CONFUCIAN HUMANISM
as the Foundation of
Human Rights and Economic Ethics:
a Study of Korea, Japan and the Republic of China

A thesis submitted in fulfillment of the requirement for the degree of

Doctor of Philosophy

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This study is about Confucian humanism as the foundation of human rights and economic ethics. The study covers the three industrial non-socialist nations of Confucian East-Asia, i.e., Korea, Japan and the Republic of China.

The main research question lies in how Confucian humanism emerged as an enduring tradition, and how it impacts upon human rights and economic ethics of the three nations on their individual paths towards globalizing civil societies.

There were three elements to the research strategy: (i) literature review, (ii) focus group discussions and (iii) documentation corroborations. The literature reviewed have been selected mostly from the scholarly works of the three nations and also drawn from those of non-Asian international scholars. Narrative data were obtained from the focus group discussions from the three sectors of discussants representing, firstly, academic-research groups, secondly, public policy groups and, lastly, the diverse practitioners in the public and private sectors. Altogether 54 people from the three nations shared expertise and interest in Confucianism, Confucian humanism and its implications for human rights and economic ethics. Documentation corroboration complemented what the focus groups expressed through their unstructured discussions.

The study explores the origin of Confucianism and proceeds to examine how the Confucian philosophical tradition gave naissance to Confucian humanism as a living tradition. From Confucian humanism, the thesis proceeds to examine Confucian governance (ching shih) that remained the central theme of Confucian scholar-officialdom when the orthodox Confucianism was adopted as the state ideology. While the Confucian ideal of the 'sagely sovereigns' persists as an enduring governance model, complementary and alternative political views of more egalitarian inclinations such as of Mencius also take up a good part of the governance theme. The role of life long self-cultivation applicable to all from sovereigns down to commoners emerges as the foundation of character-building for respective societal roles within Confucian ethics and
social ethos. The modern democratic institution of human rights emerged from the fertile demo-centric Confucian social psychology, but benefited directly from the Western institutional models.

Discussions on the tradition of Confucianism and that of Confucian humanism progress through the important turning points throughout history. They are the Classic age of Confucius, the Neo-Confucian reformation, the Practical Learning sub-era of the Neo-Confucian era, and, finally, the contemporary Neo-Confucian era that provides intellectual responses to the modernization processes of the three nations.

The discussions highlight that the Confucian tradition of 'humanity' that Confucius and his disciples formulated in the Classical age endured through the ages to modernity. They also point to the notion that Confucians pursued their intellectual, moral and aesthetic ideals to the highest possible level through the system of learning, philosophizing, and practicing in the tradition.

The Confucian cosmology of the 'human to nature' nexus and the Confucian spirituality of cosmic immanence in the 'self' provide clues to the multi-layer structure of Confucian consciousness of self, selves and the greater self, namely society or the Heaven itself. The Neo-Confucian school of 'mind and heart' learning reinforced the inquiry into selves in nexus to nature and the universe.

Religious tolerance and the adaptability of Confucianism have stood out as important qualities in the globalization of East-Asian values and ethos, i.e., Confucian 'souls and decorum.' Japan, as an island nation with a unique perception of its self-identity, employs Confucianism, still considered fundamentally as the philosophy of China, to reinforce the national identity without compromising the integrity of the Japanese tradition and sensitivity. Japanese aesthetic sensitivity would place aesthetic unity with nature on equal footing with that of moral unity with the world. Secularism and spirituality of Confucianism benefited from the peaceful co-existence amongst the three great philosophical traditions of Confucianism, Taoism and Buddhism.

The thesis as an inquiry into Confucian humanism as a living tradition concludes by answering the main research question and its three associated postulates.
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It is my privilege and heart-felt pleasure to dedicate this thesis as a fruit of my mature age research to Dr. Cho Kyŏngbi (born 1917) who is the heir to eminent Confucian families on both sides of his ancestry with centuries of Confucian scholarship and public service as scholar-officials. He also served as the Dean of the Faculty of Law and as the President of Yeungnam University¹ (1980-1983) in Korea. Confucian humanism has been an inspiration for me through my firsthand witness of his silent practice of the cardinal Confucian virtues.

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DECLARATION

I certify that except where due acknowledgement has been made, the work is that of the author alone; the work has not been submitted previously, in whole or in part, to qualify for any other academic award; the content of the thesis is the result of work which has been carried out since the official commencement date of the approved research program; and, any editorial work, paid or unpaid, carried out by a third party is acknowledged.

Calvin C. Lee 8 November 2007
1.1 INTRODUCTION

This study is about Confucian humanism. Confucian humanism is studied as the foundation for the human rights and economic ethics as related to the three non-socialist industrial countries of East-Asia, i.e., Korea, Japan and Republic of China (aka Taiwan). This study will focus on Confucianism as the common philosophy and its humanism in these three nations. It will cover Confucianism and Confucian humanism from their origin and in their evolution. The study will also endeavour to shed light on how Confucian humanism and its governance framework such as the observance of human rights and the application of economic ethics impact upon the individual path of these nations towards becoming globalizing civil societies.

The primary motivation behind the study comes from the researcher’s experience as an industrial executive engineer and his participation in Asian business life over the past two decades in these three nations of contiguous cultures. During this period and subsequently, the overriding question that has developed in the researcher’s mind has centred around the cultural and philosophical factors as well as what may be termed ‘Confucian humanism’ behind the stupendous economic, social and political rise of the countries in Northeast Asia that in some way parallels and resembles the thesis of the influence of the spirit of Protestantism on the rise of capitalism in Western Europe as developed by Weber. In spite of the overwhelming Westernization that has characterised their processes of industrialisation, there has always existed persistent evidence, easily recognizable, that the habits of the mind and heart\(^1\), exemplified in both word and deed in these countries, seem to have influenced individual livelihood, social ethics and political governance. Confucian thinking and behaviours in expressions of Confucian humanism have always been at the forefront, and in alliance with other belief systems such as Buddhism and Taoism, but also Christianity. As such, the theme of Confucian humanism emerged.

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As the research topic was being contemplated, there was the necessity to set boundaries around such a broad question and to narrow down to a workable yet meaningful topic. A choice has been made to focus on *Confucian humanism as the foundation of human rights and economic ethics*. In the mind of the researcher, the overriding humanism embedded in Confucianism and its founding of governance through the critical societal elements of human rights and economic ethics represent the most acute and profound challenges of Northeast Asia now and in future. How Confucian humanism as such and its implications over human rights and economic ethics play out will most certainly have repercussions upon their socialist neighbours, the People’s Republic of China in particular, and North Korea, though perhaps to a lesser extent.

The study examines the dynamic interplay in and amongst these three nations of their intellectual, economic and social currents. This interplay is explored through trans-temporal, cross-cultural, and inter-disciplinary discussion focussed around the origins and evolution of Confucian humanism and its implications upon human rights and economic ethics. Hence the research questions can be formulated as follows:

‘*How has Confucian humanism emerged from the tradition of the commonly shared Confucian philosophy in the industrial non-socialist East Asia of Korea, Japan and the Republic of China, and how does it relate to Confucian governance in regard to human rights and economic ethics on their individual paths towards globalizing civil societies?’*

1.1.1 Aims

This study has its aims encapsulated under the following postulation, and argues for the validity of these postulates.

Postulate 1:

Confucianism as one of the common philosophies and beliefs of contemporary Korea, Japan and Republic of China (aka Taiwan) has evolved into Confucian humanism.

Postulate 2:
Confucian humanism advances governance as expressed in the observance of human rights and the evolution of economic ethics.

Postulate 3:

Confucian humanism and its ideals accord with the humanism and ideals of a globalizing civil society.

1.1.2 Rationale

This study has found its rationale in trying to elaborate the following points of significance.

- This study may help uncover the cultural and intellectual understandings of the rise of so-called Confucian East Asia, in contrast to the hitherto dominance of economic and political paradigms.

- This study may help bridge prevailing dichotomies regarding traditional/modern, the West/the East and the local/global, and help move beyond them and facilitate dialogue within the global community.

- This study may help uncover how the processes of modernization, democratization and globalization have, both in common such as through Confucian humanism, and differently in interactions with the West, impacted on each nation through particularized circumstances and strategies.

- This study may help uncover why the Confucian tradition in spite of its over-arching concern for humanity failed to develop democratic institutions, to create a civil society, and to enhance the sustaining economy.

- This study may respond to and offer support for the resurgence of the contemporary Neo-Confucian movement and its inter-tradition contribution.
1.2 HUMAN RIGHTS AS AN EMBODIMENT OF CONFUCIAN HUMAN DIGNITY

Human rights in its contemporary meaning first appeared both in the Northeast Asian world as a transliterated word in the mid- to late-nineteenth century vernacular editions of European social science and in law texts. The word 'right' both in Korean kwŏlli, and in Japanese gen-ri uses the same Chinese character ch’üan-li. The first Chinese language translation of an international law book contained the word ch’üan-li. Japanese influence on Korea and partly on China through the earlier imports of Western scientific texts into Japan expedited the interchange of translated literatures and the discourse which was of Western origin.

While this linguistic perspective relates to the legal and institutional aspects of human rights ideology, the underpinning notion of human dignity that forms the basis of respect for and observance of human rights has long remained in Confucian habits of heart and mind. The sagely teachings of Confucianism uphold human dignity as the foundation underpinning respect for and observance of human rights.

Confucius himself mentioned the equality of humanity. He said in the Analects 17:2: By nature, men are nearly alike; by practice, they get to be wide apart. (Legge translation) In intrinsics, people are alike. With practice, they diverge. (David H. Li translation) Mencius (ca. 372-289 B.C.E.) taught the moral imperative and universal human duty to respond to the needs of those who are human equals and of their families in times of crisis, irrespective of their social standing. Mencius went further in support of the political rights of the populace and their entitlement even to revolution and rebellion when all means of peaceful remedying to ill behaved monarchs have been exhausted.

Such humanism, moreover, has remained in the orthodox teachings of the scholar-officialdom. The common people with no resources for their self-protection have

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2 See Glossary (Appendix 2)
3 ibid
4 W.A.P. Martin (1827-1916), the founder of the Presbyterian mission in Beijing, first used the word ch’üan-li equal to ‘rights’ in his translation (1863) of the most prominent book on international law at that time written by Henry Wheaton in 1836 titled Elements of International Law.
had to survive on their own against the injustices inflicted by social superiors. Modern constitutionalists\(^6\) agree that in spite of an overarching humanism in the Confucian and Buddhist traditions, these belief systems often were not sufficient to defend those who needed access to defence.

The first drafters of Universal Declaration of Human Rights (1948) were very cognizant of the cultural gap in their earnest pursuit to incorporate the humanist concerns of the Confucian tradition. Accordingly, they enthusiastically embraced the participation by Confucian social scientists of Sinic tradition\(^7\) in the drafting process of the first version of the Declaration. Such effort to overcome these cultural and linguistic barriers is thus as old as the history of global human rights conventions represented in the first important instance by UDHR.

Intercultural dialogue on human rights discourse has been continuous from the birth of the first human rights convention. This contradicts the common myth that the West has a monopoly on the conceptualization and institutionalization of global human rights as we understand them today.

Confucius and his contemporaries were born into unstable social settings of warring states. Hence the primary concern in the process of organizing a comprehensive system of educating the commoners was to create a system of sustainable social stability. Such a system would be a holistic one of governance founded upon Confucian humanism. This was not a new approach at all, according to Confucius himself. He limited his credit to being a ‘transmitter’ of knowledge and wisdom of the *ancient*. *Analects* 7:1: The Master said: ‘*I am a story-teller and not a writer, a seeker and follower of ancient history and culture – I secretly compare myself to Lao Peng.*’ (Lao Peng was a minister in the Shang/Yin dynasty.) (David H. Li translation)

There was thus a form of collective intentionality.\(^8\) Such intentionality and the associated social and political agency brought legitimacy to Confucian scholar-official rule. The


\(^7\) P. C. Chang of the Republic of China and Professor Wu Teh Yao were the founding members of the Human Rights Commission of 1946 and key drafters of the Universal Declaration of Human Rights of 1948.

Neo-Confucian era with Chu-Hsi at its lead saw the state adopting the Confucian canon as orthodox text used for the state examination, as the sole path to coveted membership of the bureaucracy. This shared intention of harmonizing Confucian human morality with state governance underpins an ongoing tradition of Confucian governance in Korea, Japan and the Republic of China. Northeast Asian society with such a philosophical and psychological endowment now faces a challenge of harmonizing with the global system of upholding human dignity, conversely, the embodiment of global humanism as represented in the spirit and mechanics of the 1948 Universal Declaration of Human Rights and in the two subsequent and related covenants that came into force in the mid-1970s (jointly known as The International Bill of Human Rights), as well as in subsequent treaties and conventions.

In the process of economic and social development as a model of the so-called ‘developmental economy’, Korea’s approach in interacting with the processes of globalization carried recognizable Confucian traits in its orientation. While the economic drivers were capital-technology-market oriented, social mobilization was based on a Confucian social capital model of ‘new village movement (saemaul undong).’ Parallels are found in mid-nineteenth century Korea, Japan and Taiwan. Attempts were made by societal leaders to maintain Confucian moral integrity in the process of nation-building, under the onslaught of Western science and technology.

This shared intention for a dynamic harmony emanating from Confucian intuition has found a prototypical example in the works and teachings of Korean Neo-Confucian T’oegye (scholarly name for Li Hwang: 1501-1570). T’oegye offered a ‘Ten Diagrams’ governance text for the sagely rulership. His diagrams encompassed Confucian cosmology and worldviews, ethical metaphysics, governance of the bureaucracy, self-cultivation and education, Confucian psychology on ‘heart and mind,’ self-discipline and daily industry. His work is based on his own scholarship, but also modelled upon Chu

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11 ‘Ten Diagrams to become a sagely sovereign’ (sŏnghak sipdo)
Hsi (1130-1200) and Chang Tsai (1020-1077) of China. His work was also eagerly studied by the then leading Neo-Confucian students in Japan of the Tokugawa era.\textsuperscript{13}

1.3 ECONOMIC ETHICS AS AN AMPLIFICATION OF CONFUCIAN HUMAN RIGHTS

These central Neo-Confucian figures continue to influence the contemporary strands of Neo-Confucian thinking. The Non-socialist industrial East-Asian nations of Korea, Japan and the Republic of China, commonly termed as the developmental model economies, conduct economic planning and implementation in such a way that those modern day leading planners and doers are behoven to the same Confucian ideals of harmonizing social resources in the contemporary modern context.

Entering the new millennium, Confucian social sensibility has engaged in a new dimension of economic ethics, namely the pressing issue of global ecology and environment. This concern assumes a macro global dimension additional to the micro local focus of Confucian economic ethics as it pertains to individuals as well as to the economic domain as a whole.

The Confucian tradition of harmonizing humans to Heaven or to Mother Nature emerges in sharp contrast to that of the Western ideals coming from the Enlightenment. The latter is partly a tradition of human conquest and the manipulation of nature and ecology. This also implies an indisputable trust in the ultimate goodness of science and technology, at times aided by the Christendom concept of the stewardship of nature.\textsuperscript{14}

The global ecological situation is in such a dire state that it now compels a new outlook and attitude. As the major economic actors and ecologists on the global stage, industrial East-Asia now has a unique role to play in terms of self-reform and collegial contribution befitting its global accountability.

Economic ethics in the conduct of economic policy and implementation now becomes an integral part of human rights in the contemporary setting. Global human rights conventions and concerned leaders look to the sources of strength in the Confucian

\textsuperscript{13} Fujiwara, Seika (1561-1619)
interpretation of its ‘interrelation of heaven, earth, and humans.’\textsuperscript{15} The Confucian ‘human-cosmic' worldview may offer an alternative to the current practices based on the proven inadequacy of the human-centric worldview and its inclination to conquest of nature.

Contemporary Confucian economic ethics has emerged as an important pillar of human rights in terms of globally shared critical concerns. Both human rights and economic ethics are complementary on the continuum and amplification of human and social ethics.

The first covenants on human rights are the Universal Covenant on Civil and Political Rights and the Universal Covenant on Economic, Social, and Cultural Rights. The latter is an 'economic and social “Bill of Rights' which has expanded into the broader spectrum of the just and ethical allocation of natural and economic resources, including the protection of ecology without which myopic attention to individual rights alone is no longer meaningful. The global human rights community expressed their concrete views both in the Vienna Convention of 1993\textsuperscript{16} and in the Social Summit in Copenhagen of 1995.\textsuperscript{17} The agreements reached in these conventions support the notion that broader human and natural environments are protected in the interest of human rights observance.

A dichotomy arose in the industrial East-Asia between an innate Confucian respect for nature on the one hand and ecological destruction on the other hand as a result of industrialization at home and abroad. The East-Asian agenda for further development now needs to be re-examined in terms of a holistic economic ethics. East Asians need to earnestly engage in spiritual self-renewal and open dialogue. They have to take a fresh look at the status quo and its current paradigm in order that they re-position themselves on the issues of economic development, nation-building and social stability. Otherwise, further progress will be devoid of its own cultural identity with authentic ethical moorings.


\textsuperscript{16} Vienna Declaration and Programme of Action, Article 11: ‘The right to development should be fulfilled so as to meet equitably the developmental and environmental needs of present and future generations. The World Conference on Human Rights recognizes that illicit dumping of toxic and dangerous substances and waste potentially constitutes a serious threat to the human rights to life and health of everyone.’

Hence, this study looks at economic ethics on the continuum of individual, community, corporate and global economic behaviours as an extension of human rights through the rediscovery of the Confucian ideals of the Classical and Neo-Confucian eras.

As regards how Confucianism contributes to economic creativity and also to creative humanism, this study will discuss in detail in the ensuing chapters the Confucian concepts of the productive person in relation to family and the broader community of state and society.¹⁸

1.4 RESEARCH STRATEGY

In addressing the research question: ‘How has Confucian humanism emerged from the tradition of the commonly shared Confucian philosophy in the industrial non-socialist East Asia of Korea, Japan and the Republic of China, and how does it relate to Confucian governance in regard to human rights and economic ethics on their individual path towards globalizing civil societies?’, the ‘three research methodological elements’ have been deployed in the research strategy in order to generate data conducive to answering the question.

The first element is Literature Review, comprising review of the current and past scholarly works considered of importance and closely related to the topic. The articles are selected from the works by the scholars of the three nations, and also those by non-Asian international scholars.

The second element is Narrational Data, based on the discussions among the ‘focus groups’ that met in small groups of three to five persons to discuss the topics around Confucian humanism and its governance implications such as human rights and economic ethics. The ‘five thematic questions’¹⁹ have been provided to trigger the unstructured free discussions amongst the focus groups.

¹⁸ Analects, ‘Harmony without Conformity’ (ho-erh-pu-t’ung) being one of the central ideas of ‘harmony making for prosperity’.

¹⁹ Questions employed to trigger the ‘Unstructured Discussions’:

Q1. Do Northeast Asians in Korea, Japan and Republic of China (aka Taiwan) follow Confucianism as one of their major common philosophies and beliefs?
Q2. Is Confucian philosophical and belief tradition the bedrock of Confucian humanism?
Q3. If so, does the Confucian humanism advance governance such as the observance of human rights?
Discussants have been selected from Korea, Japan and the Republic of China. Selection has been made on the basis of depth of knowledge about and/or intensity of interest in Confucian humanism and its implications upon its governance issues.

The first group of discussants are from the academic or research sector. Research or teaching interests are in East-Asian philosophy, cultural theory, religious study, and economic history among others. The second group of discussants are from the public policy sector. Policy interests are in human development, economic planning, research and development and education. The third group of the discussants are from the practitioners in diverse social sectors, such as industry, media, and advocacy of human rights or ecology. The invitation letter sent out since 2005 for the focus group discussions, including the ‘confidentiality terms,’ and the list of discussants with acronyms have been appended within the Appendix 5, under the headings: Appendix 5-1 for the ‘invitation letter’ and ‘confidentiality terms, and Appendix 5-2 for the list of discussants whose occupational descriptions were given acronyms, bearing no direct relations to the persons pursuant to the ‘confidentiality terms’ for those participating in the focus group discussions.20 Meetings for focus discussions took place in the respective capital cities and their suburbs, namely, Seoul, Tokyo and Taipei. English was used as the main languages for discussions and note-taking, with help of respective national languages, i.e., Korean, Japanese and Chinese (Mandarin), if/when necessary, thanks to the researcher/moderator’s familiarity with each language. The table (Table 1) below is a condensed summary of the ‘focus group’ discussants,’ their ‘areas of expertise and interest’ and assigned acronyms as indicated above. Appendix 5-2) provides further information on their fields of engagement.

The third element is Documentary Data, comprising sagely writings, writings of the state authorities, scholarly and philosophical writings, historical writings of the past, biographic records and writings of current and past leaders, and articles focussed on Confucian traditions and other belief systems. These documentary supports will be deployed as complements to and corroborations of narrative data in Chapter Three.

Q4 Does Confucian humanism foster economic ethics?
Q5 Does Confucian humanism accord with the humanism and ideals of a globalizing civil society and its governance, as expressed in human rights and economic ethics especially in relation to the global ecological crisis?

20 Appendix 5: 5-1) Invitation Letter with Confidentiality Terms and 5-2) ‘Focus Group’ discussants and Acronyms
### Table 1
‘Focus Group’ Discussants: ‘Areas of Expertise and Interest’ and Acronyms

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<td><strong>Acronyms</strong></td>
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<td>(2) Public Policy-persons</td>
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<td>KPS</td>
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<td>(3) Practitioners in Public and Private Sectors</td>
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In order to further complement the above three research elements, appendices are provided at the end of the thesis. Chronology, Glossary and Biographic Digest are appended among others. ‘Chronology’ chronicles major eras and events. ‘Glossary’ lists those diverse Korean, Japanese and Chinese vocabulary items and their meanings. ‘Biographic Digest’ presents a brief introduction of those figures whose ideas or statements are quoted in this study.

1.5 ROADMAP OF THESIS

This chapter, namely Chapter One, is a chapter of introducing the thesis and providing an overview of the thesis, including the main research question, aims, rationale and research strategy.

Chapter Two will be the literature review that examines the scholarly works of the past and present and of East Asian as well as international origins. The literature review follows the theme of the research question and also broadly follows the temporal sequence of those ideas and occurrences covered under the review.

Chapter Three is the chapter of data. It will present the narrative data of ‘focus group’ discussions undertaken in the field of the research area, namely, Korea, Japan and the Republic of China (aka Taiwan). The narrative data comes with the support of documentary corroborations that complement the spoken data.

Chapter Four is a chapter of critical analysis and interpretation of the narrative data and its summary. Through such analysis and interpretation, this chapter will provide this study to what extent the data support the main research question and its three postulates.

Chapter Five, also the final chapter, constitutes the synthesis of the outcomes both of Chapter Two and Chapter Four. The Chapter Four outcome of analysis and interpretation of the data will synthesise with the Chapter Two outcomes of the literature review in terms of views and themes, within the framework of the main research question and the three postulates. With the research findings thus established, this chapter will lead to the conclusions of the thesis.
Chapter 2: Literature Review

2.1 INTRODUCTION

This literature review of Confucian thought as it has evolved over many centuries constitutes the second chapter of the thesis. The review is a critical examination of the past and current scholarly works that relate to the research question. It also represents the first of the three elements of the research strategy. The review has been drawn from several pools of Confucian scholarship, firstly of Korean, Japanese and Sinic origins and, secondly, from non-Asian scholars who have examined ancient and contemporary Confucianism. In this chapter, the examination of articles is framed within the broad parameters of identified themes and concepts. Inevitably, some articles discuss more than one theme or concept.

Firstly, the foundations of Confucianism are examined. Secondly, examination is made on those articles discussing how Confucian humanism emerged from such foundations. Next articles examined are on how Confucian humanism fosters governance, once the foundations of humanism were in place. Articles on Confucian governance are examined as a part of Confucian humanism in interplay with the philosophical foundation and its evolution.

Then, there is a leap forward in time to the new millennium beginning with the eleventh through to the thirteenth centuries, when Neo-Confucianism emerged and flourished at a time when medieval scholasticism was emerging in Europe. The Neo-Confucianism era brought with it a regained vibrancy thanks to a host of major historical figures. It also meant the revitalising of the Classical heritage, re-examining and re-synthesising the whole spectrum of Confucianism, both orthodox and heterodox. Articles covering this era have been examined, together with those examining a later era. That period in the great Neo-Confucian legacy is called the Age of Practical or Real Learning. It was more conspicuous in Korea and Japan. It perhaps promised the dawn of an eventual industrial East Asia. This period is also characterised by the first early interactions with the West brought on by a missionizing Catholicism that was also accompanied by the first introduction to Western science. Science as a new form of learning appealed to the ruling

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1 Practical or Real Learning is a transliteration of Sirhak (Korean) or jitsugaku (Japanese)
class with their innate interest in searching for practical ways of bettering the lives of the populace.

The next group of articles is related to human rights in the context of Confucian humanism. This selection includes not only key Confucian concerns in human rights matters as an expression of Confucian humanism, but also includes some critical views such as ‘institutional gaps’ in Confucian humanism, commonly ascribed as the very cause behind the so-called ‘Confucian lag’ on human rights development.

The next section discusses Confucian humanism and economic ethics as another form of human rights. Confucian economic ethics would be an economic extension of ‘Confucian humanism’ in real world situations. The articles about economic ethics start from those on Confucian ‘human-to-nature’ ethics such as ecological ethics at the macro level, and continue on about trade and business conduct at the micro level.

2.2 CONFUCIUS, THE ANALECTS AND THE FOUNDATION OF CONFUCIANISM

The foundational work by the first disciples of Confucius (551-479 B.C.E.) on his teachings is contained in the Analects. This work has heavily influenced the philosophy and moral values of East Asia and become a cornerstone of Confucianism itself. Together with the other three volumes of the so-called ‘four books’ of Confucianism, it has become the first canon. Its teachings were underpinned by the central concept of Confucian ‘humanity.’ Upon this foundational concept, the pillars of Confucian values have been built, including propriety, righteousness, loyalty and filial piety.

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2 Legge, James 1960/1970, The Chinese Classics (The Four Books of Confucianism), vol. 1 (the Analects, the Great Learning, the Doctrine of the Mean), Hong Kong University Press, Hong Kong, vol. 2 (Mencius), Dover Publication, New York. The Four Books are the Chinese classical texts that Chu Hsi selected in the Sung dynasty, as an introduction to Confucianism. Each of these four books will be looked at in this literature review and referred to in the ensuing chapters.

3 jen (ren), translated as humanity and humanness.

4 li: referred in Appendix 2 (Glossary)

5 i: ibid

6 chung: ibid

7 hsiao: ibid
This review has examined the Analects in the original text, and the accompanying commentaries and interpretations. This examination has utilized Legge’s\(^8\) translation and also a contemporary interpretation by Hall\(^9\) and Ames\(^10\) in their co-authored ‘Thinking through Confucius’.\(^11\)

The Analects is comprised of twenty chapters with a distinct topic for each chapter. Excerpts from these chapters have melted into the daily thoughts and narratives of East-Asians. Frequent quotes continue to find their way into the domains of learning, thinking, rituals, propriety, aesthetics, social engagement and cosmology. Its antiquated expressions continue to preserve its integrity and have assumed renewed meanings as they communicate to the modern mind.

Hall as a systematic philosophical theologian and Ames as a Sinologist shed light on the philosophical and psychological background behind the birth of the Analects. Their contribution firstly lies in exploring three major philosophical assumptions implicit in Confucianism. The first major assumption refers to the Confucian ‘immanent cosmos’ in contrast to the ‘transcendence’ of cosmic beings commonly perceived in the philosophical tradition of the West. The second assumption refers to ‘conceptual polarity’, namely, yin and yang.\(^12\) The third assumption lies in the perception of ‘tradition as interpretive context.’\(^13\) Through exploring these three aspects in the late 1980s, Hall and Ames made a substantial contribution towards a better understanding as to where the Confucian themes diverge from those of the West. Their limitation lies in not sufficiently incorporating compelling social and political factors in their epistemological and ontological analysis in reflecting the conditions surrounding the warring states. The first readership of the Analects were part of a particular historical context in that the preceding century had had a major political and moral thinker in the governorship of Kuan Chung,\(^14\) hence any emerging ideology on governance most certainly had to contextualize the status quo of the era. This

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\(^8\) Legge, James (1815-1897), Scottish Congregationalist missionary to China and a Sinologist
\(^9\) David L. Hall was a professor of philosophy at the University of Texas at El Paso.
\(^10\) Roger T. Ames is a professor of Chinese philosophy at the University of Hawaii and the editor of the journal Philosophy East and West.
\(^12\) Ibid, p.13, ‘Yin does not transcend yang, nor vice versa. Yin is always becoming yang and yang is always becoming yin, night is always becoming day and day is always becoming night.’
\(^13\) Ibid, p. 21, ‘Confucius is a community, a society, a living tradition’.
\(^14\) Kuan Chung (Kuan Tzu) (d. 645 B.C.E.)
approach, taken by Hall and Ames, however, provided a further opening to new research by those of different backgrounds, in particular, Confucian and Christian backgrounds. This aspect has particular practical implications in the explanation of the interaction of the two religious and philosophical traditions.

2.2.1 Collective Intentionality

A series of related articles by a group of social philosophers namely, Searle, Bratman, Gilbert and Tuomela showed a common interest in ‘collective intentionality.’ Their interest in this construct was not about the collectivization of individual intentions subservient to society at large. Their interest was about how individual intentions would evolve into the communal interest under the influence of self-realization, common ethics and shared social goals. In parallel to the social capital concept of communal trust as the building block of civil society, this structural approach provides useful intellectual support in understanding the ‘construction of social reality.’

Searle discusses ‘the building blocks of social reality’ and notions of ‘collective intention and belief.’ Bratman in turn discusses in his *Faces of Intention* how ‘shared social agency’ evolves in its acceptance, and through shared cooperative activity, it matures into stability. Tuomela reinforces the importance of perceiving the collective identity of ‘us.’ Wray explains how ethical norms, tasks and ‘we’-attitudes bring about collectively intentional joint actions. When such a social process nurtures collective beliefs, it will also lead to a positive social dynamic working in the collective interest based on common human dignity, rights and duties, and also the ethical sharing of limited economic resources in the collective interest.

The concept of collective intentionality helps explain how a given society comes to crystallize its ethical, psychological and political framework. This approach has the

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potential to explain the motivation behind the design of the Confucian moral and political framework. The ideas common to its humanism and its holistic collective interest would influence individual and collective will. They would also determine the roles of agency by key actors and how they would interact with the circumstances of the time.

Searle and his colleagues have had only limited exposure to the Confucian tradition. However, potentially a major contribution could be made in being able to clearly define a process to 'construct social reality,' to recognize ‘us,’ to crystallize ‘collective belief’ without collectivization and to arrive at ‘collective acceptance’ as a basis for social norms and societal dynamics.

2.2.2 The Crowning Achievement of the Korean Neo-Confucian T’oegye

As briefly mentioned in Chapter 1, T’oegye (1501-1570), was a leading Neo-Confucian scholar of the Yi Dynasty in Korea. He was unique in terms of, firstly, summarizing the orthodox Neo-Confucian works of Chinese origin, the scholarly leaders of China,20 and then applying their concepts and frameworks to the intellectual and social circumstances of Korea.

The monograph in 1999 by Yun,21 a leading contemporary Neo-Confucian scholar from modern Korea and that of de Bary,22 introduce and summarize the thoughts and works of T’oegye’s opus magnum on Korean Confucianism. Writing in the sixteenth century, T’oegye employed the Ten Diagrams on Sage Learning as a program of comprehensive self-cultivation for the young king Sŏnjo (who reigned from 1567 through to 1608) and also as an ongoing reminder to him throughout his kingship. It was based on Neo-Confucian ethics and its new metaphysical foundation. It was prompted by the earlier works of Chang Tsai and his Western Inscription,23 but the greatest influence came from Chu Hsi (1130–1200), the central figure in China of the Neo-Confucianism of that era. The most

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20 The most noteworthy scholars of early Chinese Neo-Confucianism are Chou Tun-i (1017-1073), Chang Tsai (1020-1077) Ch'eng Hao (1032-1083), Ch'eng I (1033-1108) and Chu Hsi (1130-1200). They are also quoted in the works of T’oegye and other Korean and Japanese Neo-Confucian students.
important ingredients were Confucian ethics placed on a new foundation of ‘humanity,’ weaving a new pattern of meanings and a framework of governance drawn from the old Classical Confucian moral tenets. They offered in a way an objective norm or standard to the subjective judgments of the ruler and the ruled.

Yun’s analysis has made a substantial contribution as a contemporary reinterpretation of what the major Neo-Confucian scholars thought, wrote, taught and practiced. Bilingual texts also offered a bridge between those familiar with the philosophies either of the West or of Asia. The article by de Bary was instrumental in articulating alternative frameworks. While both articles eruditely examined the key turning points in the East Asian philosophical tradition, they fall short in explaining how fundamentally this political philosophy failed to impact on social welfare policy and where the flaws lay. This is crucial to discussions on human rights and economic ethics, since both are intrinsically practical ethics or practices of ethical norms that played so central a role as the core value of Confucianism or Neo-Confucianism. While new heights were certainly reached in the philosophical and ethical spheres of Neo-Confucianism, the Yi Dynasty was plagued by incessant factionalism amongst Neo-Confucian elite groups either in government or in scholarly circles. Such division in the various philosophical approaches sometimes meant outright atrocities were committed on opposition groups.24 As regards why and how the ‘nobility and civility’ of the Confucian elites succeeded or failed, de Bary offered another viewpoint in his book of the same title.25

2.2.3 Self-cultivation and Humanism

Tu Wei Ming’s26 article on 'the value of the human' in classical Confucian thought discusses how humans are at the centre of discussion on values in the teachings of Confucius as reflected in the Analects itself. He argues that the root metaphor in the Confucian classic of the Analects is the Way (tao). To understand and lead the Way, learning27 becomes the central pursuit in life. This learning is not just to acquire more knowledge. It is rather a way

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24 sa hwa (literati purge)
27 hak (learning: Korean), hsüeh (learning: Chinese)
to be truly human. One is also encouraged to study poetry\textsuperscript{28} since this is considered a necessary means of communicating in a civilized world, and forms a ritual\textsuperscript{29} in order to internalize day-to-day life events characteristic of one's particular community. Learning hence becomes a process whereby one enriches oneself, elevates one’s character, and also refines one’s wisdom so that one can be considerate of others and remain true to oneself.

Tu also emphasized the significance of Mencius in thinking about the cultivation of the heart by making our desires few, but without any imposition of asceticism. Tu continues to refer to Mencius’ suggestion that the basic bodily and metaphysical needs of all human beings should be recognized and met to a reasonable degree. Mencius indeed stressed the duty of the political rulership to meet the sustenance needs of the people before educating them. Such prioritization on the basic needs of living ahead of the Confucian aspiration for a holistic moral society comprised of many learned people remains a significant philosophical and sociological pillar of the Confucian worldview.

Tu has made a significant attempt in bridging the gap between Confucian ideals and actual reality. The reality becomes acute, when this very reality lived by the people as they struggled to survive was far removed from the lives of the learned elite.

This bridging of the ideal and the actual can be an important contribution to exploring the Confucian approach to the contemporary rebirth of human dignity in Classical and Neo-Confucian idealism and realism. This also implies that the building blocks of human rights and economic ethics can be drawn from the crucible where such idealism and realism are harmonized in the context of applied ethics.

Tu’s argument is admirable, yet it remains an idealistic discourse, not fully bringing into play the apparent tendencies of the aberrant application of Confucian ritualism to the political expediency of the privileged few, often at the expense of the underprivileged many. The literati purges of the Yi Dynasty of Korea more than amply attest to this side of the empirical evidence, not to mention the frequent references of modern autocratic rulers to the Confucian legitimation for their conduct. Hence, a further path for this discourse

\footnotesize\textsuperscript{28} si (poetry: Korean), Shih (poetry: Chinese)

\footnotesize\textsuperscript{29} ye (ritual: Korean), li (ritual: Chinese)
remains to confront the undiminished challenge to the contemporary Neo-Confucian school, and Tu has opened the dialogue and the debate on a positive note.

2.3 CONFUCIAN HUMANISM

2.3.1 Confucian Humanity

Hsiao in his book chapter\textsuperscript{30} on the political thoughts of Confucius argues that the departure points of Confucian political ideology are from two key concepts, namely, 1) ‘following Chou\textsuperscript{31} and 2) ‘rectification of names.’\textsuperscript{32}

Following in the political footsteps of the Chou Dynasty implies that Confucius was reasonably satisfied with the style of governance of the Chou sovereign and found its political embodiment of social and political ethics compatible to Confucian ideals. The political preference of Confucius was to maintain and nurture a good political ethic as a tradition, and he was not inclined to generate revolution through a new political ideology that would probably involve violence and social insecurity.

The rectifying of one’s names implies that, should every citizen bear the responsibility of acting in accordance with the natural principle that defines his or her social position, then there would always be harmony. ‘Let the ruler be ruler, the minister minister, the father father and the son son.’ Name rectification implies that Confucius placed strong emphasis on the orderliness of the political and social hierarchy for the common good of society.

Hsiao further argues that these two ideological pillars as mentioned above support the government through the four instruments, namely, ‘virtue, rites, politics, and punishments.’\textsuperscript{33} In turn, these four instruments make government run smoothly and ethically acceptable through deployment of the three desirable strategies, namely, ‘nourish, teach and govern.’


\textsuperscript{31} Chou Dynasty (1050-256 B.C.E.)

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\textsuperscript{33} te (virtue), li (rites), cheng (politics), hsing (punishments)
This political ideology is an embodiment of the foundational virtues of the Confucian teachings encapsulated in ‘humanity, righteousness, rite and wisdom’.\(^{34}\) This also broadly defines humanism in the Confucian context, while ‘humanity’ remains at the core of his teachings and political ideology.

Hsiao made a contribution in his explication of Confucian political foundations with great clarity. He has not extended his analysis on how such Confucian political design would impact upon the applied ethics such as the human rights of the greater society and the fair application of economic ethics in the management of livelihood of the commoners.

Tu in his article\(^{35}\) argues that Confucian humanism begins with genuine knowledge of the self and self-cultivation. Such self-knowledge implies simultaneously to perfect oneself and a transforming act upon the self, also to shape and create. This Confucian perception of self-knowledge and cultivation has been ingrained in the humanism of East Asians.

Parallel to the four virtues, each human being is endowed with a set of inherent moral senses known in Confucian terminology as the four basic human ‘feelings’ (or ‘beginnings’). These are ‘commiseration,’ ‘shame and dislike,’ ‘deference and compliance,’ and ‘right and wrong.’\(^{36}\) These four human ‘feelings’ (or ‘beginnings’) are to be cultivated and perfected into the four virtues, which become the cornerstone of humanism. According to Tu, moral universality assumes a twofold significance. The first part of the significance lies in the fact that all humans are fundamentally moral with a self-perfecting potential. The second part of the significance comes from the fact that all humans are inescapably biological, psychological and social. Hence, in order to realize themselves, all humans must gain knowledge as to how to overcome their limitations and to turn them into instruments of service in the interest of self-development. Tu also emphasizes the ethos of empathy as an important aspect of Confucian humanism by quoting Mencius, who said ‘if we can fully extend the common experience of feeling unable to bear the sufferings of others, our humanity will become inexhaustibly abundant.’

\(^{34}\) ‘jen (humanity), i (righteousness), li (rite), chih (wisdom)’ as quoted by Dongyang Munhwa Yŏnguso (the Oriental Culture Research Centre), Seoul, <http://my.netian.com/~bookac/index.htm>, viewed 26 July, 2006.


Tu has offered an important contribution by expounding upon the psychological and sociological angles to Confucian moral universality as a defining element of Confucian humanism. His argument can have questionable empirical support, depending on whether the intentions and circumstances of the social constituents are broadly in agreement with the propositions of self-perfection and willing capacity to translate limitations into instruments for self-development.

2.3.2 Confucian and Mencian Humanism

Mencius built on the ethical foundation of ‘humanity’ as taught by Confucius. He, however, expanded it substantially into the practical applications of such ethics into personal lives, filial piety in the family, service as servant-officials, the centrality of people’s well-being and the legitimate political governance of sovereigns. While he is highly and rightly acclaimed as the protagonist of ‘human centrism’, he also became one of the reference points for the moral legitimation of certain major political decisions, at times related to rebellion or acts of war. His philosophical works, active social participation and political consultations left indelible marks on such diverse topics together with self-realization, education, ethical economic policy with primacy given to popular sustenance, and human centrality at the very origins and foundations of political power.

In this section of the literature review on Mencius and Confucian humanism, the focus will be on the diversity and the broad spectrum of Mencian thought and his teachings. Min has contributed his thoughts on the ‘ideal world in the philosophy of Mencius.’ Lim discusses the ‘relation between Heaven and the human being,’ and Kim, JY has expounded on the debate on the fundamental goodness of human nature as understood at

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the time of Mencius and Gao Tzu. HM Kim has contributed to thinking on self-cultivation and its importance while Cho has explained rite and its role in governance. Xiao (Hsiao) has shed light on the importance and centrality of the populace, leading to the Mencian principle of demo-centrism or the centrality of the people as the fundamental principle. Tucker has examined the ambivalence in the practical application of Mencian teachings in the Tokugawa era in Japan. These seven articles together form a reasonable overview of Mencian teachings and their impact.

While Confucius implicitly disapproved of any rebellion or political revolution, Mencius chose to differ and explicitly so. Mencius was against any resort to violence or rebellion as a political means, but made his support clear about having to allow popular opposition in the case of incorrigible rulers. Mencius continues to provide a philosophical base for contemporary human rights thinkers and economic ethicists within the Classical Confucian tradition.

Mencius taught the four virtues to be the basis of moral foundation. These apply to all levels of personal and social relationships from individuals up to the sovereign. The four virtues are ‘humanity (or benevolence), righteousness, rite (or propriety) and wisdom (or knowledge).’ These virtues, Mencius believed and taught, originate from the innermost epicentre of the human soul. They are seen as the fruition in deeds of every human’s innate sense of ‘commiseration, shame, respect and right and wrong.’ This belief is based on the assumption that the benevolent mind is something common to all and all humans are fundamentally born with moral goodness.

Extending from personal moral practice to forming a sense of unity with the universe one is born into, Mencian ideology also upheld the ‘unity between heaven and humans.’ This sense of unity has no boundary in scale as one is relating to being filial to one’s parents,

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42 Kim, Hak-Mok 1995, Mengjaug suyangnon: insŏngnon’gwaũi kwanghe ha’esŏ (A consideration on the self-training shown in the works of Mencius), Taehagwŏn Haksul Nonmunjip (Journal of Graduate Academic Research), vol. 41, pp. 41-56.
46 Min, Hwang Ki 2000, Op. Cit., ‘jen’ (humanity), i (righteousness), li (rite), chih (wisdom)
loyal to the state, and also in serving the world and being gentle to nature. Mencius considered self-cultivation as a way to be followed, as it would enable people to elevate themselves to an ethical and harmonious plateau, finding themselves at peace with this sense of unity between themselves and the moral universe.\(^\text{49}\)

Mencius’ teachings encapsulated in his *Seven Books* reflected his concern for people’s livelihood, lightening the burden of taxes and avoiding wars and conflicts. Mencius also encouraged the thinking that sovereigns should ‘let the people share the same pleasures as his own’.\(^\text{50}\) This has been politically idealised and often quoted in current politics as the ‘bliss of sharing happiness with the populace’\(^\text{51}\). Mencius, coming from the perspective of his primary interest in the importance of the people, also discussed the duties of the servant-officials, in that they were at the service of the people, shouldering the responsibility on behalf of sovereigns to deliver on the sovereigns’ commitment to the well-being of the people. Hence, they bear their ultimate accountability to the people through the medium of sovereign rule. On the essentials of his concept of nourishing the people, Mencius tirelessly reiterated and expanded his views. But he usually treated the subject of teaching the people as something subsidiary to it, and set that forth only in its larger outlines.\(^\text{52}\)

As to why Mencius needed to discuss the theory of the ‘importance of the people’\(^\text{53}\) as of such a high priority, we can note that in his time the dynasties of Wei and Ch’i were struggling for political supremacy, while the influence of the Ch’in was just beginning its ascent to future greatness. In the midst of these great contests for power, the feeding of the people had to be regarded as the first principle of government.

But the Mencian principle of respect for the people went beyond sustenance and well-being. He also advocated the importance of the people’s opinions. He felt that popular consensus

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\(^{50}\) Legge, 1970, *Op. Cit., The Works of Mencius*: Book 1, King Hui of Liang, part II, p. 151. “When a ruler rejoices in the joy of his people, they also rejoice in his joy; when he grieves in the sorrow of his people, they also grieve at his sorrow. A common bond of joy will pervade the kingdom; a common bond of sorrow will do the same.”  
\(^{51}\) *yŏmin dongnak* (Korean), (bliss of sharing happiness with populace)  
\(^{53}\) *min kuei lun* (importance of the people)
on repudiating a particular rulership should be the ultimate point for considering a change of power, or for choosing or abandoning any government policy.  

While such ideas held by Mencius could become equivalent to the notion of the people’s sovereignty, it falls short of a working democracy as understood in the modern context. Mencian demo-centrism meant ‘for the people’ and perhaps ‘of the people.’ It certainly did not mean ‘by the people.’ The opinion of the people was capable only of passive manifestation, while political authority was to be exercised exclusively by those who also had superior knowledge. If the sovereign defaults to an intolerable degree, the people had no other choice but to wait for heaven’s medium to undo tyrannical sovereignty. The struggle to search for working institutions in the service of the people in accordance with Mencian ideals did not begin in earnest during the time of Mencius.

The ethical teachings of Mencius point to the use of ‘rites’ as the correct and desirable means of governance. However, the teachings of Mencius also left doors wide open to diverse interpretations. There were repeated references made to Mencian teachings at times of historical significance. In the beginning of the Tokugawa period of Japan (1603-1867), Mencian views on rebellion and political martyrdom became important topics of discussion. Tokugawa Ieyasu (1543-1616), the founder of the Tokugawa samurai shogunate, consulted Confucian courtly scholars such as Hayashi Razan (1583-1657), on the moral legitimacy of militarily preempting the loyalists of his suzerain, Toyotomi Hideyoshi (1537-1598). Razan’s advice was ambivalent. Razan quoted the two paths of Mencian teachings that were not reconcilable. He quoted the ethical ‘middle path’ as taught by Mencius on the one hand. He also referred to the ‘expedient path,’ on the other hand, as recognized by Mencius for the greater good of the populace.

The motivation behind the sagely teachings would reflect different historical periods, each period generating a different impact and perspective. While the teachings of Mencius represent the cornerstone of Confucian humanism and humanisms in action, the breadth, diversity and pliability of his teachings evidently present substantial challenges, unless they are understood and applied in the proper context.

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2.3.3 **Chung-Yung (The Doctrine of the Mean): 'Superior Personhood, Community of Trust and Sincerity'**

*Chung Yung (Doctrine of the Mean)*,\(^57\) constitutes an integral work in the Confucian tradition. It is said to be a composition by Confucius’ grandson, Tzu Ssu.\(^58\) The *Doctrine of the Mean* is one of the four Confucian canonical books, and came from the *Records of Rites*, as the *Great Learning* did. Its title is translated into English in various ways, such as ‘the mean,’ ‘the constant mean,’\(^59\) ‘the middle way,’\(^60\) ‘the middle use,’\(^61\) ‘the common centrality’\(^62\) and ‘the unwobbling pivot’ or ‘the pivot.’\(^63\)

*Chung Yung*, with its first character *chung* signifying the mean, centre or centrality and the second character *yung* denoting commonality, constancy or harmony, represents thinking on the three cardinal concepts of ‘superior personhood, community of trust and sincerity.’ Firstly, it means a moral call and the status of a ‘superior person’\(^64\) achieving the highest possible level of self-cultivation through lonely ethical struggles. Secondly, it means to strive for and attain a state of harmony through the dynamic process of ethical socialization or harmonization, realizing ‘rectification’ or ‘community of trust.’\(^65\) Thirdly, it means reaching the character ideal of ‘sincerity’\(^66\) universally acceptable and beholden in the eyes of all.

The period in which this work emerged points to and implies the political confusion and abject social distrust between the states embroiled in a series of political and military struggles. Yang,\(^67\) in his textual analysis of the work and his findings on the deeper moral implications, argues that the primary motivation for this opus was based on the intent to produce a moral platform that works through from the individual constituents of society up to the sovereigns, to eventually bring everything back to a common moral ground to serve

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58 Tzu Ssu (Zisi, Kong Ji, circa 483-402 B.C.E.)
59 as translated by Legge, James
60 as translated by Waley, Arthur (1989-1966)
61 as translated by Leys, Simon (b. 1935)
62 as translated by Tu, Wei-Ming (b. 1941)
63 as translated by Pound, Ezra (1885-1972)
64 chūn tzu
65 chéng
66 ch’eng
their peoples and enhance their personhood. Such intent was visible in this small opus of twenty three chapters. It states that the ‘way’ as prescribed by a heavenly mandate applies not only to the ruler but to everyone.

‘Centrality and commonality,’ as Tu suggests in his 1989 essay, characterizes the work for its fundamental yet far reaching aphorisms unfolding page by page in a mix of social psychology and meta-physics. It has been a central document for more than two thousand years and has continuously been a source of inspiration for creative minds in East Asian scholarly history. Every East-Asian literatus was expected to learn the work by heart before he reached adolescence. The book has remained a basic text for civil-service examinations both in China from circa 1313 to 1905, and in Korea circa 958 to 1910, up until both countries became republics in the twentieth century. The mode of thinking presented in Chung Yung is still readily perceivable. It also closely typifies how ideas are developed and refined in contemporary East-Asia.

This highly influential classic could have been a response to the growing influence of Buddhist metaphysics during the writer’s time. This classic of Confucian metaphysics is firmly rooted in Confucius’ teachings. It relates to the psychological tension and spiritual dichotomies between self and society, and the conflict between personal ethics and social norms.

Chung Yung points to a direction as to how a person can sublimate his or her personhood to a ‘superior man, or profound person’ in the process of social and political rectification or bringing about a type of community where trust reigns, not power, and where peoples of the ruling or the ruled classes alike cherish a level of integrity called ch’eng, namely, ‘sincerity.’ Learned by heart through intellectual internalization or by rote just to meet the needs of the scholar examination, this message of harmonization, as Cheng argues in his article, was centrally placed to serve all aspects of the understanding of selves and in the interests of the greater good of the society. This message prescribes for a continuing

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68 tao (dao)
70 Tu, Ibid.
process toward an ever-deepening self-knowledge through a spiritually and morally
elevated personhood. It also subscribes to the idea of society as a ‘fiduciary community’ rather than as an adversary system. The prescription for such is called ‘sincerity’ as a primary concept in the construction of a moral metaphysics as an integral approach to meeting human concerns.

The book begins with the vital and self-evident introduction:

*What Heaven imparts to man is called human nature. To follow human nature is called the Way. Cultivating the Way is called teaching. The Way cannot be separated from us for a moment. What can be separated from us is not the Way. Therefore the profound person is cautious over what he does not see and apprehensive over what he does not hear.*

Hence, to cultivate centrality and harmony with thoroughness is the way to bring heaven and earth to their proper place and all things their proper nourishment. In the modern context, building a liveable society through forming a community of trust has a significant bearing on governance. Levi argues, in her article on ‘a state of trust’ and governance, that social constituents sharing trust with others in the community stand an excellent chance of building social capital. Yang further argues that *Chung Yung* is consistent with the broad psycho-analytical guidelines of Freud in that the ‘ego’ undergoes a process of overcoming the ‘id,’ then transcending to the ‘superego.’ *Chung Yung* is compatible with the argument of Lacan in that individuals go through the dialectical process of mirroring themselves against the prism of social self-images, overcome the ‘psychological structure of social symbolism embedded in subconsciousness,’ and proceed to the ‘reality’ of self-realisation in the social context.

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Both Cheng and Tu have offered unique insights as Sinic scholars very much in the midst of a cross-cultural discourse with clear conceptualisation and selective discourse intelligible to both East-Asian and English readers. Yang contributed with his attempt to applying the Freudian psycho-analytical framework, and to bridging the subconscious selfhood with the social domains of moral teachings. Levi exhibited a contemporary parallel to the social capital discourse and the place of trust in it. As reviewed through the minds and eyes of the diverse writers, Chung Yung’s psychological, philosophical and socio-political implications are significant and diverse in relation to our discourse on Confucian humanism, and how it plays out in terms of the ethics on human dignity and economic means as studied under the theme of human rights and economic ethics.

2.3.4 Confucianism and its Encounter with Taoism and Mahayana Buddhism

While Confucianism has remained at the forefront of personal moral and governance ideology in East Asia, other important streams of thinking and worldviews co-existed either in opposition or through syncretic interactions. Taoism was in large part a philosophy of retreat and withdrawal on the part of thinkers. They were wary of perpetual warfare, social instability and destruction. Taoism provided a mental shelter to turn away from the struggle for power, status and wealth. The teachings on the tao or the way opened mental windows to infinite time and space. In this spatial and temporal infinity, the subjectivity of human individuals assumes a position of unimportance, unless it signifies the individual manifestation of vast cosmic forces. This philosophy often thrived as a protest of common men against the mounting tyranny of the ruling class. It also expressed the rebellion of the very uncommon man of intellect or sensitivity against the growing rigidity of the Confucian moralists. The Taoist great Lao Tzu79 starts his celebrated Tao Te Ching (The Book of the Way)80 by dismissing the very core of the Confucian concept of the way. Lao Tzu also uses the same term ‘way,’ but only in a context diagonally opposite to Confucius. As exemplified in this initial part of Tao Te Ching teachings, Taoists subscribed to a way of life that let people enjoy the independence of individual mental space, and also staying in harmony and peace with nature.81 Interactions between Confucianism and Taoism were wide and

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79 Lao Tzu (Laozi; c. 4th century B.C.E.)
80 Star, Jonathan, tran. 2001, Tao Te Ching (the Book of the Way), Jeremy P. Tarcher/Putnam, New York, p. 14. ‘A way that can be walked is not The Way. A name that can be named is not The Name.’
diverse from adversarial to complementary, in particular, for those not holding offices. The tao or the way meant to Confucius the ideal for the social system. Taoism gave it a new metaphysical dimension and, for the common people, a powerful alternative to the orthodoxy of Confucianism in coping with their daily lives.

Taoists did not always stay away from government. Xiao\(^\text{82}\) argues that Taoists on the contrary wanted to restore the right balance of humility and respect for the spiritual integrity of the people that had been lost in the complexity of bureaucracy and conflict of interests that Confucian officialdom brought to the system of government. They wanted to bring back ‘nature’s rhythms’ to all aspects of human endeavour.

The Taoist ideal of return to nature also opened up freedom of thinking. Such freedom and flexibility proved instrumental in the introduction of the new foreign religion of Mahayana Buddhism. Fang\(^\text{83}\) argues in his seminal work that the nature of Buddhist metaphysics owed a lot to Taoism as it intellectually fertilized East Asia. Instead of facing only Confucian morality and restrictive social conformity potentially hostile to non-conformity represented by an alien philosophy, Buddhism could find more receptive hearts and minds in East Asia.

While a person in power usually is a Confucian positivist intent on the saving of the ‘world’ or society, at the same time the same person might cherish a strong aesthetic urge that the individual freedom of Taoism and its mystical unity with nature nurtures. Hence, East Asian artists and poets, closely identified with the Confucian tradition, have usually been Taoists at heart.\(^\text{84}\) Popular attraction also came from the potent weapon of humour that Taoists such as Chuang Tzu (Zhuang Zi; ca 369-286 B.C.E.)\(^\text{85}\) employed against the pomp and the staid character of the Confucian establishment. Humour was an important ingredient in their teachings and literature, more readily mobilizing popular confidence in the validity of their assertions.

\(^{85}\) Watson, Ibid.
Such psychological, aesthetical and philosophical flexibility through its duality of yin-yang has provided a space for humanism, even under the worst adversity, until modern times. Since neither Confucianism nor Taoism were jealously exclusive religions, the individuals and even the whole of society could be Confucian and Taoist at the same time, achieving perhaps a healthier psychological balance on these two bases than could have been achieved on only one.86

From the births and syncretic interactions of primordial Confucianism, Taoism and other indigenous creeds such as Mohism,87 the period of further interaction with the major foreign religion of Mahayana Buddhism ensued and its influence was substantial enough to last as one of the major religious and philosophical traditions of East Asia, either on its own or as inculturated into the other major religions. Such interaction impacted on the evolution of Classical Confucianism nearly a millennium later cascading into the three major trends of Neo-Confucianism, namely, the idealistic, realistic and naturalistic trends,88 spawning new breeds of diverse creeds under the common Confucian tradition.

Seung89 has recognized in his article on Ch’oe Ch’iwon90 who flourished in the second part of the ninth century that he was one of the first leading Korean Confucians who integrated and made indigenous the influences of Buddhism and Taoism in a trilogy. Syncretism as such often characterizes Korean intellectual and aesthetic traditions up to modern times. Seung’s article highlights the significance of Ch’oe Ch’iwon’s achievements, and his discussion serves as a broad sweep of the subject.

Ishida91 argues in his book on the history of Japanese thought that the syncretic influences of the foreign religions, namely, Confucianism introduced circa 405 C.E. and Buddhism circa 538-552 C.E. helped in the formation of the Japanese state ideology of Shintoism and strengthened the emperor system, as also recorded in the Nihon Shoki (Chronicle of Japan) completed in 720 C.E.

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87 Mohism as started under the leadership of Moh Tzu (Mozi; ca 470-390 B.C.E.) and his followers.
89 Seong, Gyo-Jun 2001, ‘Koung, Ch’oe Ch’iwon’i kyonghaktaejang’e natahan sŏnhangnon (Choe Chiwon’s Governance Ideals reflected in his work Kyonghaktaejang [the Anthology of the Sovereign’s Learnings]), in Ch’ŏrhak Nonch’ong (Journal of the New Korean Philosophical Association), vol. 25, no. 3, pp. 205-239.
90 Choe, Chiwon (born 857-died unknown): a Korean Confucian official, philosopher, and poet of the late Unified Silla period (668-935)
Confucianism not only interacted with the major belief systems of Taoism and Mahayana Buddhism, but also with the indigenous folk beliefs extant in the Korea and Japan of that time such as shamanism and animism. Such an evolutionary process with its own and widespread influence on others had bearings over the nature of the humanism that emerged. Watson highlighted the critical aspects of Taoist influence in his translation work of Chuang Tzu. Fang offered an erudite analysis into the symbiotic dynamics and processes of major interacting creeds. Seung elaborated on a broad scenario the Korean trilogy of ‘Confucianism-Buddhism-Taoism,’ as firstly made apparent in the works of Ch’oe Ch’iwon. Ishida has described how the formative process of the Japanese state ideology of Shintoism has been under the influence of the imported religions of Confucianism and Buddhism. He also argues that through this syncretic process, the formation and further strengthening of the emperor system followed.

This aspect has a significant implication in the understanding and recognizing of the human dignity of individuals. Such an admirable balance between the dominant official culture and centralization of power would undoubtedly expand space for human freedom and potentially contribute to human rights observance and the economic ethics of a given society.

2.3.5 I Ching: Source of Imagination for Confucian Creativity

I Ching or the Book of Changes came as an ancient composition of oracles in an archaic script during the Bronze Age of China in the period circa 2500 B.C.E. through to the Classical Confucian period of age 300 B.C.E. It was a book of divination of the courts and people. In the age when I Ching came into being, divination was an important act of governance, and certainly a critical influence on individual lives. I Ching went through many changes and developed into varied versions. One version acquired Confucian orthodoxy through its editing by Confucius and his disciples. This version is the I Ching we are discussing. Changes and development of this widely used book meant in turn a pervasive influence upon the evolution of written and spoken languages in forms, symbolism and meanings. Apart from its age, I Ching’s impacts are far-reaching and wide,

92 yubulsŏn literally means ‘Confucianism-Buddhism-Taoism’ in Korean vernacular.
not only upon Confucianism, but also on Taoism in particular, and to a substantial extent on Mahayana Buddhism in the East Asian sphere. By the second century C.E., eight explanatory tractates called ‘Ten Wings’ were added. I Ching or the Book of Changes would refer to the book, including the Ten Wings.

Twentieth century historians and philologists, aided by advances in archaeology and linguistics, continue the work of bringing a modern context to this book, encompassing ‘changes of nature and humanity.’ While it is a book of early Sinic mathematics, natural science and wisdom sayings, it also has been a source of imagination and symbolism for all who chose their way of applying it to their lives in divination, cosmology, calendaring, politics, warfare, farming and many other human endeavours.

Ha, in his article on ‘signs and symbols’ of I Ching, describes how I Ching develops from the basic elements of trigrams into the symbols and meanings of hexagrams. Ha argues that I Ching represents a universal and perennial resource of metaphysical and methodological thinking. According to Ha, I Ching also represents a wonderful well-spring of philosophical inspiration and reinvigoration. As such a source, it serves as a methodological and metaphysical vehicle for philosophical comprehension and integration.

Ma, in his article on the ‘symbolic system’ of I Ching, relates how I Ching helps humans in their struggle for the realization of meaning in life. In the process of striving for meaning, Ma argues, I Ching is a guide with which one can find a unity through the complementing of the opposite elements of yin and yang and arrives at the tao or the way in life. Ma called this dialectic the ‘paradoxical intention.’ Ma also argues that this dialectic is not mutually confrontational. It is rather a process of naturalization in the paradigm of the I Ching mode of thinking.

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95 Divination was a formal ritual conducted in courts to interpret omens of significance for state affairs. It is to be distinguished from fortune-telling.
96 Ha, Chun-Deuk 1988, ‘Chuyŏk yŏn’gu k’i’il (Hamgwe)’, in Chŏrhak Ch’ŏngnon (Journal of the New Korean Philosophical Association), vol. 4, pp. 63-74.
98 Frankl, Viktor 1967, ‘Psychotherapy and Existentialism: Selected papers on Logo-therapy’, Simon and Schuster, New York, p. 139. ‘Paradoxical Intention’ implies that a person can overcome what one fears through a therapeutic process of intensifying the underlying anticipatory anxieties and also by concurrently helping in the development of human capacity for self-detachment, often with a sense of humour. Due to the use of seemingly paradoxical means to obtain the intended result, such intents are termed by Frankl ‘paradoxical Intention’.
I Ching’s timeliness lies in its philosophy of transformation, when ‘i’ literally means change and ‘ching’ means canon. This canon of changes has played a determining role in philosophy for broadening creative thinking and enriching divergent thought parameters. Such vision and the methodology of so-called ‘i-thinking’ brought with it a wealth of fresh meanings to the commonplace aspects of life and nature.

The signs and symbols found in humans and nature assume ‘signification’ in the ‘i-mode’ of thinking. Signs noticed in life and nature would become the ‘signifier’ through human interactions with I Ching, and find their new meanings in the ‘signified’ objects in human, political and social relations. Symbols in nature such as ‘sun and moon’ which formed the ideogram character of ‘i’ of I Ching, would transform through I Ching signification and acquire such orthodoxy as to become national flags and other symbols of power and legitimacy. Once new meanings are awarded power and legitimacy, these new signs are no longer benign objects detached from humans. The sign becomes invariable in the given social framework. The Korean flag design incorporates the circle of sun and moon and strokes of I Ching trigrams. It demands the respect of Koreans. The Shinto emblems of Japan embody numerous I Ching-based designs with specific signification both as the signifier and the signified, assuming deified importance, demanding the respect of all Japanese. Over time, these signs and meanings do change and become variable. Hence these aspects in the I Ching context have both ‘invariability and variability,’ characteristic of signs and symbols.

I Ching also played an important role implicitly as an area of interest shared by the competing ideologies of Taoism, Legalism and the major foreign religion of Mahayana Buddhism. It opened up to all an extra space for inspiration and insight for reorganization, reintegration, and reconstruction, in so far as any of these traditions singularly or together is capable of new structures and new processes.

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102 Ibid. pp. 71-78.
Gu,\textsuperscript{104} in his article on ‘images in the Book of Changes’ in relation to ‘ancient insights into modern language philosophy and hermeneutics’, sheds light on how ‘images’\textsuperscript{105} and signs or symbols take on a linguistic form of ‘words,’\textsuperscript{106} and then how ‘thoughts’\textsuperscript{107} assume ‘letters,’\textsuperscript{108} to form the ‘idea-image’ formats\textsuperscript{109} of Sinic ideography. This linguistic process goes beyond its domain to the one of philosophical anthropology, according to Gu.\textsuperscript{110} This lingual and philosophical landscape enjoys a broad sweep over East Asia.

Barthes,\textsuperscript{111} in his discussion on ‘mythologies’ introduced in the lectures given by McNeill, expounds upon the ‘politics of mythologies’ born of signs and symbols embedded in language and the psyche. East Asian nations share a long history and a great mix of memories and national mythologies. Such a mix has political implications, when these I Ching-based national signs and symbols are represented in the modern context.

Ding,\textsuperscript{112} in his article on ‘I Ching’s implications on modern technology’, refers to the Sinic technical minds attuned to the cultural patterns of I Ching. Since I Ching builds up its signs and symbols with the use of binary elements, it would certainly make modern computing science and its use of algorithm more familiar. He further argues that I Ching’s quality of being able to open minds not only of religious or philosophical orientation, but also of scientific curiosity would be conducive to innovative research and the development pursuits of industrial East Asia.

The idea of I Ching as a source of imagination and also of Confucian creativity has been broadly supported by Rutt’s argument for its openness and transformative capacity, and

\textsuperscript{105} hsiang (xiang: image)
\textsuperscript{106} yen (yan: word)
\textsuperscript{107} i (yi: thought)
\textsuperscript{108} wentzu (wenzi: letter)
\textsuperscript{109} i-hsiang (yi-xiang: idea-image)
\textsuperscript{110} Gu, MD 2004, Op. Cit., p. 469: ‘I Ching is a book about images; the images are symbolic resemblances of things. The eight trigrams having been arranged in proper order, images of myriad things are immanent within. Indeed, I Ching was born out of the attempt to represent the myriad things and conditions under heaven through imagistic symbolism. The hexagram images are so called because the sages were able to discover the complex rationale behind the phenomena under the sky and represented it in images and shapes used to symbolize the meanings appropriate to a particular object. This was how hexagram images came to be designated.’
also by Ha on its being a resource of metaphysical and methodological thinking. Ma argued that challenges of a personal psychological nature can be overcome by letting ‘paradoxical intentions’ play out within the parameters I Ching would allow. Saussure expounded on the signification process and impacts of signs and symbols in close parallel to the paradigm of I Ching. Ng offered examples of such impacts noticeable in Korea and Japan. Gu’s contribution lay in his linguistic reinterpretation in terms of ‘idea-image’ as evolved from sign and symbol. Barthes saw another parallel to I Ching in the ‘mythologies’ extant in contemporary age as the off-spring of signs and symbols and also as the ongoing mutations. Ding saw in I Ching a direct technical parallel to I Ching in the application of binaries. As such, I Ching represents a source of imagination and also of how Confucian creativity presents itself through the diversity of its nature and applications.

2.4 CONFUCIAN GOVERNANCE

2.4.1 Governance: ‘Sovereign as a Sage’ Ideal

The orthodox Neo-Confucian canon on governance rests in the Great Learning as one of the four key Confucian canons. Its emphasis is on the ethical foundation and practice of duties required both of the governing and the governed at all levels, including the sovereign, the ministers, the government administrative officials and the common people.

