Authors Meets Readers:
Martin Powers in Conversation with Sandra Field, Jeffrey Flynn, Stephen Macedo, and Longxi Zhang[*]

China and England: On the Structural Convergence of Political Values, Responding to Martin Powers' *China and England: The Preindustrial Struggle for Social Justice in Word and Image*[1]

SANDRA LEONIE FIELD
Yale-NUS College, Singapore (sandra.field@yale-nus.edu.sg)

1   Overview

At the center of Powers' *China and England* (2019) is an extraordinary forgotten episode in the history of political ideas. There was a time when English radicals critiqued the corruption and injustice of the English political system by contrasting it with the superior example of China. There was a time when they advocated adopting a Chinese conceptual framework for thinking about politics. So dominant and prevalent was the English radicals' use of this framework that their opponents took to dismissing their points as "the argument from the Chinese" (168, 190).

The core historical evidence of this episode is a remarkable set of texts from or about China published in English from the late seventeenth century up to the mid-eighteenth century, and subsequent commentaries and adoptions of those texts. Most striking amongst the Chinese texts are accounts of Song dynasty politics and administration. Specifically, the Chinese example was used to bring certain key ideas to England as a model of politics for the English to emulate:

- meritocracy, rather than rank and authority as hereditary or at the pleasure of the sovereign;
- equality under the law, rather than legal procedures differentiated by group membership;
- separation of public and private (both a conception of office and a conception of public good); and
- an ideal of political rule guided by concern for the common people.

The significance of this episode has been downplayed (87), but Powers insists, rightly, in my view, that a proper reflection on this episode should result in a profound reconfiguration of our political understandings (5-6). Both scholars and educated general readers in anglophone countries tend to have an underdeveloped global consciousness, especially when it comes to political values and ideals. Powers claims that the ideals in the texts were genuinely held in China, and were genuinely influential in England. Drawing attention to the Chinese genealogy of various putatively "western" values undermines civilizational essentialism; in particular, it undermines the way in which civilizational essentialism grounds a certain western exceptionalism.

Powers' book is no ordinary history of political thought, neither with respect to method nor content. Powers makes great use of his disciplinary background as an art historian; he tells his story not only through texts but also with visual evidence:

- images of "medieval" politics, in both China and England, centered on majesty, symbolism, and supernatural authority;
- images of post-medieval politics, in both China and England, centered on everyday experiences;
- images to show the enthusiastic uptake of Chinese ideas in Europe; and
- images of European progressive politics without reference to Chinese ideas.

Most striking to me was the shift that he traces from good politics represented through images of majesty and supernatural authority to good politics represented through images of everyday happiness (28-45, 62-78). Powers' insistence on a broader cultural contexualization of written texts adds a richness and force to the arguments that is uncommon in the more standard writings of the history of political thought.

As for content, the book offers new treasures that may surprise even scholars of the history of political thought who do have cross-cultural knowledge. A distinctive feature of the book is its focus on texts of governance and administration from the Song dynasty (55-60, 154-5). There is a common tendency in studies of Chinese moral and political philosophy to attend exclusively to classical philosophical texts (especially the *Analects* and the *Mengzi*),[1] according to which good politics is simply an extension of individual and communal virtue. In these texts, there is little attention to questions of institutional design, and even a skepticism about its relevance. But this leaves Chinese philosophy open to accusations of political naivete. Powers' treatment of the Song administrative texts shows how Chinese ideals of rulerly virtue were not naive. To the contrary, they could be—and at times were—concretely operationalized.

2   Schematic Points of the Argument

Without wishing to detract in any way from the achievements of the book, I do have several critical questions to pose to it. For this purpose, let me schematize three key theses of the book. First, we have a *structural thesis*. Powers claims that the determinants of political ideals and values are structural, in the sense that under the same social-political conditions, the same ideals and values will arise anywhere in the world. This is an anti-essentialist thesis for understanding values (different cultures do not have essential values associated with them). There are two sub-claims to the structural thesis:

(a)   Powers claims that the emergence of certain values—notably, aiming for a meritocratic politics rather than a "group-based" politics (Powers' own term, referring to

aristocratically, racially, and/or religiously stratified politics)—presuppose certain levels of cognitive complexity, which in turn seems to rely on educational advancement (6-9, 26-8, 38, 45).

(b)   At other times, the determination of values appears more directly political/institutional, without appeal to educational levels (51, 89, 124, 214, 219, 223-4, 229).

It is not initially clear whether the structural thesis is established on the basis of the evidence in the book, or if it is a rubric through which to interpret that evidence. Overall, I think it tends more to be a rubric of interpretation. (I'll return to this point.)

Second, we have a *historical thesis*. Powers claims that the Chinese first came up with the various political ideals and values that subsequently were so appealing to the English. He repeatedly remarks that these values were "alien" to the English prior to encountering them in the Chinese texts (92, 94, 95, 102, 126, 129, 134). And third, we have a *contemporary thesis*. On the basis of the structural and the historical thesis, Powers rejects the claim that China lacks ideas of "social justice" and "human rights" (i, v, 229).

3   Minor Critical Comments

Starting with the historical thesis, and despite its frequent appearance throughout the book, I am not sure how strongly Powers is committed to it. To start, it is in some tension with the structural thesis: if indeed values arise in response to universal structural features of modern politics, wouldn't it be surprising that all the values were found first in China? In fact, sometimes Powers directly rejects this historical thesis, recognizing that there were similar ideas in circulation amongst radicals in England prior to the translation of the Chinese texts (4-9, 50-51, 89, 124). However, the book gives only passing mention to these radical ideas (50, 128, 136), and on the whole the book reduces English political consciousness to the early modern absolutism of King James and Thomas Hobbes (32-7, 88). The book also makes implausible claims that the distinction between the benefit of the ruler/ruling class and the benefit of the whole of society was unknown in England (56). But this distinction is foundational for a very long tradition of European thought, from the classical Aristotelian distinction between good and corrupt regimes, to the early modern republicans and monarchomachs.

Perhaps my observations are grist to the mill of Powers' broader project, because they suggest support for his structural thesis (political ideals arise around the world in response to certain structural features of politics). It seems that Powers could significantly weaken his commitment to the historical thesis without damage to his project. Indeed, when I posed this criticism to Powers directly, he confirmed that his primary commitment is to the structural thesis. While there were interesting moments of historical influence, Powers' more important point is that the English were not somehow civilizationally unique in coming up with the modern political values that we now celebrate.

Turning now to part (a) of the structural thesis, I do wonder why is it so important to Powers to say that certain values and political understandings can only arise with certain levels of education and cognitive development. For first, even if it is true, it is not clear that it is particularly illuminating. Even if a given level of education is necessary for a commitment to Powers' value of social justice, it is certainly not sufficient. Powers himself observes that extreme levels of cognitive sophistication in the sciences can readily be found within highly stratified societies (45). And even

when there is a correlation between educational levels and value commitments, it seems to me that both the education and the values are probably driven by deeper social processes (plausible possible contenders include: the transition from peasant to urban life, the intermingling of social groups that results, the dissolution of traditional social divisions by capitalism, the greater penetration of the state into everyday life?). Second, I am not sure that the thesis is true, even on Powers' own evidence. Powers shows that there was a commitment to human equality and non-group-based politics already in classical Chinese texts and in Han dynasty rule, well before the rise of education that he places in the Song dynasty in China and in early modern England (39, 51-2, 109-11). In sum, I find version (b) of the structural thesis more plausible than version (a), but I didn't feel that the book really needed version (a) to achieve its primary aims.

4   Major Critical Comment

My major critical comment focuses on version (b) of the structural thesis. Powers claims that the same values or ideals arise inevitably in relation to structural features of political power in complex societies. Powers refers to this cluster of values as "social justice," or sometimes as "human rights" (i, 1, 9, 214, 222). Powers' master concept is not just a generic idea of justice, but something more specific. Its primary defining element is its opposition to "group-based politics" (27-8 & *passim*), but it also holds together other more specific positive values in an orderly way: equality, rights, meritocracy, public/private distinction (36, 55, 105, 139, 215-22). It matches a certain contemporary conception of American democratic liberalism (229). But this is not surprising, because in Powers' view, all complex societies will converge upon this single transhistorical and transcultural standard of the good and the just (8-9).

Powers' discussion of social justice relies on an underlying presumption: that there is a single master-concept of political justice, encompassing all other more specific values and uniting them together; and that all societies tend towards recognizing it. There is a single linear scale between irrational and rational politics, and history moves forward along this scale. The normative endpoint is known; historical inquiry searches for earlier stirrings of this ideal. It is through this presumption that an assortment of specific historical instances, legal procedures, and political incidents can be read as adding up to a single moral phenomenon.

But this presumption is quite contentious. It positions Powers firmly on one side of a heated debate about historical methodology (see for instance Israel 2010; Moyn 2010).[2] On the one side, where Powers stands, we have Whig historians, church historians, who have confidence in both their knowledge of the moral goal and the movement of history towards it (for instance, Jonathan Israel 2001).[3] On the other side, we have historians of a more Nietzschean sensibility (for instance, Samuel Moyn 2012).[4] This second type of historian asks: what if there is no unambiguous and unique final universal value? What if the values in fact governing different societies are different; or even if some of the values are more or less the same, what if they combine in different ways? And what if history moves non-linearly, such that stirrings of certain values in the past only led contingently to the present, and could have (and in different societies may in fact have) led different ways? What if the elements currently held together as a rationally unified single ideal might be separable and not naturally or necessarily joined? All of these possibilities are obscured *ex ante* by the Whig historian's method.

Let me show how this problem of method might apply to Powers' book. It could be true that the Chinese tradition has all of the good things that he discusses in detailed specificity:

- a notion of office, a division between public and private;
- meritocracy;
- a rejection of group-based politics; and
- a notion of common good.

Yet at the same time it could also be true that there is a coherent Chinese moral-political vision of society that contains all the above elements but also:

- lacks a concept of rights;
- accepts a hierarchical society; and
- is fundamentally not individualist.

As suggestive evidence for this claim, I take not my own opinion, nor that of other western commentators, but voices from within China—thereby avoiding the problem of Europeans projecting their own problems on China (Powers 2019: 20). And I think what is at stake is not a failure to live up to accepted ideals (that would be double standards, requiring China to live up to its own ideals more than Europe lives up to its (61-2)), but rather a commitment to final ideals which are interestingly distinct from Powers' master-ideal.

The key political concept in the Confucian tradition appears to be humaneness (*ren*), as well as perhaps propriety (*li*). This takes political shape in two ways. First, a ruler should be benevolent and proper. They should themselves be virtuous, and their virtue will radiate out to the population; the population will respond to their virtue's magnetism (see, for instance, *Analects* 2.1; 12.19). Second, the virtuous individual should try to extend their benevolence beyond their immediate self, to encompass ever expanding circles of others (see, for instance, *Mengzi* 1A7).

This might bear some similarity to contemporary ideas of meritocratic rule and universal politico-moral concern. However, late nineteenth-century thinker Liang Qichao makes explicit for us how they are different. Liang explains that the Chinese focus on benevolence *as opposed to rights* gives rise to subjects without "rights consciousness"—in consequence, leaving them without resource and like meat for slaughter if their ruler should happen not to be benevolent. Liang takes the English as exemplars of the rights-consciousness that he believes to be lacking amongst Chinese (Liang 2015: 9-14).[5] Focusing on universality and equality, twentieth-century thinker Chen Duxiu explains that the Chinese focus on benevolence within a system of ritually ordered proper relationships requires a degree of political (and gender!) deference incompatible with the modern republicanism that he finds appealing from western sources (Chen 2015: 70-4).[6] Certainly, it is interesting and noteworthy that this deference didn't take hereditary form, but that hardly erases the profound emphasis on deference.

I turn now to the question of individualism. Powers argues that China offers an individualistic and meritocratic social form, rather than a group-based one. But contemporary sociologist Fei Xiaotong argues that the structure of Chinese society is neither individualistic nor group-based, but relational (Fei 1992: 67).[7] Whereas Powers contrasts individualistic versus group organization (28), for Fei these two options both fall within the "organisational mode of association," which is to be contrasted with the "differential mode of association" (Fei 1992: 60-70).

In this "differential mode of association," each person is the center of their own relational network. Fei offers a vivid image to understand the difference: in the organizational mode, imagine bundles of straw bound together to make larger stacks of hay; in the differential mode, imagine the widening circles on the surface of a pond when a rock is thrown. On the former, you are a member

or not; on the latter, there are not clean membership statuses, but rather, degrees of connection (Fei 1992: 60-3). Within the differential mode of association, care for humanity does not rest on the universal attribution of equal status to all human beings as individuals. Rather, the moral virtuoso's benevolence rests on their success in widening the reach of their concern, out through more and more distant relational connections (self, family, local community, wider community, the world), and not the attribution of universal status (Fei 1992: 66-70). Indeed, in the tradition, Confucians opposed both the Mohists and the Buddhists for their dangerous and irresponsible abstract egalitarianism which failed to give central importance to propriety within actual relationships (Fei 1992: 79).

Fei holds that the differential mode is characteristic of most of Chinese society, even if it sometimes coexists with the organizational mode. Its political consequence is a particular way of understanding identity and obligation. You give and receive through your relationships, and not in virtue of your status, either individual or group. There are not rights, but instead there are roles and proper bounds of behavior in relation to those roles, and conduct is brought into line with roles through a deep life-long moral educational shaping (Fei 1992: 117).

What is the upshot of these various differences that I am suggesting between political ideals of China and Powers' master value of social justice? These differences suggest that rather than there being a single correct and rational response to the human political condition, different combinations and weightings of considerations are possible. Meritocracy needn't necessarily be good at checking the abuse of power; non-group-based politics needn't be individualistic or respectful of rights. Meritocratic China may have featured equality before the law, but at the same time, it featured a Confucian insistence on people performing their proper roles within key relationships and it lacked a conception of rights.

It might be objected that I have offered an unsupportable characterization of Chinese political thought. For one instance, consider the value of deference. According to my sketch above, Liang criticizes Chinese political culture for valuing deference. But the Han and Song dynasty evidence presented by Powers documents well-established practices of frank criticism of governance and of rulers (143-65). Thus, whatever the merits of Liang's claims regarding his late nineteenth century context, they cannot be fair as a sweeping characterization of Chinese politics *tout court*. For another instance, even if Confucianism is hierarchical and relational, the same cannot be said of the Mohists' universalism. But I am happy to grant these points. For they show that the Chinese political tradition is internally diverse, both synchronically and diachronically—I'm sure there are many other dimensions of diversity that could be pointed out beyond these two. But this suggests that there is no convergence on a single master political value even within a single tradition, let alone across cultures.[8]

Indeed, more generally, and beyond the Chinese case, there are deep tensions between some of the conceptual elements that Powers puts together: meritocracy versus equality; meritocracy versus democracy; benevolence versus rights. Other elements, even if not in tension, have no necessary connection and can come apart: for instance, equality before the law and social justice (in the narrow sense of social democratic provision); rule of law and egalitarianism; meritocratic government and respect for rights. The connection between these conceptual elements cannot be taken for granted but rather needs to be forged, and there will be different ways in which this might be done.

Nothing here detracts from the core contributions of the book, in showing the significance of the Chinese influence on seventeenth- and eighteenth-century English thought, and in showing the independent Chinese development of certain kinds of political ideas commonly presumed to be the exclusive possession of the "west." Furthermore, I am not saying that the English radicals of

that time were wrong to draw on Chinese ideas. Rather, my point is that there is no unique perfect rational set of political values to guide life in complex societies. When the English radicals drew out what was useful to them from the Chinese texts, they would have tailored the results to their own problems and attempted to integrate them with their own prior value commitments. Some loose version of Powers' structural thesis might be defensible,[9] but not the strong form which presumes the generic problems of any complex society lead to convergence on the exact same set and ranking of values.

5   Contemporary Consequences

My criticism of Powers' structural thesis has implications for his contemporary thesis. Powers shows that Song dynasty China developed a notion of office and demanded that political rule focus on the common good; he shows how these ideas were explosive politically when they were received in England in the eighteenth century. This is all very valuable. But how does this relate to Powers' master notion of social justice, and its linked notion of human rights? Powers succeeds in showing that early modern Chinese politics endorsed some of the elements of his social justice. But if we do not presume that all the particular values involved in Powers' social justice stand or fall together, we cannot take the presence of certain elements to prove the presence of others. In particular, the evidence put forward does not support an early modern Chinese commitment to an idea of human rights as universal binding moral claims tied to every human subject.

In no way do I mean to reestablish the notion of civilizational essences. The Nietzschean historical perspective is just as hostile to civilizational essences as is Powers himself. The state of the moral universe of a culture at a given point in space and time says nothing of its future possibilities. This applies equally to England and China. Powers observes that the English only jettisoned their commitment to social hierarchy based on heredity relatively recently. In the same spirit, the weakness within the Chinese tradition of some of the values that Powers holds dear does not indicate any deep problem for China. If I am correct, the early modern Chinese political tradition lacked a robust notion of rights, but if the Chinese came to or come to find such a notion useful, then by all means they should develop such a notion. If the tradition was hierarchical (albeit a meritocratic hierarchy), but that is no longer useful, then by all means, reject hierarchy. Indeed, in this project, perhaps it will be useful to reach into the past of Chinese history—for instance, Chinese thinkers concerned about the deeply patriarchal elements of Confucianism might find it strategic to bring forward the fabulous historical images that Powers shares with us of women engaged in artistic and scholarly pursuits (16-8) as local inspiration for their struggle. But we cannot presume that all roads lead to a single master-understanding of social justice, which will be shared in all places around the world.

Despite my criticisms of Powers' three key theses, the broader point of the book is still well taken: that seventeenth- and eighteenth-century England rightly looked to China for inspiration to develop some of what came to be England's own core political and institutional values. This historical episode upends various contemporary truisms about the nature of global politics, and disturbs the self-satisfied self-understandings of anglophone political philosophy. And this is a necessary intervention for us today.

Sandra Leonie Field is Assistant Professor of Humanities (Philosophy) at Yale-NUS College. She is the author of *Potentia: Hobbes and Spinoza on Power and Popular Politics* (New York: Oxford, 2020).

1   Confucius [Kongzi], "The Analects," in *Readings in Classical Chinese Philosophy*, ed. Philip J. Ivanhoe and Bryan W. Van Norden (Indianapolis: Hackett, 2005), 1–58; Mencius, "The *Mengzi*," in *Readings in Classical Chinese Philosophy*, ed. Philip J. Ivanhoe and Bryan W. Van Norden (Indianapolis: Hackett, 2005), 115–60.

