

## War, Peace, and China's Soft Power: A Confucian Approach

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In late 2006, China Central Television broadcast a twelve-part documentary titled 'The Rise of Great Powers'. The series was based on research by a distinguished team of Chinese historians who also briefed the ruling Politburo about their findings. More surprisingly, perhaps, the series was remarkably balanced, akin, perhaps, to what one might watch on the National Geographic Channel. It described the reasons nine countries rose to become great powers and to the extent there was any viewpoint, it seemed to be 'pro-Western'. The program clearly implied that Britain and the USA were the only sustainable Great Nations among the nine nations surveyed. Aggression through force, as demonstrated by the examples of Germany and Japan in World War II, is to be avoided at all costs. In the modern world, competition is led by business and innovation, not military force, and cultural success is measured by contributions to humanity and science. A familiar list of liberal-democratic goods contribute to competition and cultural flowering: the rule of law (the series showed how the U.S. managed to protect intellectual property), an open society in which ideas can be rapidly spread to a wider circle of the people, and political systems that allow for orderly transitions of power and checks on the abuse of political power.

The series led to widespread public debate, including reactions by intellectuals who argued that aping Western ways will not be sufficient for China to project its 'soft power': the values and practices that win over the hearts and minds of foreigners. To an important extent, such soft power must be built on local cultural resources. Already, Chinese culture – in the form of food, painting, medicine, martial arts, and so on – has spread and enriched other societies (centuries earlier, Chinese technology had spread and enriched other societies). But Chinese *political* values have not spread so successfully. In the 1960s, the Chinese government promoted the idea of peasant-based revolution and class struggle, inspiring Maoists around the globe. But such ideas are widely discredited now, especially within China itself. The U.S. is identified with freedom and democracy, and one can perhaps dig deep

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enough in Chinese culture to find such values, but it is hard to believe that China will ever replace the U.S. as the guardian of such values (I do not mean to imply that the U.S. is doing a good job at what it is supposed to do). So which values should China promote abroad? The contemporary Chinese intellectual Kang Xiaoguang has argued that Chinese soft power should be based on Confucian culture, the most influential Chinese political tradition.<sup>1</sup> But which Confucian values should form the core of China's soft power? Here Kang is a bit vague, and it's worth exploring this question in more detail.

### **From state sovereignty to global harmony**

Confucianism is often blamed for justifying 'authoritarian nationalism', but the real blame lies with Legalism, China's other important political tradition. Legalists such as Han Fei Zi (c. 280–233 BCE) had special contempt for Confucian thinkers who stressed tolerance and rule by morality. Han Fei did not deny that light rule had its place in a Golden Age of social harmony and material abundance. But in his own day – the Warring States period – such policies would lead to disaster and Confucians were naively drawing inappropriate lessons from accidental features of past societies. What is needed, Han Fei argued, is to strengthen state power by means of harsh laws and punishments, and he stressed over and over again that moral considerations should not get in the way.

Not surprisingly, such ideas tended to have special sway in times of war and chaos. The ruthless king of Qin drew on Han Fei's advice to conquer and rule all of China under the title of First Emperor of the Qin dynasty. After Japan was forcefully opened to the outside world by Western powers, the Meiji Restoration (1868–1890) rulers shed Confucian values and stressed Legalist ideas such as 'enrich the state, strengthen the military' and 'deal out to each its sure reward and punishment'. Legalist ideas also came to the fore in 20th century China. Following the 'century of humiliation' at the hands of foreign powers (c. mid-19th to mid-20th century), China's leaders drew upon Legalist ideas to strengthen the state and build its capacity to protect itself from foreign interference and internal chaos. Mao himself justified his actions with reference to Legalist ideas and compared himself to the first Qin Emperor.

This background helps to explain the Chinese focus on state sovereignty. When Chinese authorities respond to the criticisms of international human rights groups with the claim that foreigners should not interfere with China's internal affairs, Western observers tend to dismiss such responses as mere covers for silencing human rights demands. That may be partly true, but it is not the whole story. There is often genuine concern, based upon recent historical memory with colonialism and imperialism, that opening up China to interference by foreigners will open a Pandora's box, with China plunging into civil war, poverty and chaos. And it is not just authoritarian rulers who say that. I have heard many Chinese intellectuals make similar points.

But such sentiments are receding with time. Clearly China is stronger than before, and it does not have to worry as much about foreign incursions. The realities and responsibilities of being a great power are gradually rendering preoccupation with

state sovereignty obsolete. 'To each his own' in international affairs no longer makes any sense. With China's economic integration in the global market, it has the power to influence economic actors around the globe (and vice versa). In the U.S., the 'Made in China' label has become a source of anxiety: parents worry about toys with lead paint, diners worry about unsanitary food and even pet owners worry about consuming poisonous Chinese products. The influx of cheap Chinese manufacturing goods is threatening producers in Mexico. Retailers in Zambia fret about competition from small Chinese shopkeepers. The environmental consequences of China's economic growth – greenhouse gas emissions, acid rain and dust storms in Japan and South Korea, particulate pollution over Los Angeles – threaten the rest of the world. China has been blamed for the slaughter in Darfur because it sells weapons to Sudan and fills the country's coffers with oil revenues. It has also been condemned for cozying up to brutal and unpopular dictators in Zimbabwe and Burma. If China affects the rest of the world, how can it ask the rest of the world not to interfere with its own internal affairs?