Chi’s article discusses such ethical foundations and practices under the ‘three headings, namely, ‘1. making one’s ‘bright virtue’ brilliant, 2. making the people new, 3. dwelling in the ‘highest good,’ and the ‘eight particulars,’ namely, ‘1. straightening out affairs, 2. extending understanding, 3. making intentions genuine, 4. balancing the mind, 5. refining one’s person, 6. aligning one’s household, 7. ordering the state, 8. setting the world at peace.’ His discussion elucidates on how this framework of personal and social virtues in the Confucian context should relate to the ‘way of kingship.’ This way of kingship effectively laid the foundation of governance for the society of the Yi Dynasty in Korea. One important

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113 taehak (Korean), ta-hsüeh (Chinese)
115 samgang; Korean, san-kang (sangang; Chinese): the Three Headings, paljomok; Korean, pat’iaomu (batiaomu; Chinese): the Eight Particulars
116 paedo (Korean), wang-do (Korean)
aspect is that the sovereign is not considered the absolute being beyond fallibility and moral challenge. Rather the status of the sovereign is the ‘first among equals.’

This horizontal accountability finds its way into T’oegye’s Ten Diagrams\(^\text{118}\) that defines kingly behaviours in relation to governance.

T’oegye’s contribution was in explaining how this political philosophy, encapsulated in the Great Learning which originated from the Classical Confucian text of the ‘Book of Rites,’\(^\text{119}\) inculturated itself into the style of Korean kingship. His contribution, however, did not elaborate on the alternative thinking that was often opposed to such orthodoxy.

The most prominent counter-arguments came from the so-called Legalists.\(^\text{120}\) Positioned between these two nearly diagonally opposed views, is the eclectic school of ‘universal commonwealth’ or ‘great unity.’ This group which emphasized great unity drew their core inspiration from a classical text, namely, the Book of Rites.\(^\text{121}\)

### 2.4.2 Legalism: An Alternative to Confucian and Mencian Views

Jeon\(^\text{122}\) discusses in his article the political thoughts of Hsün Tzu (310-237 B.C.E.) and the works written under the same name.\(^\text{123}\) While Hsün Tzu was in agreement with the teachings of Confucius and Mencius, he chose to differ in the way their ideas are projected into real world situations. The stark difference lies in that he considered the negative side of intrinsic human nature, contrary to the departure points of Confucius and Mencius who focussed on the human potential of goodness. He emphasized the need for personal and social discipline that needs to be institutionalized and made apparent to all in the form of laws and royal edicts. This view was further hardened by his pupils such as Han Fei Tzu (ca. 280-233 B.C.E.) who preferred to have laws at centre-stage together with the associated

\[^{117}\text{Chi, Op. Cit.}\]
\[^{118}\text{Yun, SS 1999, Op. Cit.}\]
\[^{119}\text{lichì (liji: Chinese)}\]
\[^{120}\text{Fachia (fajia: School of Legalism): It refers to a pragmatic political philosophy, near the end of the Zhou dynasty from about the sixth century B.C. to about the third century B.C.E., with maxims like "when the epoch changed, the ways changed" as its essential principle. "Legalism" implies a form of political philosophy that upholds the rule of law and practical institutionalization.}\]
\[^{121}\text{ta-t’ung (datong) appears in lichi (the Book of Rites), chapter of liyün.}\]
\[^{122}\text{Jeon, SY 1996, ‘Sunjåũi ch ōngch’ı sasang yōn’gu’ (A Study of the Political Thoughts of Hsün Tzu: with Special Reference to his Viewpoint of Government’), Ch’odung Kyoyuk Yŏn’gu, vol. 8, pp. 1-19.}\]
\[^{123}\text{Watson, Burton, ed. 1967, Basic Writings of Mo Tzu, Hsün Tzu, and Han Fei Tzu, Columbia University Press, New York.}\]
moral teachings as the means of personal cultivation that would help lessen both the number of legal cases and the amount of litigation.

Jeon argues that the legalists still maintained their ethical moorings in Classical Confucian governance thinking while their real sights are on the practical policies and measures such as the use of ‘li (rites)’ as social behavioural norms and the implementation of a ‘social division of labour.’ This expansion of these moral dictates into all areas of society certainly brings Confucianism face-to-face with realities. Hsün Tzu’s contribution lies in making the ethics of Confucian sages operational and objective in terms of discernment by a third party and opening the possibility for objective criticism based on outcomes rather than any potentially subjective ethical guidelines. This is why Hsün Tzu was repeatedly quoted by posterity and is relied on as a powerful ethical source for challenging the orthodoxy and political supremacy of mainstream Classical Confucianism.

Jeon rightly brought into focus the centrality of a legal framework in delivering a system of governance based on the sagely teachings. When he claimed that this is the beginning of ‘popular centrism,’ meaning the people coming to the front of the political and moral stage or the centring of the interests of the people, he over-emphasized the conceptualistic or even overly-idealistic beginning in an age of warring states. Most monarchs were averse to this level of openness in exercising power when an intense struggle to consolidate power was occurring. As Jeon has indicated, this alternative view could open the way through wider interpretation to the extreme challenge produced by ‘revolution.’

Chung and Cho have written on the same subject as Jeon but with a different angle. They emphasized the role of ‘rites’ as advocated by both Mencius and Hsün Tzu, agreeing on their centrality, but differing in their application to the governance process. In spite of this difference, Mencius and Hsün Tzu believed firmly that the mainstay of governance should remain the permanence and legitimacy of royalty as Heaven-endowed.

124 Ibid: Hsün Tzu wrote a chapter on ‘the Regulations of a King’, in which he literally describes how ministers in the court, craftsmen at work, merchants in market, farmers at farms etc should behave and perform.
125 The Socialist China of the People’s Republic has a number of scholars making references in between Marx-Leninist revolution and the Chinese version of Classical openness to revolutionary challenges.
Chung and Cho brought into the picture the notion that the social context must have the right conditions and they made a critical evaluation of both kingship and informed sovereignty and the critical importance of the ‘right balance’\(^{127}\) between the two.

The Korean courtly scholars of the Yi Dynasty such as T’oebye with their inclination towards mainstream moderation prevailed, whereas in Tokugawa Japan (1600-1868) the influence of both mainstream Confucianism and the alternative views heavily influenced the leading political ideologues such as Yamaga Sokō (1622–1685), Ito Jinsai (1627-1705), Kaibara Ekken (1630-1714) and Ogyu Sorai (1666-1728). Chung and Cho shed light on this balance and its practice implications that abounded in the Tokugawa era that still impacts on the intellectual traditions of contemporary Japan.

2.4.3 School of Great Unity (Universal Commonwealth)

Liang (1873-1929),\(^{128}\) himself a major political thinker, wrote about another major political thinker, namely, his teacher K’ang Yu-wei (1858-1927). Both were educated into the Confucian tradition but vigorously sought the recovery of the Chinese position in the world through political participation as ranking members in the midst of the political upheavals in the later part of the Ch’ing Dynasty (1644-1912). Their struggle was to find a Chinese solution to the modernizing of China whilst resisting the aggressiveness of Western and Japanese influences and yet accommodating their strengths, where necessary. K’ang in his epochal work of the Great Unity (tat’ung) envisaged a system of universal governance both in the tradition of Confucian belief and propriety following the teachings of the great Classics of the Book of Rites. K’ang called not only for the protection of the nation, but also for the preservation of the traditional faith in being Chinese. He supported the spiritual revitalization of Confucianism and the promotion of its teachings as the state religion. The decay in governance with the Ch’ing Dynasty prompted this position which K’ang held as a response to the cultural and political crises that China was undergoing in the late 19th and

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\(^{127}\) Watson 1968, *Op. Cit.*, Hsün Tzu quoted his adage ‘King and people are like a boat and water. Water keeps the boat afloat. Water also capsizes the boat’.

\(^{128}\) Liang Chi-ch’ao (1873-1929) wrote about the work by his mentor K’ang Yu-wei (1858-1927) titled ‘K’ang’s Ta-t’ung shu (datong shu: the Great Unity/the Universal Commonwealth). The transcript of this document has been quoted in the book authored by Immanuel Hsü, who also translated the text into English: <http://www.renditions.org/renditions/authors/liangqc.html>, viewed 18 March 2007.
early 20th century. By revitalizing Confucianism, Kang hoped to revitalize China’s self-esteem and national solidarity.

Liang’s article still carries a strong historical message and its context has modern relevance. He rightly criticized some aspects of K’ang’s policy proposals which went as far as the dismantling of the family system and state control over it as a starting point from the ground up in overhauling the Chinese social system. In spite of some extremist aspects, K’ang’s utopian worldview under the umbrella of unity is basically supporting the universality of humanism and also outlines how this universal humanism can be translated into practice through the deployment of necessary social policies. His plunge into a frantic intellectual search typifies his peers of the same era. He came under the influence of various non-Confucian persuasions, especially Mahayana Buddhism, philosophical Daoism when he was young, and Western learning, when grown up. K’ang in the Great Unity presents a worldview that sees the essential and ultimate state of the cosmos as a selfless all-encompassing whole. Also his definition of moral perfection bears the profound influence of non-Confucian thought, for his vision of the ideal society, the "great unity" (tat’ung), was that of a universal moral community where egalitarianism, libertarianism and the pursuit of personal happiness, including material abundance, would prevail.129

2.4.4 Confucian ‘Power-Knowledge’ (‘governmentality’), Hierarchy and Governance

All forms of power, including political power, critically impact upon human rights and economic ethics. In 1999 Chŏng130 discussed Confucian political philosophy, stressing the centrality of the Great Learning together with its accompanying anthology of political practices under the title of ‘Extended Meaning of the Great Learning.’131 The ‘Learning of the Monarch’132 centred on the Great Learning and its exegeses served the sovereign and officialdom on the fundamentals of governance. Chŏng has very closely traced the embedding of such governance principles throughout the changing social and political circumstances of the Yi Dynasty in Korea. The main theme remained with the orthodoxy of the Neo-Confucian classics, while flexibility is open only to different interpretations and

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131 Taehak Yǒnŭi (‘Extended Meaning of the Great Learning’ as translated by The Academy Of Korean Studies, Seoul)
132 Chewanghak or sŏnghak (Learning of Monarch)
applications fitting new social circumstances and the political orientation of incumbent sovereigns and serving ministries. While Chŏng has examined how the orthodoxy of Confucian rule came to reinforce its political legitimacy, his angle is restricted to the ruling class of a highly stratified society, where the majority certainly do not belong to the ruling class.

Foucault through Ransom’s explanation in plain English discusses the interrelationship of knowledge and power, and the inter-changeability between the two. Dynastic rule by the Confucian learned results in an extreme concentration of knowledge as the first element of power in the hands of the few. Foucault defined ‘disciplines’ as micro-mechanisms of power whereby individuals are to serve the needs of power. When political supremacy is reinforced by Confucian moral orthodoxy, the power service mechanism would inevitably work in favour of the upper echelons of government, community, family and seniority with masculinity as the privileged gender. Foucault also discusses the close relationship between ‘disciplines and punishment’ in the exercise of power. Governance through the implicit or explicit exercise of power assumes the conflictual and political nature of power. Foucault uses the concept of ‘rationality’ that underpins the exercise of power through the art of government at the intersection of disparate influences and realities. He also warns against the ‘contingent and makeshift character of power constructs’, including implied aggressive responses.

Intense concentration of power combined with and originating from knowledge and moral legitimacy produces diverse cultural and social phenomena. Hofstede discusses how such cultural and social phenomena would determine behaviours of constituents in a given society with its own cultural characters that would affect the manifestation of power. Confucianism implicitly and explicitly supports masculinity, ‘power distance’ of elites and literati, ‘collectivism over individualism’, and ‘uncertainty avoidance.’ In a Confucian society such as the Yi Dynasty of Korea, where distinct social classes of yangban (scholarly ruling elite) and sangmin (commoners) existed separated by an insurmountable social barrier; ‘ascription’ would often gain the upper hands over ‘achievement.’ This

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inherent structural distortion of power has remained a fundamental challenge for universal human rights observance and exercise of a fair economic ethics.

2.5 CONFUCIAN REFORMATION: REDISCOVERY AND PRACTICAL LEARNING

Confucian orthodoxy over the philosophy of governance enjoyed a long period of influence until the dawn of the first millennium C.E. Confucianism then came to face formidable challenges in the new millennium. The philosophical challenge came from Mahayana Buddhism. Mahayana Buddhism was considered a superior transcendental religion, already on the ascent to intellectual dominance. Confucian thinkers and officials were gravely concerned over the popularity of Buddhism on every social tier. They began to fight back in earnest. The most prominent in this endeavour was Chang Tsai. Chang made a significant contribution during his lifetime in seeding a major turnaround that could be deemed a Confucian reformation. The creative seeds of his thoughts and works prompted the watershed of a next generation of great thinkers such as Chu Hsi. Chu Hsi is the person who succeeded in the reformation and reintegration of the Confucian Classical tradition into a new tradition commonly called Neo-Confucianism.

2.5.1 Chang Tsai and the Coming of Neo-Confucianism

Chang Tsai born in 1020 started by initiating an offensive against Buddhism. Chang’s main critique of Buddhism was its nihilism that Chang feared would permeate the minds and hearts of people on every level. He worked on an intellectual change of air, to recover and reassert Confucian realism combined with a positive outlook on life and an optimistic worldview.

Huang, in her book on ‘Essentials of Neo-Confucianism’, argues that Chang considered humans worthy to be at the highest level among all creatures and things. This view runs directly contrary to the Buddhist view, according to Chang, that highlights infinite smallness compared to the great universe. Huang explained Chang’s reason for heavenly worthiness

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136 Chang Tsai (Zhang Zai, 1020-1077)
137 Chu Hsi (Zhu Xi, 1130-1200)
of humans. According to Chang, humans alone are endowed with a heaven-like ‘nature’ and ‘mind.’

Lee, in his article on ‘innate nature and acquired affect under mind and heart,’ sheds light on how Chang envisaged humans reaching heavenliness in a meaningful way. Chang saw the potential of the human spirit ascending from the state of ‘unenlightened nature,’ going through moral self-cultivation, to finally attaining a new level of nature called ‘heavenly nature.’ This is an antidote to Buddhist nihilism, as this human to universe unity does away with the nihilism that Chang abhorred.

Kang, in his article on ‘edification of the unenlightened,’ offered an insightful analysis of how Chang developed his humanistic cosmology of the Great Void in syncopation with the Great Harmony in his understanding of the universe where humans and the cosmos are not two separate entities. Chang in his celebrated work titled the Western Inscription epitomizes his compassionate belief in the following way:

Heaven is my father, and earth is my mother; I, as a small, finite being, occupy a central position between them. Therefore, what fills heaven and earth is my body, and what commands heaven and earth is my nature. All men are my brothers, and all things are my companions.

Chang then sends this admonition to the rulers:

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139 hsing (xing, nature) 140 hsin (xin, mind or ‘mind and heart’) 141 Lee, Jong-Heun 1999, ‘Changje’ŭi sim’t’ong sŏngjŏngnon (A Study on the theory that innate nature and acquired affection are ruled by a mind and heart in the philosophy of Chang Tsai)’ in Ch’ŏrhak Ch’ŏngnon (Journal of the New Korean Philosophical Association), vol. 17. 142 t’ien hsing (heavenly nature) 143 Kang, Jin-Seuk 1993, ‘Changje-ŭi chŏngmong’ sasang yŏn’gu (Chang Tsai’s Thought on ‘Correction of Unenlightened’), HUFS Journal of Philosophy, vol. 2, pp. 73-96. 144 cheng meng (Zheng meng, proper use of term or correcting the unenlightened) 145 t’ai-hsū (the Great Void) 146 t’ai-ho (the Great Harmony) 147 Hsi-ming (Ximing, the Western Inscription), introductory part. 148 t’ien (tian: heaven) 149 k’un (kun: earth) 150 t’i (ti: body) 151 hsing (xing: nature)
The great ruler is the eldest son of my parents [i.e., heaven and earth], and the ministers [of state affairs] are his stewards. [One should] pay respect to the aged and extend mercy towards the orphans and the helpless because they deserve such treatment. The virtue of the Sage is in complete union [with that of heaven and earth], the wise man is the most accomplished [above all ordinary men, therefore,) all under heaven, the aged, the weak, maimed, crippled, helpless, lonely, widow, and widower, who are in distress and have no one to appeal to are my brothers. To care for these in times of need is to pay reverence [to heaven and earth].

Beyond the moral tenet, Chang worked on the vital link between moral ideology and material realities. He perceived it in the ‘vital force’\textsuperscript{152} or \textit{ch‘i}. This ‘vital force’, according to Chang, is the fundamental substance by which all processes of the universe can be explained. Chang was in broad agreement with the idea proffered by Chou Tun-i\textsuperscript{153} on the evolution of the cosmos as expounded in the Diagram of the Supreme Ultimate.\textsuperscript{154} Chang and Chou both trusted that this ‘vital force’ begins with the invisible realm and proceeds to the more concrete and tangible world of myriad things. Chang endeavoured to overcome speculative abstraction around moralistic cosmology in order to bring the universe onto a more intelligible basis. Hence, he emphasized the ‘vital force’ as the one element that makes the Supreme Void not a vacuum but the ultimate source of the world of nature.

Aided by this philosophical generalization, Chang went on to place a heavy emphasis on and maintained a personal interest in exploring astronomy, biology, physics and other studies of the physical world. Chang was an inspiration for Chu Hsi, who came a century later and went on with further work on the cardinal concept of ‘investigation of things.’\textsuperscript{155} The ‘investigation of things’ came to be enshrined in the Great Learning, and became the core orthodoxy of governance studies.

Chang develops his ideas through the process of reasoning. However, his pattern of reasoning differs from what is perceived as rationalization in the Western context of the Enlightenment. It is neither dualistic, nor reductionist. What Chang considers as

\begin{itemize}
\item \textsuperscript{152} \textit{ch‘i} (qi: the vital force, material force, force, ether)
\item \textsuperscript{153} Chou Tun-i (Zhou Dun-yi: 1017-1073)
\item \textsuperscript{154} \textit{t’ai-chi} (the Supreme Ultimate)
\item \textsuperscript{155} \textit{ko-wu} (ge wu: investigation of things)
\end{itemize}
‘reasoning’ is an extension of ‘returning to nature.’ It resides inherently in the nature of things, not just in the nature of humankind.\textsuperscript{156}

2.5.2 Chu Hsi: Reformation and Integration into Neo-Confucianism

Chu Hsi (1130-1200) is commonly regarded as the greatest Confucian philosopher since Confucius and Mencius. He wrote commentaries on the four Confucian canonical books, namely, the \textit{Analects}, \textit{Book of Mencius}, \textit{Great Learning}, and \textit{Doctrine of the Mean}. As indicated earlier in this thesis, his commentaries became the basis of the civil service examinations in the year of 1313 of the Yuan dynasty (1260-1368) under Mongolian dominance. This also was one of the most significant acts of the Mongolian adoption of and indigenising into the Chinese system of knowledge and governance. This examination system remained in force until its abolition in 1905 in the late Ch’ing dynasty (1644-1912). Chu effectively gave Confucianism a new meaning, and, for centuries, the Neo-Confucianism that he most prominently represents dominated not only Chinese thought, but Korean and Japanese thought as well.\textsuperscript{157}

In the comprehensive framework of Chu Hsi, we can see evidence of the influences exerted by a host of contemporary thinkers as teachers and debaters, and also the religious and philosophical traditions under which he lived and personally experienced through study and firsthand practice, namely, Classical Confucianism, Buddhism and Taoism. While he tried to establish the orthodox line of the Confucian Way, he was inspired by and benefited from the leading thinkers. This matter is well documented and known to us. Such thinkers are Chou Tun-i,\textsuperscript{158} Chang Tsai\textsuperscript{159} and the Ch’eng brothers\textsuperscript{160} who top the list as major influencers as well as Lu Hsiang-shan\textsuperscript{161} as a serious opponent. Chu saw himself as a successor on the extant line of intellectual tradition.

The political milieu he was born into was a challenging one. The Song dynasty (947-1126), although culturally outstanding, was militarily not as powerful as the Han and T’ang dynasties, and was under constant threat from outside tribes in the north and north-west.

\textsuperscript{158} Zhou Dunyi (1017-1073)
\textsuperscript{159} Chang Tsai (Zhang Zai: 1020-1077)
\textsuperscript{160} Cheng Hao (1032-1085), Cheng Yi (1033-1107)
\textsuperscript{161} Lu Xiang-shan (1139-1193)
Its greatest catastrophe came when it lost its capital to the Jurchen, a Tungusic tribe from the northeast, and was compelled to re-establish itself south of the Yangtze River in 1127. This event marked the division of the Song dynasty into two lesser parts: the Northern Song (960-1126) and the Southern Song (1127-1279). Chu Hsi was born in the Southern Song.  

He pursued his intellectual challenge relentlessly by firstly absorbing the then existing frameworks of knowledge and wisdom, then reinterpreting them, and also making them more cogent and usable in the forms of commentaries and other outputs for use in all pursuits of human affairs. He, as a high achiever, was also aided by his linguistic skill as an accomplished poet. His works covered not only the usual domains of Confucianism, but also cosmology, psychology, the governance system for the economy in the provinces, the state exam system for new public officials and further advanced metaphysics. 

Fung, in his seminal work on the ‘history of Chinese philosophy’, also describes Chu Hsi or Chu Tzu as being ‘a philosopher of subtle argument, clear thinking, wide knowledge and voluminous literary output.’ His *Recorded Sayings* alone amounted to one hundred and forty books. With him, the philosophic system of the ‘Ch’eng-Chu school’, also known as the ‘School of Principle’ reached its culmination. Though the supremacy of this school was several times to be disputed, notably by the Lu-Wang school and by certain scholars of the Ch’ing dynasty (1644-1912), it remained the most influential single system of philosophy until the introduction of Western philosophy. 

Chu was motivated or even compelled to write and respond to meet the various types of challenges he faced. He had to respond, firstly, to the stagnation of Classical Confucianism, popular Buddhism and Taoism, and, secondly, to the political and intellectual divisions and rivalry amongst the South and North Song dynasties and the Jurchen challengers in northern China.

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163 Ibid. 
164 Chu Tzu: an honorific name awarded that means the Master Chu. 
165 *Chu Tzu Yü-lei* (Classified and Recorded Sayings of Master Chu). 
166 *Li hsüeh* (School of Principle) 
167 The School led by Chu’s contemporary opponent Lu, Xiang-shan (1139-1193) and Lu’s posterity protégé Wang, Yang-ming (1472-1529).
Thompson,\textsuperscript{168} in his article on ‘immanence of principle\textsuperscript{169} and appropriateness\textsuperscript{170} of the Chu Hsi philosophy, explains how principle immanent in humans proceeds, through the creative processes of appropriateness, to the concrete embodiment of the principle. Chu Hsi expanded and deepened the concept of the Great Ultimate\textsuperscript{171} proffered earlier by Chou Tun-i (1017-1073). Thompson made a contribution by expounding on how Chu Hsi’s philosophising on principle and appropriateness immanent in humans parallels the Kantian concept of ‘reason and duty.’\textsuperscript{172}

Further to the above, Tillman,\textsuperscript{173} in his article on ‘consciousness of Heaven (T’ien) in Chu Hsi’s thought’, explained how Chu’s formulation of Heaven, as developed from that of the Ch’eng brothers’, proceeds to establishing a more rational and metaphysical philosophy. This shift with the worldview represents a milestone analogous to that of Confucius (551-479 B.C.E.) fifteen centuries earlier. According to Tillman, Confucius was the one who transformed the primordial moral tenet of the humanistic Heaven as represented in the \textit{Book of Documents}\textsuperscript{174} and the \textit{Book of Poetry}\textsuperscript{175} into a ‘new Heaven’ based on moral reality.

Lim,\textsuperscript{176} in his article on ‘the concept of the Great Ultimate comprising fundamental elements of principle and material force,’\textsuperscript{177} argues that Chu Hsi firmly believed in the presence of principles in all the things in the world, and came to declare that there is a ‘Great Ultimate’ in everything and in every person. Hence, Chu Hsi used the Great Ultimate as the cornerstone of his principle and material force. The principle undertakes to define the reality and universality of things. Material force on the other hand enables the formation of physical beings, their individuality and transformation. It becomes the agent of creation.

\textsuperscript{169} \textit{li} (principle or pattern)
\textsuperscript{170} \textit{yi} (yi: appropriateness or righteousness)
\textsuperscript{171} t’ai chi (the Supreme Ultimate)
\textsuperscript{174} \textit{Shu ching} (Shujing: the Book of Documents)
\textsuperscript{175} \textit{Shih ching} (Shijing: the Book of Poetry)
\textsuperscript{176} Lim, Jong-Jin 1993, ‘Chujaŭi ı̈nxol yŏn’gu (On Humanity of Chu Tzu)’, \textit{T’aedong Kojŏn Yŏn’gu} (T’aedong Study of Classics), vol. 10, pp. 865-906.
\textsuperscript{177} ch’ı (qi: material force)
This implies that Chu Hsi has absorbed mind into nature. For him, nature is ontologically given and the mind is epistemologically given.\textsuperscript{178} The mind is embedded in nature so that the mind can seek guidance from nature. Nature in turn has its fulfilment in the mind, since the mind directly controls human action. Chu Hsi’s dualism, however, is about duality, because principle (li) and material force (ch’i) are inseparable. Principle needs material force in order to have something to adhere to, and material force needs principle as its form or essence. Principle and material force are not reducible to each other. Each will maintain its own identity and special characteristics. Chu Hsi can be said to have taught a ‘constitutional dualism’ or ‘functional monism.’\textsuperscript{179}

Another important concept in Song-Ming Neo-Confucian philosophy was ch’i (material force or vital force). Mencius was the first to urge us to cultivate this vital force in ourselves, implicitly assuming a correlation between Heaven and man, or macrocosm and microcosm. The yin-yang school then understood yin and yang as two vital forces explaining the formation of the natural universe and human society. The interaction of the yin and yang results in the production of the Five Elements, and from these the physical universe as we know it is produced. In his cosmological theory, Chu Hsi endorses most of the theories of Chou Dun-i.\textsuperscript{180}

As a corollary, Park,\textsuperscript{181} in his article on ‘tri-parts of mind, human nature, and emotions,’ argues that the tripartite division of the mind, human nature, and feelings relates to an existential concern, which forced him to develop a metaphysics of mind and nature by following Cheng I’s thought. The mind is the agent that acts out principles inherent in human nature. The contrast between the two is that nature is transcendent while mind is immanent. But there is also a correlation between the two. Nature provides a solid foundation for the mind to act, so that the mind will not go astray and become lost; the mind has the ability to put principles in nature to work in real life.

\textsuperscript{178} Huang, SC 1999, Op. Cit., chapters 7 & 8 (Chu Tzu).
\textsuperscript{180} Ibid.
\textsuperscript{181} Park, No-Hong 1992, ‘Chuja’ŭi Sim-Sŏng-Chŏng’e kwanhan yŏn’gu (A Study on Chu Hsi’s Hsin-Hsing-Ch’ing)’, in Chŏrhak-Sasang (Dongguk University), vol. 13, pp. 57-92.
Lee, KR,\(^{182}\) in his article on ‘Chu Hsi’s mind philosophy’, further details on how the ‘tri-parts of mind, human nature, and emotions’ interact. He explained the steps of the pre-animated state of *mind* being the *nature*, and post-animated *mind* as the *emotions*.

Lee, DH,\(^{183}\) in his article on ‘Chu’s textual analysis of the *Great Learning*,’ argues that the ‘investigation of things’\(^ {184}\) as the core concept in the *Great Learning*, brings such mind in the unison of ‘tri-parts of mind, human nature, and emotions’ to exercise a creative observation of nature, so that it goes beyond cosmological speculation to the existential problems of the self and the world.

Bethrong,\(^ {185}\) a theologian, in his article on ‘Chu’s self-realization and the role of ‘earnestness’,\(^ {186}\) argues that ‘earnestness’ brings into play the ‘organic process’ of self-realisation through the creative interaction of such tri-parts. He has made an attempt to inter-relate Chu’s philosophy with that of ‘process philosophy’.\(^ {187}\)

For Neo-Confucians, study is not a means for gaining a position. From the very beginning, promising young scholars must set their minds on the way. Chu made great efforts to revive some of the ‘colleges’.\(^ {188}\) His effort made a significant impact, and also attracted the jealousy of people in power.

As witnessed in one of his major works such as ‘Reflections on Things at Hand,’\(^ {189}\) a Neo-Confucian anthology compiled by Chu and his friends, his accomplishment exerted a profound influence on the minds of East Asia for more than seven centuries. The term ‘things at hand (chinssu)’ comes from the *Analects* of Confucius. Its suggestion is that reflection of ‘things at hand’ is the way to approach *humanity*.\(^ {190}\) Chu brought the way closer to his contemporaries and for subsequent generations.

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\(^{184}\) *ko-wu*: ‘investigation of things’.

\(^{185}\) Berthrong, John 1993, ‘Master Chu’s Self-Realization: The Role of Ch’eng’, *Philosophy East and West*, vol. 43, no. 1, pp. 39-64.

\(^{186}\) *ch’eng* (earnestness; sincerity)


\(^{188}\) *hsūeh-yüan* (xueyuan: colleges)

\(^{189}\) *Chin-ssu-lu* (Jinsi lu: Reflections on Things at Hand)

\(^{190}\) *jen* (ren, humanity; humanness)
2.5.3 The ‘Lu-Wang School’: a Major Challenge to Chu Hsi’ Orthodoxy of Neo-Confucianism

Lu Hsiang-shan\(^{191}\) as a contemporary of Chu Hsi had differences in views that could not be bridged in spite of their debates mostly in writing. Their irreconcilable differences were over such fundamental tenets of Chu Hsi’s humanistic cosmology, based on the *Supreme Ultimate*. It was re-interpreted in the *Diagram of the Supreme Ultimate Explained*.\(^{192}\) Lu could not agree to its validity.

Lu endorsed the traditional interpretation of *li* or *principle* as developed by the Song Neo-Confucians. It was valid in that, firstly, the orderly *principle* underlies the universe as well as each individual, and, secondly, it also remains a moral criterion for human conduct. Lu, however, emphasized the second point much more. He saw the so-called ‘*investigation of things*’\(^{193}\) originated in the Classical canon of the *Great Learning* as the starting point for virtue.

Huang,\(^{194}\) in the chapter of her book on Lu, explains where Lu’s primary interest lay, namely, in *mind*.\(^{195}\) She also clarifies how he pursued his philosophical grounding in the recovery or restoration of *original mind*.\(^{196}\) This concept of mind follows the teachings of Mencius.\(^{197}\) Lu further developed this philosophical concept of *mind* and made an original contribution by establishing a new philosophical school called “*Learning of the Mind*.”\(^{198}\) This new school attracted a substantial following amongst those who had no way of having access to the sophisticated learning in Chu Hsi’s orthodox way. This also brought an extra appeal to those already comfortable with the more flexible Taoist way, perceived as more commoner-friendly or with the ‘Ch’an Buddhist’\(^{199}\) way focusing on meditation and enlightenment through reflections of *mind*.

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\(^{191}\) Lu Xiang-shan (1139-1193)

\(^{192}\) Chou Dun-i’s concept endorsed and explained in commentary by Chu His.

\(^{193}\) *ko-wu* (ge wu: investigation of things) from the *Great Learning*


\(^{195}\) *hsin* (xin: mind or ‘mind and heart’)

\(^{196}\) *pen hsin* (ben xin: original mind)

\(^{197}\) “The way to acquire learning is none other than to seek for one’s lost mind.”

\(^{198}\) *Hsin hsieh* (Xin xue: Learning of the Mind)

\(^{199}\) Ch’an or Zen in Japanese is a Buddhist tradition emphasizing personal meditation and intuitional enlightenment, firstly led by Huineng (Hui Neng, 638 -713).
For Lu, principle and the mind should meet to form a perfect unity between the two. In his view, the objective mind is universal and can be known and apprehended by the subjective finite minds, which in turn express the all-comprehending mind. It is universal mind with which the principle is identified. This principle, the governing principle of the universe, constitutes the unity, coherence, sequence, and, above all, goodness of the world. Each individual mind has the capacity of understanding this goodness, and man is expected to live in accord with such goodness. In other words, for Lu, mind is all-embracing. It is the embodiment of principle. Study of mind has had ongoing adherents all over East Asia.

Lu was benefiting in the strengthening of his Study of mind from the teachings and practices of the emerging Ch’an (or Zen in Japanese) Buddhist sect. Under this influence, Lu promoted a practice called ‘quiet sitting.’ The teaching of Lu’s ‘quiet sitting’ is under another influence coming from Taoism, such as from the writings of Chuang Tzu. Chuang Tzu sought and taught about a deeper and free-spirit inner search and enlightenment that came along with the daily practice of quiet sitting.

Ch’an Buddhism has left significant influence all over East Asia. Certainly in Japan, the Ch’an sect saw a high level of inculturation into Zen Buddhism. The Ch’an Buddhist sect had originated partly as a reaction against the metaphysical obscurities of Indian thought. The term Ch’an or Zen comes from the Sanskrit dhyāna, meaning ‘meditation, thought, and reflection’, especially profound and abstract religious contemplation. When Lu emphasized the teaching of ‘quiet sitting’ as an important means to mental enlightenment, he was seen by his critics such as Chu Hsi as neglecting the written texts of Confucian canons, with an over-emphasis on mind culture.

While Lu was open to learning from Ch’an Buddhism, he was against what he perceived as the Buddhist negative, ascetic and pessimistic outlook on life. He remained loyal and truthful to Classical Confucianism. He worked on what he considered the realistic alternative or even better way so that the broader community may engage in a more meaningful life, without having to rely on the sophisticated systematic learning only available to the privileged minority. He firmly believed that each individual has infinite

200 Ibid.
201 ching-tsou (jing-zou: quiet sitting)
202 Chuang Tzu (Zhuang Zi: circa fourth century B.C.E.)
worth and is capable of developing his ‘original mind’ and restoring it to its original state of perfect goodness, even if it has been corrupted by desire. As a realistic moralist, Lu emphatically insisted that life is real and good. In opposition to the passive attitude of Buddhism that maintains the obliteration of individual activities as the way to get rid of evil in this world, Lu as a faithful Confucian encourages all to engage in moral struggle.

Lu’s accomplishment and his influence were substantial. However, he is not to be compared with Chu Hsi in depth and reach of a well-rounded philosophical system built around extensive commentaries on the Classics of mainstay Confucianism. It was only with the advent of Wang Yang-ming (1472-1529), his protégé of circa three centuries later, that Lu’s ‘mind school’ was revived and began to flourish.

2.5.4 Wang Yang-ming and ‘the School of Yang-ming’

Wang Yang-ming (1472-1529) is often considered the greatest philosopher of the Ming dynasty (1368-1644). As an ardent soul searcher since his youth, with no success in finding answers to his question, Wang is known to have had a major awakening. The awakening was that the classic doctrines of ‘investigation of things’ and ‘extension of knowledge’ are merely objects of man’s consciousness or mind. He was convinced that this is the solution to those philosophical issues that had concerned him. He also found out that his awakening found a great reassurance and support in the works of Lu Hsiang-shan (1139-1193). He adopted Lu’s thought openly, and proceeded to strengthening it in his creative way, to form what is called ‘Lu-Wang School’ and also a new tradition of thought in what his followers called ‘School of Yang-ming’ or simply ‘Wang Study’ in his honour.

Kim TH, in his article on the ‘philosophical characters of Yang-ming and sectarian outgrowth,’ argues that Wang’s most remarkable achievement in the course of one decade and a half after his sudden enlightenment was the full development of his own philosophical system. Works by Wang were posthumously dedicated by his pupils in 1572,
entitled the 'complete writings of Wang Yang-ming,' consisting of thirty-eight books. Kim further noted that in the year of 1527, Wang summarized the main emphasis of his philosophy, which became his 'four maxims.'

Kim also argues that Wang’s talent was not limited to scholarship. Wang also was a keen military strategist, and took on government assignments to suppress provincial rebellions from 1516 to 1519. He emerged successfully from these tasks. His military strategy and operations combined with his political career added to his fame and influence.

Yun Sasoon, in his article on ‘Hagok’s approach to the Wang School,’ has provided further insight into the philosophy of Wang. According to Yun, Wang’s departure point was an explicit refutation of Chu Hsi’s philosophical dualism. Wang’s ontological view on the universe was one of the ‘unified whole’, not to be divided into the two levels, namely, the level of ‘above form’ and the level of ‘below form.’ Division into the two levels was asserted by the school of Ch’eng-Chu, i.e., Chu Hsi’s orthodoxy. Wang claimed that Chu Hsi’s understanding erred, in that the mind is the same as principle, without exclusion of one or the other. Knowledge and understanding emanating from intuition permeate the reality of the external world. Such intuitive knowledge enters into the inner presence of self, making unnecessary any attempt to divide between ‘reasoned knowledge’ and ‘perceptive knowledge’. Both Chu Hsi and Wang agreed on the goal of spiritual search as taught earlier in the Classic age by Confucius and Mencius. The goal remains in ‘becoming a sage.’ They differed only on how to become one.

It was Wang who coined the notion ‘intuitive knowledge.’ Intuitive knowledge prescribes for the right way to self-presence and self-understanding as one seeks to become a sage. Wang rejected Chu’s view that knowledge and virtue are obtained through the investigation of the principle of objects external to the mind of man. On the contrary, Wang held the view

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211 Wang Wen-cheng gong quan-shu (1572, Complete Writings of Wang Yang-ming), It consists of thirty-eight books or juan.
212 '1) The mind in its original nature in neither good nor bad. 2) The will when activated is either good or bad. 3) The function of intuitive knowledge (liang-chih) is to know good and evil. 4) The purpose of investigation of things (ko-wu) is to do good and rid of evil.'
214 hsin-er-shang (xing-er-shang)
215 hsin-er-hsia (xing-er-xia)
216 liang-chih (liangzhi): intuitive knowledge (Derk Bodde and Carson Chang), innate knowledge (W.T. Chan), conscientious wisdom (Thome H. Fang), good conscience (Tu Wei-ming)
that principle permeates everywhere in the universe. This principle also resides in the mind of man, according to Wang. Hence, it is essential to search within one’s own mind instead of investigating things outside. Wang’s philosophical system is primarily value-oriented with ‘intuitive knowledge’ at its core.

Wang’s moral philosophy drew inspiration from the basic teachings of Mencius, whereupon Wang elaborated. The integral Mencian concept favoured by Wang was that the Confucian cardinal virtues of ‘humanity, righteousness, propriety and wisdom’\(^{217}\) are not infused into humans from without.

Yun also discusses how Wang further developed the Learning of the Mind that Lu Hsiang-shan initiated. Wang worked on the concept of ‘intuitive knowledge’ in parallel to that of Lu’s original mind.\(^{218}\) It meant that humans are endowed with an innate knowledge that is essentially good and able to distinguish intuitively between right and wrong. Wang made it clear that this intuitive knowledge of goodness is not only bestowed upon the mind of the great man, but also unto that of the ordinary man. This egalitarian thinking\(^{219}\) enjoyed a wide-spread resonance among those disenchanted with the orthodox school.

Chung, CG,\(^{220}\) in his article on the ‘Yang-ming School in the Yi dynasty of Korea,’ offers an explanation on how Wang evolved his next cardinal teaching of ‘unity between knowledge and action.’\(^{221}\) Wang developed the doctrine of the unity of knowledge and action, during his exile in the year of 1509, at the age of thirty-nine. He inherited the concept\(^{222}\) from Ch’eng I (1033-1108) and strengthened it. Wang emphasized the identity of intuitive knowledge and practical moral action.\(^{223}\) Wang’s theory of the unity of knowledge and

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\(^{217}\) *jen* (ren: humanity), *yi* (yi: righteousness), *li* (li: propriety), and *chih* (zhi: wisdom)

\(^{218}\) *Pen hsin* (ben xin: original mind)

\(^{219}\) Yun, SS 1992, *Op. Cit.*, Wang’s egalitarian thinking is clear in his own illustration: ‘To love one’s father and brother is the root of humanity, just like the sprout of a tree. To have the feeling toward other people and all things is the extension of humanity, just like the growth of the trunk, branches, and leaves of the tree.’ Wang reinterpreted the viewpoint held by Mencius to the effect that it is natural for one to begin loving one’s parents and brothers before extending to other people with unequal degrees. *Humanity* remains a natural principle of ethics discernible within human intuitive knowledge and this principle makes distinctions in human relations possible.


\(^{221}\) *Chih-hsing-ho-i* (zhi-xing he-yi: unity of knowledge and action).

\(^{222}\) Chung, CG 1986, *Op. Cit.*, ‘There is no knowledge which cannot be put into action, knowledge which cannot be put into action is superficial only.’

\(^{223}\) Huang 1999, *Op. Cit.* chapter 10, ‘When the sages and worthies taught people about knowledge and action, it was precisely because they wanted to restore them to the original state….I have said that knowledge is the guide for action and
action is a reaction against Chu’s view that knowledge is to be obtained objectively and therefore separated from action. In other words, the two attributes of human beings as knower and doer ought to function simultaneously and inseparably toward the same goal in the process of moral endeavour. According to Wang, ‘knowledge is the key direction of action, and action is the effort of knowledge.’ Conversely, ‘knowledge is the beginning of action, and action is the completion of knowledge.’ Contrary to the position of Chu, there is no prerequisite for reaching the state of sage-hood. Sage-hood, according to Wang, can be reached through the unity of knowledge and action. There is no set rule, no special technique, and no need to acquire knowledge of the external world as claimed by Chu.\textsuperscript{224}

Choi, JM,\textsuperscript{225} in his article on ‘Wang’s philosophy and its development in East-Asia,’ sheds light on the broad landscape of Yang-ming School philosophy. The phrase of ‘unity and creativity of the mind in consummation’\textsuperscript{226} was employed to represent the heart of Wang’s philosophy in a nutshell. The extension of intuitive knowledge as the method of moral cultivation of the self requires special effort, including self-examination, self-transformation, self-discipline, self-reflection, and most importantly, the sincerity\textsuperscript{227} of one’s will. On this last point Wang says: ‘The effort of the sage to extend his knowledge is characterized by utmost sincerity and ceaselessness.’ In the final analysis, the ultimate concern of man is to be in dynamic unity with all things in the universe, in which the heavenly principle may be manifest in light of the extension of his intuitive knowledge.

Lee, MH,\textsuperscript{228} in his article on ‘Japanese accommodation of the Yang-ming School and further progress,’ introduced an overall picture of how the Yang-ming School impacted on the Japanese intellectual and political heritage after its relatively quick arrival from China. A seventy-eight year old Japanese Buddhist monk named Keigo Ryōan\textsuperscript{229} represented the court of Japan in the Ming dynasty and met Wang in the year of 1513 to discuss this
emerging philosophy in person. Japan embraced Wang’s philosophy in earnest and this triggered widespread further studies, which in some way still continues.

While Chu’s interpretation of the classics remained orthodox for those seeking success such as through the civil service examinations, Wang’s *Learning of Mind* brought a dynamic intellectual vigor to the philosophical circle of the Ming dynasty and East-Asian neighbours, in particular Japan. The Cheng-Chu orthodox school, on the other hand, was comparatively neglected by the outstanding thinkers of the dynasty and developed little beyond what Chu achieved. In China proper, Wang’s advocacy of practical conduct has exerted considerable influence on modern thinkers, including the first president of the Republic of China (1911-current) Dr. Sun Yat-sen (1866-1925) and the major Confucian scholars such as Hsiung Shih-li (1886-1925) and Liang Shu-ming (1893-1988).230

2.5.5 Practical Learning: *Sirhak* in Yi dynasty Korea and Inculturation in the Tokugawa Era

The Yang-ming School emerged as a potent alternative to the Chu orthodox system of thought in Confucian East-Asia, with the exception of the Yi dynasty in Korea where it was officially considered heterodox. The era of active Neo-Confucian development also witnessed significant political upheavals in the region. Neo-Confucianism as the official doctrine of governance likewise faced severe challenges, namely, its legitimacy as the state ideology, its efficacy in being able to offer solutions to grave challenges, and, most of all, in meeting the demands of people’s needs in overcoming their trying times.

Sixty-eight years after the demise of Chu Hsi, the Mongolian domination of the Yüan dynasty (1279-1368) came to an end and the new dynasty of Ming (1368-1662) began. This meant the return of political dominance from the grip of foreign marauders to the Chinese proper Han ethnic group. Korea also shifted from the Koryŏ dynasty (918-1392) to the Yi dynasty (1392-1910), also realigning its political weight from the Mongols to the Han Chinese. The Mongols made two abortive invasion attempts231 on Japan, only to be protected by what the Japanese believed was a divine intervention of ‘godly winds’232 that stopped the Mongolian navy from crossing to Japan. With such historical memories, Japan watched events on the continent with great suspicion. A generation after Wang Yang-ming

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231 Mongol’s attempts on Japan: in the years of 1274 and 1281.
232 *kamikaze* (godly winds)
(1472-1529)’s activity, the so-called ‘practical or real learning’ movement emerged, most notably in the Korean Yi dynasty. This movement was made concrete by the major contribution of Yu Hyŏng-wŏn. The Yi dynasty of Korea was yet to recover from the devastating invasion (1592-1598) by Toyotomi Hideyoshi (1537-1598) forces of Japan. Toyotomi reunited Japan, taking over the political control of Japan from Muromachi rule (1336-1573), and targeting the Ming dynasty of China (1590) to assert its suzerainty over Asia. Post-crisis, the Yi dynasty needed to respond in real terms to the popular demands for a total recovery to normalcy of life on every level. Hence, the practical learning school came to the fore in that the official orthodox Neo-Confucianism, despite its philosophical sophistication and refinement, failed to deliver on what was perceived as practical or real demands and the needs of the populace. A comment much earlier by Chen Te-hsiu, a leading exponent of Neo-Confucian after Chu Hsi, resonates to this call.

Practical learning, however, does not imply the overturn of Confucian learning, whether of the Classical or Neo-Confucian heritage. It was rather to find ways of practical relevance to the reality it faced so that the valuable heritage could continue or even strengthen. Active scholars in this task mostly remained outside the mainstream political machinery of the then government. To gain an entry into officialdom, one still had to pass state examinations based on the orthodox Neo-Confucian texts.

Choi, SC, in his article on the ‘reformation philosophy of practical learning,’ discusses the areas of main concern to the practical learning school. Priority was placed on what was perceived as the most urgent and significant matters. It covered bringing fairness to agricultural tenancy, fairness to all in compulsory military service, taxation, reform of the

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233 *sirhak* (jitsugaku in Japanese: practical learning), practiced by Neo-Confucians in the later Yi (Chosŏn) dynasty of Korea.
234 Yu, Hyŏng-wŏn (1622 -1673) in 1670 completed the *Pan’gyesurok* that was comprised of a complete reformation package on public policy matters of the Yi dynasty in Korea.
235 Toyotomi made a decision in 1590 to invade the Yi dynasty in Korea and the Ming dynasty of China to assert his emperorship over the entire region, and also to provide an external outlet for the warrior groups overriding their military ambitions.
236 Chen Te-hsiu (1178-1235), ‘In all the world there are no concrete forms without their ordering principles and no principles without concrete forms. If there is a concrete form to be investigated, there will be its principle inherent in it. Thus with Heaven-and-earth there are their regulating principles, and with bodily forms there are the principles of their natures and feelings. . . . If one leaves out concrete forms in the search for principles, one inescapably falls into vain and empty theories. This is not the real, practical learning of our Confucian school. The reason why the Great Learning taught men to investigate things and extend knowledge is that principles are found in things. Thus scholars should have the solid ground of reality on which to exert their efforts and not chase off into the realms of empty nothingness.’
state examination system, development of commerce and trade, and reform or abolition of the slavery system. Such emphasis on the social and economic aspects did not overlook the philosophical and political aspects in order to obtain official support for such reformist ideas.

Chung, CS,\textsuperscript{238} in his article on the ‘comparative moral cultures of Neo-Confucian Korea and Japan’, argues that the Japan of the Tokugawa era embraced Neo-Confucian learning from China and through Korea in a very unique Japanese way. Governance at the top echelon as well as at the ‘clan’\textsuperscript{239} level was in the hands of samurai warriors who carried out their own code of conduct, namely, \textit{bushido}.\textsuperscript{240} Within the culture of military supremacy and militaristic masculinity of the shogunate, the actionable side of Neo-Confucian teachings was more digestible. In the orthodox Neo-Confucian terms, \textit{material force} or ‘\textit{chi}’ takes precedence over \textit{principle} or \textit{li}. Scholars in Japan emphasized usability, practicality and, most of all, acceptability to the Japanese indigenous culture and traditions.

There was a persistent reluctance about Sino-centric ideological reliance not only in the Neo-Confucian metamorphosis but also in the Japonization of Buddhism. To extricate Japanese scholarship from Neo-Confucian philosophy emanating from China both of the Ming dynasty (1368-1644) and the later Ch‘ing dynasty (1644-1911), Tokugawa scholars launched a new school of learning called ‘\textit{Ancient Learning}’ or ‘\textit{kogaku}’\textsuperscript{241} that literally meant learning of the ancient texts of Classical Confucians or the era preceding it so as to avoid ‘second-hand learning’ through Chinese or Korean Neo-Confucianism. Such philosophical nationalism enjoyed consistent support throughout the Neo-Confucian journey of Japan from the official ascent to the semi-state ideology adopted by the court of the first shogun.

Chung further argues that such an idiosyncratic Japanese approach goes beyond ‘ancient learning’ as proffered by Yamaga Sokō (1622-1685).\textsuperscript{242} Other likeminded scholars also

\textsuperscript{239} \textit{han} (clan)
\textsuperscript{240} \textit{bushidō}: The ‘\textit{Bushidō}’ is the ‘way of the warrior’ and an important Japanese mainstay code of conduct and a way of life. Its development dates back to the Muromachi era and spanning over 11th through 14th centuries. Its unique philosophy (\textit{ronri}) crystallized into the core tenets of Japanese feudal law of the Tokugawa era.
\textsuperscript{241} \textit{kogaku} (ancient learning)
\textsuperscript{242} As a reaction to the continental Neo-Confucianism, Yamaga proclaimed that the unadulterated truth could be found only in the ancient original teachings of Confucius or before him. Subsequent developments within the Confucian tradition
amplified the ancient learning agenda and its ‘ancient legitimacy’ to further deify and enrich the origin of the incumbent powers of shoguns and emperorship.

Nosco,\textsuperscript{243} in a chapter of his book on ‘Confucianism and Tokugawa culture’ based on the outcome of an international conference on the topic, discusses how diversity in the ways of thinking transpired in the Japanese mind in the process of those orthodox and non-orthodox Neo-Confucian learning becoming more attuned to the traditions of Japan.

The legacy of scholarship in the court of warrior-turned rulers is deeply rooted in the Japanese mental platform. During the military campaign of 1592-1598 by Toyotomi over the Yi dynasty of Korea, his entourage included a retinue of court scholars including Confucians and Zen Buddhist-scholars. These scholars found the Korean interpretation of Classical and Neo-Confucian orthodoxy very useful for the furtherance of Japanese scholarship. The Neo-Confucian compendium edited by T'oegye (Yi Hwang, 1501-1570) of the Yi dynasty of Korea was appealing to the leading court ideologues of Japan such as Fujiwara Seika (1561-1619) and Ito Jinsai (1627-1705). A host of scholars who followed them, associated either with courts or with Zen monasteries, strengthened and indigenized Neo-Confucianism. This surge of intellectual work changed the intellectual landscape of a now united Japan in search of a lasting peace, wisdom and prosperity, heavily influencing the existing intellectual strands of Zen Buddhism, including the home-grown deism of shintoism.

Confucianism at first remained an ‘interesting extra subject’ mainly to the Buddhist monk-scholars, until the first shogun Tokugawa Ieyasu (1543-1616) who took up the service of the Confucian Hayashi Razan (1583-1657) as a court retainer-scholar, hence the concurrent elevation of Confucianism to the status of semi-state ideology. The Neo-Confucian teachings of Chu orthodoxy strongly resonated with the Zen Buddhism of Japan or with the mind-set of their adherents through a common interest in the ‘learning of mind and heart.’\textsuperscript{244}


\textsuperscript{244} shingaku (learning of mind and heart): This japonized version of ‘learning of mind and heart’ was formulated in earnest by Ishida Baigan (1685-1744). He is the founder of Sekimon School named after the first character of his surname. He
The indigenous *shintō* tradition also went through a careful selective application of Confucian or Neo-Confucian ideas insofar as it suits the soil of Japan. Practical learning as such carried many different meanings as it became assimilated into each branch of Japanese culture and tradition. The Yang-ming school of thought was more visibly embraced, whereas Chu's orthodox Neo-Confucianism remained at the centre of philosophical studies in spite of widespread criticism.

The practical or real learning, namely, *jitsugaku*, advocated principles of reality which are verified by real forms and judged by actual things. This school influenced and was influenced by the Yang-ming school, namely, *yōmeigaku*. Some scholars belonged to the two schools. Orthodox teachings often remained in the undercurrents of practical learning with or without cognizance of those professedly belonging to either the orthodox or non-orthodox camps.

De Bary, in his book on ‘practical learning under the title of *principle and practicality*’, views the Neo-Confucian interactions with other traditions and belief systems in terms of the ‘humanism and secularism’ paradigm. He argues that, while humanism and secularism are often considered essential characteristics of modern thought as key criteria for the passage from medieval to modern thought, Confucianism, including Neo-Confucianism, was fundamentally very humanistic and secular from its inception. He also argues that secularization was accompanied by the rise of new religious attitudes from the confluence of earlier humanisms and a new impulse to spiritualise. The development of new and deeper forms of humanism came about not only through the opening up of new dimensions of social experience in an ever more complex society and culture, but also through the regeneration of traditional ideals and the reconsecration of secular activities.

He continues to contextualize on the spirituality of Neo-Confucian interaction with practical learning. He argues that spirituality is the most distinctively ‘human’ aspect of humankind,

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245 *jitsugaku* (practical learning in Japanese)
246 *Yōmeigaku* (Yang-ming school in Japanese)
and the secular should be viewed as sacred. Neo-Confucian soul searching in East-Asia was also a deepening and broadening of spirituality in the midst of secular change. In such a context, the movement from ‘medieval’ to ‘modern’ cannot be taken simply as one from the sacred to the secular or from the metaphysical to the material, but rather must be seen as a complex ramification and interaction of individual and social needs; moral, intellectual, and religious concerns; rational and intuitive methods.

Maruyama, in his seminal book on the ‘intellectual history of Tokugawa Japan’, argues that the Japanese indigenization of Neo-Confucianism involved a shift of philosophical paradigm. The shift was from the ‘reorganization’ paradigm of Chu Hsi to that of a unique Japanese philosophical ‘invention’ or ‘willed design’, namely, ‘sakui.’

Lévi-Strauss, in his book on ‘belief, myths, and rites,’ made representation on how a new belief system of philosophical sophistication can envelope itself in a system of deified myths. The linguistics, symbols and other forms of signification proceed to putting on the clothing of ‘rites’, in this case, well familiarised Confucian and Shinto rites. Such evolution ends up with the development of an entirely new system, including a new system of governance and cultural compliance. This suggestion provides a window of understanding of how Neo-Confucian branches both of Chu’s orthodoxy and heterodox Yömeigaku interacted with Zen Buddhism and poly-theistic native Shintō traditions.

Ahn, Byung-Jik, in his article on ‘economic thoughts of practical learning of the Yi dynasty Korea,’ argues that the Korean practical learning school, having stayed outside officialdom, did not emerge to give birth to a new secular and humanistic ideology, intensely interacting with the needs of the reality as Tokugawa Japan experienced. Ahn further suggests that in spite of the non-mainstream status of those thinkers and their ideas, their contribution was to reap the harvest in the generations still to come. Key Korean figures in the practical learning school include, but are not limited to, Yu, Hyŏng-wŏn (1622-1673), Yi, Ik (1681-1763), Park, Chi-wŏn (1737-1805), Park, Che-ga (1750~1805) and

249 sakui (literally means ‘intention’ or ‘by design’, but the translator of Maruyama’s book chose to use the word ‘invention’)
Chŏng, Yagyong (1762-1836). Their ideas on comprehensive socio-economic reforms inspired the subsequent group of leaders to engage in the nation-building of modern Korea. Fundamentally Korean practical learning scholarship was about the Neo-Confucian extension of secular humanism in responding to the social conditions of the era.

In the non-official domains of the Yi dynasty of Korea, life under Neo-Confucian dominance yet imbued with implicit or explicit rival worldviews was revealed through the literary works of Hŏ Gyun and Kim Man-jung. Both writers came from Neo-Confucian family backgrounds and followed bureaucratic careers. Yet, their sense of social justice and its vindications shown in their works much to the delight of readers sharply contrasted to the noble moralistic Neo-Confucian statecraft. The works of these two very popular writers were heavily influenced in their literary sensitivity by then non-official Taoists and Buddhists known for their compassionate feel for commoners. Kim Man-jung’s work is additionally significant in that his language moved away from the classic Chinese literary orthodoxy to the easy to read Korean spoken language, fitting in with the commoners’ linguistic discourse of that time. Both writers represent the social undercurrents of the majority of the populace who went through the major political upheavals and consequential hardships, resulting from the Toyotomi invasion of 1592-1598 and the Chinese invasion of 1627 and 1636-1637. Notwithstanding, the orthodoxy of Neo-Confucian state ideology stood the tests of time over the next three centuries during the Yi dynasty of Korea.

On a similar note, the lives of commoners and non-incumbent scholars in the Neo-Confucian era of China were imbued with Confucian ethics and ethos. While state ideology was based on the high morality of Neo-Confucian orthodoxy, the lives of the non-royal classes were far from being comfortable in terms of economic wellbeing or social justice.

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252 Hŏ Gyun (1569-1618): a major literary writer of the Yi dynasty Korea who wrote a scathing critique of his contemporary Confucian officialdom through a novel, involving a humanized ‘tiger hero’ scolding corrupt and incapable mandarins.

253 Kim Man-jung (1637-1692): a major literary figure and official-scholar of the Yi dynasty Korea who wrote the first vernacular novels particularly earmarked for those under-privileged readers in non-official domains such as female homemakers, including his own aged early widowed mother.

254 Ching’s first emperor invaded the Yi dynasty of Korea twice, first before his enthronement and next thereafter, demanding the Yi dynasty sever its ties with his rival Ming dynasty, which Korea contumaciously refused and which brought on the invasions.
Ko, MH,\textsuperscript{255} in her two articles on ‘the major Chinese Classical saga of \textit{Hong Lou Meng} (Dream of the Red Chamber),\textsuperscript{256} discusses how ‘non-royal’ people lived day to day lives with a Confucian mind and heart under the statecraft of Neo-Confucianism. Men outside officialdom and women led the lives of the underprivileged. Ko introduces the social background and most probable human scenarios. These scenarios reflect the downside of Confucian social reality at best in the interaction between those privileged and those not. In this most acclaimed saga, women survive the atrocious injustices imposed on and inflicted by what is a supposedly moral hierarchy owing its legitimacy to Confucian social ethics. People succeed in finding for themselves the mental space of emotionally or intellectually resisting irregularities. Neo-Confucian morals were not rigid in enforcing their values. Neo-Confucian morals were realistic, secular and cognizant of social realities. Neo-Confucian philosophy and its cohabitation with the undercurrents of Taoist aesthetics and Buddhist transcendentalism characterize the mental and emotional soil of the majority of the populace going through political upheavals and economic uncertainties.

The era of the Tokugawa shogunate in Japan that embraced orthodox Neo-Confucian philosophy as a complement to the state ideology saw a substantial surge in trade and industry. This surge in the real economy accompanied a rise of ‘townsman’ or \textit{chōnin}\textsuperscript{257} class that comprised merchants and craftsmen. On the official social class levels, ‘townsmen’ would belong to the mid to lower class. However, economically they were in a superior position and also enjoyed freedom as long as their pursuit of economic success stayed clear of politics. Mid to lower levels of \textit{samurais}, after the successful establishment of the shogunate, assumed roles of administrators and came to rely economically on the working relationship with ‘townsmen.’ This sector of social class with its economic vibrancy provided a fertile environment for a new trend of urbane culture, such as \textit{rakugo}\textsuperscript{258} satire

\textsuperscript{255} Ko, Min-hee 1994, ‘\textit{Myŏngmal ch’ŏngch’ŏi kyemong sajowa [Hongrumong]} (The Influence of Enlightenment Thought around the Late Ming and the Early Qing Dynasty on the \textit{Hong Lou Meng}),’ in Chungguk Ŏmun Nongch’ong (Journal of Chinese Language and Literature), vol. 7, pp. 221-258.


\textsuperscript{257} \textit{chōnin} (townsman) was a social class that emerged in the early years of the Tokugawa era. The majority of \textit{chōnin} were merchants, but it also included craftsmen. Farmers were not included. The \textit{chōnin} class would be equal to the urban bourgeoisie in the modern context.

\textsuperscript{258} Rakugo (literally “fallen words”) is a Japanese entertainment form based on comical monologues. It was originally known as \textit{karukuchi} (jokes).
literature and *ukiyo-e*\textsuperscript{259}*impressionist* fine arts.\textsuperscript{260} The art forms as such brought about a new dimension of values and ethos to the commoners’ lives. They grew at a distance from state ideology without running counter to its legitimacy. Social mobility advanced on a wider platform without jeopardizing the centrality of orthodox ideology. The secularization of Neo-Confucian philosophy such as *ýômeigaku*, namely, the japonized Yang-ming school of Neo-Confucian teachings laid a firm foundation for the economic advancement of Japan through the emergence of such a vibrant industrial middle class. Some of the major industry enterprises of today\textsuperscript{261} are offspring of the ‘townsman’ class. The evolution of those holding no office into the mainstream of society also brought substantial pressure upon the statecraft based on orthodoxy into a broader embrace of the practical or real learning school of Neo-Confucian thinking.

Practical learning was indeed a response to the dominance of Chu’s orthodoxy. Conversely, the intellectual depth of practical learning was often facilitated through reflection in the mirror of Chu Hsi’s thought system. The strength of the Chu Hsi mode of thought was that it was both scholarly and spiritual. It nonetheless provided for the development of the individual mind, recognizing the spiritual dimensions of such development. Chu was transforming both the ends and the means by making use of a genuinely Confucian doctrine.

It is a historical irony that Chu’s Neo-Confucianism survived due to its most severe challenges, and vice versa. The common goal for Neo-Confucian humanism was to remain focused on the self-cultivation goal of ‘becoming the Sage’ as a microcosm as well as a model of human integrity. Self-fulfilment in action is shown by the *Way* as a macrocosm as well as an overarching unity and ultimate process. As the separate

\textsuperscript{259} *ukiyo-e* (pictures of the floating world), is a genre of Japanese woodblock prints and paintings produced between the 17th and the 20th century, featuring motifs of landscapes, the theatre and pleasure quarters. *Ukiyo*, meaning ‘floating world’, refers to the secular culture that bloomed in the urban centres of Edo (modern-day Tokyo), Osaka, and Kyoto that were a world unto themselves. It is also an allusion to the homophone term ‘sorrowful world’, the earthly plane of death and rebirth from which Buddhists sought release.


\textsuperscript{261} Fairbank, JK, Reischauer, EO & Craig, AM 1989, *East Asia: Tradition and Transformation*, Houghton Mifflin, Boston, MA, p. 416: ‘A number of great merchant houses developed during the Tokugawa period. The house of Mitsui started in the province of Ise in *sake* brewing, added pawn-brokerage and money-lending, opened a dry goods store in Edo in 1673, established branches in Kyôto and Ôsaka, became official banker to the shogunate in 1691 and the banking agent of several daimyo, and survived to become in modern times one of the largest private economic enterprises in the world . . . Sumitomo, starting in iron goods and drugs in Kyôto, became a major trader and refiner of copper.’
branches in the Neo-Confucian synthesis underwent their own development in constantly changing and ever more complex historical and cultural circumstances, their evolving meaning and validity were also reflected in the unifying concepts of Confucian humanism and secularism.

2.6 CONFUCIAN HUMANISM AND HUMAN RIGHTS

2.6.1 Confucian Humanism and Political Thought

Confucian political thought about humanism and human dignity is as old as the history of China and Korea. Mythological tales about the first founding fathers of China and Korea carry comments about the centrality of serving the people as the foundation of nations. The mythological first emperor of China called the Yellow Emperor or Huang-ti²⁶² is known to have had his political thought based on the principle of ‘non-action (wu wei),’ resonant with the Taoist teachings by Lao Tzu (ca. 4th century B.C.E.). Instead of interventionist top-down rule by willful political design and state violence, the governance ideal was perceived as one coming from the voluntary acceptance by the populace of sovereigns and their sagely rules. This political paradigm commonly referred to as ‘Huang-Lao principle of governance’ has enjoyed longevity.

Csikszentmihalyi²⁶³ discusses, in his dissertation on the ‘Huang-Lao principle of governance and practice,’ how the sovereigns of the Han dynasty (180-141 B.C.E.) of China successfully abided by this principle. He further argues that this principle has been widely emulated by posterity. Not only those governing, but also those governed used this principle as the point of reference in the judgment of righteous rules. The Huang-Lao evolved from a mere regional tradition of the golden rule of the Ch’i dynasty (1046-221 B.C.E.)²⁶⁴ to become a lasting tradition of governance. This tradition flourished, in particular, during the reigns of Emperors Wen (188–141 B.C.E.) and Ching (202–157 B.C.E.) of the Han.

²⁶² Huang Ti (huangdi, the Yellow Emperor) is a legendary Chinese sovereign and cultural hero who is said to be the ancestor of all Han Chinese. One of the Five Emperors, the Yellow Emperor is said by tradition to have reigned from 2698 to 2599 B.C.E. He is known for the introduction and invention of Chinese medicine, compass and sexagenary cycles Chinese lunar calendar. His wife Lei Tsu is credited for the discovery of sericulture and introduction of silk weaving looms.
²⁶³ Csikszentmihalyi, Mark 1994, Emulating the Yellow Emperor: The Theory and Practice of Huang-Lao, 180-141 B.C.E., Stanford University, Stanford.
²⁶⁴ Ch’i dynasty (Qi dynasty, 1046-221 B.C.E.)
A more concrete history following the footsteps of the Huang-Lao golden rule was made by Kuan-Tzu. Master Kuan-Tzu as he is commonly called was a scholarly Taoist patriarch. He lived until 645 B.C.E. to become a prime minister of this Ch‘i dynasty in his lifetime. In his celebrated work on statecraft bearing his own name, he wrote his first chapter on how to serve the people. This chapter in the ‘Book of the Master Kuan-Tzu’ was titled the ‘shepherding for the people’ or ‘mu min.’ The message was a clear directive of placing the first priority of officialdom upon the securing of people’s well-being above all other matters of importance. In the first chapter of the book, it is written: ‘When the granaries are full, the people will know propriety and moderation. When their food and clothing is adequate, they will know the [distinction between] honour and shame.’

This statement reflective of practical thinking has been cited by historians and social reformers throughout East Asian history. While emphasizing the rule of law and peace of the state, it stresses social well-being based on humane values and governance by men with possessing virtues. His legacy left an indelible mark on Classical Confucianism that was to emerge in the following century. The primary focus of humane governance has been summarized in the ‘four codes of cardinal virtues’, namely, ‘propriety (li),’ ‘righteousness (i),’ ‘integrity (lian)’ and ‘sense of shame (ch‘ih).’

The mythological founding father of Korea, the Tan’gun, has been known for the foundation principle of ‘the broadest benevolence for humanity.’

Kim, HK, in her article on the ‘broadest benevolence for humanity in the epiphany of Korea’, argues that this concept was developed in parallel to the I Ching from where the design and context of the Korean national flag also derived. The first historic references

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265 Kuan Tzu (Guanzi: d. 645 B.C.E.): He was born with the name Kuan Chung and became a prime minister of the Ch‘i dynasty. His teachings are represented by the voluminous work bearing his honorific name of Kuan-tzu. He is also regarded as one of the three patriarchs of Taoism, the other two being Lao-tzu and Chuang-tzu.


267 mu-min (shepherding for the people), a term used for ‘civic service’ in the modern context.

268 Tan’gun is the legendary founder of the first kingdom of Korea, in present-day Pyongyang in 2333 B.C.E.

269 Hong‘ik In‘gan (the broadest benevolence for humanity): this founding ideology of Korea is broadly applied in the official documents such as ‘article 1 of the Law of Education’ of Korea.