2   Jonathan Israel, "What Samuel Moyn Got Wrong in His Nation Article," *History News Network*, 2010, http://www.hnn.us/articles/128361.html; Samuel Moyn, "A Response to Jonathan Israel," *History News Network*, 2010, http://historynewsnetwork.org/article/128433.

3   Jonathan Israel, *Radical Enlightenment: Philosophy and the Making of Modernity, 1650-1750* (Oxford: Oxford University Press, 2001).

4   Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Belknap, 2012).

5   Liang Qichao, "On Rights Consciousness," in *The Chinese Human Rights Reader*, ed. Stephen C. Angle and Marina Svensson (Abingdon: Routledge, 2015), 5–14.

6   Chen Duxiu, "The Constitution and Confucianism," in *The Chinese Human Rights Reader*, ed. Stephen C. Angle and Marina Svensson (Abingdon: Routledge, 2015), 67–76.

7   Fei Xiaotong, *From the Soil, the Foundations of Chinese Society: A Translation of Fei Xiaotong's Xiangtu Zhongguo*, trans. Gary G. Hamilton and Zheng Wang (Berkeley: University of California Press, 1992).

8   Indeed, a similar point might be made with respect to Powers' own willingness to assimilate his master value of social justice with the contemporary American meaning of "social justice warrior" (214). In so doing, he reveals an understanding of the contemporary anglophone political landscape in which there is one clearly correct and moral view, that of the "social justice warriors," and all deviation from this view reflects retrograde or sectional interests. But this understanding puts him at odds with the contemporary discipline of political theory, which takes for granted that moral-political questions are complex and ambiguous, resulting in deep and enduring differences amongst conscientious thinkers of political value. A Marxist, a communitarian, and a libertarian simply disagree on what the just society looks like, and their differences are unlikely to be overcome by the march of reason.

9   For instance, El Amine's structural account of value convergence is grounded on the more profound similarities and interlinkage of global experiences of a much later time period. See: Loubna El Amine, "Beyond East and West: Reorienting Political Theory Through the Prism of Modernity," *Perspectives on Politics* 14, no. 1, (2016): 102–20.

A Common Struggle? Responding to Martin Powers'
China and England: The Preindustrial Struggle for Justice in Word and Image

JEFFREY FLYNN
Fordham University, USA (Jeflynn@Fordham.edu)

Martin Powers has written a fascinating book. In many ways, I am unqualified to assess the bulk of this project in either its methods or arguments. I am not a historian of China or England. I am not an expert on Chinese intellectual history, nor of early modern social and political thought. I am no expert on visual culture. I have worked on intercultural dialogue on human rights, though, and I will raise some questions related to those aspects of Powers' project that touch on that toward the end of my comments.[1] But first, some general points about the book.

The book is full of interesting arguments. The core argument is an attempt to show that intellectuals in preindustrial England and China shared more common ground than scholars have been willing to acknowledge. So the main task Powers takes up is elaborating on those commonalities in a series of comparisons—of notions of political authority and its limits, the concept of the people, and ideas about equality, political speech, and dissent.

There are several types of substantive argument Powers makes in the process, which I return to shortly. At another level, there are a number of *framing arguments* that he uses to situate the project in terms of the political stakes and the "cultural politics" that, he maintains, have long dominated the historical disciplines that should have been positioned to make more accurate comparisons between preindustrial England and China.

One example of an issue that comes up here is the double standard he maintains has long applied when historians encounter evidence of progressive ideals alongside evidence of those ideals being contradicted in practice: historians of China, he argues, are pressed to address such failures in practice, while for historians of Europe, he says, "Imperfection is assumed and the faintest hint of progressive thinking is hailed as a triumph of the Western spirit" (61). On this point, I'll just say that while Powers documents how some historians during the Cold War fell into this pattern, I do wonder if the fields are dominated by such polemics today. I'm really in no position to know. I felt that there was a bit of a jump in the book from the eighteenth century to the Cold War and then to the present in a way that suggests a fairly continuous "western" view of "China." I just wonder if there are important discontinuities that also might be fruitfully identified.

Another framing argument for the book as a whole comes out when Powers refers to the contemporary discourse of human rights in the introduction and conclusion of the book. I'll return to this at the end of my comments in order to pose some critical questions.

Setting aside the framing arguments for a moment, I think there are (at least) four strands of substantive argument in the book. I won't have much to say about the first three, except to acknowledge how interesting they are, and then I'll have some questions about the fourth argument.

The first strand of argument is what I'll call the *Chinese influence argument*. Here the claim is that the Chinese influence on various positive developments within the early modern west was stronger than is often recognized. So, for instance, *The Morals of Confucius* was available in English as of 1691, and Powers indicates the influence of Mencian ideas at various points (96-7; more generally see 126-7, 130). At one point in the eighteenth century the use of China as a positive example became so popular it was even mocked by opponents as "the argument from the Chinese" (168, 172). The details of how the perception of China became such an issue of contention among western thinkers is all quite fascinating (178-84).

The negative flipside of the *Chinese influence argument* is a second strand of argument that I'll refer to as the *negative comparison argument*. Here Powers points out how China was often used as a negative example—quite often incorrectly—by western scholars as a way of contrasting some positive feature allegedly found in the west with some negative feature allegedly found in China (see 178-84). Thus began the enduring legacy of the "conventional image of Imperial China as a despotic Oriental Regime bent on nothing more than protecting the privileges of an arcane Confucian elite" (60). Powers does much valuable work in the book to debunk this image, in part through the third strand of argument.

That is the *visual culture argument*. Perhaps this is more of a methodological point than a specific type of argument. The point is just that analyzing the respective visual cultures of China and England is central to Powers' project. For instance, he makes the interesting comparative point that under a system of privilege, "works of art do not make arguments; declarations are sufficient" (224)—"majestic portraits" or a "coat of arms" will do in order to "declare the presence of 'authority'" (224). As opposed to this trend, court paintings in the Song period in China referred to the meritocratic system and ostensibly made claims that the state was benefiting the people (224). In that context, paintings portraying everyday life in China supported the view that the happiness of the people was the standard for legitimate government (76-7). I don't have much to say about all this other than to say that I learned a lot from reading the book. More comparative analysis along these lines could be fruitful and interesting and could perhaps link up with a recent spate of books on the visual culture of human rights and humanitarianism.[2]

The fourth strand of argument is what I will call the *"common struggle" argument*. This is one of the main arguments running through the book, and the gist of the argument is that *similar situations* in China and England led to *common experiences* and *similar struggles*. Powers wants to get away from cultural essentialist arguments that see certain ideas as simply western or Chinese values. Instead he looks to structural, material, and institutional shifts that then give rise to certain ideas and arguments. Some examples he cites are the rise of things like: "a monist cosmos"; policy-making that is rooted in facts, reason, and public welfare; and legal equality understood in terms of the rejection of group membership as a criterion for administrative or judicial action (223). He also points to the "separation of court and state" (58), which turns people into objects of state power as opposed to subjects of a social superior, and various changes in the status of the "taxpayer" (59). As I already mentioned, central to Powers' argument is to challenge western audiences, who often see these as key shifts within *western* modernity, to also see how such shifts were taking place in China much earlier.

Powers begins the concluding chapter, titled "A Common Struggle" by saying that:

> the most significant bonds linking social justice warriors in China, England, and beyond were common cause, structural constraints, and logical necessity. The cause of the many against the privileged few is all but universal. It is this dynamic that generates the necessary structures of social resistance, so we should not be surprised that *guwen* intellectuals and the leading lights of the Enlightenment shared so many of the same sentiments and values (214).

I have some questions about this argument. First, while I am sympathetic with the attempt to avoid a cultural essentialism that relies on absurd generalizations praising the "spirit of the west" or denigrating "Chinese despotism," and I agree that we must attend to social and institutional contexts to fully grasp how certain ideas and arguments arise in certain contexts, I wonder if Powers goes too far in the opposite direction. How far in a materialist direction does he want to go? Certain structures arise and this automatically gives rise to certain ideas? After reading the book, I am not

fully clear what specific dynamic gives rise to what he alludes to at various points as social resistance.

To be fair, maybe this is not really the way to understand his argument that common structures lead to common struggles around common ideals. Perhaps the structural argument is less an attempt to thoroughly explain—in a social-scientific vein—precisely what social mechanisms give rise to certain modes of resistance and more of an attempt to further undermine the kind of cultural essentialism that has tended to dominate such discussions. That is, maybe the point is not to explain how structures give rise to struggles but to put forward a model of structures and ideas working in tandem to counter models that place too much emphasis on either "western" or "Chinese" ideas as untethered from material change.

When it comes to this idea of a common struggle, I am of two minds. On the one hand, I like the idea that challenges to the privileged few—or struggles against unjustified status hierarchies—are certainly not solely modern western inventions. I also like the point about looking at the "repertoires of contention" that are available, on the ground, for the vulnerable in concrete contexts and noting the variety of institutional forms they can take (see 62 for a great list of these—for example, the Grievances Offices—and a great point about comparing Song period with pre-industrial England on this count).

On the other hand, I have to admit I bristle a bit at the language of "social justice warriors" as applied in this way across so many diverse cases. It may be the case that, as Powers maintains, "equality has its origins in meritocracy" (105). And it is fascinating to see a variety of struggles against corruption and privilege in the context of the meritocratic bureaucracy of Song period China. But if we look at a more radical example of political struggle, like the French Revolution—something the book takes us right up to the cusp of in its historical analysis—it can be understood as an attempt to remake the entire social order on the basis of the equal status of rights-holders. This seems to pose a more radical version of equality. In fact, one could argue that it is that revolutionary turn, and the language of universality used to make it, that provided the impetus for further struggles over the meaning of the universal—struggles for the inclusion by the women, non-Christians, and non-whites who were excluded.[3] Some of the first successful struggles in the eighteenth-century west against the privileged few were started by slightly *less privileged* men within various hierarchies, men who often remained blind to the interests of those less privileged than themselves. My point here is not to compare any of the struggles for rights before and after the French Revolution with struggles during various periods and contexts in China. Rather, my main point here is just that I wonder if Powers extends the idea of a "common struggle" a bit too quickly to preindustrial challenges to privilege—in the west and the non-west, across many centuries, all the way up to contemporary human rights—in a way that risks losing sight of important distinctions and discontinuities between struggles.

This brings us to one of the framing arguments I mentioned at the outset, which comes out in some remarks on the concept of "rights" and "human rights" in the introduction and conclusion. In the introduction, Powers points out that a term like "rights" can be used in two different ways: in its "period sense," to cover, for instance, what the term meant in seventeenth-century England, or in its "analytical sense," as a "rubric for classifying all actions against systemic inequality" (1). On the one hand, I think this is a very helpful point when one is looking for analogues across disparate struggles—one can miss the commonalities that are often present if one is overly focused on the precise language in which struggles get articulated.

On the other hand, I think it may be overly broad in scope to extend the analytical sense of rights to cover all forms of resistance against inequality. This runs the risk of discarding something that seems to me essential to the concept of "rights," as things people can claim *as their rights* (in the plural), in contrast with the concept of something being "wrong" (the opposite of "right" in the

singular) in the sense that it violates some moral principle.[4] If that distinction does make a difference, then it is likely that it does indeed make a difference when literal "rights"-talk is introduced.

This relates to my worries about what counts as a "common struggle." It may be the case that if we abstract from the particulars of a time and place and rise up to a high enough level of generality, we see certain commonalities. But it is not entirely clear to me what is to be gained from doing so. In his introduction, Powers says that he uses a term like "rights" in the book in the analytical sense but maintains that this sense "acquires *heuristic value* only if we attend properly to period terms" (3). But what is the heuristic value? It seems to me that the period sense of a term like rights has heuristic value in the sense of understanding what is concretely and distinctively at stake in various struggles in various times and places.

It is less clear, however, what heuristic value there is in grouping a whole bunch of such struggles under the heading "social justice warriors." On the first page of the book, Powers says, "we must recognize a *long history of struggle for social justice* before we can begin to understand the *terms later devised in support of those struggles*" (1, italics added). I'm not fully clear what justifies the "must" here. That is, what's at stake in terms of the order of understanding that requires us to *first* recognize the long history in order to *then* be able to understand the later, more specific language used in various struggles? To be clear, I think the *substantive* arguments in the book are quite valuable as corrections to the historical record in terms of what I called the Chinese influence argument and flawed negative comparison arguments between the west and China. What I raise questions about here is the broader upshot that Powers alludes to in his *framing* arguments.

One other framing argument comes out in the conclusion when Powers alludes to the contemporary discourse on human rights, arguing that

> the protection of human rights globally remains handicapped by the group-based idea that institutions better calculated to protect individuals from tyranny are the unique expression of a Western Spirit of Freedom. Granted few would express it that way but this White Nationalist sentiment continues to inform the mainstream discourse of human rights, creating insurmountable internal contradictions for social justice warriors (222).

Here I want to say two things. First, again I worry about lumping various people struggling for various things in different contexts as "social justice warriors." More importantly, I want to note that there has been an enormous amount of work in recent decades, by anthropologists in particular, on how the concept of human rights gets translated and implemented within various contexts.[5] While there are challenges to this process of translation, to say that western cultural essentialism is currently generating "insurmountable internal contradictions" for human rights activists around the world strikes me as an overstatement.

I worry more, however, about the extent to which the subsequent point Powers makes about human rights informs some of the overall aims of the book. Expressing a worry about the implications of the claim that the idea of human rights arose in the modern west, Powers says:

> If the notion of human rights originally was the outcome of a particular moment in Western history, then now it can be dismissed as a noble but dated expression of Western genius, like Michelangelo's drawing method, admirable yet impractical in today's world (222).

I have a number of concerns about this way of framing things. If this is stated as a reasonable worry, then it risks setting up a potentially flawed way of thinking about what is at stake in thinking through

thorny issues about human rights, their history, and their contemporary validity. First, it seems to give far too much credence to the assumption that the context for the origins of an idea could constrain its contemporary validity or legitimacy. Given the tenor of the rest of the book, I don't think Powers would want to support this kind of relativism.[6]

Second, if long-ago origins could constrain contemporary legitimacy in this way, the same argument would apply to ideas that arose in pre-industrial China—contemporary Chinese people could simply reject such ideas as impractical, like Michelangelo's drawing method. Again, I don't think Powers would want to suggest that such arguments have any credence.

Third, I think this way of framing things avoids addressing certain facts about the history of human rights that really do need to be kept in mind (which takes us back to the point about analytical vs. period senses of a term). Particular conceptions of human rights really are the outcome of particular moments in history—so the Rights of Man as articulated in the French Declaration or the codification of human rights in the Universal Declaration of Human Rights are not identical, nor were the political stakes or implications of drafting those declarations identical in those particular times or particular places. This lesson has been stressed in recent work on the history of human rights, by Samuel Moyn in particular.[7] Once we dismiss the idea that we should somehow constrain the legitimacy or appeal of human rights to one time period or place (my first point above), we still have to grapple with the fact that the history of rights-talk is filled with all sorts of discontinuities that need to be understood on their own terms. This kind of work is crucial to helping people decide *which conception of human rights* they want to commit themselves to today. In my own approach to this question, I argue that this requires engaging in both intra-cultural and inter-cultural dialogues that take account of both changing traditions and changing conceptions of human rights, all in full awareness that certain features of modernity now constitute a shared global context for dialogue.[8]

A fourth and final point I want to make about this passage, in terms of what it might say about the stakes of Powers' project, is that it runs the risk of making the validity of certain ideas depend on the ability to say, "See, China had these ideas too." That seems problematic to me since it seems to make the contemporary validity of human rights within any particular cultural context depend not only on (1) being able to find local ideals that might support them—an entirely worthwhile enterprise; see chapter 1 of Flynn (2014)—but also on (2) being able to find *old local versions* of the *same ideas*. Outside China or Europe, if those historical references can't be found, would that undermine the contemporary validity of human rights? I don't think Powers is necessarily committed to this last point, but I worry that some of the rhetoric used in the framing arguments risks falling into that position.

As I said, this is more about how Powers frames some of the implications of his project. The project itself is incredibly valuable, and I learned a tremendous amount from the detailed analysis he has marshaled in the book about various commonalities between ideas and struggles in preindustrial China and England.

Jeffrey Flynn is Associate Professor of Philosophy at Fordham University in New York City. In 2013-14, he was a member in the School of Social Science at the Institute for Advanced Study (Princeton, NJ). His current research focuses on the historical development and contemporary practice of humanitarianism and human rights. His essay "Suffering and Status" is forthcoming in ed. Michael Barnett, *Humanitarianism and Human Rights: A World of Differences?* (Cambridge: Cambridge University Press, 2020).

1   Jeffrey Flynn, *Reframing the Intercultural Dialogue on Human Rights: A Philosophical Approach* (New York: Routledge, 2014).

2   See Heide Fehrenback and Davide Rodgno, *Humanitarian Photography: A History* (Cambridge: Cambridge University Press, 2015) and Sharon Sliwinski, *Human Rights in Camera* (Chicago: University of Chicago Press, 2011). While both of those focus primarily on photography, Sliwinski covers early modern paintings and prints too, with a particular focus on etchings made in the wake of the 1755 Lisbon earthquake. My point is that as historians are beginning to pay more attention to the western history of the visual culture of human rights and humanitarianism, the time is ripe for more comparative analysis of similar ideals in non-western contexts.

3   Lynn Hunt, *Inventing Human Rights: A History* (New York: W.W. Norton & Co., 2007).

4   Joel Feinberg, "The Nature and Value of Rights," *Journal of Value Inquiry* 4, (1970): 245–57.

5   See, for instance, Sally Merry Engle, *Human Rights and Gender Violence: Translating International Law into Local Justice* (Chicago: University of Chicago Press, 2006).

6   In the debate over human rights and Asian values, Amartya Sen addressed this point about origins versus validity quite well over two decades ago. See Amartya Sen, *Human Rights and Asian Values*, 16th Morgenthau Memorial Lecture on Ethics and Foreign Policy (Carnegie Council on Ethics and International Affairs, 1997).

7   Samuel Moyn, *The Last Utopia: Human Rights in History* (Cambridge, MA: Harvard University Press, 2010). See also Samuel Moyn, "Substance, Scale, and Salience: The Recent Historiography of Human Rights," *Annual Review of Law and Social Science* 8, (2012): 123–40, and Jeffrey Flynn, "Genealogies of Human Rights: What's at Stake?," in *Human Rights: Moral or Political?,* ed. Adam Etinson (Oxford: Oxford University Press, 2018).