Faced with such concerns, China has begun to play a more responsible and co-operative role in international affairs. It has shown willingness to settle long-standing territorial disputes with its neighbors. According to Taylor Fravel, China has 'frequently used cooperative means to manage its territorial conflicts, revealing a pattern far more complex than many portray . . . it has offered substantial compromises in most of these settlements, usually receiving less than 50% of the contested land' (*International Security*, Fravel, 2005, p. 46). The government has issued a plan for dealing with climate change meant partly to reassure outsiders. It played a critical role in defusing the nuclear crisis in North Korea and persuading the Sudanese government to allow a UN–African Union hybrid peacekeeping force to deploy to Darfur (Erica Downs, *China Security*, Summer 2007, pp. 60–1). China has sent 4,000 soldiers and police to participate in 14 UN peacekeeping missions: more than any of the other members of the UN Security Council (Bates Gill and Yanzhong Huang, 'Sources and Limits of China's "Soft Power"', *Survival*, Summer 2006, p. 22). In the largest emergency package for foreign countries that China has ever provided, it sent \$83 million to the countries hit by the tsunami off Indonesia's coast. It even offers financial help to rich countries: after Hurricane Katrina hit the southern United States, the Chinese government offered \$5.1 million in aid to the United States.

Of course, such efforts often fall short of what the Chinese government ought to do. But what exactly is the government supposed to do? What moral principles should inform Chinese foreign policy, the way China deals with the rest of the world? Legalism cannot provide any guidance, since it advocates amoral disregard for other countries. But Confucianism has resources to offer and such issues are being debated by Chinese intellectuals. The point is not only to provide moral guidance for state policy, but also to provide moral resources for social critics that expose the inevitable gap between the reality and the ideal. Just as American critics of foreign policy expose the gap between the democratic ideals of their Founding Fathers and the U.S. government's actual deeds, so Chinese critics can draw upon Confucian ideals to evaluate the way their government actually deals with other countries.

Far from defending narrow nationalism, Confucianism veers towards the other extreme of utopian cosmopolitanism. One of the most celebrated passages in

Confucian literature is the account of *Da Tong*, the age of Great Harmony, taken from the Record of Rites (*Liji*), a work compiled during the Han dynasty (206 BCE–220 BE) on the basis of older materials. The ideal, traditionally taken as representing Confucius's highest ideal in the social order, refers to a golden age in which the world was shared in common by all (*tian xia wei gong*):

When the Great Way was practiced, the world was shared by all alike. The worthy and the able were promoted to office and men practiced good faith and lived in harmony. Therefore they did not regard as parents only their own parents, or as sons only their own sons. The aged were cared for till the end of their lives, the able-bodied pursued proper employment, while the young were nurtured in growing up. Provisions were made to care for widows, widowers, the orphaned and the sick. Men had their tasks while women had their hearths. They hated to see goods lying about in waste, yet they did not hoard them for themselves; they disliked the thought that their energies were not fully used, yet they used them not for private ends. Therefore all evil plotting was prevented and thieves and rebels did not arise, so that people could leave their outer gates unbolted. This was the age of Great Harmony.<sup>2</sup>

This ideal had special importance in early modern China. The Confucian reformer Kang Youwei, often thought to be conservative in his own day (he favored restoration of the Imperial system), wrote a book on the Great Harmony that was only published in 1935, seven years after his death. He divided the world's development into three stages: an 'uncivilized stage', followed by an intermediate stage (*xiaokang*, or small prosperity, similar to capitalist democracy),<sup>3</sup> and then Great Harmony, also known as *taiping shi* (Global Peace). Kang described an ideal society composed of people freed from particular attachments and where all goods are shared in common: 'Now to have states, families, and selves is to allow each individual to maintain a sphere of selfishness . . . Therefore, not only states should be abolished, so that there would be no more struggle between the strong and the weak; families should also be done away with, so that there would no longer be inequality of love and affection among people; and finally selfishness itself should be abolished, so that goods and services would not be used for private ends . . . The only true way is sharing the world in common by all (*tian xia wei gong*).'<sup>4</sup> Many Chinese leaders at the turn of the 20th century agreed with Kang's ideal. Sun Yat-sen, for example, accepted Kang's suggestion that the East West School be changed to the *Da Tong* school (the motto '*tian xia wei gong*' is now inscribed on Sun Yat-sen's tomb). In 1917, the youthful Mao wrote to his friend Li Jinxu that 'Da Tong is our goal' (as one might expect, he dropped such ideas once he became ruler). Even Liang Qichao (1873–1927), Kang's student who leaned more to liberty than equality, wrote that 'the Chinese people have never considered national government as the highest form of social organization. Their political thinking has always been in terms of all mankind, with world peace as the final goal, and family and nation as transitional stages in the perfecting of world peace (*tian xia*)' (Chan, 2007: 67).