270 Kim, Hae Kyong 1987, ‘Hong‘ik In‘gan’i iyŏm yŏng’gu (Studie zum Koreanischen Idealtyp des souveraenen Menschen [Hong Ik]), in Nonmunjip (Faculty Research Papers), no. 5, pp. 5-37.
appear in ‘Memorabilia of the Three Kingdoms’ which remains one of the key history books of Korea. This founding ideology based on universal humanism represents a striking resemblance to the ‘universal benevolence’ of the teachings of Mo-Tzu (Mozi), considered the most significant sage who opposed mainstream Confucianism. While Mo-Tzu does not negate the Confucian teaching of humanity, he proffered the more egalitarian form of mutual respect and ‘benevolent love’ amongst equals rather than any vertical social hierarchy that Mo-Tzu claimed represents the foundation of and the motivation for the teachings of Confucius. Universal benevolence was also welcomed by Mencius as a laudable social ethic.

In spite of a mushrooming diversity of moral and social philosophers of the era of the so-called ‘Hundred Schools’ during the fifth to third century B.C.E., it was Confucius who established a new form of humanism based on the key tenet of humanity.

Fingarette argues in his mini-book on the ‘secularity and sacredness of Confucius’ that Confucius achieved a unique consummation of humanism into a new lasting philosophical tradition by being able to recast ‘human community as a holy rite.’ Fingarette further argues that Confucius made it possible for what can be termed ‘Confucian humanism’ to emerge both in the framework of secularism and religious piety. The article by Fingarette reinforces the point that the foundation was laid by Confucius and his first disciples by the encapsulation of his teachings in the Analects as the first cornerstone of Confucian humanism. The so-called ‘four canon books’ of Confucianism not only prompted enthusiastic study, but also spawned further branches of knowledge and wider communities of scholarship. This mini-book emphatically supports the modern relevance of Confucian teachings and his humanism, in that the foundational concept of ‘humanity,’ and its four pillars, namely, ‘propriety, righteousness, loyalty and filial piety’ have remained

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271 *Samguk Yusa* (Memorabilia of the Three Kingdoms), authored by the Buddhist monk Iryeon (1206-1289) is a collection of legends, folktales, and historical accounts of the Three Kingdoms of Korea, namely, Koguryŏ (37 B.C.E.- 668 C.E.), Paekche (18 B.C.E.- 663 C.E.) and Silla (57 B.C.E.- 935 C.E.) of the period, as well as other periods and states before, during, and after the Three Kingdoms period. This is the earliest extant record of the Tan’gun legend, the founding father of the first Korean nation.

272 *Ch’ien ai* (qian ai, universal benevolence) was a key concept of the teachings by Mo-Tzu (Mozi, ca. 470 -390 B.C.E.).


274 *Chutzu Paichia* (Zhuzi Baijia, hundred schools)

meaningful, and continue to influence cosmology, learning, and aesthetics as well as social rituals and propriety.

Legal institutions based on Confucian and Neo-Confucian political moral tenets have roots in pre-Confucius China and continued to develop into a major framework of key laws and implementation statutes.

Kwak and Lee\(^276\) made a contribution through an article on the ‘origin and evolution of Chinese laws and statutes in terms of ‘criminal codes (lü),’ ‘civil administrative codes (ling),’ ‘legal reform updates (ko)’ and ‘legal application cases (shih).’ They argue that the legal framework as such underpinning Confucian governance in fact originated from the ‘Spring and Autumn Era (770～476 B.C.E.)\(^277\). The ‘Commentary to Spring Autumn Annals,’\(^278\) believed to have been authored by Tsuo Ch’iuming (556-451 B.C.E.),\(^279\) carries written records about basic laws and statutes that were already in force. This legal tradition helped the premier of the Ch‘i dynasty (ca. 770-221 B.C.E.), Kuan Tzu (d. 645 B.C.E.)\(^280\) to author a law book bearing his own name with comprehensive legal answers to specific political needs with chapters on ‘serving people, defence, budget, law enforcement, education’ and other matters of government.

Shim, WS,\(^281\) has made a contribution through his article on ‘modern reflections on the political philosophy of Mencius.’ In the Classical age of Confucianism, Mencius, as discussed earlier in this literature review, has remained unparalleled in his support for ‘human centrism’, socio-political participation, and providing an ultimate point of reference as a final resort in the event of incorrigible sovereigns and subsequent denial of empowerment. Shim argues that the added modern relevance of Mencian teachings is due to the timelessness and practicality of his teachings such as *sagely kingship* together with clear moral reminders for institutional governments. Shim interprets the Mencian political view that governance, based solely on legalistic, political and economic


\(^{277}\) Chun Qiu (Chun Qiu: ‘Spring and Autumn’ Era of China)

\(^{278}\) Chun Chiu tso chuan (Chun Qiu zuozhuan: Commentary to Spring and Autumn Annals)

\(^{279}\) Tsuo Ch’iuming (Zuo Qiumin): commonly believed to be the author of ‘Commentary to Spring and Autumn Annals’, but some modern scholars dispute this authorship.


motivations, would not serve its ultimate purpose of bringing about humane and secular social cohesion.

Kwak and Lee\textsuperscript{282} have also expounded upon how Confucian humanism and its governance framework have evolved into a legal framework in the major dynastic traditions. The T'ang dynasty (618-907) produced one of the most comprehensive legal frameworks in ‘Legal Code with Commentary (635).’\textsuperscript{283} The Ming dynasty (1368-1644) promulgated the ‘Great Ming Legal Codes (1397)’\textsuperscript{284} with reflection of contemporary Neo-Confucian thinking. The ‘Great Ch’ing Legal Code with sub-statutes (1740)’\textsuperscript{285} emerged in the Ch’ing dynasty (1644-1911) as the central legal framework. These legal and governance instruments were considered a part of broader Confucian ethics and governance in China and its Confucian neighbours. Neighbouring countries such as Korea and Japan evolved their own versions of indigenous laws that answered to their social conditions. There was no separation between Confucian humanism and legal institutions.

Lee, KW,\textsuperscript{286} in his article on ‘ancient Japanese law and official hierarchy’, explores how legal traditions of China, mainly, that of the T’ang dynasty and partly through the Paekche dynasty in Korea, influenced the Japan of the seventh and eighth centuries in their development of the first legal frameworks. Acting on the directive from the Empress Suiko, Prince Shōtoku (574-622)\textsuperscript{287} in the year 604 C.E. completed ‘the Seventeen Article Constitution.’\textsuperscript{288} The articles 5, 7, 9, 12, 13, 15 and 17 under this constitution provide practical legal prescriptions such as ‘welfare for the poor’, ‘governance by mutual trust’, ‘impartial administration and law enforcement’, ‘prevention of excessive taxation on the populace’ and ‘recommendation for decision-making on important state matters through consensus-building.’

This constitution is featured by Buddhist compassion and social empathy, encapsulated in a Confucian framework of fair social hierarchy. This constitution also became a foundation

\textsuperscript{283} T’anglü shui (Tanglü shuyi: Legal Code with Commentary) (635)
\textsuperscript{284} Ta Ming lü (Ta Ming lü: Great Ming Legal Codes) (1397)
\textsuperscript{285} Ta Ch’ing lüli (Da Qing lüli: Great Ch’ing Legal Code with sub-statutes) (1740)
\textsuperscript{286} Lee, Keun-Wu 1999, Ilbon kodae yullông kwanwijie yŏn’gu (Study of Ancient Japanese Law and Official Hierarchy), Busan Sahak, Busan Society of History, Pusan, pp. 1-16.
\textsuperscript{287} Shōtoku Taishi (Prince Shōtoku): refer to Appendix 3 Biographic Digest.
for a much more concrete legal framework in the same century commonly called the ‘criminal and administrative codes (ritsuryō).’\textsuperscript{289}

In spite of the strong presence of Confucian morals allied with legal institutions, there have been numerous thinkers with concerns about the inadequacy of Confucian orthodoxy and its monopoly of power over laws and institutions. One of the most prominent among those was Huang, Tsung-hsi (1610-1695). Huang lived through the last period of the Ming dynasty and the early part of the new dynasty of Ch’ing (1644-1911). Huang was not only a political theorist and philosopher, but also a military person. His father as an official of the Ming court led a political reform movement. His reform agenda made many enemies in the Ming court. Huang joined the movement led by his father who died in prison due to a conspiracy. He wrote the celebrated book titled ‘Waiting for the Dawn: a Plan for the Prince,’\textsuperscript{290} in which he severely attacked Neo-Confucian orthodox governance of the late Ming dynasty. Huang emphasized that strong and fair legal institutions are a prerequisite for any successful sagely governance. This bold move presaged an era of constitutionalism yet to come. He strongly argued in the book as well as in the courtly political debates that the decline of governance and also that of the Ming dynasty itself are attributable to over-concentration of political power in the feudal system. He made a particular reference to corruption-prone administration and allocation of farming land. He advocated what we can consider in the modern context as the rule of law for survival of the dynasty and revival of Confucian legitimacy for government.

Likewise earlier in the Yi dynasty in Korea (1392-1910), a similar constitutionalism or ‘rule of law’ was advocated by the court reformist, Chŏng, Tojŏn (1342-1398). Chŏng was a leading Neo-Confucian statesman in the founding of the Yi dynasty in Korea. As a part of a sweeping reform, Chŏng drew up a momentous constitution. When the previous Koryŏ dynasty (935-1392) came to an end, its ending left a legacy of pervasive Buddhist economic intervention associated with dynastic property and a slavery system. Through

\textsuperscript{289} ritsuryō (ritsu and ryō: criminal and administrative codes): Emperor Temmu (631-686) made legal reforms and established a new system of eight honorary ‘cognomens’ (yakusa no kabane) in 684, and initiated the compilation of legal statutes that were distributed in 689 as the Asuka Kiyomihara Code. This was the first Japanese legal code to be divided into criminal laws (ritsu) and administrative regulations (ryō), and it formed the basis for the more comprehensive Taihō Code of 701.

his work titled ‘an array of critiques on Buddhism,’ Chŏng attacked the inadequacy of widespread Buddhist influence on the national economy. Energized by the wellspring of Neo-Confucian idealism, he worked vigorously to bolster a new politics befitting the spirit of the new era.

Tokugawa Japan, in addition to the inherited ‘criminal and administrative legal codes (ritsuryō),’ introduced a new law commonly called the ‘feudal law (1615-1710).’ This feudal law was mainly a military code of conduct subsequent to the unification of Japan under the Tokugawa shogunate. It was also called ‘laws governing the military households’ and focused on political stabilization and peace time management of warrior classes. Legal edicts with specifics on the desirable behaviour decorum of warriors came to pass in a series over a period of years 1615-1710. These laws, however, did not displace conventional civic laws applied to non-warrior classes. These civic and samurai laws were in force throughout the Tokugawa and Edo eras (1600-1864), until the Meiji Restoration (1866-1869) engendered a new constitution, i.e., the ‘Constitution of the Empire of Japan (1889)’ commonly called the ‘Meiji Constitution.’ The ‘Constitution of the Empire’ was modelled after those of the parliamentary monarchies of Europe. The Emperor was at the centre of power and endowed with the powerful symbolism of the modern empire of Japan.

From the first quarter of the twentieth century, there has been a serious effort made by the so-called contemporary Neo-Confucians to revive the Confucian tradition of moral philosophy, religion and social mores in face of its declining fortune under the West-led modernization. Their opponents were many among those who equated modernization to Westernization, throwing Confucianism into the waste bin of history as a symbol of hindrance to progress and modernity. At the forefront among those who vigorously resisted such setbacks and worked in earnest on the rebirth of the Confucian legitimacy in the modern context, was Mou, Tsungsan (1909-1995). He led the organizing of what was to emerge as the official start of the modern contemporary Neo-Confucian movement.

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291 Bulssijappyŏn (an array of critiques of Buddhism) released in 1398.
293 Buke shō hatto (1615-1710: laws governing the military households): this series of legal edicts was intended for prevention of rebellion and social stability governing over warrior class.
which became a global movement. This movement had a clear turning point through the ‘Declaration of Chinese Culture and Civilization’ in 1958.

Song, JS, 295 in his article on the ‘new Confucian theory of modernization and Mou Zongsan’s inward sage-hood and outward governing,’ provides a substantial background of Mou’s intellectual search. Song argues that Mou followed in the footsteps of the Classical and Neo-Confucian tradition both of Chu Hsi’s orthodoxy and Yangming’s school of mind studies. Song also discusses Mou’s lifework of comparative study between Confucianism and the philosophy of Immanuel Kant (1724-1804). Mou worked diligently to refresh Confucian ‘moral philosophy’ and re-establish it as ‘moral metaphysics’ in a clear response to Kantian ‘philosophical metaphysics.’

The new term Mou gave to this outgrowth of the Confucian ‘moral philosophy’ was ‘life Confucianism’ or ‘Confucianism of vitality.’ By ‘life,’ Mou meant ‘moral life’ rather than ‘natural life.’ His intellectual pursuits, with emphasis on life, living and moral vitality, also find a parallel in the works of Jean Piaget. Piaget argues that intelligence or intellect as philosophical capability is both logical and biological. Through ‘life Confucianism,’ Mou intended to bring back the vitality to Confucianism consistent with Classical Confucianism and also with those of the various Neo-Confucian schools of ideas. Song argues that the idea of Mou is attuned to mind studies in the legacy of the Yangming School.

Mou also offered his ideas on governance consistent with this ‘life Confucianism.’ Umberto Bresciani, 298 in the chapter of his book on ‘reinventing Confucianism through the contemporary Neo-Confucian movement,’ made a contribution in a summary of this idea on governance that supports Confucian humanism and human dignity in the modern context. Mou found the concept in the words of Taoist sage Chuang Tzu, namely, ‘sagely within, kingly without.’ Mou found it essential to bring about a Confucian modernity in the current language of ‘democracy and science’ that the inner moral awakening and

296 Saengmyŏng yuhak (Korean), shengming ruhsüeh (Chinese): Life-Confucianism or Confucianism of vitality
299 neisheng weiwang (sagely sovereign within and kingly governance without): a term appeared first in Chuang Tzu’s chapter on ‘Heaven and earth (t’ien hsia).’
cultivation, i.e., ‘sagely within’ took place, before achieving external governance, i.e., ‘kingly without.’ This fundamentally moral approach of Mou’s political philosophy and its implications for governance represented a sharp contrast to the popular position of the era that was accustomed to generalizing modernity around Western rationalism and positivism.

Mou later came under criticism for being less than emphatic about ‘constitutionalism’ that was at the centre of the intellectual pursuits of the mainstream social reformers. The reformers’ agenda in the period of ‘East and West Culture Debate (1915-1927)’ was revolving around the ideas mainly focused on ‘modernization’ proffered by the key figures of the era such as Kang Yü-wei (1858-1927) and Liang Ch’i-ch’ao (1873-1929). Yet, Mou remained firm on his ‘life Confucianism’ and political philosophy of ‘sagely within, kingly without.’

2.6.2 Confucian Human Rights, Rule of Law and Constitutionalism

In order to realize the Confucian ideal of the ‘sagely within, kingly without’ governance in globalizing industrial economies, the foremost objective is to bring about the ‘rule of law.’ Confucian ideals need to keep up with the relentless pace at which nations based on the Confucian tradition progress in their globalizing processes. Confucian humanism was born into an agrarian non-urban pre-industrial society with its primary concern being with the domestic economy with little or no international exposure. The founding sages would have had difficulties in foreseeing such changes in magnitude and inter-connectedness that the globalizing urban post-industrial societies usher in. Confucian humanism was born in the age of those sovereigns with mandates coming from the mandates of Heaven. Such mandates included implicit and explicit respect for human dignity including for those of inferior social standing. Confucian teachings encouraged civility and inspired mutual respect for human dignity within the well-defined moral framework. Such a moral framework expected that human dignity is honoured by enlightened emperors and incorruptible officials committed to Confucian virtues, with just behaviour and the impartial exercise of power in the interest of justice for the people.

300 *Tunghsi wenhua chenglun* (1915-1927, East and West Culture Debate): a period of intensive intellectual debates, occasioned around the May Fourth Movement of 1919.
It goes without saying that modern societies, Confucian or not, unequivocally call for the rule of law as the main social foundation. Citizens in contemporary societies count on a reliable, predictable, and transparent system of legal governance that ensures equality before the law and promises reparation in case of injustice. Effective governance in the service of contemporary society rests on the ideal of effectual rule of law endowed with sufficient resources ready for its practical implementation.

Articles dealing with Confucianism and legal governance, covering from the Classical to the contemporary period were reviewed to explore the question whether Confucianism is fundamentally compatible or not with contemporary notions of the rule of law and constitutionalism.

Shim, JW,\textsuperscript{301} in his article on ‘modern reflection on traditional legal thoughts of the East such as on rule of virtues, rule of rites and rule of law,’ discusses the writings of Classical age Confucian legalists such as Han Fei Tzu\textsuperscript{302} and how their legal principles fared in an interplay with virtues, rites and written laws. Shim argues that the ‘legalists’ idea about the rule through laws were not equal to what we perceive as the rule of law. Han Fei Tzu emphasized the need for the concentration of all legal powers into the hands of the sovereign for effective sovereign ‘rule by law.’ The ministers would only administer the law on behalf of the sovereign. Sovereigns were advised by Han Fei Tzu to deploy ‘strategies’ to enhance effective rules through laws handed down from sovereigns. These strategies about laws were, firstly, ‘rule by law (fa chih),’ secondly, ‘rule by tactics (shu chih)’ meaning tactical management of ministerial power to prevent any attempt upon the power of sovereigns, and, finally, ‘rule by influence (shih chih)’ that prescribed for absolute sovereign power as a mean of unchallenged perpetual rule. Shim argues that Han Fei Tzu’s interest was primarily in ensuring sovereign power as the bedrock for a stable society, made more secure through deployment of the legal system complemented by an unchallenging ministerial bureaucracy so as to preserve sovereign power. This approach to law and governance as applied to the social conditions of the era is at variance with what we perceive as ‘rule of law.’ Shim’s description of the so-called legalist views is rather


\textsuperscript{302} Han Fei Tzu (ca. 280-233 B.C.E.). A philosopher who, along with Li Ssu, developed Hsün Tzu’s philosophy into the doctrine embodied by the School of Law or Legalism. Refer to (Appendix 3) Biographic Digests for more details.
restrictive in not sufficiently factoring in the fact that Han Fei Tzu harboured a political agenda in overcoming the division of China during the ‘Spring-Autumn era (770-221 B.C.E.).’ The legal idea of Han Fei Tzu paid off as a political strategy, since the first emperor and his premier of the Ch’in dynasty (221-206 B.C.E.) used his advice in the process of unifying the warring states under one imperial rule. This legalist rise and the despotic rule it helped create were short-lived, lasting less than two decades and was then replaced by Confucians.

Shin, KY,303 in his article on the ‘rule of law in sociological context,’ discusses how philosophical traditions undergo the processes of accommodation, assimilation and finding a new level of equilibrium with the new sociological conditions. He explores how new forms of governments such as republics, being the most common form, in fact realize centralization of power under the constitutional rights of ‘republics.’ By so doing, republics become ‘states representing public interests’ in concert with empowerment given by citizens’ rights. He argues that both Confucian leaders of the past and leaders of contemporary republics are equally enjoined to reflect impartiality, rationality and compassion. The departure points are, however, different in that the former comes from the inner moral framework, and the latter from the outer constitutional framework. Confucian humanism has long been firmly rooted in its ‘humanity’ as the bedrock of Confucianism. Contemporary human rights regime was born during the modern age moving to the Industrial Revolution, to parliamentarianism, hence moving toward societies under a ‘single world.’ Human rights as values were considered natural and inherent in the minds of earlier thinkers, but they came effectively from the will of the people. The will of the people crystallized itself into the constitutions of nations, both as the final prize for their struggle and also as the lasting framework of mutually agreed governance.

Julia Ching,304 in her article on ‘Is human rights a valid Chinese concept?’, discusses as to whether Confucian humanism is restricted to a particular cultural framework, and hence is incompatible with the modern social and political demands of contemporary nation states. Ching, as a significant contributor to the global human rights advocacy and a sinologist, argues that those dwelling on cultural particularity as a basis for the curtailment or

303 Shin, Kwang-Young 2003, Sahoehagesô bon pöpch’ju’ül (Rule of Law in Sociological Context), in Chibang Chach’i Chöngbo (Hanyang University), No. 141, pp. 57-65.
deferment on human rights are belittling the social resilience of the Confucian tradition that has withstood two and half millennia of tests of all kinds. She uses as examples the industrialized Confucian states of Korea, Japan and the Republic of China (aka Taiwan) where modern legal institutions made progress, not in spite of Confucianism, but because of its overarching humanism to their advantage. She emphasizes that the so-called ‘Confucian exceptions’ to the universality of respect for human dignity such as in observance of human rights are fundamentally politically motivated arguments.

In a parallel to the points raised by Ching, it is noteworthy that a Chinese scholar of educational theory, Dr. Chang, Peng-chun (1892-1957), represented the Republic of China as the vice-chairman responsible for the first draft of the Universal Declaration of Human Rights. As the world was working on post-World War II global realignment and strategies for peace, a permanent global system on human rights was one of the central enterprises for securing a global platform for peace. He, together with other ranking members such as the chairperson Eleanor Roosevelt, was encouraged to come up with a draft in the interest of broadest possible humankind by reflecting multicultural values. Chang was also a powerful voice for those Asian nations, concerned over the possibility that the Declaration would represent too parochial a view of human rights in the Western context. Chang insisted ‘it should incorporate the ideas of Confucius as well as Thomas Aquinas.’

The first team of leading members in the drafting process of UDHR already foresaw such a culture-based difficulty for the future currency of the Declaration, and made a conscious effort in bringing a visible diversity of representation, in particular that of cultures.

Mo, Jongryn, in his article on ‘Checks and Balances of the Yi dynasty Korea legal system’, argues that a critical element of any legal system in terms of checks and balances

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305 Dr. Chang, Peng-chun’s dissertation in 1924 was titled ‘Education for Modernization In China; A Search for Criteria of Curriculum Construction in View of the Transition In National Life, with Special Reference to Secondary Education, Ph.D., Columbia University’


307 Eleanor Roosevelt the first UN High Commissioner for Human Rights wrote in her article in April, 1948 issue of Foreign Affairs that the Commission she chaired had Dr. Chang from Republic of China in vice-chairmanship, and has Commission members from the nations of Australia, Belgium, Byelorussia, China, Chile, Egypt, France, India, Lebanon, Panama, the Philippines, Ukraine, the U.S.S.R., Yugoslavia, Uruguay, the United Kingdom and the United States.’

did exist in the Yi dynasty of the Korea Confucian law enforcement system. To prevent power abuse and enhance accountability for enforcement institutions, the so-called ‘Censorate’ legal hierarchy was deployed. The Censorate consisted of three censoring organs, namely, the Office of the Inspector-General (OIG),\textsuperscript{309} the Office of the Censor-General (OCG),\textsuperscript{310} and the Office of Special Counsellors (OSC).\textsuperscript{311} The three institutions were designed to prevent abuses in the exercise of political and administrative authority. The main functions of OSC were to search out administrative and legal precedents, write major state documents, and advise the king on public affairs. Among the three, the OIG and the OCG represented the two main agents of accountability within the government. Officially, the OIG was charged with ‘criticizing public policy, scrutinizing the conduct of the officialdom, rectifying mores, redressing public wrongs, and preventing forgery and fraudulent misuse of public credentials.’ The authority of the OCG, on the other hand, was to remonstrate with the king and to lodge complaints against office holders.

While Mo argues that checks and balances were already in place with the Korea legal system of the Yi dynasty, including the restraint on the conduct of the king himself, we cannot deny the king had a singular power to hire and fire all the personnel working in these institutions, implying that only limited independence was allowed from sovereigns. Mo further claims that, in view of such an innovative legal tradition with a functioning horizontal accountability, the Confucian tradition in East-Asia did not lack an institutional framework for the rule of law, contrary to what some sceptics claim. Mo’s concern lay rather in the strong Confucian inflexibility “not to negotiate or compromise” political positions at negotiating tables.

Lee, KH,\textsuperscript{312} in his article on the ‘Meiji constitution and the constitutionalism of Japan,’ argues that the Meiji constitution is a product of a major compromise on political thinking between the new political-military mainstream and the liberals who sided with the European models of constitutions. The political-military mainstream was born of the old

\textsuperscript{309} sahŏnbu (the Office of the Inspector-General)
\textsuperscript{310} saganwŏn (the Office of the Censor-General)
\textsuperscript{311} hongmun’gwan (the Office of Special Counsellors)
major warrior clans of Chōshū and Satsuma. The two clans united politically and brought about the successful undoing of the Tokugawa bakufu era and reintroduced emperorship opening the era of the Meiji Restoration (1868-1912). Primary motivation behind the introduction of this constitution was consolidation of power in the emperor, not empowerment of the public which normally represents the rationale for democratic constitutions.

Empirical evidence seems to support Lee’s argument. The Meiji constitution (1889-1947) was introduced during the period in which imperialist ambition was rampant in the East-Asia. The first premier of contemporary Japan was Ito Hirobumi (1841-1909). He represented the leading warrior clan of Chōshū and was the primary mover behind the Meiji constitution. He organized study tours of Europe to evaluate European government and legal systems. He made it clear what was the intention behind the introduction of this constitution. It was consolidation of power in the person of the emperor, while people were forced to subordinate popular sovereignty to the emperor’s. The Neo-Confucian ethos and vocabulary permeated the Meiji Constitution to the extent that the sovereign-to-subject relation is portrayed as a quasi-Confucian moral ideal. In his address on February 15, 1889 commemorating the Constitution, Ito said:

_The Constitution recently promulgated is, needless to say, a constitution by imperial grant. As you well know, the term ‘imperial grant’ means that it was initiated by the sovereign himself and that it was sanctioned and granted to his subjects by the sovereign. It is my hope that you will always remember this fact—and inscribe it in your hearts—that this constitution is the gift of a benevolent and charitable emperor to the people of his country._

313 ‘Chōshū han’ and ‘Satsuma han’: two leading samurai military clans who brought down Tokugawa bakufu rule to reintroduce emperorship of Meiji era of Japan.
314 Ito, Hirobumi (1841-1909) A Japanese politician and the country’s first Prime Minister (and the 5th, 7th and 10th). He came from the leading political force of Chōshū samurai clan. He headed a number of missions to study foreign governments. Based on European ideas, he established a cabinet and civil service in 1885. He supervised the drafting of the Meiji Constitution of 1889.
This constitution was in force until it was replaced by the so-called Peace Constitution\textsuperscript{316} of 1947. The ‘Peace Constitution’ owes its name to Chapter II of the Constitution for the ‘renunciation of war.’ This constitution, a product of the Supreme Command of Occupation Forces (1945-1952), spelled out the ‘rights of citizens’ in its Chapter III, consistent with the political principles of contemporary Western liberal democracy.

Lee, YR,\textsuperscript{317} in his article on the ‘birth of the first Korean constitution,’ discusses the circumstances under which the first draft of the Korean constitution came into being in 1947-1948. Post-World War II Korea came under the separate influences of the US in the South and the Soviet Union in the North. In response to drafting the constitution for the Democratic People’s Republic of Korea (aka North Korea), South Korea or the Republic of Korea commenced its own drafting of a separate constitution. Lee argues that the leading law scholar, namely, Dr. Yu, Jin-O (1906-1987), was familiar with the legal system of Japan and its prototypical source of Prussian laws. South Korea in the period of 1945-1948 was under the military administration of the US. In the midst of political turmoil in South Korea, the US supported as the future president, Dr. Syngman Rhee (1875-1965), a Princeton-educated political philosopher and independence movement leader. This political motivation and the US influence left marks upon the constitution. Lee further argues that this constitution driven in its birth by political imperatives is a product of compromise between Korean indigenous values, foreign influence (particularly of the US Constitution) and legal scholarship acquired during the Japanese Annexation of Korea (1910-1945). The majority of scholars and lawyers in the constitution draft committee were familiar with the Confucian ethos, but the articles of this new constitution mirror the liberal democratic constitutions of the West, with little trace of Yi dynasty Korean laws of the Confucian tradition of the Yi dynasty. The Korean constitution went through a series of amendments. Lee argues that the ‘Constitutional Court’ formed in 1988, one year after the fall of the ‘military governments (1961-1987),’ is a milestone in the history of Korean rule of law, in that it serves as an assurance against any unconstitutional legislations or interpretations.

\textsuperscript{316}‘Peace Constitution’ is a common name given to the Constitution of Japan introduced in 1946 and put in force in 1947. Chapter 2 of the Constitution is for ‘renunciation of war.’ Chapter 3 prescribes for the citizen’s rights consistent with liberal democratic principles.

The Republic of China (aka Taiwan) was born as a consequence of the Hsinhai Revolution\footnote{Hsinhai (Xinhai) Revolution (1911) that brought down Ch’ing dynasty and gave birth to the Republic of China.} in the year of 1911, signifying the demise of the Ch’ing dynasty (1644-1911). The parliament of this republic drafted its first constitution in 1912 under the title of ‘Provisional Constitution.’ It was a reflection of the ‘social revolution’ agenda followed by Sun, Yatsen (1866-1925). He developed the idea into the so-called ‘Three People’s Principles.’ These principles comprise the tri-polar underpinning for the new republic he wanted to realize, namely, ‘patriotism, People’s Rights and People’s Livelihood.’\footnote{Sanmin chu-i (Three People’s Principles) comprises Nationalism (Min-tsu), People’s Rights (Min-ch’üan) and People’s Livelihood (Min-sheng).} Sun proudly compared them with the famous expression ‘of the people, by the people, and for the people’ coming from Abraham Lincoln (1809-1865).

Hsü, Immanuel,\footnote{Hsü, Immanuel C.Y. 2000, \textit{the Rise of Modern China}, Oxford University Press, New York, p. 459.} in his book on ‘modern China,’ argues that each of the three principles represents responses to the political situation of the era. The first principle, nationalism, called for not only the overthrow of the alien Manchu rule, but also the removal of the foreign imperialistic yoke. The second principle aimed at People’s Rights as the bedrock of democracy. The third principle, People’s Livelihood, stressed the need for regulating capital and rationalizing land rights. This constitution calls for ‘Four Rights’ of people and ‘Five Powers’ for the government. The four rights are to empower people on ‘initiative on political affairs, referendum as a democratic decision-making process, free elections and rescinding of public servant appointments.’ The five powers for the government include those of ‘executive branch, legislature, jurisprudence, supervision or censorate, and state examination.’ These powers and rights reflect a mixture of the liberal democratic system and the Confucian governance tradition such as censorate and state examination system which are distinctly of the Neo-Confucian heritage.

The ideal of Sun Yatsen and his Three Principles became the backbone of the current constitution of the Republic of China promulgated in 1946. The preamble of the constitution spells out how central a role Dr. Sun played in the creation of this modern constitution of the republic. The foundation for the rule of law and constitutionalism herewith came into being. The preamble reads ‘The National Constituent Assembly of the Republic of China, by virtue of the mandate received from the whole body of citizens and in accordance with the teachings bequeathed by Dr. Sun Yat-sen in founding the Republic
Societies under the rule of law uphold human rights. The three countries we are discussing are in principle countries under the rule of law. They are also signatories to the Universal Declaration of Human Rights and related Covenants. As such, each nation recognizes civil, political, economic and social rights. Each society must also provide remedies in the event of violations of these rights. The next chapters will further examine how the current constitutions of Korea, Japan and Republic of China (aka Taiwan) subscribe to the conditions of human rights covenants.

2.7 CONFUCIAN HUMANISM, ECONOMIC ETHICS AND ECOLOGY

Confucian East-Asia now that it has entered the twenty-first century has emerged as one of the mega-zones of the global economy. With this new importance in the global economy comes a comparable share of responsibility, i.e., economic ethics. In spite of the rich economic dividends that have benefited the so-called ‘developmental economies’ of East-Asia, the economic and industrial progress also has incurred an unprecedented cost to the globe as a habitat for humankind and all forms of life. Confucian humanism has had, since its birth in the Classical Age, a belief in the ‘continuity of being,’ whereby humans are in a nexus with both earth and Heaven. As East-Asian minds re-examine the relevance of Confucian teachings in the contemporary context, they are awakened to the appalling global dilemma such as the global crisis of ecology. Such a crisis is in large measure due to the unbridled pursuit of maximal economic development at a severe cost environmentally to the earth and at the social cost of denying a sustainable future to the global community that inhabits it. In this crisis, East-Asians are both part of the problem and solution-seekers. In this global dilemma, the East-Asian challenge is whether to play a minimal role to the extent of slowing down the vicious circle, or to respond to the ‘awakening’ and follow on none other than the ethical tradition of Confucianism of respecting Mother Nature as a part of the ‘Confucian family nexus.’

Jung and Jung, a couple known as political phenomenologists, echo this concern in their article on the ‘new humanism through the social principle of human and nature.’ Their argument is to the effect that the current global crises arose due to the dominance of a homo-centric social philosophy. Homo-centrism is the doctrine which claims the centrality of a human through dominion over nature by the ‘enlightened humanity.’ Homo-centrism prescribes to ‘technological thinking’ and possessive individualism.

Jung and Jung call upon East-Asia and the global community to adopt a ‘new’ social principle of human and nature. This new social principle implies recovery of the ‘inextricable nexus of relationships both between human and human, and between human and nature.’ They identify a potential solution to the current global dilemma in the philosophical anthropology of, but not limited to, Taoism, Buddhism and Confucianism.

Classical and Neo-Confucians, together with Taoists, have expressed their unity of presence with nature in a number of ways. Ahn, KS, in his article on ‘civilization in crisis and the ecological environment ethics of Lao Tzu,’ discusses whether the Taoist Lao Tzu’s teachings of ‘unity with nature’ could offer a philosophical and religious solution to the global environment crisis. Ahn argues, resonant with Jung and Jung, that the current crisis is ascribable to the inadequacy of religious, philosophical and anthropological undercurrents that determine current responses. He believes this matter is not confined to technical aspects of ordinary public policy, but concerned with how humankind perceives its relationship with nature. Ahn argues that no solution is likely, unless humanity is willing to change its ‘enlightened worldview’ rooted in scientific rationality, materialism and social utilitarianism that has hitherto served the interest of ‘progress.’ Ahn considers Lao Tzu’s teachings of ‘unity with nature’ as a viable solution. Lao Tzu’s teachings call for ‘freedom from artificiality and arbitrariness’ of the homocentric way of thinking that separates humankind from nature.

Contemporary Neo-Confucians are keen on the discovery of what modern relevance or even the outlines of a solution they could draw from Classical and Neo-Confucian teachings. As regards the foundation relationship between humankind and nature with

practice implications on the economic ethics issues such as global ecology, there are two
distinctive schools of thoughts. The first school is the Confucian dialectic school based on
the dualism of ‘principle’ and ‘material force’ \(^{326}\) represented by Chu Hsi. The other is the
monistic Confucian metaphysical school based on the unity of ‘principle’ and ‘material
force.’

In the earlier part of the Northern Song dynasty (960-1126 C.E.), Confucians faced a
significant intellectual challenge from the popular Buddhists. ‘Flower Garland’ \(^{327}\) or the
_Huayan_ School among others of Mahayana Buddhism had a high profile. ‘Substance and
function’ \(^{328}\) was one of the indigenized metaphysical concepts of this branch of Buddhism
that also reflected the traditional Confucian way of thinking.

Kang, JS, \(^{329}\) in his article on the ‘substance and function’ or _t‘iyung_ in the era of the
Northern Song dynasty (960-1126 C.E.), \(^{329}\) argues that the conceptual pattern of ‘substance
and function’ was based on an old tradition. It came from the literal meaning of ‘body’ as
‘substance’ corresponding to the letter _t‘i_ and ‘function’ as ‘action’ corresponding to the
letter _yung_. Ssuma Ch‘ien (ca. 145–90 B.C.E.) commonly known as the Grand Historian \(^{330}\)
referred in his ‘Grand Scribe’s Records’ \(^{331}\) to the Spring and Autumn Annals \(^{332}\) as a means
of ‘substance,’ whereas he referred to the I Ching or the Book of Changes as that of
‘function.’ Kang further argues that such a pattern of conceptualization has persisted
throughout the intellectual history of East-Asia. The ‘substance and function’ or _t‘iyung_
discourse was very much a part of Chinese intellectual debate during the late nineteenth
century through to the first quarter of the twentieth century. The discourse was on how
China could accomplish modernization on Chinese terms by having the philosophical core
of Chinese ‘substance’ with the instruments of Western technological ‘function.’

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\(^{326}\) _ch‘i_ (qi: force, material force or ether)

\(^{327}\) _Huayan_ (or _Avatamsaka_ in Sanskrit) or Flower Garland is a tradition of Mahayana Buddhist philosophy that flourished
in China during the Tang period. It is based on the Sanskrit scripture of the same name and its Chinese interpretation, the
_Huayan_ _Lun_. The name “Flower Garland” is meant to suggest the crowning glory of profound understanding.

\(^{328}\) _t‘i yung_ (tiyong: substance and function)

\(^{329}\) Kang, Jin-Seuk 2001, ‘ _Puksong yuga ch‘eyongnon yön‘gu_ (Study of ‘Substance and Function’ or _t‘iyung_ in the era of
Northern Song dynasty),’ _Chungguk Yon‘gu_ (Chinese Studies), vol. 28, pp. 243-258.

\(^{330}\) Ssuma Ch‘ien (Sima Qian: ca. 145–90 B.C.E.) the Prefect of the Grand Scribes of the Han dynasty, commonly known
as the Grandmaster Historian.

\(^{331}\) _Shih chi_ (shiji: Grand Scribe’s Records)

\(^{332}\) _Ch’un ch‘iu_ (chunqiu, also known as Linching: the Spring and Autumn Annals): The official chronicle of the dynasty of
Lu covering the period from 722 to 481 B.C.E. It is the earliest surviving Chinese historical text arranged according to the
proper annalistic principles.
In a direct parallel to Kang’s argument, Kim, TK attempts to apply the ‘substance and function or functional action’ to the global concerns about ecology in his article333 on the ‘environmental ethics education from the perspectives of chae-yong-sang334 theory.’ Kim argues that, for the development of new thinking about economic activities in direct nexus with ecology, the Confucian and Buddhist intellectual tradition of ‘substance and function’ or t’iyung should be given a new currency. In terms of human-to-nature ecological and economic relations, ‘substance’ or t’i also meaning body would represent the essence of every reaction in the cosmos, while ‘function’ or yung would refer to every-day economic activities. Kim further argues that the recovery of ‘substance and function’ relations would bring about the appropriate ‘phenomenon’ or hsiang representing a desirable environment suitable to living conditions for all forms of lives.

Such streamlined ecological thinking in terms of a ‘earth-human-cosmos continuum’ consistently appears in the teachings of the Neo-Confucian doyens such as Chang Tsai (1020-1077), Chu Hsi (1130-1200) and Lo Ch’in-shun (1465—1547) as well as T’oebye (1501-1570) of Korea and Kaibara Ekken (1630-1714) of Japan.

T’ang Chun’i,335 in his article on ‘Chang Tsai’s theory of mind and its metaphysical basis,’ provides an insight into how Chang Tsai through his seminal work of ‘Western Inscription’336 establishes the unity of moral philosophy and cosmology. His ‘inscription’ carries in plain terms what Chang Tsai believes is a Confucian ideal on human to nature metaphysics:

*Heaven is my father and Earth is my mother, and even such a small creature as I find an intimate place in their midst. Therefore that which fills the universe I regard as my body and that which directs the universe I consider as my nature. All people are my brothers and sisters, and all things are my companions. In life I follow and serve [Heaven and Earth]. In death I will be at peace.*

334 chae-yong-sang (substance-function-phenomenon in Korean)
336 Hsi-ming (Ximing: Western Inscription)
T’oegye (1501-1570) of Korea highlighted the same teaching by offering the second diagram in his edition of ‘Ten Diagrams.’ Kaibara Ekken, known as the synthesizer of Neo-Confucian scholarship in the Tokugawa era (1600-1868), also used plain language to convey his view on the human to nature metaphysical continuum by saying:

Heaven and earth are the heart of living things. Humans receive this heart and it becomes their own. This is humaneness. Nourishing life and [practicing] humaneness are not two different things. Nourishing life belongs to heaven and humaneness belongs to humans.

These Neo-Confucian scholars of Korea, China and Japan as mentioned above not only philosophized about the human-to-nature cosmology and morality, but also undertook on putting these principles into practice within the communities they were teaching or governing. Such community practice took the form of ‘community compact.’ The concept of ‘community compact’ emerged in China during the Northern Song dynasty (960-1126 C.E.). The so-called ‘Lü Community Compact’ was proffered by the Lü brothers, and completed by Lü, Ta-chün in 1076. This compact was later picked up by Chu Hsi (1130-1200) who made it thorough.

Such communal practices of Confucian worldviews were either completely voluntary with passive understanding by central governments in recognition of limited governmental resources in meeting communal needs on a timely basis. Or they were pre-approved by central governments on recommendations from the recognized senior community leaders such as Chu Hsi, T’oegye (1501-1570) or Yi, Yulgok (1536-1584) of the Yi dynasty in Korea.

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339 Lü shih hsiang yao (Lü shi xiang yao: Lü Community Compact)
340 Lü, Ta-chün (Lü, Da-jun); He is known to have completed ‘Lü Community Compact’ in the year of 1076 C.E., the same edition later utilized by Chu Hsi.
Kim, KS,\textsuperscript{341} in his article on the ‘Korean community compacts of the Yi dynasty,’ has argued that communal practices were closely linked with popular education regarding the Confucian moral codes and with economic fairness, particularly in farming. Kim further argues that ‘social learning’ over the centuries through such a compact has inculcated human to nature cosmology in the hearts and minds of East-Asians.

Lew, Chang and Kim,\textsuperscript{342} in their article on ‘affective networks and Korean modernity,’ argue that Korea, Japan and China historically share a sociological learning regime moulded from philosophical tenets of affective networks such as community compacts. Such accumulated learning would minimize the transaction cost of adopting or reviving a desired social principle such as eco-friendly economic ethics and behaviours. They also argue that Korea, Japan and the Republic of China (aka Taiwan) alike benefited from the shared culture of community compacts that perpetuated themselves into varied forms. The rapid adaptation by Japan to modernity during the Meiji Restoration (1868) was based in large measure on communal activities. The so-called ‘New Village Movement’\textsuperscript{343} of Korea is known to have aided in rapid industrialization.

As we have already referred to earlier, among the twentieth century Confucian scholars, Mou, Tsung-san (1909-1995) stands out in awakening East-Asian minds to the ‘life-world philosophy’ as the central idea of contemporary Confucian teachings. Mou,\textsuperscript{344} in chapters six and seven of his book on the ‘right way to govern,’ reasons that modern Confucian challenges are firstly to ‘subjectively overcome the contradiction between life and reason’ through a renewed Confucian ‘philosophy of life,’ and secondly to ‘objectively overcome a contradiction between life and reason’ through respect for the creativity of the nature that sustains all forms of lives and the environment that embraces them.

\textsuperscript{341} Kim, Kyong-Sik 1990, ‘Chosŏn hyang'yakū insige kwanhan kwan’gyōn (A Study on Hyang-Yack of Chosŏn),’ Hanguk Kyoyuk Sahak (Journal of Korean Education History), vol. 12, pp. 91-122.


\textsuperscript{343} Sae'mail undong (New Village Movement): economic and social drive on community level in Korea during 1960’s -1980’s.

\textsuperscript{344} Mou, Zongsan 1996, ‘Chapter 6 & 7’, in Zheng dao yu zhi dao (The Right Way to Govern), Taiwan xue sheng shu ju, Taibei shi.
As regards the ‘life-world philosophy’ in the thoughts of Tokugawa Japan, Maruyama, Masao,\(^{345}\) in his chapter on the ‘historical significance of the transition from *nature* to *invention* in the intellectual history of Tokugawa Japan,’ argues that Tokugawa era thinkers helped overcome the potential risk of social stagnation that could have been precipitated, if Japan had uncritically absorbed the Neo-Confucian orthodoxy of China and Korea, particularly that of Chu Hsi. Maruyama believes that the historical shift in Japanese philosophical orientation occurred thanks to the intellectual labour of those thinkers of the era such as Ogyu Sorai (1666-1728), Andō Shōeki (1703-1762) and Motoori Norinaga (1730-1801). Maruyama further argues that the gist of this intellectual shift was from the ‘nature’ as the centrepiece of Chu Hsi’s system of thought to the ‘invention’ or ‘design’ school of thought that these thinkers believed was necessary to realize a more affluent and egalitarian society. These three intellectual figures are also credited for the creation and flourishing of ‘National Learning\(^{346}\) that, Maruyama argues, laid an important cornerstone for modern Japanese systems of thought. This view of Maruyama resonates with the concept of ‘collective intentionality’ that was discussed earlier in this literature review, reflected in the article by Searle, Bratman, Gilbert and Tuomela on ‘collective intentionality’\(^{347}\) and another by Wray, on ‘collective belief and acceptance.’\(^{348}\)

In another strand of Japanese thinking on the harmony between humans and nature, Ishida, Ichiro,\(^{349}\) offers his contribution of alternative views through his book on the ‘history of Japanese thinking.’ He maintains that Japanese Zen Buddhism represents one such sense of harmony both in preserving nature and beauty for humanity. He argues that this unique Japanese sense of harmony owes its origin to the indigenous antiquity of nature worship under the philosophical influences of Buddhism and Neo-Confucianism, in particular, that of *yōmeigaku*.

Dilworth, Viglielmo and Zavala\(^{350}\) have written on Nishida Kitaro (1870-1945) known as the greatest philosopher of modern Japan. Their writing on Nishida was motivated by the fact that Nishida offers an important parallel argument to that of Ishida. Further to Ishida’s view

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\(^{346}\) *Kokugaku* (National Learning)


of the above, Nishida emphasizes the spiritual attainment of ‘pure experience’ in his seminal work on the ‘study of Zen,’ whereby there is no longer any division between ‘subject’ and ‘object.’ Nishida maintains that self-awareness derives from this pure experience which in turn defines ‘self-hood.’ Through Zen one attains harmony and beauty in peace with Mother Nature.

Confucian humanism such as proposed in the ‘philosophy of life’ emphasizing a human–to-nature nexus resonates with the principles of global economic and ecological ethics. Hence, East-Asian Confucians were in search of a new paradigm for a worldview, consistent with their belief system, but also amenable to meeting the common concerns of the global community.

As regards Confucian exercises of economic ethics in the community and industry spheres of East Asia, Onatowski contributed an article on the ‘boundary between the religious and secular: the idea and practice of Neo-Confucian self-cultivation in modern Japanese economic life.’ In this article he gave a chronological overview of how economic thinkers and actors in the Neo-Confucian era of East-Asia, particularly in Japan, internalized Confucian teachings in the exercise of economic ethics. Onatowski argues that economic ethics adopted in the Neo-Confucian era owes their origin to the Classical age Confucian teachings, particularly of Confucius and Mencius. The Neo-Confucian doyen of the Tokugawa era, Fujiwara, Seika (1561-1619) is the proponent of what can be termed the first Neo-Confucian tradesman’s code of conduct of Japan. He called it the ‘Code in the Boat.’ Literally, this code proscribed how an economic actor or tradesperson should conduct himself in transaction aboard ‘boat’ in the midst of the sea. Even where there is no intervention such as of laws on the open sea, the Neo-Confucian tradesperson is expected to follow Confucian teachings and act in good conscience. It is noteworthy that this regime of Confucian economic conduct came from Fujiwara, who also happen to be the most significant scholarly counsel for the first shogun of the Tokugawa era. Onatowski argues that Fujiwara remonstrated with the shogun and tradesmen equally on the ‘religiosity’ and ‘secularity’ of Neo-Confucian philosophical tenets. This code fundamentally calls for

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351 *junsui keiken* (pure experience)


353 *Shūchū Kiyaku* (Code in the Boat)
application of ‘humanity, righteousness, rite and wisdom’\textsuperscript{354} in the market as much as in the court of the sovereign. In 1726, Osaka merchants funded the establishment of a Neo-Confucian academy for future tradespersons. It was called ‘Kaitokudō (Merchant Academy)’ and it educated industry leaders until it was replaced by modern universities in 1868 during the Meiji Restoration. This Neo-Confucian principle of industry and business also evolved the concept of \textit{kyōsei},\textsuperscript{355} literally meaning ‘symbiosis,’ ‘co-existence’ or ‘co-prosperity.’ The principle of \textit{kyōsei} has become the core philosophical underpinning of the Japanese Confederation of Economics and Industry, namely, \textit{Keidanren}.\textsuperscript{356} The concept of \textit{kyōsei} became the founding principle of an international business ethics initiative, namely, the ‘Caux Round Table’\textsuperscript{357} born of tripartite efforts by Europe, the US and Japan. In this initiative, Japan offered the foundational principle of \textit{kyōsei} and the Europeans and Americans contributed another principle of ‘human dignity.’ These two principles combined are to serve in the interest of sustainable ecology and environment on the same continuum as the human and industrial ends of global business endeavours.

In collaboration with Japanese colleagues, Hans Küng,\textsuperscript{358} a dissident Catholic theologian and a renowned global ethicist together with Helmut Schmidt, a former German chancellor, offered an important platform of global ethics complementary to the current human rights regime, namely, the Universal Declaration of Human Rights. They organized two global declarations under ‘A Global Ethic and Global Responsibilities’ in 1998. They called for a philosophical turnaround so that ethical awakenings coupled with readiness for human responsibilities could work hand in hand with the current regime of human rights. Such a holistic approach with combined ethical forces of human responsibilities and human rights would be both necessary and practical in order to meet the current challenges of the globe in peril. This philosophical approach resonated with the Confucian ethos of East-Asia. The Küng and Schmidt initiative received substantial support from East-Asian nations and leaders in both scholarship and politics.

\textsuperscript{354} \textit{jen,i, li and chih} (humanity, righteousness, rite and wisdom): the four cardinal teachings of Classical Confucianism.
\textsuperscript{355} \textit{kyōsei} (symbiosis, co-existence or co-prosperity)
\textsuperscript{356} http://www.keidanren.or.jp/ viewed 30 September, 2006.


While laying foundations for what would become Confucianism, the Classical Confucian sages were emphasizing continuity of the tradition of ancient wisdom they inherited. The ‘life-world’ they lived through was the one of extreme political and social instability, with economic hardship for the commoners.

On the one hand, Classical Confucianism was profoundly religious in terms of upholding the sacredness of humans as the vehicles of ‘immanent cosmos.’ On the other hand, it was genuinely secular in terms of searching for ways of re-establishing the ‘sagely kingship’ on earth amongst the virtuous inner beings as individuals, irrespective of social standing whether as commoners or sovereigns. Confucius and his disciples of the first and next generations helped establish a ‘way’ to both the ‘sacred’ and ‘secular’ ideals through the central concept of Confucian ‘humanity.’ This ‘humanity’ had the four cardinal virtues built around it, namely, ‘propriety, righteousness, loyalty and filial piety.’ These virtuous teachings have been encapsulated in the ‘four canonical books,’ including the Analects.

‘Collective intentionality,’ as examined, was to help explain how Confucius and his disciples endeavoured to realize their ideal of ethics, minds and hearts, and sagely politics. This ‘intentionality’ was to bring a fresh consciousness of the selves and to reposition themselves meaningfully in relation to the given ‘life-world’ conditions. This intentionality also meant a design for the Confucian moral framework that helped overcome the polarity of the ‘governing’ and the ‘governed’ by meeting communally on the common platform of Confucian ‘humanity’ and the four cardinal virtues.’

The seminal work of T’oegye (1501-1570) was examined as an eminent example of how the Confucian tradition could consolidate Confucian philosophy and holistically be applied to ‘life-world’ conditions. The systematic approach and thoroughness of T’oegye’s vision and framework of Confucian moral ideals and governance were officially acknowledged.

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and attained by the state orthodoxy. T‘oegeye declared his intellectual indebtedness to Chang Tsai (1020-1077) and Chu Hsi (1130-1200), and was proudly committed to the continuum of the Classical and Neo-Confucian tradition. T‘oegeye successfully proceeded to the inculturation of this tradition into the conditions and circumstances prevailing upon the Yi dynasty (1392-1910) in Korea.

Living a worthy life under such a Confucian tradition meant firstly dedication to self-cultivation and holistic learning as a life-long endeavour. Such a devotion to knowledge and wisdom entails the ‘dialectics of knowledge creation.’\textsuperscript{366} It would firstly ‘adopt’ Confucian teachings, secondly ‘assimilate’ and internalize such knowledge, and thirdly ‘accommodate and apply’ the ‘schemes of knowledge’\textsuperscript{367} to self-realization, enhancing communal interest starting with family, and sustaining public-spiritedness ready for serving the common good.

Resonant with the achievement of T‘oegeye in the Yi dynasty in Korea, Kaibara Ekken (1630-1714) of the Tokugawa era (1600-1868) in Japan also achieved, as discussed earlier, a systematic and thorough framework of Confucian learning, enjoying wide acceptance and longevity.\textsuperscript{368}

As regards Confucian governance, the inner rule of mind was more pronounced than the outer rule by laws or institutions. Alternative views came from those of the ‘School of Legalism\textsuperscript{369}’ headed by Hsün Tzu (310-237 B.C.E.) and Han Fei Tzu (280-233 B.C.E.), who emphasized the necessity of a legal framework to complement the dictates of ethics.

Mencius highlighted an essential condition to the construct of Confucian governance. This condition was about the moral legitimacy of political power and its exercise by sovereigns. He went as far as to morally justify the ‘commoners’ rights to revolution\textsuperscript{370} as the last resort to correcting the incorrigible sovereign.

\textsuperscript{367} Ibid.
\textsuperscript{368} Tucker, ME 1989, Moral and Spiritual Cultivation in Japanese Neo-Confucianism: The Life and Thought of Kaibara Ekken 1630-1740, State University of New York Press, NY, pp. 53-84.
\textsuperscript{369} fa-chia (School of Legalism): Op. Cit.
The ‘Doctrine of the Mean’ serves as the central canon for Confucian governance. The ‘Doctrine of the Mean’ teaches how a person can sublimate his personhood to a ‘superior man, or profound person’ in the process of social and political rectification and also of bringing about a type of community where trust reigns, not power, and where peoples of the ruling or the ruled classes alike cherish a level of integrity called ‘sincerity.’

Such reciprocity of intellectual and moral internalization represents a ‘message of harmonization,’ as one endeavours to gain the ‘true understanding of selves’ or ‘learning to be human,’ as a launch pad to serving the interests of the greater good of the society. It is also a process of continually ‘restructuring’ intellectual and social governance built around the ‘empiricism’ that such intellectual and moral internalization engenders.

This review also discussed the intimate encounters amongst Confucianism and other major East-Asian philosophical traditions of Taoism and Mahayana Buddhism both in competitive and complementary ways.

The review touched upon the significance of I Ching or the Book of Changes as an ancient composition of oracles, predating the Classical Confucian age. Although it came into being as a book of courtly divination, it continued to exert a pervasive influence upon the evolution of linguistics and symbolism. I Ching’s impacts were far-reaching, not only upon Confucianism, but also on Taoism and Mahayana Buddhism.

The major reformation of Confucianism occurred with the emergence of a host of Neo-Confucian scholars. What is termed Neo-Confucianism started with the pioneering efforts of the Ch’eng brothers (1032-1108) and Chang Tsai. The consolidation of the rejuvenated Confucian tradition took place through the masterly works by Chu Hsi. Reformed Confucianism assumed state orthodoxy firstly in the Yüan dynasty (1279-1368).

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372 ch'eng (sincerity)
in China, followed by the Yi dynasty in Korea. The Tokugawa shogunate accommodated it within the fold of the political framework of the military government.

The orthodoxy of Chu Hsi-led Neo-Confucian mainstream faced a major challenge. An ‘epistemological divide’\(^{377}\) arose between the orthodoxy and the School of Lu-Wang or the School of Mind and Heart Study. The orthodoxy had its cosmological understanding based on the duality of ‘principle’ and ‘material force.’ The School of Mind and Heart were opposed to it and insisted instead on the unity between the two. The engulfment of this divide was serious enough to engender the separate strands of Confucianism in China, Korea and Japan. The alternative school in Japan developed into Yōmeigaku\(^{378}\) and became important elements of the Practical Learning\(^{379}\) and the National Learning.\(^{380}\) Zen Buddhism and the evolution of Shintoism into its diverse versions have actively interacted with this school of Neo-Confucianism, leaving indelible marks on the philosophy and aesthetics of Japan. Branches of Neo-Confucianism survived the severe political changes in each nation through diverse adaptations. Adaptations by the Neo-Confucians during the period of the Practical Learning included accommodation of Western science and certain aspects of Western learning, i.e., Catholicism.

The commoners’ life reserved their own space of spiritual freedom despite the Confucian orthodoxy of the ruling class that dominated knowledge and power. Such spiritual freedom was eminently expressed in the major literary works enjoyed by the commoners and scholar-officials alike. The two very popular Korean writers, namely Hŏ Gyun\(^{381}\) and Kim Man-jung,\(^{382}\) were heavily influenced in their literary sensitivity by then non-official Taoists and Buddhists known for their compassionate feel for commoners. The Chinese saga of the ‘Dream of the Red Chamber’\(^{383}\) is another major example. It vividly depicted in its


\(^{378}\) Yōmeigaku: Japanese inculturation of Yangming School or the School of Mind and Heart, started by Lu, Hsiang-shan (1139-1193) and Wang Yang-ming (1472-1529).

\(^{379}\) Jitsugaku (Practical Learning)

\(^{380}\) Kokugaku (National Learning)

\(^{381}\) Hŏ Gyun (1569-1618): a major literary writer of Yi dynasty Korea who wrote a scathing critique on his contemporary Confucian officialdom through a novel, involving a humanized ‘tiger hero’ scolding corrupt and incapable mandarins.

\(^{382}\) Kim Man-jung (1637-1692): a major literary figure and official-scholar of the Yi dynasty Korea who wrote first vernacular novels particularly earmarked for those under-privileged readers in non-official domains such as female homemakers, including his own aged early widowed mother.

\(^{383}\) *Hong Lou Meng* (Dream of the Red Chamber): One of the masterpieces of Chinese fiction and also considered one of the greatest novels. It was composed sometime in the middle of 18th century during the Ch’ing dynasty (1644-1911), and its authorship attributed to Cao Zhan (Cao Xueqin: circa 1715-1763).
storytelling how ‘non-royal’ people with no official privileges, in particular, womankind, lived
day to day lives under the statecraft of Neo-Confucianism, kept up their spiritual freedom
and, at times, fought with gusto the hypocrisy and injustices of Confucian mainstream.

Review of Confucian political thought about humanism can be traced back to the origin of
political thought and human dignity thinking as far back as to the ancient era of the Yellow
Emperor or Huang-ti,384 the mythological first emperor of China, and also to the foundation
mythology of Korea, i.e., the founding father of Korea, the Tan’gun,385 known for the
principle of ‘the broadest benevolence for humanity.’386 This tradition of governance would
have practical implications on the approaches to human rights observance under
contemporary modern social conditions. These approaches are at variance with the
legalistic approaches that the Western tradition would take to the question of human rights.

In discussion of the rule of law and the legal tradition preceding modern constitutionalism,
the review touched on the ‘origin and evolution of Chinese laws and statutes in terms of
‘criminal codes (lü),’ ‘civil administrative codes (ling),’ ‘legal reform updates (ko)’ and ‘legal
application cases (shih).’ Such a legal framework consistent with the Confucian
philosophical mainstay underpinned Confucian governance. It originated from the ‘Spring
and Autumn Era (770~476 B.C.E.)’387 in the form of the ‘Commentary to Spring Autumn
Annals,’388 and made its way into the governance code of the premier of Ch’i dynasty (ca.
770-221 B.C.E.), Kuan Tzu (d. 645 B.C.E.).389 Such tradition of laws remains in the modern
constitutions despite heavy influences from the Western constitutions.

The emergence of the contemporary Neo-Confucian scholarship was discussed in the
review in that contemporary Confucians endeavour to find the modern relevance of the
Confucian tradition. They share a concern about the global crisis, in particular, about

384 Huang Ti (huangdi, the Yellow Emperor) is a legendary Chinese sovereign and cultural hero who is said to be the
ancestor of all Han Chinese. One of the Five Emperors, the Yellow Emperor is said by tradition to have reigned from 2698
to 2599 B.C.E. He is known for the introduction and invention of Chinese medicine, compass and sexagenary cycles
Chinese lunar calendar. His wife Lei Tsu is credited for discovery of sericulture and introduction of silk weaving looms.
385 Tan’gun is the legendary founder of the first kingdom of Korea, in present-day Pyongyang in 2333 B.C.E.
386 Hong’ik In’gan (the broadest benevolence for humanity): this founding ideology of Korea is broadly applied in the
official documents such as ‘article 1 of the Law of Education’ of Korea.
387 Chun ch’iu (Chun Qiu: ‘Spring and Autumn’ Era of China)
388 Chun ch’iu tso chuan (Chun Qiu zuozhuan: Commentary to Spring and Autumn Annals)
ecology. The Confucian view of human-to-nature unity would have different implications on economic ethics as related to the preservation of ecology.

The Confucian tradition, after the two millennia and half since its birth, still maintains the footprints of the Classical Confucianism. Its birth was universal in that people came to think anew of themselves, the world and beyond, rising to a new plateau of a ‘civilization as ways of thought.’\textsuperscript{390} The Classical Confucianism on this new ‘ways of thought’ foundation was profound and cogent enough to warrant ‘continuity as civilization.’\textsuperscript{391} The pillar of ‘humanity’ still remains at the centre of what became the tradition of Confucian humanism. In search of a new meaning, contemporary Neo-Confucians go through a process of finding a new equilibrium, i.e., ‘re-equilibration.’\textsuperscript{392} This new equilibrium, the modern Confucians hope, would emerge from the productive encounters between the contemporary modern conditions of life-world and the Confucian philosophical tradition.

This review has provided a foothold towards the central theme of Confucian humanism, with which the research can proceed to exploring its implications on the question of human dignity in practice, namely, human rights. It can also proceed with exploring the question of economic humanism, namely, economic ethics, with special attention to the challenges of the global environment.

With this intellectual picture on hand, this research will now move to the next chapter where narrative data and corresponding documentary evidence will be examined to explore further the research question: Confucian humanism and its implications for human rights and economic ethics in the non-socialist East-Asian nations of Korea, Japan and the Republic of China (aka Taiwan).

\textsuperscript{391} Ibid, pp. 24-35.
3.1 INTRODUCTION
Following upon the review of scholarly literature in the preceding chapter, this chapter summarizes the narrative data. This narrative data comprises the summary of focus group discussions and documentation corroboration in relation to the discussion content. Discussions followed within a thematic framework with the help of ‘discussion questions.’

These questions relate to how Confucianism has evolved into Confucian humanism, what impact such Confucian humanism has had on the governance framework, especially in relation to human rights and economic ethics. The last one of these questions relates to whether Confucianism and its societal implications are in accord with the globalizing civil society and its ideals. The narrative content was obtained through a series of small ‘focus group’ discussions during 2005-2006. For those discussants who could not attend the small group meetings, ‘one-on-one’ interviews were conducted. These groups averaged three to five persons excluding the convenor, namely, the researcher. The small groups were composed of those with similar intellectual interests or occupational pursuits. The ‘focus group’ approach was a part of the research strategy to collect qualitative data. This approach was adopted in order to facilitate joint exploration into the key ideas. Selection of discussants has been made on the basis of depth of knowledge about and/or intensity of interest in Confucian humanism and its implications upon its governance issues. The ‘invitation letters’ containing the ‘confidentiality terms,’ appended as Appendix 5-1, have been sent out since 2005 for those discussants selected. The discussions and interviews took place in Korea, Japan and the Republic of China (aka Taiwan). Meetings for focus discussions took place in the respective capital cities and their suburbs, namely, Seoul, Tokyo and Taipei. English was used as the main languages for discussions and note-taking, with help of respective national languages, i.e., Korean, Japanese and Chinese (Mandarin), if/when necessary, thanks to the researcher/moderator’s familiarity with each language. Follow-up communication ensued via email and phone. On

1 Questions employed to trigger the ‘Unstructured Discussions’:
Q1. Do Northeast Asians in Korea, Japan and Republic of China (aka Taiwan) follow Confucianism as one of their major common philosophies and beliefs?
Q2. Is Confucian philosophical and belief tradition the bedrock of Confucian humanism?
Q3. If so, does the Confucian humanism advance governance such as the observance of human rights?
Q4 Does Confucian humanism foster economic ethics?
Q5 Does Confucian humanism accord with the humanism and ideals of a globalizing civil society and its governance, as expressed in human rights and economic ethics especially in relation to the global ecological crisis?
completion of the focused discussions and interviews, participants totalled eighteen for each nation and fifty four in total. Details are given in Appendix 5-2 about their expertise, areas of interest, and fields of engagement.

In compliance with the ‘ethics guidelines’ for this research, anonymity and confidentiality in respect of discussants’ identities and their views were assured. Discussants have been given acronyms bearing no relation to their real names. Appendix 5-2 carries these acronyms with aggregated occupational descriptions.

Most of the discussants showed substantial interest in the research topic and the discussion themes. The small groups gathered in relaxed atmospheres, mostly of two hour duration, and they enjoyed the conversational dialogues. There was a consistent sense that discussants were participating in the ‘creation of communal knowledge’ rather than simply responding to a research questionnaire. The convenor refrained from offering any opinion, with his function in the gatherings limited to that of facilitator.

The thematic summary follows the main narrative themes and the contents of the focus group discussions. The themes relate to and come under the headings of: (3.2) whether Confucianism is the common philosophy of East-Asia, (3.3) how Confucian humanism has evolved, (3.4) whether Confucian humanism supports governance ideals such as human rights, (3.5) whether Confucian humanism advances economic ethics, and, finally, (3.6) whether Confucian humanism accords with the globalizing civil society and its ideals.

3.2 CONFUCIANISM AS THE COMMONLY EMBRACED PHILOSOPHY OF EAST-ASIA

In this thematic discussion, each national group was asked to respond to the question, “Do Northeast Asians in Korea, Japan and the Republic of China (aka Taiwan) follow Confucianism as one of their major common philosophies and beliefs?” The outcome of the discussions was as follows:

3.2.1 On the Diverse Identities of Korean Confucians

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2 RMIT University Ethics Clearance of this research was made on the basis of anonymity of the discussants and confidentiality of their material.
3 Table 1 appearing in the research strategy part of Chapter One is a condensed tabulation of discussants' representation in terms of expertise and areas of interest.
Korean responses were quite diverse and somewhat controversial as to whether contemporary Koreans believe they are Confucian adherents or not. As to whether Koreans live Confucian lives, most discussants agreed that their family lives and interpersonal relations are based on Confucian ethical principles.

The leading religions of Korea, according to the latest governmental census of 2003 as attached in Appendix 6-1, are Buddhism (25.3 per cent), Protestant Christianity (19.8 per cent), Catholicism (7.4 per cent), Confucianism (0.4 per cent), other religions (1.0 per cent) and no declared religious affiliation (46.1 per cent).

One discussant (KAP) who convenes interfaith gatherings was familiar with the reason behind such a surprisingly low percentage who declared themselves Confucians. He mentioned: ‘Statistics can be quite misleading. According to the 2003 census of Korea, declared Confucians are 0.4% of population or 0.7% of those declared religious adherents.’ He suggested more factual findings were possible through in-depth surveys with the use of more concrete questions such as those regarding Confucian practices, e.g. ancestral worship and family rituals. He argued that more than half of the non-religious adherents together with the Buddhists, Protestants and Catholics follow ancestral veneration in some form based on Confucian norms. They maintain their family and other human relationships broadly based on Confucian ethics. KAP mentioned: ‘The official statistics about Confucianism is confounding our belief that Korea is one of the most Confucian nations in East-Asia. This official figure is extremely low. But it actually reassures us that Confucianism still remains the mental undercurrent of nearly all Koreans, while it may not be an organized religion.’