8   See Flynn (2014). For a similar argument about the shared modern context, see Loubna El Amine, "Beyond East and West: Reorienting Political Theory Through the Prism of Modernity," *Perspectives on Politics* 14, no. 1, (2016): 102–20.

The Politics of Virtue vs. Constitutional Design? A Discussion of Martin Powers'
China and England: The Preindustrial Struggle for Justice in Word and Image

STEPHEN MACEDO
Princeton University, USA (macedo@princeton.edu)

Martin Powers' fine book presents a deep and refreshing contrast with the "Confucian revivalism" or "New Confucianism" that seems to dominate comparative political thought as pertains to East Asia. While flawed in some respects, including some highlighted by my co-panelists and some I mention below, the main themes of this book are of great relevance and interest to comparative political thought and philosophy. Powers' account is deeply revisionist and useful.

I have been lucky enough to travel to China and elsewhere in East Asia a dozen times or more since 1997, often to engage in debates or conferences and workshops involving the contrasts across East Asian or "Confucian" value systems and ideals of good governance and western liberal democratic constitutional models. And it is from that perspective that I want to express my profound admiration for this book, and for the ambitions and moral sensibilities that inform it.

Powers' central chapters on political institutions and practices in China and England are extremely interesting. The book's central constructive contribution is to reveal the extent to which China was an important and explicit model for those political reformers in eighteenth-century England who were calling for greater checks on abuses of power by executive authorities.

I was unaware of the extent to which Enlightenment political reformers in eighteenth-century England invoked Chinese practices and institutions, described in Chinese texts that had been translated and anthologized, as models for political reform in England, especially in the wake of the Walpole administration. Indeed, arguments about the superiority of Chinese institutions were invoked with such frequency that skeptical opponents scoffed at what they called "the argument from the Chinese" (Powers 2019: 168).

Powers' discussion of Chinese institutions provides a refreshing contrast with many contemporary discussions in the burgeoning field of comparative political thought and philosophy. I mean specifically those texts that invoke East Asian, broadly "Confucian" ideas about politics and ethics as counterpoints to western liberal and democratic models. Well-known scholars in the line of work include Daniel A. Bell, who has written extensively on what he and others call "The New Confucianism." His best known work may be his recent book, *The China Model: Political Meritocracy and the Limits of Democracy* (2015).[1] There Bell defends a meritocratic political system that includes one-party authoritarianism as superior to multi-party competition when it comes to fostering competent and forward-looking political rule oriented to the long-term good of the community as a whole. Other contributors to this literature who are friendlier to liberalism include the philosopher Stephen Angle, whose many books explore the virtue ethical resources of what he styles "progressive Confucianism."[2] In addition, there is the Hong Kong-based philosopher, Joseph Chan,[3] and Fudan University professor, Tongdong Bai.[4] Each of them have differing proposals for an upper legislative house constituted on the basis of virtue and merit, perhaps involving performance reviews and peer selection among public officials, exam results, or other markers of competence, and hopefully, wisdom and virtue. These scholars eschew political authoritarianism but look to East Asian traditions and culture for resources to promote a more ethically oriented politics of virtue. The current western crisis of democracy, exemplified by the Trump presidency and the wider phenomenon of populism, furnishes fertile ground for those seeking alternatives to western liberal democracy.

A relative weakness in many of these works (interesting and valuable as they are), and the discussions at conferences that take place around them, is a tendency to neglect exactly the sorts of institutions and practices that Martin Powers does focus on: that is, bureaucratic independence, checks and balances, accountability mechanisms, and the structure and interrelation of various offices. The neglect of these mechanisms in the Chinese historical context has the effect of exaggerating the differences between Confucian virtue politics and western constitutionalism. For example, at a workshop that I attended in March, 2019, in Shanghai—organized by Peter Bol and James Hankins, and inspired by Bell's *The China Model*—western historians of political thought and political theorists came together to discuss the comparisons that might be made across the western and East Asian Confucian traditions. Participants in this discussion tended to link Confucian political and ethical traditions with western classical, medieval, and early-modern traditions that saw good politics as centrally a matter of cultivating virtue and selecting virtuous rulers. We can call that model *virtue politics*. In contrast, these discussions and others like them tend to describe western, liberal democratic models of constitutional government as excessively preoccupied with constitutional mechanisms such as checks and balances and the separation of powers. The contrast is not altogether wrong, but it is easily exaggerated.

Illustrative of this tendency, on the western side, is the important book by Renaissance historian James Hankins, *Virtue Politics: Political Thought in Renaissance Italy from Petrarch to Machiavelli*.[5] Hankins, like Powers, points out important linkages across the Chinese and European contexts, and argues that "Like the classically trained administrators of the British Empire two centuries later, the mandarin philosophers of China were all-rounders, and their education in Confucian ethics made them 'competent to pass judgment on any subject, however far distant it is from their own calling.'" The common ground emphasized by Hankins is a classical education grounded in ancient texts:

> both Confucians and Italian humanists discovered similar means to recover those traditions and revive the virtue of the ancients: the study and imitation of ancient authors. Those who studied the ancient texts would constitute a new nobility, based on merit and not heredity; they would deserve their places because of their moral training and knowledge of the classics. Hierarchies of power were to be justified by the possession of superior virtue. Even the textual practices of the Confucian scholar-officials, such as memorization and commentary on classical texts, as well as original compositions in the style of ancients, written in beautiful literary hands, resemble those of the humanists (Hankins 2019: 499).

Hankins thus emphasizes the parallels between "Confucian *dezhi*, virtuous rule," and the virtue politics of the Italian renaissance. While emphasizing that "Confucian ideals of government lasted in imperial China for close to 1800 years, from the Han dynasty, approximately coeval with the Roman Empire, to the end of the Qing dynasty in 1905," he bemoans the fact that, in the west, "Virtue politics was replaced by constitutional, rights-based, contractarian approaches to the justification and ordering of political power." As he summarizes:

> To put the difference far too simply, virtue politics aimed primarily to lead those who held power to be good and wise; constitutional thought aimed primarily to limit the damage that might be done by bad and foolish rulers. The master-values of Renaissance political meritocracy were virtue and practical wisdom; the master-values of constitutionalism were freedom and the rule of law (Hankins 2019: 500).

We in the west forgot that "soulcraft is prior to statecraft," yet we cannot "force obedience or solve social problems" simply by passing more laws and "strengthening the apparatus of surveillance and enforcement" (Hankins 2019: 506).

Hankins is surely right to worry about the condition of our public moral culture. I agree, moreover, that we need urgently to attend to the project of fostering greater moral sensitivity, wisdom, competence, public-spiritedness, and civic virtue among citizens and elites.[6] Equally importantly, we need to find ways to temper or moderate the toxic partisanship that currently poisons public discussions of common concerns. Nevertheless, proponents of virtue politics frequently exaggerate the extent to which modern constitutional and liberal traditions left behind the concern with virtue.[7] I would also add this: statecraft is soulcraft. The indirectly educative and formative effects of our major institutions is likely far more consequential with respect to moral formation and the character of our public moral culture than the pedagogy and curricula of high schools and universities. Don't get me wrong: I would favor requiring students to spend more time reading and studying great books in western and non-western traditions. Yet by itself the reform of higher education curricula would not accomplish much to repair our badly fractured politics in the US. I do not pretend to have a formula for accomplishing this daunting task.

In addition, we should understand constitutional checks and various mechanisms for holding power-holders accountable not as substitutes for virtue but as ways of structuring it and eliciting it, while also providing backstops for when it fails. The fact confirmed by the Trump impeachment hearings is that constitutional checks intended to guard against corruption can only work if the checking institutions are themselves staffed by morally honorable people. The impeachment hearings also demonstrated that professionalism and moral integrity are far from absent among members of America's diplomatic corps and civil service.

Two strong themes that run through Powers' book are useful in relation to the question of virtue's relation to well-designed constitutional institutions. One of these is explicit, the other more implicit, but both strike me as of great importance.

Powers' explicit theme is the emphasis on structures, institutions, and checks on the abuse of power as important in *both* the Chinese and the western contexts.

The implicit theme, of equal importance, is that it makes no sense to think of well-working bureaucratic and constitutional institutions as separate or separable from a system of education (understood broadly) and a wider culture that cultivates sufficient competence, virtue, and public-spiritedness. Much of Powers' book is taken up with presenting and analyzing many forms of visual media, some of which present, for example, scenes that arrange displays of power and majesty, or, in contrast, power and accountability. These I take it are presented as, in effect, parts of the educative and formative environment, or public culture, of the societies from which they originate: the images are examined to see how they both reflect and convey teachings about political values. But I also take it that, for Powers, institutionalized checks and accountability mechanisms were part of how China structured and supported competence and uprightness in public office.

Let me say a few more words about both of these themes.

First, then, is Powers' explicit and repeated emphasis on the importance of "structure"—meaning social structures and institutions—in helping us understand and appreciate commonalities across different cultures and time periods. He repeatedly insists that commonalities across China and the west, or England specifically, are *structural*. Powers put the point especially clearly in a a recent essay, where he explains his central premise: "both formal and informal practices for checking the power of the topmost authority—monarch, premier, or president—are products of structural necessity. Such checks arise from the character of the top executive power, which by nature is prone

to abuse. Attempts to justify such mechanisms may be found in many cultural traditions" (Powers 2019: 300).

This is a very important point, though one needs to be careful not to press the identification of commonalities too far: the creation of a strong centralized state apparatus calls for the creation of insitutions designed to check abuses of power, and this is true in both the East Asian and western contexts.

A similar point has been advanced by Loubna El Amine, a professor of political theory at Northwestern University. Her 2016 essay in *Perspectives on Politics* is entitled, "Beyond East and West: Reorienting Political Theory through the Prism of Modernity." The themes of this essay are similar to the central premise of Powers' book:

> While critiquing the dominance of the Western tradition in the discipline of political theory, recent methodological discussions in Comparative Political Theory (CPT) fail to move beyond the East-West dichotomy. More specifically, CPT does not offer the resources to deal with global convergence as embodied in the phenomenon of modernity. I focus on the emergence of the sovereign state in the modern period and argue that the universal acceptance of the state form creates a globally-shared institutional condition. This condition, in turn, necessitates a *shared normative and conceptual apparatus centered on ideals like constitutionalism, rights, and democracy* (El Amine 2016: 102, emphasis added).

El Amine proceeds to draw two implications from her argument, the first of which is relevant here: "we should reconceptualize the history of political thought such that we move from an East/West division to a modern/pre-modern division" (El Amine 2016: 102).

Perhaps, however, the "modern/pre-modern" distinction is not quite right, at least insofar as Powers would insist that China developed the rudiments of *effective state institutions* in a pre-modern context. El Amine's crucial point is that when effective state institutions develop—capable of laying down law, collecting taxes, and governing a territory in a way that directly impinges on individuals, cutting through the layers of group-based authority structures, affiliations, and statuses characteristic of feudalism—then a common and fundamental problematic develops, which is to curb abuses of power and make sure power is directed toward the public good.

El Amine's essay is a sensible and important intervention in comparative political thought, and Powers' book in effect expands on her central theme. Students of comparative political thought and philosophy should pay attention. While that burgeoning discipline has often been preoccupied with emphasizing the centrality, in the Chinese and wider East Asian context, of a communitarian politics of virtuous rule that is held up as superior to the western liberal democratic politics of equal rights, individualism, suspicion of power, and constitutional checks and balances, Powers argues for the importance in Chinese political traditions of *bureaucratic institutions and administrative practices that allow the politically powerful to be held accountable*. Indeed, he very usefully develops a point also made by Jonathan Israel, a leading intellectual historian: that Chinese practices of accountability and checks on power were deeply influential on Enlightenment political reformers in Europe.

An equally central theme running alongside Powers' emphasis on the importance of structural similarities across China and England is the broad contrast he draws, following Charles Tilly, between opposed types of social systems. The contrasting models are somewhat crude but nevertheless suggestive.

One social type is described by the idea of "inequality generating systems that distribute positions based on group memberships" (Powers 2019: 28). But "group membership" is too vague: the core idea here is society organized on the basis of inherited, hierarchically organized castes or

classes into which one is born. Powers cites Arthur O. Lovejoy's idea of a "Great Chain of Being" as a description of pre-modern feudal society, governed by an aristocracy based on noble birth (Lovejoy 1971).[8] And he says that this was also true of Tang China (618-907) in which, as in medieval Europe, authority was associated with noble birth.[9]

The other model is described as "sorting systems that distribute roles based on individual characteristics" (28), such as merit, ability, and virtue. Crucially, Powers insists that in vital respects, China's success, which so impressed early modern Europeans, resulted from its development (in the Song Dynasty, 960-1279) of a post-aristocratic "sorting society," in which selection for important offices (though not every position of power) was based on individual merit, individually assessed, including via examinations.

Also crucial to the post-aristocratic "sorting" model based on individual competence was the idea of public office, which Powers persuasively suggests was understood by Chinese thinkers in texts that may date to the third century BCE. He translates the relevant passages thus:

> The ancient sages did not presume that all people are capable in the same way, and so did not assign to all officials the same sorts of tasks. People were assigned tasks on the basis of their actual performance, and the appropriateness of their rank and role was determined on the basis of what was suitable for their talents. This is called promoting prosperity through intelligent selection (The *Zhuangzi*, quoted on 37).

An idea of meritocratic governance emerged, Powers argues, when these ideas about individual capabilities of various sorts was wedded to a part of bureaucratic theory called *mingshi* theory. On this account, "every office/*zhi* should consist of a legal description specifying its duties, powers, and jurisdiction. This description was called a *ming*." On the *mingzhi* theory, performance (*shi*) is assessed in light of the nature of the office: offices generate standards for good performance and public grounds for assessment (*xing*). Heredity, personal connections, and other irrelevant considerations were to be excluded, with performance instead judged on the basis of appropriate public standards or measures (*shu*). Associated with all of this was a distinction between the interests of persons in their private capacities (*si*), and public interests, responsibilities, and powers (*gong*) (36-40).

Powers further elaborates these points by reference to Song period paintings in which, as he says, "the concept of political authority is invoked in a manner implying its abstraction from the social status of the officer" (40).

Central also to the institutions and culture that Powers describes as well-developed in China and influential on western thinking are practices that are also, albeit in different forms, central to western constitutional traditions. These are practices of political speech, complaint, petition, and appeal, aimed at requiring public officials to justify their policies and actions (or inaction) *in public and to the people*, or at least, in the Chinese context, pleading with them to do so within a system that, overall, must have been far more hierarchical than what we know in constitutional democracies today.

Powers describes political speech as a central practice in Song China: "formal channels for popular feedback" gave voice and some degree of agency to ordinary people without social status. This was partly via a Department of Investigation, and also a Grievance Office that had a mandate "to collect and act upon complaints from the people" (58). Grievance officers, according to a history of the Song Dynasty, were charged with receiving memorials from the people, "both educated and ordinary," to expose faults with court policies, and "conflicts between public and private interests, military and security matters, recommend men for appointment, report disasters […], dispute the qualifications of officers" (59).

As Powers summarizes, "the meritocratic system with its blind examinations and prioritization of facts, as well as the Department of Investigation and other formal checks, continued throughout the Song and beyond into later dynasties." While acknowledging that the system was far from perfect in practice, Powers cites examples of imperial relatives and high-ranking officials being punished severely for abusing bondservants (60-1). Important also, as he indicates, in encouraging public officials to take public complaints seriously is the need for tax revenues and the hope to avoid popular riots.

It was these institutions for checking abuses of official power and providing channels for popular criticism that impressed Enlightenment political reformers in England and elsewhere in the eighteenth century. As Jonathan Israel has also written of this period, "the radical [Enlightenment] fraternity deployed the Chinese example as a weapon in a war against social hierarchies based on birth and lineage" (Israel 2006: 559, quoted in Powers 2019: 132).

Powers describes the influence on eighteenth-century English political reformers of translations of Chinese texts, such as *The Morals of Confucius* (English edition, 1691), without always being entirely clear about how direct and clear was that influence. Nevertheless, there seem to be enough parallel themes and direct references to know that China was influential. Samuel Johnson, for example, wrote reviews of Jean-Baptiste Du Halde's *Histories of China* (published in English editions in 1735 and 1738), attesting that the reader,

> will enjoy all the pleasures that novelty can afford, when he becomes acquainted with the Chinese government and constitution; he will be amazed to find there is a country where nobility and knowledge are the same, where men advance in rank as they advance in learning, and promotion is the effect of virtuous industry, where no man thinks ignorance a mark of greatness, or laziness the privilege of high birth (Johnson quoted in Powers 2019: 132).

Similarly, a 1732 English translation of B. Le Stourgeon's *A Compleat Universal History of the Several Empires, Kingdom's and States &c. Throughout the Known World…* (London: B. Baddam, 1732-38), described China's controls on abuses of power as "checks," which included, "periodic, written reports; term limits; the exclusion of wealth or 'parentage' in assessing qualifications for office; fixed salaries; and regular reviews followed by promotion or demotion" (quoted in Powers 2019: 133).

While Powers' account of these various selection and assessment mechanisms is fascinating, one might want to hear more about how effective they actually were. Powers seems to suggest that China had institutionalized practices of complaint-transmission which approximated, to some degree, western institutions of free press and freedom of speech, or at least, freedom to petition the government for a redress of grievances.

Yet it would be a mistake to equate, as Powers sometimes does, the existence of opportunities for ordinary people to petition or plead with elites to redress their grievances with the modern institutionalized practice of individual rights. In modern liberal constitutional settings, citizens have access to politically independent courts of law where they can demand that their rights be respected by public officials. It seems doubtful that the peremptory character of modern rights applied to the sorts of pleas described by Powers in Song China. One might also ask this: in what periods of its history did China develop a sufficiently free public culture which, when combined with capable state institutions, allowed it to achieve the condition that Amartya Sen identifies in *Development as Freedom*: namely, that enough information circulates, and state institutions are sufficiently responsive, that there are no famines?[10]

In any case, I interpret Powers' discussion as insisting on a close linkage between a politics of virtue and a politics of well-designed institutions, including bureaucratic procedures, a strong sense of the public nature of official responsibilities, audits of official accounts by independent officials, checks and balances, and public contestation in the form of complaints and pleas. These constitutional structures are not substitutes for a politics of virtue—a point that is frequently mistaken in western discussions of constitutional institutions—but a way of structuring institutions so as to call forth particular virtues associated with specific official roles. In addition, virtuous behavior is encouraged by the prospect that institutional checks and accountability mechanisms may call to account official misbehavior. At work, in other words, are both positive models of good performance with promises of promotion and esteem associated with meritorious conduct in office, but also the negative sanctions associated with being called publicly to account for poor performance and corruption.

