The Faces of Fear:
Cross-cultural Dialogues on Fear and Political Community

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Inspired by the hopes of better understanding and managing fear in our political lives, this dissertation engages Western and Chinese thinkers in a cross-cultural dialogue about fear. Influenced by the Enlightenment portrayal of fear, we tend to think fear as the greatest evil of civilization and the greatest enemy of freedom. This research shows that this way of thinking about fear is not the only one that is plausible or available to us. In order to understand what is missing from our current understanding of fear, this dissertation explores parallels among six philosophers who represent diverse attitudes to fear and political community. The six philosophers are grouped in three pairs, each of which includes one Western and one Chinese thinker: the moralists, Aristotle and Confucius; the realists, Hobbes and Han Fei; and the Enlighteners, Montesquieu and Liang Qichao. From the dialogue among these thinkers, the thesis shows how the concept of fear has changed its character; how fear has developed critical relationships with justice, equality and liberty; and how fear has been related to the different ways of political life. At the same time, by highlighting each voice’s strengths and weaknesses, this cross-cultural dialogue enables us to see how each theory may hide sources of fear within itself and how, ironically, they sometimes inflate the fears that they were designed to tame. Contemporary liberals, in particular, need to learn that there is much that is missing in our current understanding of fear and how these limitations may undermine their efforts to promote
individual liberty and security. In this regard, these different faces of fear point both to a richer portrait of fear and a better understanding of how to handle it.
# TABLE OF CONTENTS

1. INTRODUCTION  
   Cross-cultural Dialogues on Fear and Political Community  
   
2. A MORALIST DIALOGUE  
   Aristotle and Confucius  
   
3. A REALIST DIALOGUE  
   Hobbes and Han Fei  
   
4. AN ENLIGHTENMENT DIALOGUE  
   Montesquieu and Liang Qichao  
   
5. CONCLUSION  
   Fear and Freedom: How to Use the History of Fear  
   
APPENDIX  
   
BIBLIOGRAPHY
CHAPTER ONE

Cross-cultural Dialogues on Fear and Political Community

Adam answered, “I was afraid because I was naked.” …
So the LORD God banished him from the Garden of Eden
to work the ground from which he had been taken.

*(Genesis 3)*

Afraid, they know. …
Their story – our story – is ready to begin.

*(Corey Robin, Fear: The History of a Political Idea)*

Introduction

This thesis engages Western and Chinese thinkers in a cross-cultural dialogue about fear and political community. Social scientists have already begun to recognize the great benefit from participating in more cosmopolitan forums. Entirely new concepts, different perspectives and fresh insights can be gained from this broader setting. Even familiar concepts become fresher and more interesting when put besides their cultural counterparts. Most importantly, such a dialogue enables us to gain some critical distance on the predominant ideas and institutions of our own culture. Encountering thoughts from older and foreign texts is one way of broadening the range of questions and preconceptions that we can bring to the interpretation of our experience.

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Being aware of these benefits, political theorists have recently begun to examine a number of concepts from a cross-cultural perspective. Fred Dallmayr, in particular, has been participating in a series of international dialogues since the late 1990s. Highlighting the universality of core themes such as justice and freedom, Dallmayr makes a strong effort to define democracy and defend its universal application through engaging with respectful voices from India, Islam, and East Asia. Daniel Bell also calls for more cross-cultural dialogues, especially between political theorists trained in Western and East Asian societies. His works heavily focus on human rights and democracy viewed in this cross-cultural context. He tries to offer East Asian accounts of human rights and democracy that is different from rights-based Western liberal democracy, one of which is widely called “Confucian democracy.” According to Bell, it makes both sides open to revising their initial assumptions and learning new perspectives on democracy. Roger Ames, who translated many Chinese classics with David Hall, explores diverse issues through the lens of Chinese philosophy for fresh insights: from the self, virtues, authority,


education, and democracy to nature and ecology. In sum, Dallmayr, Bell, and Ames’ common response to Huntington’s “clash of civilizations” is the necessity and desirability of dialogues among civilizations for mutual learning and understanding.

Most of their works, however, have focused on positive concepts such as justice, liberty, human rights, virtues, harmony or institutions like education and democracy. Negative passions such as uneasiness, anxiety or fear are hardly investigated in this worldwide forum, despite their central role in political life. My research pushes a cross-cultural dialogue into this new, negative area by exploring parallels between Western and Chinese political thought on the relationship between fear and political community.

**Fear as a political idea**

One might wonder why fear needs such careful attention. In particular, some may doubt whether the heart-pounding, palm-sweating sensation of fear truly differs according to culture. Fear seems to some to be a common and universal feeling that needs no further elaboration. Others may assume that fear is too obvious and self-evident to deserve any serious academic attention. However, fear represents something more than a self-evident and universal emotion. Perceiving fear as nothing but a universal emotion ignores the causes and context in which this seemingly obvious and universal sensation occurs. Clearly, my fear of dogs or your fear of

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boarding a plane differs from African Americans’ fear of police dogs due to police
discrimination or Americans’ fear of boarding a plane after 9/11. Whereas the two former
examples are personal, the latter two cannot be divorced from their social and political context.
What distinguishes political fear from personal fear is whether its cause and effect are associated
with society as a shared feeling of a certain number of people. My study focuses on this political
fear. Given that political fear is a social creation, there will be various contexts and different
understandings of fear according to one’s culture. Fear is not a universal emotion, but a political
idea that has developed different patterns across the world.

Furthermore, fear is a reaction to the positive ideals we want to pursue in our society. For
example, fear is commonly regarded as the opposite of freedom. If someone fears, as
Montesquieu famously asserts, he is not free. We would expect no room for freedom in a place
where fear rules. The fear of despotism teaches us the worth of political liberty and rule of law;
the fear of totalitarianism enhances our appreciation for liberal democracy. In this way, these two
concepts – positive and negative – form an inseparable relationship as the two sides of a coin. In
other words, we need to understand fear in order to identify the nature of a good life.
Accordingly, fear could be a good starting point to explore values and ideals pursued in a society.
At the same time, in order to explain political conflict and fear, we need to understand political
community and political life in which those negative ideas have been born and grown. Therefore,

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5 Judith Shklar articulates fear as a political notion by claiming that, “we fear a society of fearful people.” J. Shklar,
“The Liberalism of Fear,” p. 3. Corey Robin also distinguishes political fear from personal fear by using society as a
key term; he explains that political fear “emanates from society or has consequences for society.” According to his
definition, political fear is “a people’s felt apprehension of some harm to their collective well-being or the
intimidation wielded over men and women by government of groups.” C. Robin, Fear: The History of a Political
Idea, p. 2.

6 “…[I]n order for him to have this liberty the government must be such that one citizen cannot fear another citizen.”
fear deserves close attention as a political idea, since it is crucial to the construction of the positive ideas that interest us and, at the same time, it allows us to deepen our understanding of political community and political life.

Recognizing this entanglement of the positive and negative, there is actually a growing interest in the concept of fear among political theorists in recent years. Judith Shklar is well known for “The Liberalism of Fear (1998)” where she argues that the main task of liberalism is to fix its eyes on fear and ordinary vices, rather than to make abstract conceptual debates on freedom itself.7 Corey Robin’s book Fear: The History of a Political Idea (2004) is an in-depth analysis of fear and its place in a liberal polity; it is a genealogy of political fear, on one hand, and a diagnosis of American liberalism, on the other.8 Legal scholar Cass Sunstein also tries to uncover the relationship between fear, freedom and politics in Laws of Fear (2005), where he highlights the role of deliberative democratic institutions that respond to public fear and hope, and expert opinion that check excesses.9 Lars Svendsen’s A Philosophy of Fear (2008) examines “the risk society” and “the culture of fear,” and Frank Furedi’s Politics of Fear (2005) adds a voice from a sociological point of view in explaining 20th century political ideologies.10 All these works suggest that fear has started to draw attention as a significant academic theme. However, even with this increased attention, fear has been rarely explored through anything like the cross-

cultural dialogues that I propose. My research builds on this recent academic concern on fear but stretches it out to the other cultural hemisphere across the globe.

**Project overview**

My research explores parallels between Western and Chinese political thought on fear theory through consideration of three pairs of thinkers who represent diverse attitudes to the subject: the moralists, Aristotle (384-322 BC) and Confucius (551-479 BC); the realists, Hobbes (1588-1679) and Han Fei (281-233 BC); and the Enlighteners, Montesquieu (1689-1755) and Liang Qichao (1873-1929). Each of the three main chapters of this study focuses on one of these pairs.

**Aristotle and Confucius**

The moralist group understands political life as a conflict-ridden reality.\(^{11}\) According to them, our political community is naturally imperfect. Fear, disputes and conflicts are not signs of political failure but natural elements of our political life. Both philosophers are outstanding champions of virtue ethics, but I argue that we can construct a broader understanding of Aristotle’s and Confucius’ political theory by adopting a negative approach – in particular, by

\(^{11}\) Perhaps a widespread misunderstanding is that these moralist thinkers have too harmonious understanding of political life to give us a reliable guide to the conflicts and friction in our ordinary political life. For example, Alisdair MacIntyre and Richard Rorty, despite their sophisticated understandings on Aristotle and Confucius, make typical complaints in their writings. MacIntyre blames Aristotle for ignoring “the centrality of opposition and conflicts in human life”; Rorty argues that Confucianism bears some responsibility for not being able to effectively deal with dynamic tensions due to its attitude towards harmonious old tradition. A. MacIntyre, *After Virtue* (Notre Dame: University of Notre Dame Press, 1984) p. 153, and Y. Huang, *Rorty, Pragmatism, and Confucianism* (SUNY Press, 2009), pp. 295 and 299. However, Aristotle and Confucius never exclude conflicts for a harmonious order but actually think in the opposite way; conflicts and difference are necessary and crucial elements for our ethical life and character training. I defend this controversial claim in chapter two. For a valuable exception to the general underestimation of Aristotle’s interest in moral and political conflicts, see B. Yack, *The Problems of Political Animal* (University of California Press, 1993) pp. 10-18. For Confucius’ side, R. Ames and D. Hall continue to picture Confucius as a pragmatist, existentialist and not a defender of the status quo in their book *Thinking Through Confucius* (SUNY Press, 1987).
looking through their concept of fear. We tend to picture the political communities suggested by Aristotle and Confucius as naturally harmonious and peaceful, but it will turn out to be more dynamic, energetic and contingent if we pay attention to the concept of fear in their theories. For them, fear is not a simply virtue-related emotion for moral training but a basic component defining and maintaining a political community. In other words, for Aristotle and Confucius, fear is not an inevitable, unwelcoming emotion but an essential element of our political life, even of a good political life.

One may wonder how this negative concept can play such an important role in the moralist picture of political community. It is due to “the lost relationship between fear and morality” as I call it. Many pre-modern thinkers viewed fear as the other side of morality, which could be oriented in a certain direction to invite virtuous political actions. For Aristotle and Confucius, fear is not the greatest evil destroying a good life; it is actually a necessary emotion for pursuing a good life because it involves the fundamental question of a good life, a life worth dying for. Therefore, contrary to Montesquieu’s assertion, a good life does not mean the absence of fear in Aristotelian and Confucian thought. One of main goals of my research is to show how the way we think of political fear has been changed. Fear’s centrality in political life has never been decreased nor discontinued, but the concept of fear, as a political idea, has changed over time. As we follow the traces, we may have a better picture of fear and our political life by gaining some critical distance on the prevalent ideas of our own and adding different perspectives and insights from those older and foreign approaches.

My second chapter discusses how these moralist philosophers understand fear and try to orient it, using “political community” as a key concept. I explain three major issues in this
chapter: the lost relationship between fear and morality; the role of moralist fear in generating justice in a political community; and the way that moralist fear highlights our nature as political animals. For this group, fear grows out of society’s shared moral ethos. In other words, what people share is a moral ethos that determines fear. For Aristotle and Confucius, fear depends upon a preceding understanding of right and wrong shared in a community. For example, it would be right for a virtuous man to fear dishonor but not poverty or sickness. A good and brave person depicted in *Nicomachean Ethics* is one who fears “the right things, for the right end, in the right way, at the right time.” For Aristotle and Confucius, a healthy political life may not be possible if community members do not maintain appropriate fear in their ordinary daily life. Therefore, fear has a fundamental relationship with morality and political life for this moralist group. In this regard, as both Robin and Svendsen point out, it is scarcely a coincidence that fear is the first emotion mentioned in the Bible after which a political community starts for the first time, right after Adam and Eve encounter the concept of morality. Also, this is why we can find astonishing similarities in Aristotle’s and Confucius’ understanding of political community and their emphasis on ethical training in a communal setting as we will see in this chapter.