Another discussant (KAH) who researches in social theories offered the parallel argument that Confucianism is not an organized religion. He suggested that the low official figure is misleading in that Confucian values and norms still remain deeply rooted in the minds of the religious adherents of any persuasion and also of those with no declared religious persuasion. He emphasized that this low figure reassuringly indicates how deeply Confucianism has become entrenched in the Korean tradition. Organized proselytizing

religions have not succeeded in eliminating Confucian thinking and rituals from the minds of their followers.

3.2.2 Confucian Influence over Education in Korea

Nearly all discussants agreed that the central importance Koreans place on education reflects the Confucian mentality. The Confucian emphasis on self-cultivation calls for incessant self-education and broader learning.

The first discussant (KEH) as an economic historian on ‘knowledge economy’ argued that the extraordinary zeal for education mirrors the struggle for survival under the rigid hierarchical society that Confucian state ideology helped create. Confucian knowledge was directly aligned with power and career. He further argued that the current state examination system in Korea for public offices still maintains the Confucian value orientation. The better educated command the trust of the society. The fairness of the examination system in the choice of the best candidates for high administrative office remains largely unchallenged.

The next discussant (KPH) as an advisor on resource policy suggested that the Confucian zeal for education also is reflected in the private sector, in particular in the prominent large corporations. He argued that those who have not made it into officialdom achieve their comparable ambitions in the large hierarchical industrial corporations. This phenomenon in the economic sector, he insisted, provides another venue for contemporary Confucians in their pursuit of self-realization. An industry career in East-Asia at times is seen as a vehicle of worthy Confucian legitimacy as was officialdom in the past. This view probably reflects his interest in human development policy. KPH also mentioned how ‘The state examination system of Korea became formal in 1949. It is a direct heir to the system used by the imperial Japanese government since its introduction during the Meiji reign.’

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5 The Meiji era introduced the ‘state examination for civil administrators’ in 1887 in the old Confucian state examination tradition, but also modelled on the German state examination system as recommended by the Japanese study visitors. This state examination system of imperial Japan was adopted in Korea through the Japanese annexation of the Korean peninsula during 1910-1945, Secretariat of Administrative Reforms, Government of Japan (www.goukaku.go.jp), viewed 09 October 2006.
The next discussant to make a contribution (KAS) as a social development specialist brought up another Confucian aspect related to the Korean education system and its syllabus selection process from years one through twelve, i.e., six years of elementary school, three years of middle school and three years of high school. The core Confucian virtues and other Confucian teachings remain central in the ‘morality’ subject starting at the very first year, and becoming more formal with the year three learners. They also remain central themes in the ‘civic ethics’ subjects compulsory for middle school years and an elective for high school.

3.2.3 Existing Confucian Institutions in Metropolitan and Provincial Korea

As to whether there still exists any institutional vestige of Confucianism, one discussant (KMC) as an advocate of participatory civic society referred to the ‘National Confucian Academy’ or ‘Sŏnggyun’gwan.’ This state Confucian academy was established by the Koryŏ dynasty (935-1392) of Korea in 992 and became the central academy of advanced studies for those select scholar-officials chosen to serve throughout the period of the Yi dynasty (1392-1910). This institution remains in existence today, albeit without the state imprimatur it formerly enjoyed. Its current abode is within the campus of the Seongkyunkwan University in Seoul. This institution lost its status and influence, simply because no religion by law can be a state religion in contemporary Korea. On the origin of the word ‘Sŏnggyun’gwan’ that is comprised of ‘sŏng-gyun’ (realisation of equality) and ‘gwan (institution),’ the discussant (KAC), drawing on his knowledge of the cultural history of Korea, explored the motivation behind the decision on the naming of this critical institution. He suggested that ‘sŏng-gyun’ came from a verse in the Rites of Chou. Its intention was self-explanatory in that this institution was established to educate and train the scholar-officials to serve the people and the sovereign alike in order to ‘realize the equality of benefits’ to all.

The next discussant (KPS) with an interest in social policy added that ‘sŏng-gyun’ represented the principle of balancing the ‘sagely rule of the sovereign’ in the interest of

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6 Sŏnggyun (‘realization of equality) was one of the key concepts of governance and of the principles of building institutions, including the education of promising scholar-officials, as a tradition of empirical political philosophy handed down from the era of the Chou dynasty (ca 1122-256 B.C.E.) to the Koryŏ dynasty (935-1392) of Korea.
social stability vis-à-vis the ‘potential abuses of sovereign power.’ He highlighted the significant historical role played by Tung Chung-shu (circa 195-115 B.C.E.)8. Tung was the leading Confucian scholar of the Han dynasty and played a pivotal leadership role in the elevation of Confucianism to be the state orthodoxy. It was a major triumph over the diverse philosophies and ideologies that mushroomed during the period of the Hundred Schools of Thought.9 Tung re-emphasized the Mencian virtue of maintaining political equilibrium between the sovereign and the commoners as well as the need of factoring in a remedy against the possible abuse of power.10

Further to the centrality of the state academy, two discussants (KAC) and (KPR) as a research and development policy person shared their views about the important social and political roles played by those ‘private Confucian academies (sŏwn)” located in the provinces outside the capital. Establishment of these academies was encouraged by the leading Confucian scholars such as T’oegye (1501-1570) to make Confucian education and self-cultivation available nationwide though under the constraint of the national resources available to the central government. The discussant (KAC) mentioned: ‘the number of private Confucian academies (sŏwn) peaked to approximately one thousand during the era of King Yŏngjo (reign 1724-1776), which the central government reduced to approximately seven hundred to stem overgrowth.’ These academies not only grew in number, but also became bastions for philosophical and political factions. From them, provincial power struggles arose and the factions built their political influences around them. The Yi dynasty (1392-1910) of Korea saw the extremities of factionalism spilling over to bloody political struggles.

A discussant (KSS), with an interest in the advocacy of civic rights, argued that this factionalism was due to political intolerance engendered by the orthodox Confucian monopoly over knowledge and power. Those orthodox Confucians, according to him, could not avoid the responsibility for spawning the protracted struggle for legitimacy among the intransient regional Confucian factions.

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8 Tung Chung-shu (Dong Zhongshu: circa 195-115 B.C.E.) was a scholar in the era of the former Han dynasty (206 B.C.E.-8 C.E.). He is credited with the elevation of Confucianism as the official state ideology of China.
9 chu-tzu pai-chia (zhuzi baijia: The Hundred Schools of Thought) was an era of great cultural and intellectual expansion in China which lasted from 770 to 222 B.C.E., also known as the Golden Age of Sinic philosophy and which spanned the Spring and Autumn period and Warring States period.
On this point, one discussant (KHA) offered his view that the modernization of the Yi dynasty in Korea had to go through the institutional reform of Confucian education as a start of national policy. The Regent Taewŏn’gun (reign 1863-1886)\textsuperscript{11} closed down approximately six-hundred and fifty provincial Confucian academies out of seven hundred in a gargantuan sweep, leaving only forty-seven academies. The discussant added that, while this regent was fully Confucian in heart and mind, he had to rid his government of faction-hardened Confucian academism in order to advance a reform policy. KHA also mentioned: ‘The provincial academic factions were also associated with the major family clans who produced influential political figures. The regent Taewŏn’gun had to contain political pressures exerted by the leading family clans such as of Kwangsan Kim and P’ungyang Cho.’

3.2.4 Religious Embeddedness of Confucianism: ‘Christians Without, Confucians Within’?

Two discussants (KAP and KAH) had earlier expressed the view that Confucian traits are nearly omnipresent in the Korean mentality irrespective of religious affiliation. However, another discussant (KSS) offered a contrary view. He asserted that the pragmatic impulse of secular Confucianism recognized the overarching implications of the new political paradigm arising from Western science, economic supremacy and democracy that were and are identified with the newly arrived Christianity, in particular, Protestantism.

The discussant further argued that the majority of the Confucian students studied this new Christian paradigm as a major new discipline to learn in earnest rather than for religious conversion. Conversion took place as a consequence of the intellectual pursuit. He commented: ‘Today almost every Korean in four is Christian. Then, nine Koreans out of ten are Confucian in all practical aspects. These figures, evidently contradictory, can be illusory, since they merge into each other as mutually non-exclusive identities.’

Another angle to the above observation was added by KPH, who ascribed such Confucian universality and tolerance to its humanistic moral teachings free of any allegiance to a messianic saviour or any promise of salvation. He argued that the pains of hardship

\textsuperscript{11} Regent Taewŏn’gun (1820–1898) with the birth name of Yi Ha-ŭng was the father of the reigning monarch and conducted three periods of regency in the years of 1863 through 1896, exercising royal powers effectively equivalent to the reigning sovereigns.
experienced throughout the convulsive history of modern Korea called for messianic salvation beyond any passive moral teachings. The Protestant Christian mission from the West filled this void. The discussant added: ‘Confucianism has no specific venue for salvation. It offers a way instead. Those in hardship and despair look for spiritual consolation and would tend to turn to religions with promises of salvation. In this respect Confucianism on the one hand and Christianity or Buddhism on the other can be complementary.’

The above has summarized Korean discussants’ responses to the question: ‘Do Northeast Asians in Korea, Japan and the Republic of China (aka Taiwan) follow Confucianism as one of their major common philosophies and beliefs?’

The next section that follows below covers the responses to the same question asked of the discussants in Japan.

3.2.5 Confucian Influence over Education in Japan

Regarding Japan, two discussants (JAH) as a human development researcher and (JPH) as a human resource policy person shared the view that the understanding and actual practice in Confucian ethics firstly occurred through school education. They suggested that the Imperial Rescript on Education (1890)\textsuperscript{12} introduced during the era of the Meiji Restoration commencing in 1868, set a modern Japanese education agenda in a breakaway from the Tokugawa tradition. The discussants pointed out that, despite the compelling national drive to modernization on Western models including education, the internal ethos of this new imperial edict on education remained very Confucian. Externally, this legal deed utilized Western terminology, but internally it incorporated the four Confucian virtues as its mainstay, i.e., humanity, righteousness, loyalty and filial piety.

One discussant (JMC) as a contributing writer for media offered another angle as to why Confucian virtues made their way into such an important national decree. He argued that this decree on school education is one of the numerous imperial governance edicts that were intended to elevate the Meiji imperium to a religious level in association with the long

\textsuperscript{12} Kyōiku Chokugo: Imperial Rescript on Education was signed by Emperor Meiji in 1890, laying the foundation for the modern Japanese education system, featuring Confucian civic ethics.
and holy imperial ancestry. He mentioned: ‘The benevolent and celestial voice from the exalted palace of the Meiji emperor to his subjects brings a magnificent message of the Way to national well-being.’ He continued his point by expounding upon the key Confucian figure behind the epochal change in Japanese education ideology and institution. The figure was a Confucian scholar-samurai Motoda Nagazane (1818-1891) who became the imperial tutor for the incumbent sovereign Meiji. Motoda edited the Great Principles of Education\(^\text{13}\) proffering a framework of public education of Japan built around the Confucian teachings.

One discussant (JPS) as a welfare policy developer, however, pointed out that this project by Motoda met substantial resistance and he had to settle on a compromise amongst those competitive yet complementary sources of influence, i.e., Confucian teachings, National Learning, Shinto state-centrism and Western learning. All of these elements interacted, compromised and amalgamated into a new national cause of modernization. Competing strands of thought became united in order to uphold the Meiji aspiration for the elevation of modern Japan to an equal footing with Western powers.

Two discussants (JAH and JPH) shed light on the evolution of textbooks on civic ethics in Japanese primary and secondary schooling. These textbooks carry significant implications in that they would leave indelible marks on the impressionable minds and hearts of the students, as they undergo the formative period of their lives. The discussants observed that at every important political turn, significant changes took place with the embedded moral tenets of these textbooks. Visible changes took place with the Meiji Restoration and World War II. After the promulgation of the Imperial Rescript on Education (1890), a series of school books appeared, closely attuned to the guidelines of this decree. The discussants commented that the episodes in the Japanese ‘national language’ or kokugō textbooks carried stories about renowned national figures, which were heavily imbued with the Confucian moral ethos. ‘The Common Primary School Moral Textbook’ (Jinjō shōgaku shūshin-sho)\(^\text{14}\) featured Confucian teachings and exemplar conduct. This textbook also has a separate note for the teachers that manifested the philosophical intention behind the editing of the texts in plain terms. These books clearly mentioned the name of Confucius

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\(^{13}\) Kyōgaku taishi (1879, the Great Principles of Education) drafted by Motoda Nagazane at the Emperor Meiji’s commissioning which based the public education of Japan on Confucian teachings.

and his teachings on rightful relationships about brotherhood, sisterhood, relatives, friendship and neighbourhood. JPH quoted the two chapters in the notes for the teachers: ‘the purpose of this chapter is to teach the pupils due diligence with cultivation of their morals, to turn themselves into faithful subjects of ability, and strive to become figures of national importance.’ ‘The purpose of this chapter is to clarify the true meaning of the family in our country so as to teach the children to respect our ancestors and family, and to carry out their national duties.’

Another discussant (JSS) as a social policy advisor observed that these civic ethic books were in use until the outbreak of the Second World War. With the nation engaged in the war, the textbooks assumed more nationalistic tones, fitting students to the social ethos of the embattled nation. He added that the textbooks during 1940-1945 had a more selective use of Confucian teachings with emphasis on loyalty, filial piety, propriety, humility and diligence, with less importance accorded to the basic Confucian virtue of ‘humanity.’

3.2.6 The Confucian Family and the Japanese Civil Code

On the Confucian influence on family, a discussant (JCG), drawing on his familiarity with the intellectual history of Japan, pointed out that Confucian influence during the Tokugawa era in Japan was evident, but it shared its influence with native Shintoism and Zen Buddhism among others. The discussant introduced the important roles played by ‘the school of mind and heart study’ or Shingaku group of thinkers and educators who were the followers of the Yōmeigaku branch of Confucianism. These philosopher-educators offered youth education for the commoners with no access to official education. The texts they edited for use in such education initiatives exhibit a syncretic mix of Confucian ‘Elementary Learning,’ the Zen practice of quiet contemplation and rules of Shinto decorum. The discussant quoted the leading educator Teshima Toan (1718-1786) and his textbook called ‘Early Lessons’ which exhibits the threefold ethos of Confucian morals, thoughtful inner observation of selves taught by Zen and Shinto loyalty. The discussant also noted that Teshima Toan and his teacher Kaibara Ekken (1630-1714) with his more Confucian text

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15 Hsiao hsüeh (Elementary Learning): Confucian classic text for the young beginners with emphasis on the essential decorum of daily life.
16 Zenkun (Early Lessons): Teshima Toan’s edition of the basic studies for the youth in daily morals and industriousness.
‘Common Lessons for Youth’\(^{17}\) are still highly regarded in modern Japan, as those teachings are considered a contribution to family values and social cohesion.

A different opinion was offered by JHA as a human rights advocate to the effect that there was ambivalence towards Confucianism in the Tokugawa era in Japan. Namely, Confucian rites were adopted mostly by those coming under the direct political influences of the shogunate such as aristocrats, feudal landowners, senior samurais and wealthy merchants, whereas commoners remained less influenced by the Confucian mores, staying with their traditional native family conventions. Confucian-educated leaders such as Teshima and Kaibara helped close the gap by imparting Confucian ideals through their bona fide community education for the under-resourced families as both the teachers and institutes where they taught refused to accept any remuneration.

These two discussants (JHR and JHA), both familiar with the legal framework in the history of Japan, emphasized the importance of the Meiji Civil Code (\textit{minpō})\(^{18}\) introduced in 1898 and its clauses related to family relationship, in that this modern civil code eliminated the traditional inequality related to gender and primogeniture. The discussants held the opinion that the Meiji government purposefully overrode some aspects of Confucian family conventions in order to bring about national unity and achieve the goal to fast-track the catch-up with the Western powers. The discussants also pointed out that this change did not affect other aspects of Confucian family tradition such as inheritance and marriage, maintaining the Confucian tradition of family ethos in the modern legal framework. JHR mentioned: ‘\textit{The Meiji Civil Code remained in force in the next half century. It exerted substantial formative influence over Japanese families and their relationship until it was replaced by the post-war civil code in 1947.}’

Another discussant (JPS), however, attached much more importance to the Meiji Civil Code in that it has dismantled not only Confucian but also indigenous family practices of gerontocracy and patriarchy, bringing in a more egalitarian relationship to family hierarchy based on either gender or age. His view, reflecting his concern with welfare policy matters, was that the Confucian ethos identified in the modern Japanese family is due to the cyclical rises and falls of Confucian influences over public policy such as the 1920s through to the

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\(^{17}\) \textit{Wazoku dōjikun} (Common Lessons for Youth): 1710 first systematic textbook for public education in Japan

\(^{18}\) \textit{Minpō} (Meiji Civil Code), modelled on European common law, was introduced in 1898 thirty years after the start of the Meiji Restoration. This law replaced the feudal law of the Tokugawa era.
1930s when conservatism was on the ascent in Japanese politics, and also during the
Pacific War era (1939-1945) with nationalism at its peak. He added that the official claim
on the nation constituting an extended family under the near deistic rule of the imperium
evaporated with the end of the war and introduction of the liberal democratic system of law
and governance during the Occupation (1945-1952). However, he doubted that the
embedded Confucian values had disappeared altogether, since the rural population is
known to have maintained traditional Confucian and agrarian values and rituals.

The next discussant (JTS), being conversant with industry perspectives, concurred with the
view that Confucian ethos and mores survived in modern Japanese society by quoting the
examples of Japanese companies and public service officials openly calling their
employees and public servants as ‘life-long family members’ with maintenance of the
Confucian tradition of a ‘parent-to-children’ moral hierarchy. This hierarchy calls for
harmony (wa) in dealing with relationships vertically and horizontally within organizations,
as if they are replicating Confucian family rituals and ethics. Such a selective use of
Confucian teachings is evident in any sector of the society where the ‘family-like mental
nexus’ is considered to strengthen societal solidarity.

3.2.7 Confucian Context of Japaneseness: Literary Aesthetics and Nihonjinron

As regards whether the Confucian context still remains integral to ‘being Japanese’ in
contemporary Japan, two discussants, JAC as a cultural theorist and JMC as a media
person pointed out that there have been a series of intellectual discourses in Japan since
the Meiji Restoration (1868), but two epochal events stand out. The first is the literary
discourses of the 1920s through to the 1940s and the second is the so-called
'Japaneseness (Nihonjinron)' nationwide debate of the 1980s through to the 1990s. The
discussants also added that the former was instigated by the intellectual conflict between
the mainstream of the modernization drive leading the nation toward imperialism, and the
liberal thinkers in academia and literature. The latter were prompted by the former Prime
Minister Ōhira Masayoshi (1910-1980) who stage-managed an intellectual campaign on
the ‘redefining of Japaneseness.’ Ōhira represented the Japanese mainstream with a
renewed national confidence based on the phenomenal post-World War II economic

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19 Ōhira Masayoshi (1910–1980) was a Japanese politician and the 68th and 69th Prime Minister of Japan from 1978 to
1980.
success, and with an intellectual hunger to move beyond economic success to ‘culturally advanced nationhood.’ The title of this campaign was ‘Beyond the Modern Age.’\textsuperscript{20}

The next discussant JAP as an East-Asian philosophy researcher concurred with the significance of the afore-mentioned two momenta as representing Japanese soul-searching for identity. The discussants took up the historical burden brought on Japan by the imperial cultural policy of ‘subjectification,’\textsuperscript{21} a vocabulary shared with Foucault\textsuperscript{22} in the same context. This policy was pursued during the war period of 1939-1945, and was named among others ‘Principles of National Entity’\textsuperscript{23} and ‘the Way of the Subject.’\textsuperscript{24} The discussants held the opinion that the then military government selectively used the Confucian ethos of ‘one large family nation,’ in seeking the structural dominance of imperial political power, intentionally ignoring the Confucian sense of balance advocated by the Classical sages, in particular, Mencius. The immediacy of this historical struggle overrode other considerations such as Mencian warnings against abuse of sovereign power. Confucian moral education was restructured as a means of transmission of the Way of the imperial ancestors and gave a new contour to Japanese civic morality at the time of national crises and opportunities.

The two discussants (JAC and JPH) shared their thoughts on how the shogunate court culture as shaped under Confucian intellectual and institutional influences evolved through ‘National Learning,’\textsuperscript{25} a Japanese philosophy of study advocated by Motoori Norinaga (1730-1801). Norinaga perceived Confucianism as more attuned to the political realities of China, finding it at a substantial distance from the native Japanese court culture, coming down from the Heian era (794-1192). Norinaga enjoyed lasting support by insisting on the tradition of Japanese aesthetics and sensitivity reflected in the court culture that he considered the ultimate form of grace and beauty in life. The discussants also observed

\textsuperscript{20} Nagatomi Yūichiro 1983, ‘Introduction’, in Kendai o koete (Beyond the Modern Age), Ōkura Zaimusho Kyōkai (Treasury of Japan Society), Tokyo.
\textsuperscript{21} Shinminka (subjectification): As a part of the national unity campaign during the war period of 1939-1945, the imperial government of Japan pursued an intense cultural policy of ‘subjectification’ of all Japanese citizens and those of occupied or annexed territories under the ‘homogenization’ drive.
\textsuperscript{22} Foucault, Michel 1982, ‘the Subject and Power’, in Beyond Structuralism and Hermeneutics, University of Chicago Press, Chicago, p. 208.
\textsuperscript{23} Ministry of Education Imperial Government of Japan 1937, Kokutai no hongi (Principles of National Entity), Ministry of Education, Tokyo.
\textsuperscript{24} Ministry of Education Imperial Government of Japan 1941, Shinmin no michi (the Way of Subjects), Ministry of Education, Tokyo.
\textsuperscript{25} kokugaku (National Learning)
that Norinaga, in spite of his extensive study of the Confucian Classics, struggled to overcome what he perceived as the rigid Confucian moral thesis of ‘encouragement of goodness and castigation of evils.’

He revisited the Japanese classics of the Heian era, in particular, ‘the Tale of Genji’ which was considered immoral in the Confucian context. Conversely, Norinaga found in this precious work of literature a source of inspiration and liberating freedom from the confines of Confucian morality. He found in it a natural Japanese sensitivity and aesthetics of ‘sorrow at evanescence’ that Norinaga claimed forms the essence of Japanese minds. The discussants also quoted Yasuda Yojūrō (1910-1981) as a twentieth century successor to Norinaga’s legacy. Yasuda lamented the way Japan had pursued modernity, since the Meiji Restoration had steered the nation away from the tradition of ancient Japanese ‘court culture and its ultimate form of grace and beauty in life’. In his work on ‘Japanese Bridges’, Yasuda attempted the elevating of the natural Japanese values of ‘emotion (jyō) and beauty (bi)’ out of those sets of values and principles then existing in Japan, that originated from orthodox Confucianism and the Japanese indigenous tradition. Namely, one came from ‘intellect (chī), will (i) and emotion (jyō)’, and other from ‘truth (shin), good (zen) and beauty (bi).’

Another discussant (JTE) as a sustainable enterprise advisor observed that Yasuda and other prominent literary figures enjoyed a period of unprecedented freedom of ideas and expressions during what was called the era of ‘Taishō Democracy’, i.e., the reign of emperor Taishō (1912-1926). During this period, Confucianism came under attack from both sides of the ideological fence. JTE added that the Japanese victory in the Russo-Japanese War of 1904 -1905 resulted in a political confidence, which was encouraged by the war spoils of Liaodong Peninsula of Northern China and the near annexation of the Korean Peninsula. The discussant observed that from the end of World War I, the Japanese imperial government switched to the so-called ‘cultural policy’ in order to elevate the prestige of the Japanese imperium on an equal plateau to the Western

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26 kanzen chōaku (encouragement of goodness and castigation of evils)
27 Genji Monogatari (the Tale of Genji): the first Japanese novel of a grand scale written by the courtly writer Murasaki Shikibu (circa 973 -1025), considered one of the most important Japanese literary works
28 mono o aware (‘sorrow at evanescence’): a unique Japanese concept of penetrating sensitivity into the meaning and hidden sorrows of all lives and things
29 Yasuda, Yojūrō (1910-1981): a literary critic known as the leader of the school of romanticism in the post-war era of Japanese literature
30 Yasuda, Yojūrō 2001, Japanese Bridges (Nihon no Hashi, first published in 1936), Shingakusha, Tokyo.
31 Taishō demokurashii (the Era of Taishō Democracy): The reign of emperor Taishō (1912-1926) was characterized as an era of the full blossoming of democracy and multiplicity of global ideologies, including liberalism and socialism among others.
powers in terms of both soft and hard power. Such a policy switch also gave rise to a dialectical struggle between the elite mainstream of state bureaucracy and the populace.

JSS also commented on the ‘Taishō Democracy’ as an important era for the maturation of Japan as a modern nation-state. He argued that Japanese modernization subsequent to the Meiji Restoration was a project of both ‘nation-building’ and ‘empire-formation.’ Building of nation and empire was a contradictory as well as a complementary process, heightening the internal and external cultural conflicts beyond political frictions. He further observed that the ‘Taishō Democracy’ witnessed Japanese minds struggling to find common ground by unifying fragmented and conflict-ridden social discourses. They longed for an alternative trajectory of modernity, free from what they believed was the yoke of a stagnant Sinic tradition, filled with the viscerally comfortable native Japanese-ness, in particular, their sensitivity and aesthetics. The discussant held the opinion that the so-called Confucian intellectual and social context was explicitly a hurdle to overcome, but it was implicitly a contributor, since the collective social consciousness behind the quest was replete with the well-rehearsed Confucian sense of the unity of the individual with society.

Another discussant (JAC) contributed another angle to the immanent cultural tension that the Japanese modernization intellectuals went through in this era of ‘Taishō Democracy (1912-1926)’ which extended through to the 1930s vis-à-vis Sinic and Western traditions. He indicated that this period coincides with the intensive intellectual debate that went on in mainland China after the 1912 formation of the Republic of China founded by the Japan-educated Sun Yatsen (1866-1925), and also importantly the May 4th Movement of 1919 commonly acknowledged as the intellectual blossoming period of modern China. The discussant also indicated that the Japanese intellectual-educators of future Chinese leaders including Sun Yatsen were hoping that Chinese modernization would model the Meiji Restoration of Japan including its modernized monarchy for the future governance of the new China. The Republic of China, however, drew its inspiration more from the ideals of American democracy, such as that of Abraham Lincoln,32 to the great disappointment of Japanese leaders hoping for a pan-Asian grand alliance independent of Western influence.

32 Sanminchui (the Three People’s Principles): the Political ideals of Republic of China (1912) in terms of nationalism, democracy and welfare as modelled on the Abraham Lincoln’s dictum ‘of the people, for the people, and by the people’.
JAH drew attention to the most prominent modernization leader of the Meiji era, namely, Fukuzawa Yukichi (1835-1901). He was educated both in Confucianism and ‘Dutch Learning.’ Yet he took up the strategic position of the so-called ‘Leaving Asia’ policy for the future of Japanese empire-building. He called for the nation to rally around the ‘overcoming of not only Confucianism but also Asian-ness altogether,’ until such time as the Japanese empire becomes the first among the equals of imperial powers then dominated by the West.

This discussant also introduced a contrary example in the leadership of Yoshino Sakuzō (1878-1933) who was educated in the modern university in Japan, best known for his ‘theory of political demo-centrism.’ He endeavoured to harmonize ‘progressive elements’ of the Confucian tradition with what he considered the successful modernization path of the Meiji Restoration so as to offer for the future of China and broader East-Asia an Asian model to emulate. He tutored the family of Yüan Shikai (1859-1916), the then dominant Chinese political figure. By engaging in the education of families with influence as well as in the Chinese public school system, Yoshino enthusiastically pushed for Chinese conversion to the Japanese path of modernization without success. Chinese modernization leaders were split between those who preferred ‘the Chinese way of modernization with use of Western technology’ and those who were more inclined to accepting modernization as Westernization. No Chinese of either inclination promoted the outright undoing of Chinese tradition or Chinese-ness.

One discussant (JTE) made an observation as regards the quintessential Japanese identity as eloquently exemplified by the Confucian scholar-turned philosopher Watsuji Tetsurō (1889-1960). Watsuji is known to have made a very important contribution through his unique approach of ecological anthropology in his search for the roots of Japanese ethical thought. Watsuji argued, according to the discussant, that an essential

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33 Rangaku (Dutch Learning): The Tokugawa shogunate allowed restricted access to Dutch visitors and their science, medicine and technology in the Nagasaki concession area during the period when the country was closed to foreigners (1641-1853).
34 Datsu-A Ron (Leaving Asia)
35 Yoshino Sakuzō (1878-1933): A Japanese author and political thinker in the Taishō era (1912-1926) of culturalism. He is best known for his theory of Minpohshugi or ‘politics of demo-centrism.’
36 chung-tihsi-yung (modernisation based on Chinese foundation with use of Western technology): This is a summary of the Chinese political agenda during the ‘Self-Strengthening Movement (1861–1894)’ era that called for institutional reforms of the late Ching Dynasty following a series of military defeats and concessions to foreign powers.
37 Watsuji, Tetsurō 1979a, Fūdo (Climate and Culture: an Anthropological Consideration), Iwanimishōten, Tokyo.
38 ______ 1979b, Nippon rinrishisōshi (History of Japanese Ethical Thought), Iwanimishōten, Tokyo.
relationship exists between the climate and other environmental factors and the nature of human cultures. Watsuji identified the three types of culture according to his ‘theory of climate and culture,’ namely, ‘pastoral culture type,’ ‘desert culture type’ and ‘monsoon culture type.’ Watsuji categorized Japan as the ‘monsoon culture’ type. The discussant held the view that Watsuji was motivated to take his position of highlighting ‘spatiality’ as the integral element of philosophical anthropology as an appreciation and also as a criticism of the ‘being and time’ paradigm of Heidegger with whom Watsuji studied in the same university in Germany during 1927 through 1928, and had opportunities for exchanging views. While Watsuji was greatly influenced by Heidegger, Watsuji argued in his book titled ‘Climate and Culture’ that Heidegger under-emphasises spatiality and over-emphasises temporality. Watsuji contended that, had Heidegger equally emphasised spatiality, he could have better represented the ‘life-world,’ to which we are inextricably connected. Watsuji saw humanity in the ‘between-ness (aidagara),’ fundamental to positive and intimate relationships forming the foundation of trust and social cohesion. Watsuji made a concerted effort to move the plateau of Japanese philosophy by encompassing and overcoming both the humanity of Confucianism and what he perhaps unfortunately perceived was the philosophy of the West represented by Heidegger.

JHA offered a different qualification of Watsuji’s philosophical project. Since Watsuji was engaged in an intense pursuit of the unique ‘Japaneseness,’ his philosophical project was vulnerable to arbitrary interpretation and even manipulation by those devoted to the then highly reinvigorated nationalism. Indeed, his philosophical findings became important elements of the ultra-nationalists’ ideological support of territorial expansions and broader military adventures in Asia and in the Pacific. After the war, Watsuji publicly accepted his responsibility for his pre-war pursuits, but this contrition did not diminish his intellectual influence to any great extent. Through his employment of phenomenological and climatic methodology in defining the Japanese uniqueness of climate, culture and ‘life-world,’ the Neo-Confucian ‘school of mind and heart (shingaku)’ moved their ‘national learning (kokugaku)’ fervour to a new height of sophistication.

The discussant (JAS) who researches post-Meiji social development introduced the important exceptions posed by those opponents to the strong currents of Japanese cultural

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39 Heidegger, Martin 1927, Sein und Zeit (being and time), M. Niemeyer, Halle (Germany).
40 Watsuji, Tetsurō 1990, ‘Chapter 2: Ningen sonzai no kūkandeki jikandeki kōsō (Spatial and Temporal Structure of Human Existence),’ in Rinrigaku (Ethics), Iwanami shōten, Tokyo.
Christian leadership was embodied by the leading Christian theologian Uchimura Kanzō (1861-1930) and his successor Yanaihara Tadao (1893-1961). Kanzō was born into a Confucian samurai family of the ‘Takazaki clan,’ and his secondary education took place at a Christian missionary school where Kanzō had already committed himself to a life in the Christian faith. He pursued the study of theology through the courtesies of Quakerism in Pennsylvania and came under the lifelong influence of the Quaker faith, non-church worship and pacifism. Upon completion of his study and return to Japan, he founded the Nonchurch Movement (Mukyōkai) of Christianity and became the foremost voice of Christianity in the Meiji period (1868-1912) and Taisho period (1912-1926) of Japan. According to the discussant, Uchimura rejected neither Confucianism nor the ‘unique Japanese-ness’ in his cultural tradition. His world of Christianity as the higher religion embraced diversity coming from national and cultural differences. He, however, rejected the particularism and exclusiveness of the ideological path that the ultra-rightist government took. Uchimura and Yanaihara persisted in their public condemnation of the invasion of Asian neighbours.

When Japan waged war against China in summer 1937, Yanaihara wrote in the best-selling magazine titled ‘Ideal of the Nation’ and also lectured that the invasion represented ‘the day of the funeral of our beloved Japan, who lost her ideals in this world of hypocrisy.’ The discussant was convinced that the Confucian cultural ethos stayed with Uchimura and Yanaihara. He argued that, explicitly Christian yet implicitly Confucian in moral ideals, they endured with their efforts of recovering universal values of brotherly love and pacifism, in spite of and because of the violent tide of national narcissism. Narcissist

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41 Uchimura Kanzō (1861-1930): the founder of the ‘Non-church Movement (Mukyōkai)’ of Christianity in Japan, influenced by his earlier study of Christianity at the Quakers seminary in Pendle Hill, Pennsylvania.
42 Yanaihara Tadao (1893-1961): Educated as an economist, he became one of the ‘seven disciples’ of Uchimura’s Non-church Movement in Japan and publicly voiced the strongest Christian opposition to the imperial policy of militarism. He suffered severe social ostracism and political persecution under the ultra-rightist imperial government in the pre-war period. He was later honoured with the post-war presidency of the University of Tokyo.
43 An American lay Christian missionary William S. Clark started a school in Sapporo where agricultural skills were taught mostly in the English language. Uchimura was born with a linguistic talent. He began his English language study in earnest at the age of eleven and then joined the school in 1877 to further his talent. This missionary school called the Sapporo Agricultural College became the present-day Hokkaido University. Clark with his extraordinary zeal for the mission committed his converted Bible class students to the lifelong study of the Bible and to live moral lives through signing the ‘Covenant of Believers in Jesus.’
44 Uchimura studied Christian theology at Amherst College and Hartford Theological Seminary during 1884-1887. The under-resourced Uchimura was able to continue his study through the encouragement of a Quaker couple Mr. and Mrs. Wister Morris the Quakers he befriended shortly after his arrival in Pennsylvania. The faith and pacifism of these Quakers made a lasting impression upon Uchimura. Julius Hawley Seelye, the president of Amherst College, became and remained his spiritual mentor.
nationalism romanticised wars and national pride soared in the euphoric uniqueness of being Japanese and the nation’s particularism. The discussant held the view that, though small in number notwithstanding and being only the minority voice, the two Christians born of Confucians did not diminish the importance of their role in the crucial moments of history in modern Japan. According to a prominent historian, Ienaga Saburō (1913-2002), they were ‘the conscience of the Japanese’ and ‘the light of salvation at the Dark Age of Japan.’

3.2.8 From the Almighty Sacred to the Secular and Symbolic Tennōsei (emperorship)

The first discussant (JHR) as a human rights policy researcher reflected on how the Confucian ethical ethos experienced peaks and troughs throughout the pre- and post-war eras of Japan through an intellectual soul-searching by the leading contemporary political scientist, Maruyama Masao (1914-1996). The youthful professor was conscripted by the Imperial Army and served as an infantryman in the South Pacific campaign. With the war coming to its end, he came back to his professorship to write one of the most important philosophical reflections in the post-war era of Japan. Maruyama argued that Chu Hsi’s Neo-Confucian orthodoxy made only a limited intellectual contribution based on his dualism of the ‘principle (li) and material force (chi)’ theory. This limitation was fortunately overcome by the indigenous scholars such as Ogyū Sorai (1666-1728) and others belonging to the Sorai school of Japanese Neo-Confucian learning, owing much to Yōmeigaku or the Japanese version of the Wang Yangming ‘school of mind and heart.’

On this note, another social policy specialist (JPR) touched on another view offered by the aforementioned Watsuji Tetsurō. Watsuji was emphasizing the ‘deep-seated mind’ of Japan or the Japanese (Nihon no kokoro) in his two celebrated works, ‘Climate and Culture’ and ‘The Pilgrimage to the Old Temples’. According to this discussant, this ethos raised by Watsuji is both religious and cultural. Through ancestral veneration, Japanese religiosity sits comfortably with its cultural tradition and the unique climatic conditions that Japan experiences year by year. Ancestral worship is imbued with the

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47 _____ 1979c, Furudera junrei (The Pilgrimage to the Old Temples), Iwanimi shōten, Tokyo.
Confucian ethos and its rites as well as the rites of Shinto and Zen among other Buddhist sects.

On this point, the human resource development expert (JPH) concurred and then offered a parallel view expressed by Émile Durkheim\(^{48}\) through his well known discussion on the ‘sacred and secular’ and the ‘collective consciousness’ as the foundation of his sociology. This discussant argued that spiritual immanence of the sanctified and venerated ancestry is on the same religious continuum with that of the Heaven-endowed *tennōsei* (emperorship). The Confucian ethos and its spiritual rites contributed to the depth of philosophical grounding and to the richness of veneration rites elevating the indigenous Shinto practices to a new plateau.

The fourth discussant (JMC) as a writer in Japanese media agreed with the religious attribution of *tennōsei* (emperorship). He also touched on the conflicting attributes of the ‘emperor-centred state (*tennōsei kokka*).’ The discussant argued that the Japanese constitutional monarchy had both the attributes of a despot monarchy and those of a constitutional polity. The Confucian elements of *tennōsei* (emperorship) are often held responsible for having provided silent support to the despotic potential of the monarchy. The discussant mentioned that there has been a consistent antagonism between the incumbent government cabinets and the Privy Council of the emperor since the Meiji Restoration, in particular, during the 1920s and 1930s. The discussant also mentioned the architect of the Meiji Constitution was a Confucian educated samurai Itō Hirobumi (1841-1909) who became the first prime minister of modern Japan. Itō helped engineer the draft of the imperial constitution to bolster the *tennōsei* (emperorship). According to this constitution adopted in 1889, ‘the divine Imperial Throne has the supreme power handed down from the ancestors,’ and also, ‘the empire of Japan shall be reigned over and governed by a line of emperors unbroken for ages eternal.’\(^{49}\) The discussant further argued that this constitution was a product of the collective intention held closely by the erstwhile Confucian scholar-samurai Itō and his colleagues to culminate in the ‘national moral conception’ rather than to produce a purely legal manifestation of the national polity. The ‘national moral conception’ encapsulated in the constitution was a brainchild of the

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\(^{49}\) Isobe, Shirō 2003, *Dai-Nippon Teikoku Kenpō* (the Great Imperial Japan Constitution), Shinzansha Publisher Co. Ltd., Tokyo.
‘National Learning (kokutai)’ that grew out of the Yōmeigaku school of Japanese Neo-Confucianism.

This discussant and the policy specialist (JPR) also pointed out that tennōsei (emperorship) was not rescued by Japan itself in the process of post-war realignment. Rather, its rescue owed much to the cultural insight of the Secretary of War of the United States, Henry L. Stimson (1867-1950). Stimson’s insistence on the post-war continuation of a ‘symbolic tennōsei (emperorship)’ was the final decision overriding the widely divided views of the cabinet on the question of the emperor’s role in the war. In view of the semi-divinity status holding together the Japanese sense of ancestral continuity and semi-religious spiritual identity, the Occupation Forces decided to keep the symbolic tenno in the interest of the ‘unity of the people.’ It was to be a nation like an extended Confucian family with the tennō as the head of the family. The decision was to honour such ‘collective consciousness’ and the ‘sacredness’ of what tennōsei (emperorship) represented, in order to create a friendly nation out of an old foe.

JTE as an industry expert mentioned the recent resurgence of the right-wing ethos that romanticises chivalrous patriotism and selected Confucian virtues such as self-cultivation and unconditional loyalty. He quoted the extraordinary popularity of the historical sagas written by Shiba Ryōtarō (1923-1996). Shiba’s hero ‘Sakamoto Ryōma’ in his saga of ‘Ryōma ga yuku (Here goes Ryōma)’ epitomises the patriotic samurai imbued with Confucian virtues and also equipped with enlightened worldviews, bringing about some significant achievements at the forefront of the Meiji Restoration process. The discussant also noted that Maruyama warned of the rise of a veiled nationalism from the ashes. Maruyama believes that post-war the US-Japan Mutual Security Treaty (1952 and 1960) as a Cold War geopolitical strategy gave an expedient rationale for the veiled right-wing agenda.

The next discussant (JAC) as a writer on the post-Meiji era of Japanese history quoted another observation by Maruyama to the effect that, unlike Germany that evoked the

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50 The current Constitution of Japan (1947) has its Article One stating clearly the symbolic nature of the emperorship: ‘The Emperor shall be the symbol of the State and of the unity of the people, deriving his position from the will of the people with whom resides sovereign power.’

51 Ibid.

52 Shiba, Ryōtarō 1963-1966, Ryōma ga yuku (Here goes Ryōma), Bungei Shunju, Tokyo.
universal sense of justice and rationality, Japan chose not to dismantle or uproot the intellectual depth achieved by those who may have contributed to the disastrous confrontations with the rest of the world. The discussant also commented that Maruyama made a concerted effort to establish a universal spirit in Japan, focusing on ‘objectifying’ the ‘underlying rhythm’ of Japanese society, namely, a metaphor of attitudes and values supposedly rooted in the depth of the Japanese mind, which, in his view, was hampering the development of a universal spirit among the Japanese people. Leading Neo-Confucian scholars grew uncomfortable with the universalist approach of Chu Hsi’s orthodoxy with its emphasis on the continuity of ‘humans to nature,’ whereas the leading Confucian scholars such as Itō Jinsai (1627-1705) and Ogyū Sorai (1666-1728) preferred the intellectual model of ‘design or invention (sakui).’\(^{53}\) Such an intellectual model of ‘design’ would free up Japanese creativity, whereas the model based on ‘nature (shizen)’ characteristic of the intellectual approach taken by Chu Hsi’s orthodoxy carries the risk of an intellectual dependency on the Sinic legitimation. Hence the Confucian ethos and rites are implicit on the minds (kokoro) and ‘life-world’ but only with the unique Japanese qualifications.

The above has been the summary of Japanese discussants’ responses to the question: ‘Do Northeast Asians in Korea, Japan and the Republic of China (aka Taiwan) follow Confucianism as one of their major common philosophies and beliefs?’ The above summary has shown clearly that Japanese neo-Confucians had followed a unique path that was consistent with their ancient tradition and cultural sensitivities. The Confucian path of Japan was a clear departure from the Confucian history of her continental neighbour of Korea. The next section that follows below covers the responses to the identical question by the discussants of the Republic of China.

3.2.9 On the Diverse and Deep-rooted Confucian Identity of the Republic of China (aka Taiwan)

The political elites of the Nationalist Party (Kuomintang) brought the government of the Republic of China in 1949 to Taiwan under the leadership of Generalissimo Chiang Kai-shek (1887-1975). The population under his direct leadership was only about one million two hundred thousand. These mainlanders who tended to support the legitimacy of

Confucianism as the key Chinese philosophical foundation represent circa fourteen per cent of the current population of 22,900,000 persons.\textsuperscript{54} The same discussant also cited the somewhat misleading government statistics on religious affiliation\textsuperscript{55} - only 0.05 per cent is Confucian, whereas nearly ninety per cent of the population is known to acknowledge an ‘informal’ affiliation with Confucianism without any ‘formal’ declaration.

The next discussant (CPH) working in the management of a ‘science park’ held the view that the first transfer in 2000 of presidential power to the opposition mainly comprising non-Mainlander Taiwanese put an end to the political and intellectual dominance of the mainstream Nationalist Party (\textit{Kuomintang}). KMT policy of Confucian education as a semi-official national learning project with the responsibility coming directly under the Ministry of Education and honouring the birthday of Confucius as a national holiday was in tension with the non-mainland opposition such as the Democratic Progressive Party (DPP)\textsuperscript{56} who took over the presidency of the nation in 2000. The earlier Taiwanese migrants who came from southern China during the Ming and Ch’ing dynasties brought with them Confucian ethics. The indigenous constituency\textsuperscript{57} of Taiwan and the earlier Taiwanese migrants also came under the diverse foreign influences\textsuperscript{58} in history, and have been actively proselytized by other religions such as Catholicism and Protestantism. Taiwanese Presbyterian churches, in particular, are known to have contributed to the democratization process throughout the KMT government martial law era by staying on the side of the minorities that formed the oppositions.

Another discussant (CAP) who researches in East-Asia philosophy suggested that a surge in the contemporary reinterpretation of Confucianism took place in mainstream philosophical circles. Philosophical debates in the comparative context between the philosophies of the West and the East, represented by Confucianism, Buddhism and

\begin{footnotesize}
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\item\textsuperscript{54} National Statistics (2006), the Republic of China (Taiwan), http://eng.stat.gov.tw, viewed 05 December 2006.
\item\textsuperscript{55} This estimate is consistent with the data issued by the Government Information Office of Taiwan, and tabled in Appendix 6 (Religions of Taiwan). The statistics covered religious affiliations in the order of percentiles of the population ‘Taoism 33%, Buddhism 24%, Protestantism 2.6%, Catholicism 1.3%, Confucianism 0.05%’; <http://www.gio.gov.tw/taiwan-website/5-gp/yearbook/p364.html>, viewed 05 December 2006.
\item\textsuperscript{56} Minchintang (Democratic Progressive Party or DPP)
\item\textsuperscript{57} Indigenous aborigines of diverse tribes mostly of Austro-Micronesian origins account for approximately 2 per cent of Taiwan population or circa 460,000 in number. The ‘Council of Indigenous Peoples’ was promoted in 1996 to a ministry-level rank within the Executive Yuan, as a part of heightened awareness of indigenous constituency. <http://www.apc.gov.tw/english/> , viewed 05 December 2006.
\item\textsuperscript{58} The Han migration during the Ming and Ch’ing dynasties occurred in 1600’s and Dutch and Spanish occupied provinces during ‘the European period (1623-1662)’.
\end{itemize}
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Taoism among others. He referred to the works of Liang Shuming (1893-1988) who is considered one of the pioneers in the contemporary Neo-Confucian movement. For Liang, socialism foreboded destruction of the long cherished culture and intellectual foundation in favour of ‘material gains’ with ‘productive means’ of the proletariat-centric society. Market-driven capitalism devoid of moral pillars would deny the vast majority of the population a much needed chance of participation in the development of a new nation. Evidence of usurpations by foreign powers within China reinforced Liang’s concern. The lack of competence and the corruption of KMT let him down. As a response, he called for reinvigoration of the Chinese philosophical tradition with a fast-track learning of Western science and its institutions, so as to reinforce the Chinese intellectual institution that he believed better fitted the culture of the nation with its extraordinary long and rich history. Keen on mediation between the two camps of opposing political persuasions, Liang shuttled between them to promote the ‘Chinese middle path’ of modernization in the hope of dissipating the rising risk of a civil war. He led an intellectual movement for the modernization of China through the rejuvenation of Confucianism. Liang was alarmed about the onslaught of materialism coming from two directions. One came from the ‘dialectical materialism’ of the socialist revolutionary movement of the Chinese Communist Party (CCP). Another came from the capitalism embraced by the Nationalists.

Another discussant (CAE) as a research and development person concurred on the significance of Liang’s intellectual and social contributions. The discussant referred as examples to the education institution, the ‘Encourage Benevolence Academy’ that he founded and also to the political organization, the ‘China Democratic Alliance’ that he had helped co-found. Both in Liang’s educational and socio-political engagement, Confucian rejuvenation was consistently his philosophical mainstay, and he left behind an important legacy for the next generation of leaders both in philosophy and politics.

The discussant (CAH) as an educator for sustainable entrepreneurship offered a further contribution on the philosophical orientation of those belonging to the ‘Democratic Alliance.’ They were vigorously resisting the ‘school of Westernization’ such as espoused

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59 *Mien jen shuyüan* (Encourage Benevolence Academy): An academy of secondary level education established by Liang Shuming in 1940, and in 1946, an upgrade to tertiary level was also offered.

60 *Chungkuo minchu t'ungmeng* (China Democratic Alliance): A mid-course political society formed in 1939 and went through reorganizations and realignments in 1941 and 1946.
by Hu Shih (1891-1962). Such a ‘look West’ school was in intellectual vogue during the period of the May 4th Movement (1919). Those in favour of Westernization were fascinated by the teachings of the visiting scholars such as John Dewey (1859-1952) and Bertrand Russell (1872-1970). The ‘Alliance’ people, however, refused to accede to the thesis that Chinese culture, in particular Confucianism, is not a right fit for the modernization of China, hence its future may be doomed. The discussant elaborated on the core argument of the ‘Alliance’ cohorts primarily based on the teachings of Mencius. They argued that there exist two bases of human behaviour, namely, ‘conscience’ (liangchih) and deliberation (ssulu). ‘Conscience’ belongs to the ‘heavenly principle’ and is good. ‘Deliberation’ belongs to ‘human desire’ and is selfish. As such, these two Confucian categories are not epistemological in nature, but represent moral values. The ‘Alliance’ scholars were not convinced about the benefits of the materialist culture from the West with its insufficient philosophical mooring in moral values. They placed the three major cultures of the world, namely, ‘Western, Chinese and Indian’ on an equal footing representing the unique strength of each culture.

The discussant (CPE) as a policy person for the indigenous community contributed by expounding on how these Confucian modernizers sought to envisage a new ideal society and translate their belief into public policy priorities. Their emphasis on economic policy was to spearhead the development of agriculture ahead of industry for peaceful and equitable transition of the vast masses to the ‘subsistence or minimal welfare’ level society (Hsiao-k’ang). For this reason, developmental resources should firstly be allocated to the peasantry and villages ahead of cities. Development should be human-centric, not material-centred. Societal ethics should be the core of values central to the society, not ancillary. Through placing emphasis on Confucian ethics and self-cultivation, either selfish individualism or oppressive collectivism should be prevented. They also warned against the primacy of the economy, as espoused by both socialism and capitalism. Instead, they wanted to see in an ideal society a ‘unity in harmony amongst economics, politics and

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61 Hu Shih (Hu Shi: 1891-1962): a leading writer and social movement leader, emphasizing fast modernization based on the Western philosophy and science, heavily influenced by the visiting scholar John Dewey.
64 liangchih (liangzhi: conscience)
65 ssulu (silu: deliberation)
66 t’ienli (tianli: heavenly principle)
67 jenyü (renyu: human desire)
68 hsiao-k’ang (xiaokang) a concept of subsistence or minimal welfare state, as quoted in the Classic of Rites.
education.’ In a nutshell, they sought for a society where social order would be the product of reason instead of might.\(^{69}\)

### 3.2.10 Contemporary Neo-Confucian ‘Transcendental Intuition’ and Mahayana Buddhism

As part of the focus groups, CAC as a researcher of cross-strait cultural history brought up the importance of the interactions between Confucianism and Mahayana Buddhism. He argued that the contemporary Confucian metaphysical thesis of the ‘transcendental intuition’\(^{70}\) had been greatly reinforced through its first encounter with the Mahayana teachings encapsulated in the works of ‘Kuei-chi’ (632~682) in his seminal work titled ‘The Formation of Consciousness-Only Doctrine.’\(^{71}\) The discussant further observed that this Buddhist ‘school of consciousness-only doctrine’\(^{72}\) greatly influenced the formation of the contemporary Neo-Confucian epistemology central to the thoughts of the leading Neo-Confucians of the twentieth century such as Hsiung Shihli (1885-1968) and Mou Tsungsan (1909-1995). It relates to the fundamental structure of Confucian cognition in terms of ‘subject, object and inter-relationship between mind and environment.’\(^{73}\) Mou also attempted to build an intellectual parallel with the Kantian concepts of ‘reason’ and ‘intuition.’

Another discussant (CPS) added that a Buddhist-supported Confucian notion such as the distinction between the ‘original mind’\(^{74}\) and the ‘habitual mind’\(^{75}\) (or the ‘mind

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\(^{69}\) Liang, Shuming 1971 (first published in 1937), ‘Xiang cun jian she li lun, yi ming, Zhongguo min zu zhi qian tu (Theory of Building Village and Township: The Future of the Chinese Nation’), Wenjing chuban-shé, Taipei. : Liang listed the “Six Guiding Principles” of Chinese social development in what he believed was the ‘enlightened Confucian’ way. These principles became the de facto political agenda of the ‘China Democratic Alliance.’: (1) Economic development would occur, both in agriculture and in industry, but agriculture would be developed first. (2) The village was primary in importance; the city came second. Between the city and the village there should be cooperation, not antagonism. (3) The subject of development would be people dominating the material world, not the other way around. (4) It would be an ethical society, equally distant from the two negative extremes, namely selfish individualism and oppressive collectivism. (5) In the ideal society, politics, economics, and education would be unified, working harmoniously together. (6) Social order would be the product of reason instead of might.’

\(^{70}\) chih-te chih-chüeh (jide zhijue: transcendental intuition)

\(^{71}\) Dharmapāla (Kuei-chi/kuiji) 1995 (First published in the seventh century), Vijñaptimātratāsiddhi, (Chinese: Cheng wei shi lun/Xuanzang zuan yi. Cheng wei shi lun shu ji: Formation of Consciousness-only Doctrine), Shanghai gu ji chu ban she, Shanghai.

\(^{72}\) Weishihlun (Weishilun: Consciousness-Only Doctrine)


\(^{74}\) penhsin (benxin: original mind)

\(^{75}\) hsihsin (xixin: habitual mind)
accumulating knowledge’) sits comfortably in the mental abodes of the Confucian adherents. Such a distinction was already common in the Buddhist tradition.

A third discussant (CAH) related the notion of the ‘original mind’ familiar to Confucians to other concepts. The Sinic dialectic of the ‘substance (t‘i) and function (yung)’ has been at the centre of the philosophical debates why Sinic philosophical groundings should be the basis of the West-driven modernization. The discussant argued that, for those adherents to the dialectic notion of the ‘substance (t‘i) and function (yung)’, the object of philosophy is ‘substance’ and its ‘relationship with its manifestations’ or ‘functions’. Conversely, visible things are functions that are also manifestations of original substance.

A fourth discussant (CAP) added the observation that some thinkers such as Hsiung Shili sought to unify the two. At this point, the discussant introduced Hsiung’s view that ‘substance and function are one, and they are not just indivisible, they are in a relationship of identity.’ For Hsiung, ‘the single thing is the Whole, and the Whole is present in the single thing, like the moon reflecting simultaneously on many different lakes’. The ‘original mind’ is an absolutely independent ‘whole’. At times it is called ‘heart,’ because it is the real core substance of the myriad things. Also it is at times called ‘intention’, because it develops in conformity with the incessant creativity of its own nature. Also it is called ‘conscience’, because it sees through all the creative processes. The discussant noted that, to those adhering to the notion of the Buddhist-Confucian ‘consciousness-alone doctrine’, the true significance of the ‘original mind’ is right at the unity of ‘heart, intention and conscience.’

3.2.11 ‘Ascendant’ Confucian ‘Tao’ and Aesthetics

Many of the Chinese discussants focussed on aesthetics and creativity. CSS who is a social policy and welfare advocate argued that Confucian aesthetics and creativity are an underlying concept cherished by contemporary Chinese in the Republic. He argued that ‘Chinese Confucian-ness’ remains pervasive not just in the moral teachings, but also in all aspects of arts and literature produced and shared in the ‘Confucian life-world.’ He also referred to the comments made by Thomé Fang (1899-1977) to the effect that ‘aesthetic

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76 Hsiung, Hshili 2001, Xin wei shi lun (New Consciousness-Only Doctrine), Hubei jiao yu chu ban she, Wuhan Shi (China).
intuition as the perception of the process of creativity visible anywhere in the universe is the start of any philosophical inquiry.’ Fang also views the knowing experience of humans as consisting of ‘three kinds of intuitions,’ namely, the ‘scientific, ethical, and aesthetic intuitions.’

CTI as an innovation advisor concurred on the importance of the aesthetic elements of Confucian tradition. He added that the aesthetic experience expands the freedom and creativity of life, including in art, science and ethics. According to him, Confucian teachings are encapsulated in the artistic language that helps free up the human spirit to perceive the rationality and freedom of cosmic creativity, and helps reach a vision of the cosmos and of human life as a whole immense harmony of feeling and rationality. CAC also referred to this aspect of the Confucian ‘aesthetic impulse’ as the ‘ascendant attributes’ of Confucianism. The discussant claimed that this aspect owes its origin to the Taoist teaching by Chuang Tzu. The ‘ascendant Taoist Confucian worldview’ looks to transcending human life, bringing humankind to a new stage of existence, to a realm above practical daily reality. He also argued that this aspect of ‘aesthetic Confucian-ness’ remains precious to the contemporary Chinese ethos.

Concurring on the relevance of the aesthetic ethos, CHA as a human rights advocate argued that the aesthetic expressions in literature often became a powerful instrument for social reformers. He referred to the examples often idolized heretofore of the celebrated poet cum social reformer Wang Anshih (1021-1086). According to the discussant, Wang wrote the so-called ‘social poems’ that combined poetry with an acute sense of the social injustices inflicted upon the commoners in the society run by the Confucian scholar-officialdom. Wang was not only writing about the social ills and pains of the people, but he also offered policy alternatives in his voluminous output of critical poetry. His poetic criticism covered the land rights of the peasantry, the distorted taxation system both from state and tax-payers’ points of view, the corruption of state bureaucracy, financial usurpations such as loan sharks, the ineffective state exam system and the dysfunctional legal system of the Sung dynasty (960-1279). The reigning emperor Shen-tsung

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77 Shen, Qingsong, Li, Du & Cai, Renhou, 1999, Feng Youlan, Fang Dongmei, Tang Junyi, Mou Zongsan, Taiwan shang wu yin shu guan, Taipei, p. 64 ff. ‘The aesthetic perception is the most basic, the earliest form of knowledge, and it remains the foremost also in the end, as a coronation of all the knowing activity developed along human life.’

(1048-1085) sought Wang’s advice in his court. Wang met vigorous opposition from the other prominent Confucian literary scholars such as Ou-yang Hsiu (1007-1072) and Su Tung P’o (1037-1101). These opponents succeeded in driving Wang out of the court with the demise of the emperor, in spite of his contributions to the ‘sweeping reforms.' The discussant observed that moral calibres, aesthetic sensitivity and selfless devotion to societal justice remain the desirable attributes expected of the ‘superior Confucian person’ still idolized by contemporary Chinese Confucian adherents.

3.2.12 Confucianism and Western World Views: Understanding and Misunderstanding

The discussant (CTE), a professional consultant on corporate governance/lay theologian touched upon the intellectual interchange between indigenous Confucian scholars and European thinkers. He argued that such interchange starting in earnest from the missionary years of Matteo Ricci (1552-1610) provided the intellectual frame of reference for both Confucians and Europeans. Many East-Asians educated in Confucianism toured or studied in Europe during the so-called ‘opening of nations’ and modernization drive period. CTE introduced, as an example, a major theological debate on the Confucian compatibility with Christian doctrine that Ricci’s reports triggered. Three points dominated the debate. The first point was whether the Confucian spiritual rites can be considered a cultural tradition of paying respect to the great teacher Confucius and a host of other great teachers, thus building an ethical foundation in the event of accepting the Christian faith, as Ricci tried to convince the Confucians of the superiority of Christianity. The second point was whether the Confucian ancestral veneration is a cultural practice of a memorial service for their family ancestry, thereby not constituting idolatry in the Christian context. The third point was whether the Confucian belief in Heaven (t’ien) was a complementary ethical step as a premonition to worshipping God in a Christian context, as Ricci claimed. The discussant argued that a similar debate had been occurring in China and Confucian East-Asia that was facing Christian missionary activity.

79 His reforms encompassed correction of taxation system, recovery of state revenues through better budget management and control of inflation. He helped initiate agricultural loans to relieve the farming peasants of the burden of interest extracted from them by moneylenders. To break up the monopolies, he initiated a system of fixed commodity prices. He appointed the governing boards to regulate wages and plan pensions for the aged and unemployed. Wang revamped the imperial examination system placing more emphasis on practical knowledge. This process of what were perceived as drastic reforms drew ire from the Confucian official gentry and state bureaucracy on the grounds of running against the tradition of Confucian moral fundamentals. With the demise of Emperor Shen-tsung in 1085, Wang was permanently ousted from his official post.

80 chün tzu (junzi: superior Confucian person)

The discussant (CSS) concurred on the reciprocity of the points of such debates, namely from Asian and European sides on Confucianism and Sinology, both of which were often referred to interchangeably in Europe. He, however, brought up the more ominous sides of such debates. There persisted a perception about the inherent Confucian support for ‘enlightened absolutism’ in reflecting upon the long Sinic history of absolute rule by Confucian-enlightened sovereigns. Most vocal critiques of the alleged Confucian propensity of absolutist governance were the prominent Chinese writers Lu Hsün (1881-1936) and Hu Shih (1891-1962). They questioned the moral foundation of Confucianism in light of compelling historical evidence against their claim to ethical orthodoxy, and went on to claim that Confucianism stood in the way of modernization and democratization. One of their European points of reference was the argument proffered by Montesquieu (1689-1755). Montesquieu reversed the then popular references to Confucianism as an ‘alternative political ideal of enlightened governance.’ He observed that ‘the basic intellectual mistake in the Chinese model is the legal rule of customs (moeurs) and rites (manières).’ The reasons Montesquieu gave were that ‘customs govern the actions of human beings, while laws govern the actions of citizens. Customs relate to inner human activity, whereas rites concern the outward conduct of people. Religion, customs, rites, and laws are distinct concepts, but they are conflated in the Chinese moral law and its prescriptions of rites.’ The discussant also noted that the anti-Confucian modernization leaders during the May Fourth Movement resonated with Montesquieu on the many grounds, in his view, why Confucianism and modernization cannot go together.

CPE agreed on the importance of cross-cultural debates both as an assault on Confucianism and also as an impetus to the resurgence of the contemporary Neo-Confucian movement. He also observed that, contrary to Montesquieu, Leibniz (1646-1716) and Voltaire (1694-1778) found substantial philosophical richness in Confucianism as a state ideology. Leibniz looked at the human world as a spectrum defined by two poles of civilization, Europe and China, whereby the characteristic of the

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82 Lu wrote in his vernacular Chinese (paihua) fiction ‘A Madman’s Diary (1918)’ to equate Confucian elites of Chinese ruling class to unrepentant cannibals.
poles is their striving for organizing ever more rational ways of life. Leibniz thought that joining the revealed religion of Europe to the ethics of China would allow for higher forms of knowledge. Europe, Leibniz believed, had the superior Christian faith and logical philosophy, while China had the superior civil organization and practical philosophy. CPE commented that such views are to be replicated two centuries later by the Neo-Confucians, mostly without reference to Leibniz.86

The discussant (CEH) who researches in developmental economic models observed that such a positive view of Confucianism held by a certain European intellectual school was motivated by the then political conditions that Europe was under. Contrary to Europe going through a series of wars, such as the ‘Thirty Years War (1618-1648)’, suffering from a post-Reformation lack of moral certainty and strong political centre, Confucian China seems to have possessed both attributes. Reading from the reports mostly by Jesuits, such European intellectuals were led to believe that Confucian China and her Confucian cousins shared an invaluable intellectual asset. And such an asset brought Confucian nations social peace and a well-organized social hierarchy.

One discussant (CPR) as a policy person for a global innovation network introduced the view held by Voltaire (1694-1778) on Confucianism. His views were not only a part of intellectual discourse in Europe, but also served as a point of reference for the Neo-Confucian leaders who led the modernization movement in the nineteenth century in Asia. According to the discussant, Voltaire used the Confucian governance of emperorship in China as an enlightened rational form of government based on moral teachings with heavy emphasis on learning and scholarship at all levels, without imposing any religious fears as was prevalent in Europe. The discussant surmised that Voltaire could have held such views as a means of emphasizing a need for European monarchs to reflect on themselves in a self-critical way. According to Voltaire, Confucius just taught the wisdom to live a virtuous life, without advocating any particular religious doctrine. The discussant suspected that Voltaire could have been motivated, as the ‘Enlightenment’ thinker, to advance the cause of religious tolerance that he thought was ideally realized in Confucian Asia.

Another discussant (CAS) as a researcher of social cohesion of ‘tiger economies’ argued that a consummate metaphysical bridge-builder between the cross-cultural philosophies was Mou Tsungsan (1909-1995). CAS held the view that Mou through his seminal works on Kantian philosophy succeeded in building a metaphysical bridge between the contemporary Neo-Confucianism and the system of Enlightenment thoughts of the most prominent philosopher Immanuel Kant (1724-1804). Mou equates the Confucian ‘moral minds’ to the Kantian ‘intellectual intuition’ in expounding upon how humans build their knowledge by producing concepts.

CMC as a media contributor agreed to Mou’s seminal contribution in bringing about a fundamental harmonization among the metaphysics of a major Western heritage, namely, Kantian philosophy vis-à-vis Confucianism, Buddhism and Taoism. CMC argued that such a metaphysical foundation was instrumental in exploring the intellectual answers to what was perceived as the two critical shortcomings of Confucian tradition, namely, science and democracy. The discussant also argued that Mou made a milestone of metaphysical harmonization in his ‘Treatise on the Supreme Good.’ Mou expanded on the concept of the ‘supreme good’ as taught by the T’ien T’ai school of Mahayana Buddhism. In this ultimate form of goodness, Mou realized a harmonization of the moral ideas commonly pursued by Neo-Confucianism, the moral philosophy of Kant and Buddhism. The discussant observed that the metaphysical bridge such as built by Mou reinforces the individual branch of human belief systems, as quoted in Mou’s own words.

The above has been the summary of discussions on the ‘Do Northeast Asians in Korea, Japan and the Republic of China (aka Taiwan) follow Confucianism as one of their major common philosophies and beliefs?’

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87 Mou, Tsungsan 1982, Kangde de dao de zhe xue (The Moral Philosophy of Kant), Taiwan xue sheng shu ju, Taipei.
88 Ibid, according to Mou, “humans build up their knowledge by producing concepts, thanks to twelve categories in the mind. While building an ontology of the world of phenomena, he states that phenomena are ‘phenomena’ for the knowing mind, but are ‘noumena’ for the ‘mind-in-itself.’ This free, unlimited mind or the ‘mind-in-itself,’ is common to and cannot be in conflict with, the three main Confucian doctrines, namely, the ‘innate moral knowledge or clear mind’, the ‘mind of the Buddha-to-come’ of Buddhism and the ‘heart of the Tao’ of Taoism.”
90 T’ien T’ai (Tiantai) is one of Mahāyāna schools of Buddhism mostly adhered to in China and Japan, also called the Lotus School because of its emphasis on the Lotus in China. It was founded by Chih-I (Zhiyi: 538–597) during the Sui dynasty and was established at Tiantai Mountain in what is now Zhejiang province.
91 Mou, Tsungsan 1985, Op. Cit., ‘any doctrine that can activate human rationality, that can push humans to employ their reason to realize morality, i.e., to realize inner liberation, i.e., to realize purification or sanctification of their lives, in order to reach the sphere of the highest ideals.’
Korean discussants touched on the diverse Confucian attributes embedded ubiquitously in the people’s personal attributes irrespective of expressly declared religious affiliations. No other aspect was more eminently a Confucian influence in Korea than education. Education essentially is a way of Confucian self-cultivation, but also a trusted path to social recognition and power. Confucian institutions, albeit divested of the state orthodoxy, continue to exist in metropolitan and provincial areas as the important educational centres and preserver of the legacy.

