

# Non-Impositional Rule in Confucius and Aristotle

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Throughout the *Analects*, Confucius articulates and endorses a striking, non-impositional model of political rule. On this model, the virtuous ruler—the *junzi* (君子) or gentleman—does not bring about order (primarily) through issuing commands, or through enforcing coercive restraints on his subjects. Instead, the virtuous ruler, *qua* virtuous, generates a kind of spontaneous order within his community. Such governance exhibits a kind of effortless action, literally, “non-doing” (*wu-wei* 無為), on the ruler’s part. Such *wu-wei* rule, Confucius suggests, invites comparison with, and even counts as an approximation of, the *wu-wei* governance visible in the orderly natural world.

Meanwhile, in his ethics, natural philosophy, and metaphysics, Aristotle distinguishes imperative rule from non-imperative rule. In particular, Aristotle portrays God—the Unmoved Mover—as a paradigmatic non-imperative ruler, i.e., as a causal principle that establishes cosmic order without issuing commands or instituting coercive restraints. Aristotle’s portrayal of the Unmoved Mover as a non-imperative ruler distinguishes Aristotle’s conception of the divine from others, such as Abrahamic conceptions, which depict God as a divine law-giver and command-issuer. At the same time, the non-imperative rule that the Unmoved Mover enacts shows a certain likeness to Confucian *wu-wei* rule. Yet for all that, Aristotle initially seems less sanguine than Confucius does about the prospects of non-impositional rule in political contexts.

ruler's character. [A] emphasizes the ruler's correctness of person (cf. 12.17). [B] emphasizes that the good ruler exhibits a certain potent virtue, or *de*, which commentators often liken to a kind of moral charisma, or even to a kind of magical power.<sup>2</sup> The effect of such virtue on others is like the effect of the Pole Star on the other stars. For its part, [C] remarks on how, specifically, the ruler's powerful virtue manifests itself. The ruler displays reverence, as well as ritual propriety; in response, order emerges around him as order emerges around the Pole Star in [B].

How, then, does the virtuous ruler rule without acting? As [A] through [C] suggest, the virtuous ruler *elicits imitation* in those whom he rules. The ruler *qua* virtuous stirs the ruled to *make themselves like* the ruler. By displaying qualities like reverence and propriety, then, the ruler spontaneously generates stable, cohesive social arrangements, as those whom he rules also seek to become reverent and proper.<sup>3</sup>

The thought that virtuous rulers generate order through eliciting imitation appears in various exchanges between Confucius and Ji Kangzi throughout the *Analects*. As Confucius advises Ji, "Oversee them with dignity, and the people will be respectful; oversee them with filiality and kindness, and the people will be dutiful; oversee them by raising up the accomplished and instructing those who are unable, and the people will be industrious" (2.20). To rid Lu of its rash of robberies, Confucius recommends Ji to consider his own character: "If you could just get rid of your own excessive desires, the people would not steal even if you rewarded them for it" (12.18). Further, Confucius points out to Ji that, in a good government, the ruler need not rely on executions to maintain order. Again, Ji should consider the model he sets: "If you desire goodness, then the common people will be good. The virtue of a *junzi* is like the wind, and the virtue of a petty person is like the grass—when the wind moves over the grass, the grass is sure to bend" (12.19).

In his conversations with Ji Kangzi, then, Confucius suggests that the ruled end up mirroring the virtuous ruler's character. When the virtuous ruler conducts his affairs and treats those whom he rules with dignity, filiality, kindness, and fairness, the ruled conduct their own affairs virtuously. When the ruler constrains his otherwise disruptive desires and exemplifies virtue, the people will follow suit. On these grounds, Confucius insists upon the irrelevance of harsh punishments. Virtuous rulers need not rely on such punishments to maintain order (cf. 2.3). Like blowing wind on blades of grass, the *junzi*'s virtue affects the common people. Blades of grass change their shape in response to the force of the wind. Similarly, those whom the virtuous ruler governs come to display a certain isomorphism of character with the ruler.<sup>4</sup>

In what follows, then, I examine and compare Confucian *wu-wei* rule and Aristotelian non-imperative rule as two models of non-impositional rule. How exactly do non-impositional rulers, according to these thinkers, generate order? And how might a Confucian/Aristotelian dialogue concerning non-impositional rule in distinctively political contexts proceed? Are Confucians and Aristotelians in deep disagreement, or do they actually have more in common than they initially seem?

### WU-WEI RULE IN CONFUCIUS' POLITICAL THOUGHT

How, according to Confucius, does *wu-wei* rule count as a form of *governing* or *ordering* in the first place? Through what mechanisms does a *wu-wei* ruler rule? To explore these issues, I begin with three passages from the *Analects*.<sup>1</sup>

[A] The Master said, "When the ruler is correct (*zheng* 正), his will is put into effect without the need for official orders (*ling* 令). When the ruler's person is not correct, he will not be obeyed no matter how many orders he issues".

—13.6

[B] The Master said, "One who rules through the power of virtue (*de* 德) is analogous to the Pole Star: it simply remains in its place and receives the homage of the myriad lesser stars".

—2.1

[C] The Master said, "Is Shun not an example of someone who ruled by means of *wu-wei*? What did he do? He made himself reverent and took his proper [ritual] position facing south, that is all".