This moralist view highlights Aristotle’s famous axiom that man is a political animal. The preceding apprehension of “right and wrong” is acquired through the community members’ seeking public consensus on justice using *logos*, the uniquely human capacity for reasoned speech and debate. In other words, people can cultivate right fear only through social interaction and public deliberations that require a political community. As we understand a political “community” as a place where individuals hold something “in common,” this “shared” moral

ethos – what to fear and what not to fear – becomes crucial for creating and maintaining our
political life. This is a mutual benefit. Public deliberation and social interaction in a political
community helps human beings to develop in such a way that makes a good life possible, and the
participation provides a binding force for the community in turn. In sum, human beings, as
political animals, actively reflect and deliberate on justice – what to fear and what to not – with
other community members and this ongoing process, which is not necessarily neat and
harmonious, develops certain level of mutual obligation and a shared moral ethos that binds the
community. In this way, fear works as a basic component defining and maintaining a political
community, by asking the fundamental question of a good life on the one hand and highlighting
our nature as political animals on the other.

The divergence between Aristotle and Confucius, however, occurs in this process of
achieving public consensus. Especially, the different mode of political membership greatly
affects the way each community deliberates on fear. Whereas Aristotle’s community is primarily
a community of free and equal friends, Confucian community basically stretches across the
intimate and unequal members of a family. Therefore, the parallel between Aristotle and
Confucius provides excellent opportunities to explore how the different understandings of
political community twist and turn around fear. Regarding this, I challenge Aristotle’s assertion
that Asian people “remain ruled and enslaved” because they are “endowed with thought and art
but are lacking in spiritedness.”\footnote{Aristotle, \textit{The Politics}, (trans.) C. Lord (The University of Chicago Press, 1984), 1327b26, p. 208.} A more in-depth understanding of the Confucian view on
political community and their unique attitude toward the human capacity of speech might induce
Aristotle to draw a different conclusion. Once we recognize this divergence, we can get a better
picture of the moralist understanding on fear and political life without portraying the ancient Confucian society as unspirited and enslaved.

**Hobbes and Han Fei**

The second group, the realists, represented by Hobbes and Han Fei, give fear a special prominence as a crucial political idea. They display a penetrating insight into fear, not only as an effective means of motivation, mobilization, governance and management but also as a constituent element of a political community. This group claims that mutual fear, rather than mutual good, binds political community. Although they share the moralists’ understanding of political life as a conflict-ridden reality, Hobbes and Han Fei strongly oppose the moralist entanglement of fear and morality. They argue that there is no distinction between right fear and wrong fear. Fear belongs to the realm of good or bad, not of right or wrong; and fear is simply bad, something that everybody wants to avoid. There is no way for anyone to secure himself, so fear of violent death pushes human beings into political community. Realists think that ethical reflection or public deliberation about justice leads us to war rather than to a community. In other words, while Aristotle and Confucius believe that arguing and deliberating about justice is a way of establishing mutual obligations and developing the shared moral ethos that binds a political community, Hobbes and Han Fei think that not arguing about justice is a necessary condition of the existence of political community, commerce and culture.

The realists think that fear is primarily a matter of equality, not justice. Fear grows out of diffidence coming from the “equality of hope” – that even the weakest slave girl can poison the strongest general;\(^\text{15}\) it does not come from “the shared moral ethos,” something that the moralists

believed to exist. Therefore, the realist group breaks the close relationship between fear and morality that the moralists sincerely wanted to defend. Whereas the fearful man of Aristotle and Confucius deliberates on what to avoid for living well, the fearful man of Hobbes and Han Fei calculates how to avoid violent death for living. Instrumental rationality takes precedence over morality. Instead of the lifetime of ethical training and social interaction seeking public consensus, this group underlines the role of laws and norms that will be applied to everybody equally.

Different understandings of fear between these two groups result in their very different understandings of law. Moralists put more weight on the lawmaking process than the law itself, since they believe it to be helpful in orienting and taming fear. Realists, in contrast, think that public legislation increases unavoidable fear due to the irreconcilable differences among people about morality. Therefore, they want to detach politics from morality so that laws can be treated as neutral contracts rather than moral standards. For Aristotle and Confucius, laws relate to standards of intrinsic right and wrong. In contrast, Hobbes and Han Fei view laws as a “common standard” rather than a “correct standard,” a mutual consent to settle problems in a certain way, such as the rule “spades trumps hearts” in poker games. In other words, the intrinsic value in a law is not that important for the realists as long as the law equally binds all members of a political community. In this way, we can grasp the two groups’ different understandings of law and its role in a political community through their different understandings of fear.

However, this realist approach paradoxically invokes fear’s moral components from the other direction. In order to establish a successful law and punishment system, fear has to be

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16 Hobbes argues that “right reason” is the reason of a judge who enforces the rules of a game and settles down the controversy, just like we set up some rules when playing cards. T. Hobbes, Leviathan, pp. 111-2.
instilled into a society through a combination of laws, elites, institutions like church and school.\textsuperscript{17} In other words, the state comes to have primary responsibility to teach people to fear certain things for political stability. In fact, Hobbes’ \textit{Leviathan} can be summarized as a claim that the state should create the shared moral ethos, i.e., the philosophy of fearful obedience, which would be an overall project of political reconstruction based on fear. In this way, not “reflection on fear” but “fear itself” binds and maintains community.\textsuperscript{18} In my third chapter, we will see whether this realist approach – i.e., an overall political reconstruction based on fear – can be an effective and proper way for managing fear.

In this chapter, I examine three major issues: how rationality-oriented fear can create political community and how it differs from the moralist understanding of political life; how this rationality-oriented fear understands laws and institutions and how it creates a need for the separation of the public and private; and how the different understandings of the public and private affect the cultivation of fear in each society. Despite the extraordinary agreement in their insights regarding fear, a major divergence between Hobbes and Han Fei arises from their two societies’ different understanding of the public and private. Both thinkers want to maintain a reasonable line between the public and private because it is one major key for a successful law and punishment system. However, the conceptual dichotomy of the public and private developed

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\begin{itemize}
\item \textsuperscript{17} “Men may be brought to a love of obedience by preachers and gentlemen that imbibe good principles in their youth at the Universities.” T. Hobbes, \textit{Behemoth, or the Long Parliament}, (Chicago: University of Chicago Press, 1990) p. 59. Also see Hobbes’ detailed discussion on the “office of the representative sovereign” in \textit{Leviathan}, chapter 30 of Part II. He argues that subjects are “to be taught” what to fear and should learn the benefit of obedience with the help of laws and institutions. He includes the “use of universities” for this purpose in this chapter, and even suggests to set apart certain days to learn this “philosophy of fearful obedience.” For a secondary synthetic discussion, see C. Robin, \textit{Fear: The History of a Political Idea}, pp. 8 and 39-40.
\item \textsuperscript{18} Robin argues that whereas previous writers before Hobbes – Aristotle and Augustine in his book – treated fear “as an emanation of a shared morality,” Hobbes conceived it “as the catalyst of that morality.” C. Robin, \textit{Fear: The History of a Political Idea}, p. 34.
\end{itemize}
in the West has never existed in Han Fei’s China. Therefore, this second parallel of realist thinkers allows us to explore how the differential mindsets around spheres would affect the pattern of fear in a political community.

While explaining those issues listed above, I shall ask several questions regarding realist fear in this chapter. Why does an attempt to reduce fear generally end up with a strong emphasis on positive law, rather than go to other paths such as moral education, public deliberation and socialization? Compared to the morally oriented fear proposed by Aristotle and Confucius, is this rationality-oriented fear more capable of being combined with the politics of repression, or in its extreme form, despotism? Does a certain mode of perceiving the public and private have something to do with the proliferation or reduction of fear? I will try to find some answers to these questions by integrating all four thinkers Aristotle, Confucius, Hobbes and Han Fei together into one cross-cultural dialogue.

Montesquieu and Liang Qichao

The third pair of critics, Montesquieu and Liang Qichao, are political thinkers who lived in the Enlightenment period of their own society. Montesquieu was a skeptical liberal who took up the question of fear raised by the reign of Louis XIV; Liang Qichao was a neo-Confucian reformist at the end of the Qing Dynasty (late 19th century), the last Chinese empire, where the fear of the modernized West was prevalent in China. For both thinkers, fear was a given political condition as well as their intellectual starting point. Fear of despotism pushes Montesquieu toward a liberal state; fear of the threatening West inspires Liang to seek to establish a modern state. In other words, for this group, the fear of a more devastating political form motivates people to authorize a new foundation for politics. As fear is “communal” for the moralists and
“constituent” for the realists, it is “galvanizing” for these Enlightenment thinkers. Therefore, we can see another great change in the way people think of fear. For the previous pairs, fear was a significant element of political life; both groups searched for some proper ways to live with it. Although it has been generally seen as an unwelcome emotion, moralist and realist fear has close connections to inner self, moral deliberation, rational reasoning, social education, and above all, political community. However, the Enlightenment group wants to keep as much distance from fear as they can. They present the most unfriendly and negative portrayal of fear, one horrible enough to galvanize people. For Montesquieu and Liang, fear provides an opportunity for political renewal; but they do not want to make any better use of fear for our political life. This group therefore conceptualizes fear as a simple physical and physiological reaction rather than as a complex moral and rational idea. In other words, fear not only loses its relationship with morality but also with rationality.

This radical change comes from the Enlightenment group’s belief that fear has a primary relationship with liberty, rather than justice or equality. Being known for their criticism of fearful despotism – which the realist group is often accused of supporting – Montesquieu and Liang Qichao define freedom in terms of the absence of fear. Accordingly, fear can hardly coexist with anything positive for them. Fear was once an essential element of a good political life according to the moralist philosophers; now it becomes an enemy of the good political life. In deliberation on fear, the moralists wanted to maintain diversity, while the realists wanted to focus on security or stability. Now this third group asks how to achieve diversity and security at the same time. Their answer lies in a political system, a system of checks and balances that secures liberty without causing overwhelming fear.
Yet this modernist return to a pluralistic setting invites unexpected new sources of fear, since the self-other division implanted in modern pluralism becomes a troubling source of fear and anxiety. The recalled pluralism in modern world is basically built on a mutual gaze at a distance rather than the interactive mingling described by the moralists. To distinguish self and other does not necessarily increase fear because there is no intrinsic harm in the self-other distinction itself. However, it becomes so threatening when the self-other division combines with the modern dichotomy of civilization versus tradition on one hand, and with the Enlightenment projection of negative fear on the other. As fear is such a horrible, destructive and nullifying force, fear should exist outside of our political community as a barbaric thing, or at least, to be localized as an abnormal thing. In other words, a strong and healthy “Self” should properly keep fear at bay with the help of constitutional laws and the system of checks and balances; otherwise, fear must be placed completely in the realm of “Other.” This is how the Enlightenment understanding of fear released new pattern of fear across the globe. Due to the unfortunate marriage of negative concept of fear and self-other division, no nation wanted to be “other,” which was identical with barbarism. Therefore, the worldwide struggle for becoming “Self” and making “Others” – so that the “Self” could project all those negative images to the “Other” – produced a kind of modern war of all against all. In Liang’s time, many Europeans relieved themselves by denominating Asians and Africans uncivilized and inferior Others. In this way, the Enlightenment portrayal of horrible fear, the modern self-other division, and the externalization of fear went hand in hand, which rendered the whole global society more fearful.

