drives concern with impartiality.[36]

Emotions, and their origins, however, are understood differently. The classical Chinese term for emotion, *qing* (情), also means situation or state of affairs, or even reality or essence.[37] This suggests that the origin of emotion lies partly outside the body. That is, emotions inhere in the social situations in which people find themselves (they have a quasi-objective quality and are not simply inner feeling). In Li's account, a species of historical materialism, material conditions, and social structures partly determine consciousness, including emotions. In the Confucian tradition, personal relationships are highly structured and ritualized. Such relationships are not understood as freely chosen or voluntary, a response to a liking a person's character, and so on. Rather, they arise within existing social and historical contexts; the emotions experienced in these relationships—including those of familial love—partly reflect the social practices and roles that constitute those relationships. Being partly derivative of the social practices in which the subject exists, and orientated toward those situations, emotions thus have a veridical or action-guiding quality.[38] Also, since these practices have been refined over time within the tradition they exhibit stability and coherence, and so the emotions experienced through them have a measure of order—i.e., they harmonize with each other.

In Li's account, emotions motivate action. Being inseparable from the concrete situations, however, they cannot be subsumed under abstract moral principles; the two are incongruent. The latter aim to make diverse considerations commensurable and facilitate judgments of fairness across an extended community (such as all humans or all rational

beings).[39] For Li, committing to such principles means detachment from the motivating and guiding emotions embedded in the lived social world; but the meaning found in such everyday life contexts is a fundamental good (Li 2019, 317–322). Such meaning can be characterized in terms of the Confucian ideal of harmony. This broad notion might be summarized as the integration of various elements into a collaborative whole. Exemplified in various ways, it includes the harmonizing of emotional experiences through the practices and interactions that constitute relationships.[40] The partiality found in the Confucian tradition is thus justified since attention to particulars and the contexts of social interaction (i.e., familial love) create harmony. While the emotions experienced might differ, each participant in a relationship derives emotional satisfaction from the interactions. These emotional rewards are central to the Confucian good life, with the pleasure of such coordination compared to the effects of musical coordination and harmony.[41] This is why "emotional harmony is higher than rational justice."

This defense of partiality, by placing harmony above impartiality, is speculative and awaits fuller articulation.[42] Its account of emotion (and the difference with desire) is questionable; and even if accepted, the account arguably better suits traditional societies with less social mobility and more settled forms of life. The more complex and numerous the social forms, the more elusive is "emotional harmony." Still, even if social diversity complicates how harmony might be generated, the latter could still serve as an alternative regulative ideal, with conceptions of flourishing that ignore such affective satisfactions poorer for that omission. Furthermore, this approach raises valid questions of approaches to morality that begins from a strongly individuated conception of self—to which attach highly individual life plans. The separate but equal nature of such innumerable life plans requires a moral idea such as impartiality to ensure fair treatment. But the metaphysical assumptions behind such a self can be questioned; and if the self is not understood in such terms, then perhaps impartiality (as impersonal adjudication) matters less. Similarly, perhaps the emphasis on pluralism and separateness undervalue emotional solidarity built on some degree of shared social life.

How Familial Attachments Contribute to Impartiality

Rather than pursuing alternative foundational moral ideals, however, Confucian familial love can be developed in another way. This does not directly contest the value of impartiality but shows how familial attachments yield limited and localized forms of impartiality for the shared spaces of everyday social life. Here, impartiality means expanding one's sphere of concern: giving greater consideration to, or making available more goods or resources to, those with whom no particularistic ties exist (initially). In so far as the bulk of most people's lives and concerns focus

on the local and concrete, rather than the distant and abstract, then this form of impartiality may be significant.

The route to such impartiality starts from Confucian convictions about the moral worth of particularistic motivations, and the emotions deriving from family life. Instead of reigning in these motivations and sensibilities, they are cultivated and harnessed. When directed toward social life beyond the family, these motivations can bring about forms of impartiality, without necessarily aiming at it—in a manner somewhat analogous to Adam Smith's "invisible hand." Examining the psychological and practical effects of Confucian familial attachments can thus partially address the objections about Confucian values from the standpoint of impartiality. The ways of directing conduct that emerge might not satisfy the loftiest or most abstract notions of impartiality, since these effects will generally be limited and local. But this approach suggests reasons for continued interest in Confucian ethics beyond the Chinese tradition, and possibilities for a Chinese modernity informed by its own traditions.

Confucian Care: Care-as-modeling

The first illustration of how partiality can generate forms of impartiality derives from the conception of care inherent in Confucian familial love. An important form of such loving care is *care-as-modeling*.[43] Such care originates in the family, but its benefits can extend beyond kith and kin. Confucian care-as-modeling can be explained as follows.