Such ideals have resurfaced in contemporary debates. Zhao Tingyang, a scholar at the Chinese Academy of Social Sciences, wrote an essay defending the ideal of *Tian Xia* that has been widely discussed in intellectual circles. According to Zhao, China has the potential to become 'a power that is responsible to the world, a power

that is different from various empires in world history. To be responsible to the world, rather than merely to one's own country, is, theoretically speaking, a perspective of Chinese philosophy, and practically speaking, a brand new possibility, that is, to take Tian Xia as a preferred unit of analysis of political/economic interests, to understand the world from the perspective of Tian Xia. [The ideal is] to analyze problems with "the world" as the unit of thinking, going beyond the Western mode of thinking in terms of nation/state, to take responsibility to the world as one's own responsibility, and to create a new world idea and a new world institution.<sup>5</sup>

But now there's a different twist. In the early twentieth century, dreams of an ideal world that transcends the state-centric international system may have owed more to China's weak position relative to Western powers. One psychologically appealing way of restoring the traditional glory of Chinese culture was to simply wish away the world of competing states. Now that China looks set to become a great power, if not the great power, the Chinese state is viewed as the carrier of cosmopolitan values that will spread throughout the rest of the world. Of course, the world may not be so receptive: in a political institution of global scope informed by the Confucian ideal of *Tian Xia*, other cultural and moral systems are implicitly downgraded to second-class status. This is not to deny that Zhao's proposal has some virtues. It is fine – indeed, desirable – for the Chinese state to pursue world peace. Some of Zhao's practical recommendations, such as the ideal of free immigration, are also worth pursuing.<sup>6</sup> But the ideal of *Tian Xia* must make room for cultural diversity.<sup>7</sup> At the very least, it seems wrong to deny the possibility that there are morally legitimate differences regarding social and political organization, that different ways of protecting and promoting cultural ideals can give rise to different political institutions (and different kinds of states). As a practical matter, it is difficult to imagine that one global ruler or political institution will ever be able to secure political legitimacy among all the different cultures and worldviews. Rather than arguing for cosmopolitan political institutions inspired by Confucian principles – with the not-so-implicit agenda that the Chinese state will take the leading role in promoting, if not instantiating, such institutions<sup>8</sup> – those concerned with promoting China's soft power might be better off pointing to the Confucian emphasis on modesty, tolerance and willingness to learn that Confucians have often shown when engaging with other cultural and moral systems like Buddhism and liberalism.

But the deeper problem with the cosmopolitan ideal is the ideal itself. It relies on the utopian assumption that human beings can be freed from particularistic attachments, where feelings of commonality outweigh any 'selfish' ties. Such ideas may be more appropriate for small communities, but in a country of 1.3 billion people, culturally diverse and still quite poor (per capita income of roughly US\$2,000 per year), it is hard to imagine that such strong feelings of commonality could develop.<sup>9</sup> Extended to the international realm, Kang's ideal of *Da Tong* and Zhao's ideal of *Tian Xia* seem even more implausible. 'To all his own' makes no more sense in international affairs than 'to each his own'. Obviously there are competing national interests. Like other states, China competes for access to resources and foreign investment. Even if China becomes rich, there would still be competition for cultural glory. And sometimes it is a zero-sum game. China's new Confucius Institutes aim to promote Chinese language learning abroad, leading to worries among French

politicians that their language is losing global appeal. There will always be competition for Olympic gold medals.<sup>10</sup> Some of these pursuits may not be legitimate, but any principle of international relations needs to leave some room for legitimate national interest.

More surprisingly, perhaps, the cosmopolitan ideal is radically inconsistent with key Confucian values.<sup>11</sup> The ideal owes more to imported traditions like Christianity, Buddhism and Marxism, whatever the self-understanding of its 'Confucian' advocates. Another chapter from the *Record of Rites* titled *The Great Learning* helps us to interpret the *Da Tong* ideal. *The Great Learning* – subsequently canonized by the Song dynasty scholar Zhu Xi (1130–1200) as one of the four Confucian classics – opens with the famous passage:

The extension of knowledge consists in the investigation of things. When things are investigated, knowledge is extended; when knowledge is extended, the will is sincere; when the will is sincere, the mind is rectified; when the mind is rectified, the personal life is cultivated; when the personal life is cultivated, the family will be regulated; when the family is regulated, the state will be in order; and when the state is in order, there is peace throughout the world (Tian Xia).

Starting from the moral ordering of the individual person and the family, an important goal of Confucianism is to bring order to the state and thereby to spread peace throughout the world. The ideal goal is a harmonious political order of global peace. But nowhere does *The Great Learning* state that ties to strangers should be as strong as ties to loved ones (not to mention Kang Youwei's idea that families should be abolished). The Confucian idea is that ties should be extended from intimates to others, but with diminishing intensity. And if ties between intimates and strangers conflict, the former often have priority.<sup>12</sup> The web of obligations that bind family members are more intense than those binding citizens, the web of obligations that bind citizens are more intense than those binding foreigners, and so on. As Joseph Chan puts it, 'the Confucian view that it is natural and right for a person to show more concern for people close to him or her than to strangers would lead one to accept at least some kind of territorial boundary that distributes more resources to citizens of a community than to outsiders' ('Territorial Boundaries and Confucianism', p. 81). But *The Great Learning* reminds us that it shouldn't end there. It is also natural and right to seek to extend concern to outsiders to the extent possible.<sup>13</sup> In practice, the Confucian ideal of Great Harmony would mean a foreign policy that promotes international peace while allowing for legitimate national self-interest that can sometimes outweigh cosmopolitan ideals. It is not necessarily wrong for the Chinese state to be particularly concerned about, say, the fate of Chinese workers in other countries,<sup>14</sup> even if it can get more 'bang for the buck' by aiding foreign workers. But the Chinese state should also show some concern for the well-being of outsiders and devote itself to working out common solutions to global problems wherever possible. Such is the 'Golden Mean' (*zhongyong zhi dao*) between the extremes of state sovereignty and utopian cosmopolitanism. A foreign policy informed by the ideal of Grand Harmony that makes room for cultural difference and legitimate national self-interest is good for China and may also enhance China's soft power abroad.<sup>15</sup>