These and other institutional mechanisms are not *substitutes for virtue* so much as ways of eliciting virtue by distinguishing particular official roles with associated powers and responsibilities in a larger system, and providing backstops for when virtue fails. I appreciate what I take to be Powers' emphasis that good government is impossible without well-working institutions and practices that are, and are publicly understood to be, oriented toward seeking the truth, or, as Powers puts it: government must be based on "facts" and reason.

Here I find the second, implicit theme, referenced earlier, that responds to the "virtue ethics" orientation of so much Confucian-inspired comparative political thought today. The institutions of good governance and accountability cannot work well unless we also sustain a wider educative culture in which the people and public officials play their roles with adequate competence and conscientiousness. Which is to say that neither in the east nor the west can we leave virtue altogether aside by placing our faith in institutional checks and accountability mechanisms. I agree with the advocates of virtue politics on this score, and I believe that Powers does as well.

And here Powers contributes an important dimension to this discussion, which befits a professor of art history who also writes on Chinese bureaucracy. His discussion in this book suggests that we should understand the educative environment to include works of art and material culture. And so he includes depictions and discussions of many and various visualizations of scenes in which power is displayed, emphasizing its majesty to elicit awe, or, in contrast, the importance of situating power-holders among ordinary people who are empowered to question and ask for reasons.

I also have some quibbles and criticisms. These are partly a function of this book's wide sweep. Powers has a tendency to press his structure-based argument too far, in ways that can be reductive and simplistic. Quoting a twelfth-century Chinese text that provides an entirely "secular" account of politics, Powers remarks that, "the lesson to be learned here is that any attempt to establish genuine legal equality requires the elimination of religious considerations by structural necessity" (56). Remarks such as this, which go too far, make the book less than altogether successful. Likewise, I share the concerns of the other participants in this symposium concerning some of the parallels that Powers draws across vastly different cultural contexts and time periods, including, as already mentioned, with respect to the discourse and practice of rights. Powers draws interesting parallels between practices and ideas in Song China and eighteenth-century England, and in both cases, there were those who fought against abuses of power and unfair inequalities. Granting also that both societies were "preindustrial," I am skeptical that politics in these vastly different settings can usefully be characterized as exhibiting a common struggle for justice, as Powers seems to suggest.

Nevertheless, there is much to learn from this book, and engagement with it could help to usefully broaden frames of reference in comparative political thought. At the panel discussion from which this symposium originated, Powers provided an explanation for the contrast between his account, with its central focus on administrative procedures and checks on abuses of power, and the focus of much contemporary writing by political theorists and philosophers on virtue ethics. He said that whereas most contemporary theorists focus on philosophical texts that mainly functioned to describe ideals and aspirations for rule, he reads policy documents which are far more informative about how politics actually worked. This sounds plausible to me, though I am in no position to assess whether it is correct. Nevertheless, I hope other scholars follow up on the useful leads valuably set out by Martin Powers.

In the background of Martin Powers' book, and the scholarly works discussed earlier emphasizing a politics of virtue, is the plight of politics in our time. Like the scholars of Confucian revivalism in East Asia and of virtue revivalism in the west, Martin Powers finds resources in Chinese traditions and practices that could prove instructive for us. I applaud the unusual balance he brings to this endeavor. Powers gives us a picture in which the politics of meritocratic rule and virtue is tightly bound up with institutions designed to check abuses of power and hold officials publicly accountable to facts and reasons via constitutional and bureaucratic institutions. I would hope that his account might help us get past overdrawn contrasts that too often dominate discussions of politics ancient and modern, and east and west.

Stephen Macedo is the Laurance S. Rockefeller Professor of Politics and the University Center for Human Values at Princeton University. He is President of the Americal Society for Political and Legal Philosophy and, since 2013, a member of the American Academy of Arts and Science. His many writings include *Just Married: Same-Sex Couples, Monogamy, and the Future of Marriage* (Princeton: Princeton University Press, 2015).

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[1]   Daniel A. Bell, *The China Model: Political Meritocracy and the Limits of Democracy* (Princeton: Princeton University Press, 2015).

[2]   Stephen Angle's many books include Angle (2009), Angle and Tiwald (2017), and Angle and Slote (2013). Stephen Angle, *Sagehood: The Contemporary Significance of Neo-Confucian Philosophy* (New York: Oxford University Press, 2009); Stephen Angle and Justin Tiwald, *Neo-Confucianism: A Philosophical Introduction* (Oxford: Polity Press, 2017); ed. Stephen Angle and Michael Slote, *Virtue Ethics and Confucianism* (New York: Routledge, 2013).

[3]   See Joseph Chan, *Confucian Perfectionism: A Political Philosophy for Modern Times* (Princeton, NJ: Princeton University Press, paperback ed., 2015).

[4]   Tongdong Bai, *Against Political Equality* (Princeton, NJ: Princeton University Press, 2019).

[5]   James Hankins, *Virtue Politics: Political Thought in Renaissance Italy from Petrarch to Machiavelli* (Cambridge, Mass.: Harvard University Press, 2019).

[6]   For a discussion of parts of the problem, see Macedo et al. (2005). Stephen Macedo et al., *Democracy at Risk: How Political Choices Undermine Citizen Participation and What We Can Do About It* (Washington, D.C.: Brookings Institution Press, 2005).

[7]   See Macedo (1990) and Macedo (2014). Stephen Macedo, *Liberal Virtues: Citizenship, Virtue, and Community in Liberal Constitutionalism* (Oxford, UK: Oxford University Press, 1990); Stephen Macedo, "Meritocratic Democracy: Learning From the American Constitution," in *The East Asian Challenge for Democracy: Political Meritocracy in Comparative Perspective*, ed. Daniel A. Bell and Chenyang Li (Cambridge Univ. Press, 2014), 232–58.

8   A. O. Lovejoy, *The Great Chain of Being: A Study of the History of an Idea* (Cambridge, Ma.: Harvard University Press, 1971).

9   Some of Power's comparisons misfire, including his invocation in this context of Hobbes, whose political theory was based far more on individualism, equality, and rational self-interest than on anything like aristocracy or majesty: see discussion in Powers (2019: 32-4). Martin Powers,"Theories of Dissent and their Institutional Correlates in China," in *Criticising the Ruler in Pre-Modern Societies—Possibilities, Chances, and Methods,* ed. Karina Kellermann, Alheydis Plassmann, and Christian Schwermann (Bonn University Press, 2019), 299–307.

10   See Amartya Sen, *Development as Freedom* (New York: Anchor Books, 2000).

Reconceptualizing Received Notions: Reading Martin Powers' *China and England*

Zhang Longxi
City University of Hong Kong, Hong Kong, China, SAR (ctlxzh@cityu.edu.hk)

Martin Powers' *China and England: The Preindustrial Struggle for Justice in Word and Image* is a radically subversive book in the sense that it challenges and destabilizes a whole set of concepts and ideas that have been widely accepted and believed to be characteristic of China and England as representative of two fundamentally different value systems. It is now almost "common sense" to assume, for example, that China is a country ruled by tyrannical emperors and rulers, while the west has democratic systems of citizens in possession of equal rights; and that the Chinese form a collective at the expense of individuality, while the west puts emphasis on the individual and individual choices. As Powers observes, "it is likely that many Americans believe to this day that the West has always been more egalitarian and more individualistic than China, or anywhere else, throughout all time" (22). Indeed, "'China's' role as *bête noir* for the 'West' has become a constitutive element in academic and journalistic discourse" (23). By revisiting some old documents and exploring historical materials, Powers presents a counterargument and makes the bold claim that all those received notions are wrong or based on very shaky grounds, and that some of the basic "western" notions are actually anticipated by, and even borrowed from, preindustrial China. If anything, China had generated some of those basic notions much earlier than Europe, and these are not minor notions or values, but the basis of a just and rational governance and political system—values such as equality, rights, justice, etc. In the discussion of Powers' book, I would like first to support his argument by providing some other evidences from Chinese sources, and secondly, to relate his new book to a number of works done by other scholars in the same spirit of presenting a different perspective on China and Europe and reconceptualizing some of the received notions concerning the two. I see Powers' book as a significant contribution to this emerging tendency in recent scholarship to challenge some of the predominant notions in the perception of China and its history and to present a corrective for a better cross-cultural understanding.

From a fairly early time, the Chinese had already developed ideas about governance that are more just than the hereditary aristocratic system in Europe. "By Han times," says Powers, "authority was contained within an office and exercised for a time, according to rules, by an officer" (39). That is to say, an office (*zhi* 職) defines the power, authority, prerogatives, and responsibilities of a certain government or administrative position, and the office-holder, an official or a magistrate (*guan* 官), is expected to execute all that he is entitled or charged to perform by his office. If he does things beyond the limits or in violation of what is legally valid for his office, he would be guilty of abusing his office (*duzhi* 瀆職) and thus punishable. In the seventeenth and the eighteenth centuries, the Chinese political system was evidently more advanced than the European *ancien régime*, so much so that even "mathematically sophisticated Europeans such as Louis Le Comte experienced difficulty grasping the distinction between the officer and the office. Likewise the formal distinction between court and state, as practiced in China, came as a surprise to many Europeans who traveled there, suggesting that the concept of the polity in France or England did not yet require as firm a distinction between the two" (45). This was so because "in Song, Ming, and Qing China, the people paid taxes to the state, not to the court," says Powers, and as a result, there was "the logical distinction between public/*gong* and private/*si*" (40), which challenges yet another received notion that the distinction between the public and the private is uniquely western. By examining some historical documents and images, Powers shows with textual and pictorial evidence that many of the

received notions about China and the west—important ideas such as political authority, people, equality, and speech—must be reconceptualized for more adequate understanding. "In sum, the weight of primary source evidence flatly contradicts the conventional image of Imperial China as a Despotic Oriental Regime bent on nothing more than protecting the privileges of an arcane Confucian elite," says Powers. All those original texts suggest that "by Song times, factual evidence had become the standard requirement for policy action, with benefit to the people being the normative criterion" (60). The significance of Powers' book lies not only in recognizing the great contributions to progressive polity made by what he calls the "unsung justice warriors of all races" and in paying homage to them, but in promoting cross-cultural understanding for a more just and more peaceful world by appealing to "a shared Reason buried deep within the heart of humankind, a reason that always subsists, and is everywhere apparent to those who listen" (229). Given the economic and political realities of the world we are living in today, it is extremely important to listen to that voice of Reason and to overcome the cultural and political dichotomies artificially and ideologically created between China and the west.

In support of Powers' effort to present correctives to some of the commonly received but erroneous notions, I would like to offer more textual evidence from different sources to illustrate the point. Mencius, the second sage in the Confucian tradition, whom Powers also mentions in the book, made the famous statement that "people (*min* 民) is the most precious, society the second, and the prince the least" (民為貴，社稷次之，君為輕).[1] This has a profound influence in the history of Chinese political thought, and as Powers observes, "By Song times the people, the *min*, were regarded as both the object of state action, and the raison d'être of the state" (72). The idea that the prince or the ruler should take the people's interest as the foremost and try to win their hearts underpins the political theories and administrative policies of much of what Powers discusses. That has been made quite clear in his book, so I would like to discuss some other issues. A common misleading notion has it that the Chinese always see themselves in relation to a collective entity—the family or the community and society at large—while the west has always put emphasis on the individual and free individual choice. When the emperor gives an order, there is no way for a Chinese person to disobey. If that is what you believe, then you are in for a big surprise when you read the simple poem written by a scholar in fifth-century China, which offers a remarkably compelling proof of the kind of personal freedom and human dignity that are so often identified as uniquely modern and western values. Tao Hongjing (陶宏景 457–537) was a hermit, a Daoist philosopher, and an expert of herbal medicine who had such a high reputation of great erudition that emperors wanted his counsel and advice. He preferred, however, to be left alone in the mountains rather than serving the emperor at court. In the year 480, Emperor Gao of Qi 齊高帝 sent him an edict to demand his service, in which the Emperor asked what was there in the mountains that could possibly offer more than the comfortable life of a royal counsellor. Tao Hongjin wrote a simple poem in reply, in just four lines:

> 山中何所有？
> 嶺上多白雲。
> 只可自怡悅，
> 不堪持贈君。 [2]

> What is there in these mountains?
> Lots of white clouds on tops so high,
> Which I can only enjoy by myself,
> But can't hand in to your majesty.

This is indeed a simple poem in a simple language, written in lieu of a reply to the Emperor's question, and the reply is basically "Nothing"! The immaterial, constantly changing, and evaporating white clouds serve as an excellent metaphor for the Daoist idea of *wu* (無 nothingness) or the Buddhist concept of *sunyata* (*kong* 空 emptiness), which the poet as a religious hermit understood deeply and valued highly; it is something he knew only he could appreciate in the mountains, but not some material goods he could present to the emperor or enjoy in the emperor's court with all its pomp and opulence. So the hermit stayed undisturbed in the mountains and the emperor ceased to bother him.

Though the poem makes no direct reference to Zhuangzi, the great Daoist philosopher, a famous passage from the *Zhuangzi* may help us read this poem with better understanding, as Daoism was indeed very influential at the time when Tao Hongjin lived. In the "Autumnal Waters" chapter of the *Zhuangzi*, we find this rather interesting story: Zhuangzi was angling for fish by the River Pu, while a tortoise was crawling by his side slowly in the mud. Having heard of Zhuangzi as a profound thinker, the King of Chu sent two envoys to him and offered him the office of the prime minister, but Zhuangzi was not at all interested. The philosopher had a wonderful conversation with the two envoys. "I heard there is a tortoise for divination in the kingdom of Chu, already dead for three thousand years," Zhuangzi said. "The king puts it in a bamboo basket and covers it with cloth, and stores it up in a shrine of the palace. Now for that tortoise," Zhuangzi asked, "would it prefer being dead and having its bones so revered? Or would it rather be alive and wag its tail in the mud?" The two envoys said, "It would rather be alive and wag its tail in the mud." "Then go!" said Zhuangzi. "I'd rather wag my tail in the mud."[3] Even though Tao Hongjin doesn't refer to this *Zhuangzi* passage explicitly, his poem evidently shows the same spirit of personal dignity and free individual choice as memorably expressed in the Zhuangzi story about "wagging his tail in the mud." Reading Tao Hongjin's poem, we may have a much more enriched experience if we recall that *Zhuangzi* passage and feel inspired by the same sense of pride and human dignity, a sense of spiritual nobility, and the idea of personal choice and individual freedom.

The above example is valuable because it destabilizes our received notion of western individualism versus Chinese collectivism, and shows the necessity of rethinking and reconceptualization. Of course, many scholars are our predecessors who tried to do just that. In as early as the 1920s, Adolf Reichwein (1898-1944) was such a pioneer, arguing for the importance of China for the European Enlightenment in his book *China and Europe*. Reichwein was an eminent figure in German education, particularly adult education and continuing education for teachers after the First World War. In 1930, he became a professor of history and political science at the Academy of Education in Halle, but was dismissed for political reasons in 1933 when the Nazis seized power. He took a job as an elementary schoolteacher in Tiefensee near Berlin, and later as an educator at the Folklore Museum in Berlin. In 1940, Reichwein joined the Kreisau Circle as a member of the resistance against Adolf Hitler. He was arrested by the Gestapo in July 1944 and was sentenced to death and killed on October 20, 1944. Reichwein was not a Sinologist, but with his erudition and his political vision for Europe after the First World War, he published his book on China in the eyes of eighteenth-century Europe. In the wake of the First World War, Reichwein's book had special relevance to Europe, when recovery from the devastation of war and the realization of east-west spiritual connections seemed particularly important. Most young people in postwar Europe had an "often eschatological yearning for an inward development," says Reichwein, and they found a spiritual source in Chinese Daoism and its emphasis on *wu wei* or non-action. "Lao Tzŭ came as a great luminary. The *Tao Tĕ Ching* became for the present generation a bridge between East and West" (Reichwein 1925: 4-5).[4] In the free-flowing, asymmetrical, and graceful lines and shapes of the

art of the Rococo, Reichwein detected the influence of Laozi and Daoist naturalism, and in the rational order and the humanistic ideal of the Enlightenment, he saw a connection with Confucian intellectualism. Confucianism made a most favorable impression on the Enlightenment philosophers as a moral

and political philosophy based on reason rather than religious faith, and Reichwein claimed that "Confucius became the patron saint of eighteenth-century Enlightenment" (Reichwein 1925: 77).

In the 1940s, Arthur Lovejoy, an eminent scholar in the history of ideas, wrote a learned essay with a title that may be surprising even today, "The Chinese Origin of a Romanticism," in which he argues that "by the beginning of the seventeenth century, the Chinese already figured in European eyes as, above all, masters in the great practical art of government. And as such they continued to figure for nearly two hundred years" (Lovejoy 1948: 103).[5] The Chinese examination system was widely thought to be the realization of Plato's dream of a state ruled by "philosophers." "Admission to the public service required definite and exacting educational qualifications, tested by examinations, and evidence of personal character and competence," says Lovejoy, and he reminds his readers by quoting a Jesuit missionary Nicolas Trigault as evidence that in China, "the holding of any political office depends upon proved knowledge, virtue, prudence and ability" (Lovejoy 1948: 104). His main purpose, however, is to point out the influence of the Chinese style of garden as close to nature in forming a new aesthetic sensibility different from that of neo-classicism and thus issuing forth some basic ideas of European romanticism. "A turning-point in the history of modern taste was reached," says Lovejoy, "when the ideals of regularity, simplicity, uniformity, and easy logical intelligibility, were first openly impugned, when the assumption that true beauty is 'geometrical' ceased to be one to which 'all consented, as to a Law of Nature.' And in England, at all events, the rejection of this assumption seems, throughout most of the eighteenth century, to have been commonly recognized as initially due to the influence and the example of Chinese art" (Lovejoy 1948: 135).

