Review of Jiang: A Confucian Constitutional Order - How China’s Ancient Past Can Shape Its Political Future

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How important is JIANG Qing, whose extraordinary proposals for political change make up the core of this book? In his Introduction to the volume, Daniel Bell maintains that Jiang’s views are “intensely controversial” and that conversations about political reform in China rarely fail to turn to Jiang’s proposals. At least in my experience, this is something of an exaggeration. Chinese political thinking today is highly pluralistic and for many participants, Jiang is simply a curiosity—if indeed they are aware of him. Still, for three reasons Jiang is very much worth our attention. First, there is a vibrant and growing community of academics, activists, and intellectuals in China who engage Confucianism as a live, contemporary source of meaning, and Jiang is clearly one of this group’s leaders. Second, explicitly Confucian practices are being revived or re-invented in many areas of Chinese society, and a good number of those drawn to these activities are inspired by Jiang (for example, by his handbook on reciting the Classics) or even supporters of Jiang (witness the fact that Jiang was able to establish his “Yangming Jingshe Academy” with private capital). Finally, some thinkers who are quite sympathetic to Confucianism—or even identify as Confucians—find Jiang’s ideas very troubling. We thus have ample reason to give Jiang serious attention, and this well-designed volume makes it possible to access and engage with Jiang’s arguments in English.
The book is comprised of four major parts: Bell’s substantial Introduction; three essays by Jiang; four shorter critical essays by Joseph Chan, BAI Tongdong, Chenyang LI, and WANG Shaoguang; and extensive responses by Jiang. Bell’s introductory essay provides a helpful biography of Jiang that details his changing relationships to both Marxism and the “New Confucianism” of Tang Junyi and Mou Zongsan. In the final section of the Introduction, Bell also reflects on possible areas in which Jiang and his critics might find more common ground than Jiang has so far been willing to grant; as Bell notes, in the present volume Jiang refuses to make even a single concession. Jiang’s three essays each concentrate on a key aspect of his political blueprint for a future Confucian China. Chapter One explicates his idea of threefold legitimacy (sacred, historical, and popular) and the tricameral legislature that he accordingly proposes. Chapter Two introduces an institution he calls the Academy (Tai Xue), a powerful supervisory body made up of Confucian scholars with the “authority to appraise and adjudicate the rightness of any [state] policy” (p. 57). In Chapter Three, Jiang explains his conception of the state as an enduring spiritual and organic entity which is best headed not by an elected official but by a hereditary albeit largely symbolic monarch, a position best-filled in contemporary China, he argues, by the heir of Confucius. The critical essays in the book’s third section cover a range of topics. Chan argues that Jiang is mistaken to seek an imposition of Confucianism as a comprehensive doctrine (in Chan’s terms, this is a form of “extreme perfectionism”), though Chan sees room for Confucian values to be advanced in more piecemeal fashion. Bai says that adopting the religious and metaphysical approach to Confucianism that Jiang derives from Han Dynasty Confucianism is a mistake, and argues that a Confucianism as universally-accessible political philosophy, based in Pre-Qin texts like the Analects and Mencius, is more apt to the contemporary, pluralistic world. Li also challenges Jiang’s understanding of “heaven (tian),”
arguing for a more immanent version of that idea and thus for more compatibility with
democratic politics. Wang, finally, disputes Jiang’s assertion that the present-day Chinese regime
lacks legitimacy and argues that what China (and, for that matter, the West) needs is more
genuine (and egalitarian) democracy, not the elitism that Jiang has described. The book
concludes with Jiang’s elaboration on his position and rebuttals to many of the critics’
arguments.