There remain many complex questions regarding the nature and extent of obligations owed to outsiders. But I would like to focus on perhaps the most basic question of international relations: when, if ever, should the Chinese state engage in warfare? Surprisingly, perhaps, the Confucian tradition still informs Chinese thinking on the morally-justified use of state violence. And such thinking may hold valuable insights for the modern world.

### War for peace<sup>16</sup>

In the early days of the U.S.-led invasion of Iraq, the Chinese-language Internet was filled with references to ancient Confucian thinkers. Ming Yongqian's contribution is typical:

Mencius said, 'A true king uses virtue and humanity, a hegemon uses force under the pretext of humanity and compassion.' Let us first consider the idea of the hegemon. According to Mencius's saying, a hegemon uses force to attack others in the name of benevolent justice. This kind of war is an unjust war . . . In ancient times as well as today, most rulers are very clear regarding political realities, they won't lightly abandon the cover of virtue to launch such wars . . . The best contemporary example is Bush's war of invasion against Iraq! He used the excuses of weapons of mass destruction and terrorism in order to obtain oil resources and to consolidate his strategic position in the Middle East. This is the best example of 'using force under the pretext of humanity and compassion.' Bush is today's hegemonic king.<sup>17</sup>

The distinction between the aggressive 'hegemon' and the peace-loving 'true king' was first articulated by Mencius over two thousand years ago and it still informs the moral language that Chinese intellectuals often use to evaluate foreign policy, especially regarding morally-justified warfare (in contemporary parlance, 'just war'). But what exactly did Mencius say about war and peace? And does it make sense to invoke his ideas in today's vastly different political world? Why not simply stick to the language of human rights? Let us turn to these questions.

In the ideal world of *Tian Xia*, an era of global peace, there would be no wars and pacifism would be the only justifiable moral stance. If no one is fighting for territory, then, as Mencius put it, 'What need is there for war?' (7B.4). But Mencius was writing at the time of the Warring States period (c. 500–221 BCE), a time of ruthless competition for territorial advantage between small walled states, and it should not be too surprising that he also provided practical, morally-informed guidance for this context.<sup>18</sup> Mencius argued that rulers have an obligation to promote the peaceful unification of the world (1A.6, 2B.12). Ideally, the ruler should rely on non-coercive means to do so: 'There is a way to gain the whole world. It is to gain the people, and having gained them one gains the whole world. There is a way to gain the people. Gain their hearts and minds, and then you gain them' (4A.9). As a consequence, he was critical of rulers who launched bloody wars of conquest simply in order to increase their territory and engage in economic plunder. Seemingly fearless, Mencius goes to see King Hui of Liang and scolds him for being 'overly fond of war' (1A.3). Mencius suggests that wars of conquest cannot even lead to short-term

victories, and that they are disastrous for all parties concerned, including the conqueror's loved ones:

Mencius said, 'King Hui of Liang is the antithesis of humanity and compassion. The man of humanity and compassion brings upon the things he does not love the things he loves. But the man who is not humane and compassionate brings upon the things he loves, the things he does not love.' Gongsun Chou said, 'What does that mean?' Mencius said, 'King Hui of Liang ravished his own people for the sake of territory and went to war. When defeated, he tried again and fearing that he might not succeed he drove the son he loved to fight and his son was sacrificed. That is what I meant by 'bringing upon the things he loves, the things he does not love.' (7B.1; see also 1A.7)

An unjust war, in short, is a war that is launched for purposes other than peace and humanity. The problem, however, is that the world is filled with ruthless men, including some who gained states (7B.13) and will not be moved by moral concerns. Faced with cruel rulers of this sort, what are the morally-informed practical responses?

Mencius does not counsel non-violent resistance against tyrants who only respond to the language of force. In domestic policy, Mencius is famous for sanctioning the killing of despotic rulers (1B.8). To prevent attacks from foreign tyrants and secure the peace at home, Mencius suggests that state boundaries can be fortified: 'The setting up of border posts in antiquity was to prevent violence. Today they are set up for the purpose of engaging in violence.' (7B.8, see also 6B.9). So the first kind of just war approximates the modern idea of self-defense. For example, if a small territory is ruled by a capable and virtuous ruler who seeks to promote peace and humanity, and if that territory is attacked by an unjust would-be hegemon, then the ruler of that territory can justifiably mobilize the people for military action:

Duke Wen of Teng asked, 'Teng is a small state, wedged between Qi and Chu. Should I be subservient to Qi or should I be subservient to Chu?'

'This is a question that is beyond me,' answered Mencius. 'If you insist, there is only one course of action I can suggest. Dig deeper moats and build higher walls and defend them shoulder to shoulder with the people. If they would rather die than desert you, then all is not lost.' (1B.13)

This passage suggests that the people's support is crucial for successful warfare (see also 2B.1). It also suggests the people can only be mobilized to fight if they are willing to fight, with the implication that conscription of a reluctant populace would not be effective (or morally desirable).