A monumental work was accomplished in the 1960s by Donald Lach in publishing his multivolume book, which discusses the interrelations and mutual influence of Asia and Europe and presents a very different picture from what was the predominant view at the time. He searched through a tremendous amount of materials and demonstrated how European thinkers since the early modern time had drawn inspiration and built models from what they had learned from Asia. In the sixteenth century, for instance, Michel de Montaigne described China as a country "without commerce or knowledge of ours, the government and arts surpass our examples in many aspects of excellence," and how Chinese history made him realize "how much greater and more diverse the world is than either the ancients or we ourselves have penetrated" (Montaigne 1972: 360).[6] As Lach points out, Montaigne "uses the East to support his beliefs about the uncertainty of knowledge, the infinite variety in the world, and the universality of moral precepts"; he saw in China "an example for Europe that he never discerned elsewhere in the overseas world" (Lach 1965: 297).[7] In the long global history, Asia and Europe have had numerous contacts and mutual influence, but for a long time, such contacts and mutual influence were suppressed or minimized in much of western scholarship. By discovering or rediscovering the importance of Asia for Europe, Lach made a significant contribution to a better understanding of the global history of east-west relations. "In contrast to our tradition which posits European (i.e. Western) superiority," as Katharine Diehl comments in her review of *Asia in the Making of Europe*, "Lach reversed the question" (Diehl 1979: 200).[8] That is indeed the value of Donald Lach's work, to which we should still pay our attention and our respect today. As a distinguished professor of history at the University of Chicago, Lach was an inspiring scholar to challenge the received notions that continue to dominate views of Asia in the western academic as well as journalistic discourses.

More recently, David Porter, Edward Slingerland, and Timothy Brook have all challenged the received notions about China and the west. With a remarkable ability to unravel the mystery of Johannes Vermeer's paintings down to their fascinating details and to unfold the whole seventeen-century east-west encounters as background of the rich colors of Vermeer's Dutch interiors, Brook leads us to enter Vermeer's paintings as gateways into an enchanting world, in which, he tells us, "people were weaving a web of connections and exchanges as never before" (Brook 2009: 6).[9] Since Marco Polo, Brooks argues, the "quest to get to China was a relentless force that did much to shape the history of the seventeenth century, not just within Europe and China, but in most of the places in between." In such a historical perspective, China becomes the inevitable focus. "The lure of China's wealth haunted the seventeenth-century world" (Brook 2009: 19). To make the claim that China played a pivotal role in shaping the global history of the seventeenth-century is certainly a new and bold assertion, which was probably impossible to make fifty years ago, but Brook's claim is supported by meticulous research, historical and textual evidence, and a persuasive argument that shows, again like Lach's or Reichwein's works, how important it is to recognize the interconnections and mutual influence of Asia and Europe so as to better understand the world both in its past history and at the present time.

Martin Powers' new book further strengthens this line of argument that challenges the misleading stereotypes of east-west cultural differences and dichotomies based on ethnocentric and nationalistic biases and opens up possibilities of new perspectives and new horizons to understand China and Europe in much more constructive and fruitful ways. Given the social and political situations in the world today, this is extremely important not just for its significant contribution to scholarship, but for its relevance to the living experience we have in our daily existence. We need more of such rational voices in rethinking and reconceptualizing many of our basic notions and ideas about the world, and that is the great value of Powers' book and its respectable predecessors.

Zhang Longxi is Chair Professor of Comparative Literature and Translation at the City University of Hong Kong. He is a foreign member of the Royal Swedish Academy of Letters, History and Antiquities and also of Academia Europaea. He was elected President of the International Comparative Literature Association for 2016-19. He is an Editor-in-Chief of *Journal of World Literature* and an Advisory Editor of *New Literary History*. He has published more than 20 books and numerous articles in English and Chinese, and his books in English include *The Tao and the Logos: Literary Hermeneutics, East and West* (Duke, 1992), *Mighty Opposites: From Dichotomies to Differences in the Comparative Study of China* (Stanford, 1998), *Allegoresis: Reading Canonical Literature East and West* (Cornell, 2005), *Unexpected Affinities: Reading across Cultures* (Toronto, 2007), and *From Comparison to World Literature* (SUNY, 2015).

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[1]   Mencius, 《孟子》 [*Mencius*], ed. Feng Guochao 馮國超 (Changchun: Jilin renmin chubanshe, 2006), 221.

[2]   Tao Hongjing 陶宏景, "Zhao wen shanzhong he suoyou, fu shi yi da" 詔問山中何所有賦詩以答 [A Poem in Reply to an Imperial Edict Asking What There Is in the Mountains], in *Han Wei Liu Chao shixuan* 漢魏六朝詩選 [*Selected Poems from the Han, the Wei, and the Six Dynasties*], ed. Yu Guanying 余冠英, (Beijing: Renmin wenxue, 1978), 280.

[3]   Wang Xianqian 王先謙 (1842–1918), *Zhuangzi jijie* 莊子集解 [*The Collected Interpretations of the Zhuangzi*] (Beijing: Zhonghua, 1987), 148.

[4]   Adolf Reichwein, *China and Europe: Intellectual and Artistic Contacts in the Eighteenth Century*, trans. J. C. Powell (New York: A. A. Knopf, 1925).

5   Arthur Lovejoy, "The Chinese Origin of a Romanticism," in *Essays in the History of Ideas* (Baltimore: The Johns Hopkins Press, 1948).

6   Michel de Montaigne, "De l'expérience," *Essais*, Tome III, ed. Pierre Michel (Paris: Librairie Générale Française, 1972).

7   Donald F. Lach, *Asia in the Making of Europe*, vol. 2, *A Century of Wonders*, book 2 (Chicago: University of Chicago Press, 1965).

8   Katharine Smith Diehl, "*Asia in the Making of Europe*: A Review Essay," *The Journal of Library History* 14, No. 2, (Spring 1979): 200–09.

9   Timothy Brook, *Vermeer's Hat: The Seventeenth Century and the Dawn of the Global World* (London: Profile Books, 2009).

Short Introduction to *China and England: The Preindustrial Struggle for Justice in Word and Image:* Its Aims, Content, and Context

MARTIN POWERS
University of Michigan, USA (mpow@umich.edu)

This book is about China's forgotten role in the history of social justice debate in England during the eighteenth century. To provide context for the book, we might inquire why China's role was forgotten. John Stewart's book, entitled *America: Teacher's Edition,* unexpectedly provides a clue. The book is a humorous but insightful parody of the misinformation one finds in western civilization textbooks. On page 4 we encounter a "Timeline of Democracy" beginning with Stonehenge. When we get to the eigth and ninth centuries we read: "Chinese develop gunpowder, banking, newspapers, advanced medicine, paper money. Not Western; doesn't count." If you laughed—and you were supposed to—it means you got the joke. Stewart took it for granted that the nationalist bias in western civilization textbooks was well known to his readers and so they would get the joke. But supposing our textbooks do credit the west with other people's discoveries, does it matter?

I believe it does, not merely because the standard narrative is biased or unfair. For a historian, the real problem is that, if we remove the non-European world—and especially China— from the record of modern social development, we cannot fully grasp the dynamics of that development, because the sample is just too small and the record patched with misinformation. This was one concern when writing this book. In addition, suppressing the history of social justice debate in China deprives citizens today of valuable resources for rethinking and defending the idea of social justice at a moment when those values we call "liberal" suffer attacks at home and around the world.

In the United States, a potent threat to liberal values comes from White Nationalism, whether in the countryside or, more recently, even in the halls of government. Bearing that in mind, it is worth noting that the standard Western History narrative differs little from White Nationalist slogans about western civilization. These, in turn, echo closely the claims found in western civilization surveys. Widely assigned texts by historians such as Eric Jones, John Hall, or Jared Diamond compare the west with other civilizations, repeatedly claiming that individualism, human rights, imagination, and just about anything noble and good is unique to the west. The distinguished Cambridge anthropologist Jack Goody (1919-2015) spent much of his career debunking these claims, arguing that the so-called "European Miracle" in fact was a "Eurasian Miracle," with the "Asia" part having been carefully excised (Goody 1996; 2006; 2010).[1] J.M. Blaut (1927-2000), in *Eight Eurocentric Historians,* examined in conscientious detail the evidence and arguments proposed by Jones, Diamond, and six others. His analysis reveals how their arguments imply that historical change is brought about by ethnic character rather than individual initiative (Blaut 2010: 1, 73-112).[2] He showed that most of them made use of the same specious arguments and displayed shocking ignorance of Asia, citing folk myth as if it were fact. The claims of White Nationalists tally well with these works.

Such claims have consequences for the rest of us. Following the 2016 elections and the rise of populist movements around the globe, we have seen a spate of books and articles on the failure of liberalism (e.g., Deneen 2018).[3] While many of these works describe current challenges compellingly, most share the view that liberal values are unique to the west.

If equality under the law, systemic checks on power, or religious choice really were unique to the west, then the Huntington thesis, with its dark visions of global conflict, would be difficult to refute, and that would be a dangerous thing for all of us. But what if many of those values are not

unique, not because we would like it to be so, but because that is what the historical record tells us? In that case, the prospects for an egalitarian, rule-of-law style of government beyond America and Western Europe, or even within, might improve. Rather than being viewed as noble but outmoded, ideals such as equality, checks, privacy, or reality-based policy could be seen as aspirations that have arisen unevenly but repeatedly in human history. Such a view would seriously undermine White Nationalist talking points, but it would require those who personally identify with "Western Civilization" to abandon claims for uniqueness in matters of social justice.

　　China and England argued that some aspirations that arose in Europe in the early modern period were responses to conditions commonly found around the world. Progressive responses to these conditions, then, are likely to arise *in some form* and *in varying degrees* in multiple times and places—not in all times and places. These shared challenges include:

- The abuse of power by privileged incompetents to the detriment of the nation and society.
- The abuse of religion to maintain the privilege system and deceive the people.
- The unequal and arbitrary application of the law based on class privilege rather than facts.
- The abuse of taxpayer money by "public" agents for private purposes.

In China, these conditions not only were identified as problematic, they were theorized, and institutional remedies were suggested and tested (Powers 2019, chapters 3, 4, 5, 7, 9). The book also identified multiple cases in which theory developed for a specific problem in England could be compared with those developed in China. For example, Hobbes recognized that the multitude is diverse in its views and regarded this as a possible threat to state policy, which must be focused. His solution was to subordinate the disparate wills of the multitude to the single will of the sovereign (Allen 2004: 78).[4] Bai Juyi (772-846) noticed a similar problem: in a policy document on law he wrote, "one person, one point of view, ten-thousand persons, ten-thousand points of view," how to unite them? With law, he said, but not by subordinating everyone's will to the monarch's will. On the contrary, the laws must be executed equally irrespective of wealth, lineage, or connections of friendship (Powers 2019: 54). By Song times, the disparate political views of the multitude were treated as a crucial element in society, and had acquired a name: "public opinion 公议、公论." Formal channels were created for its expression, and the term appears commonly in policy documents.

　　It is worth noting that both men recognized a similar challenge for centralizing polities. This convergence was not due to influence, much less to national genius. The book posits that the problem of the center and the multitude is structural—it is a problem that centralizing governments often need to address—and so is likely to arise in multiple, advanced political systems.

　　With regard to the liberal values problem, note that this comparison does not conform to the stereotype. We would expect that the Chinese writer would demand that everyone should conform to the king's will, and we would expect that the western thinker would uphold equality and the rule of law. Does this show that westerners are authoritarian and Chinese democratic? Of course not. What it does show is that the ideas and policies supporting one or the other are not the product of anyone's *Volksgeist*. We cannot presume to predict the nature of imperial China's political theories or practices on the basis of folk myth and racial stereotypes.

　　The book examines many other convergences. For example, for the Free Thinkers and other reformers of the early eighteenth century, one response to the arbitrary excesses of aristocracy was to promote meritocratic standards in the appointment of "places," their term for an "office." In China, of course, a rigorous meritocratic system, including anonymous civil service examinations, had been in place since the eleventh century. In this instance, the similarities are not due entirely to

structural constraints, for the Free Thinkers and other English reformers were familiar with Chinese institutions and openly promoted their adoption in England (90-6, 129-33).

Parallels such as these open the door to a more expanded comparative analysis that could yield greater insight into how societies inhibit the development of oligarchy, or how more egalitarian systems devolve into oligarchy, but conducting a comparison is difficult to accomplish. The reason is that often historians prefer to compare civilizations rather than specific policies and practices. The problem with that is such comparisons can continue on *ad infinitum* yet accomplish nothing because civilizations are too variable, and too internally diverse, to be compared.

Throughout the book, *China and England* made use of translingual analysis to establish a more focused basis for comparison. It examined a body of translations from exemplary edicts and policy documents assembled in China between the twelfth and seventeenth centuries. These documents promoted ideals such as meritocracy, public opinion, free criticism of the government, and other values we typically associate with "western" liberalism. The Jesuits translated these into French from the late seventeenth through early eighteenth centuries, and these then were translated into English by the 1730s. Samuel Johnson (1709-1784) wrote a glowing book review with the result that they were widely read, yet this body of literature, and the accuracy of the translations, have received little attention by historians of the Enlightenment.

The book not only considers the accuracy of the translations, but applies translingual analysis to determine how English intellectuals understood or misunderstood Chinese political practices. For example, in the late imperial administration, an officer's authority resided in the office/*zhi*, not in social status or wealth. That is why officers could be promoted, demoted, or dismissed by the Ministry of Personnel. In seventeenth-century Europe, however, authority normatively was a function of social status. For this reason, writers from Samuel von Pufendorf (1632-1694), a precursor of the German Enlightenment, to the radical publicist Abbe Raynal (1713-1796) chose to express the powers of office in China as "nobility," a term that fails to distinguish between social status and the authority of office (chapter 8). Nonetheless, roughly a century after these ideas were introduced, we find that Paine and Jefferson had fully grasped their logic.

The book does not ascribe this process to "influence," as this presumes the existence of cultural essences. The core argument is that progressive intellectuals in both China and England faced similar challenges, and so English radicals were able to make effective use of translations from Chinese policy documents for their own purposes. These adaptations could occur because the abuse of power by the privileged, like the abuse of office for private purposes, is a perennial challenge that arises now and again across the globe and throughout time. Such abuses remain challenges to this day, which is why it is worthwhile to examine these phenomena as something other than the unique products of national character.

1   Prefatory Remarks

I would like first to express my gratitude to all the discussants, not only for exposing issues of concern for comparative political theory, but for their challenging comments which frequently provide an opportunity to discuss in greater detail topics that were not fully addressed. I have read essays by all the discussants and feel honored to receive guidance from such outstanding scholars. Useful comments are more numerous than can be addressed here, so I have selected those topics that seem most productive in terms of human rights issues.

Before addressing the discussants individually, it might save time to address matters raised in more than one set of comments.

1. The first matter is that the book is sometimes treated as if it were a civilizational comparison. This requires us to recognize that *China and England* inserts itself into a body of literature that, typically, takes that form. All eight historians Blaut discussed adopted this mode, and one could add to the list John King Fairbank's writings (e.g., Fairbank 1968)[5] along with others working in his shadow. Because of this, it would be natural to think of *China and England* as yet another in this genre, but it is not. In the introduction and conclusion, the book rejects the value of such an enterprise. Rather than compare civilizations, the book is interested in comparing policies and institutions for insight into perennial social challenges. To accomplish this, it examines how China's policy documents, social practices, and institutions were translated, interpreted, and adapted by English writers during the seventeenth and eighteenth centuries.

The book differs from civilizational comparisons in that no claim is made regarding the uniqueness of Chinese political theory or practice across time. If a discourse of equality or political speech evolved in at least two places, this shows that it could have evolved anywhere given the right conditions. The introduction suggests, in fact, that further research into other cultural traditions should turn up a rich body of material on social justice. Although the book states multiple times that the emergence of progressive ideas in China was not unique and cannot be attributed to national character (39, 50, 89, 124-25, 126, 214, and the entire last chapter), judging from the comments, this point could have been pressed more often, or more insistently.

Another feature of civilizational comparison is the tendency to confuse the part with the whole, because the underlying premise of such a comparison is that civilizations retain an essential character throughout time. As Blaut demonstrated in the chapter cited above, the umbrella concept of "the west" allows historians to attribute nineteenth-century developments to the fifteenth century by assuming that such practices must have existed in embryonic form from early times. Blaut called this "telescoping." On the other side, Cold War warriors liked to cite arcane practices from pre-imperial times, then write as if those practices were maintained throughout all of Chinese history, despite hard evidence to the contrary. This could be seen as another form of telescoping.

China and England preferred to compare policies and institutions, as well as discursive habits such as reliance on facts, since many of these were *shared* across cultural boundaries. Such evidence can undermine pan-historical claims about "western" values by exposing the fact that the latter are not unique and may appear late in historical time. Even so, the book does not deny that progressive ideals appeared periodically in Europe, as in China and elsewhere (see comments on "virtue politics" below).

Having recognized that discourses about equality or critical speech appear over time and across the globe, *China and England* is not obliged to document all the instances in which such concerns may have been expressed in European history. The book acknowledges that some notions of meritocracy, for instance, appeared in England and in Europe in the early modern period. It is sufficient to acknowledge this. It is not my burden to add to that literature which is well represented in every library in the country.

Even so, three of four discussants felt the China case was sometimes overstated. Professor Flynn may be right, for instance, that the term "social justice warriors" does not appreciably advance the argument. Some of the core arguments, moreover, are stated repeatedly and not always with equal nuance. If there be any defense for that, it might be that when one is in a noisy room, one needs to speak loudly. Still, my discussants are within their rights to call me out on that, and I thank them for suggesting ways to improve the argument in future work.

2. The other matter that multiple discussants raised is the use of broad, analytical categories, in particular "privilege" systems versus "meritocratic" systems, both of these building on Charles Tilly's work. Some felt that these categories are too crude to apply across time and space, or that

their heuristic value is unclear. Since these categories are important for the book's argument, I am happy to discuss the matter further here.

In principle, such an objection could apply to any analysis that takes as its focus a higher level of abstraction. For instance, if one wanted to understand how animals adapted to a dry land environment, where water provided no support for body weight, one might notice that most animals have adopted one of two strategies: endoskeletons or exoskeletons. There are few other possibilities. Of course, one can think of exceptions (slugs, slime molds), but these severely limit the size and mobility of the organism. So, what's the payoff? By taking the analysis to this level, one would come to understand that the choice of support systems both limits and enables many aspects of the animal's adaptive capacity, and that the adaptations arthropods or vertebrates made were to a degree path-dependent on their skeletal strategy.