In this chapter, I explore Montesquieu’s novel The Persian Letters, in which the Hobbesian Leviathan is examined with Montesquieu’s skepticism, making an excellent bridge
linking chapter three and four of this study. It consists of letters exchanged between two Persian travelers to France – the enlightened despot Uzbek and his friend Rica – and their friends, servants, and wives at home. This particular form, a series of letters, allows plural voices to blossom simultaneously. Liang Qichao himself was an enlightened Chinese visitor to Europe and America. Just like Uzbek in Paris, Liang was an intelligent observer of a critical mind in the nineteenth century Western societies. In this regard, Liang Qichao is an excellent figure with whom to wrap up this study. His entire intellectual journey mixes prominent issues on fear such as despotism, imperialism, Orientalism and nationalism in a cross-cultural setting. In this chapter, I try to explain three main issues: how the third group of enlightened thinkers perceive fear as a devastating force for a political community as well as a foundation of new politics; how the politics of spheres based on the self-other division in modern pluralism raise significant problems concerning fear; and how the self-other division works as a source of fear as well as an outlet of fear.

American scholarship on Chinese philosophy

Before we move onto more detailed discussion on fear in following chapters, let me briefly introduce how the Chinese tradition of thought has been handled and developed in American scholarship, as many readers may not be familiar with it. According to Roger Ames, “there truly are elements of both fear and fascination in our feelings about China;” “we either demonize China, or we romanticize her (emphasis in original).”19 Clearly, either way does not make fertile ground for sound dialogues. Traditionally, the West has tended to consider itself as a

“heading” from the perspective of a “master-spectator,” as we see in Jacques Derrida’s critique of Eurocentrism.\(^\text{20}\) Particularly regarding China, Edward Said’s famous term “Orientalism” draws attention to the way that this Western “heading” represented the other.\(^\text{21}\) Orientalist discourse produces monologues rather than serious conversations among cultures. The Orientalist draws in categorical dichotomies distinctive in Western metaphysics – such as *physis/nomos*, body/soul, and self/other – as well as divisions between a “state of nature” and “civil state” formed in modern contract theories. Theses dichotomies, between mind and body, or nature versus civilization, have been frequently projected onto the opposition between developed and undeveloped or the West and the East.

In the beginning, at least, philosophers and political thinkers played a minimal role in encounters between China and America. The scholars who initiated the American understanding of modern China were historians. The leading scholars, such as John Fairbank, viewed the modern Western-Asian encounter as a first-world impact and third-world response. Believing in Western-style modernization as the necessary path of development, Fairbank perceived China as an incompetent civilization lacking an internal driving force.\(^\text{22}\)

The second generation, best represented by historian Paul Cohen, argued that much of the American scholarship on China prior to the mid-1970’s had been conducted with an ethnocentric distortion. In *Discovering History in China* (1984), he called for “a China-centered history of


\(^{22}\) For more details, see P. M. Evans, *John Fairbank and the American Understanding of Modern China*, (New York: Blackwell, 1988).
China,” “Chinese problems set in a Chinese context.”

Despite the significant shift from the Orientalistic viewpoint, historians like Cohen were hardly calling the kind of cross-cultural dialogue pursued in this study. Instead, they sought to set the two worlds apart, so that we could see Chinese distinctiveness more clearly.

In the late twentieth century, however, philosophers began to promote arenas of communicative exchange. Jürgen Habermas’ model of rational communication took the leading role in shifting unilateral monologue to cosmopolitan dialogue. Martin Heidegger’s *Dasein* as “being-in-the-world” and Hans-Georg Gadamer’s “fusion of horizons” provided fertile ground for diverse cultural encounters for political thinkers.

Following Herder’s anti-Enlightenment legacy, postmodern theorists such as Michel Foucault, Gilles Deleuze, Jacques Derrida challenged the “intellectual blackmail of being ‘for or against the Enlightenment.’” All these works made a room for sound cross-cultural dialogues possible. Finally scholars such as Fred Dallmayr, Daniel Bell, and Roger Ames started initiating conversations between the Western and Asian philosophy. They fully appreciate that Chinese culture has developed a rich and long-standing philosophical tradition that allows them to develop meaningful parallels for critical review of their own culture. However, as I have already noted, they do not pay such attention to the negative concepts such as injustice, fear and anxiety.

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Conclusion: Why focus on negative concepts, in particular, on fear?

The negative approach I pursue in this research is already distinctive in our ordinary life. We more often shout “this is unfair!” or “this is unjust!” than “this is just.” That is because, as J. R. Lucas claims, justice is a hardly stirring emotion; “injustice wears the trousers.” Justice is notoriously hard to define and just behaviors rarely excite our emotions or imaginations. Accordingly, claims J. R. Lucas, we should follow a negative approach of discovering what justice is, by considering on what occasions we protest injustice or unfairness. Judith Shklar makes this point as well when she insists that the conventional approach to justice does not treat injustice with the intellectual respect it deserves. She considers injustice more directly and in greater depth as she believes it is a path toward a just society. So is the relationship between fear and freedom according to her. Shklar puts more emphasis on fear to find a way to enlarge political freedom. This is why she strongly encourages contemporary liberals to fix their eyes on fear and ordinary vices rather than to spend enormous time making conceptual debates on freedom.

Along with Shklar, I argue that political fear deserves fair intellectual respect as a crucial conceptual partner of political freedom. Freedom is probably the most widely and enthusiastically accepted value today. However, most people are probably concerned about widespread fear than appreciative of political freedom. “Political liberty,” as Tocqueville explains in Democracy in America when he compares it with equality, “occasionally gives sublime pleasure to a few” because people cannot enjoy it unless they move and act with great

effort. By contrast, fear is what people immediately feel as which “came upon me and trembling, which make all my bones to shake.” Also, it pushes people to make desperate efforts to escape from it. Thomas Hobbes clearly shows us how fearful men move into a political community in order to get out of the fearful state of nature. We feel fear more immediately and more directly than liberty in actual life, just as we feel injustice more intensely than justice in our daily life. That makes a focus in the negative an important element for the kind of cross-cultural dialogue developed here.

In fact, fear is a more complicated and harder concept to address than injustice. People may get more waked up about injustice than justice, but when they do, we hear their protesting. Fear, in contrast, often silences people. It paralyzes them in ways that often conceal the harm that is doing to liberty. In addition, fear, unlike injustice, has positive or productive dimensions, so it generates contradictory attitudes. Perhaps this is the main reason that political philosophers have a hard time in dealing with fear.

Fear’s positive utility has been articulated by three major groups, which generally correspond to the three categories I made for this study. Many pre-modern philosophers such as Plato, Aristotle, Augustine, Aquinas, and Confucius – called moralists in this study – appreciated fear’s potential to invite virtuous actions if oriented in a good way by ethical deliberation. The second group, the realists, best represented by Niccolo Machiavelli, Thomas Hobbes and Han Fei, highlighted the role of fear as an art of ruling. This incisive understanding of fear as an effective means of motivation and governance has not only been favored by absolute, authoritative and

\[\text{28 A. de Tocqueville, Democracy in America, p. 505.}\]
\[\text{29 E. Burke, A Philosophical Inquiry into the Origin of Our Ideas of the Sublime and Beautiful (Oxford University Press, 1998), p. 58.}\]
totalitarian regimes. It also has permeated deep into our overall social and economic structure with the help of technology that produces quotidian fear, best exemplified in Michel Foucault’s works. The last group of interpreters introduced fear’s renewed role as a source of political vitality. “A sublimated delightful horror” by Edmund Burke, “salutary fear vs. idle terror” by Alexis de Tocqueville, and Carl Schmitt’s project for the revival of “the political” are renowned examples of this group.\(^{30}\) Montesquieu and Liang Qichao also appreciated fear as a galvanizing force as we already examined. Perhaps 9/11 is the most vivid example of galvanizing fear. Although a horrible nightmare, it washed away lots of self-indulgence and brought a more acute and sincere reflection of ourselves instead. Corey Robin nicely summarizes the point: “fear itself [is] disabling, the fear of fear itself restorative and reviving.”\(^{31}\) Therefore, he continues, “although many writers reject fear in the name of freedom, reason, or the Enlightenment, these specters of personal destruction and political nothingness have also impelled them to embrace fear, often in the name of those very values.”\(^{32}\) In short, to put it bluntly, fear can be a significant conceptual partner of political freedom in two different ways: one as an enemy, the other, with surprise and hesitance, as a friend. Either way calls for a more serious attention to political fear.

Today’s widespread fear in the global village particularly involves regional and cultural perspectives. These culturalist arguments have gained some increased recognition with Huntington’s “the clash of civilizations,” which hypothesizes that “the principal conflicts of


global politics will occur between nations and groups of different civilizations.” Critics, like Edward Said, disdain his approach as “the clash of ignorance.” But whether Huntington’s scenario is actual or illusionary, it highlights a strengthened necessity for dialogues among civilizations. There are plenty of older and foreign resources that can help us gain some critical distance on our modern vocabulary of fear. Engaging in careful analysis of texts from old and foreign cultures will provide us with useful tools of rendering a fuller picture of political fear. The Chinese philosophical tradition is an especially useful resource for engaging in such a meaningful dialogue. By drawing parallels between two different political traditions on fear, we may be able to develop a richer understanding of fear and how to handle it.

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CHAPTER TWO
A Moralist Dialogue: Aristotle and Confucius

In *Analects* 7:20, it is said that Confucius “did not discuss abnormality, violence, disorders and superstition.” Confucian scholar Pyŏng-sam Pae explains that Confucius concentrated on normal, regular, ordinary daily life rather than extraordinaries, disorders, turmoil and irrationality. Fear, the main theme of this study, seems more relevant to the latter, the things which Confucius hardly discussed. For that reason, it may sound odd that this chapter examines Aristotle’s and Confucius’ understanding of fear. One may immediately wonder whether fear has any substantial meaning in their thoughts championing harmony and virtues.

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35 Three things should be noted regarding translation:


2) Based on the ambiguity of the text, I sometimes reconstruct a new translation based on my reading of old Chinese classics. *Analects* 7:20 is one of them. For reference, D.C. Lau translates this sentence as: “The topics the Master did not speak of were prodigies, force, disorder and gods.” Waley’s translation is “The master never talked of prodigies, feats of strength, disorders or gods;” Slingerland’s “The Master did not discuss prodigies, feats of strength, disorderly conduct, or the supernatural;” Ley’s “The Master never talked of: miracles; violence; disorders; spirits;” Brooks and Brooks’ “The Master did not speak of freaks of nature, feats of strength, disorders, or spirits.” Most English translations render (guai) in this passage into “prodigies” or “miracle,” but I correct this as “abnormality” because I believe Confucius’ emphasis is put on the opposite and passive side of guai. In other words, what he underlines is not the actual happening of something miraculous or prodigious but the absence of normal and usual occurrence. This reconstruction harmonizes well with Pyŏng-sam Pae’s commentary and fits better for Confucius’ understanding of fear that will be explored in the following pages.

3) Chapter divisions of *Analects* differ slightly from edition to edition; my citations follow the sectioning in Waley’s translation.

Some might even think that these moralist thinkers have so little esteem for fear that they try to banish it from their harmonious picture of political life. Compared to the philosophers like Hobbes or Montesquieu who gave fear a special place in political thought, these two moralists seem to have little room for this negative concept in their writings. I argue, nevertheless, that fear has a fundamental relationship with morality and political life in the thoughts of Aristotle and Confucius.

My aim in this chapter is to explore the role of fear and its critical relationship with political community in Aristotle’s and Confucius’ philosophy rather than add another virtue-centered comparison to those produced by their contemporary followers.37 By looking through the lens of this negative concept, I believe we can construct a better understanding of the views

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37 The striking parallels between ancient Greek virtue ethics and Confucian ethics has sparked the renewal of Western interest in Confucianism. Although there are scholars like David Wong, who offer the ways in which these two philosophical traditions may be incommensurable, and Alasdair MacIntyre, who not only claims for their linguistic incommensurability – especially regarding Confucian concept of li and Aristotelian concepts of psyche and polis – but also considers traditions to be seen as rivals even if they are incommensurable, most comparative studies of Chinese and Western philosophy conceive of their work as a process of conversation rather than rivalry, hence explore commensurabilities in subjects such as ethics, metaphysics, methodology, and combinations of them. For detailed accounts of incommensurability, see D. Wong, “Three Kinds of Incommensurability” in Relativism: Interpretation and Confrontation, edited by M. Krausz (University of Notre Dame Press, 1989) and A. MacIntyre, “Incommensurability, Truth, and the Conversation between Confucians and Aristotelians about the Virtues” in Culture and Modernity, edited by Eliot Deutsch (Honolulu, 1991).