Confucian thought recognizes the natural unevenness of most close relationships; at any given moment, one party is typically stronger, wiser, more capable, etc., in some aspect of the relationship or interaction. Equality in such relationships is an abstraction. Confucian familial relations are typically hierarchical and role-bound and include father-son, older-younger (sibling), mentor and mentee, and teacher and pupil. These relationships feature disparities in age, experience, and even ability or competence, and classical Confucians emphasize the differing experiences, duties, and emotional experiences that characterize each type of relationship. The *Mencius* notes:

> He [the sage-ruler Shun] appointed Xie minister of education in order to teach people about human relations (*lun*): that between parents and child there is affection (*qin*); between ruler and minister rightness (*yi*); between husband and wife, separate functions (*bie*); between older and younger, proper order (*xu*); and between friends, trustworthiness (*xin*). (3A4 trans. Irene Bloom)

Differing forms of loving care arise within these relationships, such as affection (*qin*) and kindness (*ci*) from parents toward children, and filial reverence (*xiao*, which encompasses obedience, loyalty, respect, and

gratitude) of (adult) children toward parents. In the context of such differentiation, one aspect of loving care becomes important. Namely, the more senior party is responsible for educating those more junior. This is done partly by modeling or setting an example. Rooted in a motivation that the other succeeds in the world, care consists in showing the cared-for or mentee "how it's done."

The *Analects* offers a detailed study in how Confucius sets an example for his students. Book 10, for example, is a study in the care with which Confucius conducts himself—the reverence he displays toward others, his caution about speaking, his attention to demeanor as a guide for conduct, and so on. The exemplary figure of Confucius is a reference point for human conduct, around which others can find their moral bearings. Confucius cares about his disciples' development, modeling excellence to ready them for positions of responsibility in government. As Mencius notes, "The compass and square produce perfect circles and squares. By the sages, the human relations are perfectly exhibited" (4A2).[44]

Beyond the classical texts, a more recent, albeit gendered, image that embodies this care is the traditional Chinese *shifu* 師父: someone "teacher-like" (*shi*) and "father-like" (*fu*) invested in training junior cohorts in a skill or vocation. This form of care involves imparting knowledge and skills, but from a position of relative authority and motivated by personal attachment. "Care" is a concern that the cared-for succeed in the complex social world that they find themselves in, and a readiness to help. Such caring enables the cared-for to do something they were previously incapable of, did not want to do, or had not considered. Such caring applies to children preparing to enter a more structured and responsibility-laden environment; but—drawing on the extended sense of familial love—it includes junior acquaintances unfamiliar with the requisite standards and skills inherent in practical tasks or social situations, such as in the workplace. Concerned and experienced mentors often prepare the cared-for to fulfill social roles and navigate situations in which conduct is largely prescribed or customary (everyday greetings, weddings, professional roles, etc.). However, models are also beneficial in less structured situations, including dealings with neighbors or friends, which bring more room for interpretation and error. In all of these contexts, the ideal is to attain competency, fluency, or even mastery.

How does care as modeling work? An obvious mechanism is imitation—observing and copying successful behaviors and strategies. But care-as-modeling is also characterized by its suggestiveness. It is prospective and pre-emptive. It invites the cared-for to thoughtfully study those around her and imaginatively adapt what is found there. Confucius notes,

> "In strolling in the company of just two other persons, I am bound to find a teacher. Identifying their strengths, I follow them, and identifying their weaknesses, I reform myself accordingly." (7.22)

As this passage illustrates, learning via modeling often proceeds by interpersonal comparison (*pi*譬). This is expressed explicitly in 6.30, and the possibilities of learning from what is close at hand:

> … Authoritative persons [*ren* 仁] establish others in seeking to establish themselves and promote others in seeking to get there themselves. Correlating (*pi*) one's conduct with those near at hand can be said to be the method of becoming an authoritative person. (Ames and Rosemont 2010, trans.)

One seeking to "establish others" and "promote others" provides a personal example that invites interpersonal comparison, analogy, and appropriation. Friendship promoted in the *Analects*—exemplified by Confucius' students—has a similar structure: people of similar virtue learn from and inspire each other (13.1, 16.4).

Care-by-modeling can be extrapolated beyond the original Confucian context. For example, older brothers offer a model to younger family members or friends in how they cope with bullying at school, which helps the cared-for to prepare for similar situations. Similarly, in the choice of career, children and pupils observe how teachers and parents make a success (or not) of their professions, compare the observees' characters with their career demands, and gain insight into the suitability of such careers.