The second kind of just war approximates the modern idea of humanitarian intervention – Mencius labels these wars 'punitive expeditions' (征) and they are meant to bring about global peace and humane government. Certain conditions, however, must be in place. First, the 'conquerors' must try to liberate people who are being oppressed by tyrants: 'Now the prince of Yen cruelly mistreated his own people and Your Majesty set out on a punitive expedition. Yen's people thought you were saving them from 'flood and fire' [i.e., from tyranny]' (1B.11). Mencius suggests that wicked rulers are not likely to go down without a fight and that liberation of the people may require murdering the tyrant: 'He killed the ruler and comforted the



people, like the fall of timely rain, and the people greatly rejoiced' (1B.11). Second, the people must demonstrate, in concrete ways, that fact that they welcome their conquerors (7B.4, 1B.10, 1B.11, 3B.5). However, the welcome must be long-lasting, not just immediate. The real challenge is to maintain support for the invading forces after the initial enthusiasm: 'The people welcomed your army [which had just carried out a punitive expedition] with baskets of rice and bottles of drink. If you [then] kill the old, bind the young, destroy the ancestral temples, and appropriate the ancestral vessels, how can you expect the people's approval?' (1B.11). Third, punitive expeditions must be launched by rulers who are at least *potentially* virtuous. One can assume that Mencius bothered to talk to some flawed rulers only because he believed they contained the seeds of virtue within them, or at least that they had sufficient good sense to respond to practical, morally-informed advice. Fourth, the leader of justified punitive expeditions must have some moral claim to have the world's support: 'The Book of History says, "In his punitive expeditions Tang began with Ge." The whole world was in sympathy with his cause. When he marched on the east, the western tribes complained. When he marched to the south, the northern tribes complained. They said, "Why does he not come to us first?"' (1B.11).

Needless to say, this ancient world is far removed from our own, and one has to be careful about drawing implications for contemporary societies. But Ni Lexiong (2001) argues that the Warring States period shares five common characteristics with the contemporary international state system: (1) there is no real social authority higher than the state; (2) the higher social authorities exist in form rather than substance (the Zhou Son of Heaven in the Warring States period, the United Nations today); (3) national/state interest is the highest principle that trumps other considerations in cases of conflict; (4) the dominant principle in international relations is the 'law of the jungle'; and (5) universal moral principles are invoked as pretexts for realizing state interests. Thus it should not be entirely surprising if at least some Confucian prescriptions on just and unjust war are held to be relevant for the contemporary world of sovereign states in an 'anarchical' global system.

This is not just a theoretical point. As mentioned, Mencius's views serve as a normative reference point for contemporary Chinese social critics opposed to wars of conquest. They also serve to underpin judgements regarding just wars. For example, Gong Gang (2003) appeals to the distinction between wars of conquest and justified punitive expeditions to differentiate between recent wars in the Persian Gulf:

One can say that the First Gulf War is a just war authorized by the United Nations, similar to 'a guilty duke corrected [punished] by the Son of Heaven' . . . In this war [the 2003 invasion of Iraq], the United States says it is using force to exercise humanity and compassion, that it is acting as both a true king and a hegemon. But the Second Gulf War is not the same, because without the authorization of the United Nations . . . the United States is using force under the pretext of humanity and compassion, and it is also maintaining its geopolitical, national security, and economic interests in the name of promoting democracy in the Middle East; it is obviously acting as a global hegemon.

Still, one may ask, why not use the modern language of human rights to make such judgements? Michael Walzer, the most influential Western theorist of just and unjust war, explicitly argues that human rights are at the foundation of wartime morality:

'Individual rights to (life and liberty) underlie the most important judgments we make about war' (Walzer, 1992: 54). The obvious response is that 'we' does not typically include Chinese intellectuals and policy makers. In the Chinese context, the language of human rights, when it has been deployed to justify military intervention abroad, has been tainted by its misuses in the international arena.<sup>19</sup> Given the history of colonial subjugation by Western powers, as well as the ongoing conflicts over economic resources and geopolitical interests, the language of human rights is often seen as an ideology designed to rationalize policies of exploitation and regime change. Even where military intervention in the name of human rights may have been justified – as, arguably, in the case of NATO's war on behalf of the Kosovo Albanians – it is difficult, if not impossible, to overcome Chinese skepticism regarding the real motives underlying intervention.<sup>20</sup>

This provides a practical reason for invoking Mencius's theory of just and unjust war in the Chinese context. What ultimately matters is the *practice* rather than the theory of human rights. So long as people are protected from torture, genocide, starvation, and other such obvious harms, there is no need to worry about the particular political and philosophical justifications. That is, states and other collective agencies should do their best to respect our basic humanity, but whether such practices are backed by human rights morality is secondary. And if Mencius's theory leads to the same judgements regarding the justice of particular wars as theories of wartime morality founded on human rights, then why not deploy his theory in the Chinese context?