Following this line of reasoning, the book assumes that the historical prevalence of inequality can inspire resistance in many societies, which then may lead to calls for remedies, and these can include meritocratic arguments or other arguments for greater equality. Charles Tilly devoted his life to the study of inequality and developed many useful concepts—such as "repertoire of contention"—for analyzing the ways in which people in different times and places have pushed back against inequality over time (Tilly 1983; 2000; 2003).[6] He argued in fact that some social systems structurally favor inequality, while meritocracy can ameliorate the condition to varying degrees. Between these two asymptotic limits, a wide range of social and institutional practices can be devised.

The book provides multiple examples of such adaptations, including anonymous civil service examinations, the right to appeal judicial decisions, Grievance Offices, a progressive tax system, and so on. Some of these strategies, such as judicial appeal and progressive tax systems, arose in Europe or America as well. Along the same lines, the book shows how the Free Thinkers, "Cato," John Wilkes, Thomas Jefferson—all of them bent on pursuing some form of legal equality—adapted to their situation some policies, principles, and arguments found in translated Chinese documents. The book rejects "influence" as a useful explanation, preferring to stress the common struggle against privilege. A third option would be to chalk it all up as serendipity, but this would likely violate Occam's Razor.

Of course, the objections might not be to the use of broad categories generally, but to the way such categories were applied in the book. Here I should confess that my understanding of these categories builds on a long history of social theory, east and west, which it might be instructive to review, though the list is by no means exhaustive:

- Confucius divided political systems into two types: humane and inhumane. These categories did not address political structure, only what was at stake in styles of government.
- Mencius accepted these categories, but defined inhumane as "tyrannical," and the latter as the "unequal" application of the laws. This criterion was adopted in Han period law.
- Aristotle distinguished between different political systems such as royalty, aristocracy, and polity, as well as deviations from these like tyranny and democracy. Anticipating later European thinkers, he regarded hereditary class divisions as natural, so meritocratic systems do not appear on his list.
- Wei Hong, writing during the first century CE, recognized that the system of hereditary status was first abolished when the Qin dynasty (221-206 BCE) established the *junxian* system, or administration by salaried offices based on merit.

- In the ninth century, Liu Zongyuan (773-819) further theorized the distinction between the hereditary feudal, or *fengjian* system, and the *junxian*, or salaried system. His analysis was structural in that it focused on institutions and policies, sinecures versus offices, but there was a moral dimension as well based on his egalitarian conception of social justice (52-3).
- Shen Kuo (1031-1095) distinguished between aristocracy, in which political authority is confined to a hereditary nobility, and a meritocratic system, in which political authority is assigned according to individual learning and ability (59-60).
- By the time Montesquieu wrote, the details of China's meritocratic system—including institutional checks, service to the people as the standard of legitimate government, and the need for popular feedback—had been widely discussed by progressives for decades. He drew upon Greek and Roman thinkers as well as the Du Halde volumes to construct his familiar breakdown of political systems, but he largely rejected meritocracy (179-182).
- Thomas Paine (1737-1809) distinguished between aristocratic "titles" or arbitrary authority, and "offices," in which the officer is qualified to execute the requirements of office. Paine's distinction is informed by moral criteria—arbitrary authority is bad—but shares with bureaucratic theory the distinction between merit and privilege (216-217).
- S.N. Eisenstadt (1923-2010) distinguished between feudal/patrimonial societies and bureaucratic systems of government. The latter are characterized by a distinction between public and private, merit as the criterion for office, independent spheres of authority in office, and other features that he associated with more "modern" governments (Eisenstadt 1969: 22-4).[7]
- Benedict Anderson distinguished between "self-consciously," which is to say, individually held political ideologies, and ideologies rooted in religion and the "dynastic realm." Both religion and the dynastic realm are based on membership in hereditary religious, ethnic, or status groups, in contrast to memberships determined by individuals according to their own personal criteria (Anderson 1983).[8]
- Charles Tilly (1929-2008) distinguished between "inequality-generating systems" and "sorting systems" as explained in the book. The former take groups as their focus, and the latter, individuals (Tilly 2003).

One might have mentioned Sir Henry Maine, Karl Marx, Max Weber, Marc Bloch, and any number of other theorists, but you get the idea. All these systems—mostly binary—could be described as overly generalized, and yet (1) noteworthy thinkers across the globe found them to be useful, and (2) the internal resemblances among them are too close to be dismissed as serendipity. While not a member of the noteworthy club, I find several of these analytical binaries useful as follows:

(1)   From the standpoint of social justice issues, they identify what is at stake in the underlying structures of political systems. Assigning authority on the basis of hereditary group membership detaches power from expertise and accountability. This encourages arbitrary government, which was recognized east and west as tyranny.

(2)   They help to identify the different types of logic internal to different political systems. A meritocratic system must apply the same criteria to every candidate for a job or it will fail to select the best candidate. This means group membership must be excluded as much as possible. That is what is meant by "egalitarian." A privilege system, on the other hand, operates to enhance privilege for high-ranking groups and punish low-ranking groups. There is no other purpose to fulfill, such as an office's charge, and so

rigorous formal checks either are not required or are not enforced. By exposing the kinds of logic internal to these two ways of imagining authority, these categories reveal path-dependencies that encourage fundamentally different kinds of institutional development (Powers 2019: 222-28).

(3)   Unlike "national character," which never changes, real societies are not static, and so at any given time, most will be moving either toward the privilege end of the spectrum or toward the meritocratic end, and the direction can change. By making it easier to identify the direction of development, these categories can help to detect whether a society is moving toward rational governance focused on individuals or arbitrary, group-based privilege.

For example, when English intellectuals began to treat nepotism as corruption rather than accepting it as a privilege of rank, they challenged a core principle informing England's aristocracy, namely, blood-based privilege. Alternatively, when a public servant in a traditionally rational system can openly use office for private benefit without censure or consequence, this is evidence that what had been a rational system is morphing into a privilege system. Should a nation find itself in that situation, alarm bells should be going off.

In regard to the larger theory, or "framing argument" as Professor Flynn usefully puts it, Professor Macedo noted that "group membership" is not a very good term. I agree. "Group," in this context, referred to traditional groups based on religion, ethnicity, social status, or wealth, such as Benedict Anderson associated with traditional societies and Tilly associated with "inequality-generating systems." Still, I am not happy with the term and would welcome suggestions.

2   Professor Zhang Longxi

Professor Zhang was generous in his comments. His own work in leveling the playing field has been an inspiration for the entire field of Chinese studies. He offered a variety of supporting materials that do not appear in the book, beginning with this passage from Mencius:

> In a state, the people are the most important element; the dynasty is secondary to that; the monarch is the least important.

In view of the norm in other preindustrial societies, it is surprising that Mencius should place the monarch below the people in his list of priorities. This view informs later political theory, where "all should be in the service of the people" appears in examination prep materials (56).

He also referred to the stereotype, common in social psychology circles, that the Chinese people have always been collectivist and would never question the authorities. As a counter-example he cited a remarkable poem by Tao Hongjing in which the poet adopted an openly defiant tone toward the monarch. Though a fine example, it is by no means unusual. Consider the case of Fan Ying, who died shortly before organized student demonstrations against the government began to appear in China. Emperor Shun (reigned 125-144) repeatedly invited the celebrated scholar to give up reclusion and take office, but he refused. Finally, the emperor had him hauled into court and upbraided for insolence. Fan replied: "In my eyes, a tyrannical lord is no different from an enemy. If I stand in his court against my will, how does that make me noble? If it were not appropriate, even if you offered me the highest salary, I would not accept. If will is free to extend where it may, I do not

at all resent subsisting on the poorest meal. So how can your majesty make me wealthy? How can you make me poor?" (Fan 2723; DeWoskin 1982: 198).[9]

The basis for Fan's argument can be traced to Mencius, so it shouldn't surprise anyone, yet it runs directly counter to the stereotype. Asserting the individual's moral autonomy in fact is central to both the Confucian and the Daoist traditions. Moreover, in late imperial China, power and punishment normatively were distributed on the basis of individual actions, not social status.

Translingual analysis shows what happens when a text that takes individuals as primary is translated by persons accustomed to group-based norms. Among the Chinese policy documents that were translated in the eighteenth century, many presumed that the people's welfare was more important than majesty, and so contained defiant language addressed to the monarch. Time and again, European translators toned down the language to make it more courteous, or to stress the monarch's majesty where the Chinese original did not. This is precisely the opposite of what one would expect if the stereotypes propagated in social science classrooms were true.

He also helpfully reviewed earlier attempts to reveal the hybrid character of what we now call the "west," citing writers such as Reichwein, Lach, Lovejoy, and more recent authors such as Timothy Brook. The more recent authors were mentioned, but the book could have done more to review this genre of historical writing. Thanks to Longxi for the help.

3   Professor Sandra Field

Professor Field's summary is generous and insightful, and adds conceptual clarity to some of the book's core arguments. Her outline of key points is especially helpful. She articulates concisely—and more effectively in some ways than the book—why visual images are important for the history of social thought. At the same time, she has given me the opportunity to clarify some matters that likely would catch the attention of many readers. Her comments are among the most challenging of the lot, but for this reason they have been especially productive.

I would like to begin with meritocracy and hierarchy. During the panel discussion, Professor Field remarked that meritocracy in fact is hierarchical. In her comments, moreover, she maintained that imperial China was both meritocratic and hierarchical, and found this problematic. The concept of meritocracy is central to the book, so I am grateful to her for raising this matter. Indeed, in recent years the value of meritocracy has been widely questioned in the media (e.g., *The Economist* 2006).[10] This may derive from the fact that (1) Americans think of themselves as meritocratic, yet extreme inequality is rampant, and (2) meritocracy is easily mapped onto Social-Darwinian theories of distributive justice. As a result, the media may imply that the super-wealthy deserve to be influential because, well, they earned it! But if this were so, then mob bosses also should be labeled meritorious, and so some on the left have declared that meritocracy breeds extreme inequality. All this ignores a long history of meritocratic theory. The fact is that, in China and in Europe, those who originally promoted meritocratic administration explicitly excluded wealth as a criterion for merit.

In China, Mozi (fifth century BCE) excluded wealth and lineage in consideration for office. By Han times (second century BCE to early third century CE), ethnicity had joined the list, and by Song times, anonymous civil service examinations excluded religion, ethnicity, wealth, lineage, and most other kinds of group membership from consideration (Powers 2019, chapters 4 and 7). The exams were testing for talent and learning (*cai*) and dedication to public welfare (*de*). These terms are not uncommon in Chinese documents rendered into English in the seventeenth and eighteenth centuries, where they were translated variously as genius/talent/ wisdom and "virtue." In England, Richard Steele recognized that the decline in "virtue" among Englishmen "may be attributed to the

folly of admitting wit and learning as merit in themselves, without considering the application of them." He notes that, though wealth was understood as a token of merit, wealthy men often made their money at public expense and so were not meritorious at all. By mid-century, Rousseau (1712-1778) recognized talent (or genius) and virtue as necessary qualities for public office. In his *Bill for the More General Diffusion of Knowledge* (1778), Jefferson identified those same qualities as requisite for any man who would serve the American people (Powers 2019, chapter 8). However, like Mozi, he excluded any consideration of "wealth or parentage."

Charles Tilly did not deny that meritocratic selection typically results in a hierarchy, such as when football players are ranked according to ability. At the same time, he suggested that sorting by talent or ability still may be preferable to the alternatives, such as patronage, quotas, assignment by social class, seniority, or random selection. The problem, in other words, is not hierarchy but the criteria by which it is constructed, yet few have recognized this distinction. John King Fairbank even took advantage of this equivocation so as to conflate China's meritocratic hierarchy with Europe's aristocratic hierarchy, but he failed to mention that all universities, corporations, NGOs, or church groups with officers are hierarchical. One should not confuse these hierarchies with hereditary European aristocracies or modern oligarchies.

As S.N. Eisenstadt explained, in hereditary-ranked societies, the social hierarchy is roughly parallel to the political hierarchy, and wealth levels match one's place in those hierarchies. In a meritocracy, wealth, social status, and political authority typically function independently (Eisenstadt 1969: 22-4). In Song China, a magistrate could wield political authority, but his pay was typically low, while a merchant might be wealthy but could not exercise political authority except through methods officially deemed "corrupt." This situation is much closer to that of the "modern west" than it is to pre-twentieth-century European aristocracies, where status, wealth, and political power were roughly parallel.

Professor Field's observations about the cognitive thesis are compelling. I persuaded myself to go with it for the following reasons: 1. Social psychology research shows that group membership, especially if based on visual features, is cognitively easy to grasp, and many pre-industrial societies categorized society according to visible differences in group membership, including race, religion, gender, and wealth level. 2. Social psychology research also shows that poorly educated persons in the U.S. tend to gravitate toward ideologies that map onto visible ethnic, racial, religious, or gender differences. 3. Both China and England appear to follow an evolution in the use of visual tropes, roughly from allegory to reportage, and the later tropes appear to demand higher levels of cognitive operation than the earlier ones. 4. It seems reasonable to suppose that educational levels will be higher, on average, in societies where the central government funds a basic educational system. This was the case in Han times, when social mobility was quite high and the weight of group membership reduced. That system fell apart during the medieval period, to be replaced with schools run by the Buddhist Church, which was supported by the aristocracy. Meritocracy collapsed and ranked groups arose again, with artistic production focused mainly on the Church and the nobility. All this would help to explain why group-based systems are more common in history than meritocratic ones. Having said that, this idea remains an intriguing hypothesis that explains some things but—as Professor Field observes—not others. I'm convinced that the hypothesis requires more refinement, and Professor Field has provided important clues as to how to proceed.

I feel that Professor Field overstates my claims at other moments in her argument: 1. that evolution from group-based to sorting systems is inevitable; 2. that China did it first; and 3. that the book doesn't pay sufficient attention to European ideas that might resemble those the English noticed in Chinese texts.

1. The first concern has been addressed in the prefatory comments, but I will add a note here. Although Professor Field cites specific page numbers for that claim, if one checks those pages, what one generally finds is "X *can* emerge" or "X *could* arise" and so on, not "X *will inevitably* lead to Y" (e.g., Powers 2019: 8-9).

2. "Powers claims that the Chinese first came up with the various political ideals. . ." which she again follows with specific page numbers (Field 2020: 190). If one examines those pages, one will find a more nuanced argument based on translingual analysis. Such analysis frequently shows that concepts we now regard as western were treated as novel in translations published in the late seventeenth and early eighteenth centuries. The book does not stress whether a concept appeared first in China, even if that appears to be the case, nor does it say that concept X never appeared in European thought earlier than the seventeenth century. Instead it shows that Europeans and Englishmen who encountered core political ideas in Chinese texts treated them as novel. This is difficult to deny.

We also find that the Europeans who responded to the Chinese texts do not appear to have been familiar with those putative early European sources. For instance, on page 92 Johan Nieuhof is cited and I note that "already in this passage 'the people' acquires a complexion **uncommon** (not unknown) in seventeenth-century English writing." Earlier chapters had shown that, prior to the eighteenth century, "people" more often was understood as a multitude "to be ruled." The succeeding pages show that Mencian talking points, such as the necessity of gaining "the hearts and minds of the people," or the purpose of government as the "happiness of the people," were mentioned repeatedly in translations of Chinese texts appearing from the seventeenth century onward. Then the book cites the preface to the Brooks edition of the Du Halde translation (1736), dedicated to Frederick, Prince of Wales, to show that those very notions were being introduced by the translators as novel and laudable. If the book were making a civilizational comparison, it would have argued that "China did it first," for that is what such comparisons do, but even if specific political ideas seemed to appear earlier in China, the book did not treat that fact as especially interesting. It was the English response that was interesting.

3. "[The book] also makes implausible claims that the distinction between the benefit of the ruler/ruling class and the benefit of the whole of society was unknown in England" (Field 2020: 190). I'm not certain the book makes that claim, although a passage from Thomas More does, and Professor Field cited the page where More's criticism of the English system was quoted. In citing him, the book recognized that some Englishmen—More, for instance—did indeed make the distinction between benefit to the ruling group and benefit to the people, but from other texts it would appear that the interests of the aristocracy often were conflated with the "Commonwealth," as More observed. The book also used translingual analysis to show that seventeenth-century Europeans and Englishmen had difficulty understanding authority as anything other than social rank and privilege. Such an understanding, whether in China or England, contributes little to the benefit of commoners.

In relation to this topic, Professor Field mentioned Aristotle's critiques of bad government, but there are at least three good reasons why I did not go into Aristotle: 1. he was not a seventeenth- or eighteenth-century English writer interested in Chinese texts; 2. the book is not a civilizational comparison; and 3. if it were, Aristotle would not compare well with Mencius. Aristotle had a concept of bad government, but he also thought class privilege was perfectly natural. Mencius and his Han and Song followers gave to ordinary farmers many rights that Aristotle would not have given them. I do not doubt that better examples than Aristotle could be found, but that is precisely what the book suggests one would find. I have no objection to properly rigorous examples of social justice arguments outside of China and Enlightenment England, but it is not my job to list them all.

Although Professor Field cites four instances in which the book acknowledges that the China discoveries likely are not unique, she goes on to remark that "the book gives only passing mention to these radical ideas (50, 128, 136), and on the whole the book reduces English political consciousness to the early modern absolutism of King James and Thomas Hobbes" (Field 2020: 190). As explained above, I am not comparing civilizations, but why spend more time on James I and Hobbes? The book notes that, despite the fact that early modern China and England shared several technologies and social practices, English radicals tended to emphasize the differences between the two. I was obliged to explain this. To do so, it would not help to cite some ancient author. Instead I made note of mainstream concepts of sovereignty in England such as those articulated by James I and Hobbes, noting that Hobbes' view of society was influential but was not the only one (50). Given further that the theories of some liberal thinkers in England, such as Locke or Hume, were driven in part by concerns over Hobbes' more draconian claims, it is reasonable to suppose that eighteenth-century English radicals shared such concerns, so it became necessary to discuss Hobbes. Finally, the book was concerned with visualizations of political concepts, and the frontispiece to *Leviathan* is among the most discussed examples of that genre.