So far, commentators of Aristotle and Confucius have focused especially on ethical commensurability, i.e., virtue-centered comparison of the two. Exemplary contemporary works include Yu Jiyuan’s “Virtue: Confucius and Aristotle” in Philosophy East and West 48 (1998) and May Sim’s “Virtue Oriented Politics: Confucius and Aristotle” in Aristotle’s Politics Today, (eds.) L. E. Goodman & R. Talisse (State University of New York Press, 2007). Yu Jiyuan’s deals with methodological and ethical commensurability in The Ethics of Confucius and Aristotle (New York: Routledge, 2007). He argues that the concept of eudaimonia in Aristotle and the concept of Tao in Confucius are parallel starting points in their ethics, from which each philosopher’s discussion on virtue begins (arete for Aristotle and de for Confucius). May Sim’s recent work, Remastering Morals with Aristotle and Confucius (Cambridge University Press, 2007), tries to explore the ethical and metaphysical commensurability of the two. She argues that Confucian aestheticism provides resources for Aristotelian theoreticism while Aristotelian metaphysics provides resources for Confucian parochialism.

In contrast, comparative studies of Aristotle and Confucius focusing on negative concepts are very hard to find. Although not exploring Confucius himself, note that there is an interesting discussion of courage and the possible role of fear in Mencius and Aristotle, written by Bryan W. Van Norden (B. Van Norden, “Mencius on courage,” Midwest studies in Philosophy 21, 1997). Van Norden also compares the concept of Evil in Mencius’ and Augustine’s theory in “Mencius and Augustine on Evil: A Test Case for Comparative Philosophy,” in Two Roads to Wisdom? Chinese and Analytic Philosophical Traditions, (ed.) Bo Mou (Chicago: Open Court, 2001).
of political life suggested by Aristotle and Confucius. That political life, I argue, is more
dynamic and contingent than it has been generally thought to be. I challenge the common views
that regard Confucius as a philosopher having too harmonious understanding of human
relationship to be a reliable guide to the conflicts and disorders of modern daily life, or Aristotle
as a defender of naturally good and harmonious political community derived from his unique
concept of naturalness. Neither of them have too elevated and harmonious an understanding of
political life; political communities they suggest in their theories are naturally imperfect and
ideally contingent. Aristotle’s best regime outlined in book 7 of the Politics, or Confucian rule of
virtue suggested in the Analects 2:1, is not a necessary condition for good men or a good life,
even if many commentators seem to believe so. By refocusing our attention upon fear rather
than Aristotelian teleology or the Confucian vision of personal and social perfections, we can get
some new and interesting ideas about the nature of social cooperation and conflicts within our
ordinary political life, which is usually imperfect and full of tension. For Aristotle and Confucius,
fear is not a simply virtue-related emotion for moral training but a basic component defining and

38 Even Alisdair MacIntyre, one of the most enthusiastic contemporary followers of Aristotle, blames that Aristotle

For the Confucian side, the misimpression is more prevalent in East Asian culture than in Confucian academic
circles. In Korea, for example, “Confucian saying” is still a common phrase referring to vain ideas that are too ideal
and unrealistic to be applied in our ordinary life. Although a closer look will reveal that Confucius uses old traditions
to push a new political agenda as most contemporary Confucian scholars agree, the deep-rooted misimpression
promoted anti-Confucian movements like May Fourth Movement and the Cultural Revolution in China in which
Confucianism was almost sentenced to death. For Chinese revolutionaries, the traditional Confucian ideals were
simply outdated; its too harmonious understanding of human relationship could hardly inspire innovative and
revolutionary spirit. Although there has been a recent resurgence of Confucianism in social and political theory over
the last two decades both in East Asia and the West (particularly in North America), especially with the
communitarian discontent and critique of liberalism in the West, it is true that at least for decades, “modernity had
come to mean overcoming Confucianism for the vast majority of East Asians,” as Daniel Bell and Hahm Chaibong
maintaining a political community. In other words, for them, fear is essential to our political life, even for a good political life.

**Fear and moralist theory: a contradiction?**

Of course there have been several philosophers who highlighted the significant role of fear in political communities; Hobbes is obviously one of them. I shall save detailed account on Hobbesian fear for my next chapter, but it might be helpful to raise one question here. Fear’s centrality in politics seems to resonate better with realist theories such as Hobbes’ *Leviathan*. That is why so few contemporary scholars treat fear as a significant element in the thoughts of Aristotle and Confucius. How then is it possible to argue that fear is a basic component defining and maintaining a political community both for Aristotle and Hobbes, the two towering figures from the opposing camps? In other words, how can fear play an important role in the moralist picture of political community, which appears more peaceful and harmonious than the fearful Leviathan?

The answer requires that we recognize two things. First, as briefly mentioned above, the automatic association of Aristotle’s and Confucius’ conception of community with harmony and peace is a mistake. While the Aristotelian understanding of political community is certainly not “a war of all against all,” it is absolutely not a naturally cooperative community free from distrust and conflicts. Confucius also makes it very clear that even the legendary sage kings Yao (堯) and Shun (舜) found it very difficult to establish a political community of perfect peace and harmony (*Analects* 6:28, 14:45). The widespread association of these two moralists’

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conception of community with harmony and peace largely affiliated with the inflated hope of contemporary communitarianism. Communitarian critiques of liberal individualism and the new vision of Confucian communitarianism often generate naturally cooperative and harmonious images of community as a remedy for political conflicts, and Aristotle and Confucius have been considered by many communitarian scholars as exemplary models. For both philosophers, however, political community is a conflict-ridden reality embracing selfish, malicious and cruel actions, rather than a peaceful remedy for disintegration. I shall provide a detailed account on this widespread misimpression later when I examine Aristotle’s and Confucius’ concept of political community in great depth.

Second, in order to understand fear’s essential role in both moralist and realist political theories, we need to understand that the way we think of political fear has changed over time. We tend to think that the concept of fear became crucial in political thought only after outstanding modern minds like Machiavelli or Hobbes emphasized it. However, fear has been always at the center of political life, regardless of their modern insights and fresh articulation of the concept. In other words, fear’s centrality in political life has never been decreased nor discontinued. What actually has been changed is the way we think of political fear. In this case

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of Aristotle versus Hobbes, the key lies in understanding fear’s changing relationship with morality. For Aristotle, fear grows out of society’s shared moral ethos. Thus what people share is a moral ethos that determines fear. For Hobbes, in contrast, what people share is fear itself that has been decoupled from morality.\footnote{However, it should be remembered that fear gets connected with morality and political institutions later again in Hobbes’ *Leviathan* in a different way. Contrary to the amoral fear in the state of nature, the cultivation of fear within the political community becomes a moral and political project; it is a product of complex combination of laws, elites, churches and schools. For Hobbes, it is the state’s primary responsibility to teach and guide people to fear certain things. In this regard, Corey Robin argues that, Hobbes, often taken as a harbinger of modernity, was in this respect decidedly premodern. \textit{C. Robin, Fear: The History of a Political Idea}, p. 8. I elaborate this issue later in chapter two.} Therefore, fear can be a significant political element both for Aristotle and Hobbes. Hobbes highlighted fear itself; Aristotle emphasized the objects and contents of fear, i.e., what to avoid, in the name of virtue and common good. This moralist practice is quintessentially political because: 1) as we understand a political community as a place where individuals hold something in common, this shared moral ethos becomes significant for maintaining our political life; 2) cultivating such morally appropriate fears requires a nexus of social and political institutions such as schools, the legislature and the judiciary. I begin my account on Aristotle’s and Confucius’ understanding of fear by going back to this interconnected early relationship of “fear, morality and politics” in which I shall elaborate those two points in detail.

**The lost relationship: fear, morality and political life**

Unlike today’s prevalent view that fear is a physiological reaction often allied with anomie and anarchy, most thinkers prior to modern era understood fear as a social artifact shaped by moral education and social institutions. Therefore, whereas a modern mind tends to think of fear as something too volatile and amoral, many pre-modern thinkers viewed fear as the other
side of morality, which could be oriented in a certain direction to invite virtuous political actions. For example, in Plato’s *Republic*, guardians learn not to fear death through a collaboration of moral training, political education and censorship in order to enhance what he calls spirit.\(^{42}\) Greek mothers, according to Plato, should not make their children fearful and cowardly by telling bad tales; stories or poetry involving death must be supervised carefully because “[no one] who believes Hades’ domain exists and is full of terror will be fearless in the face of death and choose death in battles above defeat and slavery.”\(^{43}\) This moral education and training on what to fear (and what to not) could not be nonpolitical because fear came from a shared moral ethos and it played an important part in the community’s political strength. In this way, fear was deeply associated with soulcraft as statecraft. As Corey Robin puts it nicely, “What made something fearful, in other words, was morality, and behind morality, politics.”\(^{44}\)

The Old Testament signifies the connection among fear, morality and politics beautifully. Before Adam and Eve ate the forbidden fruit from the tree of knowledge in Eden, God creates the world and sees that his creations are good. There were no such concepts like fear, morality, societies or politics. Adam and Eve were both naked but not ashamed because nakedness was not a wrongdoing. However, the serpent informed them that the forbidden fruit would awake their moral knowledge; “you will be like God, knowing good and evil.”\(^{45}\) When they ate it, they realized being naked for the first time, and became afraid. Later when the God asked Adam where he was, he answered; “I heard the sound of you in the garden, and I was afraid, because I

\(^{43}\) Plato, *Republic*, 381e and 386b.
\(^{45}\) *Genesis* 3:5.
was naked; and I hid myself.”

This is the moment that moral knowledge awakens fear, which ultimately connects to the birth of human society and politics by being banished from Eden. This story displays two significant characteristics of ancient fear: fear needs a prior acquisition of moral knowledge; and fear has an incipient relationship with human society. It is a symbolic religious story but allows us to look back and reflect upon fear’s prototype, which was inseparable from one’s moral awareness and shame.

The opening of Plato’s Republic also reflects upon this connection in a secular but more sophisticated way. The long philosophical dialogue starts from an old man, Cephalus’, confession that “when a man comes near to the realization that he will be making an end, fear and care enter him”; being full of suspicion and terror, he “reckons upon his accounts and considers whether he has done anything unjust to anyone.”

We can see that fear is closely related to one’s moral judgment, not only in the form of inner conscience but also in the form of communal virtue, namely, justice. It is also noteworthy that fear works as a starter of this lengthy dialogue on justice and political community.

This connection among fear, morality and justice displayed in the opening of the Republic also constitutes the core of Aristotelian fear, as I shall discuss shortly.

1) Aristotle: fear and a good life

Aristotle uses the term fear not from a strictly moralist point of view but he gives a moralist flavor to the term by making a distinction between right fear and wrong fear. According to him, we fear many different things such as bad reputation, poverty, sickness, friendlessness and death. “What we fear,” says Aristotle, “is what is frightening,” hence “people define fear as

46 Genesis 3:10.
47 Plato, Republic, 330e.
expectation of something bad” (*Nicomachean Ethics*, hereafter *NE*, 1115a10). This is quite a general and broad definition of fear. He claims, however, “it is possible to be more or less afraid of these frightening things, and also possible to be afraid of what is not frightening as though it were frightening” (*NE* 1115b15). For example, some people cannot stand the dangers of losing money and flee from it whereas others can face dangers in a battlefield fearlessly. Aristotle goes on to argue that fear of bad reputation is “right and fine”, but presumably “it is wrong to fear poverty or sickness” (*NE* 1115a13-18). In other words, Aristotle not only suggests virtuous persons who can take control of fear but also offers two different types of fear, right fear and wrong fear. Aristotle’s claim for the “right fear” is best represented in his renowned formulation of a good and brave man, who “stands firm against the right things and fears the right things, for the right end, in the right way, at the right time” (*NE* 1115b18). A preceding apprehension of right and wrong, and ethical reflection upon them, helps to determine the object of a person’s fear, and also her response to fear. Fear and morality are intermingled in Aristotle’s political thoughts in this way.