Having said that, Mencius's theory will not always lead to the same judgements as theories founded on human rights – but this may speak in favor of Mencius's theory. For Mencius, the government cannot secure the peace if its people are not well fed (1A.7). Hence, the first obligation of government is to secure the basic means of subsistence of the people. By extension, the worst thing a government can do – in contemporary parlance, the most serious violation of human rights – would be to deliberately deprive the people of the means of subsistence (by killing them, not feeding them, not dealing with a plague, etc.). A ruler who engages in such acts, for the Confucian, would non-controversially be viewed as an oppressive tyrant, and punitive expeditions against such rulers would be justified (assuming the other conditions for punitive expeditions have also been met). In contrast, the sorts of violations of civil and political rights that might be viewed as constituting tyranny by contemporary Western defenders of human rights, such as systematic denials of the right to free speech or the heavy-handed treatment of political dissidents in the name of social order, would not be viewed as violations sufficiently serious to justify humanitarian intervention by foreign powers.

Such differences in emphasis may influence judgements of just and unjust warfare in the contemporary world. For Western defenders of human rights, Saddam Hussein was non-controversially regarded as an oppressive tyrant because he engaged in the systematic violation of civil and political rights: liberal defenders of humanitarian intervention such as Michael Ignatieff and Thomas Friedman supported the invasion of Iraq largely on those grounds. The invasion of Iraq, in their view, could democratize that country and set a political model for the rest of the Middle East (now that Iraq has become synonymous with hell on earth, such dreams

have been set aside). For Confucians, however, so long as the Iraqi people were not being deliberately deprived of the means of subsistence, the intervention could not be justified.

In other cases, however, Confucians may be more likely to support humanitarian interventions compared to liberal defenders of humanitarian intervention. In cases of deliberately engineered famines, such as the Afghanistan government's total road blockade on Kabul in 1996, the Confucian just war theorist would argue for foreign intervention (assuming, as always, that the other conditions for foreign intervention have been met). In contrast, liberal human rights groups such as Amnesty International denounced the shooting and torture of a few victims as human rights violations and treated the manufactured starvation of thousands as background.<sup>21</sup> Similarly, if it is true that the North Korean government has been deliberately promoting policies that result in the starvation of millions of people, the Confucian would have emphasized the need for foreign intervention in North Korea rather than such countries as Iraq.<sup>22</sup>

It is worth asking how much of this matters in practice. Even if Confucian views inform the judgements of critical intellectuals in China, do these judgements really affect the political practices of the Chinese state? Confucian theorists of just war may prove to be just as ineffective as moralizing theorists of human rights in the American context (perhaps even more so, if the society lacks a free press and other public forums for communicating criticisms; Chinese Confucian critics tend to reserve their criticisms for foreign hegemonies). It is obvious, for example, that war against Taiwan if it declares formal independence would not meet the Confucian criteria for justifiable punitive expeditions: so long as the Taiwanese government does not kill or starve its people, only moral power could be justifiably employed to bring Taiwan back into the Chinese orbit.<sup>23</sup> But it seems just as obvious that Confucian objections are not likely to cause the Chinese government to hold back in such an eventuality. So what exactly is the point of Confucian theorizing on just warfare?

A historical perspective may provide some insight. One feature of imperial China was that it did not expand in ways comparable to Western imperial powers, even when it may have had the technical ability to do so. Instead, it established the tributary system, with the 'Middle Kingdom' at the center and 'peripheral' states on the outside. In this system, the tributary ruler or his representative had to go to China to pay homage in ritual acknowledgment of his vassal status. In return, China guaranteed security and provided economic benefits, while using moral power to spread Confucian norms and allowing traditional ways of life to flourish. Needless to say, the practice often deviated from the ideal. Still, the Confucian-Mencian discourse did help to stabilize the tributary system and curb the excesses of bloodthirsty warriors and greedy merchants. There may be lessons for the future. As China once again establishes itself as an important global power, with the economic and military means to become a regional (or even global) hegemon, it will need to be constrained by more than *realpolitik*. More than any other discourse, Confucian theorizing on just and unjust war has the potential to play the role of constraining China's imperial ventures abroad, just as it did in the past. Confucian morality would cause the leaders to think twice about collaborating with governments implicated in the mass killings of civilians, as in Sudan. Put more positively, China would also have

the power and the responsibility to carry out punitive expeditions in neighboring states (e.g., if an East Asian state began to carry out a Rwanda-style massacre of its population). Confucian discourse could provide moral guidance in such cases and the Chinese government would not simply be reacting to international pressure.

Confucian theorizing can also have an impact below the highest levels of the state, particularly once the war is already under way. The torture of prisoners at Abu Ghraib in Iraq is a reminder that evil deeds in warfare are committed 'unofficially', by soldiers acting without the explicit authority of the top commanders. Nonetheless, these soldiers took implicit cues from the top, which set the tone for the cavalier approach to the protection of prisoners' well-being. Here the Confucian emphasis on the morals and qualities of political and military leaders may be particularly relevant. In Imperial China, the idea that those carrying out the war should be humane and compassionate informed the practice of appointing generals who were held to be exemplary persons with both moral character and military expertise. One important reason for emphasizing the moral quality of commanders is that they set the moral example for other ordinary soldiers, and their moral power radiates down to lower levels: as Confucius put it, 'under the wind, the grass must bend' (12.19). If the aim is to sensitize soldiers to moral considerations, the leaders should not, as in Clausewitz's idea of the general, simply be concerned with the practical skills required for victory.