—15.5

In [A], Confucius identifies the primarily non-impositional and non-prescriptive character of the virtuous leader's rule: "his will is put into effect without the need for official orders." This aspect of the virtuous leader's rule also displays itself in [B] and [C]. Here, the virtuous ruler simply takes his proper place; in response, subordinates naturally fall into line. This ruler's very presence, in other words, somehow regulates the action of others. The virtuous ruler's subjects modify their behavior in reference (and in deference) to the ruler.

The idea is not, say, that the ruled exercise self-surveillance in the presence of nonontic carceral authority. Instead, the ruled respond *positively* to the

On behalf of this reading, I note that Confucius certainly identifies the *junzi* as a model whom we should seek to emulate. Thus, Confucius' advice for self-cultivation: "When you see someone who is worthy, concentrate upon becoming their equal; when you see someone who is unworthy, use this as an opportunity to look within yourself" (4.17). Likewise, in identifying how he finds a teacher, Confucius says, "I focus on those who are good and seek to emulate them, and focus on those who are bad in order to be reminded of what needs to be changed in myself" (7.22). To be sure, Confucius is giving advice here for how one should act, not attempting to explain how people do act in the presence of virtuous rulers. But these passages indicate that, in Confucius' view, a virtuous ruler promises to be an emulable exemplar. When paired with passages [A] through [C], *Analects* 4.17 and 7.22 suggest that when the *junzi* serves as a ruler, he is naturally *such as* to elicit imitation by the ruled (in a combined normative/descriptive sense).

But then, we face a question: what specifically about the virtuous ruler's character elicits such imitation? Simply to attribute magical powers to the virtuous ruler's character would be to leave his ruling power under-explained. Why, in other words, does the virtuous ruler's presence ultimately prove so affecting?

In response, notice that when the ruled encounter the *junzi*'s virtue, they find themselves naturally inclined to strive for virtue and to take it on for themselves. Such a desire to imitate virtue is a natural response to virtue. But what features of virtue elicit this yearning? The answer, I suggest, has something to do with virtue's *beauty*.

In *The Great Learning* 6, Confucius explicitly highlights this beauty: "If one is wealthy, one's rooms will be beautiful. If one is virtuous, one's self will [be] beautiful." Similarly, in an exchange with his student, Zigong, Confucius emphasizes the ways in which a certain beauty is the aim of self-cultivation. As Zigong understands his teacher's view, one should aim to attain a balanced character: hence, if one is poor, one should avoid obsequiousness; if one is rich, one should avoid arrogance. Confucius thinks that Zigong is right so far as he goes, except that Confucius emphasizes that one should also have *positive* dispositions: if one is poor, one should also be joyful; if one is rich, one should also love ritual. In aiming to understand Confucius' view, Zigong appeals to a line from the *Book of Odes*: "As if cut, as if polished/As if carved, as if ground." Confucius affirms that Zigong understands his meaning (1.15).

For Confucius, virtue, like what is cut and carved, shows refinement and luster. It also shows an attractive symmetry, an internal structure manifest in the character and actions of the *junzi*, who avoids what is excessive and deficient (6.29; 11.16). As Amy Olberding observes, the virtuous person, according to Confucius, "looks good": the virtuous possess "grace, decorum,

poise, and. . . naturalness."<sup>5</sup> In the later Confucian tradition, Xunzi highlights this aspect of Confucius' thought, emphasizing that in cultivating oneself, one beautifies oneself.<sup>6</sup>

Passages such as *The Great Learning* 6 and *Analects* 1.15 compare the beauty of virtue to the beauty of houses and ornate objects. Yet Confucius also—more importantly—compares the beauty of virtue to physical attractiveness: "I have yet to meet a man who loves virtue (*hao de* 好德) as much as he loves female beauty (*hao se* 好色)" (9.18; 15.13). Yes, some beauty is merely skin-deep, and perhaps akin to an optical illusion. Confucius warns us not to be taken in by it.<sup>7</sup> Moreover, Confucius here bemoans that more people do not care as much about virtue as they do about physical attractiveness. Yet Confucius does analogize virtue to beauty, and he suggests that both virtue and physical beauty are potential objects of *love*. Just as those properly situated in relation to physical beauty are apt to be attracted by it, the same holds for those who are properly situated in relation to virtue.<sup>8</sup>

Like physical beauty, then, virtue, on Confucius' view, is such as to elicit a certain desire in suitably situated beholders. Once such a beauty makes itself manifest, we naturally yearn to bring ourselves into its proximity. "Virtue is never solitary," Confucius says. "It always has neighbors" (4.25).<sup>9</sup> More strongly, I take Confucius to hold, we make ourselves virtuous as an expression of our yearning to bring ourselves into the proximity of virtuous beauty. The virtuous ruler, however, occupies a visible presence within his community. With his virtue manifest to all, the virtuous ruler stands as a conspicuously attractive object of emulation. When the common people, attracted by his virtue, emulate him by becoming virtuous, they spontaneously give rise to a harmonious social and political order.<sup>10</sup>