This line of argument culminates in another interesting idea: "Powers' discussion of social justice relies on an underlying presumption: that there is a single master-concept of political justice, encompassing all other more specific values and uniting them together; and that all societies tend towards recognizing it" (Field 2020: 191). Though I would disagree with that characterization, Professor Field's claim is not without some basis in structuralist historical studies such as were conducted by Tilly and his followers, or for that matter, Liu Zongyuan, Marc Bloch, and S.N. Eisenstadt. The latter three historians independently concluded that feudal societies are prone to violence and instability, and that this is not desirable. Liu and Eisenstadt agreed that matching individual talents to particular political tasks fostered a more stable government better able to meet economic and political challenges to the benefit of the population. In fact, all the historians listed in the prefatory section presumed that any stable government able to benefit the bulk of the population was a better government. I would align myself with that group, but do not consider that to be Whiggish, because even those historians who adopt the "invisible hand" hypothesis argue that it will benefit the larger population. If one were to seek alternatives, one would quickly land in Hobbesian territory, arguing that rigid discipline in the service of a tiny minority is preferable to the chaos that would surely ensue if the commoners had any rights. So, I can see where Professor Field is coming from, but her characterization still strikes me as overstated, perhaps on the assumption that the book is a civilizational comparison.

One interesting development from this argument is Professor Field's suggestion that, in the end, China departs from the master ideal (benefit to the people?) in significant ways where the west does not. For argument's sake, let's assume that we accept the following proposition: governments that benefit the bulk of the population are more stable and more just in some sense than governments that benefit a few and exploit the multitude. This still does not fit Professor Field's notion of a master ideal, because it does not imply that the former type of system will inevitably develop out of the latter. The book shows repeatedly that things can go either way; there is no "must."

Nonetheless, let's assume that we have a master ideal of some sort or other. In that case, I would treat differences between Enlightenment England and China as a matter of degree, not kind. Although sixteenth- and seventeenth-century English writings pay lip service to the "Commonwealth," eighteenth-century radicals were not in the least satisfied by that, and so advocated adopting Chinese policies and institutions. Does this mean that they were pursuing the exact same practices as could be found in China? No. If anything is inevitable, it is that there will be

differences, not only between China and England, but between France and England, America and England, and so on. The book's main contention is that it is not unusual to find development across cultural traditions, in which case local differences will multiply along with commonalities. So when, by the end of the eighteenth century, English and American radicals had incorporated several ideas and policies from translated documents into their own discourse, they adapted such notions to their own local challenges. In much the same way, Americans adapted electoral systems and representative bodies from the English tradition. Developments in America later had some impact on English practice, but the two "democracies" remain very distinct to this day—one, for instance, still has a monarch and a House of Lords chosen on the basis of primogeniture, a feudal institution outlawed in Song China. Still, both traditions should be seen as part of a common evolution that yielded practical benefits to both populations, but in different ways.

Consistent with the civilizational line of thought, towards the end of her remarks, Professor Field adopts an argument that though post-Tang China may have developed a meritocracy and institutions to foster equality, etc., still, China: 1. lacked a concept of rights; 2. accepted a hierarchical society; and 3. was fundamentally not individualist. All this calls to mind Cold War claims about fundamentally different "cultures" driving historical development. Judging from the character of her research on Spinoza, I don't believe that was her aim—but from here on the narrative begins to resemble any number of Fairbankian talking points that I recall from graduate school days: China being somehow more "hierarchical," lacking a genuine concept of rights, being focused on ritual self-cultivation, and so on. In fact, the argument here follows Cold War methods, either citing ideas found in classical texts as if they applied throughout history (telescoping) or quoting post-Opium War writers as evidence that even native Chinese historians agreed about China's national character. Let me discuss these two kinds of evidence separately.

The hierarchy argument has been examined above. What about the evidence from classical texts? Fairbank's interpretive system was based on the notion of an essentialized and unchanging "culture" as the chief object of analysis in Chinese studies (Farquhar and Hevia 1993: 494).[11] This is what permitted him to adopt telescoping as a method. He would find some ultra-conservative sentiment in the *Book of Rites* (ca. fourth century BCE) or in *Mencius* and then apply that to late imperial China as if nothing had changed in the interim. He could do this because he assumed that a culture's national character does not change, and that one can determine national character by cherry-picking quotes from the classics.

China and England referred to *Mencius* and other classical texts only when they were incorporated into Han or Song legal and cultural practice. We need *Mencius* to make sense of poems and paintings portraying starving villagers, as well as to understand Sima Guang's arguments for policy. Mencius wrote many other things, but if it didn't get into the Song exemplary documents, I did not make use of it for examining those Song period policies that interested English radicals.

The works of early twentieth-century Chinese scholars have been used to support the Cold War account of Chinese national character. The argument implies, "You see, even the Chinese admit it!" But this is a bit like claiming that Clarence Thomas fairly represents the interests of black people in America because he's black. The Opium War shattered the confidence of Chinese intellectuals so that May 4th writers often mimic western stereotypes about China's supposedly defective national character. Moreover, they were in no position to compare Imperial Chinese institutions to European ones because they knew nothing about the latter except the self-serving myths western missionaries fed to them. Nor is it obvious that many of them had any awareness of the late imperial institutions reviewed in *China and England*. When they compared, they often compared civilizations, not policies and institutions, and it is common knowledge that they generally thought everything western was good and anything Chinese was bad. The appeal for Cold War warriors should be obvious.

Professor Field's work on European history shows no trace of essentialist assumptions or any interest in national character, so my guess is that these assumptions and this evidence seeped into her argument from the vast body of secondary literature on China. The only antidote is to turn to primary sources interpreted in context.

I am grateful that Professors Field and Flynn raise the problem of "individualism" and "rights," as I hope that my book will prompt more discussion of these ideas. It may be that such discussion would oblige me to revise some of the book's claims, but I doubt we can remove these rubrics entirely from our understanding of China. First, individualism tends to be defined in vague terms. The criteria for "individualism" among the authors Blaut discussed are similar to those we find in the Fairbank School. Often, the evidence offered has to do with some nebulous attitude, like the spirit of adventure required to travel forth and conquer people in remote corners of the globe. Jones even attributed an "individualistic" spirit to medieval European societies ruled by aristocracies, societies where commoners could not choose their religion, occupation, community, or even their clothing (Blaut 2010: 84, 91). I don't see how such vague criteria can tell us anything about history. However, if we review the evidence offered in *China and England*, yet retain the assumption that westerners were individualistic while Chinese were not, we end up with some very odd contradictions:

- Europeans were individualistic, yet could not understand political authority apart from social status before a significant infusion of Chinese texts into left-wing discourse.
- Europeans were individualistic, yet resisted giving political authority to commoners on the basis of their individual talents, industry, and learning.
- Europeans were individualistic, yet court cases typically were decided on the basis of group membership rather than the individual actions of the parties involved (Conley 1991).
- People in China were not individualistic, yet group membership was significantly reduced (not eliminated) in law, in the arts, and in the assignment of government offices.
- People in China were not individualistic, yet artists began to rebuff the demands of the nobility by the ninth century. Bohemian artists appear about the same time, and by the mid-eleventh century, the court had lost cultural hegemony in all the major media to private intellectuals. In individualistic Europe these same phenomena occurred, but not until the late eighteenth or nineteenth centuries.

We could form a similar list for rights:

- Europeans had a concept of rights and the Chinese didn't, yet in China any farm woman could bring a suit to the magistrate's court or appeal her case. In England, a woman's husband had to represent her, and he might not have that right either.
- Europeans had a concept of rights and the Chinese didn't, but people in China had the right to complain to government offices on any aspect of policy, corruption, the qualifications of officers, and so on. In England, generally speaking, commoners could not do this.
- Europeans had a concept of rights and the Chinese didn't, yet European commoners did not have any right to compete for offices unless such were granted to them as "favors" by an aristocrat. In China there were no aristocrats and any educated man of almost any race or religion could compete for office in anonymous examinations.

The contradictions above arise from the intersection of two kinds of criteria: the impressionistic variety favored by the authors Blaut examined, and specific institutions and practices adopted in China and England at specific times. For this reason, I do not believe that the comparisons just listed have any real merit. They still appeal to a civilizational comparison, so let's put that aside.

In the end, the book only says that reformist intellectuals in England and China shared much more in common than we formerly supposed. It was my hope that, by pointing to common ground, the book might undermine essentialist arguments and enlarge possibilities for fruitful comparison. Along those lines, one possibility occurred to me while reading one of Professor Field's articles on Spinoza, which I found to be brilliant. At the outset of her essay, Professor Field says she intends to mine the history of political thought for novel conceptual resources for contemporary democratic theory. She observes that Spinoza was aware that aristocratic and monarchic rule can lead to popular discontent, which then threatens the stability of the polity. This supposition was foundational for Chinese political thinkers as well, Mencius included.

She shows further that Spinoza was not as egalitarian as some maintain, and that he was quite happy to exclude commoners from participation in the polity, but he realized that one must prevent resentment from turning into resistance. His solution was to counsel the need to provide basic levels of comfort for the masses. To my mind, Spinoza's insight might provoke thinking on how to represent modern citizens who, due to poor education, poverty, or exploitation, do not generally participate in the political process.

For this problem we can also find resources in the Chinese tradition. In Imperial China, in consonance with Spinoza's views, uneducated taxpayers were supposed to enjoy a decent livelihood, but in addition they had the right to assess and complain about state policy or the performance of local officials, anonymously if they wished. All taxpayers, moreover, could bring suits to the magistrate's court. They did not need to be wealthy to do so, for the state paid for court expenses. Were we to combine Spinoza's ideas together with this set of institutions, we might construct a richer field for finding ways to empower the disempowered in America.

4   Professor Jeffrey Flynn

Professor Flynn has been conscientious in his summary and analysis. The distinction he makes between core arguments and framing arguments is useful, and he has queried several passages in the book that might concern other readers as well. He has articulated these objections in ways that prompt me to think and rethink, so his arguments deserve full discussion. One comment I found especially productive goes as follows:

> Certain structures arise and this automatically gives rise to certain ideas? After reading the book, I am not fully clear what specific dynamic gives rise to what he alludes to at various points as social resistance (Flynn 2020: 197).

This strikes at a core issue in the book. If certain structural constraints are common in history and "automatically" give rise to certain ideas, then those ideas should be found universally, or almost so, and that is the basis of the *reductio* here. I agree that structures are unlikely to automatically give rise to certain ideas or practices. The term the book uses is "perennial" challenges—such as systemic inequality. Systemic inequality has occurred throughout history east and west, prompting concerns on the part of Mencius, Spinoza, and many others about the dangers of rampant poverty and the rebellions they inspire. Therefore, we should not be surprised that examples of resistance should be

found here and there across time and space, but such responses are perennial, not universal. Given that my position is an unfamiliar one, the book could have assigned more space to unpacking that idea. Another interesting one:

> But if we look at a more radical example of political struggle, like the French Revolution—something the book takes us right up to the cusp of in its historical analysis—it can be understood as an attempt to remake the entire social order on the basis of the equal status of rights-holders (Flynn 2020: 198).

This seems to draw upon the Cold War argument that, in China, though dynasties were replaced, the fundamental system never changed. This claim always puzzled me, for I should have thought that the difference between an aristocratic system and a post-aristocratic system was pretty fundamental. That would also be the primary distinction between pre-and-post Revolutionary Europe. Naturally I would not deny that the demands for universal rights promoted in Revolutionary France marked a new and transformative phase in the struggle against institutionalized privilege. This is certainly true, but claims for the universality of liberty were more ambitious in France than in America as well. Americans in the U.S. were mainly concerned with their own nation's liberty. Does this mean that American claims for liberty were not truly "western"? The fact is that the differences between European nations in the arena of rights can be as great as the differences between imperial China and those same nations. We must also recall that the terms and arguments French intellectuals used were already infused with discursive mannerisms adapted from Chinese sources, so I'm not certain what it would mean to see that development as specifically European?

The comment about "equal status of rights-holders" is perceptive, and helps to illustrate the value of comparative history. The concept of rights in China indeed evolved differently from the way it evolved in Europe. In Europe, "rights" and "liberty" traditionally referred to privileges that were attached to inherited status. There were no "universal" rights in England or France prior to the eighteenth century. In the book's introduction I noted that the earliest usage of "common rights" in the global sense that I could find is in the preface to the 1738 English edition of Du Halde's *Description* of China. There the term clearly refers to rights that were recognized in common in China and in England. Edward Cave even used the word "common rights," possibly in a sense novel to the west at that time. I was hoping that one or more discussants could point to an earlier, equally unambiguous example, as I suspect there must be some, but none were proposed. In any case this must be one of the earliest of its kind. When Edward Cave, Wilkes, and others began to extend the notion of group-based "rights" in principle to everyone, they removed the group membership requirement for holding rights, in effect extending the "privileges" of higher status groups to lower status groups. Under those circumstances, the weight of group membership retreated, yielding our "modern" notion of "rights" as referring to individuals. The book understands this as a transition from a group-focused system to an individual-focused system.

In China, the attachment to blood as a determinant of group membership was weak even in ancient times, as Shen Kuo recognized in the eleventh century. As a result, in post-aristocratic society, legal rights came to be based on one's taxpayer status, and so were extended to all taxpayers, with the weight of group membership drastically reduced. Farm women, as taxpayers, could bring suits to the magistrate's court, or complain to the Grievance Office, or inherit property, whereas their European counterparts often could not. In China, it was taxpayer status that was expanded, along with taxpayer rights (*bianhuqimin*) in the post-aristocratic era, rather than the notion of inherited privilege.

However, I would note that, both in China and in Europe, the method for promoting equality required reducing the weight of group membership. In France and England there was much fine rhetoric about equality, but in both countries the governing authority remained in the hands of an aristocracy for much of the nineteenth century and beyond. In China, there is little to be discerned of an aristocracy after the tenth century, in part because the civil service system radically reduced the role of group membership by maintaining anonymity in examinations. Anonymity meant that the focus of such examinations was the individual, not the group. Anonymous examinations were introduced to England in the late nineteenth century but were firmly resisted by the House of Lords because their Graces thought the idea of egalitarian exams was "Chinese" and hence ill-suited for British subjects (Teng 1943: 304).

To put it into a homely analogy, there are many ways to put out a fire—with water, chemicals, or covering flames with blankets—but they all operate the same way, by cutting off oxygen from the flames. Likewise, there are historical differences in the way that the pursuit of legal equality took place in China and in England, but in both cases, reformers promoted equality by reducing the influence of hereditary group membership.

Also related is the perfectly valid distinction between "'rights,' as things people can claim as their rights (in the plural), in contrast with the concept of something being 'wrong' (the opposite of 'right' in the singular) in the sense that it violates some moral principle" (Flynn 2020: 198-9). I am not certain, however, that this distinction can be mapped onto an east/west binary. Chinese taxpayers at all income levels assumed that they had the right to sue, to appeal a case, or to report an errant official to the circuit inspector, not to mention the right to choose their own career or their own religion, rights denied to many who lived in western countries. In England, through Victorian times, it was common for court cases to be determined mainly on the basis of social status (Conley 1991). But then, this is hardly surprising considering that, in England, most representatives in both the upper and lower houses were members of the nobility. In short, I fail to see how a uniquely western concept of rights managed to provide western people with more practicable rights.

"Particular conceptions of human rights really are the outcome of particular moments in history […]" (Flynn 2020: 200). Indeed, but if one took this to its logical conclusion, no comparative historical study would be possible. Surely "western" is too vague to justify comparison between, say, banking practices in Renaissance Italy and banking practices in the U.S. today—unless one argued that there is a historical link, with the designers of the American banking system building on earlier, European banking practices that, in turn, had their Italian precedents? But if we allow for historical links, then how can we justify limiting those links by group membership? Clearly Chinese policy documents and philosophical texts were very much a part of the discourse of the radical Enlightenment, and this is a historical connection.

I agree that we should attend to the particular historical moment, as *China and England* strives to do, but we cannot impose upon that moment some essentialist concept of history as western or non-western. Sometimes historical conditions might differ in most respects yet could still support similar insights if only a few shared conditions obtain. The key features of feudalism identified in Liu Zongyuan's theory of feudalism, noted above, match Marc Bloch's key features, five out of six. How should we explain this if an idea generated at some moment in European history must remain unique to that moment, or perhaps unique to western people? The reason for the convergence is simply that feudal-like systems are widespread in history and intelligent people can analyze its characteristic features. It is this that makes cultural exchange possible. By the seventeenth century neither Chinese nor English societies could be construed as culturally pure in any sense. By that time China was absorbing all kinds of novel ideas from European sources. I have never known a scholar of western culture who would deny that. Well, the reverse was true as well.

More challenging is the objection to the following passage in the conclusion:

> the protection of human rights globally remains handicapped by the group-based idea that institutions better calculated to protect individuals from tyranny are the unique expression of a Western Spirit of Freedom [. . .] (Powers, quoted in Flynn 2020: 199).

Professor Flynn observed that "to say that western cultural essentialism is currently generating 'insurmountable internal contradictions' for human rights activists around the world strikes me as an overstatement" (Flynn 2020: 199). I welcome the opportunity to unpack the issue in question, which was too tersely expressed in the conclusion. The conclusion in fact echoed the book's introduction, where this issue had been raised in connection with the Huntington hypothesis. As is well known, Huntington predicted world conflict due to fundamental and enduring value differences between different civilizations, the west and the rest.

Now let us assume that Huntington was correct and that the pursuit of legal equality (it is never truly achieved) is unique to the west. A core insight informing equality is the understanding that race, religion, class, national origin—group membership—should not count in matters of law or in appointment for careers, public office, and so on. The book shows that this kind of understanding was articulated and legislated in China long before the European Enlightenment, but let us suppose that no such ideas had developed anywhere before they appeared in Europe. In that case, how should enlightened Europeans—who focus on individuals rather than groups, and who understand that group membership is irrelevant to human value—how should those people declare that this discovery was itself a product of Europeanness? This strikes me as a contradiction.

But Professor Flynn objected further to this passage:

> If the notion of human rights originally was the outcome of a particular moment in western history, then now it can be dismissed as a noble but dated expression of western genius, like Michelangelo's drawing method, admirable yet impractical in today's world (Powers, quoted in Flynn 2020: 199).

He felt that this view "seems to give far too much credence to the assumption that the context for the origins of an idea could constrain its contemporary validity or legitimacy" (Flynn 2020: 200). Of course, I would agree that insights from the past can be applied to the present, so I can see where he is coming from. More background information is in order.

I came to realize the utility of the western exceptionalist argument for critics of liberal values while reading an article on the ACLU website by Jay Stanley, Senior Policy Analyst, ACLU Speech, Privacy, and Technology Project. The article was entitled "Is Privacy a Modern Phenomena?" (Stanley 2013).[12] Many might respond to that question with "yes, and so what?" But Jay Stanley was troubled by the claim, because in his day-to-day defense of the right to privacy, he had encountered corporate leaders and others who used this idea to support high-tech invasions of privacy. The claim, apparently, was that privacy was unknown in history before modern times, as well as outside the west. Now, centuries after the Enlightenment, the notion has become obsolete in a world of high-tech. In the end, Jay Stanley felt it necessary to fight that assumption and claim that some senses of privacy are not unique to the modern (i.e., western) world.