There are, in short, two main reasons for invoking Mencius's theory of just war. The first reason is psychological. If there is rough agreement on the aims of a theory of just war – that it should prohibit wars of conquest and justify certain kinds of wars of self-defense and humanitarian intervention – then one should invoke the theory that is most psychologically compelling to the people being addressed. In the Chinese context, the theory of Mencius is most likely to have causal power. The comparison here is not just with theories of human rights, but with other Chinese thinkers such as Mozi who have also put forward theories functionally similar to modern theories of just war. Mencius is typically viewed as a 'good guy' by contemporary Chinese, so there is no need to qualify or apologize for aspects of his theory.

The second reason is philosophical, and it speaks to the normative validity of Mencius's theory. Compared to alternative theories, Mencius's theory has several advantages, such as the focus on material well-being and the lack of emphasis on religion or ethnicity as justifications for going to war. Mencius's theory can and should be taught in military academies, both in China and elsewhere. And critical intellectuals should draw upon Mencius's views to evaluate the justice of wars in the contemporary world. Of course, there is no reason to take Mencius's theory (or any other theory) of just war as the final word on the subject. One lacuna, for example, is the lack of detailed prescriptions for *jus in bello*. Besides arguing against the large-scale slaughter of civilians (7B.3), Mencius did not explicitly draw the implications of his views on just war for just conduct in war. Here Xunzi's insights regarding just conduct in war, as well as those of contemporary theorists, could usefully supplement Mencius's theory.

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## Notes

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1. Kang Xiaoguang, 'Zhongguo ruan lilian jianshe yu Rujia wenhua fuxing de guanxi' ['China's Soft Power and Its Relation to the Revival of Confucian Culture'], [www.tech.cn/data/detail.php?id=12170](http://www.tech.cn/data/detail.php?id=12170), visited 3 July 2007.
2. The English translation is adapted from de Bary and Bloom (2000: 343).
3. Interestingly, the Chinese government refers to the current stage of economic development as striving towards the '*xiaokang shehui*' (society of small prosperity). The government, however, is vague about what is supposed to come afterwards.
4. Quoted in Shi Ping-hua, 'Chinese Utopianism in Political Discourse: Comparing Japan and the Former Soviet Union in Social Reforms (1898–2000)', (<http://new.china-review.com/article.asp?id=16705>), visited 27 June 2007.
5. For an English translation, see <http://new.china-review.com/article.asp?id=17048>, visited 27 June 2007.
6. Note, however, that China is one of the few countries to have territorial boundaries within its country: the borders to Macau and Hong Kong are functionally equivalent to international borders, and the *hukou* (household registration system) imposes more restrictions on labor mobility than, say, workers in the European Union. I do not mean to imply that such restrictions are necessarily illegitimate – they are mainly explained by the huge differences in wealth within China, and the fact that rich regions fear being overwhelmed by poor immigrants – but the ideal of *Tian Xia* can serve to remind us that they are temporary, less-than-ideal solutions to difficult circumstances and that boundaries should be done away with at the earliest opportunity.
7. The twentieth century Confucian scholar Mou Zongsan (1909–1995) responded to such concerns by rejecting the superiority of Chinese culture but he went to the other extreme of affirming a diversity of cultures that are worthy of *equal* respect. Other cultures may be worthy of respect, but it seems dogmatic to affirm that they are worthy of equal respect prior to detailed engagement and understanding of those cultures. And the way that Mou Zongsan goes about his cross-cultural comparisons suggests that Confucianism may still be doing the work – he claims that the four basic ethical instincts of human beings identified by Mencius (the heart of compassion, of shame, of courtesy and modesty, and of right and wrong) are the same for everyone, but their concrete norms and modes of expression may vary from culture to culture (Chan, 2007: 79). It is highly unlikely that, say, a devout Muslim would view her moral commitments as mere variations upon Confucian themes.
8. I do not mean to imply that Confucian thinkers are unique in this respect. If anything, the messianic impulse – the view that the state can and should embody universal principles to be promoted abroad – runs much deeper in American political discourse. And it is not just religious fanatics. The liberal New York Times columnist Thomas Friedman (2007) writes that Americans 'need to find a way to reknit America at home, reconnect America abroad and restore America to its natural place in the global order – as the beacon of progress, hope and inspiration'.
9. There may have been brief, euphoric moments in history (e.g., shortly after the revolution) when such feelings may have been widespread, but it is difficult to sustain regimes premised on the extinguishing of self-interest and particularistic attachments.
10. Chinese intellectuals also debate whether Chinese can and should become a more global language and whether more efforts should be spent teaching and promoting Chinese to visitors during the Olympics instead of speaking English to them (*Nanfang Zhoumou* [Southern Weekly], 16 August 2007, p. E31).
11. To be more precise, it is inconsistent with key values of the early (original) Confucians. The Neo-Confucians were deeply influenced by Daoism and Buddhism and this altered or made problematic core Confucian values (see Ivanhoe, 1990).
12. Confucius (in)famously argued that the care owed to elderly parents could justify covering up the crimes of one's father: 'The Duke of She told Confucius, "In my country there is a man called Upright

Kung. When his father stole a sheep, he bore witness against him.” Confucius said, “In my country, the upright men are different from this. A father covers up for his son, and a son covers for his father. Uprightness lies in this” (13.18). Not surprisingly, the Legalist Han Fei Zi opposed the Confucian view that family obligations have priority over others, arguing that it is incompatible with successful warfare (he fabricated a story about Confucius rewarding a man who had run away from battle to care for his aged father, with the moral that ‘a man who is a filial son to his father may be a traitorous subject to his lord’). The tension between competing ties to the family and the state is a recurring theme in Chinese history. Once, at dinner time, my son reported to family members that I had wasted some food. I replied, half-jokingly, with the Confucian line that sons should cover up for their fathers. My father-in-law, an elderly revolutionary cadre (veteran of three wars), replied that Confucius’s view is ‘wrong’. Keeping in mind the value of filial piety, I resisted the urge to defend Confucius.