How, then can we understand and practice right fear? The answer involves the features that characterize Aristotelian fear, and the way that Aristotelian fear characterizes our moral and political life. Let me begin with Aristotle’s discussion on courage (or bravery) in *Nicomachean Ethics*, where Aristotle presents his most extensive discussion of fear.

(1) Courage, for Aristotle, is the virtue that governs fear. The principle fear that courage regulates is the fear of death, particularly the danger of dying in war (*NE* 1115a6-1116a15). (2) To take a choice over life and death makes courage a characteristically political virtue, rather than a purely personal decision. It is because a brave person knows what is worth dying for. In
other words, a brave person is not simply a best soldier possessing no other good except martial skills but the one who is likely to achieve other virtues and happiness in his life hence will have every reason to be alive (NE 111710-15). (3) Therefore, fear is related to the fundamental question of a good life. Fear is not the greatest evil destroying a good life, but a necessary emotion for pursuing a good life. To fear certain things is even right and noble (NE 1115a10). (4) In order to orient fear to the right and noble, a preceding apprehension of “right and wrong” is needed. It is acquired through political animals’ seeking public consensus on justice using logos, the uniquely human capacity for reasoned speech and debate (Pol. 1253a8). (5) Justice and courage are not only the products of deliberate choice but also the products of habit and practice. That is because justice and courage do not involve a single act but a certain state of character, ideally a mean state (NE 1137a 22). In order to make moral life grounded at the level of habit and character, social interaction supported by a nexus of social and political institutions is required. (6) In sum, we can cultivate right fear only through public deliberation and social interaction that is impossible without a political community. In this regard, Aristotle’s discussion of fear reflects his famous axiom that “man is by nature a political animal” (Pol. 1253a3).

Aristotle introduces fear as a virtue-related emotion linked to courage, yet in his political thoughts, fear touches the fundamental question of a good life and is deeply linked to our nature as political animals. The Stoics thought that fear is always bad hence they sought to banish it from the good life of a rational person. Aristotle believed, on the contrary, a good life does not mean the absence of fear. Good human beings have to learn how to fear in the right way at the right time for a good life.
The six consecutive arguments outlined above will be elaborated fully when I compare Aristotle and Confucius in the following sections. The first three, associated with courage at the level of individual, will be explained in the next two sections where I explore Confucius’ understanding of fear and courage⁴⁸; the last three being at the community level, engaged more with the concept of justice, will be discussed where I focus on the concept of political community.⁴⁹

2) Confucius: a paradox around fear

Turning to the Confucius’ *Analects*, we will see that many of the issues regarding fear raised by Aristotle are also dealt with in the early Confucian tradition. I say “the early Confucian tradition” because the *Analects* is a compound text composed by many hands over many years. Most scholars agree that some parts of it probably represent what Confucius actually said, while others might be added or fabricated by his successors for different reasons.⁵⁰ However, what I want to suggest here is a general sense of views on fear that were prevalent in the early Confucian tradition. Especially, my interest is in the stronger relationship between fear, morality and political life in the moralist tradition. Therefore, as long as it is clearly distinguished from the realist tradition of Han Fei, I believe the disagreement on which parts of the *Analects* are authentic does not make much difference to the issues explored in my thesis.

⁴⁸ See pp. 33-49.
⁴⁹ See pp. 49-74.
In order to examine Confucian understanding of fear, let me start with the aforementioned *Analects* 7:20, which reports that Confucius “did not discuss abnormality, violence, disorders and superstition.” At first sight, it seems to indicate Confucius’ lack of interests in fear. One may simply argue that fear is the primary obstacle to the Confucian rule of virtue, therefore Confucius wanted to banish it from his philosophy of *ren* (仁, the highest Confucian virtue, usually translated as “humaneness,” sometimes “benevolence” or “goodness”). Seemingly, the conversation between Confucius and Sima Niu (司馬牛) in the *Analects* 12:4 supports this claim.

Sima Niu asked about the *junzi* (君子, usually translated as “gentleman;” a virtuous person who possesses *ren*). The Master replied, “The *junzi* is free of anxiety and fear.” “Free of anxiety and fear – is that what is meant by being a *junzi*?” The Master replied, “If you examine yourself and find no faults, what cause is there for anxiety or fear?”

In this passage Sima Niu is asking about the primary feature of *junzi*, the Confucian ideal type of a human being. Confucius answers that the *junzi* is a person free of anxiety and fear. Sima Niu misunderstands this as courage, but Confucius corrects it as self-examination or self-mastery. Thus one might think that Confucian self-discipline, like Stoic virtue, aims at reaching a transcendental status free from fear and anxiety. This is not, however, exactly what Confucius expects from *junzi*. Contrary to Taoist or Buddhist yearning for Nirvana, Confucian tradition never encourages transcendence from human conditions or detachment from communal surroundings (*Analects* 16:11, 18:6, 18:7).

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51 I believe that this interpretation largely comes from the familiar conceptual contrast between “Confucian rule of virtue” versus “Machiavellian rule of fear.” However, one must distinguish the notion of “fear” from the common phrase of “rule of fear.” In other words, Confucius’ low esteem for “rule of fear” does not necessarily mean his low esteem for fear itself. In fact, Confucian rule of virtue is very likely to be failed unless community members maintain appropriate fear and anxiety in their daily life.
In fact, Confucius’ answer is a paradox. It encourages people to be afraid and afraid in everyday life so that there would not be an unexpected fear or anxiety to come. *Analects* 16:8 provides a good example supporting my claim: “The *junzi*,” according to Confucius, “always stands in awe of three things: the Mandate of Heaven, great men, and the teachings of sages” (emphasis added). That being said, a *junzi* is not a Taoist hermit free from fear and anxiety but is more like a Lutheran or Weberian self, living in constant fear and anxiety to manage a good moral life. This Confucian type of constant fear as a means of self-reflection is – and should be – a normal part of everyday life like eating and sleeping; therefore it does not belong to the realm of “abnormality, violence, disorders and superstition.” This is how I solve the apparent contradiction between Confucius’ reticence on fear and my claim of fear’s centrality in Confucian life. Like Aristotle, Confucius also suggests a positive role of fear for a virtuous life, yet his suggestion is pretty much hidden in his esoteric sayings. In sum, the concept of fear and Confucian philosophy of *ren* are not mutually exclusive. On the contrary, Confucian rule of virtue and his philosophy of *ren* are doomed to fail if community members do not maintain appropriate fear and anxiety in their ordinary daily life.

3) Right fear and wrong fear

Aristotle made a distinction between right fear and wrong fear. Does Confucius do the same? In this regard, an interesting yet seldom discussed passage in the *Analects* regarding the concept of fear is 3:21, where Confucius laments his student Zai Wo’s (宰我) thoughtless answer to Ruler Ai (哀).

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52 It should be noted that “awe” in Confucian texts generally involves fear, not just admiration. Chinese characters for “awe” such as 畏 (wei), 懼 (ju), 敬 (jing) clearly convey the mixed idea of fear and respect. As in cases such as *Analects* 16:8, 12:4, and 10:16, awe is used as the mixed feeling of respect and fear that causing self-examination and self-restraint.
Ruler Ai asked Zai Wo about the altar to the god of earth (she, 社). Zai Wo replied, “The Xia people used the pine tree, the Shang people used the cypress tree, and the Zhou people used the chestnut tree (li, 栗). It is said that they wanted to instill fear (li, 栗) in the people.” The Master heard that and deplored, “What is already done, it is useless to speak about; what has already taken its course, it is useless to criticize; what is already in the past, it is useless to blame.”

She (社), translated as “the altar to the god of earth” (D. C. Lau), “the Holy Ground” (Waley), “the altar to the soil” (Slingerland), or “the local totem” (Leys), is one of the most important and religious sites in a state; it is marked with a sacred tree. Different states used different trees to mark their altars and respected them. The one in the Lu state was burnt down during the reign of Ruler Ai. This is probably the reason for Ruler’s question to Zai Wo, who at the time was serving the Ruler as a ritual specialist. In his answer, Zai Wo is playing with puns between li (栗, chestnut) and li (栗, fear or awe, later distinguished with the Chinese radical for the heart, li 慑)\(^{53}\).

There are several ways to understand this passage. According to Edward Slingerland, the simplest interpretation is that Confucius is reproaching Zai Wo for his reckless answer. As Rites of Zhou (Zhou Li, 周禮) explains, different states used different trees for she depending on the variations in local conditions for growing trees; to derive significance from a pun is inappropriate and insulting to the ancients.\(^{54}\) This interpretation easily harmonizes with Confucius’ repeated emphasis on the caution in speech (Analects 1:3, 2:13, 5:4, 5:9, 12:3, 14:21, etc). However, given the fact that she was also used as a place of public execution in ancient China, Zai Wo’s pun

\(^{53}\) The Chinese character 心 (xin) means heart or mind. When it acts as a radical, it can be written below of the character or on the left side of the character – in this case written as 慑 – to make heart-related words such as emotion, mind, thinking or thought. Chinese character 栗 (li) was originally used for both “chestnut” and “fear,” but “fear” later became 慑 (lii), distinguished with the heart radical to signify that it is a letter associated with emotion.

seems not entirely inappropriate. Therefore, some commentators see the Ruler’s question as an oblique suggestion of using force against his domestic opponents, and Zai Wo’s answer as an implicit approval of this strategy.\(^5\)\(^5\) Putting those coded interpretations aside, I assume that this passage gives us an important message about Confucius’ understanding of fear, especially in relation to Aristotle’s distinction of right and wrong fear. Confucius’ lament, I believe, is not simply directed to Zai Wo’s reckless tongue; more importantly, it is toward the content of his answer. In other words, Confucius is blaming Zai Wo for his wrong use of fear.

Like Aristotle, Confucius wanted fear to be associated with one’s moral beliefs and judgments. Confucius teaches that “To see what is right and not act, is to fail to be courageous” (Analects 2:24). This claim links courage and “what is right” in a similar way that Aristotle links courage to “fear the right things.” Ethical reflection, which is a compound product of moral training, education, customs and other social apparatus, helps people to determine what to fear. And virtuous people keep it as a daily routine as in the aforementioned Analects 16:8. At this point, however, Confucius goes one step further. Unlike Aristotle, he extends his thought to the actual condition that fear can be fairly combined with morality. In order to make fear firmly grounded on one’s ethical reflection, the fear should not be too overwhelming to paralyze the person. Therefore, Confucius hated irresistible fear, particularly the one instilled by the state simply for the purpose of easy governing.\(^5\)\(^6\) Fear as an art of ruling was prevalent at his own time, i.e., the era of intense interstate warfare, but for Confucius, it makes fear nothing but a simply


\(^{56}\) Confucius’ hatred toward a fearful state is visible throughout his texts. See the Analects 2:3, 3:21, 12:19, 20:2, etc.
negative and vain emotion, far from something right and noble. Zai Wo’s reference to *li* (栗), the fear intentionally articulated by the state in order to make people fearful enough to be obedient, is in this regard so contrary to Confucian longing for morally formulated fear. If a state starts cultivating fear by making itself fearful, the moral connections around fear are very likely to be weakening. For Confucius, this was wrong fear that fundamentally impeding right fear. Seen this way, Confucius’ anger toward Zai Wo is not only because of Zai Wo’s reckless speech but also Zai Wo’s understanding of fear as a state policy, i.e., Machiavellian fear politics.

For Aristotle, the distinction between right fear and wrong fear depends on the object of fear, e.g., danger in war versus poverty. For Confucius, it rather depends on the subject, e.g., state versus individual (or more exactly, the relational stance between the two subjects, i.e., whether there would be a tremendous power gap between them). Confucius wants each individual to be an exclusive agent in the practice of fear. Fear created by the state is in this regard wrong and bad no matter how it produces certain goods. This is because political community, as in the same way that Aristotle understands, exists for the sake of human development, not for the sake of its own as an end in itself. The Confucian rule of virtue is built upon this idea of a political community as a means of self-flourishing. For this end, a fearful state is the most detrimental condition; it is the wrong fear that suffocates right fear.