Care-as-modeling contrasts with prominent Anglophone accounts of care. The latter prioritize attentiveness, empathy, and motivational displacement—allowing one's own motivations and actions to be directed by the cared-for (Noddings 2002; Held 2006). In the Confucian account, however, these are secondary to ensuring the cared-for attains the applicable competencies.[45] "Care" is not primarily psychological access to the cared-for's emotions and mental states, or responding to the individual's immediate or stated needs. Rather, attention focuses on the interface of the individual and the surrounding environment, with its social practices that the cared-for must master. Furthermore, this conception of care does not rely on a comprehensive understanding of the cared-for's interests or good—i.e., a concern for how their desires and goals form a unified life plan that the caregiver helps to realize. Instead, the caregiver is motivated by success in specific social practices and contexts, each with their own internal standards of excellence.

How Modeling-as-care Mitigates the Problems of Partiality

Modeling as care addresses some objections to Confucian ethics deriving from concerns about partiality. This is because the example set or the model offered can be a public resource. Acts of care intended to benefit a select group (broadly, those in the web of familial relations) also

benefit a broader range of people—including those for whom the agent lacked caring motivations.

The benefits to the wider group of such caring motivations can be expressed in various ways. The first is the public model provided by the caregiver. For example, a father coaches a football team primarily because of his desire to introduce his son to the joys and challenges of football, but all who join the team benefit from his teaching and example. Initially, the model, i.e., the coach, is not strongly motivated to benefit the other children, but his particularistic motives generate a quasi-public benefit.

The psychological or motivational implications of such care can be explored further. In the Confucian tradition, models or exemplars are not simply resources, from which others might learn if motivated to improve. Modeling is also implicated in a complex social psychology, which emphasizes the non-consensual effects of models on those around them. For example, people do not emulate models only because of a desire to learn or profit. The Confucians suggest that they are also moved by a sense of shame, by wanting to measure up more favorably to the example set: *Analects* 2.3 reads, "Lead them with excellence… and they will develop a sense of shame and, moreover, will order themselves."[46] The classical texts also assume that, as a matter of basic human dispositions, people emulate exemplars without consciously choosing to do so.[47] Modeling motivated by familial love can thus stimulate interpersonal reactions and comparisons that have broader social effects. Other parents see the coach's example and are shamed, inspired or simply disposed to make a contribution, sharing the burden of running the team, etc. In this way, caring enriches the goods or resources available to a community, benefiting a range of people beyond the original familial attachments.

Another relevant Confucian insight concerns the extension of caring, to include people connected to the original cared-for person. The practically relevant motivations are not limited to the cared-for, but rather "spill over" or, to use the classical Confucian term, *extend* (*tui* 推; Mencius 1A7[48]): sympathy and affection for one's own family can be extended to more distant others. In the football coach example, the other children are not merely foreseen but unintended beneficiaries; the claim is that the powerful affective attitude of care for the son often stimulates a degree of personal interest in the other children on the team. Caring about the project, as a result of caring for the son, induces caring for others involved in it.[49] This motivation to care might be less strong, but nevertheless, these other relationships acquire some of the qualities of particularistic ties. As a result the children's interests matter more to the coach. Through this extension of concern, partiality is redirected and again drives broader concern for others.[50] Familial love should thus not be understood in terms of clearly delimited commitments, with

distinctions between inner and outer, but is somewhat malleable and "extendable."

It might be objected that, so far, the ways in which familial love generates wider concern or public benefit is limited; impartiality requires more extensive consideration for others than examples such as the football coach suggest. What about, for example, conditions of scarcity, when families chose between prioritizing their own and strangers? When waiting lists for medical treatment are long, should families "pull strings" to have family members treated early (Marcia Baron 1991, 855)? Similarly, it might be asked whether such extensions of motivation and concern are psychologically plausible.

I address the motivational question in the next section, but the following can be said about the extent to which impartiality can be indirectly achieved through familial love. First, it is unlikely that that familial love can generate an idealized standpoint for moral judgments; as noted above, impartiality in public life and policy is perhaps best addressed through institution reform. Of greater interest here is how familial love can generate more local and socially specific forms of fairness or impartiality—e.g., greater willingness to share goods with those in the same community. That said, perhaps particularistic care and the exemplary conduct it motivates can sometimes realize more abstract and global forms of impartiality.

One possible route involves the subject's own commitment to serving as a model. Caring about the son makes the father desire to be a good model for him. Fathers, for example, often want their sons to acquire general character virtues, such as kindness or fairness. This can elicit motivations in the father to treat others in ways that models tolerance, fairness, etc. Furthermore, such motivations, if sustained, become part of the father's character and habitual conduct. As a result, conduct guided by values such as fairness or tolerance becomes routine, even in situations where such conduct is neither observed by the son nor affects him.[51] Indeed, it is common for parents to hold themselves to higher standards because of their child; anecdotally, people can experience a change of mindset in response to the birth of a child, becoming more socially responsible in general. While further study of such anecdotal evidence is needed, the key point is that this expanded sense of moral responsibility and fairness are motivated by particularistic ties.