13. Concern for other peoples is typically motivated by familiarity and personal encounters, and globalization of various sorts has been beneficial in terms of expanding our range of concern. Consider that Adam Smith, writing in 1759, could suggest that ‘a man of humanity in Europe’ would not lose any sleep upon hearing news that the ‘great empire of China, with all its myriads of inhabitants, was suddenly swallowed up by an earthquake’. In comparison, the ‘most frivolous disaster which could befall himself would occasion a more real disturbance. If he was to lose his little finger tomorrow, he would not sleep to-night; but provided he never saw them, he will snore with the most profound security over the ruin of his brethren, and the destruction of that immense multitude seems plainly an object less interesting to him, than this paltry misfortune of his own. To prevent, therefore, this paltry misfortune to himself, would a man of humanity be willing to sacrifice the lives of a hundred millions of his brethren, provided he had never seen them?’ (Smith, 2006: III, 3). Smith’s general point that ‘we are always so much more deeply affected by whatever concerns ourselves’ may be correct, but it would be difficult to imagine a contemporary Western thinker putting forward such an example, precisely because ‘European’ moral sensibilities have expanded due to substantial personal contact with the Chinese. Smith could write about the Chinese as though they live on another planet because few if any Europeans had developed any personal feelings for them, but obviously that is not true today (for the record, I would gladly sacrifice my little finger to save the Chinese people, if only because I would also be swallowed up by Smith’s imagined earthquake).
14. The All China Federation Trade Union is collaborating with a leading workers’ union in Romania to protect the rights of Chinese workers in that country (Bran, 2007).
15. It can be argued that the rhetoric of utopian cosmopolitanism might actually be more attractive to foreigners who are not expected to sympathize with the idea that China has legitimate national self-interests to pursue in the international arena. But the realities of competition in international relations would quickly show China to be hypocritical if it justifies its foreign policy with cosmopolitan rhetoric and the result might be worse than if China occasionally appeals to national self-interest. Part of why the U.S. is so disliked abroad is that it appeals to supposedly universal values like democracy and freedom while not publicly admitting that its actions are often determined by national self-interest. And the blame does not lie solely with the Bush administration. In 2004, the former U.S. Vice-President Al Gore gave a talk on global warming in Shenzhen. In the question and answer period, he was asked by the Confucian scholar Jiang Qing whether, in his view, the U.S. national interest can differ from the interests of the rest of the world. Gore seemed unprepared for this question, and after a brief pause, he asserted that the two cannot conflict because the U.S. constitution expresses political principles handed down from God.
16. This section draws upon my book: Bell (2006: ch. 2).
17. Ming Yongquan, ‘*Youmeiyou zhengyi de zhanzheng? Yilun Rujia (wang ba zhi bian)*’ [Are There Just Wars? A Confucian Debate on True Kings and Hegemons] (<http://www.arts.cuhk.hk/~hkshp>, visited 11 October 2003).
18. Mencius did say that a sage-king, who would conquer the world by means of moral power, was long overdue, but he noted that sage-kings come in five-hundred year cycles and rarely last more than a generation or two (2B.13, 5A.5). According to Mencius’ own theory, the non-ideal world of compet-



- ing states delimited by territorial boundaries is the reality for roughly 90 per cent of the time. Note too the difference between Mencius's cyclical view of history and the linear view of progress put forward by Kang Youwei.
19. As a matter of domestic policy, however, the language of human rights is much better received in China, by critics of the regime as well as official government circles.
  20. Of course, the bombing (accidental, according to the U.S. government) of the Chinese embassy in Belgrade sealed the matter in the eyes of (most?) Chinese. I personally experienced the reaction in Hong Kong. The one time I was truly made to feel like an outsider among otherwise sympathetic mainland Chinese friends and family members was when I argued that the war against Serbia was still justified, even after the bombing. I rapidly learned to keep my views to myself, in the interest of maintaining harmony with loved ones!
  21. In response to such cases of apparently misguided priorities, Amnesty has expanded its mission to include economic and social rights (Bell, 2006: 94).
  22. Given the likely civilian casualties, however, Confucian critics would likely emphasize other means of opposition, such as remonstrance or targeted killing of the North Korean leaders responsible for the famine.
  23. But would Taiwan be justified in defending itself if attacked by the mainland? For the Confucian, the judgment would depend partly on the moral character of the Taiwanese ruler, the degree of popular support in Taiwan for that leader and the likely consequences of other options such as surrender (not so bad if the Chinese army withdraws soon after invasion and the Chinese government restores the status quo ante) or exile (Mencius holds that the humane ruler faced with certain defeat will leave his kingdom rather than expose his people to harm, and he will eventually be followed by his people (IB.15)).

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