Why? It appears to be because, if someone could show that a concern for privacy, or any other "liberal" value, originated uniquely at one moment in western history, they could then claim that now conditions have changed, and there is no longer any need for that right. Professor Flynn no doubt would observe that this isn't necessarily so, as a social practice could be useful today

irrespective of its origins, but Jay Stanley—who is in the trenches on this issue day to day—felt that such arguments were not sufficiently convincing, and that he needed to argue for a more general right to privacy, one not limited to the modern world. If we accept his concerns as the product of long experience, then we must admit that Mr. Stanley could have built a stronger argument by showing that intellectuals and statesmen in China, or elsewhere, both argued and legislated for rights to privacy, thus undermining the corporate argument. If this is the case for privacy, I assume that similar concerns apply to other "liberal" values as well. That is what prompted that remark in the conclusion.

These last two objections strike me as both reasonable and interesting, but this last one came as a surprise:

> A fourth and final point I want to make about this [Michelangelo] passage, in terms of what it might say about the stakes of Powers' project, is that it runs the risk of making the validity of certain ideas depend on the ability to say, "See, China had these ideas too" (Flynn 2020: 200).

I have heard this argument many times in my 40 years in academics. It seems to presume a fundamental east/west dichotomy, despite the fact that evidence for serious mixing of ideas during the Enlightenment is very strong, not just from my book but from a long list of works by Timothy Brook, Jonathan Israel, David Porter, Eugenia Ziroski, and many more. Nonetheless, let's assume that, between the lines, this is a *reductio* that goes something like this: "If the rhetorical force of the Huntington thesis (for instance) derives from the claim that only in the west do we find ideals like equality and social justice, and one points to China's role in the English Enlightenment to undermine that thesis, then are we not obliged to find some non-European counterpart for every enlightened idea ever entertained by a European?"

My reply would be, of course not. We are not engaged in civilizational competition; we are talking about a particular set of values that happen to have a very mixed cultural lineage. If legal equality, checks, or freedom of religion truly were unique to the west, then the Huntington hypothesis and its vision of world conflict would be more compelling. Fortunately, those particular values are not unique, and so we should move forward from there.

When I have encountered this argument in the past, it sometimes came packaged with more disturbing implications that I believe Professor Flynn would reject. Sometimes this argument would be deployed to imply that, even if China developed formal checks or print culture first, for instance, the western examples still have priority. It would not be, "and the west did it too (much later)"; for China we can only say, "they did it too, but 'ours' was the real one." What such arguments suggested to me was that a social practice or institution would lack historical interest unless and until a western person does it. A history of justice that limits itself to Europe and America, then, would be more than sufficient, for nothing significant could be learned from the history of justice struggle outside the west. In short, "Not western; doesn't count."

Such objections call to mind the civilizational comparison framework that Blaut examined. As with Professor Field, I do not find those assumptions in articles that Professor Flynn published in his own field, so I would like to move away from that to bigger issues that he addressed in one of his articles on Habermas and human rights. In that essay he made a distinction that I believe is helpful in making sense of the category of "individual" as it applies to human rights, both east and west. The passage is long but rich in ideas:

> Insistence on the juridification of human rights [...] provokes Asian criticism that human rights lead persons to view themselves as Westerners: atomized, autonomous, secular and self-interested individuals ready to insist on their rights no matter what the cost may be to others or to the society at large. The problem with such claims is that they often conflate the individualism within the concept of human rights with the individualism of particular ideals attributed to Western culture, such as sufficiency or self-interest [...]. Individuals can exercise their rights to speak, organize, and participate in government in order to cooperate in bringing about changes in their common life. Or they can choose to individually defend their rights against all, in an individualistic spirit of antagonism, with only self-interest in mind. There are aspects of the legal culture of the United States in particular that both non-Western and Western critics object to, but they are not necessarily inherent in the very idea of an egalitarian rule of law (Flynn 2003: 450).[13]

This is refreshingly different from orthodox appeals to so-called Asian values, yet the distinction Flynn makes is crucial for that debate. Following upon his insights, we may ask if it is helpful, heuristically speaking, to conflate self-interest with individualism? The freedom that is asserted by the wealthy in this country reminds me of the pre-Enlightenment notion of liberty as privilege. They simply equivocate on the fact that "liberty," in French and English history, had two meanings. Originally it meant exclusively inherited privilege linked to wealth and lineage. Later, it came to mean liberties held in common by all citizens. That latter meaning requires that the weight of group membership be reduced, and so in legal affairs and in the selection of representatives Jefferson emphasized individual talent and virtue, along with the facts of the case, as opposed to "wealth and parentage." In this way the American system undermined—but did not eliminate—the social and political privileges of the wealthy. Consistent with this view, Flynn's insights show that one can develop a notion of the individual without embracing a more selfish notion of liberty.

The view of the individual espoused in the book is consistent with this. As I see it, whenever the political and legal system significantly reduces group membership as the determining factor in appointment or punishment, the "group" disaggregates from the perspective of the state, yielding individuals. When group membership ceases to be the *normative* determinant for a large swath of society, then previously non-privileged individuals may begin to assert themselves in the arts, in government, and in the law. The book shows how this came about both in Song China and in eighteenth-century England.

5   Professor Macedo

Professor Macedo was correct to note that, while the book's first task was to examine parallels between preindustrial China and England, the crisis of Democracy was ever-present between the lines. Following his lead, I would like to spend most of the space given me to discuss his comments on virtue politics and possible adaptations to the apparent breakdown of democratic institutions. However, Macedo also raised some specific questions, which I feel obliged to address.

Responses to Specific Queries

Towards the end of his comments, Professor Macedo raised several questions, such as how well did these policies work in practice, did farmers really have the right to approach Grievance Officers, and so on? It is good that he did, because many historians might well ask these questions, and it would

make sense to include more information on that score in future publications, for the evidence presented in the book is far from exhaustive. Originally, I submitted more than 130,000 words to Routledge. They asked me to cut it down to 90,000, which I did, but that means there are another 40,000 words packed with more evidence. This evidence, along with much more to be found in books by Peter Bol, John Chaffee, Sukhee Lee, Brian McKnight, and others, would reveal that the checks installed to protect ordinary taxpayers were more complex and extensive than my book indicates. Likewise, the privacy law discussed in chapter 7 is not the only one of its kind. What has been presented in the book, however, should be sufficient to cast doubt on traditional stereotypes about all-powerful despotic emperors and mindlessly-groveling oriental subjects.

Professor Macedo noticed one passage that was worded too ambiguously, namely, the "whopper" regarding religion and legal equality. I'm guessing that this was read as a dismissal of all religious activity. The full passage reads as follows:

> the lesson to be learned here is that any attempt to establish genuine legal equality requires the elimination of religious considerations by structural necessity. As soon as one religion is granted authority *within the state*, group status automatically becomes a factor in the disposition of both power and punishment. When that happens, what you have is not equality but rather an "inequality-generating system" (56-7, emphasis added).

I intended this as another way of articulating the need for separation of church and state. The passage doesn't say that religion should be eliminated from people's lives, simply that if any religion were given special status in state policy, it would become difficult to maintain legal equality. Legal equality means that inherited group membership is prevented as much as possible from influencing judicial decisions. Giving a particular denomination special status in the courts therefore would be a violation of the separation of church and state.

Virtue Politics

On page 39 ff the book recognized that terms like "virtue" can serve as a rubric for "merit," especially in the early stages of meritocratic thought. An early example can be found in Xunzi, who sometimes uses virtue/*de* in a meritocratic sense, though he also understood authority as majesty. In that section it was noted that early modern Europeans sometimes did something similar in using terms like "virtue," and Hankins' book, though not yet published at the time I wrote, was cited in the notes. Such material was used to show that meritocratic ideas can occur in multiple cultural traditions, and even in solidly aristocratic social systems.

However, the book goes on to distinguish all these attempts from more mature meritocratic systems such as one finds in Han or Song China. The distinguishing feature is the concept of authority. In a mature meritocracy, the authority is in the office. In aristocracies, it is in the person. Aristocracies attempting to introduce meritocratic principles sometimes conceived "a new nobility," made up of the more "virtuous" members of the aristocracy. It is worth noting that in the periods Hankins discusses, Europeans were aware of China's meritocratic standards, as Lovejoy observed (Lovejoy 1948, 103-4),[14] and at times they attempted to map what they understood of it onto Europe's aristocratic society by using "nobility" as a translation for the idea represented in Chinese as *zhi*. The book chose Baron Pufendorf as a classic example.

Pufendorf had read and cited Nieuhof's work, and learned from the latter that even a person of low status in China could earn official "Dignity" (rank) if he were sufficiently learned. From this he concluded that "Nobility ought not to depend only upon the Blood, but should much rather be

rais'd and establish'd upon Virtue" (127-8). What this means is that political authority most certainly did depend upon blood, but the king should also consider "virtue," meaning merit. *China and England* then cited Hamish Scott, an authority on early modern aristocracy, to show that such "merit" consisted mainly of service that would please the king, thereby allowing some members of the aristocracy to outrank their peers. This is a far cry from meritocracy, but the notion of "virtue" became more meritocratic over time. Chapter 8 traces that idea in detail across two centuries, showing how it eventually morphed into a more mature notion of meritocracy in England, with Chinese texts being cited or debated all along the way.

There is a problem with the Xunzian and early modern European notion of "virtue" as merit. It is easy to remove an officer from his office; it is difficult to separate a nobleman from his personal authority, especially if conceived as "virtue" rather than administrative performance. The early modern European concept of authority, being rooted in the person (though not the individual), is highly resistant to institutional constraints, except for the king's or chancellor's displeasure. For this reason, despite some surface resemblance, I doubt that we can identify such a notion of authority with Song or later Neo-Confucians. True, they were concerned with virtue/*de*, and their understanding of that was rooted in classical sources like Mencius, but they were also fully aware of the system of bureaucratic checks and the fact that qualification for office was supposed to include evidence of dedication to the public good/*de* expressed as official performance or policy decisions, not as Honor. This understanding is clear in the policy documents chosen for translation, including some by Zhu Xi.

Professor Macedo is correct that I tend to take the narrower meaning of the term for virtue/*de,* as found in policy documents, as the more important one. This meaning should be distinguished from the broader semantic range one might find in philosophical texts, especially those from the early period. In policy documents *de* refers more specifically to an active concern for the welfare of the people/*min*. Naturally that requires avoidance of corruption, but principally by attending properly to the distinction between public and private interest. That is as much a bureaucratic matter as a moral one. On the other hand, the early modern European notion of virtue could easily be made to support a privilege system, 1. because authority was still situated in the person, and 2. because "virtue" still mapped readily onto "nobility."

I find Professor Macedo's notion of "soul craft" convincing, and agree that it is not incompatible with institutional constraints. His reply to Hankin is nicely balanced: "I agree, moreover, that we need urgently to attend to the project of fostering greater moral sensitivity, wisdom, competence, public- spiritedness, and civic virtue among citizens and elites" (Macedo 2020: 204). Professor Macedo's understanding is not far from the view one will find in policy documents by solid "Confucians" like Sima Guang or Zhen Dexiu.

If we regard Rousseau and Jefferson as part of the liberal tradition, then it is certainly the case that virtue was considered a necessary qualification for public office (Powers 2019: 138-39). Since the open compound "genius and virtue," where "virtue" refers to concern for the public welfare, appears as a translation for *caide* in the 1730s, and later appears in Rousseau, Jefferson, and others with much the same meaning, it would seem that the Founding Fathers presumed that candidates for office were supposed to have both ability and a concern for the public welfare prior to being candidates for election.

I am grateful to learn of Professor El Amine's work and regret that I was unaware of it while writing the book. Her contention that "the universal acceptance of the state form creates a globally-shared institutional condition" would acquire still greater force if we acknowledge that the "conceptual apparatus centered on ideals like constitutionalism, rights, and democracy" in fact enjoys a mixed lineage, complex not only in its cultural origins, but also in that the debates over our

standard set of rights often were inspired by encounters with non-European political thought. These debates gave rise to new ideas, sometimes defensive, sometimes deceptive, and sometimes crucial for what we now call liberal values.

Mining History for Novel Conceptual Resources

Professor Macedo suggested that the "'modern-pre-modern' distinction is not quite right" (Macedo 2020: 205). This understanding opens up multiple possibilities for reconsidering current policy, both in China and in the U.S. I can think of any number of policies from imperial China that could be adapted, in improved form, in the United States or in modern China. Legal suits paid for by the state, as Le Comte observed, would go far to redress inequalities between rich and poor. Currently, if a wealthy person or company cheats one of us to the tune of even a few hundred dollars, it isn't worth it to sue, as it would cost more just to walk into a lawyer's office. Even if thousands of dollars are involved, middle class persons cannot afford to take the wealthy to court because they will be outspent. It would appear that the American legal system is weighted in favor of the rich. In this regard, it could be argued that the premodern institution is more democratic than current practice.

As a supplement to elections, there is much to be said for the examination system, if it could be improved to test not only level of education, but expertise (as was sometimes the case in Song times) and also dedication to the public good. An anonymous examination system could bring to light new talent rather quickly, and would provide a more level playing field for women and minorities. This does not require that there should be no elections. If electoral candidates for certain positions were chosen from among those who had proven their worth in exams and in office (say, in the State Department), the odds of getting an incompetent person elected would be small. Of course, much thought would have to be given to how elections could be instituted so as to best serve the interests of the people, and how they could supplement career officials as a check on official abuse.

Speaking of which, our current crisis of the separation of powers exposes the fact that elected representatives are inadequate to remove officers who violate the terms of their office, even when those violations endanger national security. From the events of the past year, it would appear that career bureaucrats, on the whole, are more reliable than elected representatives. This is because they are professionally trained experts in their fields, because they have been promoted because they followed procedure (including the separation of public and private interest), and because the language of professional discourse is fact-based, while the language of politics too often favors duplicity. Giving career professionals a substantive role in impeachment, and making them independent of representatives who need lots of cash to get elected, might be worth considering.

On the China side, Professor Macedo referred to the view that "a meritocratic political system that includes one-party authoritarianism [is] superior to multi-party competition when it comes to fostering competent and forward-looking political rule oriented to the long-term good of the community" (Macedo 2020: 202). Like Professor Macedo, I am also skeptical of the authoritarian part of that argument. In many areas that benefit citizens, China has pursued more rational policies over the past decade than those we find at home. Millions of people have been raised from poverty and into the middle class, and China is pursuing a more rational approach to the global climate crisis. We are sometimes told that China can do this because its government is authoritarian and doesn't have to pay mind to the concerns of "the people." This may be misleading.

True, China's government is more meritocratic, and therefore more reality-based than some western nations today, and indeed there is a long history of such administration in China. But I see no reason to believe that the Soviet-inspired authoritarian component in modern China is required

for adopting rational policies. Meritocracy privileges expertise, which acts as a reality check on arbitrary government. For this reason, expertise tends to get suppressed by authoritarian governments, whether Maoist, Stalinist, or Fascist. If China continues to take expertise seriously, it might discover that it needs to expand channels for public discussion. As for America, polls show that most Americans are in favor of action on climate crisis, as well as greater economic equality, greater investment in infrastructure, less military spending, and other liberal policies. If America were a democracy, then Congressional policy surely would correspond to the results of such polls. This was the norm in the past, but now there is little correspondence between policy and what Americans want (Gilens and Page 2014).[15]

I also agree with Professor Macedo's view that, in order for institutional constraints to work, the moral values underlying them have to be deeply rooted in the culture through formal and informal education that employs both verbal and visual resources. In our own time, thanks to the corporate press, it seems likely that notions such as "trickle-down economics" and "survival of the fittest" have entered deeply into popular consciousness. The idea of inherited authority—as in only "Isildur's heir" can save the day—also is deeply impressed upon the public mind. I rather doubt that one-quarter of the population understands the distinction between officer and office that Paine and Jefferson took for granted.

Another principle of imperial government that seems relevant to our current condition is the idea that political authority resides in the office, not the officer. The officer's actions are authorized only if power is exercised according to proper procedures and in the public interest. In the U.S., the press often promotes a different notion of authority more similar to the early modern European concept, one situated in the person. And so, although we lack a hereditary aristocracy, we have instead an elected nobility. Those who are elected are thought to have received authority directly from the people to act with wide discretion over a certain territory (Chicago, Montana, the United States). Once elected, these modern noblemen cannot be removed except by the electoral process, because the authority is in the person, not in the office.

During the impeachment hearings, the contrast between these two notions of authority came to light. One side argued that the president, having been elected, could pretty much do whatever he thought best. The other side observed that he had been elected to serve the people by fulfilling the duties and regulations of the office and must be held to that charge. The latter notion of authority is the one I recall from elections held while I was young, but now that understanding is no longer the default. That latter concept of authority is also the one we find in many Chinese legal documents from Song times onward. Towards the end of the Northern Song, Southern Song, and Ming periods, those legal concepts that had served to strengthen the Chinese state, such as the separation of court and state, officer and office, or the importance of expertise, gradually declined, leading to the decline of empire. Contemporary parallels come to mind.

Like European history, with its rich body of reflection upon governance, China's history could provide "novel conceptual resources" (to borrow from Professor Field) for modern China or for western nations. China already has adapted some European institutions, such as local elections. Some remnants of imperial institutions can be found as well—such as a version of the Department of Investigation. But it is not obvious that the modern versions are always better than the historical ones. It is also not obvious that elections are somehow incompatible with the more progressive imperial policies, seeing as imperial China recognized the need for popular input and established viable channels for its expression. In short, there is much room for further discussion all around.

My sincere thanks to all four discussants. I have learned a great deal from them all, and have enjoyed ruminating on their thoughtful reflections.

Martin Powers is Professor Emeritus of the History of Art, University of Michigan. He was formerly Sally Michelson Davidson Professor of Chinese Arts and Cultures and Director of the Center for Chinese Studies. His first two books won the Levenson Prize for Best Book in pre-1900 Chinese Studies in 1993 and in 2006, Yale University Press and Harvard University Press East Asian Series respectively. In 2009, he was a Fellow in the School of Historical Studies at the Institute for Advanced Study in Princeton. Together with Dr. Katherine Tsiang, he co-edited *Looking at Asian Art* and the Blackwell *Companion to Chinese Art.*

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