Japanese discussion on Confucian perception and influence also started with education. The education policy of the post-Meiji era was made evident in the editions of textbooks. Such textbooks carried rich attributes of Confucian ethics. From the attributes of Confucian ethics, careful selection was made to ensure that such attributes are consistent with Japanese sensitivity and policy guidelines. The Confucian ethos remains solidly ingrained in the family values and ethos that remain central to Japanese society. Beneath the state umbrella, the common people’s ethical and aesthetic identity with Confucian values has been congenially expressed through the leading literary works. The sacred almighty tennōsei (emperorship) from the Meiji era onwards has evolved to the contemporary secular and symbolic emperorship. At the root of the tennōsei as the safeguard of the ultimate national symbol and also as the nucleus of ethical or ‘soft’ power, Confucian ethics, rites and ethos remain central and critical to its cohesiveness.

Discussions on the Confucian legacy of the Republic of China started with the official recognition of Confucianism as the national learning agenda managed within the Ministry of Education. The official recognition was to the extent of celebrating the birthday of Confucius as a national holiday called ‘Education Day.’ The Kuomintang government has maintained the near monopoly over politics until democratic changes started with the abolition of martial law and the opposition coming to power for the first time in the history of the Republic in 2000. Confucianism free of political influence has advanced through the emergence of the contemporary Neo-Confucian scholarship and its social interactions domestically and regionally in Confucian East-Asia. The island republic was the home for such a contemporary Neo-Confucian movement. Contemporary Neo-Confucianism also interacted with Taoism and Chinese Buddhism as Classic Confucianism did in history. Buddhist and Taoist influence is apparent in terms of the transcendental and aesthetic intuitions of contemporary Confucianism. Confucian thinkers have made a substantial
effort in building a metaphysical bridge between Confucian philosophy and that of the West. Confucian thinkers worked on a bridge as such to link the Western paradigms of modernity such as scientism and the institution of democracy with the historical reality that modern Confucianism inherited. Discussants now moved to the next question on Confucian humanism.

3.3 CONFUCIAN HUMANISM

The discussants belonging to each national group were asked the question, ‘Is Confucian philosophical and belief tradition the bedrock of Confucian humanism?’ Confucianism since its inception from the Classical period led by Confucius and Mencius has been built on the cardinal value of ‘humanity.’ Humanism was the primary context of the Confucian belief system and scholarship from the very beginning of Sinic intellectual history. A leading contemporary Neo-Confucian scholar Wang-tsit Chan emphatically said ‘If one word could characterize the entire history of Chinese philosophy, that word would be humanism, not the humanism that denies or slights a Supreme Power, but one that professes the unity of man and Heaven. In this sense, humanism has dominated Chinese thought from the dawn of its history.’ The contemporary Neo-Confucian context of humanism also faces the question whether the so-called Confucian humanism can be consistent with the type of humanism in the Western context such as has flourished from the Renaissance. Such humanism implies freeing humanity from the constraints of political and religious bondage and recovering the full potential of human capacity inherited from the individual humans and their inviolable values. Discussions on this question were focused on the Confucian context. Discussants, however, maintained openness to the non-Confucian global context of contemporary humanism.

3.3.1 Confucian Humanism in Contemporary Korea

All Korean discussants highlighted in different ways the relevance and relationship of Confucian humanism to the evolution of the Korean nation, especially in contemporary times, and its impact upon social policy. The first Korean discussant (KAS) as a sociologist

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93 ibid.
94 Lee, Bang Whan 1990, Humanismūi sidae jok paegyo nggwa sasang (The Thought and Background of Humanism), Nonmunjip (Chonbuk National University), vol. 20, pp. 1-17.
pointed out that the foremost Confucian reference to humanism can be traced in the teaching both of Confucius and Mencius about ‘human centism or demo-centrism.’ Confucius laid a broad foundation for humanism through his teaching about humanity encapsulated in the Analects. Mencius provided more specific ideas about Confucian humanism by emphasizing the importance of demo-centric concerns in his work bearing his name. In this work, Mencius wrote about sharing the Confucian Way of governance with the incumbent King Hui of Liang. The discussant argued that this view of Mencius, in particular, became a milestone in the Confucian tradition of humanism, also known as Mencian human centism or the Mencian doctrine of human dignity. The discussant added that the Mencian idea of Confucian humanism is not only related to morality, but also is concerned with the basis for keeping up human dignity such as a sovereign’s duty to provide for subsistence and to guarantee the mental space for freedom of thinking.

The second discussant (KPS) who has a strong interest in social policy brought up the ideal of the mythical founding father of the nation, Tan’gun in relation to Confucian humanism. The ideal was called the ‘broadest possible benefits to humanity’ and became embedded into Article Two of the ‘Basic Law of Education’ of contemporary Korea, maintaining the same ideal proffered in the founding of the nation. The concept of devotion to the welfare of humanity and humanitarianism predates the inception of Confucianism in Korea. The three traditions of Confucianism, Buddhism and Taoism are known to have fused with this foundation ideal that goes back to the very founding of the Korean nation. The discussant suggested that humanism remained central to the public perception of what should constitute the basis of social policy such as that of education. Confucian humanism had contributed its share to this firmly established concept in contemporary Korean society.

The following discussant (KPH) observed that the major challenge to Confucian humanism during the Yi dynasty (1392-1910) in Korea was exposed and debated about by the

95 jenpen chui (renben zhuyi: human centism or demo-centrism)
97 Lee, Sang-Soon 1996, ‘Yuga’ui indoju’uiwa yullisasang (Humanism and the Ethical Thought of Confucianism)’, Inmun Sahoe Kyoyuk Yön’gu (Journal of Humanities and Social Science Education), vol. 1, pp. 1-12.
98 Tan’gun is a legendary founding father of Korea. The history of Korea written during the Koryo dynasty (935-1392) records the foundation of Korea as having taken place in the year of 2333 B.C.E.
99 Hong’ik In’gan (the broadest possible benefits to the humanity)
100 Chapter One: Article Two of the Basic Law of Education, the Republic of Korea, as amended November 2005 prescribes for ‘the Ideal of Hong’ik In’gan,’ namely, the ‘broadest possible benefits to the humanity.’
Neo-Confucian branch of the so-called ‘Practical Learning (sirhak)’ school. The motivation came from their humanitarian concern about those socially underprivileged. The discussant referred to the example given by a prominent Practical Learning scholar cum writer Pak Chi-wŏn (1737~1805). The writer Pak, in spite of his Confucian upbringing and his scholar-official social status, wrote the major ‘social novel’ titled the ‘Biographic Story of Lady Pak of the Hamyang Clan.’\(^{101}\) This story was a major moral awakening to the Confucian orthodoxy that dominated the society of that time and that allowed extreme gender injustices against womanhood, in particular, those widowed. In spite of the overarching Confucian moral teachings for humanity, the Yi dynasty failed to abolish gender discrimination, honour of seniority, patriarchy and, most importantly, the slavery system. The discussant offered the view that Confucian humanism brought tangible social sympathy and support for those marginalized in the Confucian social hierarchy thanks to the efforts by the likes of the writer Pak of the Practical Learning School. The other major ‘social novels’ by Pak included ‘The Saga of Scholar Hŏ’ and ‘The Scolding Tiger.’\(^{102}\) Both works satirized the Confucian scholars failing miserably in delivering on their moral teaching about the acute needs of society, to the extent that the storyteller employs the ‘critical tiger’ in scolding the scholar for having no real concerns about the social responsibility of looking after the poor and the underclass. The discussant alluded that the writers of the Practical Learning School chose to use their literary skills of storytelling to arouse social awareness without directly jeopardizing the status of Confucian scholar-officialdom and factional allegiance.

KCG as a policy advisor for corporate governance concurred with KPH on the contributions made by the School of Practical Learning in raising Confucian social awareness for the entire community beyond the self-interest of the scholar-officialdom. This discussant argued that such a social campaign helped reorient Confucian thinking toward a more pragmatic social policy agenda. This new agenda of Confucian societal humanism during the 17\(^{th}\) and 18\(^{th}\) centuries was commonly called the ‘pursuit of truth from facts or real events,’\(^{103}\) the ‘functional utility for popular welfare’ or the ‘salvation of the world and

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\(^{102}\) Pak, Yong-gu 1965, ‘Hŏsaengŏn’ and ‘Hojjil’(‘The Saga of Scholar Hŏ’ and ‘The Scolding Tiger’), Úryu Munhwasa, Seoul.

\(^{103}\) Kang, Man-gil et al, ed., 1998, ‘Introduction’, in Hangugŏi sirhae sasang (The Thought of Korean Practical Learning), Samsung Publishing, Seoul, pp. 7-34; ‘silsa kusi (pursuit of truth from facts or real events), iyong husaeng (functional utility for welfare), kuse chemin (salvation of the world and wellbeing of people).’
wellbeing of people.’ The other leading figures in this campaign were Yu Hyŏng-wŏn (1622-1673), Yi Yik (1681-1763), Pak Che-ga (1750-ca 1804), and Jŏng Yag-yong (1762-1836). These Confucian humanists have a large following to this day in Korea.

The discussant (KPE) as an economic planner pointed out that such a ‘social enlightenment’ drive by the School of Practical Learning had only a limited success, since the Confucian political mainstream in the officialdom remained untouched and unmoved by what was perceived as a non-official social agenda. He brought up as an example a work by a major twentieth century Korean writer Yi, Kwang-su (1892-1950) who wrote ‘The Heartless (1917),’ wherein the heroine from underprivileged social origins follows an extraordinary path through life due to her social standing. Such gender or class-based social ills remained largely unchanged from those same injustices fought against in the seventeenth through to the early nineteenth century by those progressive Neo-Confucians of the Practical Learning School. This work by Yi and others such as Sim Hun (1901-1936) who wrote ‘The Evergreen’ mobilized a great social sympathy. The Confucian ethic faced a challenge from this Confucian humanism with a new level of intensity.

The social policy analyst (KPH) referred to more contemporary times. He referred to the literary contributions made to humanism in Korea during and beyond the humanitarian crisis of the Korean War (1950-1953) and during the earlier Pacific War (1941-1945). In the Pacific War, substantial Korean participation occurred in Japanese uniform as a part of the mobilization by imperial Japan. Individuals and families with the Confucian habits of mind ran into these extreme conditions, and underwent situations of life and death. Confucian morals were in tatters and offered no respite to the angst, despair and absurdity of those going through the condition of war. KPH argued that writers and critics such as Paek Ch’ŏl (1908-1985) helped create a melting pot of humanistic ideas that drew on diverse post-war literary sources, notably, that of existentialism. The discussant added that Confucian minds met and fused with the other traditions in these extreme human conditions as confined and limited by the inhuman circumstances. The discussant affirmed that such aesthetic and artistic awareness triggered by the pains of war liberated and

105 Sim, Hun 1996, Sangnoksu (The Evergreen), with commentary by NH Cho, Seoul National University Press, Seoul.
boosted the spirit of humanism in the face of indescribable barbarity and human despair under the insurmountable conditions.\textsuperscript{106}

The discussant (KHR) as an advisor of Catholic human rights solidarity went even further and made an observation about the opposing views on the role of Confucianism and its humane concerns held by contemporary leading Asian political figures such as Kim Dae Jung and Lee Kuan Yew. Sharp debates arose, prompted by Kim’s response in the \textit{Foreign Affairs} article\textsuperscript{107} of 1994 to Lee on the concept of the so-called ‘Asian values.’ Lee popularized the notion of Asian values, basing himself on ‘Confucian humanism’ and its contribution to economic prosperity, while defending his ever-lengthening autocracy also on the grounds of Confucian social harmony guaranteed through political patriarchalism. The discussant argued that Lee’s view of Confucianism is that of minimalism, a view also propounded historically by the School of Legalism, most prominently by Han Fei (ca 280-233 B.C.E.). Lee chose to omit the key teachings of Mencius about the ‘moral responsibility of sovereigns’ to fairness and the ‘rights of the people to revolt’ as a last resort against unfit sovereigns. Kim maintained his position in this response and throughout his presidency of Korea (1998-2003) argued that Confucianism provides a basis for humanism and for the adaptability to democratic principles elaborating on the long philosophical riches built around it.\textsuperscript{108} The discussant was persuaded that the so-called Asian value argument had lost much of its currency, since the Korean model of market economy has advanced together with what Kim claims to be Confucian democracy and has invalidated Lee’s argument.

The discussant (KMC) as a mass media contributor observed that Kim made frequent references to the Mencian political reforms through moral and peaceful means, leaving the revolutionary option as a last resort. Non-violent political resistance against the military government led by his political nemesis President Park Chung-Hee (1917-1979) in the tradition of Gandhi was heavily influenced by one of his mentors, Ham Sŏkhŏn (1901-1989). Ham was a Quaker leader and pacifist political activist, also known for his teaching of other

\textsuperscript{106} Cho, Mi-suk 1997, ‘1950 nyŏndaehumanism munhak (Literature of Humanism in Korea during the 1950s),’ in \textit{Konguk Ŭmunhak} (Konkuk Language and Literature), vol. 21, no. 1, pp. 535-588.
\textsuperscript{107} 1) Zakaria, Fareed 1994, ‘Culture is Destiny: A Conversation with Lee Kuan Yew,’ \textit{Foreign Affairs}, vol.73, no. 2.
\textsuperscript{108} Han, Sang-jin ed.1998a, ‘Kim Dae-jung’s speech,’ in \textit{Tongyang’ui nunŭro segyerũl hyang’hayŏ} (Towards the Globe through the Eyes of the East Asia), Nanam Publishing, Seoul, pp. 23-43.
Asian belief systems such as Taoism and Hinduism. Kim is a practicing Catholic, but shared Ham’s view of progressive spirituality dwelling on the strength of belief traditions such as of Confucian pacifism and Taoist freedom.

KTE as a corporate advisor for an economic justice forum referred to the common daily practices of Confucian ethics by contemporary Koreans as evidence of Confucian humanism in action. According to him, fundamental principles and disciplines related to core human relations stand out representing the ‘intrinsic humanism’ and the ‘extrinsic humanism.’

On the one hand, Confucian habits of heart in Korea relate to the intrinsic understanding of being desirable humans. On the other hand, such habits daily manifest extrinsic understanding of human relations from family, community, business and broader social association. Conversely, the ideals of Confucian humanism present a daunting task to translate into practice to perfection. Such ideals often encapsulated in crisp and pithy aphorisms find their way into common discourse as points of reference. The discussant exemplified the most common quotations from the Great Learning, i.e., the Eight Virtues of the Way, namely, ‘investigation of things, in-depth knowledge, sincerity of thought, rectification of heart, self-cultivation, harmony of family, good governance of state and pacification of the world.’ The discussant added that these virtues signify progression from ‘intrinsic humanism’ starting from the ‘investigation of things’ to ‘extrinsic humanism’ culminating in the ‘pacification of the world.’

The next discussant (KSS) brought up another common Confucian axiom with similar currency, namely, the Three Fundamental Principles and the Five Moral Disciplines in human relations, as summarized by Tung Chung-shu (ca. 195-115 B.C.E.). The three principles are those of ‘loyalty between sovereign and subject, filial piety and respectful husband-wife relations’, while the five disciplines, originally of Mencian teachings, are the disciplines of ‘unwavering loyalty to sovereign or patriotism in the modern sense, filialness, marital integrity, respect of seniority and faithful friendship.’ These principles and disciplines have long melted into the Korean vocabulary, and continue to serve as the moral building blocks of Confucian humanism with the stress on personal integrity.

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111 Tung authored Ch’un ch’iu Fan-ju in which he re-formulated the teachings of Confucius into the aphorismic format of ‘the Three Fundamental Principles and the Five Moral Disciplines.’
112 This comment is resonant with the points raised earlier in Chapter 2.
The discussant (KEH) as an economic historian noted some aspects of Korean social behaviour, commonly typified as ‘Confucian societal ties.’ He argued that this so-called ‘tie or bond culture’ is often stigmatized as symbolic of Confucian rigidity with the flair of pre-modern social behaviours. The most prominent ties are those of ‘land, blood, schooling and at times which military services for the males, e.g., army, navy, air force or marines.’ These ties relate to which part of the country you are from, which family clan you belong to, which schools you attended and sometimes which branch of the armed services you served. Awareness of such ties is maintained through associations related to province origin, family genealogy, school alumnus or school sports memberships and armed services’ veteran organizations. Such tight-knit social networking based on the exclusive personal affiliations and closed memberships has been the target of social reforms. Notwithstanding that the bond-building habit may be universal in order to survive in any given society, Koreans tend to go to the extreme in the importance placed on such ties. Such behaviour earned itself the label of ‘Confucian habits’ of heart. This also has a strong allusion to the history of intense Confucian factional struggles during the Yi dynasty (1392-1910) in Korea. The discussant argued that this tie-building pattern of behaviour has ambivalence about it. Its downside is that its exclusivity and closeness hamper social mobility and fairness of opportunity to all. The upside, according to him, is that it reduces social transaction costs in building various productive organizations. Organizations in both public sector and private sector place the primacy on efficiency. Economic planning bureaucracy and globally competing business firms are good examples. These organizations tend to elicit higher dedication and speedier results from their recruits because they come from such ‘tie’ origins, since they are expected to adapt and deliver to prove their worth as ‘faithful members’ of such organizations.

KAC as a cultural theorist made an observation about the so-called post-Confucian democratization of Korea. The military autocracy (1961-1987) frequently employed Confucian ethics as a means of reinforcing their conservative political agenda and containing the opposition. Such a minimalist view of Confucianism was to be corrected with the arrival of democratically elected governments. The discussant argued that such a transition from the restricted compliant Confucianism to that of more openness came to be termed the post-Confucian experiment with democracy. Confucian humanism went
through a period of crisis and manipulation under the military governments, but outlasted them without any loss of moral integrity or philosophical legacy.\footnote{Kihl, Young-Whan 2004, Transforming Korean Politics: Democracy, Reform, and Culture, M.E. Sharpe, Armonk, NY, pp. 44-53.}

The above has been the summary of the Korean discussants’ views on the Confucian humanism of the nation. The discussions now move on to Japan and her Confucian humanism as seen through the eyes of contemporary Japanese discussants.

3.3.2 Confucian Humanism in Contemporary Japan

In looking at the place of Confucian humanism in contemporary Japan, JAS as a social development officer led off by suggesting that the Confucian intellectual and humanist influence over the principal Japanese history books of antiquity is significant as a frame of reference for the classic perception of humanism in Japan seen from the foundation philosophy of the nation. The ‘Records of Ancient Matters (620)’\footnote{Kojiki or Furukotofumi (Records of Ancient Matters)} was edited as an anthology of the ancient stores about the mythical beginning of the nation.\footnote{Tōyama, Ichirō 2003, ‘Chapter Two: The Design of Kojiki,’ in Kojiki seisantsu no hei kei to kōsō (Background to Formation and Structure of Kojiki), Kasama Shoin, Tokyo.} The ‘Chronicles of Japan (720)’\footnote{Nihon Shoki (Chronicles of Japan)} is considered an official historical record of ancient Japan.\footnote{Kanemaru, Ken’ichi 2003, ‘Chapter One: The Era of Deities’, in Nihon shoki kōzōron (Discourse on the Structure of Nihon Shoki), Ōfū, Tokyo.} Both history books were written in the Chinese characters, since their releases predate the introduction of Japanese kana writing that is known to have come into use after the years when the celebrated poetic anthology of the ‘Collection of Ten Thousand Leaves’\footnote{man’yōshū (Collection of Ten Thousand Leaves): the oldest existing and most highly revered collection of Japanese poetry, composed during Nara and Heian (710-1185) era.} was released in 759 with the first use of Japanese kana. As a nation with an intense interest in the continuity of its identity, these history books are more than histories told. Quotations from the books served as the reference to the legitimacy and sacredness of the imperial lineage and divine intervention in creation and rule of the nation for ‘generations eternal’. Apart from the obvious political implications of such deification of the national heritage, the sense of identity and the ethos of the people of Japan are equally important. The discussant argued that such sharing of the same ancient family roots in a single genealogical link to the mythical beginning with the emperor as the ultimate head of the
family is uniquely Japanese. The Confucian texts were instrumental as the resource as well as an intellectual milestone in the task of nation-building and, perhaps more importantly, the building of the legitimacy.

A second discussant (JAH) as an advisor of human development offered the view that one of the earliest historical writings about humanism in the Confucian context can be found in the works of Prince Shōtoku (574-622).\(^ {119} \) The seminal work of the Prince was the very first constitution in the history of Japan, namely, the Seventeen-article Constitution.\(^ {120} \) The discussant argued that this constitution manifested the Confucian humanism in governance enveloped in the indigenous Japanese ethos. Such an ethos came from the tradition of ancient native belief. The Prince is also known as the first courtly student of Confucianism and Chinese literature, after his mentor Wang-in of the Paekche dynasty (18-660 B.C.E.) in Korea introduced Confucianism for the first time to Japan. Japanese court scholars also visited the T’ang dynasty (618-907) in China on diplomatic and scholarly missions. Article Two emphasises the central state role of Buddhism. Articles Three through Fourteen closely reflect Confucian ethics for sovereigns, officials and the common people based on Confucian moral principles.

A further participant in the discussion (JAC) agreed, but added another angle to the significance of what the Prince’s work represents. He argued that his work in all likelihood was the very first manifestation of ‘universal thought’ about humanity in the intellectual legacy of Japan, beyond the heretofore confinement of the uniqueness or particularity of the indigenous Japanese intellectual pattern. He also argued that such Confucian ecumenism as implied in his work went through peaks and valleys in the subsequent history of Japanese thought.

The discussant (JEH) as an economic historian referred to the dominance of the T’ang dynasty (618-907) that is also known as the golden era of Chinese civilization. Its sphere of influence reached not only Japan but also the whole of Asia with China maintaining tributary relations with most of the smaller nations on its borders. The T’ang dynasty received many courtly scholars who came to study. Japanese visiting scholars were mostly Buddhist leaders associated with the court. The discussant brought up Kūkai

\(^ {119} \) Shōtoku Taishi (Prince Shōtoku)  
\(^ {120} \) Jūshichijō kenpō (the Seventeen-article Constitution) was introduced in 604 under the leadership of Prince Shōtoku.
(774-835) as an example of such Buddhist leaders. On his return from a study tour of China, Kūkai established an esoteric Buddhist sect called the ‘True Words’\textsuperscript{121} in his effort to find a right fit for the wider community of his compatriots in their individual spiritual pursuits. It emphasised the ‘original awakening’\textsuperscript{122} by which any individual would have an inherent spiritual capacity to attain the great awakening. This teaching contrasted to the then mainstream Mahayana practice. Mahayana practice entailed substantial learning and lengthy spiritual cultivation, often beyond the reach of the majority of common people where Kūkai’s sympathy rested. Kūkai managed to garner court support and succeeded in making available a number of his sect worship establishments nationwide. The discussant also argued that such intellectual pursuits follow a certain pattern of the ‘tenacious undercurrent’\textsuperscript{123} unique to Japanese culture. This undercurrent directs the way of thinking towards reproducing the intellectual imports so as to attune them to the mental climate of native Japan. The ecumenical attributes of Mahayana Buddhism and Classical Confucianism underwent alteration and adjustment to fit to such a principle of indigenous particularity.

JPS as a welfare policy consultant highlighted a similar contribution made by the Buddhist leader Saichō (767-822) also known as the founder of the T’ient’ai branch\textsuperscript{124} as the leading Mahayana tradition in Japan. The discussant argued that the Buddhist scholars also studied the principles and political applications of Confucianism on their study tours in the thriving dynasty of T’ang. The Confucianism they witnessed in the T’ang dynasty had ecumenical inclinations as Mahayana Buddhism did. Saichō and his disciples laid an important intellectual foundation for the Mahayana tradition through their founding of the Japanese T’ient’ai branch. The discussant added that Confucian humanity remained implicit in the societal engagements of the T’ient’ai Buddhist leaders.

The discussant (JAP) as a historian of Japanese thought shed light on the flourishing of a number of emergent Buddhist denominations during the Kamakura era (1185-1333) that grew into the major philosophical traditions that last to this day. He highlighted the Pure Land and Zen Buddhism. Pure Land flourished under the prominent leadership of Hōnen

\textsuperscript{121} Shingon: the ‘True Words’ sect of Buddhism in Japan.
\textsuperscript{122} Hongaku: original awakening in Japanese
\textsuperscript{123} Tenacious undercurrent or basso ostinato in musical terms
\textsuperscript{124} T’ient’ai, as mentioned earlier, is one of the many Buddhist branches in China and Japan. It is also called the Lotus School because of its emphasis on the Lotus Sutra. It was founded in China by Chih-I (538-597).
(1133-1212) and Shinran (1173-1263) both of whom respectively established their own sub-denominations of Pure Land, namely, the ‘Pure Land School Proper’125 and the ‘True Pure Land School.’126 Zen Buddhism grew in strength under the leadership of Dōgen (1200-1253). The major Buddhist denominations came to enjoy both sovereign and popular support nationwide under the so-called ‘common governance of sovereign law (ōbō) and Buddhist Law (buppō).’ The major Buddhist schools came to oversee the substantial financial and property wealth under their religious establishments. Such worldly influence with its political implications was serious trouble in the making. It came under the devastating attack by the warlords in the warring period leading to the emergence of the Tokugawa era (1600-1864). JAP argued that the Confucian doctrine of governance was in continuous service to the Kamakura military governments of shoguns with the intellectual dominance of the prominent Buddhist leaders. Buddhist leaders continued to utilize the sophisticated knowledge pool of Confucianism as long as it provided the required educational and intellectual resource but without giving it any political imprimatur.

The discussant (JSS) as a social policy advisor spoke about the role of Neo-Confucian orthodoxy with the start of the Tokugawa era (1600-1864). He pointed out that Confucian intellectual influence was obvious and substantial in that the first shogun inducted Neo-Confucian scholars such as Fujiwara Seika (1561-1619) and Hayashi Razan (1583-1657) as court retainers. Fujiwara and Hayashi made a substantial contribution to the Japanese intellectual heritage beyond their courtly service. The discussant also pointed out that the influence of Confucian humanism was conditional upon the premise that Confucian doctrines remain ‘contributory resources’ to the samurai government without challenging the political orthodoxy or legitimacy in opposition to the Confucian political dominance in the China or Korea of that time. Confucianism in the court of Tokugawa played the role of political rites, not the politics itself. The Confucian intellectual contribution was welcome, but remained a foreign import as separated from the native belief system rooted in the ancestral genealogy of the emperors.

The discussant (JTI) as an enterprise advisor concurred with such a view that Neo-Confucianism had a paradoxical influence over the Tokugawa court for its profound

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125 Jōdoshū (Pure Land School Proper)
126 Jōdo Shinshū (True Pure Land School)
intellectual role but its political role was restricted. He argued that Tokugawa feudalism did not overcome the native tradition of ‘family clans (uji)’ and ‘tribal groups (be).’ The ascription of ancestral genealogy was critical to its political legitimacy. The benefits of ecumenical beliefs such as Neo-Confucianism and Mahayana Buddhism have been obvious. These benefits, however, remained ancillary to political legitimacy. Shoguns and scholarly court retinues were familiar with what both intellectual traditions could offer, but were quite clear about where the limits were.

JAP who researches in East-Asian philosophy brought attention to the influence of Confucian literature that came in contact with the native aesthetic ethos and helped produce sophisticated literary works. The works were in the form of personal notes and poems of those serving at the court, the tales about the private lives of the ladies in court, and stories about the warriors in battle and their personal reflections, just to name a few. The writings carried the apparent influence of T’ang dynasty literature and the religious undercurrents of Buddhism, Confucianism and Taoism. The discussant also introduced some eminent examples. The Pillow Book (1002)127 by Sei Shōnagon (ca 965-1010) carried personal notes and poems of those attached to the court. The Tale of Genji128 by Murasaki Shikibu (ca 973-1014) was a collection of colourful stories and poetry about the ladies in the court. The Tale of the Heike (1371)129 as a collection of stories written over a period by Yoshida Kenkō (ca 1283-1350) and other associated writers documented the saga of important battles and how warriors reflected on themselves as humans. The discussant argued that the aesthetic and religious ethos expressed in such literary works and others attest how the people found their own mental space and autonomy in the hierarchical society with little tolerance for any deviance from the rule of power. Orderliness firmly remained in the artistic realm in terms of how the literary stanzas harmonize with the calligraphy, flower arrangement, tea ceremony and the movement of those in the artistically perceived common space of the shared lives. The discussant claims that, despite this orderliness and submerged emotions, people found transcendence of spirit and freedom through their artistic and religious pursuits. Aesthetics and religious ethos were often expressed in the unique Japanese perceptions such as ‘heartfelt sorrow’130, ‘sympathy’131 and ‘mysterious longing.’132 The discussant offered the

127 Makura no sōshi (The Pillow Book)
128 Genji monogatari (The Tale of Genji)
129 Heike Monogatari (The Tale of the Heike)
130 awaré (heartfelt sorrow)
view that these perceptions common to various Japanese classical artistic forms including poetry, stories, paintings, music and masque drama provide the people of the various social strata with an artistic catharsis to free them from the effects of any social or political oppression.

The discussant (JAH) concurred on Confucian humanism as expressed in the Japanese artistic ethos. He offered a psychological parallel to it by introducing a significant popular movement of the ‘School of Learning of Mind’ firstly led by a Confucian scholar Ishida Baigan (1685-1744). Also influenced by the indigenous Shinto and Zen Buddhist practice of quiet immersion into self-reflection, Ishida tried to test the new intellectual frontier beyond the Yōmeigaku Neo-Confucian teaching of searching for the ‘original mind’\(^{133}\) as the ultimate moral awakening and enlightenment.

Significance was added in that this teaching movement was available not only to the learned elites, but also to the general public who would otherwise have had very little access to the learning of such depth. The discussant argued that this movement led by Ishida\(^{134}\) and his disciples broadened intellectual opportunities to those less privileged commoners, also laying a foundation for the ‘people-centrism’\(^{135}\) of the so-called ‘Taishō democracy’ era (1912-1926) of ‘great righteousness.’ The discussant also added that this movement on the surface does not have any visible Confucian façade, but the Confucian context provided its content and scaffold without being too visible, thus concurrently addressing Japanese sensitivities.

Another participant (JTS) as an industry strategist referred to the learning movement that arose amongst the urban ‘tradesmen’\(^{136}\) as another example of the intellectual opportunities. The Tokugawa society was one with a clear hierarchy with four vertical tiers, namely, ‘scholar-officialdom, peasantry, craftsmen and mercantile class.’ The urban ‘tradesmen’ advanced their relative social class thanks to their wealth and their vibrant participation in creative arts and broad based learning activities. The discussant

\(^{131}\) sabi (sympathy) \\
\(^{132}\) yūgen (mysterious longing) \\
\(^{133}\) penhsin (benxin: original mind) \\
\(^{134}\) Sawada, J 1993, Confucian Values and Popular Zen, University of Hawaii Press, Honolulu, pp. 62-90. \\
\(^{135}\) minponshugi: people-centrism or demo-centrism as an alternative name for democracy coined by Yoshino Sakuzo (1878-1933), the leader of the ‘Taishō democracy’ era (1912-1926) of ‘great righteousness.’ \\
\(^{136}\) chōnin (tradesmen)
introduced a successful example. The successful merchants of Osaka financed the establishment of the school for the commoners in 1724 under the name of the ‘Hall of Learning of Virtues’ or Kaitokudō, teaching diverse subjects of Confucian, Buddhist and Taoist traditions to those with little access to the elitist mainstream teaching institutions. In 1838, another school called Tekijuku came into being, specializing in the so-called ‘Dutch learning,’ e.g., science, medicine and European languages. These schools for ‘commoners’ were following in the intellectual leadership of the major Tokugawa Neo-Confucian scholars of ‘learning of mind’\textsuperscript{137} such as Hayashi Razan (1583-1657) and Ishida Baigan (1685-1744). Both institutions became the foundation of the University of Osaka. The discussant emphasized that Confucian learning was taken up for the broader community through the initiative by those tradesmen equivalent to the contemporary middle class. The discussant also suggested that a sense of social cohesion rose up and survived thanks to this uncommon civic movement starting from below for moral enlightenment.

The discussant (JSS) as a social policy advisor shed light on how the so-called ‘Meiji oligarchs’ educated in Confucianism in their youth led their lives as the leading figures at a time of great transition. Their activities were partly in designing the change and also partly in political maneuvering for its delivery. Itō Hirobumi (1841-1909) was the architect of the Meiji Constitution (1889). Ōkuma Shigenobu (1838-1922) was the prime mover behind the introduction of the parliamentary government system for the first time in the history of Japan. Yamagata Aritomo (1838-1922) was behind the creation of the modern armed forces of Japan and introduction of military conscription. The discussant argued that Confucian morals were embedded in their personal values such as devotion to learning, self-cultivation including literary skills such as poetry and unity of family with the greater family of the nation. Their expression of Confucian humanism in the political processes was ambivalent. Itō led a study group in law and government institutions, making study and fact-finding tours to the Western nations. The discussant observed that, despite the modern structure of the Meiji Constitution, the group Itō led engineered a confidential process whereby no popular consent was sought. The Meiji Constitution in fact fused the emperorship, the ‘national body (kokutai)’ and the identity of citizens as family members with the emperor at the head of the sacred lineage. Without going through any ratification process, the Constitution came into being as a benevolent gift from the emperor. The

\textsuperscript{137} shingaku (learning of mind)
discussant argued that, in the critical steps of this process, the speeches, announcements and wordings of the Constitution were redolent of Confucian humanism. Ōkuma supported liberal education additional to the traditional Confucian teachings, hence founded Waseda University in 1882 as a higher learning institution with an international and open academic outlook. Ōkuma’s role as constructive opposition continued to produce results in spite of frequent setbacks partly thanks to his engagement with the leading samurai clans that brought down the Tokugawa government. Yamagata created the modern Japanese armed forces with soldiers and sailors equipped with modern arms, but mentally educated in Confucian ethics. In the ‘Imperial Rescript to Soldiers and Sailors’\textsuperscript{138} of 1882 also known as the most important document in the history of the Japanese armed forces, the Confucian ethos permeated clauses such as articles one and four on loyalty and faithfulness.

The discussant (JPE) as an economic planner added his views on the Meiji oligarchs. These oligarchs ultimately represented the political interests of the two leading military clans, namely, the Chōshū clan\textsuperscript{139} and the Satsuma clan.\textsuperscript{140} In the process of major political re-consolidation under the implicit leadership of the leading clans, they put to good use Confucian ethics, Buddhist sensitivity and Taoist artistry as necessary ingredients, but not as the compelling central theme of universal humanism. These leaders were also the architects of an expansionist policy whereby they went on with the annexation or invasion of Confucian cousin nations and territories, i.e., Taiwan, Korea, Manchuria and heartland China. The central theme of concentration and growth of power outstripped the personal ethos of Confucian humanism that these leaders cherished to the end of their lives.

The discussant (JSS) introduced those who worked hard to overcome the ‘sacrosanct emperor’s sovereignty’ as espoused by such oligarchs as Yamagata. A prominent law scholar Minobe Tatsukichi (1873-1948) outlined his ‘organ theory of emperorship.’\textsuperscript{141} Minobe was influenced by his teacher Georg Jellinek (1851-1911)\textsuperscript{142} during his study in Germany and theorized that the state comprises a set of legal organs and emperorship represents one of the key state organs rather than being a super-state organ. With this

\begin{itemize}
    \item \textsuperscript{138} Gunjin Chokuyō (Imperial Rescript to Soldiers and Sailors)
    \item \textsuperscript{139} Chōshū han (Chōshū clan) of Yamaguchi prefecture
    \item \textsuperscript{140} Satsuma han (Satsuma clan) of Kagoshima, Kyushu
    \item \textsuperscript{141} tennō kikansetsu (organ theory of emperorship)
    \item \textsuperscript{142} Minobe is known to have drawn his inspiration from the work of Georg Jellinek in “The Declaration of the Rights of Man and the Citizen (Die Erklärung der Menschen- und Bürgerrechte, 1895)”
\end{itemize}
theory, Minobe tried to advance the democratic institutionalization of the empire of Japan with some success. The discussant argued that Minobe wanted to institutionalize checks and balances within the framework of emperor-centric sovereignty, and also conserve the moral ethos of society, including Confucian ethics and humanism. The discussant also argued that such a consistent legal basis opened a way through which conservatives and liberals would conduct state matters side by side. Yoshino Sakuzō (1878-1933) led the liberal politics and Shidehara Kijūrō (1872-1951) led the liberal diplomacy of peaceful coexistence with Asian neighbours instead of imposing Japanese dominance.

JPH as a human resource policy person added that Minobe and his likeminded colleagues could introduce the milestone legislation of the ‘Universal Manhood Suffrage Law.’ Liberal politics could not go far enough to embrace labour union rights, since the labour demands were feared too far left to warrant broad support. Shidehara was instrumental in reaching the ‘armament control agreement of major powers (1921-1922)’ and return of the ‘Shantung’ territory to China that the former imperial government of Japan took from Germany. Shidehara’s contribution to the democratization of Japan was later recognized, when he became the post-war prime minister in 1945-1946. The discussant argued that Shidehara was one of the Confucian and Western educated liberals who believed that constitutional monarchy can be legitimised and strengthened through reason and humanism, aided also by the embedded ethical traditions of Confucianism, Buddhism and Shinto.

The discussant (JAC) as a cultural theorist of post-Meiji Japan made the observation on how the legacy of the so-called ‘mainstream neo-Confucian political ideologues’ of the post-Meiji era continued and grew in strength under the school of National Learning. He argued that the mainstream neo-Confucian ideologues of particular significance to modern Japanese political ideology were Ogyū Sorai (1666-1728), Andō Shōeki (1703-1762) and Motoori Norinaga (1730-1801). Sorai’s Neo-Confucian initiative is eminently recognized for having broken away from the Sinic Confucian orthodoxy to advance the Japanese people’s own sense of history. Sorai trusted that it is both possible and necessary to create

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143 Husen hōan (Universal Manhood Suffrage Law) in 1922 is a fruition of decade’s long suffrage movement. All men of twenty five years or older with tax-paying records could vote thanks from this law for the first time in the political history of Japan.
the ‘intellectual design’ of a new society. Shōeki and Norinaga are recognized to have expanded on it and moved the Neo-Confucian intellectual platform of ‘National Learning’ to the ideological citadel of the ‘national body’ of Meiji era Japan. Confucianism could survive as the backbone of the new Japanese polity in so far as its ‘philosophy and culture’ could help deliver the political ‘performance’. In the discourse of the new polity, Confucian-educated Watsuji Tetsurō (1889-1960) demanded that the ‘human existence’ of contemporary Japan be understood in the Japanese climatic context. Watsuji believed that humanism including that of Confucianism could grow only from the climatic soil of the nation’s unique ‘spatiality and temporality’.

JMC as a media contributor touched upon how those post-Meiji era citizens with their family-centric Confucian values and ethos lived through the new nation of diverse and conflicting social and political values. Under vigorous modernization, post-Meiji era citizens experienced its pressures on their way of life and also in their minds. Some succeeded in internalising what the drastic changes brought. Others did not. Some argued that the true modernization of Japan lay in the ‘overcoming of modernity’ which was the phrase of the epochal social debate in 1942. Others argued that, in order to ‘overcome modernity,’ Japan and the Japanese should ‘overcome democracy in politics, capitalism in economics, and liberalism in thought.’ These external challenges brought on the substantial internal challenges to the ‘mental archetypes’ of the hereto familiar ‘national myths’ and ‘life-world’ of the individuals surviving and living through their lives in the given societal conditions. The prominent writers wrote about how people lived their marginal lives trapped between the crevices, leveraging their individual ethics of Confucian morals and family values vis-à-vis the relentless pace of materialism and power struggles. Natsume Sōseki (1867-1919) in his ‘Story of Child’ or Botchan (1906) wrote about the moral decay and tension seen from the outlook of a child. Tanizaki Junichirō (1886-1965)
plunged into the ‘aestheticism’ portraying the ‘lost souls’ searching for hedonistic moments of ‘unliveable lives’. The contemporary Kenzaburō Ōe (born 1935) told the stories of those marginalised within their souls and without, such as his own autistic son. The discussant argued that Confucian humanism rested within the mental scaffold of and its universal sympathy for humanity which survived despite the cataclysmic events of World War II.

3.3.3 The Confucian Humanism in the Contemporary Republic of China (aka Taiwan)

CSS as a social policy advocate observed that the current polity of the Republic of China, as encapsulated in its Constitution (1946), has taken its roots from the political ideals of Dr. Sun Yat-sen expressed in the ‘Three Principles of the People.’ Sun’s legacy is clearly identified in the preamble to the Constitution. The ‘three principles’ are, firstly, the ‘principle of government of the people (min-tsu),’ secondly, the ‘principle of government by the people (min-ch’üan)’ and, thirdly, ‘the principle of government for the people, in particular, people’s welfare (min-sheng).’ The discussant argued that Sun’s political ideology of peaceful ‘social revolution’ came to be crystallized into the three principles in 1897. Sun studied government systems in the US, Europe and Japan. His interest in the social revolution of violence was aroused during his study in Russia. The KMT government established the ‘Council for Chinese Culture Renaissance’ in 1967 with the chairmanship assumed by Generalissimo Chiang Kai-shek (1887-1975) himself. The Council’s primary focus was on Confucianism and the national drive for revival of the Master’s teachings.

The discussant (CPH) as a human resource policy person offered a comment on the Council’s important role for contemporary Confucianism in the Republic. The Republic also nominated Confucius’ Birthday (September 28th) a national holiday celebrating it as ‘Teacher’s Day.’ The discussant added that such a Confucian based cultural drive, including the inception of the Council for Chinese Culture Renaissance, also was a response to the Cultural Revolution (1966-1976) of the rival government on the mainland with Confucianism earmarked as one of the key targets of heated criticism. After the demise of Chiang Kai-shek, the Council that belonged directly to the Ministry of Education

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153 Chungkuo wenhua fuhsing weiyüanhui (Council for Chinese Culture Renaissance)
was reorganized into the ‘Council for Cultural Affairs’\textsuperscript{154} in 1987. Under this council, there are nationwide organizations that continue to look after the spread of Confucian Temples nationwide.

The discussant (CMC) as an indigenous writer and social critic pointed out that the Republic of China since 1949 together with the territory of Hong Kong, has become the home of Neo-Confucian scholarship. Inevitably contemporary Neo-Confucians in the non-socialist nations faced the challenge of maintaining the Confucian philosophical integrity in the full knowledge that the Mainland of China ideologically opposed Confucianism in its entirety. The ‘Manifesto of Chinese Civilization to the World (1958)’\textsuperscript{155} was a milestone for reinvigoration of Confucian studies in the context of universal humanism beyond Sinic territoriality or nationality. The political mainstream in the Republic of China during 1949-1987 was held by the Kuomintang (KMT). The KMT imposed martial law on the Republic to maintain its autocratic government throughout this period. Confucian ideologues maintained a certain distance from making any political intervention, since Confucian scholars and KMT elites shared a sense of painful loss from what has happened to both Confucian scholarship and KMT politics during their unsuccessful activities on the Mainland. The discussant argued that only in the year of 1987 when the liberal minded President Chiang Ching-kuo (1910-1988) lifted martial law and brought in the era of democracy, did contemporary Neo-Confucian scholarship including its expressions of humanism blossom into its full potential.

The discussant (CAS) as a sociologist concurred with the importance of the re-invigorated intellectual momentum of Neo-Confucian scholarship as led by the ‘Manifesto leaders,’ i.e., Carsun Chang (1887-1969), T’ang Junyi (1909-1978), Mou Tsungsan (1909-1995) and Hsü Fukuan (1903-1982). He also pointed out the grassroots ‘new creed’ movements, posing as an example the ‘Unity Sect (I-Kuan Tao)’ with the acronym of IKT. This sect is now an officially recognized religious organization since the government lifted bans on this sect and other ‘new religions’ in 1987. This measure followed on Article 13 of the Constitution guaranteeing freedom of religion as a right of all people in the Republic. The discussant highlighted the point that, contrary to the tradition of orthodox Confucianism, this sect promises salvation. This syncretised Unity Sect based on Confucianism, Taoism

\textsuperscript{154} Wenchienhui (Council for Cultural Affairs, Taiwan), \texttt{<http://www.cca.gov.tw>}, viewed 08 January 2007.

\textsuperscript{155} The ‘Manifesto of Chinese Civilization to the World (1958)’ was drafted and published jointly by the four leading contemporary Neo-Confucians.
and Sinic Mahayana Buddhism with the rituals borrowed from diverse religious practices has risen to become the third largest religious group in the Republic. The discussant argued that the religious impetus grew towards more formal worship due to popular demand for the salvational edge beyond what is perceived as the passive moral-anchored humanism of Confucian orthodoxy.

The above has been the summary of discussants’ views on the question, ‘Do these philosophical traditions and habitudes represent Confucian humanism as a foundation for societal cohesion and civility?’ While Confucianism and its cardinal value of ‘humanity’ were embraced in the history of Korea, Japan and the Republic of China, the emergence and evolution of humanism have been significantly divergent in terms of being inculturated into the cultural systems, national characters and political realities that each nation faced. From the discussion as above on Confucian humanism, the discussants moved to the next question of governance in the Confucian context and its practical implications of foremost importance i.e., human rights.

3.4 CONFUCIAN GOVERNANCE AND HUMAN RIGHTS

The discussants' views as they have been summarized up to this point have been focused on the theme of Confucian humanism. From this part of the chapter, the discussions moved on to consider how such Confucian humanism translates into the pivotal human and social conduct of governance. As indicated in the first chapter of the thesis, discussions on governance will be focused around one of the most important practices in governance in any given society, namely, human rights and their observance. Discussants gave their views as summarized under the following headings, i.e., Confucian governance and its implications for human rights in Korea (3.4.1), in Japan (3.4.2), and also in the Republic of China (3.4.3).

156 Civil Affairs Department, Ministry of the Interior, Taiwan, 2005, ‘Chapter 22: Religion’ in Yearbook of Taiwan 2005, Government Information Office, Taipei: ‘Religious groups in Taiwan in the order of number of declared adherents and places of worship: Taoism (7,600,000 adherents and 18,274 places of worship), Buddhism (5,486,000 adherents and 4,038 places of worship), I Kuan Tao (the ‘Unity Sect’: 791,000 adherents and 3,218 places of worship), Protestantism (605,000 adherents and 609 places of worship) and Catholicism (298,451 adherents and 1,139 places of worship)’
3.4.1 Confucian Governance and Human Rights in Korea

The government in Korea was under the control of the military autocracy from 1961 to 1987. In 1980, in the City of Gwangju, there arose a major civil revolt against the military government, resulting in a bloody crackdown with a great loss of life. This incident led to the eventual downfall of the military government and ushered in an era of democratization in Korea. During the presidency of the dissident-turned political leader Kim Dae-Jung (born 1926), human rights was at the top of the political agenda of the nation. In 2002, a national organization for the advocacy of human rights came into being for the first time in Korean history. The organization funded by government is called the National Human Rights Commission of the Republic of Korea. This commission enjoys political neutrality free from any governmental intervention. Whereas this commission stands exclusively for human rights matters, the protection of civil rights is broadly prescribed for in the Constitution of the Republic of Korea. Under the heading of Chapter II, Rights and Duties of Citizens, starting from Article 10 through 37, human rights covering the political, social, economic and cultural areas receive constitutional protection. As to whether Confucian humanism played a role in the political and cultural process towards the formulation of the current constitution that has taken on a very liberal democratic stance, the discussants provided their thoughts in terms of the various historical backgrounds both of the intellectual struggles and grassroots momentum that have proven critical to achieving the current level of both ideological and institutional democratization of contemporary Korea.

The first discussant (KPS) with his intense interest and expertise in the history of Korean social policy took the lead in his discussion group and pointed out that the Gwangju episode, now honoured as the ‘Gwangju Democratization Movement’, was a ‘struggle for recognition’. People struggled to be recognized for their sovereignty as citizens, their political entitlements particularly to freedom of speech and of the press and to fair economic and social rights. He argued that, while this struggle for human rights was

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triggered by Korean circumstances, the nature and aim of the struggle were universal in terms of fundamental rights stipulated in the Universal Declaration of Human Rights (1948) and its key covenants such as the International Covenant on Civil and Political Rights (ICCPR), and the International Covenant on Economic, Social and Cultural Rights (ICESCR).

The second discussant (KMC), a regular contributor to the press, concurred on the universal nature of the Gwangju struggle. He pointed to the absence of human rights in terms of the denial of civil rights to uphold peaceful political protests, freedom of speech and press, fair access to economic opportunities that Gwangju citizens felt denied to them, and the discriminatory social and cultural conventions. He also emphasized that Gwangju and its environs were the home for grassroots movements such as the ‘Peasant Revolt of the Eastern Learning’\textsuperscript{160} in 1894 and the ‘Gwangju Student Movement’ in 1929. The Peasant Revolt was an act of political and social resistance against the incumbent political forces of the Yi dynasty (1392-1910) and the subjugation of state sovereignty to the interests of the growing influence of imperial Japan in Korean politics at that time. The Student Movement was part of an ongoing anti-imperial Japan independence movement that continued throughout the Japanese annexation of Korea (1910-1945). The Korean population within the imperial Japanese society occupied the position of secondary citizens subservient to main islanders of Japan with severely restricted claims to human rights.\textsuperscript{161}

The third discussant (KPH) who advises on human resource policy made an observation on the evolution of Korean bureaucracy since gaining its independence from Japanese annexation in 1945. The ‘temporary military government (1945-1948)’ imposed by the US authorities on the southern part of the Korean peninsula faced a lack of experienced bureaucrats who could help run the Korean government in the vacuum that the now defeated Japanese imperial governor-general left behind. Both the US military government and the newly installed Korean government of Dr. Syngman Rhee (president 1948-1960) had no choice but to inherit the Japanese trained Korean bureaucracy and the officialdom culture embedded in it. The discussant argued that the Korean elites who survived such a change continued to exert substantial influence over the political institutions in the process of Korean nation-building. As an example, the discussant quoted

\begin{itemize}
\item \textsuperscript{160} Tonghak nongmin undong (the Farmers’ Movement of the Eastern Learning)
\end{itemize}
the drafting process of the ‘first constitution of the Republic of Korea (1948).’ The drafting work involved Korean elites whose intellectual underpinnings were in the Japanese imperial heritage. Dr. Yu Chin-O (1906-1987) was one of them. Yu led the team of legal scholarship for the draft constitution. This draft constitution, that ultimately became the first constitution of the nation, inevitably ended up incorporating many key clauses that were dear to the ‘Meiji oligarchs’ when they politically manoeuvred their preferences into the Meiji constitution (1890).

The sociologist discussant (KAS) commented on the national leaders of modernization of Korea spanning the 19th through to the 20th century and how the Confucian education they received in their youth and the modern Western education in their adulthood influenced the roles they played in the process of forming the constitutional mainframes. As discussed earlier, Itō Hirobumi (1841-1909), a leading Meiji oligarch, was a samurai scholar-official well versed in Confucian scholarship and literature. Ito’s Confucian ethical ethos was infused into the modern legal framework of the Meiji constitution. Syngman Rhee, born from a Confucian scholar-official family with his adulthood Princeton education, helped introduce the first draft constitution of Korea prepared by his law professor-turned supporter Yu Chin-O. Rhee found the draft constitution by Yu congenial to his aspiration for a patriarchal Confucian government. Yu looked at the Meiji constitution and that of the Weimar Republic (1919-1933) as his primary points of reference. The discussant argued that the important proviso both the Meiji and Korean constitutions carried was making the civil liberties of citizens conditional upon what the nation’s heads believed was in the best national interest. Such best interest of the nation in the case of Japan was what the emperor and ‘national body (kokutai)’ would envisage. In the case of Korea, it was what the president of Korea would see fit in the interest of ‘national security.’ The Korean Constitution (1948) carried such qualifications through Article 28 of the second chapter (‘Rights and Duties’) in relation to restricting civic freedoms. The discussant argued that such qualifications\(^{162}\) opened a way for the autocracy of Syngman Rhee’s presidency and arguably for those following in his footsteps. Confucian humanism clad in a well-meant form of Confucian ‘family-state’ patriarchal tradition made an ambivalent contribution at best to the project of building the modern Korean democracy.

\(^{162}\) Yoon, Dae-Kyo 1990, *Law and Political Authority in South Korea*, Westview Press, Boulder, CO, p.155. Such qualifications are expressed in the phrases e.g., ‘except as specified by law’, ‘except in accordance with law’, and ‘laws imposing restrictions upon the liberties and rights of the citizens shall be enacted only when necessary for an invitation to the executive to suspend rights.’
Parallel to Rhee’s political regime and his constitution framework, the next discussant (KSS) who was working for a non-government economic justice advocacy organization offered a comment on the similar approach chosen by the government of President Park Chung-Hee (presidency 1961-1979). Park introduced the so-called ‘Restoration Constitution (Yusin Constitution)’ in 1972, with which he could technically perpetuate his presidency. Through such a draconic law, Park introduced a rubber stamp parliament called the National Conference of Unification\(^{163}\) that was empowered to authorise the extension of his presidency as he wished. In spite of the prospering Korean economy, such dictatorial governance triggered widespread resistance. Park’s government was emboldened enough to issue a decree on 13 May 1975 to ban all criticism of the government and of the ‘Restoration (Yusin) Constitution.’ The discussant argued that a polity under what was officially termed ‘Korean democracy’\(^{164}\) by the Park government was partly inspired by the autocratic Indonesian president Sukarno (presidency 1945-1967) and his policy of ‘guided democracy’ as an ideological shield against his autocracy. The discussant also argued that this concept of ‘guiding the people’ instead of representing the people’s political sovereignty was a form of Confucian ‘sagely kingship’ in the eyes of Park and also an expression of Confucian humanism reflecting his sense of history in making a clear break with the previous poverty of the nation.’\(^{165}\)

On this point of the alleged Korean perception of Confucian ‘sagely kingship,’ the next discussant (KEH) as an economic historian offered another perspective in the context of political economy. He believes that there has been a ‘patriarchal culture’-based leadership offering the trade-off of rapid economic development and its tangible benefits to the people in return for their Confucian consent to the form of benevolent autocracy in the interests of the greater good of the nation over the long term. The discussant emphasized the role of an efficient bureaucracy of economic technocrats congenial to such patriarchal leadership. Governments subscribing to such Confucian style of patriarchal leadership have been supported by a civil bureaucracy that gave an open-ended allegiance to the patriarchal leadership without expectation of reciprocated rights or privileges, except for the outcome

163 Tong’il Chuch’e Kungmin Hoeüi Samuchö 1975, Tong’il chuch’e kungmin hoeüi (the National Conference of Unification), Secretariat for the National Conference of Unification, Seoul.
of national development and communal wellbeing. The discussant further argued that Confucianism provided implicit support to such leadership that sought to rule by law but only to the extent of using law to enforce the wishes of the ruling group without subscribing fully to the notion of a rule of law.

Contrary to such a politicized view of Confucian compliance, there have been diverse social and religious groups that considered this view as an offensive distortion of Confucian humanism. The discussant (KSS) as a researcher with an interest in social history, expounded upon which groups in Korean society under the autocratic governments from 1961 to 1987 organized their systematic and persistent opposition and struggles. Firstly, there were the religious groups comprising Catholic, Protestant and Buddhist adherents. Secondly, there were social groups consisting of students, workers and the ‘grassroots.’ They rejected such patrimonial ownership of the greater good for the society. In fact they emphasized the Confucian tacit acceptance of liberal values of tolerance and plural notions of the good as Mencius and Chu Hsi had taught. Support for democracy and human rights in the 1970s through to the 1990s have come from a variety of groups held together by a liberal consensus within the opposition camp. Korea’s ‘economic miracle’ was engineered by the authoritarian regime. In turn, the regime could sustain its political control with all the means at its disposal. It was too strong for the divided opposition, and was able to be in power for nearly three decades. The discussant argued that the opposition endured, evolved and finally triumphed in spite of the social engineering by the autocratic state. The opposition prevailed eventually as the course of resistance was equal to the project of democratising Korean society in ways which were appropriate to the priorities of each participating group. The discussant also argued that this process of social evolution not only brought economic achievement unimpeded, but also helped rediscover and strengthen the intrinsic beliefs of those opposing religious groups including that of Confucianism and its concern for humanity.

As regards the Confucian ethos of an elite technocracy, the discussant (KPE) with an economic planning background observed that Confucian ethics permeated the characters and attitudes of those elite bureaucrats in their sense of duty to themselves and to the

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166 chae'ya (grassroots): Korea witnessed a surge of social leaders at the grassroots opposing the military autocracy (1961-1987). Chae literally means ‘exist’, ya means ‘in the openness of grass’ or ‘opposition.’
people as the Confucian ‘superior persons’ or ‘gentlemen.’ He argued that positive traits of the Confucian character did emerge, as did the commonly known weaknesses of Confucians. Strengths would be ‘encouragement of learning of the superior person’, ‘respect for ethics and morality’ and ‘respect for probity, loyalty, and righteousness.’ Weaknesses as commonly referred to are ‘veneration of China’, ‘factionalism’, ‘family-ism or clan-ism’, ‘class notions’, ‘bookish impracticality’, ‘weak commercial or industrial capacity,’ ‘reverence for titles’ and ‘reverence for the past.’

Regarding the Confucian ethos imbued into the mindset of the administrative elite in the Korean bureaucracy, the next discussant (KAC) who studies cultural theories offered further background. He believes that in spite of the modern institutions and legal system, a parallel can be drawn between the Confucian statecraft of the Yi dynasty and that of the Republic of Korea in philosophical and behavioural aspects. Confucianism remains a body of ethical and moral principles that the head of the state and elite ‘scholar-officials’ must learn to apply. The Confucian concepts of governance are encapsulated in the three words, i.e., ‘kyŏngse (the management of the world or the economy), che’min (the sustenance of the people), and ch’iguk (the rule of the nation).’ The first two are from the writings of Chuang-tzu (ca 4th century B.C.E.) and the third from the Great Learning. The point made by this discussant (KAC) was supported by another social scientist (KAS) who summarised to the effect that Confucian/Taoist political ideology was and remains a conservative doctrine based on the notion of promoting moral-ethical principles and social institutions for maintaining peaceful political order and social harmony. Such ideology goes hand in hand with a hierarchical society in which those in the positions of authority bestow benevolence downwards and those below reciprocate with loyalty and compliance to the state. Human rights and duties are vertically integrated as the pillar of stable social and moral propriety.

Regarding such Confucian mutuality of benevolence of the above and compliance of the below, the discussant (KHA) who counsels on human rights offered his outlook. He believes that such fusion of morality and politics, if it were to work out fine, calls for a major

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167 kunja (Korean equivalent to chūntzu in Chinese: Confucian ‘superior persons’ or ‘gentlemen’)
168 Hyon, Sang-yun (1893-1950), a prominent Confucian scholar and the first chancellor of the Korea University, is known to have classified the strengths and weaknesses of Confucian characters in his work, Chosŏn yuhaksa (The history of Confucianism in the Yi dynasty). The strengths are: kunjahak (encouragement of learning of the superior person), yulli dodŏk kwan (respect for ethics and morality) and ch’ŏngnyŏm chŏnŭi (respect for probity, loyalty, and righteousness). The weaknesses are: mohwa sasang (veneration of China), tangjaeng (factionalism), kajok chuŭi (family-ism or clanism), kegŭp sasang (class notions), munyak (bookish impracticality), sanggong yŭnyak (weak commercial or industrial capacity), sangmyŏng chuŭi (reverence for titles) and pokko sasang (reverence for the past).
assumption. The assumption is that successful harmony should be kept up within the Confucian doctrine of self-cultivation, family regulation, social harmony and political rule. Mencian teaching directs that Confucian scholar-official elites bear the burden of maintaining the basis of moral and political leadership in the state. The discussant also referred to the Mencian admonition against the complacency based on the emphasis on stability and predictability alone. Should the system of governance and sovereignty decay, risking people’s rights to life and subsistence, Mencius asks that those scholar-official elites live up to their moral integrity of Confucian humanism and bring about the necessary change even at the cost of self-sacrifice. The discussant argued that, in the history of Confucian governance, passive resistance was common, whereas open resistance remained a rarity.

Regarding Confucian governance and statecraft in the modern democratic context, the discussant (KPS), a social policy researcher, referred to the seminal work, the ‘Doctrines of Governance and Statecraft’\textsuperscript{169} by the prominent ‘Practical Learning’ school doyen Chŏng Yagyong (1762–1836). He argued that Chŏng envisaged successful statecraft based on Confucian humanism is achievable in the dynamic interplay of the ‘essential trio’, i.e., ‘benevolent teachings, self-cultivation and enlightenment,’ ‘just and working institutions’ and ‘people’s trust in the moral identity of the selves with the sovereigns as family.’\textsuperscript{170}

On this point of the state and its statecraft equalling the personification of family, the discussant (KAP) who researches Asian history of thought concurred that Confucian family values and value orientations are central and essential ingredients of Confucian contributions to the democratisation processes in Korea and, likewise, progress in human rights. In the context of contemporary Korean democracy, the essential trio would still remain the same, i.e., the first being the ‘Confucian ideals of humanism as mainstay thought’, the second, ‘modern functioning institutions,’ and, the third, the ‘self-identity with one’s family’ qualifying the success of leading a fruitful life seen in the eyes of the family outlook on life and world. He argued that this trio creates not just a democratic polity as a vindication of justice, but also fortifies the warmth and trust of the family, recovers the aesthetic self-identity in unity with the family of the first relation through to the ultimate

\textsuperscript{169} Kyŏngse yup’yo (the Doctrines of Governance and Statecraft) authored by Chŏng Yagyong (1762–1836) during ca 1817.
\textsuperscript{170} Yi, Iksŏng 1990-1993, Chŏng Yagyong and Authorship of Kyŏngse yup’yo (the Doctrines of Governance and Statecraft), Minjok Munhwa Ch’ujinhoe, Seoul, vol. 4.
relation reaching the greater family, namely, society. He further argued that Confucianism, as a science and art of statecraft, contributed to the re-establishment of the intellectual and psychological equilibrium\(^{171}\) of selves, family and the state through the Confucian personification of family compassion, and humanism adding resilience in every meaningful step of the relationship.

On the Confucian ideal of society as a harmonious extended family, the next discussant (KMC), a media person, suggested a substantial qualification on such an optimistic scenario. He referred to the status of Korean human rights standing in relation to the key international human rights covenants. Korea became the signatory nation to key international human rights covenants, including those of the United Nations, particularly the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) among others. He indicated that the government authorities concerned were passive parties at best for the enforcement of such covenants. The first governmental report to the UN Human Rights Committee under the ICCPR was submitted in 1991. The non-governmental human rights advocacy groups did not agree with the 1991 report made by the Ministry of Justice and submitted their ‘counter-report’ in 1992 to the same UN Human Rights Committee. This counter-report was one of many to come and was jointly drafted by the civil society advocacy groups headed by the ‘Korean Lawyers for a Democratic Society (Minbyun)’ and the ‘National Council of Churches in Korea (NCCK).’ This disagreement with the government claims, spelled out in this counter-report, covers the integral points such as ‘remedies against rights violations being not readily available’ and ‘investigative agencies shying away from those cases involving high-ranking officials.’ The discussant emphasized that the ongoing scrutiny, both domestic and international, by such civil and advocacy groups, societies and advocacies on the official practices of human rights policy by governmental agencies has become an important pillar of human rights observance in Korea.

On the importance of non-governmental civil society groups, the discussant (KHA) as an advocate of human rights noted that there has been an intensive effort to coordinate the diverse civil organizations under one umbrella. The Korea Human Rights Network

(KOHRNET) was formed in 1994 as an umbrella for the non-governmental human rights groups working in Korea. This organization and its member groups work regionally with the nations in the Asia Pacific as well as with the UN and other organizations such as Amnesty International among others. The discussant brought attention to the fact that civil human rights groups have become a significant source of political influence since the presidency of Kim Dae-Jung. President Roh Mu-hyun (presidency 2003-2007) was a former member of the ‘Korean Lawyers for a Democratic Society (Minbyun)’ and his close aides who joined his government came from the leading civil groups such as the ‘People’s Solidarity for Participatory Democracy (PSPD)’ formed in 1994. The discussant also argued that the most significant exception to the human rights regime in Korea remains the ‘National Security Law (NSL)’ that came into existence during the Korean War (1950-1954) against Communist North Korean counter-espionage. Both President Kim Dae-Jung and President Roh Mu-hyun despite their former careers as human rights champions could not deliver on their election pledge on the abolition of this draconic law. This law has a half century record of abuses, having been mobilized in many political witch-hunts. Yet, despite its ignobility, both presidents found its cancellation political suicide in view of the inter-Korea tensions and popular sentiment against destabilization of any kind involving national security matters. The discussant observed that Korean division and the contemporary terrorism threats have placed substantial limitations on any further progress in the human rights observance in this republic.

3.4.2 Confucian Governance and Human Rights Observance in Japan

Contemporary Japan is indisputably a liberal democratic nation in terms of its polity. Its governance; however, it has undergone a series of momentous changes. To quote only some of those, the ancient age of ‘clan (uji)’ and ‘tribe (be)’ societies, followed by importing and localizing the major belief systems such as Buddhism and Confucianism together with their governance ethics, Confucian-enlightened shogunate, post-Meiji modernity and the Occupation-imposed and now embedded liberal democracy. Discussants’ views were diverse on Japanese governance, the Confucian influence on it and the concept of human rights. Human rights as a part of the Japanese vocabulary emerged as a transliterated legal term in the late nineteenth century when European legal literature and institutions were studied and adopted in earnest. An intellectual struggle is still underway to reconcile Japanese humanism and its implications for citizens’ rights. This struggle also responds to
the Japanese aspiration to find a right balance between her tradition and the universal human rights regimes, in particular those coming under the United Nations, where she hopes to play a much bigger role. The views as summarized below reflect these ongoing efforts and challenges.

The first discussant (JHR) who researches human rights policies observed that there is a strong argument or near consensus that human rights as a legal framework should be accommodated to each nation’s history, culture and ‘climate’ of civilization. As much as the universal human rights regime is a great human achievement in history, it is by no means one that provides a fit-all remedy to a specific nation’s human and social circumstances. The discussant referred to it as ‘inter-civilization human rights’ or ‘culture and climate-contextualized human rights’ regime.172

The next discussant (JPH), an advisor on human resource development, added his remarks in drawing a parallel to the afore-mentioned ‘climate-contextualization’173 of both human rights and duties in the Japanese context. The Japanese word for human being is *ningen*. It is a combined word of *nin* (or *hito*) for ‘man’ or ‘person’ and *gen* (or *aida*) for ‘between’, ‘interval’ or ‘space.’ Hence, the Japanese understanding of ‘human being (*ningen*)’ or ‘being human’ carries the connotation of association, interrelation or ‘between-ness’ (*aidagara*) between human beings. The space or between-ness between people refers to the social world, in particular, the community that people live in. This ‘between-ness’ is also conditioned by temporality and spatiality that form the culture of the community. JPH argues that Japanese ‘climate-contextualized human rights’ imply the reciprocity of ‘between-ness.’

On ‘human between-ness’ as the determinant of the Japanese context of human rights, another discussant (JAP) noted the importance of the contribution Nishida Kitarō (1870-1945) made through his concepts of the ‘absolute contradiction’ and ‘nothing-ness.’ Nishida pursued the ‘true self’ which is in no conflict with the ‘others.’ His epistemological departure point for attaining the true self was the ‘dialectic of self-negation and

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self-affirmation.' His thought was inspired by the teachings of Mahayana and Zen Buddhism. JAP argued that true human rights or duties, according to the Kyoto school led by Nishida, emerge from such ‘absolute contradiction’ of human fullness in nothingness and the dialectical process of self-negation and self-affirmation.