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57 Confucius was born in either 552 or 551 B.C., in the Spring and Autumn Period of ancient China. Characterized by intensive interstate power struggles as well as internal conflicts, and followed by the unstable Warring States Period, using of fear as an art of ruling was widely appreciated at this time. For the historical details, see Cho-yun Hsu, “The Spring and Autumn Period” in M. Loewe and E. Shaughnessy’s *The Cambridge History of Ancient China: From the Origins of Civilization to 221 B.C.* (Cambridge University Press, 1990), pp. 535-586. Also refer to Y. Pines, *Foundations of Confucian Thought: Intellectual Life in the Chunqiu Period (722-453 B.C.E.)*, (University of Hawaii Press, 2002).
What would Aristotle think about the Confucian distinction of right and wrong fear? For Aristotle, the most terrifying fear is the fear of death. It is because death is “a boundary, and when someone is dead nothing beyond it seems either good or bad for him anymore” \((NE\ 1115a28)\). The simple fact that “death is the end of a life” makes courage a quintessentially political virtue because it transfers fear into a fundamental question of life, namely, what is worth dying for, and what is a good life. Aristotle argues that death on the sea or in sickness is not the brave person’s concern because it is wrong to fear “[bad things] that are not the results of vice or caused by ourselves” \((NE\ 1115a18)\). It is not an honorable death, either \((NE\ 1115a30)\). Aristotle’s examples of wrong fear seem to be much in the realm of misfortune. Then how would Aristotle think about the terrifying fear of death caused by a fearful state, which Confucius rebukes as wrong fear? For example, suppose a poor innocent peasant boy in front of an arbitrary tyrant in danger of death. It is obviously not going to be an honorable fine death; neither is it the result of vice of the poor boy. Then would Aristotle assume that it is “wrong” for the boy to fear the impending death to be ordered by the tyrant king in any minute? Is an innocent death by a tyrant equivalent to the death on the sea or death in sickness? Should we recognize the poor boy’s death as a misfortune? I believe Aristotle would not disagree with Confucius’ objection to the fearful state, but following Aristotle’s definition leaves us somewhat unsatisfactory outcomes.

In this regard, I believe that Confucian categorization of right and wrong fear may reveal some possible limitation of the Aristotelian understanding of fear. Confucius rightly understood that a relatively moderate – at least not overwhelmingly fearful – political community is a necessary condition for the nexus between fear and morality. For Confucius, therefore, the foremost “wrong fear” is the fear created by a state, which fundamentally deprives people of
their opportunities for ethical reflection. Aristotle, unlike Plato, clearly objected to such cases like a state’s being a teacher instructing people what to fear for their spirit, or state’s being a prophet guiding people to fear certain things for the common good, but he did not go further to seriously consider the case of the state’s being an irresistible fear. Aristotle’s moralist connection around fear cannot work without a free and democratic platform that people can freely exchange their thoughts on what to fear, and what is worth dying for. A fearful state that forcefully blinds critical eyes and shuts challenging lips is a great challenge for Aristotle, which may render his whole discussion on right and wrong fear simply useless. Yet his discussion on fear does not seriously consider the case of a fearful state as Confucius does.

However, there are at least two possible ways to defend Aristotle. 1) Aristotle had quite a lot to say about the political institutions and political systems through book 3 to book 6 of the Politics, which includes a detailed analysis on tyranny. Perhaps Aristotle hoped to create a relatively moderate regime as a necessary condition for his moralist understanding of fear through the sophisticated discussion on the regime type, a subject Confucius does not explore himself. 2) More importantly, we should note that Aristotle claims that the capacities for ethical training and choice that allow people to become virtuous do exist among free and relatively equal human beings (NE 1134a25, Pol. 1333a2, 1334a11). In other words, the defining characteristic of the subject is quite different between the two philosophers. Whereas Aristotle’s political community is primarily a community of free and equal friends, the Confucian community basically stretches from the intimate and unequal members of a family. Confucius’ warning about top-down fear – a fearful king to a powerless subject, a fearful master to a slave, a fearful father to a son – might reflect upon this different mode of unequal human relationship.
Aristotle, in contrast, placed his discussion of fear upon already leveled ground, where free and relatively equal individuals exist with no serious power gap among them.

Nevertheless, two problems still exist. 1) First, among his famous sixfold classification of political regimes, Aristotle fails to offer an understandable account of how monarchy can be harmonized with his principle of “equality among members,” the necessary qualification of Aristotelian political community. Monarchy is a rule of a single individual; whose primary characteristic is the monopolization of political power on the basis of her exceptional virtue. According to Aristotle, one-person rule is justified when one individual or dynastic family is so outstanding in virtue relative to political leadership that other community members cannot establish any reasonable proportion between their claims to political office (Pol. 1288a). No matter how monarchy can be public-spirited and lawful as Aristotle hopes, it hardly fits into Aristotelian conception of political community in two ways: a) it essentially contradicts political equality, i.e., people’s equal share in ruling and being ruled, which Aristotle understands as a key characteristic of political community; b) it also undermines the Aristotelian conception of political justice that Aristotle regards as vital practice of political community, because monarchy is basically a rule of preeminent virtue rather than a rule subject to law, law as a product of public deliberation seeking for political justice. Regarding this, Bernard Yack rightly claims that “one cannot make room for monarchy in Aristotle’s conception of political community without undermining its coherence and consistency,” given the strong claim of Aristotle that political

58 For a detailed discussion on this issue, see B. Yack, The Problems of a Political Animal, pp. 85-87.

59 Aristotle understands equality as twofold: one by numerical and the other by according to merit, i.e., in respect to a ratio. Aristotle respectively associates this distinction with democracy and oligarchy to conclude the best regime as a mixed form of the two in which equality can be embodied in a harmonious way. However, it is not clear how monarchy can be explained in terms of numerical equality, proportionate equality, or the middle ground of the two (Pol. 1301b30-1302a15).
rules are qualitatively different from rule over slaves and household (Pol. 1252a, 1255b15).\textsuperscript{60} Aristotle distinguishes monarchy from political rule in book 1 of the \textit{Politics} when he compares mastery of a household with political rule, saying, “for the one sort is over those free by nature, the other over slaves; and household management is monarchy (for every household is run by one alone), while political rule is over free and equal persons” (Pol. 1255b18). But it is not clear why and how monarchy can be one of the three correct political regimes later in book 3.

Monarchy is a very significant topic for a productive comparison between Aristotle and Confucius regarding fear, as Confucian political community neither consists of free and equal members nor is a rule primarily subject to law, but unfortunately Aristotle did not offer enough and coherent arguments on this matter.

2) Second, there is an issue of the few and the many. As May Sim rightly suggests, Aristotle claims that virtue is achieved only by the few whereas Confucius articulates a life of virtue accessible to all or most.\textsuperscript{61} In book 1 of the \textit{Politics}, Aristotle argues that there are differences in the virtue of free males and the others (Pol. 1260a). According to him, there are distinctive virtues appropriate to women and the subordinate, but they are second level virtues; those virtues are partial, relational, and inferior in character. For Aristotle, while “the ruler must have complete virtue of character,” a slave “needs only a small amount of virtue,” “as much as will prevent him from falling short in his work through licentiousness and cowardice” (Pol.

\textsuperscript{60} B. Yack, \textit{The Problems of a Political Animal}, p. 87.

\textsuperscript{61} M. Sim, \textit{Remastering Morals}, pp. 166-7. Ren, the central concept in Confucian philosophy, is the comprehensive virtue that Confucius encourages everyone to attain. Although Confucius once states that “few are able to understand and realize virtue” in the \textit{Analects} 15:4, this sentence is generally seen as a general statement about the moral quality of Confucius’ contemporaries as is in 6:27, not as a manifestation that virtues are only for the few. In other words, Confucian theory suggests that virtue is for everyone, but in this particular sentence, Confucius lamented that virtuous people were very few in his time. Another way to read this sentence is to see this as a continuation of 15:2, as thus more specifically spoken to his disciple Zilu. See E. Slingerland, \textit{Confucius Analects with Selections from Traditional Commentaries}, p. 175.
In other words, whereas a soldier would ask himself what is worth dying for on a battlefield in order to be a courageous man as a citizen, a slave would ask himself what is worth fighting for in a local market against a villain in order not to be a useless slave who would be helplessly robbed of his master’s property.

If Aristotelian virtues are primarily for free males, and if the virtue of courage that governs fear of noble death is only for those few aristocratic souls, then Aristotle’s theory still has problems with those unfortunate poor standing out of a protective line. In other words, slaves, women and children, namely, the people who are more vulnerable, are theoretically excluded from the playground. Therefore, the overwhelming top-down fear carried by a merciless master or a cruel husband may not be understood as a political wrongdoing; rather it may be simply considered as a misfortune. For example, a tyrannical Confucian master who treats his servants cruelly without ren can neither be a virtuous human being nor a good citizen because Confucius teaches that politics basically starts from what happens at home. In this case, the master’s fearful acts are moral and political wrongdoing to be corrected. In contrast, a merciless master can fully be a good and active citizen in Aristotle’s theory. A cruel death of a slave may create an unfortunate scandal but is not likely to be a social and political agenda. In fact, Aristotle makes a distinction between the good man and the excellent citizen in Book 3 of the Politics. The good man’s virtues go beyond those of the excellent citizen (Pol. 1276b35)\(^62\). However, this distinction is foreign to Confucius. For Aristotle, a cruel master could not be a good man, even if he is an excellent citizen. For Confucius, being a good man is what makes one an excellent citizen. Confucian distinction of right and wrong fear, that strongly denies top-down fears from

\(^62\) “That it is possible for a citizen to be excellent yet not possess the virtue in accordance with which he is an excellent man, therefore, is evident.”
the superiors, can generate a more protective political guideline in this regard. In other words, the Confucian conception of right and wrong fear protects more people who lack in political power. For Confucius, the overwhelming top-down fear is *morally and politically* wrong.

It should also be noted that Aristotle’s position gives right fear a smaller role in society compared to the Confucian one. In the Confucian formulation, everybody can be a *junzi* by cultivating morally appropriate fear within a society; the devastating fear carried by a fearful state is a wrong fear that fundamentally prohibits ordinary people’s flourishing by crushing right fear. In contrast, the Aristotelian virtue of courage that governs fear is primarily for free male citizens; hence the opportunities to practice right fear are theoretically not given to slaves or women. According to Aristotelian formulation, there is no right or wrong fear for those who lack in political power; fear is neither politically nor morally meaningful for them – fear is just fear, it is “what is frightening” and the “expectation of something bad” as Aristotle broadly defines at first (*NE*, 1115a10). Therefore, I argue that Confucian distinction of right and wrong fear exposes a weakness in Aristotle’s thoughts on fear.

4) Fear and courage

Before extending my discussion to the idea of political community, I need to identify one more issue that makes for an interesting comparison point between Aristotle and Confucius. It is about the subtle relationship between courage and other virtues. In the *Analects*, the key figure connected to courage is Zilu (子路), one of Confucius’ earliest disciples and a former warrior. Confucius thinks highly of Zilu’s loyalty and valor but often reproaches him for the lack of other virtues that would balance his courage (5:6, 5:7, 7:10, 11:12). In *Analects* 17:23, Zilu asks Confucius, “Does the *junzi* consider courage a supreme virtue?” Confucius answers in order to
temper Zilu’s obsession for courage, saying, “The junzi gives the first place to righteousness. If the junzi has courage but lacks a sense of righteousness, he would create political disorder; if a common person has courage but lacks a sense of righteousness, he would be a thief.” Confucius wanted Zilu to realize the risk arising when a person obsessively pursues courage only, as Zilu often serves as an example of the danger of impetuous courage uninformed by other virtues. This conversation clearly represents Confucius’ awareness that courage possessed in isolation is potentially dangerous.

The Analects 14:5 provides more comprehensive relationship between courage and other virtues: “Those who are humane (ren (仁), the highest Confucian virtue) must be courageous; those who are courageous are not necessarily humane.” In other words, those who are virtuous will be courageous, but courage itself does not necessarily make a virtuous person. Similarly, courage often appears subordinated in the Analects to more important virtues such as prudence or righteousness (5:6, 6:13, 7:10, 8:2, etc.).