So far, I have considered Confucius' remarks on *wu-wei* rule in political contexts. In the *Analects*, Confucius is characteristically reticent to engage in (meta-) physical speculation (7.21; 11.21)—perhaps out of sensitivity to the particular weaknesses of his students and a desire to keep them focused on their own ethical development. Yet as *Analects* 2.1 ([B] above) suggests, (something like) *wu-wei* rule is manifest throughout the wider natural world. In effecting order in an *wu-wei* fashion, the virtuous ruler invites comparison with the Pole Star, which generates order non-rotationally in the heavenly sphere. Indeed, just as the virtuous ruler provides a model for the common people to approximate, Confucius may even think that the Pole Star's "rule" over other celestial bodies provides a model for the virtuous ruler. For instance, in *Analects* 15.5 ([C] above), King Shun faces south in apparent emulation of the Pole Star. Confucius, however, might think that while the same *wu-wei* rule is manifest in both natural/cosmological and political contexts, such ordering runs in parallel, as it were. On this latter reading, the

Pole Star and the virtuous ruler are similar in respect of their bringing about order in an *wu-wei* fashion. But the Pole Star need not itself serve as the virtuous ruler's *model*.

Adjudicating this issue requires us to say something about how we should understand Confucius' remarks on Heaven (*tian* 天) and the extent to which Heaven offers a general model for human beings. Heaven, alas, has multiple meanings in the tradition. In the *Book of Odes*, for instance, Heaven sometimes refers to the sky or heavens; yet it sometimes also refers to a quasi-personal benevolent figure. Similarly, one finds various senses of Heaven in the *Analects*. Heaven sometimes seems to be personified with a will (3.24). Yet, again, Heaven sometimes also has the sense of the sky or heavens (19.25).<sup>11</sup> In one passage, Confucius explicitly identifies Heaven in the latter sense as a model that we should approximate. Thus, he praises King Yao's greatness as a ruler: "So majestic! It is Heaven that is great, and it was Yao who modeled himself upon it (*ze zhi* 則之). So vast! Among the common people there were none who were able to find words to describe him. How majestic in his accomplishments, and glorious in cultural splendor!" (8.19). Like Heaven—by which, I take it, Confucius here means the celestial sphere—Yao is majestic and vast and splendid. So, *Analects* 8.19 indicates that Heaven provides a model of beauty to approximate. When read in conjunction with *Analects* 8.19, *Analects* 2.1 and 15.5 ([B] and [C] above) suggest that the Pole Star, perhaps as a particularly salient aspect of Heaven, provides a model for governing. The Pole Star exhibits various admirable and attractive features, including persistence and stability.<sup>12</sup>

Off-hand, the thought that the heavens, or certain of its parts, could offer an emulable model for human character and behavior might seem peculiar. Yet this thought is not unique to early China: one finds versions of this view in multiple traditions.<sup>13</sup> Exploring this thesis requires space that I lack here. But one way to motivate this thought, or at least make it less counterintuitive, is to point out that celestial phenomena do possess a striking beauty. Such beauty, moreover, is readily available for all under Heaven to behold in the night skies (especially in an age before electric lighting). Suppose that the beauty of celestial phenomena exhibits certain generic features of beauty as such, features that we can imitate (not directly, but in translation, so to speak, i.e., in our behavior and character). If so, then celestial phenomena may well offer a certain useful model for us—not in virtue of being celestial, *per se*, but in virtue of being accessibly, conspicuously beautiful.

To conclude this section, I note that one can ask whether Heaven (or the Pole Star as one of its central aspects) really does exhibit non-impositional rule. After all, Confucius suggests, the virtuous ruler of a community has authority insofar as that ruler has Heaven's mandate (*tian ming* 天命,

discussed in *Analects* 2.4; 9.1; 16.8). A mandate, however, might sound like an imperative or order.

In response, "mandate" (*ming* 命) can have the sense of "imperative." But we need not understand Heaven's mandate as an order that Heaven issues, i.e., as a literal decree that confers governing authority on earthly rulers. (Confucius denies that Heaven speaks [17.19]. To that extent, Heaven does not issue literal decrees.) The thought could be, instead, that only when an earthly ruler *models himself on Heaven* will he possess the kind of virtue that enables him to rule authoritatively. Only when he assimilates the sorts of beautiful and attractive qualities that Heaven displays, in other words, can he effectively bring about order in his community.

### NON-IMPERATIVE RULE IN ARISTOTELIAN NATURAL PHILOSOPHY

Having discussed Confucius' conception of *wu-wei* rule, I now consider Aristotle's account of non-imperative rule. A key text for understanding Aristotle's views on such rule is *Eudemian Ethics* VIII.3, which introduces the notion in a broadly moral-psychological context. Here, Aristotle considers the structure of the human soul, i.e., the hierarchical arrangement of capacities by which human beings are animate, living beings:

So it is needful, as in other cases, to live by reference to the governing thing (*to archon*), and by reference to the state and activity of what governs (*to archontos*), as a slave to the rule of the master and each thing to its appropriate governing principle (*archê*). But since a human being, also, is by nature composed of a thing that governs and a thing that is governed (*ex archontos te kai archomenou*), each too should live by reference to its own governing principle (*archê*). But that is of two sorts; for medicine is a governing principle (*archê*) in one way, and health in another; for the first is for the sake of the second.