As regards how Confucian governance relates to human rights, given such dialectic of self-negation and affirmation, the next discussant (JAE), a consultant for social service development, brought up the societal tension arising from pre-modern paternalism, modern democratic legal institutions and post-modern cultural liberalism. The first source of tension is that the symbolic emperorship is more than symbolic and commands a cultural and quasi-Confucian moral authority effectively maintaining the ultra-legal status of pre-modern paternalism and ‘family state head’ in the tradition of Confucian sovereigns. This runs counter to the modern democratic legal framework that contemporary Japan has in place, which clearly stresses that no one is above the law. JAE quoted the theory of a prominent law scholar Minobe Tatsukichi (1873-1948) who foresaw such a fundamental dichotomy between emperorship and the democratization of Japan, including universal and equal human rights, and proposed in 1912 the ‘organ theory of emperorship’ as a part of the modern government institution, igniting a political firestorm at that time. JAE also believes that the third element of the tension is the youthful generation with no war memory but with a post-modern cultural liberalism. This generation feels alien to both the tradition of symbolic emperorship and the imposed modernity of contemporary governance and institutions that they find inadequate and sometimes irrelevant. JAE added that such divisions have left the sense of spiritual impoverishment among many who have become materially better off now but are feeling spiritually poorer despite the positive value of modern democratic institutions.

The next discussant (JTE) who advises on corporate ethics concurred with the sense of dichotomy that JAE had described. JTE made his contribution by expounding upon the ‘law of social existence’ that buttresses the Japanese sense of human relationship and mutuality of respect for human rights. In terms of the Japanese communitarian ethos,

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175 Ienaga, Saburō 1964, Minobe Tatsukichi no shisōshiteki kenkyū (the Study on the History of Minobe Tatsukiichi’s Thoughts), Iwanami Shoten, Tokyo, pp. 191-238.
comments were made earlier on in this chapter. JTE’s ‘law of social existence’ advances a deterministic view.

While the individual is essential to the definition of human reality and crucial to ethics, because of individual consciousness and freedom, there is no ontological priority of the individual over the collective. They always exist jointly. From the standpoint of subjectivity, communities are based on the subjective preoccupation of human beings with one another, since communities are also subjects in themselves. JTE argues that the existence of communities is from the outset a basic fact of human existence in the Japanese context and very much so with its understanding of rightful human rights and duties.

As regards the tension between Confucian communitarian ethos and individual integrity that affects human rights observance, the next discussant (JAC) who researches Japanese cultural history served a reminder to the effect that the pre-Meiji era samurai class upheld the Confucian concept of justified resistance based on Mencius’ theory of Heaven-ordained revolution. The samurai class perceived their ultimate human rights observance rested in upholding their strong sense of honour. In the event of an unjust order handed down from the superiors and that compromised their honour, their cultivated moral courage could refuse any self-degrading servility even at the cost of their lives, namely, self-immolation as a last resort to preserving their right to honour and taking responsibility for their actions. JAC argued that such ethos of masculine chivalrousness with rights and duties continues to have its appeal in contemporary Japan.

The discussant (JPS) who advised on social policy development argued that there exists no fundamental conflict between Confucian communitarian consciousness and an individual one. He sees both playing complementary roles in serving democratic ends. In any given society, there arises an inherent potential for conflicts amongst individuals. Confucian communitarian awareness can evolve the resolution of conflicts beyond litigious processes towards more reciprocal processes whereby both individual and common good are contemplated. JPS informed his discussion group that the society of Japan certainly is less litigious by a considerable margin than most OECD nations.

177 The National Assembly of Korea has a statistical record (1995) that shows the US has 31 lawyers per 10,000 population units whereas Japan has only 1 lawyer: search.assembly.go.kr/bill/lawinfo/000000105L1.HWP.PDF, viewed 07 February, 2007.
He argued that a healthy democracy requires intermediary communities to cultivate civic and cooperative virtues. Communal identification with a larger society and its social capital can be invigorated by our experience of democratic participation. On the other hand, the democratic veto power of clearly defined individual rights limits collective coercion imposed upon individuals so that there is a logical balance between individual rights and consensus. The consensus tends to disguise virtual coercion in the name of consensus since there exists an unequal distribution of socioeconomic power. The discussant emphasized that the judicial balancing of individual rights versus communitarian interest protects individuals against such coercion by ensuring that individual rights are honoured with fairness.

The next discussant (JHR) who advises on human rights policy commented on the origin of a major human rights law issue related to aliens or foreigners with residence in Japan. He referred to the process of introducing the new constitution in 1947 by the Occupation authorities. Despite the overall framework provided by the legal team of the Occupation authorities, the process involved an intensive and exhaustive consultation with their Japanese counterparts. This Japanese involvement was considered a matter of the utmost importance by the Occupation authorities, since they wanted to avoid the situation whereby the new constitution without due Japanese involvement would be subject to abrogation, when the occupation came to the end. The discussant highlighted the point that Japanese political and conservative culture intervened and impacted upon what legal status is conferred upon aliens and foreign born population in Japan who were brought in as a part of the war effort. According to the original draft by the Occupation legal team, human rights clauses of the proposed new constitution fully subscribed to the entire human rights of all the ‘people in Japan.’ Conservative politicians foresaw a political risk in defining human rights as inclusive of all those foreign born yet living in Japan, since the overwhelming majority of them were Korean. The ‘people in Japan’ through such political intervention changed over to the ‘people of Japan (kokumin),’ whereby the aliens or foreigners including their offspring born in Japan are legally considered aliens living temporarily in Japan before they eventually return to their countries of origin. The Japanese sense of humanism Confucian or otherwise provided the basis of human rights observance in so far as such basis remains compatible with the integrity of the Japanese identity within a homogeneous nation.
The next discussant (JHA) who works in human rights advocacy commented that such a conservative policy about the human rights of foreigners was challenged by the social critics during the constitutional legislative process in 1947 and up to now. JHA argued that these critics sought a firm commitment to democratic values and the protection and promotion of human rights, including civil, political, economic, social and cultural rights. JHA also noted that the Supreme Commander of the Occupation forces, General Douglas MacArthur (1880-1964), made an effort to institutionalize liberal democracy and universal human rights in particular, and invited the founding chairperson Roger Baldwin (1884-1981) of the American Civil Liberties Union178 to offer help in this process. His visit triggered the birth of the Japan Civil Liberties Union (JCLU)179 that came to exert substantial influence over the development of a human rights regime to this day. Notwithstanding, MacArthur and his legal team chose not to override the Japanese modification on the rights of aliens. It was considered in the interest of both the Occupation and the enemy-turned future friend of Japan to honour the tradition, including the Shinto, Confucian and Zen Buddhist ethos of Japanese nationhood.

On the legacy of the civil liberties movement in Japan, the next discussant (JEH) who researches the history of developmental economies offered the view that in the modern history of human rights movement of minorities such as Koreans and Ainus and the underclass such as ‘village folks (Burakumin),’ the role played by the socialist party and their activists stood out. The first director, Unno Shinshiki of the Japan Civil Liberties Union (JCLU) installed in 1947, was a democratic socialist. JEH highlighted that all advocacies irrespective of political persuasion including socialists and communists who were persecuted during the imperial Japanese reign were free to participate in the human rights movement. JEH also noted that both the largest civil liberties organization in Japan, namely, the Japan Civil Liberties Union and the largest lawyers’ federation in Japan, i.e., the Japan Federation of Bar Associations (JFBA)180 subscribe to protection and promotion of human rights of all peoples in Japan including aliens and foreigners. These declarations are incorporated in the ‘Statute of Japanese Civil Liberties Union’ of 1995181 and the

‘Practising Attorney Law’ of the Japan Federation of Bar Associations. JEH argued that, while the conservative Confucian ethics helped introduce the restrictive human rights, Confucian scholar-official ethics remained strong with the major advocacy organizations opposing discriminations of any form levelled at the non-mainstream populations.

The next discussant (JPS) who consults on social welfare policy introduced the notion of a ‘public service-private human rights solidarity’ based on the nationwide participation of volunteers that he believes is a manifestation of Confucian humanism in action. He noted that Japan has kept up the Confucian sense and tradition of the ‘scholar-official’ honour attached to public service. Public services or officials are called kan and people or citizens are called min. Since 1948, the Ministry of Justice (MOJ) has had a human rights protection organization called the Civil Liberties Bureau (CLB). This Civil Liberties Bureau works with the nationwide network of human rights advocates called the ‘Civil Liberties Commissioners (CLC),’ offering guidance in nearly all parts of Japan regarding human rights and offers assistance when necessary. This ‘public-private (kan-min)’ partnership has grown substantially since its inception in 1948, engaging in some 20,000 human rights case according to the Ministry’s 2004 census. JPS argued that the social nexus of the public-private partnership has grounding in the Confucian ethics of looking after the ‘broader family’ of the society from the position where each family member can serve, heeding the call for duties and rights in approximately the right balance.

The next discussant (JAE) who advises on occupational skill development concurred with the Confucian ethical grounding of the community volunteerism in human rights. He added that such community volunteerism has existed since earlier on in the 1920’s to care for the poverty-stricken population. These volunteers were called the ‘community commissioners’ (hōmen-iin) or the ‘disciples of benevolence (toku-shi),’ comprised of those middle class persons with the Confucian sense of duty and service, and at times those harbouring an ambition to enter national politics. JAE pointed out that, despite the substantial services rendered through this volunteerism, such volunteerism seldom confronted the sensitive sectors of national policy such as the law on aliens and foreigners.

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184 ibid.
The discussant (JHA) who also volunteers for human rights advocacy commented on the limitations of volunteerism. He emphasized that it had become more apparent when Japan faced its obligations to comply with the international human rights conventions such as of the UN. According to the ‘Paris Principles’ of the UN conventions on human rights, member states are obligated to submit reports regularly on the progress of human rights observance in each nation. The largest lawyers’ confederation, i.e. the Japan Federation of Bar Associations (JFBA) contradicted the government of Japan report to the UN in 2003, and offered an ‘alternative report’ to the same UN organization, namely, the United Nations’ High Commissioner for Human Rights. In this alternative report, JFBA made the criticism that the volunteer human rights advocacy, in particular, the Civil Liberty Commissioners, are not entirely independent of governmental influence to the extent that they shy away from confronting extant governmental policies. JHA argued that the ‘justice, discipline and institutions’ should progress beyond the plausible Confucian ethical interventions in human rights matters.

The discussant (JTI) who works on social innovation and microfinance brought up the human rights challenges of the traditional social underclass, i.e., the ‘untouchables” (buraku-min). The hierarchy of the Tokugawa era (1600-1864) of Japan allowed the creation of this underclass who were engaged in what was perceived as unsavoury work such as butchery, leather and shoe-making. It alienated the community of this underclass from the social mainstream until it was abolished by law during the Meiji Restoration. In the 1920’s, socialists and communists took advantage of the so-called ‘Taishō era democracy’ of the 1920s and 1930s and launched the class struggle in earnest for the ‘village folks’ by organizing the ‘Society of Equality (Shuiheisha).’ However, the social integration of this underclass has not materialized to this date. The discussant informed his group that the government of Japan since the 1960s chose to close the economic gap of this class by subsidizing their micro-businesses, skill training, housing, health, education and other social and welfare services rather than talking about their situation as an infringement on civil and political rights. This priority on economic wellbeing was the agenda the

186 Japan Federation of Bar Associations: viewed 8 February 2007.
government followed, whereas the Buraku Liberation League (BLL)\textsuperscript{188} since its formation in 1955 had pursued equal social and political rights along with economic and cultural rights. Apart from the human rights issue of Korean residents in Japan, the question of Japanese ‘human rights’ has become nearly synonymous with this Buraku discrimination. Tokugawa period discrimination allegedly was a way of life. Confucians are accused of their silent consent to the so-called ‘four main classes’, i.e., ‘samurai, peasant, artisan, and merchant’ and this underclass did not even belong to the class nomenclature. JTI noted that the anti-Confucian sentiment was particularly highlighted due to the ‘class struggle’ elements that Japanese Socialists and Communists brought to the League movement as founding members as well as the current key participants. While the Ministry of Justice reports\textsuperscript{189} that the economic parity of this underclass had reached circa 80 per cent of the average Japanese by 2006, the discussant argued that the civic, political, social and cultural rights are far from being met to satisfactory levels yet.

The discussant (JHR), a social policy person, introduced the human rights issues as related to the indigenous peoples mostly living in Northern Japan such as Hokkaido, the Kuril Islands and the southern Kamchatka Island. They are called the \textit{Ainu}, meaning the ‘peoples.’ When the Meiji government annexed the island of Hokkaido, this population became a segregated minority subject to various discriminations. The government of Japan decided to award a special cultural status to the Ainu indigenous population of circa 150,000 persons.\textsuperscript{190} JTI advised that in 1997 the government of Japan enacted the ‘Ainu Culture Promotion Law,’\textsuperscript{191} whereby their cultural rights have been partly restored, silencing any hope of independence the \textit{Ainus} and the ‘\textit{utaris} (comrades in Ainu)’ wanted. The provincial government of Hokkaido and the central government are actively supporting their economic welfare by promoting lucrative tourism to the Ainu cultural sites.

The next discussant (JCG), working on corporate governance in Japan and its neighbouring countries with Japanese joint-stock enterprises, offered his view on the status of the Koreans in Japan as the single biggest alien population in Japan.\textsuperscript{192} At the end of the Pacific War there were 2.3 million Koreans in Japan of whom 700,000 had been

\begin{flushleft}\textsuperscript{188} The Buraku Liberation League (BLL), <http://www.bll.gr.jp/>, viewed 8 February 2007. \\
\textsuperscript{191} ibid. \\
\textsuperscript{192} Kim, Ch'an-j'on 1997, \textit{Zainichi Kor\'ian hyakunenshi} (The Hundred Year History of Koreans in Japan), Sangokan, Tokyo, pp. 83-129.\end{flushleft}
brought to Japan since 1939 as a conscript labour force or as military conscripts. Many
returned home, but others stayed on in Japan. Under the new Constitution of Japan
enacted in 1947, these Koreans have remained aliens, now including the third and fourth
generations of their descendents. This status means restriction upon the civic entitlement
to full human rights held by Japanese citizens. JCG argued that the Korean question had
become a topic of major diplomatic manoeuvres. Firstly, the broader global role that Japan
wants to play including possible membership of the UN Security Council needs Korean
government support that has consistently demanded the egalitarian status of the long-term
Korean residents in Japan, with the special reminder to Japan that the majority of this
population are in fact the victims of the imperial Japanese war effort. Fundamentally
Koreans in Japan are excluded from officialdom and the political process. Jobs in public
schools are not open to Korean teachers. Koreans can run for only mid-level provincial
government office, with the central government office denied to them as aliens. JCG said
that since 1990, Korean human rights advocacies such as the ‘Lawyers for Democratic
Society (Minbyun)’ and the ‘Human Rights Homes (Inkwon Sarangbang)’ had collaborated
with the ‘Koreans-in-Japan Human Rights Group (Zainichi Kankokujin Minshu Jinken
Kyōka) in Japan in order to increase their effectiveness of lobbying both levels of
governments.

The discussant (JHR) who researches human rights policy added that the international
sensitivity of the Korean issues remains critical for Japan. While the conservative
government and the mainstream want to elevate the profile of Japan as the leading nation
of the world, the Korean dilemma remains at the forefront of the major challenges ahead of
her global advancement. The UN Human Rights Commission continually receives
reminders and reports concerning the status of Korean human rights in Japan, whereas the
Republic of Korea made a substantial headway since the downfall in 1987 of the military
government and the ensuing shift to democratization.

The next discussant (JPR) who researches socio-economic policy development
commented that a dichotomy remains evident between the progressive group and the
conservative one. JPR argued that the most important measure the progressive camp
achieved during the conservative government of Jun’ichirō Koizumi (prime ministry
2001-2006) was to introduce in 2002 the ‘Law on the Promotion of Human Rights

193 ibid.
Education and Human Rights Awareness Raising.\textsuperscript{194} Under this law, government finances the nationwide education on human rights in schools, enterprises, public offices and all areas of human rights, and produces the Annual Reports on Measures for Human Rights Education and Human Rights Encouragement.\textsuperscript{195} JPR argued that this process despite its political intent of warding off domestic and global scrutiny entices the general public of conservative political persuasions to acclimatize themselves towards the eventual internationalization of Japan human rights regimes. He held the view that this Confucian approach also is a process of consensus-building that is compatible with the Japanese sensitivity.

On the education program on human rights, the discussant (JSS), a social policy advisor, added that this program was indeed triggered by the conservative government of Koizumi in full realization that the overcoming of the deep-seated sense of Asian or Japanese cultural ‘particularity’ would require a long term approach and a consistent overseeing by the national leadership. In response to the UN resolution on the ‘human rights education decade,’\textsuperscript{196} the Prime Minister Koizumi agreed to create a high-profile committee in his office to oversee the UN Decade of Human Rights Education with the participation of senior ministers and deputy vice ministers from all the related ministries. JSS held the view that this initiative is a further development from the position of the Japanese government held during the World Conference on Human Rights in Bangkok, 1993\textsuperscript{197} when Japan was still sympathetic with the Asian cultural contextualization of the international human rights conventions. JSS also noted that key non-government organizations had also formed a platform of coordination since 1997, with the participation of Buraku, Ainu and Korean human rights advocacy groups, and international ones such as Amnesty International, the group being called the ‘Human Rights Forum 21 (Jinken Forum 21).’\textsuperscript{198} This group regularly offers their own assessment on the progress of human rights observance in Japan nationally and internationally, independent of governmental reports to the UN human rights organizations. JSS held the view that Confucian governance of liberal tradition such as known from Mencian teachings in fact sits very well with such an open coordination, not

only on the ‘public-private (kan-min) basis, but also on the inter-ethnic and domestic-international levels.

3.4.3 Confucian Governance and Human Rights in the Republic of China

The system of governance as we see it today in the Republic of China is a historical outcome of the Hsinhai Revolution (1911). This revolution meant the demise of the Ch‘ing dynasty (1644-1911) and the birth of the Republic of China under the leadership of Dr. Sun Yat-sen (1866-1925). His political doctrine of the ‘Three Principles of the People,’ as introduced earlier in this chapter, has become embedded in the current constitution and political framework of the Republic after its move to the island of Taiwan in 1949. Governance and its foremost challenge of human rights have been central issues in the ongoing political and social discourses of Dr. Sun and his successors including Generalissimo Chiang Kai-shek (1887-1975). Some leaders such as Sun and Chiang focused on nation-building and acknowledged human rights as one of the ‘necessary conditions’ of democracy, in so far as the nation-building project can accommodate a ‘balance of civic duties and rights.’ Other leaders offered widely diverse views i.e., a modified Confucian human centrism at the one end of the spectrum to a very liberal model of full-fledged human rights observance at the other end. The attribution to Confucian humanism is evident in some views, while it remains only implicit in other views. These and other ideas on human rights were commented on by our discussants as summarized below.

The first discussant (CHA), who works in the area of human rights advocacy, brought attention to the fact that Sun Yat-sen’s prescription for the Chinese observance of human rights was an eclectic one. Dr. Sun gave a lecture in 1924 titled the ‘Principle of People’s Power.’ The discussant argued that, in this lecture, Dr. Sun gave two sides to the subject of human rights or ‘people’s rights.’ On the one hand, Sun supported the ‘people’s rights’ as the ‘political force of people’s power’ as the quintessence of modern democracy. On the other hand, Sun was concerned about the potential lack of social

199 Sun, Yatsen 1996, ‘Minch‘üan chui (the Principle of People’s Power),’ in Sanmin chui (The Three Principles of the People), Sanmin Press, Taipei. This momentous lecture on human rights was given by Sun Yatsen in 1924 forming a part in the series of political pronouncements in 1920s.

200 Ibid. Sun commented in support of people’s political power: ‘we combine min (people) and ch‘üan (power), we get minch‘üan (people’s power), which means people’s political force.’
solidarity, which he called ‘a fistful of loose sand’ analogous to anarchy that in part characterized the state of affairs surrounding Dr. Sun’s nation-building project.\textsuperscript{201} The discussant further argued that Sun’s ambivalence as such was picked up by the Chiang Kai-shek government and then politically remastered during the Mainland era continuing to that of Taiwan in their justification of political repression and curtailment of human rights. Sun believed that a maximal freedom should be in the responsible hands of the nation, while people ‘must all sacrifice our [individual] freedom’ until such time as the nation becomes a ‘strong and prosperous one.’

The next discussant (CPS), a social policy specialist, introduced the significant and very public challenge levelled at the government of the Republic of China that came as the ‘Manifestos of the China League for the Protection of Civil Rights’\textsuperscript{202} released in 1932 and also in 1933. These manifestos were jointly drafted by the prominent figures in the political and social inner circles that formed the ‘China League for the Protection of Civil Rights.’ These persons included, among others, Madame Soong Ching-Ling (1893-1981), the bereaved wife of Dr. Sun Yat-sen (1866-1925), the prominent writer Hu Shih (1891-1962), the highly regarded educator and the former chancellor of Beijing University, Ts’ai Yüan-p’ei (1868-1940) and the well-known essayist Lin Yu-tang (1895-1974). The discussant noted that these manifestos were equal to a political response to the widespread abuses of human rights perpetrated by the government of the Republic. Such a response was staged by the social elites, not as a grassroots response, nor by a civic advocacy group. The manifestos called for the release of political prisoners and legal protection for those in custody due to political dissidence.\textsuperscript{203}

\textsuperscript{201} Ibid. Sun also commented as a caution against the possible excesses of people’s political power: ‘The individual should not have too much freedom, but the nation must have complete freedom. When our nation is able to take free actions, then our nation is a strong and prosperous one. To achieve this goal, however, we must all sacrifice our [individual] freedom.’


\textsuperscript{203} Ibid. The foremost claim of the ‘League for the Protection of Civil Rights’ through the ‘Manifestos’ were:
1. To fight for the release of all political prisoners in the country, and for the abolition of illegal arrests, torture, and massacres. The League will first of all devote itself to the majority of prisoners who are unknown and who do not receive any attention from society.
2. To give political prisoners in the country legal and other assistance, investigate prison conditions, publish the facts about violations of civil rights in the country, and arouse the general will.
3. To provide help in the struggle for the freedom of association and assembly, the freedom of speech, the freedom of the press, and various other civil rights.
Distancing himself from this open confrontational discourse on human rights, an example of a more conciliatory approach was introduced by the discussant (CPH) with his professional interest in human development policy. The discussant argued that, quoting from an essay on human rights in 1929 titled ‘On Human Rights,’204 human rights is perceived as fundamental as ‘to be a person or to become human’205 According to the essay writer, the fundamental ingredients of ‘being a person’ lie in nurturing and honouring ‘individual natures and their personalities.’206 Unless such ‘individual natures and their personalities’ are given the chance to develop to the full, the Confucian moral thesis that ‘all can become sages’ remains an empty promise. The real meaning of human rights rests in the critical and necessary functions, namely, ‘preservation of life, development of individual nature and personality, and attaining of the greatest well-being for the greatest number of people.’207 The discussant noted that such a view accommodated the democratic principles moderated by the dire societal circumstances the nation was under.

Moving away from the political scientist’s view on human rights from the above, now to the philosophical notion of the Neo-Confucian School of Yangming,208 a discussant (CAP) with his interest in the history of ideas expounded upon what was the view on human rights and duties according to the School of Yangming. The Yangming School advanced the Mencian idea of the ‘doctrine of good-knowing or intuitional knowledge.’209 Through this ‘good and intuitional knowledge,’ Neo-Confucians approach what is right or wrong and also what constitutes public interest or self-centric interest. Neo-Confucians also refer to the concomitance of ‘humaneness and righteousness’210 in their pursuit of genuine Confucian humanity. The discussant offered the view that such Neo-Confucian views embraced by the School of Yangming have impacted upon the philosophical underpinnings of the East-Asian concept of human rights. Conversely the Neo-Confucian perception of human rights rests on the continuum of ‘humaneness and righteousness,’ applying the ‘good and

205 *tsojen* (to be a person or to become human)
206 *jen-ko* (individual nature) and *ko-hsing* (personality)
209 *liang-chih* (The doctrine of good-knowing)
210 *jen-i* (humaneness and righteousness)
intuional knowledge,’ while maintaining the delicate balance between public interest and individual interests.

On the matter of the balance of Confucian governance between public interests and individual ones, CSS who advises on social welfare policy suggested that realistically it has to be reflected in terms of political power-sharing, since human rights equals empowerment of people and power-sharing normally occurs amongst equals. He referred to the concept of the ‘revolutionaries and human rights’\(^\text{211}\) that was shared by the power elites of the historical Hsinhai Revolution (1911) that led to the birth of the Republic of China. CSS argued that those revolutionary power elites irrespective of whether they were rightwing or leftwing rejected the ‘Heaven-endowed’ or natural human rights. They approved of the ‘revolutionary people’s rights (koming min-ch’üan),’ whereby ‘only those who participated in the revolution are entitled to enjoy revolutionary people’s rights, which are not granted to counterrevolutionaries.’\(^\text{212}\) This sense of revolutionary privileges remained with them when they moved the central government in 1949 to the island of Taiwan. CSS noted that this concept of ‘revolutionary people’s rights’ often became a basis of imposing oppressive measures over those indigenous Taiwan peoples who are considered at best free-riders on the revolution or sympathizers with the enemy, namely, the Japanese imperial government of Formosa (1895-1945).

Such ‘revolutionary people’s rights’ and the heavy-handed policies associated with them ran into a major conflict with the indigenous population, according to the next discussant (CHR) who advises on multi-ethnic human rights. When the Japanese occupation came to an end in 1945, the Governor General and Garrison Commander Ch’en I (1883-1950) took control of Taiwan for the Republic of China. While the so-called ‘Kuomintang revolutionaries’ considered the indigenous population as sympathizers with the former enemy of Japanese occupation government, the indigenous felt otherwise. Taiwan under Japanese occupation already had an established economic infrastructure of transportation and communication, advancement in education and social welfare services such as medical services, with the exception of the political rights arena where Japan did not allow equality between Japanese and Taiwanese. CHR held the view that the native Taiwanese

\(^{211}\) Chou, Fo-hai (1897-1948)1928, ‘Minguan zhuyi de genju he tezhi (The Basis and Particulars of the Principle of People’s Rights)’ in San min zhu yi zhi lun di tixi (The Ideological System of the Three Peoples’ Doctrine), Xinshengming yue kan she, Shanghai.

\(^{212}\) ibid.
considered the invading mainlanders as incompetent, corrupt, immoral, and unrefined. The indigenous anger against their authoritarian rule brought about major civil unrest and a street protest on 28 February 1947 and in the weeks that followed. The brutal crackdown incurred the casualties of 20,000 people killed or disappeared, including many considered the members of the indigenous elite groups. This incident for the next several decades became the cornerstone of the indigenous human rights movement and also for the independence of Taiwan that remains the central political issue of the contemporary Republic of China until today.

This revolt was also caused by the cultural and religious discontent of the indigenous against the military government, according to the next discussant (CAC) who studies cross-strait cultures. When the withdrawal of the mainland government to Taiwan took place in December 1949, two million mainlanders joined the indigenous population of seven million. The majority of indigenous Chinese spoke Hokkien (Min-nan dialect) and Hakka, whereas the newly arrived mainland government imposed the exclusive official use of Mandarin for schools and all social and cultural expressions to the great discontent of the indigenous population. CAC argued that these linguistic and cultural rights have been restored with the relaxation of autocratic governance in 1980s. In 1997, the first non-Mandarin broadcasting station began service from the port city of Kaohsiung, with more non-Mandarin radio broadcasters offering the diverse cultural and political views representing the indigenous population and their cultural human rights.

Further to cultural rights, the next discussant (CPE), a public policy-person for an indigenous community, commented on civil and political rights during the ‘martial law era (1949-1987)’ enforced on them under the strict justice regime of a military court. CPE observed that the number of court cases involving the indigenous population dealt with under such a military justice system came to an approximate total of 10,000 cases. He argued that a political impetus for indigenous human rights came from the momentous episode of the ‘Kaohsiung Incident (1979).’ This incident was triggered by the heavy-handed KMT suppression of the anti-KMT political monopoly movement staged by

\[213\text{ In 1997, the Formosa Television Corporation began service from Kaohsiung. The board of directors of the service came mainly from the indigenous political party, the Democratic Progressive Party (DPP). DPP came to power in the 2000 presidential election.}\]

the indigenous elites. CPE emphasized that this incident was a turning point for the democratization of the Republic. During the incident, arrests of those dissidents were in excess of sixty including eight Presbyterian ministers. One of the defence attorneys for those arrested was Ch’en Shui-pien (born 1950) who in 2000 was elected President of the Republic and another among the accused and convicted was Annette Lu (born 1944) who became Vice President. As supporters of universal political and cultural human rights, both Chun and Lu support the tradition of the Confucian governance ethics and its underlying humanism, but place more emphasis on the institutional framework of human rights that was lacking under the KMT government. CPE noted that the international support of the indigenous human rights movement was significantly aided by the Presbyterian churches of Taiwan. The Presbyterian churches had a strong following in the central and southern part of the Republic and offered open support for the indigenous movement. During 1977 and 1979, Presbyterian churches helped with the opposition’s public reminder of the principles of the UN human rights conventions such as the Universal Declaration of Human Rights (1948) in a direct link with and an open support for the leaders of the ‘Kaohsiung Incident’ of 1979. He argued that the Presbyterian religious position had little conflict with the Confucian ethos and humanism as Confucianism was considered a part of the Chinese indigenous culture rather than a proselytizing religion.

Such human rights activism during the 1970s through the 1980’s received significant support from the ‘women’s right movement,’ such as advanced by the ‘Awakening Foundation,’ according to the next discussant (CPS), a policy-person for alien workers. Their activities encompassed women’s health, the revision of family law for gender equality and fair election and more public offices open for woman candidates. Vice President Annette Lu also made a contribution by authoring the ‘New Feminism’ in 1989. CPS noted that women rights activism now has a nationwide network and political support from both the incumbent and KMT, as they represent a significant electoral constituency.

Further to the civil human rights activism, the community of lawyers came to play an important role for human rights, the discussant (CHA) commented, an advocate for human rights solidarity. One of the leading organizations is the ‘Taipei Bar Association.’ This association was formed in 1947 and weathered severe political oppression owing to its role

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in the legal defence of dissidents following the ‘February 28th Incident of 1947.’ With martial law coming to an end in 1987, the association assumed a much greater role in human rights-related legal services and came to establish in 1990 the ‘Human Rights Committee’ under its umbrella. CHA noted that the Taipei Bar Association is a national organization, not just for the Taipei area in spite of its name. This association and other lawyers’ groups launched the ‘Judicial Reform Foundation.’ CHA informed his group that one of the important current projects on the judicial reform movement agenda is the abolition of capital punishment in the Republic. Suggestions about judicial reforms are regularly made for the ‘Legislative Yuan’ as the law-making body of the Republic. He argued that such suggestions are particularly well heeded by the incumbent government of President Ch’en Shui-pien, since many association members are former colleagues of the anti-KMT movement. CHA also argued that Confucian human concern underlies the legal reforms undertaken by such legal elites and organizations. Through such reforms, it is anticipated that human dignity for the indigenous population advances.

Another discussant (CSS) who advises on social welfare policy observed that, parallel to the lawyers’ groups, human rights organizations also emerged in the Republic. One of the leading ones is the ‘Taiwan Association for Human Rights (TAHR).’ The TAHR campaigns on the repeal or revision of undemocratic laws and regulations such as the National Security Law, the Parade and Assembly Law, the Civic Organizations Law, and restrictions on radio broadcasting, all of which continued to arbitrarily deprive people of basic civil rights. CSS highlighted the interest in the human rights policy shown by the government of Ch’en Shui-pien. After his inauguration in 2000, Ch’en proffered his human rights ideal which he termed ‘nation-building through human rights (jen ch’üan likuo).’ One of the follow-on actions taken by Ch’en was to organize a legislative study committee with the task of drafting the law for eventual establishment of a ‘national human rights commission.’ This commission, once installed, would become the permanent central organization for the advocacy of human rights in the Republic, commensurate with the international human rights conventions. Since the Republic of China lost its UN membership to the People’s Republic of China in 1971, the Republic is under no obligation to make governmental reports to the UN human rights organizations. However, the ‘Chinese Association for Human Rights (CAHR)’ formed in 1979 in Taiwan produces its

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220 Ibid.
annual reports titled the ‘Human Rights Index in Taiwan, the Republic of China.’ It covers integral areas of international human rights conventions, i.e., civil and political rights, economic and social rights, judicial rights, educational and cultural rights, and women’s and children’s rights.\textsuperscript{221}

As regards the Confucian ethical significance of these human rights struggles and current developments underway in the Republic, the next discussant (CAS) who studies the social cohesion of emerging economies gave an observation. He referred to the freedom of speech as the foremost human right, since this freedom as now enjoyed in Taiwan enables people to freely discuss what they perceive are truly human rights and how such rights reflect their values including the Confucian ethos and humanism they cherish. He also quoted the words of Hu Ping (born 1947) an international human rights advocate: ‘Freedom of speech is the foremost form of human rights.’ CAS observed that the current activism around the institution-building underway with some success is exactly what the leading neo-Confucian scholars wanted to see happen to the Confucian heritage of humanism. He also argued that freedom of speech advances the Confucian governance ideal of the ‘sages within, kings without (neisheng wei wang).’ Freedom of speech as the hallmark of democracy and development of science were those key ingredients that the Neo-Confucian scholars on Confucian governance such as Mou Tungsan (1909-1995)\textsuperscript{222} felt as the most necessary amelioration upon the legacy of Confucian humanism and governance. CAS noted that the democratic advances in the Republic also proved the ‘Asian value argument’ wrong that favoured any benevolent Confucian autocracy. Economic and social rights can not substitute for civil and political rights as both are integral parts of human rights seen also from the context of Confucian governance, as CAS quoted the words of a neo-Confucian doyen on governance Carsun Chang (1887-1969)\textsuperscript{223} who also played an eminent role in the drafting of the current Constitution of the Republic in 1947.

Sections 3.4.1, 3.4.2 and 3.4.3 as above have summarised the discussants’ views on the question, ‘\textit{Does Confucian humanism advance governance such as the observance of

\textsuperscript{222} Mou, Tsungsan 1979, \textit{Mission of Confucianism for the Contemporary Chinese Culture} (a lecture at Tunghai University, Taiwan), <http://yp719.et.cyu.edu.tw/cgi-bin/topic.cgi?forum=27&topic=4911start=12&show=0>, viewed 13 February 2007.
human rights? Conucian humanism faced severe challenges in Korea, where Confucian governance has been politicised by the sovereigns and Confucian political elites in history, facing near total rejection during the modernization processes. The current liberal political process of the very young contemporary Korean democracy prompted fresh looks at their own philosophical underpinnings moored around the legacy of Confucianism. This interest also brings up questions as to whether Confucian governance is compatible with the modern democratic institutions such as the human rights regimes. Japan of the Tokugawa era saw its shogun’s court embrace orthodox Confucianism as the political support for and moral legitimacy of their rule. A host of prominent Neo-Confucian scholars favoured the more egalitarian school of the Neo-Confucian tradition. Japanese Neo-Confucians advanced the Japanese proper Neo-Confucian tradition of Yōmeigaku. Their emphasis was placed upon the learning about the ‘mind and heart (shingaku)’ in step with the evolution of Zen Buddhism and Shinto-ism among others. Meiji era modernization and post-WWII liberal democratic institutions have not completed the project of modern human rights observance on par with the international conventions on human rights. Since the late 1990s, the civic community and government of Japan embarked upon the decade-long nationwide education program for human rights in step with the UN agenda. The Republic of China on the other hand has upheld Confucian learning as part of the national learning agenda since 1949 consistent with the political agenda of KMT. KMT imposed martial law during 1948-1986 leaving the human rights discourse tightly under the control of the autocratic government. With the lifting of martial law in 1987 and the historic switch of power in 2000 to the opposition representing indigenous Taiwanese elites, human rights advancement was given a new momentum. Human rights advocate-turned Ch’en Shui-pien as the head of the state, the Republic is on the path to a more mature democratic nation. This advance in democratic institutions and the concurrent development in science that translates into economic prosperity also represent what the Neo-Confucian scholars previously advocated as the way Confucian humanism and governance should be heading.

Having summarized the discussants’ views as above on Confucian governance and its implications on human rights, this chapter now moves on to the next question as to whether Confucian humanism fosters economic ethics. Economic ethics will be seen on the continuum of human rights in the context of Confucian humanism. Economics ethics is not about ethical conduct or otherwise in the competitive profit-driven market economy.
Economic ethics to be discussed will be about the Confucian ethics in the economic landscapes.

3.5 CONFUCIAN HUMANISM AND ECONOMIC ETHICS

Further to the discussants’ views on Confucian humanism, governance and human rights, the next summary of discussants’ views relates to economic ethics. Each national group was asked to respond to the question, ‘Does Confucian humanism foster economic ethics?’

In the discussion of economic ethics, focus was placed neither on the micro-behavioural economic ethics such as corporate governance, nor on ethical in-market conduct in the competitive profit-driven market economy. Economic ethics in this chapter will be on the continuum of human rights in the context of Confucian humanism. Discussants’ views on economic ethics summarized hereunder are about how Confucian humanism plays out in the economic domains as expressions of human rights. In relating to economic ethics about Korea, Japan and the Republic of China, discussants paid special attention to the acute global dilemma of ecology and environment. While the three nations play significant roles as global economic players, they are also perceived as potential contributors to the cost to nature or conversely those who can contribute towards prevention of such cost incurred on nature due to their economic activity. In the context of Confucian humanism, the discussants’ views on economic ethics remained broadly on the same continuum of human rights.

The first discussant (KPE) working as an economic development planner offered the view that contemporary Korea should reconsider the economic ethical paradigm based on the so-called ‘homo-centrism.’ According to him, the end is nearing fast to the ethical thesis that man is superior to nature and economic development is the productive endeavour by the superior beings subjecting nature to the process of ‘creative destruction.’ 224 Nature is finite, whereas the appetite for economic growth remains insatiable. He believes that the Confucian ethical tradition and its humanism based on the ‘human-to-nature unity’ should play a role in restoring the

balance to the already endangered lack of equilibrium between nature as the abode of all life forms including humans, and humans themselves.

On the ‘homo-centric’ economic ethic orientation, the next discussant (KSS) who advises a citizens' coalition for economic justice referred to it as the fundamental traits of the Enlightenment and its ongoing impacts on the processes of modernization. He argued that, in contrast to the Judeo-Christian perception of nature as the resource for humans, Confucians, Buddhists and Taoists would consider nature as the very source where the humans come from. He also argued that Confucian East-Asia faces the dilemma between the quests for economic development under the influence of the Enlightenment ideals and the Confucian ethical grounding in the unity of human and nature. Confucian humanism is profoundly committed to seeing humans flourish. Such flourishing, however, is conditioned upon the ethical and intellectual maturing process of self-cultivation, the embracing of our broader selves in the social community and nation, and finally finding the unity with the Heaven and the earth. He held the view that the rediscovery of such Confucian nexus of the inclusive humanism beyond humans alone would be the first step in the direction of righting the ecological and environmental ills that economic centrism had wrought on nature.

As regards the tension between the economic centrism and the Confucian cosmology with nature as the source of all living forms including humans, the third discussant (KAC) who researches in cultural history referred to the thought of the leading Neo-Confucian scholar Yi Yulgok (1536-1584) of the Yi dynasty (1392-1910) in Korea. Yi’s cosmology built around the ‘united theory of material force’ continues to have an influence upon the Confucian intellectual community of contemporary Korea. He is known for having brought the ‘material force’ as the connective cosmological link between all beings. KAC argued that such ‘material force,’ according to Yi, constitutes a foundation for all ecosystems, allowing for a place for both humanity and all other entities. This view of Yi’s was shared by Kaibara Ekken (1630–1714) of the Tokugawa era (1600-1864) in Japan. The Confucian theory of the ‘united material force’ owes its intellectual indebtedness to the teachings of Chou Tun-yi (1017-1073) of the Northern Sung dynasty (960-1127) in China. KAC also argued that Chou’s idea helped develop the

\[225 \textit{ch'i} (ki in Korean: material force, ether or force)\]
\[226 \text{Ro, Young-chan 1989, } \textit{The Korean Neo-Confucianism of Yi Yulgok}, \text{ SUNY Press, Albany, pp. 15-36.}\]
Neo-Confucian social principle of ‘man and nature,’ offering a path for a new economic ethics and a fresh paradigm on ecology fitting the modern context.

As regards a fresh ethical outlook on economy and ecology, the fourth discussant (JCG) who advises on the corporate governance of Japanese enterprises brought up the teachings by Ishida Baigan (1685-1744). Baigan was a renowned Neo-Confucian leader who started the Sekimon School of Learning of the Mind (Sekimon Shingaku). Baigan was active as an educator of the ‘townsmen (chōnin)’ who played the central economic role as trade persons in commerce and industry of the Tokugawa era in Japan. His economic principle was enshrined in a simple dictum: ‘Conduct the trade with the Confucian Analects in one hand and the abacus in another.’ JCG argued that, according to Baigan, the success of Confucian economic conduct lies not in the blind pursuit of profits, but in the Confucian self-realization through exercise of Confucian economic ethics that Baigan equated to the seeking of the Way.

Further to Confucian ethics in relation to economic engagement, particularly impacting upon nature, another discussant (JPE) who advises on policy for sustainable economic development argued that the Confucian outlook on the ‘things in nature’ goes beyond the ‘shallow engagement’ in pursuit of self-interest for wellbeing or affluence. The Great Learning, an integral Confucian canon, teaches that investigation into ‘things’ in nature would lead to the extension of knowledge and wisdom. As such from the Son of Heaven down to the mass of the people, all students of Confucian teachings must consider the cultivation of the person through such a wisdom-building investigation. The Taoist canon, the ‘Way to True Morality (Tao Te Ching),’ also refers to Tao or the Way lying in the understanding that ‘all things and selves belong to the same Mother of the universe, with differences remaining merely in names.’ JPE argued that this philosophy of nature supports the so-called ‘deep ecology.’ The ‘deep ecology’ differs from the ‘shallow ecology’ that caters to the short-term remedy for the damages that have already occurred to the ecology. JPE further argued that the ‘deep ecology’ starts from the

understanding that every human, all life forms and every ‘thing in nature’ share the same motherhood. The ‘deep ecology’ is about re-anchoring the economic ethics of nature for the long term or putting no limit to the time requirement.

Further to the moral grounding about the ethical outlook on nature, one discussant (JAE) who researches in sustainable capitalism of the new millennia brought up the aspect of Confucian and Taoist aesthetics about nature. From the outlook of Confucian and Taoist aesthetics, the harmony of beauty inherent in nature is the ultimate purpose in itself.²³¹ It contrasts with the view that nature can be taken advantage of for human satisfaction and self-interest. He referred to the Japanese practice of gardening as a practical example of aesthetic appreciation and an abiding ethos of being in oneness with nature. Confucianism and Buddhism influenced the Japanese native concept of nature that bore a distinct attribute of animist naturalism. According to the ancient belief in Japan, the nature has its own life and is inhabited with kami’s (gods). The aesthetic and quasi-religious zeal in the creation of aesthetically superior gardens and realization of a small heaven on earth distinguishes the Japanese sense of honoring nature and its beauty. The most prominent garden in Japan Kōraku-en was an outcome of such a sentiment by Tokugawa Mitsukuni (1628-1701), a Confucian scholar son of the then reigning shōgun. The garden that set the model for gardening henceforth for posterity also included in it a rice paddy in order to remind the sovereigns of the hardship that the farmers undergo. Such a Confucian ethical reminder to the sovereigns of the people’s pain in the midst of aesthetic pleasure is consistent with the teachings of Mencius. A Confucian scholar-official, Fan Chungyen (989-1052) of the Northern Sung dynasty, is known to have given a similar admonition to those in the governing position. Fan’s words of compassion were cherished by Tokugawa Mitsukuni when he created his garden. The admonition was: ‘Feel worried before the nation (t’ienhsia) starts to worry, and feel happy after the nation (t’ienhsia) is happy.’²³² JAE argued that Confucian economic governance implies living and flourishing with nature in terms of empathetic ethos, ethics and aesthetics at heart as well beyond the physical world.

²³² Fan Chungyen (989-1052) made the statement that was quoted in his work, Yüeh-yang Lou Chi. This work of his is quoted at the ‘Shengyan Xuetang (the Study Resources of Sacred Classic Texts)’, http://www.fainfo.com/puton/lang/lang13/lang131.asp, viewed 18 February 2007.
On the alarming destruction of the ecology, the next discussant (JTS) who advises on industry strategy commented that the community of industries had also responded and expressed their commitment to arresting the speedy downturn in the global environment. One noteworthy course of action came through their proclamation of the ‘Caux Round Table Principles for Business.’ The Caux Round Table is an outgrowth from the concept of kyōsei (symbiotic coexistence), - industry, society and nature should coexist within a symbiotic harmony. The Round Table Principles released in 1994 as one of the global ethical benchmarks for sustainable industry has the so-called ‘Principle 6. Respect for the Environment’: ‘A business should protect and, where possible, improve the environment, promote sustainable development, and prevent the wasteful use of natural resources.’ JTS argued that, while industry has a long way to go to be fully committed to the preservation of nature and ecology as their highest priority, industry leaders of non-socialist Confucian East Asia acknowledged the severity of the global ecological crisis and the role of industry and its economic ethics. Unlike some leading industrial nations that continue to oppose the Kyoto Protocol frequently under pressure from local industry, Korea and Japan joined the protocol. He also argued that, in rallying international support for this convention, namely, the Kyoto Protocol, Japan played a leading role with the implicit support of and no overt resistance by local industry.

As regards the support for the Kyoto Protocol coming from the economic sector, the following discussant (JPR) who advises on the new millennia innovation policy expounded on the critical role played in this regard by the Federation of Economic Organization (Keidanren). He argued that this federation is imbued with the Confucian economic ethics of conducting the business or other economic affairs not only in the self-interest, but also in the broader interest of the extended family, i.e., the nation, hence nicknamed the ‘Japan Inc.’ The Federation offered its official support for the ‘United Nation Framework Convention on Climate Change’ that sponsors the Kyoto Protocol. The Federation made public their support through its declaration in 2005 titled the ‘Need to Develop a New International Framework to Prevent Climate Change.’ JPR also argued that the

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Confucian ethical ethos was implicit in the undercurrent of this major step forward from their traditional conservative position about installing a new regulatory framework that could potentially regulate their own economic activities worldwide. He also observed that, while the Confucian ethical practices in the close-knit government-business relationship often chose loyalty or national interest over universal Confucian humanism or benevolence, this decision both by the government of Japan hand in hand with their key economic organization sets a new record as an important reversal.

As regards the enlightened view on the ecology held by those in the industrial sector, another discussant (CPR) who is a policy-person for a global innovation network offered a view on the sustainability of nature as the principal capital. He argued that Confucian economic ethics calls for a new paradigm, based on the Confucian teachings about the unity of Confucian cosmology, philosophy and ethics and ecology. The new paradigm would be that the environment and natural assets are capital rather than expendable resources. Since nature is the principle and the base capital for the survival of all lives, Confucian economic ethics, according to this new paradigm, would serve as a reminder that the capital is to be preserved for good, and humans are to live on its interest only. CPR also argued that economic interests should not dictate over nature any process of unstoppable declines or irreversible destruction. He added that Confucian teachings on leading the thrifty and simpler life help maintain non-agonistic relationship with nature.

In terms of humans’ perception and relationship with nature, the next discussant (CAP) who researches in Asian philosophies observed that the Confucian views were substantially influenced by Taoism, Buddhism and ancient Vedic belief tradition. He touched on the Buddhist view on the close relationship between the ‘changeability of nature (aniccā)’ and human morality. Buddhism views changeability as the perennial principle of nature.’ CAP referred to a commentary on the Buddhist canon Cakkavattisīihanāda Sutta that reads:

‘When humankind is demoralized through greed, famine is the natural outcome. When moral degeneration is due to ignorance, epidemic is the inevitable result. When hatred is the demoralizing force, wide-spread violence is the ultimate outcome. If and when mankind realizes that large scale devastation has taken place as a result of moral

238 aniccā: Pali term for ‘changeability of the nature.'
CAP argued that such interweaving of cosmology, ethics and ecology in terms of relational and processive values is shared by Chan or Zen Buddhists and also by Taoists.

Parallel to the non-agonistic religious view on nature and economic ethics, one discussant (CHR), as a policy-person for multi-ethnic human rights, advanced a ‘non-violence’ pacifist view on nature. CHR referred to the thought of the prominent Neo-Confucian scholar Mou Tsung-san (1909-1995) and his discourse on the ‘fundamental trait of concern-consciousness.’ Mou expanded on the teachings of the Doctrine of the Mean (Chung yung) to elucidate upon the Confucian consciousness of and sympathy with the intrinsic value of nature. According to Mou, this Confucian ‘concern-consciousness’ upholds the fundamental human trait and intent to preserve and enhance nature towards human flourishing. Mou also asserted that the Confucian inclusive ‘concern-conscious’ humanism has been significantly influenced by the relational patterns shown in the Classics of Changes (I Ching). CHR argued that such Confucian spiritual conformance also resonates with the principles of ‘non-violence (ahimsa)’ and the ‘persistent quest for truth (satyagraha)’ that permeated and encouraged the peaceful resistance movement of the indigenous people of the Republic of China during Japanese imperial rule (1895-1945) and that of KMT government (1945-1990). CHR also argued that such Confucian ‘concern-consciousness’ is evident in the exercise of Confucian rites, and, through such rites, the ‘concern-consciousness’ translates into compassionate social economic practices and also gentle and sustainable interactions with nature. He added that the intrinsic value of nature as upheld by the Confucian teachings should replace the instrumental value of nature held by those economic centrist in order to reverse the dangerous decline in global ecology.

As a further support for the rediscovery of Confucian intrinsic value in nature, another discussant (CTS) who advises on advancement of the research and development referred to the public dialogue that had taken place in 1999 between the leading two prominent

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Confucian scholars of China and Japan, i.e., Chang Tanien (1909-2004) and Okada Takehiko (born 1908). The conversations proceeded under the title ‘Simplicity and Harmony at the Doorstep of the New Millennia, moving from Confrontation to the Great Commonwealth.’241 As the title suggests, both scholars strongly felt it necessary to rediscover and reinforce Confucian dignity through leading simple lives, ridding of modern materialism and economic centrism, returning to the intrinsic values repositioning humans in harmony with nature. CTS argued that this call to return to the fundamental Confucian ethics and ‘respond (ying)’ to both ‘natural order (t’ien-li)’ and ‘moral order (tao-li).’ He further argued that the Confucian ideal of the Great Commonwealth (ta-t’ung) does not lie in building another empire at the expense of the human and natural capitals, but lies in realization of the harmony and unity amongst the humans with nature, i.e., the ‘Heaven and the Earth (t’ien-hsia).’

Regarding the balance between human and natural capital, the following discussant (CPS) who serves as a social policy-person for multi-ethnic work forces extended the view that realization of the harmony between humans and nature is in fact a universal ideal shared by the so-called ‘conservationists or the preservationists’, irrespective of religious or philosophical persuasions or national origins. Azuma Ryōzo (1879-1980) who led the induction of the national parks program in Japan to preserve pristine natural condition was in fact inspired to do so by his mentor John Muir (1838-1914). The two dedicated preservationist friends supported each other in ecological philosophy and moral support from their own origins of tradition. Azuma loved to quote Muir, when he said:

‘Why should man value himself as more than a small part of the one great unit of creation? And what creature of all that the Lord has taken the pains to make is not essential to the completeness of that unit - the cosmos? The universe would be incomplete without man; but it would also be incomplete without the smallest trans-microscopic creature that dwells beyond our conceited eyes and knowledge.’ 242

CPS argued that the economic ethics expressed in the global ecological crises is on the same plane as the human rights struggle. As the drafting process of the Universal Declaration of Human Rights engaged the East-Asian participation, the climate change protocols under the ‘UN Framework Convention on Climate Change’ including the ‘Kyoto

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241 Okada, Chō (Chang) and Nanba 1999, kanso to wagō: tairitsu kara daidō no seiki e (Simplicity and Harmony at the Doorstep of the New Millennia, moving from Confrontation to the Great Commonwealth), Chūgoku Shoten, Fukuoka.

Protocol’ have engaged the East-Asia partners such as Japan and Korea. He maintained that, for love of nature, there is no boundary of any kind.

The above summary under the heading of 3.5 reflects the discussants’ views on the Confucian humanism and its relation to economic ethics. Discussions were triggered by the question ‘Does Confucian humanism foster economic ethics?’ Economic ethics has been looked at as a nature-bound extension of Confucian humanism as opposed to the human rights as human bound extension of Confucian humanism. Discussants’ views about the Confucian governance and ethics in economic conduct devoted substantial attention to the global ecological crisis and what Confucian economic ethics and worldview could offer in contrast to the Enlightenment values that faced the criticism of being instrumentally oriented in terms of its economic centrism. Confucianism or its humanism was and is human centred with broadly defined non-agonistic moral emphasis on the unity and harmony of human to nature as a part of Confucian cosmogony and cosmology. Confucians, however, are awakened to their moral realization facing the destruction of the nature as the abode of humans and all life. Confucian East-Asia countries as economic actors as well as major influencers on the well-being of the global ecology are at the crossroad whether to restore and live the teachings of Confucian humanism inclusive of the ‘concern-consciousness’ for nature or otherwise. A Korean discussant was critical of the contemporary market economy-driven ‘homo-centrism’ and its dangerous ecological implications. He referred to the teaching of the Korean Neo-Confucian doyen Yi Yulgok on the ‘material force’ being the connective cosmological link between all beings. A Japanese discussant referred to the Tokugawa era of Japan in its pragmatic reference to ethical economic conduct with ‘daily co-use of the Analects and abacus.’ Merchants were taught to equate their trading acts to seeking of the Way. Re-anchoring economic ethics in nature is said to necessitate a long-term deeper moral commitment, namely, ‘deep ecology.’ An aesthetic outlook on nature focussed on the love of nature was also advanced. Industry response to the global challenges in terms of economic ethics came through their global ‘Roundtable’ that included the clause for ecological concerns. Industry in Japan collectively offered their ‘conditional support’ for the UN climate change conventions. A discussant from the Republic of China advanced the notion of nature being the principal capital to be preserved for good, not for living off it. The pacifist view of non-violence interaction with nature was also advanced. Such pacifists viewed the natural order and the moral order on the same continuum as
advocated in the Buddhist, Taoist and Confucian traditions. Another discussant pointed out the universality of the ethical concern and love of nature, irrespective of the national boundaries or cultural background by quoting an episode of friendship between leading Japanese and American conservationists.

In discussion of economic ethics so far, focus has been placed on how economic ethics as a part of Confucian governance plays out in the economic domains, in particular, facing the global ethical challenge of the ecological crisis. Economic ethics was an ethical expression of Confucian humanism as was the human rights. Having summarized the three nations' perception of economic ethics and their ethical roles as global economic players, discussions moved to the next and last segment of the chapter on the question of whether Confucian humanism including human rights and economic ethics are compatible with the globalizing civil society.

3.6 GLOBAL CONFUCIAN HUMANISM

The above segment of the chapter has been about how discussants view Confucian humanism and its ideals and concerns about economic ethics in relation to the three contemporary East-Asian nations. Some discussants already had expressed unequivocal views about what and how Confucian humanism can do and should do to address the ethical challenges such as the global environmental crisis. In this segment, a summary has been made below of the responses to the next question on the global context of Confucian humanism. Responses are to the specific question: ‘Is Confucian humanism compatible with the ideals and concerns of globalizing civil society, especially in terms of human rights and economic ethics such as over the global ecological crisis?’

Civil society as the society of Confucian civility is of direct concern to Confucian humanism. Its interest and concerns rest with whether such civil society represents the integral values of Confucian humanism such as humanity, civility, interconnectedness, reciprocity, communitarian interest at heart, and responsible cultivated ‘ideal persons.’ The globalization of civil society poses a fresh question to Confucian humanism if the new global nexus accompanies new sources of strengths that Confucians sought after, such as

\[243\] chün tzu (ideal person)
democratic institutions and advancement of science. Discussions have been centred on what is perceived the three fundamental ingredients of civil society in the global context, namely, democratic polity, civil capitalism and the rule of law.

The first discussant (KTI) who consults enterprises about innovation cited the 1990s transition of Korea as an example of Confucian humanism making a shift through the dynamics of democratization and globalization of civil institutions. Politically, Korea shifted from military autocracy to a freely elected democratic government in 1992. Economically, Korea ranked as the 11th largest economy in the world by 1996 and joined the so-called ‘rich country club’ of the Organization of Economic Cooperation and Development (OECD) in the same year. But the euphoria about the newly gained democracy and prosperity was short-lived, since in the very next year of 1997, Korean was plunged into the so-called ‘Asian Financial Crisis’ that was perceived as the most serious national crisis since the Korean War (1950-1953). Confucianism came under fresh attack. Confucian governance was accused of being at the backdrop of Korean status quo and standards, no longer compatible with the global norms that Korea has newly subjected herself to. KTI, however, argued that the ‘Asian Crisis’ was in fact a blessing in disguise. Korea not only burst her ‘bubbles,’ but also had a chance to consolidate her ‘bubble-like’ institutions that have remain impervious to the calcified rigidity with market, education, media, bureaucracy and all forms of social and institutional exchanges that require accountability. He further argued that a sustainable civil society emerged in Korea, ironically through this major all-compelling crisis, whereas, on the surface, it was seen as a crisis of finance.

On the institutional rigidity as the culprit of the Korean scenario of the Asian Crisis, the next discussant (KTS) as a political economist and industrial strategist quoted other critical impediments unique to Korea on her path to a global civil society. The first impediment is the division of the peninsula and the continued Cold War legacy of ideological tension between the South and the North of Korea. In South Korea, there is another major political impediment of ‘regionalism.’ Korean regionalism originated from the factional struggles in history between the Eastern and the Western parts of South Korea. The Eastern part, i.e., Kyŏngsang province, produced the largest number of Confucian scholar-officials during Koryŏ dynasty (935-1392) and Yi dynasty (1392-1910), and dominated Korean politics. This dominance from the standpoint of the Western part, i.e., Chŏlla province, was considered an exclusion of the Western part from fair opportunities of participation in
national politics that also equaled to unfair access to power and wealth. KTS emphasized the severity of such regional division which was imbued with inflammatory emotions. It took a half century since the Republic of Korea came into being in 1948 to allow the free election of the first non-Eastern national leader from this disadvantaged Western part. The Western born Kim Dae-Jung (presidency 1998-2002) was the symbolic figure finally vindicating the long held bitterness of the West. KTS observed that the North-South and the East-West splits continue to exert substantial negative influence on the development of a global civil society, since any policy agenda advanced by one part is usually seen with suspicion by another part.

As regards any possible remedy to the regional division, the third discussant (KAE) who advises on the development of the next generation digital system commented on the role of the ‘networked citizenship.’ He expounded upon the emergence of the networked citizenship known as the ‘Netizens,’ i.e., networked citizens, as a significant political and social platform closely related to the globalization of civic participation and empowerment of hitherto apolitical citizens, particularly of youth. KAE argued that the Korean experiment of network democracy has major political implications. Networked citizens operate their own electronic mass media with participation of a large number of e-reporters, e-advocates and e-civic service volunteers such as ‘Oh My News.’ 244 Such media topped the conventional media majors in the last presidential election campaign and brought the last upset victory to the underdog candidate Roh Muhyŏn (incumbent president 2002-2007 terms). KAE also noted that such interconnectedness of high-speed internet available to Korean citizens at affordable cost helps bring closer those areas with ‘distances of hearts.’

On the contribution of the networked citizenry to a globalizing civil society, another discussant (KMC) who works as a civic volunteer for participatory democracy expressed substantial reservations. He agreed to the value of immediacy and transparency of the e-media, but he also believed that the e-media also helped deepen the paradox of the so-called ‘identity politics’245 and reinforced the old division. Since Korean e-media is almost immediately translated online into multi-lingual options, most popular ones being Chinese, Japanese and English, contents often inflame nationalist or xenophobic

244 Oh My News is the major e-newspaper operated by volunteer reporter system whereby any citizen can become the reporter covering the news from his or her space of life, <http://www.ohmynews.com/>, viewed 25 February 2007.
sentiments among neighboring countries and also from those with different identities such as ‘Chinese Koreans’ from Northern China working in Korea as guest workers or refugees from North Korea. KMC argued that networked citizens are deeply divided over the defense alliance with the US and its influence on humanitarian support for North Korea. Such matters closely relate to Korean identity politics. Nationalist sentiment resents the so-called ‘end-ism’ represented by the ‘triumph of liberal democracy,’ where Americanism looms large.  

Conversely, most nationalistic Koreans believe that the US, despite its role in introducing liberal democracy to Korea, is singularly responsible for division of the Korean peninsula. On the other hand, liberal market-loving Koreans tend to credit the US for security and access for market and capital that helped create the Korean economic success. KMC noted that, in terms of Confucian humanity and civility, this interconnectedness and instant reciprocity of community communication helped in highlighting the communitarian interest, but seldom succeeded in warming the hearts, much less creditable for help in grooming the Confucian ‘responsible cultivated ideal persons.’

Further to the ‘networked-ness’ of contemporary Korea, the following discussant (KPE) who works as an economic policy planner highlighted the global dependency of the Korean economy. He quoted the external trade of Korea as the percentile of Gross National Product averages 70 per cent for the last decade. In a nutshell, the Korean economy survives through buying and selling with the rest of the world. Hence, globalization of Korea inevitably occurred with her economy first. Globalization of civil society did not happen automatically thereafter, since the autocratic military government also heavily depended on their economical credential for the legitimacy of their forceful perpetuation of their rule. KPE argued that Kim Dae-Jung government as a civilian government had no choice but to uphold ‘market economy and democracy’ for their so-called ‘participatory democracy’. Kim’s recipe for globalizing Korean civil society was ‘bourgeois democracy’ basing its political centre-weight upon the prosperous middle class and liberal democratic model compatible with the global mainstream. KPE also argued that Kim’s globalization was intended not on the weakening of the nation state of Korea, but instead on its

strengthening through marrying the strength of Confucian and other traditions with the institutional advantages.

On the question of the Kim Dae-Jung model of democracy, the next discussant (KTS) who works as an advisor for industrial policy strategy highlighted the ‘porosity’ of the globalizing Korean politics and its susceptibility to geopolitics. Kim’s so-called ‘Sun-Shine Policy’ of warming up to the Stalinist North Korea with economic and humanitarian aid was severely criticized by the right-wing. KTS argued that domestic conservatives and global Neo-conservatives succeeded in the substantially downgrading of Kim’s political legitimacy despite recognition by the Nobel Prize Committee with the Peace Prize of 2000. Ironically, his presidency was recognized for the economic turn-around of Korea by successfully and speedily surmounting the Financial Crisis of 1997-2000 working side by side with the heavy handed International Monetary Fund, whereas his long cherished political ambition was to overcome the Cold War status quo of the North-South division. KTS also argued that his momentous contribution to installing the National Human Rights Commission for the first time in the history of Korea was compromised by the global events such as the Cold War-like confrontation between the US and North Korea on the nuclear issues. He observed that the context and conditions of Korean civil society is both globally and locally determined, as her economy is. KTS believed that the Korean global civil society project is experiencing severe ‘홍역 (measles)’ in its transition from the Confucian society towards a global civil society. process undergoes the pressure of globalization through emergence of multiple identities heretofore insignificant, now vying for fresh legitimacy. The challenges riding on the global wind call for gender equality, religious openness, cultural and ethnic diversity, and contra-regionalism.250

On the Korean ‘democratization measles,’ the discussant (KAS) as a sociologist held the view that the Korean democratization process of 1987-2006 has been a change in ‘political identity’ only to liberal democracy, but with ‘no qualitative shift in content.’ KAS indicated that the Korean Confucian ethos has been resistant to the complete separation of power amongst the three branches of government that became separate and independent according to the democratic principle of ‘checks and balances,’ but became all too combative to the Korean Confucian ethos. He noted that democratically elected presidents,

such as Kim Youngsam (presidency 1993-1998), Kim Dae-Jung (presidency 1998-2002) and Roh Mu-hyun (presidency 2003-current) after the first year of the so-called 'honeymoon period' consistently suffered low popularity, and often under-rated less than autocratic military presidents.\textsuperscript{251} KAS assumed that institutional change in terms of political identity took place in 1987-2006 periods, but mass politics and their ethos may require a generation to digest the qualitative change.

On the generational shift of democratization, the next discussant (KHA) who volunteers for human rights advocacy offered a view at a substantial distance from the former discussant. He took up the example of civic movements by non-government voluntary organizations that became the backbone of the fast-track democratization of Korea. KHA argued that the democratization of Korea from 1987 onward is not an abrupt one or accident. It is a result of a long persistent fight for democracy by civic organizations throughout 1961-1987 when military governments had had dominance over Korean politics. He also argued that the social legitimacy of the democratic civic movements combined with the rising standard of living and education engendering higher expectation from what people perceived as the civil and civilized society became the main driver for the democracy beyond the already global economy of Korea. He indicated that the major drawbacks on Korean political progress are, firstly, the 'boss-centered dysfunctional party politics' that has not change much since the autocratic era, and secondly, the 'regional politics' and hierarchical rigidity often blamed on the Confucian tradition.

On the Confucian challenge of social rigidity, another discussant (KPH) who advises on the policy of human resource development indicated that the issue of gender equality in Korea remains the foremost challenge facing Korea on its path to a global civil or civilized society. He advised that the Korean civic movement works hand in hand with the global organizations of gender equality advocacy. The Korean government and society have been repeatedly reminded of the slow progress Korea has made in its ‘gender empowerment measure.’\textsuperscript{252} KPH emphasized that Korean democratization pattern of ‘learning by doing’ could very well speed up the remodeling of gender disparity by quoting the emergence of top woman political figures such as Han Myŏng-suk and Park Geun-hye.

\textsuperscript{252} Gender Empowerment Measure (GEM): UNDP ranked Korea in 2003 on the 60\textsuperscript{th} amongst the nations of the world, \url{http://hdr.undp.org/reports/global/2003/indicator/indic_207_1_1.html}, viewed 27 February 2007.
Han Myŏng-suk (born 1944) has been the incumbent prime minister of Korea since 2006 and Park Geun-hye born in 1952 as the daughter of ex-president Park Chung-hee (presidency 1961-1979) is the leader of the conservative political party and a top contender for 2008 presidential election. He argued that, once Korean ethos accepts womanhood as compatible with national leadership, gender inequality, consistently accused of as the last negative vestige of Confucian legacy, may even disappear. KPH also argued that Korean politics came increasingly under the influence of global politics, and major female politicians in friendly countries such as Margaret Thatcher (prime minister of the UK 1979-1990), Angela Dorothea Merkel (incumbent chancellor of Germany) and the current US presidential candidate Hillary Rodham Clinton (born 1947) are exerting an indirect influence on the gender politics of Korea. He observed that Confucian humanism would not diminish due to the emergence of woman empowerment. Instead, correction of gender inequality would be a major success of the contemporary Neo-Confucian project of transforming itself as compatible with the globalizing civil society.