A second example of how familial love might motivate more global notions of impartial fairness concerns the environment. Some parents become concerned about the world's ecosystems when considering the future from their children's perspective (and their children's children). Desire that the world still be habitable for children can motivate parents to take on their share of the burden to ensure sustainable resource use. Here, too, parents are prompted to value fairness, to do their fair share, by particularistic concern for their children; previously, they might have been unmotivated to act or motivated by narrower self-interested calculations.

Familial Love as an Obligation to Develop a Basis for Familiarity

On the question of a moral psychology that connects familial love with wider concern, we return to classical Confucianism's *extension* (*tui*) of family-like concern and attachments.[52] The dominant paradigm of Confucian social ethics, articulated in canonical texts such at the *Great Learning* (*Daxue*), is expanding circles of concern, influence, and harmonious interaction, with exemplary people at the center. In the original formulation, extension is explained in terms of potency or an ordering force (*de*), rooted in the effects of exemplary conduct on ever larger communities: exemplars transform households, households transform communities, and so on. The importance of personal attachment in the texts suggests that these expanding ripples of order and connection also proceed via the extension of family-like attachments.[53] Exploring this guiding metaphor and Confucian prescriptions for family-like attachments suggests a moral psychology that connects particularistic affections with a wider realm and the common good.

In the liberal social contract tradition, the expansion of personal attachments is often understood as voluntaristic, with rational individuals choosing or consenting to closer ties with others. Here, friendship is idealized: an alternative to the bonds of family or traditional ties, where relationships are chosen on judgments of character, common interest, a sense of attraction or amusement, etc. Outside these consensual networks—strangers or those with whom no personal attachment exists—different modes of relatedness apply, such as recognizing a shared human dignity; here, the formal demand for impartiality or fairness seems most apt.

Confucian thought challenges this picture, offering a different account of the expansion of networks of personal attachment. Here, expansion is not primarily voluntary or consensual; for the Confucian subject it is the result of a cultivated sense of obligation that is rooted in familial life. This sense of obligation can be described as *an obligation to identify a basis of familiarity* with each person who enters the subject's local social world.[54] This means a disposition to identify features of those encountered, such that a more particularistic tie can be established, and which can then guide action toward that person and facilitate affection. Such moments of familiarity can be varied—an obvious commonality, a prominent trait, a particular piece of knowledge, etc. An example is seeing a new acquaintance as being similar in some way to a sibling or parent, which then suggests how to act toward that person and even affective responses.

This sense of obligation to "familiarize" others is the cumulative effect on the subject of exposure to family life, which consistently sensitizes the subject to the roles and relationships that constitute her social world. This heightened awareness and conditioning is prominent in the

Analects. The text is a study in internalizing the demands of the many roles and relationships that constitute so much of the subject's everyday experiences. This conditioning begins with filial reverence (*xiao*): the junior person's adjustment to multiple social roles and relations—son, father, mother, teaching, minister, ruler, and so on. Most fundamentally, junior parties should be concerned about their parents. Children are to avoid giving parents cause for concern (*Analects* 2.5), care for them with a genuine feeling (2.6), control their speech toward parents (4.18), know their parents' age, and refrain from changing the affairs of a deceased father (4.20). Junior members of the community—younger brothers and sons—are also instructed on behaving at home and in the community (1.6). The effect of the practices and habits of filial reverence and fraternal deference, I suggest, is to cultivate a subject consistently concerned about relationships, who experiences a sense of obligation to establish familiarity with others. It is evoked whenever new acquaintances are encountered, with attempts made to "familiarize" the other and develop particularistic connections.[55] Such a sensibility explains why deliberation or reflection in the *Analects* is construed as a meditation on one's performance in various relationships (4.1).

This felt compulsion to identify personal qualities or features instrumental to the expansion of the web of affective connections is, for the Confucians, a form of ethical obligation. This contrasts with rationalist ethics in which impartiality is central. In the latter, ethical obligation is grounded in rational deliberation, and the identification of agent-neutral reasons for action. The Confucians, however, seem to suppose that the most fundamental obligations are social—demands to adopt certain practices or attitudes—and their force is created through the effects of practice and conditioning on the subject through ritual, habit, and custom. Such obligation is confirmed as ethical obligation on account of the shared social goods generated through familial attachments, and the broader social harmony realized in this approach to the good life. This point is significant because rational obligation, which underlies an abstracted impartial moral viewpoint, typically encounters the problem of how to motivate the subject to meet such obligation. Some insist that if we are fully or properly rational, then we will be sensitive to appropriate reasons (Christine Korsgaard 1996). But the Confucian approach to ethical obligation avoids such problems about practical motivation by locating ethical obligation in the conditioning effects of sustained practice, ritual, and habit as these pertain to other people who share a social space.