— 1249b6–13<sup>14</sup>

In this passage, Aristotle assumes, as background claims, that ruler/ruled relationships are pervasive throughout nature, and that where some system is well-ordered, that system is properly governed by its appropriate ruling principle (see *Politics* I.5, 1254a28–31). The human soul, however, has its properly governing and governed elements. But to understand what it means for an element to govern, Aristotle insists, we must distinguish two kinds of rule, which medicine (on the one hand) and health (on the other hand) display, respectively.

As Aristotle goes on to suggest (at 1249b13–15), the former kind of rule is *imperative*: as an art, medicine prescribes regimens for patients to follow. The latter kind of rule, by contrast, is *non-imperative*. For health itself prescribes nothing; yet health still governs, teleologically, as the end *for the sake of which* medicine makes prescriptions. Health, as an end, serves as medicine's regulative principle. Medicine's practice and prescriptions, in other words, are fringly delimited and defined by health's aims and requirements.

Aristotle's remarks also suggest another distinction that we can draw between modes of rule. In what I call *systemic rule*, the governing principle, *R*, rules a whole system composed both by *R* and a set of elements subordinate to *R*. In *non-systemic rule*, by contrast, *R* rules some set of subordinate elements, but *R* and the subordinate elements need not themselves compose a system together. Given this distinction, we can say that the rulers of cities and households, insofar as they govern composite wholes, count as systemic rulers. Health and medicine, by contrast, do not form a composite whole together. Hence, although health regulates medicine as medicine's *telos*, health does so non-systemically.

Having distinguished imperative from non-imperative rulers and modes of rule, Aristotle posits that we can find such modes of rule in the human soul.

Thus it is with the contemplative <part>. For the god is a governor not in a prescriptive fashion (*ou gar epitaktikôs archon*), but it is that *for* which practical wisdom prescribes (*epitattet*) (but *that for which* is of two sorts—they have been distinguished elsewhere—since the god is in need of nothing).

— 1249b13–18

The sort of subordination that holds between medicine and health also holds, Aristotle says, in the case of “the contemplative” part (*to theôretikon*). This passage is rife with ambiguities that I cannot address here. As I follow Aristotle, however, “the contemplative” part refers to the human intellect as such, i.e., to reason as a general power of the human soul, a power with both contemplative and practical aspects.<sup>15</sup> On this reading, we should understand Aristotle's reference to “the god” as a reference to God, a causal principle that exists outside the human soul as a principle of cosmic order (*Metaphysics* A.2, 983a5–11; A.7, 1072b13–14; A.10, 1075a11–19). God, then, is the non-imperative ruler for whose sake the human intellect imperatively rules non-rational desire and the other parts of the human soul. The human intellect, especially *qua* practically wise, issues its orders so that the whole

On this reading, God—a kind of eternally active self-thinking thinking—serves as a non-imperative ruler for the human soul. God elicits and activates our thinking (*Eudemian Ethics* VIII.2, 1248a25–29; cf. *De Anima* III.5).<sup>16</sup> God also appropriately regulates human activity: we should pursue external goods, for instance, to the extent they conduce to our contemplating God (*Eudemian Ethics* VIII.3, 1249b16–19). But God and the human soul do not thereby form a compound together. Hence, to use the distinction that I have just drawn, God serves as a *non-systemic* non-imperative ruler for the human soul. Yet in *Metaphysics* A.10, Aristotle concludes his discussion of divine thinking, and its order-conferring role within the cosmos, in the following terms: “The rule of many is not good; let there be one ruler.” (Homer, *Iliad*, II 204; cited at 1076a4). For Aristotle, God is the unitary principle of order within the cosmos. The cosmos *is* a cosmos—an order, as opposed to a heap—in virtue of God's rule. As ruling principle of the whole cosmos, then, God also serves as the whole's *systemic* non-imperative ruler.<sup>17</sup>

Yet how does God exercise systemic non-imperative rule? On *Metaphysics* A's account, God serves as the ultimate source of motion within the cosmos. To explain this idea, Aristotle considers the eternal rotations of the heavenly bodies:

There is, then, something which is always moved with an unceasing motion, which is motion in a circle; and this is plain not in theory only but in fact. . . . There is therefore also something which moves them. And since that which is moved and moves is intermediate, there is a mover which moves without being moved, being eternal, substance, and actuality.

— *Metaphysics* A.7, 1072a21–26

Without being moved and without engaging in locomotion, God sparks the rotation of the heavens, which are in turn responsible for the motion of all else. In this respect, *Metaphysics* A.7, 1072a21–26 strikingly resembles *Analects* 2.1 and 15.5 (passages [B] and [C] above). For in all these passages, the motion of celestial bodies is explained by reference to an immobile, non-impositional governing principle. Confucius' Pole Star initiates the rotation of the other stars in an *wu-wei* manner simply by assuming its position in the firmament. Aristotle's God, meanwhile, initiates celestial rotation simply by thinking itself.<sup>18</sup>

Aristotle's account thus raises some of the same questions that Confucius does. As an unmoved source of motion, God cannot also be in motion. For then, some further source of God's motion would need to exist—*ad infinitum, ad nauseum*. So, how can God serve as an unmoved source of

substance, and actuality." Off-hand, Aristotle's point is fairly cryptic. How can those divine characteristics generate motion?