As regards whether such political and institutional democratization in Korea remains related to Confucian humanism, the next discussant (KAH) who researches and teaches social theory offered a view. He observed that the Korean Confucian ethos is very comfortable with the three basic ingredients of the civilized global civil society, namely, democracy, rule of law and market economy. Rule of law is considered the minimal requirement for a stable and fair society in support of human flourishing. Market capitalism has brought economic prosperity that has been the state ideal of the Confucian Yi dynasty (1392-1910) throughout its history of struggle. He further argued that Confucian humanism subsisting in the Korean Confucian ethos helped overcome the otherwise combative political transitions without loss of affective human relations amongst the opponents. KAH indicated that this affective Confucian humanism remains an important element of Korean social capital. He noted that the Korean reconciliation of Confucian ideas with globalization occurred in terms of market economy dynamism, empowerment of people, and continued experiments with her young still evolving democratic institutions.253

As regards the globalization of Japan and her development into a global civil society, the discussant (JAS) who researches in the post-WWII social development touched on the evolution of Confucian ethics of the political elites. JAS argued that the political elites who

led the post-WWII economy of Japan to the forefront of the global economy formed the
triumvirate matrix, i.e., the dominant conservative political party of the Liberal Democratic
Party (LDP),\textsuperscript{254} the Ministry of International Trade and Industry (MITI: 1949-2000) now
superseded by Ministry of Economy, Trade and Industry (METI: 2001-current),\textsuperscript{255} and the
Japanese Business Confederation (Keidanren).\textsuperscript{256} The Confucian sense of the
‘responsible model persons’\textsuperscript{257} permeated those dedicated public and private sector elite
groups. They also formed informal study groups and met regularly to study together,
brainstorm and advance the most desirable policies for the nation and also to ensure that
such policies, once conceived, fall into the common interest and genial to sensitivities of
the tripartite values. Such informal affiliations developed into the ‘policy-tribe members
(zoku iin)’ amongst LDP parliamentarians whose roles would be linked between the ‘major
party factions (habatsu)’ and ‘political figure support societies (kōenkai).’ Such factions
would form horizontal network as well as the traditional top-down chain of command based
on loyalty. Major factions and support groups of LDP and their shadow supports from MITI
and the business confederation have succeeded in arranging the uninterrupted runs of
premiership of Japan exclusively from LDP during 1950s-1990s. JAS also argued that this
Confucian network of values and ethos serving the higher goals of the individual and
societal or ‘bigger family’ values remain an important part of Japanese Confucian
humanism in the Japanese context despite pressures of globalization.

As regards modern Japanese Confucian ethos, another discussant (JTE) who represents
industries for corporate governance offered the view on the other side of the
politico-economic mainstream in Japan. JTE argued that labour unions in Japan, whether
at company level or the level of national federations, are keeping very close relationships
with their counterparts, namely, employers and employers’ organizations. The annual
labour offensives typically staged in the early part of each year called ‘the Spring Offensive
(shuntō) are conducted in a measured way, with the ritualized show of force through
slogans, head-gear and choreography, but always a certain level of mutual respect
amongst the stakeholders. He also argued that this behavioral pattern is based on the
Confucian psychology that embraces the parties concerned in the social nexus of the

\textsuperscript{255} Keizai Sangyō Shō (Ministry of Economy, Trade and Industry), <http://www.meti.go.jp/english/index.html>, viewed 1
March 2007.
\textsuperscript{256} Nippon Keidanshö (Japanese Business Confederation), <http://www.keidanren.or.jp/>, viewed 1 March 2007.
\textsuperscript{257} chūntzu (responsible model person)
industry relations such as through the medium of the ‘Japanese Trade Union Confederation (rengō).’\textsuperscript{258} Excessive disruption of work is considered by all parties of industry-labour relations as anti-social conduct. Since Japanese companies branch out globally, they maintain a Japanese Confucian model of labour relations adjusted to host nations’ rules. JTE noted that the Japanese Socialist Party and Japanese Communist Party that supported more aggressive labour offensives have not succeeded in changing the overall pattern of labour movement, since they were seen acceptable to the sensitivities of the Japanese public. Instead, such opposition political parties contributed to the institutional enhancement of the labour movement. Despite economic globalization of Japan, the Japanese ethos remains unchanged and moored to the tradition of human relationships based on Confucian civility.

As regards Japanese ethos vis-à-vis the globalizing of Japan, the following discussant (JSS) who researches in and advises on social policy highlighted the dialectical duality of Japanese ethos about the two major theses, i.e., the globalization known in Japan as the ‘internationalization (kokusaika)’ and the ‘discourse on Japanese identity (nihonjinron)’ that has emerged as the central intellectual discourse of Japanese society during 1980s-1990s. Internationalization meant both threat and opportunity. According to the leading social psychologist, the ‘comfortable endearment relationship (amae)’\textsuperscript{259} has had persisted between individual citizens and the political mainstream who represented them. Continuity and stability of this close and endearing civic-public officialdom co-existence have been enduring and successful in restoring the prestige and confidence of Japan by bringing about the economic prosperity and the unprecedented half a century of peace. JSS argued that internationalization and its implicit change of rules means a threat to this relationship or those who remain attached to such ethos. He also argued that Japan has developed and internalized the ‘closed-nation (sakoku)’ disposition a number of times in history, due to her geographical separation from the continent and insulation from its political changes. Her mainstream political leadership felt secure in enforcing the ‘closed-nation policy’ such as during the Tokugawa era (1600-1864) and also earlier vis-à-vis China for a considerable period during T’ang dynasty (618-907) era in China.

\textsuperscript{258}rengō (Japanese Trade Union Confederation: JTUC): <http://www.jtuc-rengo.or.jp/> viewed 1 March 2007.
On the point of the ‘closed nation’ syndrome, the next discussant (JMC) who regularly writes as a social critique in the media asserted that this ‘closed nation’ aspect has become natural by the earlier history of the ‘closed island nation’ syndrome repeating itself, but also it has been further reinforced in recent history by the policies of the Meiji oligarchs and their likeminded leaders of posterity including the post-WWII premier Shigeru (premiership 1948-1954). Yoshida is also known as a protagonist of the ‘so-called 1955 rightwing heritage.’ JMC argued that the conservative political elites forming the centre of Japanese politics have been bound to their own psychological framework and tend to see the reality of the world through their own ‘prism.’

> Seen through such a prism, internationalization reeks of dangers and risks to the tradition and their hold on power. He also argued that new openness due to internationalization can potentially expose that their own leaders did perceive and made policy decisions in the comfortable ‘endeared’ harmony with the sensitivity of its people as if within the closed society. But at the same time, their own leaders failed to recognize and offer the people valuable opportunities to pursue the long term interest as a nation on timely basis in step with the dynamic changes occurring under globalization.

On the matter of openness to globalization, one discussant (JAE) who researches in the policy for excellence in the new millennia made an observation on Japanese globalization and challenges to her becoming a global civil and civilized society. According to JAE, the issues related to how Japan overcomes her ‘closed-ness’ on her policies toward foreigners in Japan and her abrasive relations with her Asian neighbouring countries are the most pronounced challenges facing Japan in her globalization or internationalization. Japanese migration law would dictate that children born to the 3rd or 4th generation residents of foreign ancestry are still classified as aliens, constituting an ongoing internal friction in Japan and with the governments of the ancestral nations. Japan’s Asian neighbours still demand of the unwilling Japanese authorities a proper protocol of ‘historical atonement’ for the past colonialism of the imperial era. The passive response to such issues on the part of the government of Japan contrasts with the positive foreign policy related to Japan’s current pursuit for the seat of permanent membership of the UN Security Council and expansion of a global role for the Self-Defence Forces of Japan such as with the UN Peace-keeping Forces. JAE argued that this antinomy represents the tension between the

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tradition of the ‘comfortable endeared (amare)’ ethos and what is perceived risky counter-Japanese culture and tradition implicit in globalization. The government of Japan, with the broad support of the Japanese public, continues to apply its strict policy of exclusive Japanese ethnicity to selection process related to public service, academic positions, public school teaching jobs, and the legal professions. The private sector such as media reporting jobs also comply with such ethnic policy. He also argued that this ethnicity-centric societal conducts must come to an end, since such domestic issues are concurrently matters of international concern and remain the central issue for Japan as she aspires to a global civil society and playing a leading role in and with it.

As regards the vision of Japan in the new millennia, another discussant (JAP) who researches in the history of Japanese thought referred to the challenge as the overcoming of ‘economy-centrism.’ He referred to the ‘White Paper’ released in 2000 by the Cabinet Office called the ‘Vision of Japan in the 21st Century’ and another released in 2001 by the Ministry of Foreign Affairs titled ‘Japan’s Foreign Policy toward the 21st Century.’ JAP asserted that the long-term vision of Japan remains economy-centric and defence-centric amongst the officialdom. He observed that, while Japanese elites remain enslaved to the ‘memory politics’ with her neighbors such as on the question of ‘history textbooks,’ the project of a global civil society in Japan through her internationalization (kokusaika) remains deterred by the ‘closed nation (sakoku)’ disposition. JAP held the view that the ‘new kaikoku (opening of the nation)’ may have to happen with the ‘opening of mind.’ JAP argued that, through the new kaikoku or opening of the ‘heart and nation’, the ‘spatiality and temporality of Japan’ may have to be reinforced with the ‘meeting of minds’ or the ‘spirituality’ of Japan ‘beyond the realism of economy and defence. He believed that there has been a strong tradition of ‘spiritualization of social and economic reality’ in the intellectual history of Japan. He referred to the Neo-Confucian school of Yōmeigaku and the School of Mind and Heart Learning that sought through the meeting of minds a

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permanent paradigm of peace in the Confucian unity of the ‘cultivated personhood, broader family including community of neighbors and the Heaven.’

As regards the globalizing context of Confucian humanism in the Republic of China, the disc ussant (CPH) who works as a policy-person for an indigenous community observed that the young democracy of the Republic is undergoing the next stage of democratization. Since Ch’en Sui-pien (presidency 2000-current) brought the end to the half a century political monopoly of the Nationalist Party, the democratic constitutionalism has been fully restored. Great progress has been made with the human rights observance including in regard to the indigenous population. Also freedom of speech, free press and independence of other branches of government such as the role of judicial system were applied into full practice. CPH argued that, together with the shift in the exercise of political freedom, there has been another shift in the approach to the ‘democratic constitutionalism.’

As one of the first drafters of the Constitution, Chang Chün-mai (1887-1969) opposed the idea of the so-called ‘revolutionary human rights’ qualifying those participating in the Revolution of the National Party to the ‘privileges of human rights.’ Such qualified human rights have been the basis of political legitimacy for the selective application of human rights and other democratic principles to the disadvantages of the indigenous population or those not in full supports of the National Party government during 1949-1990. CPH quoted the words of Chang on the universality of human rights:

\[ \text{Because people have personality (jenko), understand rites (li) and justice (i), and have a sense of honour, they naturally comprise the backbone of the country. Respecting people is thus a means to protect the dignity (tsunyen) of the government. If a country wants human rights to be protected, it must first treat people as human beings and not as slaves.}^{266} \]

As regards the progress of the young democracy of the Republic, the next discussant (CAS), who researches in the social cohesion of the emerging economies touched upon the dilemma posed by the unique international isolation of the Republic and its tense coexistence with China. CAS argued that this isolation and geo-political implications adversely affect the progress of the democratic maturation of the Republic. Ch’en Sui-pien

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(presidency 2000-current) mobilized the support behind him through his policy of Taiwan independence that inflamed the political leadership of China who openly threatens invasion on this account. Ch’en’s policy complicated the positions not only of China, but also of the US who maintains the treaty obligation of mutual defence under the ‘Taiwan Relations Act’ since 1979 when the US established diplomatic relationship with the Peoples’ Republic of China. Since the National Party now headed by Ma Ying-chiu (the party chairperson 2005-2007) engages in the political fight-back to return to power in the 2008 elections, the two rival political camps of Ch’en and Ma are engaged in a zero-sum struggle. CAS observed that both camps overlooked the consequences of such struggles with no regard to the rule of law and democratic civility. The peoples of the Republic irrespective of which party they support have been disillusioned about the outcome of the democratization. CAS argued that the project of democracy in Taiwan remains a work in progress, including the return of Confucian civility to governance.

On the current democratic progress and the difficulties it faced, the following discussant (CHA), who works as an advocate for human rights solidarity, observed that, despite the numerous setbacks encountered in the democratic progress-making, the Republic has a strong heritage of sustained struggles for democracy that have been underway since the Japanese occupation era (1895-1945) and the Nationalist government (1945-2000). CHA argued that the symbolic significance of the Republic’s democracy has become a powerful message for the rest of the global Chinese communities, certainly including the Peoples Republic. He believed that the democratic struggles and sacrifices made such as during the ‘February 28 Incident’ of 1947 and the ‘Kaohsiung Incident’ of 1979 will continue to play the important role as the guiding principles in the ongoing pursuit and advancement of democracy. While both political camps oppose the ‘one China policy of ‘the Peoples Republic,’ the Nationalist party leader and leading contender for the next presidency of the Republic in 2008, Ma Ying-jeou suggested a conciliatory policy course as he would seek to promote better ties with the mainland, leaving the ‘question of Taiwan’s ultimate status to an indeterminate future when China will have developed further and perhaps liberalized its authoritarian political system. CHA highlighted that democratization of the Republic has involved wide support and the engagement of the concerned global community of solidarity groups such as the North American Presbyterian Church that stayed with the Taiwan

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indigenous rights movement during the Japanese and KMT era as well as the contemporary Neo-Confucian movement where the Republic remains an important hub of the global efforts. He argued that, notwithstanding the geopolitical context and the ongoing tension in cross-strait relations, the Republic has embarked upon its important first steps towards becoming a globalizing civil society.

The above section 3.6 of the chapter has been about how discussants view the globalizing process of Confucian humanism and its ideals and implications on the civil society. The summary has been of the responses to the question: ‘Is Confucian humanism compatible with the ideals and concerns of globalizing civil society, especially in terms of human rights and economic ethics such as over the global ecological crisis?’ Three nations have had their own distinct paths to the global civil society or growth towards it, facing or still trying to overcome the obstacles of endogenous or external natures. Economic successes shared by these three nations have been an obvious impetus to globalizing dynamics, and vice versa. Economic prosperity alone did not eventuate acceptance and internalization of democratic principles and practices. Forces of globalization, however, made the process of democratization a project of not only of the nations, but also of the international engagements and interactions among the states and non-state actors. The Korean democratic shift suffered an ongoing internal schism of inter-Korea and inter-regional frictions. Popular opinion even reversed their approval ratings of the long dreaded autocratic military governments and freely elected democratic governments. Highly networked citizens’ democratic groups proved to be no panacea, as people start to be reminded that communication actually rests in the exchange of ‘open minds’ rather than the fast exchange of voluminous information. Koreas still goes through the ‘measles of democratization,’ as a discussant mentioned. The Korean democratic process certainly has significant implications over the future of the Northern part of the peninsula. Japan has global economic status and rides on its success complying with the global standards of economic conduct. Japan, however, is yet to sort out its long history of swings between the ‘open and closed nation’ heritage. The Japanese philosophical heritage including Confucianism and system of governance share much with the traditions of China and Korea, yet the irritants such as the interpretation of recent history continue to separate her from being the whole-heartedly welcome neighbor nation despite her leading role in the industrialization of the East Asia. Japan is keen to maintain her ‘endearing ethos’ among the social constituents including the bureaucracy in her pursuit of internationalization.
concurrently aspiring for a bigger role in world affairs beyond economy alone. The Republic of China has a watershed switch to a new democracy with implosion of the Nationalist Party after half a century of dominance in politics. But its young democracy is still in the formative process with the inter-strait and geopolitical matters adding to the severity of its challenges.

3.7 CONCLUSION

The above six parts of this chapter, i.e., sections 3.1 through 3.6, have summarized the discussant views from the three nations. Their views were freely expressed as conversations were conducted around the trigger questions. The questions were focussed on: ‘3.1 Confucianism as major common philosophies,’ ‘3.2 Confucian beliefs as the bedrock of Confucian humanism,’ ‘3.3 Confucian humanism, and its impact upon governance such as human rights,’ ‘3.4 the Confucian humanism in relation to economic ethics,’ and, finally, ‘3.5 Confucian humanism and its compatibility with a globalizing civil society.’

Koreans identified their Confucian heritage with the Confucian influence on education in terms of philosophical orientation as well as the highest priority education is accorded in the Korean society. Confucian institutions survived albeit reduced in scale or official legitimacy. Korean Confucianism embedded in the followers of other religions has been noted as a significant attribute of contemporary Korean Confucianism.

Japan also had a long and enduring tradition of Neo-Confucianism since the official induction of Confucianism as the state ideology of the Tokugawa era (1600-1864). Meiji Restoration leaders selectively used the Confucian ethos and principles through the constitutional emperorship laws, school textbooks and military regimentation. The Aspiration of modern Japan met the setback in her defeat in WWII and ensued soul-searching for the identity debate called Nihonjinron. Discussants described contemporary Japan within the process of globalization and localization according to the sensitivities of Japan and the role befitting the economic power house of the world. Japanese intellectuals have undertaken a pervasive range of cross-civilization studies in philosophy, social sciences and certainly in political systems and governance. If necessary, their aspiration was to ‘overcome modernity’ as the project started in the West by
Enlightenment thinking. In every aspect of the national ethos and identity, the emperor or *tenno* remains of critical importance.

The Republic of China that was started on the mainland by Sun Yat-sen in the aftermath of the successful republican revolution of 1911 to the demise of the imperial tradition inherited the philosophical and governance tradition of China. While the People’s Republic rejected Confucianism as the symbol of feudalism and the ills of China that needed to be overcome, Confucian scholarly tradition continued outside the mainland, and the Republic of China adopted Confucianism as the national learning framework after nationalist government moved to Taiwan in 1949. Its political recognition was a mixed blessing as its politicisation remained aloof from the peoples in their struggles for modern democracy. Confucian scholarship blossomed in the Republic, but the Confucian contribution remains within the domains of family and human relations ethics.

All three nations have seen three Confucian traditions actively interacting with the other major philosophical and cultural ethos of Mahayana Buddhism and Taoism. As much as philosophy and ethics remain central to the Confucian tradition, the aesthetic aspects of such traditions are found occupying the important parts of peoples’ minds and the life-world.

Enduring attributes of humanism have been discussed through diverse angles and views of the discussion participants from the point of identifying what Confucianism means to contemporary East-Asians in terms of belief system, its implications on the critical governance issues such as human rights and economic ethics and as the important launch points towards the globalizing civil society each nation is aspiring to.

With the above narrative data and its documentation corroboration on the theme of Confucian humanism summed up in the third chapter, discussion of the thesis now moves to Chapter Four, in which the data and documentation corroboration would be analysed and interpreted in conjunction with the corresponding points of the scholarly literature review of Chapter Two in the thematic order of the discussions.
4.1 INTRODUCTION

This fourth chapter proceeds with the analysis and interpretation of the discussion data together with documentation corroborations that constituted Chapter Three. This ‘analysis and interpretation’ concurrently relates to the corresponding themes, points and content that emerged in the literature review of Chapter Two. Starting with the foundation of Confucianism as the common philosophy of East-Asia, this process of analysis and interpretation moves its focus to Confucian humanism. Next, the process continues to the governance domain of human rights and economic ethics. It finalizes with the analysis and interpretation of the outlook on global Confucian humanism.

A good part of the theoretical framework that this ‘analysis and interpretation’ employs owes much to the literature review of the thesis. This chapter will go beyond it where deemed necessary in its undertaking to expound upon the complex interplay of the diverse factors or multiple levels of the cultural and philosophical layers that often become the building blocks of Confucian humanism.

4.2 CONFUCIANISM AS THE COMMON PHILOSOPHY

As regards the commonality of Confucian tradition in the three nations, all three nations’ interlocutors agreed to some levels of embedding of Confucian attributes in their lives and in family and social institutions. Koreans tend to maintain their Confucian decorum despite their affiliation with the missionizing religions such as Christianity. Japanese employ Confucian thinking and conventions to reinforce the national identity and integrity of Japanese culture and tradition. The Republic of China has followed their official policy of honouring Confucianism as the understanding of national learning for all post-WWII governments.

4.2.1 Multi-layers of Cultures and Consciousness embedded as Confucianism
In the discussions as well as the literature review, Confucianism has emerged not only as a moral philosophy and a lifelong intellectual pursuit, but also as the core system of learning about ‘minds and hearts.’

Both the discussions and the literature alike point to the ‘minds and hearts’ aspects of Confucian humanism. A leading Korean Confucian leader such as T’oegye (1501-1570) edited his textbook for crown princes around the theme of taming ‘minds and hearts’ as the bedrock of the princely virtues. Kaibara Ekken (1630-1714) of Japan expanded his teachings of the ‘mind and heart’ from the shogun and samurai officials to a broader community including the ‘trades-persons (chōnin)’ who became the foundation of the modern Japanese market economy. The enduring dynamism of the Yangming school legacy of Neo-Confucians within the Sinic spheres was and is also about the study or school of ‘mind and heart learning.’

The study of the ‘mind and heart’ engaged all levels of society. The study also engaged intellectual and moral enquiries and aesthetics. The ‘hearts and minds’ were to be cultivated and educated to ‘investigate things’ beyond the banality of superficial daily matters or below the surface of pretensions. T’oegye taught about the ‘immersion’1 into the depths of the mind and heart to gain ‘enlightened knowledge.’ A Japanese discussant referred to the ‘endeared relations of mind and heart (amae)’ as the innermost immersion quest for spiritual comfort with one’s close neighbours or co-navigators in life. The Japanese also pointed to the ‘sorrow at evanescence (mono o aware)’ as the penetrating sensitivity into the meaning and hidden sorrows of all lives and things. Wang Yangming (1472-1529) as the leader of the Chinese school of ‘mind and heart’ learning suggested that the ‘mind’ and the ‘principle (li)’ are the same and ‘to understand the universe, one needs to seek within one’s own mind first.’

While the discussants’ views were not totally in agreement on the centrality of the ‘mind and heart,’ its significance is undeniable for the characterization of Confucian influence on the philosophical and psychological orientation of the various Confucian minds of East-Asia. The culture that such minds form is dense and multi-levelled from the deepest level of personal resonance with one’s ‘mind and heart,’ the next level of Confucian awareness of ‘being’ is ‘being in one’ with one’s next neighbours in life, i.e., family, although

1 hamch’im (immersion in Korean)
physically separated ones. The next level of Confucian consciousness would be that of the 
social self that aspires to think and act in accordance with the Confucian teachings for 
'superior persons.'

This formation of multi-level Confucian consciousness of individual and social identities 
calls for the 'thick description' of its cultural character in order to properly describe and 
understand its entirety. In terms of Confucian consciousness, the 'mind and heart' exists 
as the 'symbol' and the 'principle (li)' of the cosmos. This Confucian consciousness 
implies the epistemological departure point for the Confucian outlook on life and 
worldviews. The levels of 'cultivated and learned' Confucian consciousness in turn form 
the 'topography of mind' and the spiritual and cultural 'archetypes' that belong to each 
level of consciousness. The vertical structure of consciousness comes into play with the 
multi-layers of human horizons as of individuals and as of human-to-human social beings. 
This structure of Confucian consciousness implies the ontological departure point for the 
Confucian 'life-worlds.'

Confucian attributes continue to dwell within the minds and hearts and behaviours of 
Korean Christian and Buddhist adherents, despite their declared belonging to their 
religions. Japanese samurai official-scholars were both Confucian and Shinto adherents 
dependent upon what levels of their consciousness are in interaction with their environs. 
Likewise, Chinese republican revolutionaries were both lovers of Confucian decorum as 
the part of the Chinese tradition as well as the reformers of the Confucian political status 
quo. This external multiplicity is not perceived as an inner inconsistency. It is rather the 
visible level of the 'iceberg' that shows the conscious level of awareness in contrast to 
another part of the self or even the greater part of self remaining at the sub-conscious level 
or the sub-water level. Discussants and literature articles consistently highlight the fact that 
cognition of the conscious or subconscious levels of Confucian life and world only refers to

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2 chün tzu (Confucian superior persons)
3 Geertz, Clifford 1973, 'The Thick Description of Culture: Chapter 1 Toward and Interpretive Theory of Culture', in The Interpretation of Culture, Basic Books, New York.
4 ibid
their visibility. It does not relate directly to the substance and existential reality. Emergence and submersion of faiths and religious traditions continued and were repeated, not one replacing another. Those undergoing these dynamic and cyclical processes were the faith traditions of Confucian orthodoxy, Neo-Confucian reformulation, Buddhist and Taoist syncretism, Shinto evolution, and Christian coexistence within Confucianism among others.

4.2.2 Confucian Collective Consciousness and Intentionality

Discussions pointed to the enduring tendency shown by Confucians in collective consciousness and comparable accommodation of the ‘collective intentionality’ that Confucian social ideology implies. The interest was not about the collectivization of individual intentions subservient to social wills, but about how individual intentions would evolve into the communal interest under the influence of self-realization, common ethics and shared social goals. Confucius (551-479 B.C.E.) is said to have inherited the moral and intellectual tradition of the Chou Dynasty (ca 1122-256 B.C.E.). Discussion and literature data pointed to the probable motivation of Confucius and his disciples to expand upon the moral tradition. This project would be aimed at morally educating sovereigns and ministers of warring nations together with peoples under their rule undergoing unbearable hardships. The collective intentionality would be conceived to elevate the communal moral plateau to realize the ideals of individual self-cultivation and harmonious governance and putting an end to the chaos and moral vacuum that the Sage witnessed.

The Korean Neo-Confucian teacher T’oegye in his teaching of the crown princes is said to have adopted the same principle of communal consciousness and collective intentionality of realizing the same moral horizons across the social standings from sovereigns, scholar-officials and commoners. When Hayashi Razan (1583-1657) was serving as the shogun’s mentor, Razan is said to have adopted the similar principle of realizing the same moral horizons across the social standings from shoguns, and the four sub-classes of ruling samurais, farmers, artisans and merchants. Wang Yangming (1472-1529) is said to have stayed close to the teachings of Mencius and the ‘Great Learning (Ta-hsüeh).’ Wang insisted upon the nurturing and maintaining of the ‘original mind (penhsin)’ of peoples of all levels and also upon realizing of the moral potential of all.
Both the discussions and the literature pointed to the immanence of Confucian moral awareness and its religiosity of transcendence. The Confucian ‘construction of social reality’ coexists with Confucian religiosity. Immanent Confucian moral awareness on the continuum with the Confucian social morals and cosmology settles in the sense of the ‘sacredness’ of identifying with and striving to live the eternal purpose through the daily observance of Confucian decorum embodied in rites. Confucian religiosity is congruent to other major proselytizing religions such as Christianity in Korea and the Republic of China, whereas in Japan it is less certain. Such Confucian openness is conducive to political collective intentionality. The thesis of ‘collective intentionality’ discussed in the literature review that it leads to a positive social dynamic working for the collective interest based on common human dignity, rights and duties, received positive indications from the focus group discussions. Discussions broadly affirmed that ‘the ideas common to its humanism and its holistic collective interest would influence individual and collective will, and they would also determine the roles of actors and how they would interact with the circumstances of the time.’

Confucian ‘self-cultivation and education’ produces the learning outcome of Confucian ‘social psychology.’ This social psychology is closely aligned with Confucian state ideology, since such state ideology fosters the way of surviving under the Confucian social hierarchy that Confucian knowledge and power-building brought into being. Korean Confucians are said to be sensitive to the collective image of self. Korean Confucian self (na) and self-identity (cha’ki) are preserved in the ‘referential self identity’ and uses the facility of Confucian ‘ritualized behaviour (ŭiroesŏng).’ Japanese Confucian decorum displays the ‘professed intention (tate-mae),’ but submerges ‘real intention (hon-ne).’ On the patterns of Confucian social practices, namely, what is often perceived as the ‘Confucian collective or communitarian social behaviours,’ comparative notes on the ‘collectivism versus individualism’ and behavioural patterns have become useful for practitioners of cross-cultural social affairs.

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11 Doi, Takeo 1986, the Anatomy of Self, Kodansha, Tokyo, pp. 35-47.
4.2.3 Education and its Centrality to Confucianism

The data highlighted the central importance of education for the Confucian tradition not only as the means of self-cultivation and rearing the next generation, but also as a practical path to political, economic and public service career opportunities. Korean Confucian education was centred on the fostering of the scholar-officials. Japanese educators belonging to the ‘practical learning’ schools (jitsugaku) in a broad application of ‘practical learning’ undertook the affordable education of the commoners. The effects of such an undertaking by Confucian educators, later supported by well-resourced ‘tradespersons (chōnin),’ were evident since the educated commoners became the driving forces for the fast-track modernization triggered by the Meiji Restoration since 1868.

The literature also informs us that the Yüan dynasty (1279-1368) of China with its adoption of the Neo-Confucian orthodoxy of Chu Hsi as the state ideology advanced learning through Confucian education as the central endeavour of the state with focus on producing the nation’s next generation of elites.

All three nations shared Confucian state examination system started by the Confucian courtly scholars of the T’ang dynasty (618-907) of China. The state examinations had Confucian philosophy as the central themes. The state examination system still exists within the modern liberal democratic institutions, although the examination content has changed to modern governance discipline. The Confucian tradition endures with this continuation of state exam system in the belief that those who have attained the high level of scholarship through the self-discipline and character-building of hard study deserve high public office.

Discussions pointed to the pattern that ideological changes started with the alteration to the content and direction of education, and saw its consummation in the education policy such as witnessed in the emergence of the ‘National Learning (kokugaku)’ as a transmutation of Confucianism, and the ‘Education Edict’ of Meiji era, as a de facto ideological declaration of post-Meiji Japan.
4.3 CONFUCIAN HUMANISM

Confucian teachings of humanity and furthering self-cultivation with the communitarian interest at heart, i.e., ‘public mindedness’ have characterised the two millennia of Confucian tradition. The Confucian cardinal virtues of ‘humanity, justice, rites and wisdom’\textsuperscript{14} became the foundation of Confucian humanism, and they continued to nurture the Confucian way of humanism through self-cultivation as individuals and also by serving the community as Confucian social beings with the integrity expected of self-cultivated ‘Confucian superior persons.’\textsuperscript{15}

The discussions brought a broad agreement to the veracity of Confucian humanism as an embedded set of values within the tradition of Confucianism. Discussions and the literature also noted that nations’ history and political circumstances left diverse footprints in the past and present attributes of Confucian humanism. Confucians followed in the education and self-cultivation processes a structural path of ‘cognitive and affective development’\textsuperscript{16} within the over-riding theme and framework of Confucian humanism. They pointed to the aspect that a structural path of ‘cognitive and affective development’ was empirically evident with the three nations. Such path determined the systems of knowledge and its progress in both intellectually and emotionally rewarding ways, and broadly agreed to in having reaped the ‘positive affects and effects’ in their shared intellectual and cultural history.

4.3.1 The Confucian ‘Structure’ of Consciousness

The discussions and reviewed literature both point to the emergence of a certain identifiable mental and spiritual structure and orientation that the peoples of Confucian faith exhibit individually and collectively in their consciousness of self as a Confucian being and also as a social being within the Confucian context of the ‘extended family’ that determine their broader societal domain of human engagement.

The Confucian consciousness of ‘self’ transforms itself from the relational framework of ‘self-to-world’ of subject-to-object contrast to a new relational plateau of ‘self-to-another self’ within the paradigm of Confucian humanism. Conversely, under this new relational

\textsuperscript{14} jen, i, li, chih (humanity, justice, rites and wisdom)
\textsuperscript{15} chün tzu (superior moral person)
framework, Confucian humanism represents an outcome of a shift to the epistemological paradigm in terms of who we are and how we relate to one another.\(^{17}\) Confucian rationality based on this understanding of the self and life-world would go on with the building of their relationships and what they would perceive as the ‘liveable life-world.’

Further to Confucian understanding as such, the discussions and the literature referred to the psychological structure of ‘self’ and ‘super-self’ consciousness. The thesis was that, within the Confucian ontological structure of self-identity and the ‘super-self’ as the social Confucian selves, Confucians inherit and maintain their ‘self-portraits of the minds and hearts’ or the ‘archetypes of anima.’\(^{18}\) The Micro-cosmos of Confucian selves resides within the perceived perfect unity with the macro-cosmos of the Confucian universe. Individual awareness and that of the community of Confucians also stay on the different planes on their ‘topography of minds’ forming the ‘iceberg’\(^{19}\) of the conscious, pre-conscious and subconscious levels of the Confucian self-awareness.

The discussions and the literature review also referred to the Korean Confucian doyen T’ogyê (1501-1570) and his seminal metaphysical and cosmological work of the ‘Ten Diagram of Sagely Learning.’ His work was underpinned by such structural self-awareness within the moral universe. Such epistemological and ontological frameworks are consistent with Chang Tsai (1020-1077) being one of the three great rejuvenators of the Neo-Confucianism during the Northern Sung dynasty (960-1126) era in China. Fujiwara Seika (1561-1619) as the first Confucian courtly scholar for the Tokugawa shogunate embraced the same principle and helped determine the path of Japanese neo-Confucianism. The discussions referred to Watsuji Tetsurō (1889–1960) who reinforced such ethical self-awareness with his unique Japanese contextualization of ‘temporality and spatiality’ in his ‘Book of Japanese Ethics (rinrigaku).’

The discussions also pointed to other unique patterns or ‘structures’ of Confucian approaches that respective national cultures of Confucianism evolved into, and continue to share and differ to this day. Koreans embraced the symbols and signs of ‘I Ching’ as the

\(^{19}\) Centre for Applied Psychology: \textit{Op. Cit.}, ‘The Topography of Human Mind by Sigmund Freud’
national emblems and continue to mobilize dedication and aesthetic endearments around such semiotic entities with little alteration and resistance as they keep trusting in the universality and timelessness of their values. The Japanese on the other hand had consistently insisted upon the regurgitation of foreign ideas and reproduction into Japanese versions fitting the sensitivities and tradition. Confucian ‘mind and hearts’ wear the mantle of the ‘socialized structures’ that such Confucian symbols created through symbols and signs that abound in ‘I Ching,’ and, more importantly, the ‘ideograms’ that grew from the symbols and signs of nature, that the three nations have shared over the last two millennia. The collective socialization of Confucian symbols is pronounced with the nations’ ‘foundation myths’ such as Tan’gun of Korea and the ‘Sun Goddess (amaterasu)’ that later Confucians mobilized Confucian decorum to add legitimacy and to embellish sacredness. The national myths\textsuperscript{20} about the culture’s foundation and genealogies tracing back to the divinity remain powerful, and they consistently received nourishment from the riches of Confucian resources. These external ‘structures’ of Confucian origin in turn can pose as an independent social reality with little or no bearing on the Confucian ‘minds and hearts.’ Discussions pointed to the ‘dialectical relationship’ between Confucian ideals and the structural reality of Confucian societies that they helped create. Confucian scholar-officials often found themselves fighting their own shadows such as through the protracted factional struggles in the Yi dynasty (1392-1910) of Korea.

Such Confucian societal evolution also refers to a pattern emerging as a structural dilemma. The Confucian structure of intellect and ethos produces a set of knowledge and reality as a new construction. The literature argument\textsuperscript{21} about ‘Piaget’s theories of principles of constructivism’ relates to the Confucian domains of education, intellectual autonomy or lack thereof, and, also, on fostering moral reasoning and moral behaviour. Literature pointed out to the effect with the implicit support of discussions that Neo-Confucian countries formed a new epistemological and ontological structure both in scholarship and governance, and both in the ways of humanism and secularism.

4.3.2 Confucian Transcendental Intuition and Interactions with Taoism and Buddhism

Both discussions and the literature pointed to the significance of the Confucian capacity of transcendental intuition and imagination that had been reinforced down through the ages of interactions with Taoism and Mahayana Buddhism. Confucian metaphysics as such relating to the ‘transcendental intuition’ continue to influence twentieth century Neo-Confucians such as Hsiung Shihli (1885-1968) and Mou Tsungsan (1909-1995). Metaphysical balance between ‘intuition’ and ‘reason’ implied the balance between the ‘substance (t’i) and function (yung)’ within the unity of ‘heart, intention and conscience.’ Hsiung for example, sought to overcome the divide of ‘intuition’ and ‘reason,’ since he believed that ‘they are not just indivisible, they are in a relationship of identity.’

4.3.3 Confucian Aesthetics and Signification

Confucian self-cultivation fosters literary and other aesthetic pursuits as the foundational qualities essential to becoming the ‘superior Confucian person (chün tzu)’ as well as being a courteous form of communication. It also facilitates the passing of the state examination that is essentially a test of poetic rendition of Confucian wisdom written around the question on Confucian humanism in public policy. The Confucian aesthetic imagination had been greatly influenced by Taoist and Buddhist traditions. Through aesthetic pursuits, Confucian minds found peace and unity with nature that represented the perfection of beauty. The Japanese stand out in terms of valuing the artistic attainment, even placing it on an equal footing as the moral accomplishment in self-cultivation and advanced scholarship. Discussions pointed to such artistic and aesthetic ascription as being the basis of ‘fundamentally being Japanese.’ The Tale of Genji22 is the first and oldest Japanese novel filled with romantic encounters, some of which can make even modern readers blush. Due to its aesthetic sensitivity and refined description of ‘sorrowful emotions (aware),’ it superbly represents the Japanese innermost perception of beauty. The major Neo-Confucian reformer in the Tokugawa era (1600-1864) Motoori Norinaga (1730-1801) equated the importance of this aesthetic work of the ‘Tale of Genji’ to the Confucian Analects in terms of importance to Japanese national identity. Likewise, a classical anthology of poetry called the ‘Collection of Ten Thousand Leaves (Man’yōshū)23 is extolled as the epicenter of the Japanese kana writing system as well as carrying the Japanese sense of identity par excellence.

22 Genji Monogatari (The Tale of Genji) by Murasaki Shikibu (ca 979-1014)
23 Man’yōshū (Collection of Ten Thousand Leaves) by Ōtomo no Yakamochi (ca 718-785)
Discussions pointed to the importance of Japanese identity embedded in aesthetics as the central ‘signification’ as the collective symbols within the ‘social lives’ of being Japanese and being Japanese Confucian humanists. Discussions pointed to the effect that the ancient symbols and significations carry and the indigenous essence of the aesthetic tradition has become the central theme of contemporary Japanese discourse on the ‘Japanese identity (Nihonjinron)’ or ‘overcoming of modernity’ through the rejuvenation of the ancient identity of Japanese integrity. The leading contemporary writer Natsume Sōseki (1867-1916) and his powerful interpreter Watsuji remain at the centre of the national discourse. The focus groups emphasized the context to the effect that such leadership would call upon the nation to rediscover its Japanese identity in the aesthetics of the Japanese classics, with the support of the moral contribution of the Confucian intellectual traditions, not the other way round. In place of the so-called ‘Confucian four cardinal virtues’ of ‘humanity, righteousness, rite or decorum and wisdom (jen, i, li and chih), Japanese identity and sensitivities would sit more comfortable with the altered version of Confucian humanism in the ‘truthfulness, goodness and beauty (shin, zen and bi)’ as the integral values in life and as the foundation of their worldview. Data from the discussions and the literature are in broad agreement over the fact that aesthetics lies as the bedrock of Confucian humanism, in particular with the under-represented social class of commoners. Through aesthetic outlets, they had the chance of self-expression and self-realization through artistic and literary pursuits. In the non-official domains of the Yi dynasty of Korea, the literary works of Hŏ Gyun and Kim Man-jung portrayed the life under Neo-Confucian dominance, and offered rival worldviews. The commoner class of the ‘townsmen’ of the Tokugawa era of Japan not only brought economic vibrancy, but also fostered the urbane culture, such as rakugo satire literature and ukiyoe ‘impressionist’ fine arts. The Socially under-represented ladies of China were portrayed through the major Chinese classical saga of Hong Lou Meng (Dream...

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26 Hŏ Gyun (1569-1618): a major literary writer of Yi dynasty Korea.
27 Kim Man-jung (1637-1692): a major literary figure and official-scholar of the Yi dynasty Korea.
28 Rakugo (literally "fallen words") is a Japanese entertainment form based on comical monologues. It was originally known as karukuchi (jokes).
29 ukiyoe (pictures of the floating world), is a genre of woodblock prints and paintings produced between the 17th and the 20th century.
of the Red Chamber),\textsuperscript{31} in which they discuss together in a lively fashion and live their ‘non-royal’ day to day lives with their own private sets of ‘Confucian mind and heart’ despite the state machinery of Neo-Confucianism they were under.

4.4 CONFUCIAN GOVERNANCE AND HUMAN RIGHTS

The two data sources suggest that Confucian governance initially grew from the classical Confucian ‘ideal of governance’ in nurturing and installing the humane flourishing of the ‘sovereign as a sage.’ The dictum of the ‘Sage within and King without’\textsuperscript{32} refers to this ideal. Confucian philosophy of governance in the ‘ching-shih (ordering of the world)’ has become the cornerstone of what Confucian humanism could bring about in the real world. Discussions and literature agreed to the deals of compassionate governance proffered by Mencius. It has been also agreed to that Mencius was and is the centre-figure for the Confucian sympathy, ethos and concerns for the underprivileged commoners. Also emphasized was his insistence on the ultimate goal of governance resting with how to care for the commoners in securing subsistence and providing chances of self-cultivation and leading meaningful lives despite the social standings.

4.4.1 The Governance Ideal within the ‘Great Learning’ Framework

Both the discussions and the literature commonly highlighted the ‘Great Learning’\textsuperscript{33} as the orthodox Neo-Confucian canon on governance, while it is also the one of the four main Confucian canons. Beyond the symbolic dictum of the ‘sage within, king without,’ the ‘Great Learning’ spelled out other governance terms such as the so-called ‘three headings and eight particulars’\textsuperscript{34} as the ‘policy implements’ that have remained the mainstay of Confucian governance. Mencius offered the egalitarian teachings and practices, and continued to remain as the central figure of Confucian governance ideals with concerns for the under-privileged peoples.

\textsuperscript{31} One of the masterpieces of Chinese fiction and also considered one of the greatest novels, with its authorship attributed to Cao Zhan (circa 1715-1753).
\textsuperscript{32} nei-sheng wei wang (Sage within and Kingliness without)
\textsuperscript{33} taehak (Korean), ta-hsüeh (Chinese)
\textsuperscript{34} samgang; Korean, san-kang; Chinese (the Three Heads), palchomok; Korean, pat’iamu; Chinese (the Eight Particulars)
The discussions pointed to, and the literature corroborated, the decline in terms of Confucian governance and its processes through its aging, abuses of power, and its calcification of governance institutions, rendering it incapable of responding to the challenges of modernization forced upon the East-Asia. The data highlighted the institutional deficits of Confucian governance and its lack of flexibility and adaptability in meeting the external and internal challenges. Warring periods both in Korea and China often incapacitated the Confucian hierarchy in their caring for the commoners’ lives.

While the strength of the moral and intellectual integrity of Confucian humanism remained unchanged, the Confucian governance as the system of serving the people had to go through a reformation such as through the ‘Practical Learning’ school of thought in Korea and Japan. In this process, Chu Hsi’s orthodoxy was severely challenged by those more inclined to act upon the possible practical steps for the benefit of the broader community of commoners. The ‘Yangming school’ both in China and Japan virtually became another major strand of Neo-Confucianism, as they appealed to the commoners with less interest in moral and philosophical discourse than in survival and subsistence. Social stratification occurred, and structural rigidity undermined Confucianism and its legitimacy. Most eloquent expressions of such popular discontent with Confucian governance and hierarchy came from the major popular uprisings such as the ‘Taiping Rebellion (1851-1864)’ in China and the ‘Tonghak (East Learning) Rebellion (1894-1897) in Korea. These revolts were the direct outcome of Confucian governance failure. Confucian governance as the social morality underwent a major shift from orthodoxy to decay and incompetence, facing the challenge of having to choose between major restructure or meet demise. Equilibrium was broken and the society was getting eager for a new era. The rejuvenation of the classical strength of Confucian ideals was attempted, but did not materialize soon enough. The Korean shift against Confucian governance occurred with the annexation of Korea in 1910 to the empire of Japan who imposed the Meiji system of Japanese-Western governance. Japan employed the Confucian ethos within the structure of the Meiji constitution, but structurally, their governance system shifted almost entirely to that of the West. The Republic of China in 1911 adopted a Western constitution, while Dr. Sun incorporated Confucian moderation within the constitution such as the ‘qualified human rights within the context of the republic revolutionary agenda.’
Strong references were made through discussions and literature to the Confucian societal evolution in conjunction with the structural dilemma of Confucian governance. The new reality imposed upon the Confucian structure of intellect and ethos a compelling call for a fresh set of knowledge and necessary social reforms. Both scholarship and system of governance inched closer to the demands of secular needs by engaging with the market forces and the power of science mostly coming from the West. Both the Neo-Confucian doyen Mou Tsung-san (1909-1995) and political leader Kim Dae-Jung (b. 1925) held that the Confucian accommodation to modernity and the rejuvenation of the spirit of Confucian governance is both possible and necessary, only when contemporary Confucianism is in step with the market economy whereby people participates as the basic creative forces of the society and the full benefit of the advances in science are enjoyed. Conversely, the demand made earlier in Yi dynasty by those of the ‘School of Practical Learning’ could be met only through the violent changes wrought by the external forces upon the unwilling Confucian hierarchy. Human rights observance as the integral elements of the governance could be re-ignited in earnest, when the institutions of human rights accompanied the change that came over the Confucian societies.

4.4.2 Evolution of Confucian Governance and Human Rights

Confucian orthodoxy as the state ideology had societal cohesion and civility as its minimal practical aim. Within the framework of Confucian humanism permeating all walks of lives, the sovereigns were expected to refrain from the excessive use of power since their mandate came from heaven, namely the ultimate accountability to the service of people.

Mencius was forthright in warning against incorrigible sovereigns as they become subject to their removal after all peaceful means have been exhausted to correct their ill political behaviours in alienation of the people’s rights to living.

The discussion groups referred to this critical finality, including the modern debate over the ‘Asian democracy’ between the ‘liberal democracy’-minded Kim Dae-Jung and Lee Kwan Yew who upholds the inevitability of ‘Asian autocracy’ based on the East-Asian Confucian culture.

The discussants referred to the historical episodes of people’s struggle for recognition of their rights, most prominently, the Gwangju (Kwangju) Democratization Movement also
known as the Gwangju Uprising in Korea during 1980, which triggered a democratic shift in Korean politics. Both military governments of 1961-1987 and the dissidents shared Confucian values, but differed in the terms of how to advance the nation in their pursuit of national goals, namely prosperity and democracy.

They also pointed out that the people’s spirit in pursuit of demo-centric values was an inherent part of Confucian teachings, if not legally spelled out as plainly as in the modern constitutional framework.

It also pointed out that this constitution has dropped, during the process of Japanese moderation, a clause for human rights protection within Japan that broke away from the ethnicity-citizenship nexus. Foreign born residents and their descendents remain as permanent aliens under the current constitution; thereby those foreign born residents brought to Japan during wartime now in their third or fourth generations still remain alienated from the mainstream society, with restrictions on their participation in the public services.

Japanese civil societies and legal advocates have been actively pursuing changes to more transparent regimes of human rights, but changes have been slow to come. Discussions indicated that the government-led education campaign called the ‘decade of the nation’s learning of human rights,’ underway since 2002, is an indication of how difficult and painstakingly slow the internalization of human rights regime is within the Japanese ethos. Japanese sensitivities would consider it an impingement upon their perceived ethnic purity and unique ‘Japaneseness’ to let in the challenges coming from outside.

The Japanese discussants also indicated that consensus has been reached in Japan that Japan aspires to become a globally respected player befitting its economic might, including a seat as a permanent member of the UN Security Council and expanding the role of the Japanese Self-Defence Forces as the UN Peace-keeping forces. Both require the broader support of other nations, including unwilling and suspicious neighbouring nations such as Korea and China, whose residents constitute the majority of the aliens in Japan. These so-called aliens clamour for equality in human rights within Japan. The ‘internationalization (kokusaika)’ as the Japanese term of globalization has become a direct driver of possible changes with the human rights regimes. Since 2000, Japan no longer supports the

The Republic of China since its birth in 1911 had had the human rights discourse and observance as the central issue of the new republic’s political legitimacy. Sun Yatsen’s ‘Three People Principles (san-min chu-i)’ had democracy as one of the three principles. His idea of human rights was moderated in an ambiguous word by his study of the Western models, in particular that of the US and Abraham Lincoln’s that he admired, to what he thought was a right fit to the historical reality of the China of his time.

Discussants referred to the concept of the ‘human rights for the revolutionaries,’ whereby those actively participating in the republic’s revolution would be the first and foremost to become the legitimate beneficiaries of human rights as they had fought for them. This exclusivist approach remained as part of the political ideals of the National Party (KMT) even after the 1949 transition of its government to the island of Taiwan. It became the basis of discrimination against the indigenous population and earlier migrants from the mainland during the Ch’ing dynasty.

The KMT government throughout its 1949-2000 rule accommodated Confucianism as the ‘national learning’ and administered it directly under the Ministry of Education. The opposition that defeated KMT in the historic election in 2000 led by Ch’en Shui-pien (presidency 2000-current), a former human rights lawyer, who has not dismantled the ministerial overseeing system of Confucian national learning. The leading contemporary Neo-Confucian scholars of the Republic who started and led the contemporary Neo-Confucian movement made their own contribution in the reinforcement of the Confucian tradition in the political and economic transformation of the Republic.

Discussants pointed to the significance of the Republic’s active participation during the drafting of the UN charter on human rights, namely, the ‘Universal Declaration of Human Rights’ through the vice chairmanship of P. C. Chang (1892-1957). Chang, Confucian educated in youth, was invited to contribute to the drafting process and indeed succeeded in infusing a certain sense of Confucian humanism to the draft within the framework of ‘respect for and universality of human dignity.’
Discussions highlighted the importance of the people’s struggles for their rights. Significance was particularly attached to the so-called Feb. 28th incident of 1947 and the Kaohsiung Incident of 1979. The latter produced many dissident leaders and advocates for human rights composed of ‘those outside the KMT political sphere (t'ang-wei),’ including the current president Ch’en and vice president Annette Lu (vice presidency 2000-current). Discussions also indicated that the liberal democratic model of democracy is undergoing a period of severe growth pains, since the newly earned political freedom has allowed a flare-up of an incessant series of the ‘zero sum’ political struggles between the incumbent and the KMT opposition in their endeavour return to the power that they held for over a half century. The Ch’en government policy of Taiwan independence antagonizes the mainland in terms of the ‘one China policy.’ The Republic’s human rights regime crosses to other faith communities. Christian support of the indigenous rights has been significant. The Presbyterian Churches of North America maintained their support of indigenous rights throughout the Japanese occupation of 1895-1945 and the KMT governments of 1949-2000), suffering substantial sacrifices in human terms.

4.4.3 Evolution of Human Rights and Confucian Gender Equality as an Unfinished Project

The three nations are liberal democracies in terms of democratic constitutionalism and the rule of law they institutionalized. Korea and Japan are the signatories to the UN conventions of international human rights regimes such as International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR) among others. The Republic of China though stripped of UN membership since 1979, publicly declared their compliance with the key conventions of the UN. When the governments send their reports as signatory nations such as the UN Human Rights Commission, the society advocates or lawyers organizations also offer their views to the public sometimes sending contrary reports. This aspect of checks and balances is of significant importance to reconciling the national human rights agenda and perceptions and priorities with those of international community. The ‘Minbyun (Korean Lawyers for a Democratic Society)’ and the ‘National Council of Churches in Korea (NCCK)’ play this role regularly. The Japan Federation of Bar Associations (JFBA) offered an ‘alternative report’ to the UN human rights organization. The ‘Chinese Association for Human Rights’ played a similar role in the international forums on the status of human rights in the Republic of China.
Despite economic prosperity and democratization of the three nations, there remains a serious level of gender inequality in all three nations. Women enjoy the same education and welfare opportunities. Notwithstanding, women are grossly under-represented in many areas of social participation, despite their individual capacities. Discussions included comments about the Korean female prime minister and presidential candidate, but these examples remain rarities. Confucianism is the first to be blamed for the patriarchal hierarchy and traditional attachment of primogeniture that perpetuated womanhood to the secondary roles at home or in society. Confucianism can not avoid such criticism, in view of the long history of Confucian orthodoxy as state ideology of Korea and China, and also in Japan to a certain extent. Discussions and literature pointed to the numerous social disparities and outright injustices condoned under Confucian governance, and the literary works that portrayed the hardship of the under-represented members of the societies such as womanhood. Women found their private intellectual and aesthetic space in pursuit of the arts and literature often under the influence of Taoist and Buddhist transcendentalism. It is noteworthy that behind the great Confucian scholars, there have been great mothers who helped form the character of the great person in youth. The Korean Confucian doyen Yi Yulgok (1536-1584) had the prominent calligrapher and artist mother Sin Saimdang (1504-1551). The three nations abound in the number of anecdotes about the ‘great mothers for great persons.’ It remains to be seen whether time may arrive when Confucian families talk of the ‘great mothers for the great daughters.’

4.4.4 Confucian Governance and the Challenges of Reform: Human Rights in the New Millennia

The discussions and literature data pointed to the aspect that the intentionality of Confucian humanism was translated into the formulation and institutionalization of Confucian governance. It was a bold prescription for moral grounding to overcome the process of struggles and to realize an ideal society. It was far from being a recipe for self-perpetuating peace. Confucius and his disciples were born into warring states, and his teachings were not entirely embraced by those sovereigns then governing. His teaching of humanity became a basis of political mandate for those willing and capable of attaining the level of moral character that encompasses self-cultivation, concern for community and the unity with Heaven as the source of the eventual mandate. Classical teachings of the
Confucius school origin, however, faced severe challenges on the grounds of the various alleged weaknesses and vulnerability. The discussants pointed to the institutional frictions with the legalists who insisted upon more firmly and clearly spelled out ‘rule by law’ terms rather than relying entirely upon universal goodwill. Mohists criticised the Confucian lack of egalitarian concerns for those who can not afford access to potentially elitist learning of Confucian schools. The era of active philosophical and political debates with the participation of the so-called ‘Hundred Schools of Thought (770-222 B.C.E.) was also the same era in which the Confucian governance ideology had to weather the storms of criticism.

Discussions and literature referred to the point that Confucian governance as the ‘governmentality’ of Confucian humanism was adopted as a state ideology by the Emperor Wu of Han (156-87 B.C.E.) thanks to the extraordinary contribution made by the leading Confucian scholar-official of the era Tung Chung-shu (195-115 B.C.E.). The governance system then was institutionalized through the court-sponsored learning institutions and state exam system based on the five Confucian canons which lasted for an extraordinary period of longevity of 18 centuries and also was shared by the Confucian neighbors of Korea and Vietnam among others. Discussions and literature also pointed to the notion that sustainability of Confucian governance was possible due to the series of major reforms by a host of later Confucian leaders. Discussions and literature referred to the importance of the contribution made by the leading Neo-Confucian thinker Chang Tsai (1020-1077) and his overriding call for return to Confucian humanism, laying a new foundation for the major reforms. Another major call for reform came from the prominent Confucian leader Huang Tsung-hsi (1610-1695), whose demand included the ‘constitutions’ and the rule of law with ‘human rights’ protection of the under-represented social class at the forefront of such reforms. Huang did not see his ideals realized in his life time, but continued to inspire the reform leaders in the 19th century in all Confucian nations of East-Asia. The School of Practical Learning played an important role in bringing scholarly and philosophical concerns of Confucian humanism much closer to the tangible needs of the broader community of commoners, not only in the matters of subsistence, but also in social justice such as the balance of human duties and rights. Such Confucian

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reforms not only helped sustain the sustainability of Confucianism as a philosophical tradition, but also nurtured a sympathetic ethos for civic justice. Discussions and literature made allusion to the notion that adoption of and unimpeded transition to the liberal democratic institutions including human rights observance was attributable to a long nurtured Confucian tolerance.

In terms of the maturity of modern democratic institutions of the three nations, inclusive of human rights regimes, discussants agreed that the three nations are still very young democracies, and are very much in the process of self-reflection and adjustment to the new condition of their fast globalizing societies. While Confucian humanism per se is not challenged, Confucian governance faces the major challenges of diverse reforms in the new millennia as it did numerous times in the past.

4.5 CONFUCIAN HUMANISM AND ECONOMIC ETHICS

Economic ethics was viewed during the discussions as an ethical extension of Confucian humanism and governance on the same continuum with human rights. Discussions and literature pointed to the ethical crisis that has been emerging under the forces of the market economy, where Confucian East-Asians play an active role as economic actors within the global economy. In contrast to the rich economic dividends that East-Asia benefited from, Confucian East-Asians are becoming more aware of their negligence of the economic ethics. Discussions led to the point that such an ethical lapse about the economy is most pronounced in the destruction of global ecology. In an insatiable pursuit of economic and industrial progress, the so-called ‘developmental economies’ of East-Asia have been in a rush, and often turned blind eyes to the concerns about sustaining the nature that Confucian teachings refer to as the ‘source of their beings.’

Discussions and literature led to the point that Confucians are newly awakened to the vital challenge to Confucian humanism in itself. The challenge is whether the Confucian belief in itself remains valid, facing such a critical ethical crisis, in light of the Confucian belief in the ‘human continuity of being,’ whereby humans are in a nexus with both earth and Heaven.

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On the most fundamental level of the perception as to why such a crisis is allowed to happen, discussions and literature alluded to the thought that current global crises arose due to the dominance of a homo-centric social philosophy. In other words, homo-centric individualism rode on ‘technological thinking’ as a brainchild of the ‘Enlightenment’ stream of thoughts. Such thinking has humans at the centre of the universe and assumes that humanity is endowed with the exclusive rights to dominion over the nature. Discussions and literature also pointed out that Confucian humanism has to recover its social principle of the unity between humans and nature. Conversely, it has to return and live up to the inextricable nexus of relationships both between human and human, and between human and nature.

Discussions also led to the point that the philosophical anthropology of Confucianism consistent with that of Taoism and Buddhism considers nature as the source of all living forms including humans, in contrast to the Judeo-Christian thesis that nature is the endowed resources for the humanity to conquer and utilize. Neo-Confucian scholar Yi Yulgok (1536-1584) of the Yi dynasty (1392-1910) in Korea held the cosmology built around the ‘united theory of material force.’ Yi built his cosmology around ‘material force’ as the connective cosmological link between all beings, as he believed that such ‘material force constitutes a foundation for all ecosystems, allowing for a place for both humanity and all other entities.’ This view was shared by Kaibara Ekken (1630–1714) of the Tokugawa era (1600-1864) in Japan and owes its intellectual birth to the teachings of Chou Tun-yi (1017-1073) of the Northern Sung dynasty (960-1127) in China.

Discussions and literature highlighted the contradictory thesis of the market economy. The economic dynamism of a market system brought to Confucian East-Asia unprecedented prosperity. On the other hand, the market principle of competitive pursuit of profit which the Confucian East-Asia partake of in earnest undermined the very abode of all lives including humanity. In other words, Confucian East-Asia followed upon the ‘enlightened worldview’ rooted in scientific rationality, materialism and social utilitarianism in the interest of ‘progress.’ Discussions highlighted a need to be reminded of Lao Tzu’s teachings of ‘unity with nature’ as a viable solution. In so doing, Confucian East-Asia can recover its freedom.

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39 ch’i (ki in Korean: material force, ether or force)
from artificiality and arbitrariness of the homocentric way of thinking that separates humankind from nature.

Discussions and literature pointed to the efforts made by those concerned in the industry who supported the initiative of the principle of ‘co-habitation or symbiotic coexistence (kyosei)’ of industry within a sustainable nature. Originating in Japan, this initiative is known to be widely shared by the industrial community in Europe and the US. This principle is also consistent with the dialectic dualism of ‘principle’ and ‘material force’ enunciated Chu Hsi.41

The most eloquent reminder of the central Confucian concept of a ‘earth-human-cosmos continuum’ is the dictum by the Neo-Confucian doyens such as Chang Tsai (1020-1077) who said: ‘Heaven is my father and Earth is my mother, and even such a small creature as I find an intimate place in their midst.’ The twentieth century Confucian scholar Mou Tsung-san (1909-1995) called out to the East-Asian minds to the ‘life-world philosophy’ as the central idea of modern contemporary Confucian teachings. Discussions and literature referred to his assertion that the modern Confucian challenges are firstly to ‘subjectively overcome the contradiction between life and reason’ through a renewed Confucian ‘philosophy of life,’ and secondly to ‘objectively overcome a contradiction between life and reason’ through respect for the creativity of the nature that sustains all forms of lives and the environment that embraces them.

Ethics within the market mechanism is certainly important enough to keep up the transparency and health of an economic system based on the just management of the market system. The bigger challenge facing the economic ethics lies in whether and how Confucian East-Asians can refresh its ‘philosophy of life’ in order to responsibly live up to the principles and worldview born of Confucian humanity. Confucian humanism rooted in the ‘human–to-nature nexus’ compels that the common concerns of the global community are listened to and economic ethics such as concerning the global ecology are properly attended upon, as the circumstances can only worsen with the passage of time.

41 ch‘i (qi : force, material force or ether)
Discussions and literature pointed to the notion that economic interests should no longer impose on the nature any process of unstoppable declines or ‘creative destruction.’\textsuperscript{42} The Confucian teachings on leading the thrifty and simpler lives serve as a plain reminder as to how to live a life in a non-agonistic relationship with the nature. A discussant called this ethical economic approach to the ecology the ‘deep ecology.’\textsuperscript{43} The ‘deep ecology’ implied the re-anchoring the economic ethics of nature as the long term commitment without imposing limit on the time requirement. Discussions also supported the view that Confucian economic ethics as an extension of Confucian humanism should see to it that a new global regime of environment and ecology should be deployed in conjunction with peace, human rights and equitable social and economic development.

\subsection*{4.6 CONFUCIAN HUMANISM AND GLOBALIZING CIVIL SOCIETY}

The economic ethics discussed so far has concerned itself with how Confucian humanism plays out in the economic domains, in particular, facing the global ethical challenge of the ecological crisis. It was about the three nations’ role in economic ethics, not only as global economic actors, but also as responsible members of the global civil society.

Discussions pointed out that the globalization of East Asia occurred primarily in the economic domains. Then one could ask, given the economic globalization of East-Asia, if Confucian humanism in itself is global or even universal. Taken in the global context, the question can continue if it is ‘compatible with the ideals and concerns of globalizing civil society.’ Discussions gave divergent views, but one consistency with responses was that the three nations are still very much in the process of adjusting to and inculturating of what is perceived as the global civil and civilized society.

Discussions asserted that Korea underwent a dramatic political shift from the military government era (1961-1987) and became probably one of the most liberal democratic societies in Asia. Discussions also pointed out that the intuitional change has not internalized into the ‘qualitative change’ within the system and with the ‘perceptions of the constituents’ of this young democracy. Pains of change and growth are evident, and termed as undergoing the ‘measles of democratization.’ Confucianism was embraced by

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both military governments and the oppositions in mobilizing their own political legitimacy through the display of their own versions of Confucianism either as a means of securing the political status quo citing ‘social stability’ or as the moral ground for change of governments.

Japan undertook the national agenda of ‘internationalization (kokusaika)’ as commonly referred to in Japan as an equivalent to globalization. It has been reinvigorated since the start of the new millennium. The ‘internationalization’ is very much the contemporary catch-word and an action plan of the government and the citizenry of Japan. It was preceded by an intensive national ‘soul-searching’ called the ‘national identity discourse (nihonjinron)’ in the 1980s and early 1990s. Discussions informed that it faced the internal challenges of having to overcome the time-honoured ‘closed nation (sakoku)’ syndrome. It also faced the external challenges of unwilling and suspicious Asian neighbours with whom Japan still has the task of overcoming the pains rooted in recent history. The Confucian ethos permeated nearly all aspects of life in Japan, but only in so far as it serves the purpose of reinforcing what is already uniquely Japanese. Despite hurdles on the way, Japan as a nation tries to ‘re-open its nation (kaikoku)’ to becoming a more responsible player on the global stage including the immediate goal of becoming a permanent member in the UN Security Council and more active peace-keeping roles under the UN banner.

The political shift in the Republic of China arose with the downfall in 2000 of the nationalist Party (KMT) from its half a century of political monopoly. Political shifts did not affect the status of Confucianism as the ‘national learning,’ in so far as the Confucians do not take sides. The memory is fresh in the Republic about the intense ideological contest during and after May 4th Movement (1919) between those in support of fast-track Westernization such by Hu Shih (1891-1962) and those against it. The latter such as Liang Shuming (1893-1988) would like to see the Confucian tradition reinforced through the ‘Western science-based instrumentalist modernization’ while maintaining the core of Confucian philosophical strength. Mou Tsung-san perceived the project of the Republic of China becoming a global civil and civilized society lying in the building of the society, fortified by the new sources of strengths that modernity brings, such as democratic institutions and advancement of science that Confucian governance sorely missed in its history. Discussions also referred to the thoughts of Mou and his colleague Carsun Chang to the effect that Confucian humanism could contribute to building of the global community of civil
societies through sharing of the integral values of Confucian humanism such as humanity, civility, interconnectedness, reciprocity and communitarian interest at heart through self-cultivation to become responsible ‘ideal persons.’

Discussions alluded to the notion that, if the three fundamental ingredients of civil society in the global context were ‘democratic polity, civil capitalism and the rule of law,’ Confucian humanism would share such economic, legal and political ideals. The three nations are on their own paths to ‘democratization, sustainable market economy, and liberal democratic constitutionalism’ in a way fitting their own circumstances and the sensitivities of their indigenous cultural traditions. The three nations have seen the rise of civic participation of legal and human rights advocacies that have risen above the narrow interpretations of national interests and acted in their own way to represent the view of the peoples of the nations in the various international domains. Discussions also indicated that the biggest dilemma Korea is facing is the division of the peninsula between the North and the South. Japan’s dilemma sees more of internal attachment to the long cherished ‘native ethos’ that finds the opening of the ‘nation’ equal to compromising the integrity of the nation. The young democracy of the Republic of China hinges its project of becoming a globalizing civil society upon its cross-strait relation as it directly engages the internal progress of politics and security of the divisive society that it has become since the Opposition came to power in 2000. The three nations no longer entertain the so-called ‘Asian thesis’ of democracy with the use of Confucianism as a pretext of political moderation. Discussions indicated that in all three nations, the breath and depth of civic participation in the political process have already reached a substantial level and they are aspiring to new heights. Discussions also alluded to the notion that the project of globalizing civil society in the three nations may have already been launched, and are well underway. In all likelihood, Confucian humanism would benefit such a process thanks to the shared core values, but how it works remains to be seen.

4.7 CONCLUSION

The above has been the analysis and interpretation of the discussion data and documentation corroborations of Chapter Three aided by the corresponding themes, points and content of the literature review outlined in Chapter Two. The progression of analysis

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44 chün tzu (ideal person)
and interpretation followed broadly on the themes of the foundation of Confucianism as the common philosophy, Confucian humanism and its governance such as impacting upon human rights and economic ethics, and the global context of Confucian humanism. The complex interplay of the diverse factors and multi-levels of the cultural and philosophical layers emerged. Some indeed became the building blocks of Confucian humanism in the three nations. Others grew to become the deterrents to it.

The legacy of Confucian scholarship and practices around the ‘mind and heart’ school of learning emerged as an enduring aspect of Confucian humanism. It represented not only Confucian religiosity, but also became a wellspring for the sympathetic Confucian ethos for those caring for the greater community of commoners in making education affordable and accessible as in the Tokugawa era Japan and Yi dynasty of Korea through volunteers’ offer of free education through their private academies in the provinces beyond the fiscal means of the central governments.

‘Collective intentionality’ as related to Confucian governmentality has remained in the social consciousness of the Confucian tradition since the Classical Age of Confucius, and remained within the social psychology of Confucian societies, not as a means of subjugating individual wills, but as the harmonizing medium for the different levels of the societal hierarchy.

Korean Confucianism had placed a very high priority on education, as it is not only a medium of self-cultivation, but a direct path to power and wealth such as through the state examination system. Japanese neo-Confucians had promoted a more egalitarian education additional to the elitist one, grooming a much larger literate populace ready to adjust to a new society that Meiji Reformation helped bring about. The Modern Republic of China adopted both Western education and that of Confucianism as the essential teaching of the nation.

Government institutions of contemporary Korea, Japan and the Republic of China shed the traces of Confucian governance in terms of institutions, but maintain the strong Confucian ethos in its legal and institutional framework. Neo-Confucian scholars long felt the need to improve upon the institutions of democracy and the advancement in science, whereby the
three nations enthused in the embracing of both. It also meant bridging an important gap between Confucian East-Asia and the West that brought the impetus to such change.