The same forms of obligation and sensitivity can be identified in contemporary Confucian cultures. One example is the power of fictive kinship relations—establishing relationships with strangers or non-kin by "extending" the features and emotions of kinship-relations.[56] Consider the younger brother-older brother relationship. The unique collection of

actions, habits, and emotional experiences that constitute two people's experience of that familial relationship forms the basis for relating to other people judged to be similar to "younger brother" or "older brother." Contemporary examples of the extension of familial relations and affections include: appeal to native places or "hometowns" to generate solidarity, or parents instructing children and playmates to call one another by a fictive kinship term (William Jankowiak 2009, 77). In factories, young female factory workers address more experienced female workers or managers as "older sister" (*jiejie*) (Yang 1994, 114). This creates mutual affection and establishes modes of interaction and expectations—of assistance on the one hand, and cooperation on the other. Fictive kinship relations are not limited to China, but they illustrate this cultivated disposition to incorporate new connections into an existing web of family-like relations and ties. In contemporary China, this urge to generate a basis for familiarity is also seen in the importance of social networks or *guanxi*.[57] Importantly, *guanxi* relations are more particularistic and emotionally involved than mere lists of social contacts, favor exchange, or fee-for-service bribery. We return to the practical significance of *guanxi* below.

How then does this obligation to identify a basis for familiarity, and so to "familiarize" relationships with new acquaintances, accord with or further the demands of impartiality? Clearly, the expansion of family-like relationships to an ever-wider community does not constitute conduct or judgments that are impartial per se. But the drive to expand the web of relations does involve an attitude that is impartial. This sense of obligation is blind and impersonal. Any person entering the subject's social world becomes the object of this attempt to find familiarity. The attitude transcends particularistic ties, since it is not limited to particular favored others. It is an open-ended disposition; it is agent-neutral. This attitude is defeasible, given sufficient cause; nevertheless, one subject at a time, the web of particularistic ties expands. According to the Confucian ideal, this process has no endpoint; ultimately, for exemplary persons, "all within the fours seas are my brother" (12.5). This impartial attitude can thus generate wider concern for a greater number of people, within the context of localized social life.

Another consequence of the extension of the thoughts, feelings, and practices of familial ties is that subjects' conceptions of their self-interests are made malleable and convergence of interests more likely. Enhanced deference and openness to suggestion are features of friendship and even love (Amelie Rorty 1986); and the coordinating and consensus building effects of such attitudes can bring about states of affairs that are equitable without direct appeal to impartial judgments of fairness.

The limits of familial attachments to generate objectively fair outcomes must be acknowledged, however. This approach is most plausible when analysis of human conduct starts from recognition of a shared everyday social world constituted by numerous social interactions. Consequently,

its relevance to justice within extended or global communities (all human beings, all sentient beings, and so forth) is limited. There are distant others who cannot be brought within networks of personal familiarity but who remain morally considerable. Furthermore, it is possible to yield, defer, and find consensus in ways that, from an impartial viewpoint, might involve unequal or unfair arrangements. False consciousness and insufficient appreciation for social structures and power dynamics are genuine challenges for this approach.

Guanxi Networks as Civil Society

Here too, however, something might be said for the Confucian approach presented here. Some (Otis and Lo 2002; Lambert 2012, ch. 7) have explored how networks of familiarity and particularistic ties can constitute a form of civil society. They can generate social stability and create sensitivity to others and a culture of respect. In this respect, extending networks of familiarity might contribute to fairness or justice in the wider public realm, albeit through a distinctive mechanism. This involves the effects of large-scale social networks on public policy.

Consider again the social phenomenon of *guanxi*, or affect-laden networks of personal attachment. Arguably, *guanxi* networks can function as an ethical corrective for "unethical" laws produced by a putatively impartial centralized authority. Lawmakers, striving for impartiality, can nevertheless be insufficiently sensitive to local conditions and the needs of local populations. Laws that appear impartial and fair to lawmakers—on account of their social identities, particular vantage points on society, or even constraints on their ability to understand local conditions—might be reasonably rejected by those distant from legislative centers. Under such circumstances, *guanxi* networks can induce reform by resisting or undermining unjust laws—perhaps by making enforcement infeasible.

Such effects are somewhat analogous to civil disobedience although the latter involves other forms of organization. Use of the black market during the Chinese communist government's restrictions on free-market exchanges is another example.[58] Given the scarcity of goods that citizens might reasonably expect access to, the use of *guanxi* networks to secure such goods "illegally" might, from an impartial standpoint, be justified, while also undermining nominally impartial but unreasonable economic policies. Indeed, historically, such informal personal networks help the under-privileged to resist or survive objectionable laws.[59]

Particularistic ties achieve their effect by providing alternative channels for resources and information, and by connecting affected individuals. The effect on policy might be achieved through a single social network, or several networks with the same concern emerging independently. In all such networks, no single person need be personally familiar with all

others, with each network partly maintained by a loose rhizomatic collection of personal ties.[60]

In this way, the obligation to establish a basis of familiarity can sometimes lead to outcomes that accord with an impartial moral standpoint—but without aiming at the latter. The experiences and goods of particularistic attachments can thus have ethical significance that extends beyond the confines of their obvious biases and partial concerns.