Aristotle, however, says more: "And the object of desire and the object of thought move in this way; they move without being moved . . . [But] the *kalon*, also, and that which is in itself desirable are on the same side of the list" (*Metaphysics* A.7, 1072a26–27; 34–35). God, then, moves as *an object of desire*. To understand Aristotle's point, we must clarify what Aristotle means when he identifies what is *kalon* as an unmoved mover. In ethical contexts, the term *kalon* is translatable as "noble." Most neutrally, *kalon* can be translated as "fine" or "admirable." But *kalon* is also translatable as "beautiful."<sup>19</sup> Thus, in Plato's *Symposium* 210a–d, Socrates conveys Diotima's teaching that one who completes a philosophical ascent, motivated by erotic desire, ultimately comes to contemplate a certain Form, Beauty Itself (*auto to kalon*). In the *Symposium*'s view, erotic desire is essentially motivated by, and directed toward, the *kalon*: the beautiful itself serves as the ultimate end of erotic striving.

In *Metaphysics* A.7, Aristotle describes the cosmic Unmoved Mover as *kalon* (1072b10–11). The Unmoved Mover, then, plays a structural role in the *Metaphysics* analogous to the Form of Beauty's role in the *Symposium*.<sup>20</sup> How can God move as an Unmoved Mover? God sparks motion *attractively*: "Thus it produces motion by being loved (*hōs erōmenon*), and it moves the other moving things" (*Metaphysics* A.7, 1072b1–10). Like the Platonic Form of Beauty, God moves *hōs erōmenon*, as a beautiful object of erotic desire initiates motion. Whether Aristotle ultimately attributes erotic desire to the heavens, strictly speaking, or whether he thinks only that the heavens show an analogue of erotic desire, need not concern us. The point is, God serves as a cosmic Unmoved Mover—and rules the cosmos, generating both motion and order within it—not by issuing prescriptions or making commands, but simply by being *kalon*, i.e., fine and beautiful.

The Unmoved Mover possesses such compelling *kalon* attractiveness in virtue of its eternally actual way of being. "Being eternal, substance, and actuality" are what make the Unmoved Mover *kalon*.

If, then, God is always in that good state in which we sometimes are, this compels our wonder; and if in a better this compels it yet more. And God is in a better state. And life also belongs to God; for the actuality of thought is life, and God is that actuality; and God's essential actuality is life most good and eternal. We say therefore that God is a living being, eternal, most good, so that life and duration continuous and eternal belong to God; for this is God.

God possesses—or, more precisely, *is*—a compellingly wonderful, maximally good, imperishable way of being. Heavenly rotation, then, counts as an expression of the heavens' erotic desire for such a *kalon* existence. Rotational motion is how the heavens approximate the Unmoved Mover *qua kalon*. Unable to exist eternally in just the way God does, the heavens move in circles, engaging in a kind of "unceasing motion"—motion, that is, without obvious beginning or end (cf. 1072b8–11).

The Unmoved Mover, however, serves as a systemic non-imperative ruler by eliciting imitative movement and by generating stable arrangement throughout the cosmos in other ways.<sup>21</sup> Consider Aristotle's remarks on biological reproduction:

[F]or any living thing . . . the most natural act is the production of another like itself, an animal producing an animal, a plant a plant, in order that, as far as its nature allows, it may partake in the eternal and divine. That is the goal towards which all things strive, that for the sake of which they do whatsoever their nature renders possible. . . .

— *De Anima* II.4, 415a27–b5; cf. *Generation of Animals* II.1, 731b31–732a1

Here, perishable being displays a primitive directiveness toward eternal persistence. Since living organisms cannot persist eternally as numerically identical beings, they "partake in the eternal and divine" so far as possible through reproduction. They maintain their species-forms even if they do not continue to persist as numerically distinct individuals. In this account of reproduction, Aristotle again follows the lead of Plato's *Symposium*. There, Diotima accounts for reproduction as a means by which the mortal, impelled by erotic desire, seeks to attain immortal possession of the good and beautiful as far as possible (207c–208b).

Thus, Aristotle turns out to accept, in cosmological contexts, a model of non-impositional rule that I have attributed to the Confucius of the *Analects*. Like Confucius, Aristotle—in cosmological contexts—suggests that we consider the relation between a ruling element's beautiful/attractive qualities and the ruled elements' desire for, or non-conscious directiveness toward, the ruler's beautiful/attractive qualities. The ruled elements, in turn, fulfill this desire (or directiveness) by emulating the ruling element *qua* beautiful/attractive. Order and arrangement emerge spontaneously as a result.

At this point, we might wonder whether Aristotle's Unmoved Mover, even if a non-imperative ruler, is also an *wu-wei* ruler. An answer to this question depends on what Confucius means by *wu-wei*, or "non-doing." On



By thinking, the Unmoved Mover enjoys the most active kind of activity (*Politics* VII.3, 1325b14–29). On the other hand, the Unmoved Mover is unmoved—and unmoving. Hence, while the Unmoved Mover is the most fully active being in the cosmos, the Unmoved Mover is, for Aristotle, the least kinetic. For *kínēsis*—motion or change—consists in the actualization of a potential *qua* potential (*Physics* III.1, 201a9–10); and the Unmoved Mover, *qua* fully actual, lacks any unfulfilled potentiality. To this extent, then, the Unmoved Mover is an *wu-wei* ruler. Once more, the Pole Star example in *Analects* 2.1 is illuminating: the Pole Star's mode of rule is an *wu-wei* one insofar as the star “remains in its place.”<sup>22</sup>

### IMPERATIVE RULE IN POLITICS?: TOWARD A CONFUCIAN/ARISTOTELIAN RAPPROCHEMENT

In defending *wu-wei* rule, I have argued, Confucius identifies non-impositional governance as a leadership model in both the celestial and the political spheres. Aristotle, by contrast, thinks that non-impositional governance accounts for cosmic order. But at first blush, Aristotle seems to reject such governance as a model in political contexts. Aristotle seems, instead, to endorse *imperative rule* in politics.