Confucianism, an embedded way of life, exhibited an extraordinary level of tolerance towards other missionizing religions such as Christianity. In the highly Christianized country of Korea, nearly all Christians are Confucians as well. Confucianism in Japan remains more implicit as a source of intellectual and ritual resources in support of the indigenous system of thought and sensitivity. Confucianism in the Republic of China is whole-heartedly embraced as a tradition of Chinese life, knowing no internal political boundaries, except for mainland China.

The thesis of Confucian humanism as a viable central philosophical, political and social theme is broadly affirmed in the case of Korea and the Republic of China, whereas for Japan, it does require a number of qualifications, firstly, by determining if it is attuned to the integrity of the indigenous Japanese culture, psychological and, lastly, but not in the least, aesthetic sensitivity. The subtle difference between the traditional worldview of indigenous Japanese and that of Confucianism as a foreign religion is in fact what the earlier neo-Confucians of the Tokugawa era in Japan such as Itō Jinsai (1627-1705) struggled with. In a sense the struggle is still underway, as Japan has a long history of looking up to the intellectual and intuitional innovations of China, while watching out against the dominance of Sino-centralism both politically and intellectually.

Confucianism grew in depth and fortitude by closely reacting with and against the pervasive influences of Taoism and Buddhism. Confucian aesthetics owes much to the Taoist tradition, and its ‘transcendental immanence’ of life and world outlook to Buddhism. Both the competitive and affective relationship that has characterised the coexistence of the three religions in East-Asia significantly altered each other in character, engendering diverse denominations, and pathways of cyclic growth and decline in the three nations.

As regards the global compatibility of Confucian humanism, discussions placed more weight on the commonality than on the divergence between Confucian human values and what is perceived as the global civil society ideals. Economic ethic discussions pointed out the gravity of Confucian concerns about the severe global challenge of ecology, and Confucian role in undoing some of its critical disservice in its economic drive wrought to the
ecological health of the world, and to play a fair share in arresting the dangerous downward path of the environment.

With this selection of comments on the analysis and interpretation that cross-checked the views, points and themes in interplay of discussion data, the documentary support and literature review covered in chapters two and three, the discussion now progresses to the next and final chapter. In Chapter Five, the research findings will be reviewed and summarized in order to answer the main research question that this study started with, and also to ascertain how closely these research findings relate to the three main points of postulation the study also started with in Chapter One.
Chapter 5: Synthesis and Conclusions

5.1 INTRODUCTION

With the analysis and interpretation presented in Chapter Four, this fifth and final chapter proceeds to a ‘synthesis’ of such analysis and interpretations within the entirety of the framework of this thesis in order to reach the ‘research findings.’

Such ‘synthesis’ and ‘findings’ in turn will be examined in relation to how they answer the ‘main research question’ raised in Chapter One, namely:

‘How has Confucian humanism emerged from the tradition of the commonly shared Confucian philosophy in the industrial non-socialist East Asia of Korea, Japan and the Republic of China, and how does it relate to Confucian governance in regard to human rights and economic ethics on their individual paths towards globalizing civil societies?’

Once examination of the research findings has been completed in relation to the main research question backed by the three-point postulation, the discussion moves to drawing out the conclusions of the thesis.

This process will be covered under the headings of ‘5.1 Introduction’, ‘5.2 Synthesis and Research Findings’, and, finally, ‘5.3 Conclusions.’

Through the process of the analysis and interpretations of the data from the focus group discussions, documentation corroborations and literature reviews, the main themes of Confucian humanism and its governance system especially in regards to human rights and economic ethics have been dealt with. These themes also covered the foundation and evolution of Confucianism as the common philosophy of the three countries, the emergence of Confucian humanism, and, in turn, the governance implications of Confucian humanism such as upon human rights and economic ethics, and, lastly, but not in the least, the global context of Confucian humanism.
The complex interplay of the diverse factors and multi-levels of the cultural and philosophical layers emerged. The ‘mind and heart’ have remained the crucial central theme as the mainstay of scholarship and practices. The religious tolerance of Confucianism stood out. The ‘aesthetic affect’ sensitivities were found to place momentous importance on Confucian inter-cultural interactions with the indigenous tradition of Japan. These and other themes and points as the outcome of the analysis and interpretations conducted thus far will be synthesized hereunder to serve as the ‘research findings.’

5.2 SYNTHESIS AND RESEARCH FINDINGS

Confucianism as a philosophical tradition emerged as an outcome of a long evolutionary process. This process has had its major turning points. The first one was Confucius and his crucial foundational work of building an enduring metaphysics and learning system around the core concept of ‘humanity’ giving the impetus to the moulding of Confucian humanism. The second one came as the major reformation period called the ‘era of Neo-Confucianism’ and the emergence of a new orthodoxy. The Neo-Confucian era followed the intervening millennia of Confucian interactions with their critics such as the legalists and the egalitarianism of the Mohists and, most importantly, the alternative traditions of Taoism and Buddhism. During the 16th through 19th centuries, the Korean and Japanese Confucians moved the philosophical and social discourse of Neo-Confucianism to a new wave called ‘Practical Learning’ to link the Confucian ideals to the practical needs of the under-privileged commoners. The ‘Practical Learning’ era led up to modernity, with its different ramifications in diverse denominations and interactions with the indigenous traditions.

The following thematic summary provides as the research findings what Confucianism and Confucian humanism meant to those in the East-Asian nations of Korea, Japan and the Republic of China, in terms of metaphysics, cosmology, religion, humanism, education, governance, social psychology, aesthetics and worldview including the outlook on the globalizing ‘life-world.’ Each aspect is of a consequence on its own, and is closely related to each another.
5.2.1 Research Findings on Confucianism as the Common Philosophy of the Three Nations

All the participants in the focus group discussions from the three nations agreed to the significant level of Confucian influence they could easily recognize in all aspects of their lives. It has been and still remains for them the ‘way’ of life and a trusted and admirable path to ‘become human.’ Confucian learning and spirituality are adhered to as a way to realize creative transformation of one’s character through the life-long process of ‘self-cultivation.’ Confucians had attained their height of intellectual, moral and aesthetic ideals through the system of learning, philosophizing, and practicing in the tradition of ‘humanity’ that Confucius and his disciples successfully formulated in the Classical age.

The Confucian concerns are not only demo-centric, but also its teachings call for the unity within the ‘human to nature’ nexus. The harmony sought after within the society of Confucians desires for ‘togetherness’ in human development and also seeks to share the human flourishing amongst the ‘all in the community’ without exclusion of anyone due to social standing or birth right. This aspect of ‘collective intentionality’ has served Confucian governance, and remained the important attribute of Confucian humanism.

The Republic of China as individuals, community and society remains committed to ‘living the tradition’ of China, that means, ‘living the way of Confucianism’ as the natural Chinese way, considering the Chinese and Confucian ways as interchangeable. Koreans maintained their Confucian ‘souls and decorum’ despite the rise of the missionizing religions such as Christianity. The Japanese employ Confucian thinking and conventions to reinforce the national identity only insofar as Confucianism or any ideology of foreign origin does not compromise the integrity of Japanese tradition and sensitivity. For Japanese, Confucianism remains the philosophy of China despite its universal and enduring values.

Confucianism as a living tradition is not monolithic. Confucius built the foundation of Confucianism through his teaching about ‘humanity’ in his Analects as the cornerstone of Confucian humanism. Mencius on the other hand wrote extensively, taught and engaged tirelessly about egalitarian social conduct, in particular to guard against the abuse of power of sovereigns. Others contributed more to cosmology such as Chou Tun-i
Confucianism as a religion is tolerant and willing to benefit from the other great traditions such as from Taoism for the ‘unity with nature and appreciation of its beauty as is’ and from Buddhism for the depth of spiritual enlightenment. It was and still is quite common in Confucian East Asia that a person is Taoist and Buddhist and, quite comfortably and concurrently, remains a Confucian. This co-existence of the three great philosophical traditions competitively yet complementarily signifies a lasting peace among the religions that seems more and more a rarity in the rest of the world.

Confucianism is the most secular among the three religions and remained the orthodox state ideology for nearly two millennia in Korea and China. Its governance employed the institutions of ‘rites’ that included the symbols, signs and lingual ideographs that came from the observation of nature and humanity. The Confucian contribution to the governance of Korea and China during the last two millennia of the dynastic period is indisputably central to the governments of both nations. Confucian participation in the official court of Tokugawa era (1600-1864) in Japan was conditional upon the complementing of the military governments, not as the one in the driver’s seat. The great neo-Confucians of Japan all served as court advisors, but not as the supreme leaders. Such positions were symbolically or realistically reserved for the hereditary emperors or the military suzerains called shoguns.

For Confucians, learning meant much more than education. It meant a semi-religious act of self-cultivation to realize the status of the ‘superior person.’ It equated to realizing the ideals of Heaven within the micro-cosmos of the Confucian ‘self’ within the community of the likeminded Confucian seekers of other ‘selves.’ Confucian scholarship was not an option. It was the way. It was also the path to public office for which all aspirants for the high offices of public service must pass annual exams in Confucian canons and writing poetry in calligraphic style. This wholesome system of character building was the system of Confucian learning asked of sovereigns down to a person of any social level desirous to ‘become human’ in the true context of Confucian propriety.

The system of learning, the perception of moral links in every relationship, the human-to-Heaven nexus in cosmology and the social conduct through Confucian rites that survived not just for centuries, but for two millennia, have left a number of enduring attributes of the Confucian way of life in terms of the interrelationships between
individuals, person-to-person, community and society as a whole. One of the most important aspects is to look upon the family as the most important social institution where the strength of character starts and ends as the final test of its validity. The Confucian family is hierarchical, but reciprocity of ‘humanity’ that goes bidirectional leaves everyone under the obligation to do the utmost as a member of the micro-cosmic family of their natural birth, and also as a member of the macro-cosmic family of *Heaven* that equates to the social domain where ultimately the Confucian ‘superior person’ is accountable to.

As to the broad theme of whether Confucianism remains the common philosophy of the three nations, the research findings can be summarized as follows:

5.2.1 (a) Confucian Metaphysics of Humanity
The Confucian ‘self’ is founded on the anthropological phenomenology of ‘self-to-other selves’\(^1\) that perceives the ‘self’ in ‘relation’ to the ‘family.’ The Confucian family has a wide spectrum, starting with the birth-related family, community and to the largest family meaning the society or the Mother Nature with *Heaven* as its head. The relation determined by ‘being in or of family’ implies a relationship of trust, not of competitive struggles for the survival of the fittest. This metaphysical departure point is what has made Confucianism and Confucian humanism enduring as the belief system, surviving two millennia through cross-breeding with the other major traditions of Taoism and Buddhism. Confucian humanity based on such a ‘relation’ of ‘self-to other-selves’ provided a self at peace with other selves in society, living the ‘promise’ of self-cultivation to the level of the ‘superior personhood’ in the elevation of ‘selves’ of the ‘families’ large or small for mutual human flourishing.

5.2.1 (b) Confucian ‘Human-to-Heaven’ Nexus Cosmology
Confucian cosmology is an integral part of the philosophy, since the Confucian epistemology of cosmos starts with the perceived ‘micro-cosmos’ existing within the ‘self and selves.’ The nexus between the micro-cosmos and cosmos determines the Confucian ontology that the cosmos is indeed an abode of all lives, including human ‘selves,’ with no exclusion of others or other things. The ‘meaningful’ cosmological nexus has been perceived as existing and undergoing the constant changes within the ongoing dynamics of the ‘principle (\(\textit{li}\))’ and the ‘material forces (\(\textit{ch'i}\)).’ Such cosmology has a direct

bearing upon the religiosity of Confucianism and its attributes of tolerance, enabling the crossing of the boundaries between secularism and religious sacredness.

5.2.1 (c) Confucian Religiosity

Confucianism remains a major religion of the world. Confucianism as a religion does not provide a direct personal 'self-to-God' relationship for salvation. Its religious path lies in leading lives on the secular path through the semi-religious practices of self-cultivation to 'become human.' Confucian humanness is based on the awareness of 'immanent transcendence' within the micro-cosmos that has a moral nexus to the highest being in the universe. Confucian religiosity is about the seeking of the 'way' in order to find and live the 'order and peace' of the universe within the Confucian 'self' and with the selves. It is tolerant about other religions sharing the same or similar values with different paths to achieve them. It also learns and changes from learning from the superior thoughts and practices.

5.2.2 Research Findings on Confucian Humanism

Confucian 'humanity' became the foundation of Confucian humanism, and came to be further reinforced by the teachings of the 'Confucian four cardinal virtues' that include not only 'humanity,' but also ‘righteousness or justice, rites and wisdom.' Neo-Confucian doyens such as Chu Hsi emphasized the role of human emotions, namely the ‘seven emotions,’ i.e., ‘sympathy or love, joy, anger, fear or sorrow, dislike and desire.’ The four cardinal virtues were also called the ‘four beginnings.’ Such ‘human’ and humane four beginnings are to be mobilized in order to promote human potential further and also to overcome limitations manifested in the ‘seven emotions.’ Confucius' teachings of humanity received egalitarian support later from Mencius who consolidated for the commoners the concerns of Confucian humanism and focussed its attention upon them.

On the theme of Confucian humanism, the following summary is given on the research findings of diverse Confucian perceptions and attributes of how Confucians perceive their humanism.

2 jen, l, li, chih (humanity, justice, rites and wisdom)
5.2.2 (a) Confucian Education and Self-cultivation towards the ‘Superior Personhood’
The Confucian perception of education was that education constitutes a vital path of realizing the creative transformation of self rather than acquiring knowledge for jobs and being more informed about managing individual lives. It was more of a path for the ‘seekers of the way’ and is a life-long enterprise for all. It certainly served the practical purpose of gaining access to political, economic and public service career opportunities. The centrality of education in the Confucian way of leading desirable lives is clearly spelled out in the Analects as the ‘greatest pleasure’ of meaningful life. Despite this Confucian emphasis on education, Korean Confucian education was centred on the fostering of the scholar-officials. In China, since the Yüan dynasty (1279-1368) adoption of the Neo-Confucian orthodoxy of Chu Hsi as the state ideology, Confucian education placed focus on producing the nation’s next generation of state elites. Japanese educators belonging to the ‘practical learning’ schools (jitsugaku) undertook the affordable education of the commoners, laying an intellectual groundwork for the fast-track modernization that was in waiting to be triggered by the Meiji Restoration (1864). Confucian education was not just about learning about Confucian philosophy or an Asian intellectual tradition. The Confucian habit of heart with self-cultivation and life-long learning let Confucian East-Asians gain more self-knowledge and knowledge about others including those of the West. Confucian East-Asians have become most ardent learners of the Western science and democratic institutions for the last century and half, investing their human and financial resources with a highest personal and family priority of investment. Education also became the most important foundation of Confucian humanism, as it created a common platform of knowledge, human understanding and mutual development.

5.2.2 (b) Confucian ‘Mind and Heart’ Learning and Social Psychology
Neo-Confucian scholarship has produced a school of ‘mind and heart’ learning as a dynamic process of understanding self and the beyond. The Neo-Confucian Wang Yangming School of ‘mind and heart’ learning emphasized the role of ‘intuition’ together with reason as the integral human capacity to understand truth. Also Confucian ‘self’ and ‘super-self’ in the community of ‘selves’ form and maintain the ‘self-portraits of the minds and hearts’ in their ‘archetypes of anima.’

These self portraits of minds become the basis of Confucian social psychology. Korean examples were that Korean Confucian self (na) and self-identity (cha’ki) are preserved in the ‘referential and ritualized self identity.’ Japanese Confucian decorum would allow display only of the ‘professed intention (tate-mae),’ but submerges the ‘real intention (hon-ne).’ The Japanese delight in the penetrating sensitivity and meaning hidden within the sorrows of all lives and things, called the ‘sorrow at evanescence (mono o aware).’ Wang Yangming (1472-1529) went further and suggested that the ‘mind’ and the ‘principle (li)’ are the same and ‘to understand the universe, one needs to seek within one’s own mind first.’

Such multi-layers of Confucian mind and heart form a structure of intellect and ethos, and proceed to engendering the set of knowledge and reality as a new construction, and continue to impact upon Confucian scholarship and governance.

5.2.2 (c) Confucian Governance

The ideals of Confucian governance or the ‘ching-shih (ordering of the world)’ have been encapsulated in one of the four Neo-Confucian canons, i.e., the ‘Great Learning.’ It is the cornerstone of what Confucian humanism could bring to Confucian society. Confucianism as an orthodox state ideology had its basis tenets of governance in so-called ‘sage within, king without.’ Also from the ‘Great Learning’ are the ‘means of governance’ under so-called ‘three headings and eight particulars’ that have remained the mainstay of Confucian governance. Confucian governance was based on the institutions of moral virtues, on the assumption of ‘grooming and installing of the ‘sovereign as a Confucian sage.’ It also meant concentration of knowledge and power within the privileged group of scholar-officials who performed governance on behalf of sovereigns. Mencius and other Confucian sages continuously warned against the abuse of power by the privileged class. Mencian ideals were about compassionate governance, prescribing for the Confucian sympathy, ethos and concerns for the underprivileged commoners, in securing subsistence and providing chances of self-cultivation and leading meaningful lives despite their social standing.

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6 samgang; Korean, san-kang; Chinese (the Three Heads), palchomok; Korean, pat’iamu; Chinese (the Eight Particulars)
Reformers of the Neo-Confucian era called for an institutional overhaul such as the introduction of constitutionalism advocated by Huang Tsung-hsi. Japan takes a particular pride in having instituted her first constitution as early as in the era of Prince Shōtoku (Shōtoku Taishi: 574-622). It was only with the influence of the West that fully institutionalized constitutions came into being in all three nations for which Confucians reformers had clamoured for centuries.

Rule of law is the modern acquisition of Confucian East-Asia since Confucian governance was that of the ‘rule by law’ based on the Confucian virtues and social harmony. In terms of the maturity of democratic institutions, Confucian governance of the three nations is very much in the process of formation and maturing as the ‘young democracies.’

5.2.2 (d) Confucian Human Rights
The Confucian philosophy of governance in the ‘ching-shih (ordering of the world)’ has prescribed a balance of human duties and rights. There has been an aversion against the litigious practices for the protection of human rights by individuals, since it is considered socially counter-productive for the preservation of social stability and cohesion. ‘Human rights’ as a vocabulary is an import. Legal institution for the human rights of the three nations occurred at the same time when each nation’s modern constitutional governments were introduced.

Mencian egalitarianism is an enduring reference for the Confucian advocacy of human dignity, in particular for the rights to subsistence as an equivalent to the modern covenants for economic and social rights, not full civic and political covenants. Confucian governance has long been vulnerable as an institution to the abusive power of the sovereigns who used the Confucian system of governance as a vehicle for hierarchical autocracy. This concentration of knowledge and power constituted a system of Confucian ‘governmentality’\(^7\) that was at odds with the protection of the commoners’ rights.

Korean success so far with democratization wherefrom they secured the liberal system of human rights is an outcome of a long struggle by the peoples for their rights such as through the Gwangju Incident. The first constitution of Korea in 1948 has a framework of liberal democracy, but the government of Syngman Rhee (1875-1965) manipulated the

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constitution to suit their autocracy. Confucian humanism would not object to the people’s rights as long as social harmony is preserved. But this conditionality was sufficient ground for political manipulation of people’s rights. Only with the downfall of the military governments in 1987 did Korea see a functioning system of human rights observance.

The Republic of China since its birth in 1911 instituted the modern constitution under the Three Peoples Principles, but the human rights terms were moderated and reserved only for those actively participating in the revolutionary struggles, hence constituting their preferential system of human rights until KMT moved their government to Taiwan. The KMT-centric regime of human rights continued until their fall from power in 2000. Japan has had a liberal democratic constitution since 1947 under the tutelage of the Occupation forces, but the Cabinet of Japan has been staging the ‘decade of human rights education for the nation’ since 2002. Japan has a particular dilemma on human rights of those aliens in Japan who stayed behind after the close of WWII.

Confucian ‘demo-centric’ philosophy is at the centre of Confucian humanism and governance. Neo-Confucians, in particular, a number of Confucian reformers of the ‘Practical Learning’ school in Korea and China, underscored a need for institutional strengthening and reform of Confucian governance, in particular with the focus on the commoners’ rights to economic, social and political rights. It is only in the twentieth century under the influence of the West-originated modernization that the three nations began to embark on the system of human rights observance. It became apparent in this research that democratic institutions around the human rights regime is a process underway, and far from being established in system awareness or the practices in these three young democracies. One milestone in the human rights discourse in East-Asia is that none of the three nations any longer subscribes to the notion of the ‘Confucian Asian democracy’ whereby certain human rights could be curtailed in the interest of national development as advocated by the Senior Minister Lee Kwan Yew of Singapore. Three nations accept the compatibility of Confucian humanism, human rights and market economy, as advocated by the Neo-Confucian doyen Mou Tsung-san (1909-1995) and political leader Kim Dae-Jung (b. 1925) of Korea.

It was prophetic that the first drafters of the Universal Declaration of Human Rights (1948) insisted on the active participation by the large population and ‘high context culture’
nations such as China and India in the process of creating a new convention for the whole of humanity, since human rights conventions subject to moderation by ‘cultural particularism’ would be largely dysfunctional in the end. Participation by P. C. Chang (1892-1957) and his Chinese colleagues in the drafting committee with inputs of the Confucian concept of ‘humanity’ was a meaningful milestone in the East-Asian history of human rights development. Civil groups of the three nations make a significant contribution in reconciling the national system of human rights to the conventions of international human rights by offering their annual human rights reports independently of their own governments.

5.2.2 (e) Confucian Aesthetics

Confucian learning places high importance on the personal capacity for literary composition in particular, that of poetry, calligraphy and classical painting as the essential ingredients of study as the foundational qualities essential to becoming the ‘superior Confucian person (chūn tzu)’. Poetic writing is a form of tests given in the state exams for the high public offices. Confucian aesthetics owe a lot to Taoism for freedom of thought and closeness to nature as is and its untouched beauty. Through aesthetic pursuits, Confucian minds found the peace and unity with nature that represented the perfection of beauty. Aesthetic imagination also gave the commoners the space of freedom under the rigid hierarchal society that Confucian governance often created despite their wishes. Aesthetics did not replace the centrality of Confucian teachings, since it enriches Confucian learning.

In the case of Japan, it is disputable whether aesthetics or Confucian moral teachings come first. Aesthetics has been at the very centre of being ‘fundamentally Japanese.’ Aesthetic sensitivity and refined description such as the ‘sorrowful emotions (aware)’ is known to superbly represent the Japanese innermost perception of beauty. Motoori Norinaga (1730-1801) went further and equated the importance of this aesthetic work of the ‘Tale of Genji’ to the Confucian Analects in terms of importance to Japanese national identity. The importance of aesthetics as the ‘signification’ of the collective social and national symbols is significant. The contemporary Japanese discourse on the ‘Japanese identity (Nihonjinron)’ re-affirmed the Japanese consensus on the ancient Japanese identity reflected in the aesthetics. Japanese would like to see the Japanese identity in the
aesthetics of the Japanese classics recovered with the support of the moral contribution of the Confucian intellectual traditions, not the other way round. Hence the Japanese ideals of a perfect Confucian humanism is closer to the ‘truthfulness, goodness and beauty (shin, zen and bi)’ rather than so-called ‘Confucian four cardinal virtues’ of ‘humanity, righteousness, rite or decorum and wisdom (jen, i, li and chih).’

5.2.3 Research Findings on Global Confucian Humanism and Civil Society

The three nations prescribe to the international covenants of human rights, and their civil groups are actively engaged in the international conventions of human rights both as national members and international participants in the upholding of the global human rights regime. Apart from participation in the global market as economic actors, the three East-Asian nations confronted the moral challenges in the economic ethics in particular in the crisis of global ecology. While the three nations do partake of the due efforts in the micro-aspects of economic ethics, this research paid attention to the macro side of economic ethics with special focus on the ecology, where the three nations are part of the problem and yet potentially a major contributor in diffusing the crisis.

5.2.3 (a) Confucian Economic Ethics and Global Ecology

Economic ethics was viewed as an ethical extension of Confucian humanism on the same continuum with human rights. An ethical crisis arose with the market economy, where Confucian East-Asians play an active role, due to the moral hazards of economic-centrism, including Confucian East-Asians who relentlessly pursued economic progress with an undeniable cost to nature and the global ecology. The East-Asians have been the so-called ‘developmental economies’ and have rushed their development with no regard to sustaining the nature that Confucian teachings refer to as the ‘source of their beings.’ The moral challenge is deep seated in that Confucian belief in the ‘human continuity of being’ in a nexus with both earth and Heaven.

On the most fundamental level of the perception as to why such a crisis is allowed to happen, discussions and the literature alluded to the thought that current global crises arose due to the dominance of a homo-centric social philosophy. In other words,

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homo-centric individualism rode on ‘technological thinking’ as a brainchild of the ‘Enlightenment’ stream of thoughts. Such thinking has humans at the centre of the universe and assumes that humanity is endowed with the exclusive rights to dominion over nature. Discussions and the literature also pointed out that Confucian humanism has to recover its cosmological principle of the unity between humans and nature. Conversely, it has to return and live up to the inextricable nexus of relationships both between human and human, and between human and nature. The Confucian East-Asia moral dictate is how to recover its philosophical anthropology whereby nature is the source of all lives including humans, not the resources to conquer and use up. In a nutshell, Confucian East-Asia had a wake-up call, having long followed upon the ‘Enlightened worldview’ rooted in scientific rationality, materialism and social utilitarianism in the interest of ‘progress.’ Confucians are reminded of Lao Tzu’s teachings of ‘unity with nature’ as a viable solution and hope they are not too late to play their due roles as a responsible party in the global community. Those concerned in industry are working on the ‘principle of symbiotic coexistence (kyosei)’ of industry within a sustainable nature together with Europe and the US.

Ethics within the market mechanism is certainly important enough to keep up the transparency and health of an economic system based on the just management of the market system. The bigger challenge facing economic ethics lies in whether and how Confucian East-Asians can refresh its ‘philosophy of life’ in order to responsibly live up to the principles and worldview born of Confucian humanity. Confucian humanism rooted in the ‘human–to-nature nexus’ compels that the common concerns of the global community are listened to and economic ethics such as concerning the global ecology are properly attended to, as the circumstances can only worsen with the passage of time. The Confucian call for the ‘deep ecology’ implies re-anchoring the economic ethics around the preservation of nature as a long term and in-depth engagement.

5.2.3 (b) Global Confucian Civil Society
The globalization of East Asia is occurring at a fierce pace in the economic domains. The project of a Confucian global civil society used to be the ideal that the East-Asian reformers of nineteenth century Korea and China painfully cherished in being eyewitnesses to the decay of Confucian governance and its relevance. The three industrial East-Asian nations have overcome the economic hurdles in terms of providing
the ‘commoners’ with the economic wellbeing that has been denied them for so long. Liberal democracy is still in the process of settling down in the soils of the nations. Korea is undergoing the maturation process of ‘qualitative democratization’ and is colloquially described as suffering from the ‘measles of democratization’ where citizens not only enjoy the fruits of democracy, but also are asked to partake in the process. Japan is in the process of ‘internationalization (kokusaika)’ as the way Japan handles the challenges of her globalization. This had a precursor called the ‘national identity discourse (nihonjinron)’ in the 1980s and 1990s. She tries to overcome the ‘closed nation (sakoku)’ syndrome and forego the burdens of history that provides the sore points with her closest neighbours. Japan tries to ‘re-open its nation (kaikoku),’ as she did try to during the Meiji Restoration, so that she assumes the global role fitting her stature as the second largest economy of the world and certainly the economic locomotive of the Asia-Pacific.

While the three nations aspire for a bigger global role, they also share an internal burden of not having overcome gender inequality, often accused of being a part of the Confucian male-centric legacy.

The Republic of China, according to Liang Shuming (1893-1988), would like to see the Confucian tradition reinforced despite globalization. Mou Tsung-san perceived the project of the Republic of China becoming a global civil and civilized society as the fundamental path to the building of the livable society, reinforced by democracy and science within the global market economy. Chang Chun-mai (1887-1969) saw the potential of Confucian humanism making an important contribution to building of the global community of civil societies through sharing of the integral Confucian values such as ‘humanity, civility, and reciprocity.’

The project of the global civil society is much underway within the three nations. This assessment is based on the substantial progress the three nations had already made and also in the dynamic transition underway with what are commonly referred to as the ‘three key tenets of civil society,’ i.e., ‘democratic polity, civil capitalism and the rule of law.’ The rise in civic participation by legal and human rights advocacies in the international domains is another important indicator of the maturing process and surmounting the narrow boundaries of national interests.
5.3 CONCLUSIONS

This chapter now turns to draw the conclusion of the thesis, and also undertakes to answer the ‘main research question, on which this study embarked in Chapter One, i.e.,

‘How has Confucian humanism emerged from the tradition of the commonly shared Confucian philosophy in the industrial non-socialist East Asia of Korea, Japan and the Republic of China, and how does it relate to Confucian governance in regard to human rights and economic ethics on their individual paths towards globalizing civil societies?’

As the study seeks the clues to the answer, the following overview covers the themes of this trans-temporal, cross-cultural and inter-disciplinary discourse held so far, as presented within the discussions, documentary corroborations and literatures that preceded the current chapter.

Humanism was the foundation of the Confucianism as the learning and belief system. Confucian humanism was encapsulated in the teachings of Confucius with ‘humanity’ at the centre of his teachings. The epicentre of this humanity was traceable, according to the words of Confucius himself, in the earlier part of the Chou dynasty era (circa 1122-256 B.C.E.) that preceded the era of Confucius by centuries. Confucius (551 – 479 B.C.E.) and his disciples created the irreversible currents of what is now known as Confucianism and its tradition of humanism.

It was a tradition for life-long ‘learning,’ not ‘teaching’ in terms of ‘handing down’ of the golden rules from above. The learning for self-cultivation was also based on the attitude of extraordinary humility, as Confucius declared in his Analects that there is learning to be had when three persons of any calibre meet. The Confucian tradition went through major challenges of alternative groups of thoughts such as the ‘Hundred Schools.’ Most significant and fundamental challenges came from the egalitarian Mohists who delighted in mocking the Confucians as the foolhardy intellectual servants of sovereigns. Legalists accepted the admirable teachings of Confucians, but criticised the Confucian lack of enforceable system of governance, highlighting the fallibility of human nature.

\[10 \text{jen: humanity or human-ness}\]
Confucianism succeeded in weathering such a stormy period, and had a great chance of having it reinforced through the epochal contribution by the prominent Confucian scholar-official Tung Chung-shu (ca 195-115 B.C.E.). Tung also succeeded in having Confucianism adopted as the state ideology by the Han dynasty (206 B.C.E.-220 C.E.). The currents of Confucianism and its humanism came to form the ‘river’ by this era, as its influence and practices as the belief system, a way of life and the learning system widened and deepened in the public and private domains over the Chinese mainland and began influencing its neighbours. The Classical Confucianism that characterized this period of the Confucian evolution has survived as the central philosophical influence on the three East-Asian nations in terms of the peoples’ way of thinking, learning, family and societal relations and the ‘life-world, until their respective polities underwent fundamental changes, i.e., Japan through Meiji imperial government (1868-1912), and Korea in 1910 through annexation to Japan, and the birth of the Republic of China in 1911.

During the intervening millennium from the era of Tung Chung-shu and the Confucianized Han dynasty (206 B.C.E.-220 C.E.), Confucianism met many challenges in the interactions with alternative belief systems, most importantly, that of Buddhism which, since its introduction to the three nations, emerged as the superior intellectual tradition with its metaphysics of transcendence that contrasted with the limitations found in Confucian worldliness and secularity. The Neo-Confucian reformation that took place during the Sung dynasty (960-1279) arrested the downturn of Classical Confucianism, and reformulated the greater part of Confucianism and advanced articulation on its humanism as we witness today, adjusting significantly its spiritual erudition such as ‘cosmological immanence’ of human spirituality as a major influence of Buddhism. The dwindling currents of the tradition of the first millennium re-emerged as the river running through East-Asian civilization.

The Neo-Confucian tradition saw the emergence of its most significant branch in the school of ‘Practical Learning’ in the 16th through 19th century notably in Korea and Japan. Confucian scholar-officials were directing their attention to improving the living conditions of the commoners who remained underprivileged in the Confucian hierarchal societies. The Neo-Confucian leaders of Japan made a significant contribution in widening the educational opportunity to non-elitist groups, ‘tradesmen’ and other commoners who otherwise had no access to education and social mobility. The educated and prosperous
tradesmen formed the middle class and became one of the mainstreams in the modernization and industrialization of Japan that started in earnest with the Meiji Restoration. Korean neo-Confucians and their Chinese counterparts made their own effort, but the benefits of wider education remain with rearing the next generation of Confucian scholar-officials.

The egalitarian spirit and respect for ‘practical’ and tangible help for those in need, namely, commoners, also were prompted by the arrival of the ‘Western learning’ that was Confucian name for Catholicism. The ‘practical learning’ challenged Confucian orthodoxy ideals, but also strengthened the tradition through their reformation. The central theme of Confucian humanism centred upon the ‘humanity’ of Confucius was never challenged despite the tides of reformation that the periods of challenges made necessary. This egalitarian spirit of the ‘practical learning’ school became an important intellectual precursor to the forth-coming democratization of Korea and Republic of China.

Confucian governance was both practical undertakings and an extension of the Confucian ideal of humanism. It was expressed in the ‘sage within and king without’ axiom, whereby the sovereigns and ministers would take up the governance tasks on the same continuum with Confucian self-cultivation to become the ‘superior personhood’ according to the Confucian ideals. Mencius went further with the conditional support of such ideals insofar as the sovereigns do not commit the ultimate fallacy of becoming the ‘incorrigible’ ones, in which case the rights of the commoners to revolution or to ousting them should be preserved. Another major Confucian reformist Huang Tsung-hsi (1610-1695) called for proper constitutionalism to put an end to the widespread abuse of power that alienated Confucian ideals from the reality of hardship that the commoners had to live through. The Confucian reformers’ quest for demo-centric governance, fair and functioning institutions and the scientific advancement to turn around the peoples’ standard of living has not materialized within the framework of Confucian ideals, and certainly not during the Confucian dynastic period.

Whereas human rights as a legal term is an import, the Confucian demo-centrism of placing the ‘harmonic balance between human rights and human duties’ was the political ideology of Confucians, most prominently of Mencius. In reality, the ‘rights part’ of Confucian governance was struggling with keeping up the people’s natural rights to
subsistence. In terms of the modern conventions of human rights, Confucian governance only partially answered to the ‘covenants of economic and social rights.’ The Confucian call for maintaining the admirable harmonic social balance between the Confucian duties and rights more often than not became the political instrument of the ‘benevolent autocracy.’

Confucian reformers’ works were stopped short, when the revolutionary momentum took over with the sudden emergence of the Western imperial powers in the East-Asian political scene in the mid-to-late 19th century. The birth of the Republic of China in 1911 meant the demise of millennia old dynastic governance of China, introducing modern constitutional governance. The modernizing Japan of the Meiji era annexed Korea in 1910 and imposed Meiji constitutional governance. New constitutions of Japan and Republic of China had many implicit ingredients of the Confucian ethos in the constitutions and education-related edicts, but fundamentally those were based on the Western prototypes. Under this predominantly West-emulating modernization drive, the currents of Confucianism went below the surface of political structure. The main currents of the Confucian river that ran through the East-Asian civilization now became the undercurrents. Confucian attributes are no longer on the spectrum of official governance, but remained in the habits of minds, in family and human relationship, and culture and aesthetics.

The economy-centric modernization of the three nations brought Confucian humanism the long coveted economic wellbeing of the commoners. But it also brought a set of new dilemmas. Instrumental interpretation of Confucianism came to be called ‘Asian values’ and served the interest of the political autocracy. The unbridled pursuit of development played havoc on nature and the ecology running counter to the Confucian belief in the unity with nature. In the 1980s, Korean Confucian ethos of demo-centrism erupted in a major show-down with the thirty year military autocracy whose disdain for the peoples’ rights became no longer acceptable. The undercurrent of Confucian humanism and its quest for human dignity resurfaced as the main current when the democratization movement became widespread and proceeded in full force. In the words of Confucian educated Bishop Tji Hak-soon (1921-1993),11 the ‘river of justice’ still ran and carried the momentum of what the Confucian reformers long cherished as the ‘dreams of

democratization and democratic institution’ consistent with the ideals of Confucian humanism. The ideals of Confucian humanism looked beyond the newly achieved material wellbeing of the nations. Those contemporary Neo-Confucians led reforms in the persons of Buddhists, Catholics and Anglicans in Korea, and in the Republic of China, in the persons of Protestants.

While the projects of Confucian reforms on democratic institution and advancement in science may not be uniquely attributable to the three East Asian nations, the way they pursue these projects may have global implications. Confucian humanism is uncomfortable with sheer market principles and forces despite the economic prosperity it engenders. It is concerned about the destruction of human relations, especially that of family as the basic social institution. It abhors the destruction of nature as it is where the humans are from. It is concerned about the push in education as the key to success in the market, whereas Confucian education means life-long learning through self-cultivation for mutual flourishing, not winning over others as competitors in the marketplace of opportunities. Confucian humanism aspires to overcome such challenges and dichotomies, consistent with the resources of ‘humanity’ and its intellectual history of having faced similar challenges. For the last century and a half, Confucian East-Asians have not only diligently studied Western science and democratic institutions, but also met many minds and hearts of the West of alternative belief systems and traditions, yet sharing the same concerns about the state of affairs of humanity and where global humanism is heading. The river of Korean, Japanese and Chinese minds met that of North America in the Pacific and made the Pacific a greater ocean. The minds of Europe and East-Asia are no longer separated in the pursuit of the common humanism. The currents of Confucian humanism made of universal and ecumenical hearts and minds will not only continue to carry on with its tradition of humanity, but will also blend with other traditions and form a new and larger current.

The study has come to relate to the ‘main research question’ and also the postulation in the three parts.

It became apparent through this study that Confucian humanism was and is the integral part of Confucianism from the outset of its birth. It was embedded in Confucianism as the tradition of belief system and the commonly shared philosophy of ‘humanity.’
Confucian humanism has been applied to governance implicitly during the West-propelled modernization process as the undercurrent within the institutions of governance and constitutionalism of the industrial non-socialist East Asia of Korea, Japan and the Republic of China.

Confucian humanism with its ‘demo-centric’ ethos certainly provided fertile ground for the development of human rights, but the functioning regime of human rights observance has been the outcome of the democratic institutions and constitutionalism emanating from the West. Despite the long history of the three nations, all three are called ‘young democracies,’ since the process of institutionalizing democracy within the ethos of Confucian mind and hearts still is underway and remains a project very much in the making.

Confucian humanism has a direct bearing on the economic ethics as related to the global challenge of ecology. Confucian belief in human unity with nature needs to be revisited in local and global context, remaining a fresh challenge.

Confucian humanism by nature is ecumenical and universal, and will blend and will work with other traditions of the world on their individual paths towards globalizing civil societies. While Confucian humanism remains shared by the three nations, exception would be with their political paths that are conditioned upon how each nation manages its reality rooted in the recent history chequered by both cooperation and struggles.

In response to the postulation, firstly, Confucianism as one of the common philosophies and beliefs of contemporary Korea, Japan and Republic of China (aka Taiwan) indeed had its Confucian humanism from the very inception of Confucianism as the philosophical tradition.

Secondly, Confucian humanism did advance governance as expressed in the observance of human rights by providing the fertile ground of demo-centric Confucian ethos, but the functioning regime of human rights is the outcome of interactions with and help of the democratic institutions and constitutionalism coming from the West. Economic ethics based on Confucian belief in the unity of human to nature would be essential in jointly
meeting the global challenges of the ecological crisis where Confucian East-Asia must shoulder fair share of responsibility on account of its damaging role played in the process of industrialization.

Thirdly, Confucian humanism and its ideals would broadly accord with the humanism and ideals of a globalizing civil society. Not only globally shared values of civil society are compatible with those of Confucian humanism, but also it is a high likelihood that there would be a lot to complement each other with.
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Appendix 2: Glossary

This glossary covers those vocabulary items referred to in the text of the thesis, and also some appear as those in common use and found useful for discussions on Confucianism. Trilingual equivalents are given only if in current use. The meanings of many words are often more than one. Hence the most common ones are given. Most Chinese characters are commonly recognized by the three nations, but exceptions exist. Some writings of uniquely Japanese practices are quoted in parentheses with denotations of [Kanji].

*Romanization Conventions*

For **Korean**, the McCune-Reischauer system\(^1\) has been used. Exceptions are made for those cases where the use of alternative conventions is clearly established. In the quotation of other works, the conventions used by original sources have been maintained, unless changes were considered imperative.

For **Japanese**, the Hepburn system\(^2\) has been used together with its modification made by Kenkyusha’s new Japanese-English Dictionary, 3rd edition. Exceptions are made for those cases where the use of alternative conventions is clearly established. In the quotation of other works, the conventions used by the original sources have been honoured, unless changes were considered necessary to maintain integrity of the texts.

For **Chinese**, the Wade-Giles system\(^3\) has been used and pinyin equivalents are shown where deemed necessary. It has taken up the current practices at UCLA titled *Wade-Giles to Pinyin Conversion Table*. It is also identical with the system adopted by the Library of Congress. In the quotation of other works, the conventions used by original sources have been used, unless changes were considered desirable.

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<td>McCune-Reischauer</td>
<td>Hepburn/Kenkyusha</td>
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<tr>
<td>be</td>
<td>[部(族)]</td>
<td>tribal group</td>
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<td>buppō</td>
<td>[佛法]</td>
<td>Buddhist Law</td>
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<td>burakumin</td>
<td>[部落民]</td>
<td>village folks (untouchables)</td>
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<td>bushido</td>
<td>[武士道]</td>
<td>way of the warrior</td>
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<td>sōn</td>
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<td>chin</td>
<td>shin</td>
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<td>zheng</td>
<td>chōng</td>
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<td>sociopolitical order</td>
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<td>zhengming</td>
<td>zhengming</td>
<td>chōngmyōng</td>
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<td>proper use of terms</td>
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<td>cheng</td>
<td>sōng</td>
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<td></td>
<td>誠</td>
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<td>ch'eng-chi</td>
<td>chengji</td>
<td>sōnggi</td>
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<td></td>
<td>成己</td>
<td>self-realization</td>
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<td>ch'eng-i</td>
<td>chengyi</td>
<td>sōng'ūi</td>
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<td></td>
<td>誠意</td>
<td>sincere will or intention</td>
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<td>ch'eng-jen</td>
<td>chengren</td>
<td>sōng'in</td>
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<td></td>
<td>成人</td>
<td>mature person</td>
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<tr>
<td>chi</td>
<td>jì</td>
<td>ki</td>
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<td></td>
<td>己</td>
<td>ego, self</td>
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<tr>
<td>ch'i</td>
<td>qi</td>
<td>ki</td>
<td></td>
<td></td>
<td>氣</td>
<td>force, material force, ether</td>
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<td>ch'i-ch'ing</td>
<td>qiqing</td>
<td>ch'ilchōng</td>
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<td>七情</td>
<td>seven emotions</td>
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<td>chi-ku</td>
<td>jigu</td>
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<td>疾固</td>
<td>detested inflexibility</td>
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<td>chiao</td>
<td>jiao</td>
<td>kyo</td>
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<td></td>
<td>教</td>
<td>to teach</td>
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<td>chih</td>
<td>zhi</td>
<td>chi</td>
<td>ch'i</td>
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<td>knowledge</td>
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<td>chih hsing ho i</td>
<td>zhixing</td>
<td>heyi</td>
<td>chihaeng habil</td>
<td></td>
<td>知行合一</td>
<td>The unity of knowledge and action</td>
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<td>family clans</td>
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<td>bliss of sharing happiness</td>
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Appendix 2: Glossary

This glossary covers those vocabulary items referred to in the text of the thesis, and also some appear as those in common use and found useful for discussions on Confucianism. Trilingual equivalents are given only if in current use. The meanings of many words are often more than one. Hence the most common ones are given. Most Chinese characters are commonly recognized by the three nations, but exceptions exist. Some writings of uniquely Japanese practices are quoted in parentheses with denotations of [Kanji].

*Romanization Conventions*

For Korean, the McCune-Reischauer system has been used. Exceptions are made for those cases where the use of alternative conventions is clearly established. In the quotation of other works, the conventions used by original sources have been maintained, unless changes were considered imperative.

For Japanese, the Hepburn system has been used together with its modification made by Kenkyusha’s new Japanese-English Dictionary, 3rd edition. Exceptions are made for those cases where the use of alternative conventions is clearly established. In the quotation of other works, the conventions used by the original sources have been honoured, unless changes were considered necessary to maintain integrity of the texts.

For Chinese, the Wade-Giles system has been used and pinyin equivalents are shown where deemed necessary. It has taken up the current practices at UCLA titled Wade-Giles to Pinyin Conversion Table. It is also identical with the system adopted by the Library of Congress. In the quotation of other works, the conventions used by original sources have been used, unless changes were considered desirable.

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- *be* [部(族)]
- *buppō* [佛法] Buddhist Law
- *burakumin* [部落民] village folks (untouchables)
- *bushido* [武士道] way of the warrior
- *ch’an* [禅] meditation
- *chen* [真] truth
- *cheng* [政] sociopolitical order

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<td>sōng</td>
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Kaitokudō 懷德堂 Merchant Academy
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**[tiennōsei]** [天皇制] emperorship

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<td>做人 to be a person or to become human</td>
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Appendix 3: Biographic Digest
(* Key figures mentioned in the thesis or closely related thereto)

Romanization Conventions for Names

For Koreans, the McCune-Reischauer system\(^1\) has been used. Exceptions are made for those names where the use of alternative conventions is clearly established and in current use.

For Japanese, the Hepburn system\(^2\) has been used together with its modification made by Kenkyusha’s new Japanese-English Dictionary, 3rd edition. Exceptions are made, as with Korean names, for those names where the use of alternative conventions is clearly established and in current use.

For Chinese, the Wade-Giles system\(^3\) has been used and pinyin equivalents are shown where deemed necessary. It has taken up the current practices at UCLA titled *Wade-Giles to Pinyin Conversion Table*. It is also identical with the Library of Congress. Exceptions are made, as with Korean and Japanese names, for those names where the use of alternative conventions is clearly established and in current use.

Chang, Carsun: see Chang, Chün-mai


Chang, Peng-chun (Zhang, Pengjun, 張彭春: 1892-1957). A Chinese professor, philosopher and playwright. He served as vice-chairman and Chinese delegate to the UN Commission on Human Rights (1948) in charge of drafting the Universal Declaration of Human Rights. His philosophy is known to be based on Confucianism.

Chang, Tsai (Zhang, Zai, 張載: 1020-1077). One of the most renowned Neo-Confucians in the Northern Sung dynasty (960-1126).

Ch'eng, Hao (程顥: 1032-1083). Ch'eng Hao and his younger brother Cheng Yi (1033-1108) were the most noteworthy scholarly legends of early Chinese Neo-Confucianism of Sung dynasty (960–1279) in China with Chang Tsai.

Ch'eng, I (程颐: 1033-1108) see Ch'eng Hao

Ch'eng-Chu (程朱). A combined name of Ch'eng brothers and Chu Hsi given as a school of thought.

Ch'ŏng, Tojŏn (鄭道傳: 1342-1398). A leading Neo-Confucian scholar and statesman during the late Koryŏ dynasty and the early Yi dynasty in Korea.

Ch'ŏng, Yag-yong (also Tasan, 丁若鏞: 1762-1836). A leading Korean philosopher during the Yi Dynasty who was regarded as the greatest of the Sirhak (Practical Learning) thinkers.

Chou I (see Chou-i)


\(^{1}\) McCune-Reischauer system: http://mccune-reischauer.org, examined 20/08/2006


Chou, Tun-i (周敦頤: 1017-1073). One of the most noteworthy scholarly legends of early Chinese Neo-Confucianism and cosmologist. While he was influenced by Buddhism and Taoism, he followed the most ancient tradition of Chinese metaphysics as consigned in the Book of Changes (I Ching).

Chu, Hsi (Zhu, Xi, 朱熹: 1130–1200). A Sung Dynasty (960-1279) Confucian scholar who became one of the most significant Neo-Confucians in China. Chu Hsi was also influential in Japan, where his followers were called the Shushigaku (朱子学) school.

Chuang, Tzu (Zhuangzi: 莊子). A leading Taoist philosopher during the Warring States Period in ancient China (ca the 4th century B.C.E.)

Confucius (孔夫子: 551–479 B.C.E.). A famous Chinese thinker and social philosopher. His teachings and philosophy have deeply influenced East Asian life and thought which emphasised personal and governmental morality, correctness of social relationships, justice and sincerity.


Fan, Chungyen (Fan, Zhongyan 范仲淹: 989–1052). A prominent politician and literary figure in Sung dynasty (960-1279) in China. He was also a strategist and educator. His most famous work was Yueyang Lou Ji.

Fujiwara, Seika (藤原惺窩: 1561-1619). A Japanese Confucian scholar of the early Tokugawa period. He is regarded as the founder of Tokugawa neo-Confucianism.

Fukuzawa, Yukichi (福澤論吉: 1835-1901) A leading Meiji Restoratıon figure, author, writer, teacher, entrepreneur and political theorist who founded the Keio University.

Ham, Sŏk-Hŏn (咸錫憲: 1901-1989). One of Asia’s most important voices for democracy and non-violence during the 20th Century. Though formally a Quaker, he concluded that all religions are one.

Han, Fei Tzu (Han Feizi, 韓非子: ca. 280-233 B.C.E.). A major Chinese philosopher during the Warring States Period. He wrote a book known as the Hsün Tzu.


Han, Fei Tzu (Han Feizi, 荀子: 310-237 B.C.E.). A major Chinese philosopher during the Warring States Period. He wrote a book known as the Hsün Tzu.

Huang Ti (Huangdi, the Yellow Emperor or Huang Di 黃帝). A legendary Chinese sovereign and cultural hero who is said to be the ancestor of all Han Chinese. He is known for the introduction and invention of Chinese medicine, compass and sexagenary cycle Chinese lunar calendar.

Huang, Tsung-hsi (Huang Zongxi, 黃宗羲: 1610-1695). A Chinese political theorist, philosopher, and soldier during the
latter part of the Ming dynasty into the early part of the Ch‘ing dynasty.

Huineng (HuINeng, 惠能 or 惠能: 638-713). A Chinese Chan (Chinese Zen) monastic who is one of the most important figures in the entire tradition. Huineng is the Sixth Patriarch of Chinese Chan Buddhism, as well as the last official patriarch.

Ishida, Baigan (1685-1744). A scholar of the merchant (chōnin) class in the mid-Edo period, founder of Sekimon Shingaku, the school of ‘Heart-Mind Learning’.


Itō, Jinsai (1627-1705). A Japanese sinologist, philosopher, and educator of Tokugawa period, who founded the Kogigaku (“Study of Ancient Meaning”) school of thought, which subsequently became part of the larger Kogaku (“Ancient Learning”) school.

Kaibara, Ekken (also known as Atsunobu 篤信, 貝原 定軒: 1630-1714). A Japanese Neo-Confucianist philosopher and botanist during the Edo Period of the 16th century of Japan

K’ang, Yü-wei (K’ang Yu-wei, 康有為: 1858-1927). A Chinese philosopher and reform movement leader. He was a leading philosopher of the new text school of Confucianism, which regarded Confucius as a utopian political reformer.

Kukai (空海: or Kōbō-Daishi 弘法大師: 774-835). A Japanese monk, scholar, poet, and artist. He was the founder of the Shingon (True Word) school of Buddhism.

Ku, Yen-wu (Gu Yanwu, 顧炎武: 1613-1682). One of the most eminent scholars of the early Ch‘ing dynasty.

Kuan Tzu (Guanzi, 管子 or Kuan Chung (管仲): d. 645 B.C.E.). He was prime minister of the state of Ch‘I and he is regarded as one of the three patriarchs of Tao.

Kuei-chi (竅基, Kuei-chi: 632~682). One of the disciples of Hsuan-tsang (玄奘: 596-682) and the developer of the Wei-shih (Consciousness Only) School which is one of the Chinese Mahayana schools in China.

Lao Tzu (Laozi, 老子). A major Taoist figure in Chinese philosophy. According to Chinese tradition, he lived in the 6th century B.C.E., however, many historians placed his life in the 4th century B.C.E., which was the period of the ‘Hundred Schools of Thought’ and Warring States Period. He was recognised as the founder of Taoism.

Liang, Chi-ch’ao (Liang, Qichao 梁啟超: 1873-1929). An essayist, historian, reformer and one of the most influential intellectuals in China in the first half of the twentieth century.

Liang, Shuming (梁漱溟: 1893-1988). A Neo-Confucian philosopher and writer who attempted to demonstrate the relevance of Confucianism to China’s problems in the twentieth century.


Lo Ch’in-shun (Luo Qin-shun, 羅欽順: 1465-1547). A philosopher and Neo-Confucian in the Ming dynasty of China.

Lu, Hsiang-shan (Lu, Jiuyuan, 陸象山: 1139-1193). A Chinese Neo-Confucian philosopher, government official and a teacher of the Southern Sung dynasty. He was the rival of the great Neo-Confucian rationalist Chu Hsi.
Lu-Wang (陸王). A combined name of Lu Hsiang-shan and Wang Yang-ming given as a school of thought.


Matsuo, Bashō (松尾芭蕉, 1644-1694). The most famous poet of the Edo period in Japan. During his lifetime, Bashō was renowned for his works in the collaborative haikai no renga form; today, he is recognized as a master of brief and clear haiku.

Mencius (Meng Zi: ca. 372–289 B.C.E.). A Chinese philosopher and follower of Confucianism who argued that humans are naturally moral beings but are corrupted by society.

Motoda, Nagazane (元田永孚: 1818-1891). A Japanese Confucian scholar-official born in Kumamoto as the son of a samurai of the Kumamoto Clan. He engaged in the drafting of "Kyogaku taishi" and drafted the Imperial Rescript on Education.


Mo-Tzu (Mozi, ca. 470-390 B.C.E.). A philosopher who lived in China during the flowering of the ‘Hundred Schools of Thought’ during the early Warring States period. He founded the School of Mohism and argued strongly against Confucianism and Taoism.

Mou, Tsungsan (牟宗三, Mou Zongsan: 1909-1995). Mou is a leading contemporary Neo-Confucian philosopher. He made a major comparative metaphysical study between Chinese philosophy and Immanuel Kant.

Natsume, Sōseki (夏目漱石, 1867-1916). One of the best-known Japanese authors of the 20th century. His works of fiction, as well as his essays, haiku, and kanshi (poetry composed in Chinese) were tremendously influential and are popular even today.

Nishida, Kitarō (西田幾多郎: 1870–1945). A prominent Japanese philosopher, founder of what has been called the Kyoto School of philosophy.

Ogyū, Sorai (荻生徂徠: 1666-1728). A Japanese Confucian philosopher known by the pen name Butsū Sorai. He has been described as the most influential scholar of the Tokugawa period.

Ōkuma, Shigenobu (大隈重信: 1838-1922). A Japanese politician and the 8th (1898) and 17th (1914) prime minister of Japan. Ōkuma was also an early advocate of Western science and culture in Japan, and founder of Waseda University.

Park, Che-ga (朴齊家: 1750-1805). An advanced shirak scholar of the late Yi dynasty Korea and one of disciples of Park Chi-wŏn.

Park, Chi-wŏn (朴趾源: 1737-1805). A Shirak thinker and writer during the late Yi dynasty. He believed that Heaven bestowed unique talents on all men. His major work was 'Tale of the Yangban'.

Ricci, Matteo (1552-1610). Born in Macerata, Papal States (now Italy). An Italian Jesuit missionary who introduced Christian teaching to the Chinese empire in the 16th century. He founded the Catholic missions of China.

Saichō (最澄: 767-822). A Japanese Buddhist monk credited with founding the Tendai school in Japan, based around
the Chinese Tiantai tradition.

Shinran (親鸞: 1173-1263). A Japanese Buddhist monk. He was a pupil of Hōnen (1133-1212) and the founder of the Jōdo Shinshū (or True Pure Land) sect in Japan.

Shōtoku, Taishi (聖徳太子, Prince Shōtoku: 574-622). A regent and a politician of the Imperial Court in Japan. He was tutored by Wang-in (Wani) of the Paekche dynasty (18 B.C.E.-660 C.E.) of Korea who introduced to the Japanese court Confucianism and other courtly scholarship. He is also known to have introduced the first constitution of Japan (the 'Seventeen Article Constitution').

Ssuma, Ch’ien (司馬遷: ca. 145-90 B.C.E.). A perfect of the Grand Scribes (太史令) of the Han dynasty. He is regarded as the father of Chinese historiography because of his highly praised work, Shiji ('History Record').

Sun, Yatsen (孫逸仙: 1866-1925). A Chinese revolutionary and political leader who is often referred to as the "father of modern China". He was the first provisional president when the Republic of China was founded in 1912. He later co-founded the National Party or Kuomintang (KMT) where he served as its first leader.

Tai, Chen (戴震: 1723-1777). A notable scholar of the Ch’ing dynasty (1644-1911) in China, making great contributions to mathematics, geography, phonology and particularly philosophy.

Tanizaki, Junichiro (谷崎潤一郎: 1886-1965). One of the major writers of modern Japanese literature. He is regarded as the most popular Japanese novelist after Natsume Soseki (1867-1916).

T'oegye (also Yi Hwang, 李滉: 1501-1570). One of the most honored thinkers of the Korean Neo-Confucian tradition. He interpreted and synthesized in Korea the Neo-Confucian reformulation completed by Chu Hsi during the Sung dynasty in China.


Toyotomi, Hideyoshi (豐臣秀吉: 1537-1598). A Sengoku daimyo (feudal lord in the Warring States period) who unified Japan. He is noted for a number of cultural legacies. The period of his rule is often called the Momoyama period.

Tung, Chung-shu (董仲舒, Dong Zhongshu: ca. 195-115). A Han dynasty Confucian scholar. His thought integrated yin yang cosmology into a Confucian ethical framework.


Wang, Yang-ming (王陽明, Japanese Ō Yōmei: 1472-1529). A Chinese idealist Neo-Confucian scholar-official in the Ming dynasty. After Chu Hsi, he is commonly considered the most important Neo-Confucian thinker. His school of thought (Yōmei-gaku in Japanese) also greatly influenced the samurai ethic of that time in Japan.


Yamaga, Sokō (山鹿素行: 1622-1685). A Japanese philosopher and strategist during the Tokugawa shogunate. He was a Confucian, and applied Confucius’s idea of the "superior man" to the samurai Samurai class of Japan.
Yamagata, Aritomo (Prince, 山縣 有朋: 1838-1922). A field marshal in the imperial Japanese Army and twice Prime Minister of Japan. He was the first prime minister of Japan after the opening of the imperial Diet under the Meiji Constitution (1889-1891).

Yanaihara, Tadao (矢内原忠雄: 1893-1961). Educated as an economist, he became one of the ‘seven disciples’ of Uchimura’s Non-church Movement in Japan. He served as the president of Tokyo University in post-WWII era.

Yasuda, Yojūrō (保田与重郎: 1910-1981). A literary critic known as the leader of the school of romanticism in the Post-war era of Japanese literature

Yi, Ik (also Sŏngho, 李漢: 1681-1763). An early sirhak (Practical Learning) philosopher and social critic in the Yi dynasty of Korea.

Yi, Yulgok (李栗谷, also Yi I, 李珥: 1536-1584). A noted Korean sage in the Yi dynasty. He is one of the two most famous Korean Confucian Scholars with T’oegye.


Yu, Hyŏng-wŏn (柳馨遠: 1622-1673). A leading Sirak (the Practical Learning) scholar in the late Yi dynasty Korea

Yun, Sŏndŏ (孤山 尹善道: 1587-1671). A noted Korean poet of the Yi dynasty. He is considered the greatest master in the history of Korean literature. His most famous work is The Fisherman’s Calendar, a cycle of forty seasonal sijo.

SOURCES


2. Han’guk yŏktae Inmul Sajŏn (Korean Dictionary of Historical Figures): (http://www.koreandb.net/KPeople/)


4. Chinese Chapter of East Asian History Sourcebook (http://www.fordham.edu/halsall/eastasia/eastasiasbook.html#Imperial%20China)

5. Wikipedia (www. wikipedia.com)
# Appendix 4: Chronology

<table>
<thead>
<tr>
<th>Period/Year</th>
<th>Korea</th>
<th>Japan</th>
<th>China (Rep. of)</th>
<th>Notes and Remarks</th>
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<td>Chou Dynasty (ca 1122-256 B.C.E.)</td>
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<td>400</td>
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<td>孔夫子 (Kong Fuzi or K'ung-fu-tzu) (551 – 479 B.C.E.)</td>
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<td>* Refer to the details of division 1 in the footnote.</td>
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<tr>
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<td>Mencius</td>
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<td>Chuang Tzu</td>
<td>Zhuang Zi (ca 369-286 B.C.E.)</td>
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<tr>
<td>Kofun period (Ca. 300-710)</td>
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<td>孟子 or Xún Zǐ (310–237 B.C.E.)</td>
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<td>Han Fei</td>
<td>(ca 280-233 B.C.E.)</td>
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<td>Tung Chung-shu</td>
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<td>Taika Reform</td>
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<td>Kūkai</td>
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<td></td>
<td>Sei Shōnagon</td>
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<td>Murasaki Shikibu</td>
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<td>900</td>
<td>Koryō dynasty (935-1392)</td>
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<td>Earlier Neo-Confucians</td>
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<td>Fan Chungyen</td>
<td>Fan Zhongyan (范仲淹: 989–1052)</td>
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<td>Ou-yang Hsiu</td>
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<td>Chou Tun-i</td>
<td>Zhou Dunyi, 周敦頤 (1017-1073)</td>
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1 Ch’u (722-223), Sung (770-286), Lu (770-249), Ch‘ing (770?-206), Chou (722?-256), Wei (403?-230), Han (376?-225), Chao (376?-222), Yen (770?-222), Ch‘i (770?-221), ‘Spring and Autumn Period’ (ca 722-481), ‘Period of Warring States’ (403-221)
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<td>Iryeon</td>
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<tr>
<td>Yoshida Kenkō</td>
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<td>Yi Saek</td>
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<td>Chōng Tojón</td>
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<td>Lo Ch’in-shun</td>
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<td>Lü Kun</td>
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<td>Toyotomi Hideyoshi</td>
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<td>Hayashi Razan</td>
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<td>Hō Gyun</td>
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<td>Gu Yanwu (1613-1682)</td>
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<td>Wang Fuzhi</td>
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<td>Yu Hyông-wôn</td>
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<td>Yamaga Sokô</td>
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<td>Han Tan</td>
<td>(1637-1704)</td>
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<td>Ogyu Sorai</td>
<td>荻生 祐徳 (1666-1728)</td>
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<td>Lin Zexu</td>
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<td>Wei Yuan</td>
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<td>Maruyama Masao (1912-1926)</td>
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<td>Park Chung-Hee (1912-1926)</td>
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<th><strong>Showa period</strong> (1926-1989)</th>
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<td>Li Buyun (1926-1989)</td>
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<td>Liu Huaqiu</td>
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<td>Xia Yong (1950-1953)</td>
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<td>Heisei period (1989- )</td>
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Appendix 5-1: Letter of Invitation to Focus Group Discussions

with the Terms of Confidentiality

Date, 2005

<Title>
<Name>
<Position>
<Name of Organization>
<Address>

Invitation to ‘Small Group Discussion’ on:
Confucian Humanism
as the Foundation of Human Rights and Economic Ethics:
A Study of Korea, Japan and the Republic of China
Doctorate of Philosophy Research

Dear ,

This letter is to invite you to a ‘Small Group Discussion’ on the Confucian Humanism as the Foundation of Human Rights and Economic Ethics’. Discussions are taking place as a part of my Doctorate of Philosophy Research project at RMIT University, Melbourne, Australia, under the supervision of Professor Desmond Cahill.

You may kindly note that my interest is in finding the ‘Confucian Humanism as the Foundation of Human Rights and Economic Ethics.’ The research is based on an overall enquiry that can be broken into the three postulates:

Postulate 1:
Confucianism as one of the common philosophies and beliefs of contemporary Korea, Japan and Republic of China (aka Taiwan) evolved into Confucian humanism.

Postulate 2:
Confucian humanism advances governance as expressed in the observance of human rights and the evolution of economic ethics.

Postulate 3:
Confucian humanism and its ideals accord with the humanism and ideals of a globalizing civil society.

The discussion group will meet at a location that is convenient for those who agree to take part in this research. The discussion is estimated to take about two hours in a quiet and comfortable place in a convenient location.

Informal unstructured discussions will focus on the questions given in the attached ‘Focus Group Discussion Guide’.

The under-signed researcher will make the written notes as the transcript of the small group discussions.

The researcher will maintain the confidentiality about the discussions and the identities of the participants, and will make sure to remove any possible personal or organizational identifiers from the written transcripts.

Please also be advised that the themes of the discussion will be aggregated and no names of research participants or their companies will be used in the thesis to ensure anonymity is preserved.

On completion of the research, the ‘executive summary’ of any research findings will be provided to you.

Participation in this research is entirely voluntary. If you agree to participate you may withdraw at any time.

If you have any questions please feel free to contact me at:
Email: calvin.lee@rmit.edu.au
Phone +61(3) Fax +61(3)

Thank you for your kind consideration, and I look forward to keeping in touch with you again through phone or email to fix the date and venue of your convenience.
Yours sincerely,

Calvin Chong Kun Lee
Candidate,
Doctor of Philosophy
School of International Studies (GSSSP)
RMIT University
Email: calvin.lee@rmit.edu.au, Phone +61(3), Fax +61(3)

Level 5,
Building 37, RMIT University
411 Swanston Street,
Melbourne, VIC 3000, Australia

Enclosed:

**Questions for the ‘Unstructured Small Group Discussions’:**

Q1 Do Northeast Asians follow Confucianism as the common belief?

Q2 Do these philosophical traditions and habits represent Confucian humanism as a foundation for societal cohesion and civility?

Q3 Does the worldview associated with Confucian humanism mirror the concept and practices of governance, especially in regard to the observance of human rights?

Q4 Does Confucian humanism foster economic ethics?

Q5 Is Confucian humanism compatible with the ideals and concerns of globalizing civil society, especially in terms of human rights and economic ethics such as over the global ecological crisis?
## Appendix 5-2: ‘Focus Group’ Discussants and Acronyms

### ‘Focus Group’ Discussants of Korea

#### (1) Academics and Researchers

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<thead>
<tr>
<th>Acronym</th>
<th>Name</th>
<th>Position</th>
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<tbody>
<tr>
<td>KAP</td>
<td>Specialists in East Asian Philosophy</td>
<td>Presenter of Interfaith Study Group, Korea</td>
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<tr>
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<td>Cross-cultural Writer</td>
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<tr>
<td>KAH</td>
<td>Educators (Human Development)</td>
<td>Professor in Social Theory</td>
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<tr>
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#### (2) Public Policy-persons

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<td>KPE</td>
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#### (3) Practitioners in Public and Private Sectors

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<td>Advocate of People’s Solidarity for Participatory Democracy</td>
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### Focus Group Discussants of the Republic of China

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### Appendix 6-1: Korea National Statistical Office 2003, Religions of Korea:

#### Number of Declared Participants per Each Religion

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<th>Composition of Population by Religion (in percentages)</th>
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*Source: Korea National Statistical Office, Report on the Social Statistics Survey, Each year*  
<http://www.nso.go.kr>, viewed 07 October 2006
## Appendix 6-2: Religions of the Republic of China (2005)

### Statistics on Religions in Taiwan

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* Number of temples includes 8,753 home shrines.
** Including Tantric Buddhism
*** Figures include those of the Unification Church and the Church of Jesus Christ of Latter-day Saints.

Source: Department of Civil Affairs, Ministry of the Interior, the Republic of Taiwan