Conclusion

Attempting to show how Confucians can satisfy the demands of impartiality, within a tradition that has not recognized it as a foundational ethical ideal, might seem misguided. One either directly embraces impartiality as a regulative ideal or one does not. But there are at least two reasons for exploring Confucian responses to the ideal of impartiality. The first is theoretical, and concerns ethical theorizing. The Confucian ethical tradition is rooted in familial love and partiality. However, showing that the Confucian tradition can respond to concerns about impartiality shows the viability of the tradition moving forward, and its value to ethical theorizing in general. The novel ideas found in the tradition are worthy of inclusion in global dialogue about the nature of the good life and right action. There is much scope for ongoing comparative dialogue.

The second reason is political. Faced with the question of what a Chinese modernity might be like, it is important to consider China's native resources for answering this question, rather than assuming the inevitability of liberal or neo-liberal frameworks for understanding persons and the relation between them. Returning to Li Zehou's Marxist-informed critique of Western thought, perhaps the Confucian tradition can raise helpful questions about whether the market-based view of society, comprised of self-interested and fair-minded rational contractors, has exerted disproportionate influence on ethical theorizing. If this view—and the role of impartiality within it—is challenged, different ethical ideals and norms might emerge. Traditional Confucian thought—about the human subject, human flourishing, and what social or political structures best realize such flourishing—can inform discussions of Chinese modernities.

Notes

1. For a contemporary critique of the Confucian commitment to family, and to filial piety (孝*xiao*) in particular, see Liu Qingping (2003, 2007). See also notes 24, 28, and 29.
2. Confucian personal cultivation can be helpfully glossed via agricultural metaphors of nurturing and growth. See Don Monro (1971).

3. A similar definition is found in *Mencius* 4B28: "That whereby the superior man is distinguished from other men is what he preserves in his heart – namely, benevolence and [ritual] propriety. The benevolent man loves others" (Legge trans.). Translations from ctext database [ctext.org] unless otherwise indicated; I hope that using an accessible database will help interested readers to explore texts cited in the paper.
4. See *Mencius* 5A3, quoted below. Another example of ai-as-love is found in the "Tan Gong I" chapter of the *Book of Rites* (*Liji*), where *ai* is one source of mourning, alongside fear: "there are two grounds for the wailing; one from love, and one from fear." In the same chapter, the Confucian Zengzi uses the term *ai* when lecturing his followers about authentic "love": "Your love of me is not equal to his. A superior man loves another on grounds of virtue; a little man's love of another is seen in his indulgence of him" (Legge trans.; ctext.org).
5. In fact, the term for person (*ren* 人) that appeared in the passage 12.22 above, and translated as "loving others," often refers to the people in general rather than people understood personally (Lau 1979, *Introduction*).
6. See *Analects* 1.5 and 17.4. *Analects* 1.6 makes the ruler's commitment to subjects more explicit with the injunction to "broadly care for the masses" (汎愛眾).
7. *Mencius* 7A37, for example, compares *ai* to caring for domestic animals and also places it below respect/reverence (*jing* 敬) in a hierarchy of values.
8. In *Mencius* 1B5, a ruler argues that he is incapable of true rulership because he is fond of beauty or sex (*haose* 好色). Mencius reassures the ruler by pointing out that an ancient sage-king was also found of beauty and "loved his concubines," yet became a great ruler.
9. See Ulrike Middendorf (2007).
10. *Analects* 2.4; *Mencius* 4B30; *Xunzi* 19:1.
11. *Mencius* 5A1, 6A4; *Book of Rites* 9:19.
12. *Analects* 4.5.
13. In *Analects*' 5.1, Confucius approves of his daughter's marriage to a man unjustly accused of an unspecified crime; Cf. 11.6; but such references are largely tangential.
14. For example, *Mencius* 4B30.
15. *Analects* 5.26.
16. The same ideas are often repeated across early Confucian texts, reinforcing their importance. In the *Doctrine of the Mean*, another influential Confucian text, we find: "Humaneness (*ren*) is the characteristic element of humanity, and its most important aspect is to affection for kin" (Sec. 20.5).
17. A similar set of prescriptions for the ordering of relationships appears in the *Mencius* 3A4, cited below.
18. Slingerland, trans; translation modified for clarity. See also, e.g., the Han Dynasty text the *Classic of Filial Piety*: "It is familial reverence (*xiao*) … that is the root of excellence (*de*), and whence education (*jiao*) itself is born" (Ch. 1, Rosemont and Ames, trans., 2009, 105).
19. "Confucian moral epistemology … begins at home, in the role of son or daughter with which every human being begins their life. We learn loyalty and obedience by deferring to our mother and father, but … do not see deference (positive) as subservience (negative)" (Rosemont 2015, 98).
20. See *Mencius* 1A7; or the familial devotion of the legendary sage-ruler Shun in the *Mencius*, 5A2–3.
21. For the Mohist critique, see Burton Watson (1964, 39–41); the Mohists have been described as "the first consequentialists" (Chris Fraser 2016).