One might wonder, then, whether the Confucian tradition regards courage as a virtue at all; especially when it seems that the Chinese letter for courage, yong (勇), should be translated as rashness rather than courage in passages such as Analects 5:6 or 17:23. However, Confucius’ list of three cardinal virtues of a virtuous man explicitly suggests courage as one of them: “The ways of the junzi are three;” “the good (ren, 仁) man is never anxious, the wise man is never in doubt, the courageous man is never afraid” (9:28, repeated in 14:28). Zhongyong (中庸), a Confucian text usually known as The Doctrine of the Mean in English culture, has a much clearer statement of this list in Chapter 20, saying, “Wisdom, humaneness, and courage – these
three are the universal virtues of the world.” Although it needs other virtues for proper balance, it seems obvious that Confucian tradition appreciates courage as a higher virtue.

Then why is courage often suggested as a seemingly inferior virtue that needs to be balanced by other virtues? Given that courage is the first virtue that Aristotle explains in *Nicomachean Ethics*, and there is an implication that a courageous person is likely to have every virtue and happiness in his life hence will have every reason to be alive (*NE* 111710-15), it is clear that Aristotle and Confucius have different views on the relationship between courage and other virtues. Regarding this, Alasdair MacIntyre argues that the *Analects* 14:5 suggests that Confucianism did not accept what is known in the West as the doctrine of the “unity of the virtues.”

In Aristotelian theory, defectiveness in one virtue in a person is a sign of disorder in psyche, therefore also a sign of defectiveness regarding other virtues. Probably, it partially explains why Aristotelian virtue is only for the few whereas Confucian virtue is more accessible to many. In Confucius’ thought, the definition of a virtuous person is less strict; as long as one is prominent in one virtue, we call him a virtuous person. This lack of “unity of the virtues” explains why courage needs to be balanced by other virtues in Confucian philosophy. However, it does not fully explain why courage requires a special caution in Confucian as opposed to Aristotelian moral thought.

I believe that Confucius’ seemingly negative depiction of courage derives from his longing for the strong connection between fear and morality. Courage involves the significant question of life and death; therefore he wanted to make sure that courage is checked and balanced by moral virtues with great caution, especially in a political community of unequal

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63 A. MacIntyre, “Incommensurability, Truth, and the Conversation between Confucians and Aristotelians about the Virtues,” p. 106.
members like ancient China. Other virtues do not cause horrible disaster when going to one extreme to become vices, but courage is very likely to do so. Confucius was aware that courage easily turns into vices when not balanced by other virtues, and that it becomes more dangerous when coupled with a political community like ancient China. As I shall explain more in the next section, Confucian political community is conceived as a structure of intimate but unequal relationships that is vulnerable to arbitrary fears when not working well. Confucius, therefore, wants the virtue of courage checked by other virtues such as wisdom or righteousness, so that rulers would neither be too aggressive nor bellicose and that the ruled would not be too reckless to fall into the danger of death himself. I suggest *Analects* 7:10 and 13:30 as passages that support my claim:

Zilu (子路) asked. “If you, Master, were to lead the three armies (三軍, the combined military force of a large state) into battle, whom do you want to work with?” The Master replied, “I would not take anyone with me who would try to fight a tiger with his bare hands, or to cross a river without a boat, willing to die without any regret. My associate must be the man who approaches with a proper sense of trepidation, who comes to a decision only after having thoroughly considered the matter” (7:10).

The Master said, “Having been educated by an excellent person for seven years, the common people may be allowed to bear arms.” The Master said, “To lead an uneducated people to war, is to throw them away” (13:29-30).

The first passage depicts Confucian qualifications for military commanders who are responsible for countless lives on a battlefield. This conversation comes right after Confucius’ praise of Yan Hui (顏回), the most gifted disciple who is cited by Confucius as the only one who truly loves learning to achieve ren. Therefore, by asking that question, Zilu, the military specialist and a man of courage, was expecting his Master to choose Zilu himself as the one with whom he wants to discuss military affairs. However, the Master’s answer is quite cold and harsh. He claims that what is needed for a military figure is first and foremost humaneness rather than
courage. Put in another way, a great military commander must possess a profound understanding of human life and liberal arts; simply having knowledge of martial arts or military tactics is not only insufficient but also dangerous. Also, that person must not be “willing to die without any regret,” claims Confucius, which means Confucius expects the Aristotelian brave man portrayed in the *Nicomachean Ethics*, the one who knows what is worth dying for, and who achieves every virtue and happiness in his life hence will have every reason to be alive in a battlefield. In sum, since Confucian courage does not automatically represent other virtues as well, one has to be particularly cautious and keep moral training for his lifetime to be a man of every virtue. I believe Confucius intentionally designed the characteristic of courage in this way so that it worked as a protective device of check and balance for the Confucian community, which is relatively vulnerable to political fear.

The second passage, *Analects* 13:29-30, not only highlights the Confucian longing for the robust relationship between fear and morality but also displays Confucian care for those who are inferior and thereby exposed to fear more often. Some commentators take “education” in this passage as military training, but most commentators believe this to have a broader reference, perhaps including military training but primarily focusing on moral education. According to this passage, only a person who truly understands how worth his life is and what he is fighting for can be a truly courageous soldier, as is in Aristotle’s text, and the education for that takes seven years by an excellent person, perhaps even more by an ordinary person. Confucius suggests this length of time for the moral education because he wants reflection on fear to be

64 A more specified version of this teaching also appears in *Mencius 6B8* where Mencius persuades Shenzi (慎子), who is a military commander candidate of Lu state, to serve and guide his ruler to the right way and humaneness.

65 E. Slingerland, *Confucius Analects with Selections from Traditional Commentaries*, p. 152.
coupled with one’s moral judgments. Otherwise, a war would not be a political affair but meaningless repetition of murder.

So far, I explored how fear was articulated in Aristotle and Confucius’ writings, how significant the role of fear was in their political philosophy, and how fear was connected with morality and politics in their thoughts. Now I shall devote my attention to exploring how fear actually extends to our political life in the theory of Aristotle and Confucius.

**Fear and political animals**

From the previous analysis, we found out that a good life for Aristotle and Confucius does not mean the absence of fear but a life of right fear. The next focal point to consider is the way of creating a preceding apprehension of “right and wrong” for the proper orientation of fear. For Aristotle and Confucius, the preceding apprehension of “right and wrong,” namely, what to fear, primarily involves knowledge and judgment, and secondly with habits and practice. This whole process of “pursuing a life of right fear” has a profound relationship with the famous Aristotelian axiom that “man is by nature a political animal” (*Pol.* 1253a3). It is because cultivating right fear through social interaction is only possible within a political community engaging with other people. For both Aristotle and Confucius, man is by nature a political animal who is able to live a good life through practicing right fear with their community members.

In the following sections, I shall examine key concepts such as political community and justice in order to suggest how the Aristotle’s and Confucius’ understanding of fear actually elaborates the nature of human being as a political animal. The first thing I need to do is to identify and challenge a widely shared image of Aristotelian and Confucian political community
as too harmonious and cooperative to embrace problems in our ordinary political life such as fear, anxiety or tension.

1) Distorted images: harmony without tension?

As I mentioned early, there is a widespread association of Aristotle’s and Confucius’ conception of community with natural harmony and perfection, which has led most contemporary commentators to minimize the significance of negative concepts such as fear, conflict and tension in Aristotle’s and Confucius’ political philosophy. Many scholars share the impression that these moralist thinkers have too harmonious understanding of political life to give us a reliable guide to the conflicts and friction in our ordinary political life. For example, Alasdair MacIntyre, despite his sophisticated understandings of Aristotle, blames Aristotle for ignoring “the centrality of opposition and conflicts in human life.” Confucianism tends to have been accused of its overly static, idealistic and conservative image. Most East Asians have condemned Confucian tradition for not being able to deal with dynamic tensions of the modern world. Richard Rorty, whose heroes and heroines are “specialists in dissonance” who value disruptive renovation over static harmony such as Kierkegaard and Nietzsche, argues that Confucianism bears some responsibility for unwillingness to break with tradition because of its attitude towards harmonious old tradition. In other words, neither Aristotle nor Confucius has been considered as philosophers who seriously embrace the world as conflict-ridden reality full of tension and dissonance.

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66 For a valuable exception to the general underestimation of Aristotle’s interest in moral and political conflicts, see B. Yack, *The Problems of A Political Animal*, pp. 10-18.
This impression largely comes from the inflated hope for affective social bonds promoted by the contemporary communitarian discontent and critique of liberalism. Communitarians who find fault with liberal individualism as theoretically hollow (due to its assumption of each individual as an unencumbered self) and politically undesirable (due to its tendency of eroding communal solidarity and civic virtue) become interested in the nourishment of communal ties and civic virtues that would make people stop “bowling alone.”

Along with their critique of the excessive liberal individualism that might choose individual rights and negative freedom at the expense of common good, Aristotle and Confucius have been most expected by communitarians to provide exemplary models of social integration due to their harmonious images of political life. I believe that Aristotle and Confucius can certainly give valuable insights for those who seek affective social bonds and civic health, but I argue that those claims should be based upon a deeper understanding of Aristotle’s and Confucius’s thoughts. Aristotle and Confucius never exclude conflicts for a harmonious order but actually think in the opposite way; tension and difference are necessary and crucial elements for our ethical life and character training.

This widespread misimpression grows out of, among other things, “a relatively narrow and superficial understandings of Aristotle’s claim about the naturalness of the political

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70 Bowling Alone is Robert Putnam’s renowned book on the collapse and revival of the American community. Putnam argues that more Americans are bowling than ever before, but they are bowling alone, not in leagues. “Bowling alone” is therefore a connotative phrase demonstrating today’s declining social capital and broken social bonds that have affected our civic health. Bowling Alone shows how we have become increasingly disconnected from family, friends, neighbors, and our democratic structures and how we may reconnect. R. Putnam, Bowling Alone (New York: Simon & Schuster, 2000).

community,” and the Confucian concept of *wu-wei* (無為, literally meaning “no-doing” or “non-doing”) as the highest way of governing. However, we should focus on the fact that more than half of Aristotle’s *Politics* is devoted to explain political competition and conflicts including such imperfect regime types, and Confucius explicitly confessed that achieving perfect harmony and peace in politics is almost impossible (*Analects* 6:28, 14:45). Also, we need to remember that Aristotle was a well-known opponent of his teacher Plato’s extremely communitarian view that social unity is the measure of political health (*Pol.* 1261-62), and that Confucius correctly understands that imperfect and mindless behaviors common in our ordinary life sometimes give us better lessons (*Analects* 7:21, 19:22). Concepts being often associated with communitarian vision of political community, such as harmony, peace, cooperation, solidarity, or unity, are for Aristotle and Confucius what people have to achieve in the political community struggling with each other, rather than what is naturally given by the political community. In this regard, Bernard Yack’s claim that Aristotelian political community exists for the sake of human development, not for the sake of its own development points in the right direction.

The way people achieve courage and justice, the two virtues deeply associated with fear, shows that Aristotle and Confucius appreciate the imperfect and contingent nature of political community and make use of it for human development. For Aristotle, virtues of character do not

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72 *Analects* 2:1 is an exemplary passage of *wu-wei*; Confucius claims that a virtuous person is like the Pole Star – she does not move yet receives the homage of the myriad lesser stars, therefore, it is like governing without doing anything. However, we should note that *wu-wei* is not what is naturally given but what to achieve. In other words, this passage suggests that the harmony in the natural world is to be a model for the human ruler; it does not mean that our political community is naturally peaceful and harmonious.

73 “The end of the polis is not to develop itself into a complete and perfected form but rather to contribute to the development and perfection of human beings into their complete and natural form.” B. Yack, *The Problems of A Political Animal*, pp. 16-17.
arise in us naturally, but “we are by nature able to acquire them, and we are completed through habit” (NE 110320-25). Therefore, it is quite clear that a political community is not by nature a harmonious and cooperative place since we are not by nature virtuous people. Tensions and conflicts naturally exist; we train ourselves and habituate virtues within this imperfect and contingent communal setting in order to reach the appropriate middle point between extremes. The theories of both Aristotle and Confucius, as Alasdair MacIntyre summarizes them, “describe and endorse a method of moral education according to which we first have to learn from others in particular situations what courage or justice requires from someone circumsitanced as we are and then learn how to extrapolate, how to extend our practical grasp of these virtues to other very different types of situation.”\textsuperscript{74} This type of moral training is not a kind of universal rule-following, but a constant practice for seeking a mean state. Therefore, it necessarily requires diversity and contingency so that the person can firmly practice in different situations until she achieves a proper mean state with confidence. This is a lifetime of training because a mean state might constantly change according to time and space, which in turn makes the person constantly keep a healthy ethical tension within herself. Therefore, a harmonious unity without tension, or naturally perfect social order, is neither good nor desirable for both philosophers for a good moral and political life. Without tension and conflicts common in our political life, it is impossible to seek such a mean state and thereby achieve certain virtues.