Readers of Jiang’s work cannot help being struck by his authorial voice, nicely conveyed
in Edmund Ryden’s excellent translation. Jiang is confident that he has grasped the way forward
for Confucianism, and claims to speak for “China’s Confucianism” as a whole (47-8; 161).
Despite several of his critics’ deep sympathy for Confucianism, Jiang announces that their ideas
“largely reflect the position of liberalism” (161); the key reason for this, I submit, is the critics’
general acceptance of what Rawls dubs “the fact of pluralism.” Acceptance of pluralism does not
make one a Rawlsian, since that acceptance can take many forms, but Jiang insists that in order
to avoid moral anarchy, “any human society must establish one comprehensive, systematic,
leading, orthodox set of values for human and social betterment” (164). 1 This central assumption
helps to explain why both Bai and Li refer to Jiang as a “radical”; Bai perceptively suggests that
Jiang’s radicalism has remained consistent throughout his life, even though his commitment has
shifted from Marxism to Confucianism (115). Jiang is a paradigmatic example of someone
deeply immersed in what Thomas Metzger calls “Discourse #1,” according to which “knowledge
is available with which to arrive at a rational solution for all major political problems, and the
moral-intellectual virtuosi sincerely trying to obtain this knowledge can be publically
identified.” 2
Seeing Jiang as a participant in the broadly shared Discourse #1 sheds important light on the vexed question of whether we should consider Jiang to be a “fundamentalist” (yuanzhijiaozhe). The term is regularly attached to his name in current Chinese-language debates about his proposals. Jiang’s insistence that societies require a single, comprehensive set of values does not yet make him a fundamentalist; indeed, it does not distinguish him from most Chinese political thinkers, traditional or modern. Reviewing contemporary discussions of “fundamentalism” reveals no consensus on the term’s precise meaning, but two issues suggest significant overlap between Jiang and other recent fundamentalisms. First, despite Jiang’s claim to be developing a “traditionalism,” his is a form of thought rendered intelligible only as the conscious response of a tradition deeply threatened by modernity (206-7). In other words, Jiang’s Confucianism is a double-negative: a negation of modernity’s negation (as he sees it) of Confucian tradition. Only in this way do terms critical to Jiang’s project, such as “religion,” “legitimacy,” and “constitution” make their way into his language. Second, both the explicit content of his writings and their tone tend to resist open engagement with other positions. In the volume’s forty-seven page “Reply to Critics,” Jiang makes no concessions and suggests no middleground. He argues that only scholars (on whom see further below) are able to access the true meaning of the Confucian textual canon; for others, the proper attitude to the tradition’s teachings is “faith” (175-6; 190). This special (“mystical”) access justifies confident, even dogmatic assertions.

To further probe Jiang’s relation with Confucian tradition, consider his core idea of threefold legitimacy. Jiang says that in contrast to standard Western views of legitimacy that focus on the will of the people, a Confucian theory of legitimacy has three dimensions, and as canonical basis for this claim he regularly appeals to the Han dynasty idea that “the true king
unites heaven, earth, and humanity (wangzhe cantong tiandiren)." On Jiang’s reading, this implies that legitimate political authority will be endorsed in three different ways: by heaven (sacred legitimacy), by earth (historical/cultural legitimacy), and by humanity (popular legitimacy). I identify three different challenges to Jiang’s formulation. First, while it is plausible to read discussions of the “true king” as tracking legitimate political authority, the original context of these ideas renders doubtful the claim that heaven, earth, and humanity represent three distinct dimensions of authority. According to the Chunqiu Fanlü, the true king is able to match up the rhythms of heaven, earth, and humanity so that all flow together in a harmonious and productive way. This is a far cry from each serving as a source of assessment through which the legitimacy of a political arrangement can be judged. Second, I see no evidence in the original sources for interpreting “earth” in terms of history and culture. It is meant literally, referring to the various cycles of earthly change with which we must accord if we are to flourish. Finally, I have concerns about the very broad role that Jiang assigns sacred legitimacy. Chenyang Li’s essay in the volume explores one of these worries: the degree to which Jiang is correct to think that heaven transcends the other sources of legitimacy, which in turn justifies giving much greater political weight to representatives of heaven (namely, the House of Ru, the Academy, and the symbolic monarch) than to other political actors. Here let me mention a different kind of issue: the enormous flexibility with which Jiang wields the idea of “sacredness.” Sacredness is connected to scholarship, since membership in the House of Ru depends on thorough knowledge of the Confucian classics (7). Jiang later says that environmental issues also bear on sacred legitimacy (35). While the need to accommodate the patterns of heaven and earth clearly is present in the classic sources on which Jiang relies, it is unclear how scholars of Confucian texts will have any particular knowledge of or sensitivity to actual environmental issues. Elsewhere,
Jiang adds that sacred legitimacy “is itself practical morality” and thus introduces morality into politics (38), and in yet another place Jiang says that the Confucian heaven “is beyond the scope of understanding of human reason” and can only be “grasped in faith” (191). As I will shortly explain, I worry not just that this mix of different ideas undermines any coherent notion of “sacred legitimacy,” but also that the ambiguity can have harmful political consequences.