22. In 3A5, Mencius asks the Mohist Yi Zhi "Does Master Yi believe that a man's affection for his brother's child is just like his affection for the child of a neighbor?" On this passage, and the disagreements between the Mencian notion of a single root of feeling (the family) and the "two roots" of the Mohists (family and generalized concern for all), see David Nivison (1996).
23. On the extension (*tui*) of care and concern, see Mencius Book 1A and 1B. In several dialogues, rulers are encouraged to share their wealth and resources with their subjects, thereby sharing and enhancing the pleasures of all involved. For example, a ruler is encouraged to open up his private enclosures and ponds to the public. Such extension remains limited, however, and does not go beyond a ruler's state. The question remains about how far motivation can be extended, and whether it can include the interests of those who are distant strangers. The Mencius has little to say about the details here in terms of mechanism, psychological or otherwise, which raises doubts about whether a highly generalized concern for humanity as such can be generated from a concern for family and kin.
24. For an overview of the debate, see Hagop Sarkissian (2010, forthcoming 2020).
25. See Chan's account of this passage below. Another possibility is to focus on historical and sociological context. For example, brutal collective punishments in pre-Qin China (including the execution of entire families for the crimes of one member) could suggest a utilitarian defense for not reporting.
26. Another example of prioritizing family is Mencius 5A3. Here, Shun, a paragon of family devotion, became emperor and enfeoffed his inhumane and murderous brother, while also punishing other offenders. His justification for such unequal treatment includes, "A humane man does not store up anger against his brother, nor harbor grievances against him. He simply loves him; that is all. Loving him, he desires him to be honored; loving him, he desires him to be wealthy" (Bloom, Trans 2009, 101). Liu Qingping (2003, 234) argues that *Analects* 1.11, 17.21 provide further examples. The Mencius also shows concern to avoid situations that would harm the affection between fathers and sons (4A18, 4B30).
27. See, for example, the *Nan Shan You Tai* (南山有臺) and the *Jiong Zhuo* (泂酌) odes in the *Book of Poetry* (*Shijing*). The phrase also appears in the *Book of Rites*, the *Great Learning*, the *Xunzi* (王制, 正論, 禮論 chapters) and chapter 1 the *Classic of Filial Piety* (*Xiaojing*). In modern times, Liang Qichao (1873–1929) (2017 [1930]) was an influential proponent of the view that the state was the family writ large; for English language interpreters of this view, see Frederick Mote (1989 [1971]).
28. Kang Youwei (2010), Tan Sitong (1984). In contrast, Hsu Dau-Lin (1970) argued that the exaggerated importance of the filial piety and the bonds between father and son or ruler and minister was a product of Song Dynasty Neo-Confucian thought, rather than a philosophical commitment of the classical Confucians. According to Hsu, Song metaphysics and moral philosophy became the orthodoxy for later generations, up to the end of the imperial dynastic period in 1911.
29. See Liu Qingping (2002, 2003, 2004), Yong Li (2011), Hu Pingsheng (1999). Rosemont and Ames (2009) and Rosemont (2015) offer a defense of traditional familial values.