Unlike Confucius, after all, Aristotle offers a clear defense of the rule of law. The laws that political rulers issue to the city are roughly analogous to the orders that the human intellect issues to non-rational desire in the soul. As Aristotle says, “One who asks law to rule, therefore, seems to be asking god and intellect alone to rule, while one who asks man adds the beast. Desire is a thing of this sort; and spiritedness perverts rulers and the best men. Hence, law is intellect without appetite” (*Politics* III.16, 1287a29–33; cf. *Nicomachean Ethics* X.9, 1180a21–22). In the soul, appetite seeks immediate satisfaction, even if such satisfaction harms the whole soul. Hence, the intellect, which considers the soul's overall benefit, is well suited to make decisions on behalf of the whole soul for the whole soul's benefit (*De Anima* III.10, 433b7–10). Thus, the intellect properly issues prescriptions to non-rational desire. Similarly, within a political community, the ruling element of the city, *qua* wise, legislates on behalf, and for the benefit, of the whole city. The laws that such rulers enact, after much deliberation, offer impartial prescriptions free from the influence of the ruler's non-rational desires (see, e.g., *Politics* III.16, 1287a41–b5; *Rhetoric* I.1, 1354a34–b11). By issuing enforceable laws, moreover, wise rulers aim to regulate the non-rational desires of the many (*Nicomachean Ethics* V.1, 1129b15–26; X.9, 1179b4–1180a24).<sup>23</sup>

In offering this defense of the rule of law, Aristotle might initially seem akin to Confucius' Legalist critics. As such critics, most notably Han Feizi,

later complain, Confucius and his followers are committed to an impractical ideal of rule by virtue. Confucians think that once a virtuous *junzi* becomes ruler, social order is apt to emerge as a matter of course. According to Han Feizi, however, the common people do not naturally love virtue; but they do naturally respond to fear of punishment.<sup>24</sup> Social order depends on controlling licentiousness and covetousness; and controlling these vices requires inflexible, clearly delineated laws backed by harsh penalties.<sup>25</sup> Rejecting the model of rule by virtue, the Legalists defend, instead, a model of rule by law: “the sage does not work on his virtue; he works on his laws.”<sup>26</sup> Perhaps Aristotle agrees: for precisely insofar as the many do *not* love virtue's *kalon* and pleasant features, but *are* receptive to fear, Aristotle thinks that enforceable laws play a proper role in government (*Nicomachean Ethics* X.9, 1179b11–16; 1180a4–5; a11–14).<sup>27</sup>

Still, Confucians and Aristotelians share strikingly similar views concerning non-impositional rule (and its mechanisms) in cosmological contexts. Further, their ethical views show other salient points of connection.<sup>28</sup> Therefore, we should be surprised if these thinkers turned out to disagree fundamentally about the character of proper political rule. A full treatment of Aristotelian and Confucian views on these issues lies outside the scope of this chapter. Nor should we expect Aristotle and Confucius to have interchangeable views. Yet, in closing, I briefly suggest that Confucius and Aristotle share more common ground than they may initially appear.

On the one hand, on the matter of legal punishment, Confucius is rather closer to Aristotle than Confucius first seems. As *Analects* 13.3 indicates, Confucius does not oppose punishment in principle. Instead, Confucius affirms that rectifying names will ensure that punishments and penalties hit their mark. To be sure, some suggest that *Analects* 13.3 may be an interpolation by later followers of Xunzi, who strongly influenced Han Feizi.<sup>29</sup> Or barring that, maybe Confucius' claim is ironic: when Confucius suggests that rectifying names will ensure that punishments and penalties will hit their mark, perhaps he means that such rectification will forestall punishments and penalties from being issued *at all*. But on a natural reading, Confucius thinks that punishments and penalties can be appropriate. For some people will be unresponsive to the attractions of virtue; accordingly, punishments are necessary as a second-best means to maintain social order. Confucius puts a primacy on *wu-wei* rule; but he reserves elements of impositional rule as a back-up.<sup>30</sup> As the leading neo-Confucian commentator, Zhu Xi, suggests, *wu-wei* rule can still allow space for punishments and commands provided (1) that the ruler's virtue remains a community's principal source of order and provided (2) that a ruler's punishments and commands follow from the ruler's virtuous character.<sup>31</sup>

On the other hand, for his part, Aristotle is closer to Confucius than Aristotle might first seem. For although Aristotle's views on legal authority are nuanced, Aristotle is ultimately not a Legalist. Aristotle, after all, highlights law's limitations.<sup>32</sup> In *Nicomachean Ethics* V.10 (and in *Politics* III.15, 1286a9–16), Aristotle notes that law issues general imperatives. But such imperatives, in their very generality, admit of exceptions. Hence, the virtues of equity and practical wisdom appropriately regulate law's prescriptions. In this way, Aristotle differs from Han Feizi, who seeks to replace the potential arbitrariness of private judgment with clear and inflexible laws.<sup>33</sup> Further, Aristotle highlights the (merely) qualified goodness of legal remedies. "In the case of just actions, for example, just retributions and punishments derive from virtue, but they are necessary, and have the element of the *kalon* only in a necessary way (for it would be more choiceworthy if no man or city required anything of the sort)" (*Politics* VII.13, 1332a11–15). Penal law is choiceworthy only with qualification. To the extent we can do without it, we should.