Readers of Jiang’s book who are also familiar with Islamist political thinking cannot but be struck by some similarities, particularly with regard to the Academy. Even more than the House of Ru (whose power is mostly balanced by the other Houses), the Academy’s powerful “religious authority” (62) to uphold morality and religion evokes both theoretical proposals, such as Pakistani theorist Abul A’lā Mawdūdi’s quasi-democratic constitutional outline in which “men learned in Islamic law” are charged with overseeing key issues, and actual structures, such as Iran’s Guardian Council and Assembly of Experts. Indeed, Jiang himself likens the procedure for choosing the head of the Academy to that used in the Iranian Assembly of Experts to choose the Supreme Leader.⁵ And there is another important parallel. In typical Islamic conceptions, God is sovereign and humans rule as God’s representative, seeking to realize God’s will. Given human fallibility, though, a question arises as to what political structure makes the most sense. At least some contemporary Islamic thinkers argue that since we cannot match God’s perfection, we must take responsibility for our own, human laws, and the best way to do this is through democracy.⁶ Faced with a similar problem—the acknowledged lack of sages-kings—Jiang takes a different tack, assigning enormous authority to a small number of individuals whose main credential is their scholarship. But are the decisions they are called on to make scholarly ones? Will they oversee issues for which a life of scholarship has prepared them? There is even room to wonder whether Jiang is looking for good scholars, in any recognizable modern sense.
Consider this characterization of “national history”: it is “sacred, mysterious, whole, awe-inspiring, and enduring” (71). Jiang is certainly right that China has a great tradition of critical Confucian scholarship, but I worry that such critical scholarship will have little place in what appears more like a (very non-traditional) rule by Confucian clergy.

In this review I stress the large issues raised by Jiang’s approach, rather than pursue the details of his proposals. The details are fascinating, creative, sometimes insightful and sometimes maddening. As noted earlier, Bell’s Introduction makes a praiseworthy effort to suggest ways in which Jiang and his critics might find more common ground in particular areas. Indeed, many of Jiang’s specific arguments are couched in general terms that are quite accessible to theorists from around the globe, so there is much substance to grapple with in the volume, quite apart from the general picture on which I have focused. And taken as a whole, including the voices of Bell and the three Confucian-friendly critics, the volume helps readers to see that there are many different ways that Confucianism may be able to play roles in political thinking both in China and more generally. Jiang Qing’s is an important and provocative perspective, but—perhaps happily, if my concerns here are persuasive—not the only game in town.

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1 Jiang says that Confucianism does embrace a healthy kind of pluralism (or at least tolerance), so long as the non-leading values each acknowledge their subsidiary and private role, vis-à-vis the leading, official role of Confucianism. He finds evidence for this in the general acceptance in contemporary China of the erection of statues of Confucius on university campuses: “the reason is because in China the non-Confucians are very clear in their minds that Confucianism is a public value with political significance” (170).
2 Thomas Metzger, *A Cloud Across the Pacific* (Hong Kong: The Chinese University Press, 2005), 18. Note that Metzger uses “rational” very broadly, consciously intending it to encompass Confucian epistemologies, though Jiang might still object. Metzger argues that Chinese political thinking of all political camps over the last century has exhibited striking continuity with basic orientations of earlier Chinese thinking, and that all join in rejecting what he calls the “Great Modern Western Epistemological Revolution,” according to which there are deep limits to the kinds of knowledge available to us.

3 This idea is found in Chapter 44 of the *Chunqiu Fanlū*.

4 Notwithstanding the fascinating if abstract sources for a kind of anthropocentric environmentalism found in a range of Confucian texts, historical Confucians completely failed to articulate any kinds of systematic pro-environment policies, as can be seen in Mark Elvin’s important book, *The Retreat of the Elephants: An Environmental History of China* (New Haven: Yale University Press, 2004).

5 See p. 64, note 40. For Mawdūdī, see his *Human Rights in Islam* (Leicester: The Islamic Foundation, 1976).