30. Rawls (1958, 61). Cline cites various passages that suggest a sense of justice was important to the early Confucians: *Analects* 1.6, 4.5, 4.10, 6.30, and 16.1.
31. Chan translates *li* 理 as "reason" (70), but perhaps "order" is a better translation. See Eric Hutton's translation of the Xunzi (2016, ch. 27, lines 171–178). In this passage, Xunzi clearly subordinates rightness (*yi*) to ritual propriety or precedent: "The gentleman dwells in *ren* by means of *yi*, and only then is it *ren*. He carries out *yi* by means of ritual, and only then is it *yi*."
32. Similarly, Cline claims *Analects* 13.18 as evidence that Confucius is concerned with justice. Confucius might be concerned here with rightness, in accord with his own ethics, but it is unclear whether a robust notion of impartiality is central to this vision.
33. Alasdair MacIntyre (2004, 217) sums up this view: "But my view does involve a denial that any modern state, Asian or Western, could embody the values of a Mencius or Xunzi. The political dimensions of a Confucianism that took either or both of them as its teachers would be those of local community, not of the state."
34. Singapore's 1996 *Maintenance of Parents Act* is one example of legislating for filial piety. Similar laws exist in China, Taiwan, and India (Serrano, Saltman, & Yeh 2017), and, though rarely enforced, in some US states.
35. For an alternative account of a modern Confucian polity, one less sympathetic to value pluralism and democracy, see Jiang Qing (2013); Lee Ming-Huei (2017, ch. 7) opposes Jiang's approach.
36. See Rosemont (2014) for an argument against this "autonomous" self from a Confucian perspective.
37. On *qing*, see A.C. Graham (1986, 59–65), Chad Hansen (1995), and Brian Bruya (2001). Hansen explains *qing* as "inputs from reality" (196) that are relevant to following a guide (a *dao*). As motors of action, such inputs are distinct from desire.
38. This is why, as discussed above, fathers are not to teach sons (Mencius 4A18)—to preserve emotional harmony between them and avoid interactions that cause resentment, anger, etc. Moral duties (children's education) matter but are partly constrained by the contours of emotional life.
39. One might insist there is nevertheless a moral obligation to do this—a question discussed below.
40. Confucian harmony is expressed in multiple realms, only some of which are emotional: internal harmony within the body, upholding social roles, absence of social discord, consensual generation of policy, accord between humans and broader cosmos forces, etc. See Chenyang Li (2008, 2014).
41. On musical harmony, see Erica Brindley (2012).
42. Li sees harmony as a regulative ideal realized slowly, as a historical process; this ideal state transcends liberalism but, for now, the right (of the individual) takes priority over the good (Li 2014, 1136).
43. For a detailed discussion of the relation between Confucian thought and the ethics of care, see Chenyang Li (1994), Daniel Star (2002), and Andrew Lambert (2016).
44. Mencius 4A2 outlines the importance of role models in achieving sagely rulership, and the example set by the exemplary sage rulers of antiquity, Yao and Shun.
45 This explains why the Mencius (4A18) advises against parents teaching their own children—since there will be arguments, feelings will be hurt and intimacy threatened.

46. See also 4.22, 13.20, and 14.1. On the psychology of Confucian shame, see Bongrae Soek (2017) and Nathaniel Barrett (2015).
47. See, for example, the Mencius' discussion in Book 1 of how exemplary rulers influence their subjects. See also the related discussion in P.J. Ivanhoe (2000).
48. Mencius 1A7 describes how the ideal ruler is able to take his sympathetic response to what is near at hand and extend it to others.
49. Propinquity might also play a role in this psychological extension: exposure to others who share common cause with one's son. This accords with social psychology research that suggests the key variable in developing friendship is not a particular characteristic of a person but proximity and prolonged exposure. See Newcomb (1956).
50. Nationalism provides another example. Upon discovering that a stranger belongs to the same nation, a particularistic connection, a commonality, is established and one's attitude towards that person can change—*if* one is disposed to identify and be moved by such ties (see the discussion below).
51. Here fairness or impartiality is valued directly, as morally desirable traits; however, the motivation to so value them—to "wake up" to these values—resides in particularistic ties.
52. For an alternative use of Mencius' notion of extension to generate concern for non-intimates, comparing it to the Golden Rule, see Eric Schwitzgebel (2019).
53. The Zhou Dynasty (c. 1046–221BCE), for example, expanded and sustained power through the use of strategic marriages and the creation of vassal states. See Melvin Thatcher (1991).
54. The disposition to establish a basis of familiarity, which can guide conduct, is derived from anthropologist Mayfair Yang's work on Chinese social relations (Yang 1994, 111–123 and passim).
55. This explains why some Chinese intellectuals, such as 20th-century scholar Xu Fuguan, have characterized the Confucian tradition as a culture of "concern" (*you* 優, sometimes translated as anxiety; Xu 2005). See also Tea Sernelj (2013).
56. Arguably, fictive kinship relations are important in early Confucian thought. Clan lineages (*zong*宗), which unified clans by tracing a common lineage, also involve imaginary affect-laden relationships analogous to fictive kinship. I thank Thomas Barlett for this point.
57. On *guanxi*, see Mayfair Yang (1994), Andrew Kipnis (1997), and Gold, Guthrie, and Wank (2002).
58. See Ren Xin (1990).
59. See, e.g., Carol Stack (1975). Another example is migrant workers in China who use "native place ties" to find employment and a foothold in large cities, in defiance of residency laws that often exclude migrant workers from local services (Li Zhang 2001). If those laws are exclusionary or unfair, then networks of particularistic ties are a justified form of resistance.
60. There might be cases where opposing networks emerge, pursuing contradictory aims with regard to a policy. In such cases, in so far as the eventual outcome was fair from an impartial viewpoint, then particularistic ties would still be instrumental in bringing about fairness, without directly aiming at fairness. More importantly, the original point still stands: particularistic ties can sometimes mitigate for the epistemic deficiencies or other failings of centralized lawmakers.

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