Like Confucius, then, Aristotle rejects reliance on enforceable laws as a first-best solution to the problem of maintaining order. Such skittishness about penal law and coercive mechanisms for ruling is rooted in one of Aristotle's deep theoretical commitments. This is the view that what is forced is somehow contrary to nature (*Physics* IV.8, 215a1–3; cf. *Physics* V.6, 230a29–30; *De Caelo* I.2, 300a23; *Generation of Animals* II.4, 739a4, III.8, 777a18–19, V.8, 788b27; *Eudemian Ethics* II.8, 1224a15–30). Deviant regimes, such as tyranny, rely on force (*Politics* III.10, 1281a23–24); to this extent, such regimes are contrary to nature (*Politics* III.17, 1287b37–41).<sup>34</sup>

We should consider, then, Aristotle's views on why punishment is required, to the extent it is. Aristotle thinks that penal law is necessary primarily for the many, who are unresponsive to rational exhortations to virtue, let alone to virtue's intrinsic attractions. By instilling the fear of pain as a response to vicious actions, punishment aims to counteract excessive desires for pleasure. Punishment aims, then, to bring the souls of the many into a condition whereby they might be able to attain some measure of virtue. Punishment thus serves a remedial function, *viz.*, to bring the many into a condition of receptivity to virtue *qua kalon* (see, e.g., *Nicomachean Ethics* X.9, 1179b23–1180a5). For those who are well-bred, however, Aristotle denies that we should rely principally on law to make them good. Instead, we can rely on exhortation and the sense of shame that such people feel when they act wrongly, *i.e.*, the sense that vicious actions are base and ugly (see, e.g., *Nicomachean Ethics* X.9, 1179b4–13). Ultimately, Aristotle suggests, we should lead people, though habituation, to discern and enjoy virtue's *kalon* features, *i.e.*, to be *positively attracted* to virtue.<sup>35</sup> At this level of generality

then, Aristotle's outlook coheres with Confucius'. Although Aristotle's views on politics make (substantial) room for imperatives, enforceable and otherwise, Aristotle nevertheless gives a certain primacy to what is beautiful, attractive, and *not*-imposed.<sup>36</sup>

## NOTES

1. I use Edward Slingerland's (2003) translation of the *Analects*. Translations of *The Great Learning* are from Bryan Van Norden, in Van Norden and Tiwald (2014). I occasionally make minor stylistic emendations. I refer to Chinese texts available at [cetxt.org](http://cetxt.org).
  2. On *de*, see, e.g., Graham (1989: 13); Slingerland (2003: xviii); and Van Norden (2007: 67).
  3. As Hall and Ames (1987: 157) describe the dynamic, "personal cultivation above inspires emulation below." On emulation in the *Analects*, see, especially, Olberding (2012: 14; 33–6). Chan and Chan (2014: Section 6) highlight the ways in which the virtuous ruler's inspiring qualities build trust in those whom he rules. Although my account has different emphases, it is consistent with theirs.
  4. See also *Analects* 1.9 and 8.2, as well as *Mengzi* 4A20.
  5. Olberding (2012: 91). On the ways Confucius links moral and aesthetic value, see Olberding (2012: 91–6).
  6. See, e.g., Xunzi, "Discourse on Ritual," lines 359–64.
  7. See, e.g., *Analects* 1.3 and 6.16 on the specious beauty of the glib person. On beauty's potential detachability from virtue, see Olberding (2012: 96).
  8. For Confucius, Olberding (2012: 21) writes, "moral reasoning begins in seduction"—*i.e.*, in the attractiveness of an admirable character. She views the authors of the *Analects* as "motivated by captivation with Confucius" (33). For his part, Van Norden (2007: 113) notes the ways in which beauty, on Confucius' view, can be ethically inspiring.
  9. Following the *History of the Han*, Slingerland (2003: 37–8) suggests that the passage refers to virtue's attractiveness. As Slingerland notes, however, an alternative reading holds simply that developing virtue requires social interaction. I assume that the dual meaning is intentional.
  10. Confucius, I hasten to add, denies that the virtuous person "shows off" his virtue in the pejorative sense: see, e.g., *Analects* 8.1.
  11. On Heaven (especially in the *Odes*), I have benefitted from Moon (2017: Section 3.2). See also Slingerland (2003: xviii; 239).
  12. Other celestial phenomena also invite the virtuous ruler's approximation. Cf. *Analects* 19.24: "Confucius is like the sun and the moon—it is impossible to surmount him. Even if a person wished to cut himself off from their radiance, what harm could he do to the sun and the moon?" On Heaven as a model, cf. Sim (2007: 91–2).
- <sup>36</sup> On pre-modern Chinese views concerning the sky as a model, see McLeod (1964: 89–91). On cosmology as a model for ethics in the pre-modern Greek,



- Hebrew, and Arabic traditions, see Brague (2003). For a salient example from the Greek tradition, see the préface of Prolemy, *Almagest* (discussed in Brague 2003: 127–8), which suggests that the regularity, good order, harmony, and restraint of celestial bodies provide models for human behavior.
14. Translations of the *Eudemian Ethics* are from Michael Woods (1992). Other translations of Aristotle are from the Revised Oxford Translation (1984). As with Confucius, I occasionally make minor emendations. For the Greek, I refer to Oxford Classical Texts.
15. I defend this reading in more detail in Walker (2018: Section 7.1). Cf. Kenny (1992: 97–8). Woods (1992: 180–4) reviews interpretive options for *Eudemian Ethics* VIII.3, 1249b6–25.
16. See Kenny (1992: 80).
17. In *Metaphysics*  $\Lambda$ .10, Aristotle uses two analogies to describe the cosmos: (1) a military analogy, according to which the cosmos is like an army led by a general; (2) a household analogy, according to which the cosmos is like a household led by a father. But generals and fathers offer prescriptions, and (to that extent) display imperative rule. Given God's status as a non-imperative ruler, then, I take these analogies to be limited. With them, Aristotle simply highlights that the cosmos, like an army and like a household, shows a great deal of internal order in virtue of some key governing principle. On the limitations of Aristotle's analogies, see Johnson (2005: 274–6).
18. For further discussion of Aristotle's Unmoved Mover, see Kahn (1985) and G. Lear (2004: 73–80).
19. On the *kalon*'s aesthetic dimensions, see, especially, Sachs (2001: xxi–xxiv) and Kraut (2013). See also *Metaphysics* M.3, 1078a36–b1 and *Topics* V.5, 135a13, and the discussion in Rogers (1993: 355–7).
20. See Chang (2002).
21. Following Lear (1988: 294–6).
22. Slingerland (2003: 8) quotes Bao Xian, who highlights that the *jünzi*, like the Pole Star, “does not move.”
23. I discuss these aspects of law in Walker (forthcoming).
24. Han Feizi, “The Five Vermin,” in Ivanhoe and Van Norden (2005: 341–2).
25. Han Feizi, “On the Importance of Having Standards (A Memorial),” in Ivanhoe and Van Norden (2005: 322–3).
26. Han Feizi, “On the Prominent Schools of Thought,” in Ivanhoe and Van Norden (2005: 357).
27. On Confucius vs. Aristotle on the value of the rule of law, see Sim (2007: 177–82).
28. For comprehensive comparative studies, see Yu (2007) and Sim (2007).
29. See, e.g., Waley (1938–21–22) and Van Norden (2007: 86).
30. See e.g., Hall and Ames (1987: 157–8; 169–70); Graham (1989: 14, 24n); Van Norden (2007: 115); Chan (2014: 13); Tiwald (2017: 53). For further discussion, see Walker (forthcoming).

31. See Zhu Xi, *Zhuzi yulei* 23.533–534; 536–537, quoted by Gardner (2003: 117–20).
32. As Miller (1995: 82–3) and Yu (2007: 138) note. Yu argues that the legal theories of Confucius and Aristotle actually agree on key issues.
33. See Han Feizi, “On the Importance of Having Standards,” 323.
34. On Aristotle on the unnaturalness of coercion, see Keyt (1993) (to which I owe the references in this paragraph).
35. For fuller discussion, see Walker (forthcoming). But cf. Burnyeat (1980: 73–6).
36. I thank Alexus McLeod for his invitation to contribute to this volume. An earlier version of this chapter was presented at “Ideals of Leadership in Ancient Greece, Rome, and China,” an international workshop organized by Christine Habbard and Bart Van Wassenhove at the Singapore University of Technology and Design. My thanks to the participants in this workshop for their feedback.

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## CHAPTER NINE

# Other People Die and That is the Problem

AMY OLBERDING

Western attitudes toward death are diverse and defy any ready characterization. Nonetheless, as historian Philippe Ariès argues, throughout much of history in the west, representations of death, both philosophical and artistic, focus on the individual, the one who dies. Indeed, death itself is understood as a distinctively individuating phenomenon, as that event in which "each man would discover the secret of his individuality."<sup>1</sup> There is much more that could be said about how death features in Western tradition, but where Western philosophical views of death are concerned, perhaps it suffices to gesture at Plato's famous dictum and note that, in general, the tradition has largely operated as if philosophy is indeed training for death. Philosophy serves as one formidable strategy for reconciling oneself to mortality, whether by clarifying what death is and thereby rationally answering anxieties that awareness of mortality will awaken, or in promoting values that will stand one in brave stead when the time comes to die. Whatever the myriad particulars, Western philosophical tradition has pitched itself toward death as individual and individuating, toward that ostensibly most troublesome fact: I will die. Indeed, I suspect that for most Western trained philosophers it is taken as a brute given that the problem of death resides in the challenges posed by my own mortality: To talk about death philosophically just is to address the mortality of the individual. However obvious this construction of the problem may seem, it is nonetheless no