2) Why Plato’s \textit{Republic} is not a community of political animals

The imperfect and diverse nature of Aristotelian and Confucian political community becomes obvious when compared to Plato’s \textit{Republic}, which defends an extreme form of

\textsuperscript{74} A. MacIntyre, “Incommensurability, Truth, and the Conversation between Confucians and Aristotelians about the Virtues,” pp. 105-6.
harmony and unity. Compared to the opening of Aristotle’s *Politics*, which starts as “Since we see that every city is some sort of partnership, …” (*Pol*. 1252a1, emphasis added), Plato’s *Republic* is built upon assumptions and ideas that hopefully construct some pure, otherworldly ideal of political community and justice. In other words, Plato considers human observation untrustworthy because most of our shared opinions and perspectives are nothing but distorted images projected on the wall in a cave.\(^{75}\) Aristotle, departing from Plato, values human observation; he believes that we should study human beings as they actually live in cities if we want to learn about virtues and politics. In this regard, he embraces human vices and imperfections as they are. It is because Aristotle noted that human nature is not so malleable enough to make Platonic ideals come true, as we know “all say the same thing is impossible” (*Pol*. 1261b30), and as we know some people will still take pleasure in stealing from others although they no longer feel hungry or cold (*Pol*. 1267a2). In Aristotle’s view, Plato exaggerated too much what politics can do to transform human nature.\(^{76}\)

Plato also seemed to share this concern about human nature because he thought the only way for realizing his ideals is to tell a lie, as he articulated in book 3 of the *Republic*. This is the decisive point that his understanding of fear and community diverges from Aristotle’s and Confucius’. Plato asserts that what people fear more than anything else is “to lie and to have lied to the soul about the things that are, and to be unlearned, and to have and to hold a lie there.”\(^{77}\) This is a tricky sentence bridging fear, morality, soulcraft and statecraft all together, given that

\(^{75}\) For Plato’s use of cave metaphor, see the book 7 of the *Republic*.

\(^{76}\) In this regard, Aristotle’s core complaint about the *Republic* was, as Jeffrey Abramson puts it, that “it sketched a politics at war with human nature.” J. Abramson, *Minerva’s Owl: The Tradition of Western Political Thought* (Harvard University Press, 2009), p. 109. See also p. 88.

\(^{77}\) Plato, *Republic*, 382b.
he himself engages in a noble lie for the sake of Greek education. As already seen in the opening of *The Republic*, Plato’s theory also embodies the connection among fear, morality and justice. However, the way that Plato’s fear extends to political life is quite different from that of Aristotle’s in three ways. 1) Plato’s republic teaches its members what to fear through censorship and noble lies whereas Aristotelian polis provides the members of community with a platform to deliberate on what to fear. 2) Plato believes that understanding the right things to fear compels one to fear the right things. Socrates, according to Aristotle, actually thought “bravery is scientific knowledge” (*NE* 1116b5). However, Aristotle understands that knowledge itself does not make a courageous person; the key is rather habit and practice. 3) Plato’s republic pursues a collective unity as a politically desirable ideal whereas Aristotelian polis seeks for a shared moral ethos among diverse individuals who fear different things at different times for different reasons.

These three contrasting points show why Aristotelian polis is a community of political animals whereas Plato’s *Republic* is not. A republic such as Plato imagined, where there is very likely no active public deliberation among the members, where people are supposed to develop their potentials and virtues through philosophical knowledge and individual enlightenment – not by habituation and practice within a community –, and where there are no disputes to resolve among conflicting individuals, is a city that needs no institutions of justice in Aristotelian sense, therefore, not a city of political animals. According to Aristotle, it is impossible to be happy as a whole, for happiness is not the same kind of thing as evenness (*Pol.* 1264b20). In other words, human beings feel happy at different points; different things make different individuals happy. Being in the same room, I am happy when listening to music loudly while you are happy when reading your favorite book quietly. Politics exists for this very reason that human beings are
different and their preferences are diverse. Plato’s mistake is that he wanted to reduce the tension and conflicts so much that he went to the other extreme by dreaming an ideal political community with no tension, which is not a political community anymore. As Jeffery Abramson correctly points out, Plato overemphasizes unity and sameness so much that “the very achievement of political life – its bringing together of different kinds of persons to share a common good – is made impossible.” Plato thought it possible to make people fear the same thing as a whole by education and censorship. In Plato’s happy community, there is no need of public deliberation on what to fear and what to be just, because the members are united enough to pursue the same common good without any substantial consensus on justice. This is the decisive point where Aristotle’s understanding of fear and community diverges from Plato’s. Although both philosophers are moralist thinkers, Plato finds the source of morality in philosophical enlightenment whereas Aristotle finds it from social consensus and political interaction. Aristotle parts company with Plato by making political justice an essential element when we build the moralist connection between fear and morality.

Fear, morality and justice are all linked together in Aristotle’s theory and this linkage makes Aristotelian understanding of fear political and communal in its essence. As we notice from the very last chapter of *Nicomachean Ethics*, Aristotle conceives ethics as a part of political science; he treats the *Nicomachean Ethics* and the *Politics* as parts of one single inquiry. This integration of politics and ethics is the primary characteristic of moralist philosophy that I explore in my thesis. The modern division of politics and ethics into separate disciplines not only

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verifies the fact that the way we deal with political fear has changed, but also makes it difficult to recognize Aristotelian and Confucian virtue ethics as a way of dealing with political conflicts.

Confucius’ understanding of community is in this regard more Aristotelian than Platonic. At first glance, a Confucian society looks more similar to Plato’s at least in two ways: firstly when we remind of Confucius’ reverence for enlightened sages as virtuous politicians; and secondly when we take Plato’s first noble lie, the idea of “community as a family” into consideration. However, a Confucian junzi is not a philosopher king in Platonic sense. A junzi is a wisdom-lover like a philosopher king, but is not a solitary endeavor. For a Confucian junzi, knowledge and wisdom are best gained in community, through education, moral training, and constant social interaction from the early age primarily with family members, not through being isolated from family relations to be educated as guardians. Put differently, for Plato, a person who is an enlightened philosopher free from familial and financial issues would be an ideal ruler; for Confucius, the best politician should be primarily a good son and a good father, who achieves a proper balance struggling with sacred issues surrounding him.

Also, Confucian community as an extended form of family is fundamentally different from Plato’s imagined community in two ways: 1) For Confucius, the small unit of family is the most important and crucial place for practicing ethics and politics; therefore, Confucius would strongly reject Plato’s idea of making city as a big family by destroying the actual family units. The configuration of Confucian society is, in the words of Fei Xiaotong, like “the rings of successive ripples” on the surface of water when you throw a stone into a river. The whole river

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79. This is the first part of Plato’s noble lie suggested in book 3 of Plato’s Republic. In order to secure strong unity among the community members, Plato wants people to believe that they are all from the same Mother Earth, saying, “All of you in the city are certainly brothers.” Plato, Republic, p. 94.

80. X. Fei, “Chinese Social Structure and Its Values,” in Changing China: Readings in the History of China from the Opium
makes one big society but each family is the center of the rings emanating from its social influence. Without the center, the whole set of affiliations cannot occur. 2) More importantly, Confucius understands that unity or sameness is neither helpful nor desirable for our ethical and political life. Therefore, for Confucius, an ideal community should be an extended form of a family but not actually a form of united family. In other words, an ideal Confucian community requires intimacy and diversity at the same time. In the Analects 13:23, Confucius argues “The junzi harmonizes but remains different; the common people does not harmonize but remains same as others.” This is a critical passage that distinguishes Confucius’ harmony from Plato’s unity. For Confucius, harmony (he, 和) is not identical with sameness (tong, 同); it is rather an unstable balance among diverse and different positions in a society. Confucian harmony presupposes room for a critical eye, both toward oneself and upon the world, whereas Platonic unity makes lesser room for such a critical distance especially among its members. Confucian harmony is therefore not a gift from heaven; it is an idea that needs constant human interaction among the members maintaining such a distance within a political community. In other words, a junzi is not a person who merely agrees with others seeking for unity or conformity; he is a person who constantly discusses, persuades and negotiates not only with other people but also with himself seeking for a proper balance. Therefore, a prolific environment for a junzi is an intimate community of diverse people, not a Platonic family city of united sameness without intimacy.

In fact, Plato’s view of “community as a family” is a good bridging point where we can understand to what extent Aristotle and Confucius share similarities and differences in their

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theories regarding fear. Although Aristotle and Confucius both understand that a community of heterogeneity is necessary for our ethical and political life, Aristotle’s political community of equals and Confucius’ political community of natural hierarchy pursue different paths. The difference becomes especially significant when people are to engage in public deliberation in both communities to decide what to fear and what to not, which will be discussed shortly.

3) I speak, therefore I am a political animal

As we already discussed, a preceding apprehension of right and wrong, namely, what to fear and what to not, is needed in order to orient fear to the right and noble. According to Aristotle, it is acquired through political animals’ seeking public consensus on justice using logos, the uniquely human capacity for reasoned speech and debate (Pol. 1253a8). For Aristotle, the goal of political life is not eradicating disputes to ease tensions as Plato pursues, but establishing a fair playground for people to settle the disagreements that they naturally have in ordinary life. Unlike Plato who understands that social unity is the measure of political health, Aristotle considers the existence of disputes as natural and political; it is not a sign that something is wrong or rotten but a normal opportunity for healthy deliberation about how different persons can share their views to deduce some consensus. Therefore, disputes and deliberations, not dogmatic lies, should flow freely in a political community. Through these debates and disputes, people can share important elements without losing the sense of distinction from one another, as Aristotle and Confucius both wanted.

Aristotle explains pre-political and hierarchal relations that are distinguished from political relations in book 1 of the Politics. What helps human beings to form communities with
persons other than those pre-political relations such as male-female, or parents-children relationship, is the distinctive human capacity for reasoned speech (*logos*).

That man is much more a political animal than any kind of bee or any herd animal is clear. For, as we assert, nature does nothing in vain; and man alone among the animals has speech. The voice indeed indicates the painful or pleasant, … but speech serves to reveal the advantageous and the harmful, and hence also the just and the unjust. For it is peculiar to man that he alone has a perception of good and bad, just and the unjust, and other things; and it is communities in these things that makes a family and a state. (*Pol.* 1253a)

According to Aristotle, this distinctive capacity for reasoned speech is what makes human beings essentially political animals. Through this ability, people produce a certain level of consensus or accountability with strangers – which is called justice –; this is how a political community is created and maintained. In this regard, Aristotle views justice as distinctively political, which exists in political relations only. In private, according to Aristotle, family members do not need justice to get along or reasoned speech to negotiate. Domestic justice is a different, subordinate kind of justice. This is an important point where many feminist scholars – and Confucius to some extent – would argue against, but I shall save further discussion and continue to explore the implication of *logos* for now.

How does Confucius think about speech? Given the passages like 1:3, 2:13, 4:22, 4:24 and 5:9 in the *Analects* that seemingly express Confucius’ hatred towards *yan* (言, words, saying or speech) and preference for reticence, one may argue that it is difficult to think of Confucius as the one who appreciates the power of human speech in political life. However, what Confucius hated in those passages is rhetoric, or fancy words without sincerity, rather than speech itself. Also, what Confucius hated is the misuse of language rather than language itself.81 I believe

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81 For an excellent account of the Confucius’ attitude toward speech and language, see P. Pae, *Nōnō*, vol. 2, pp. 399-400.
Confucius’ obvious hatred toward rhetoric (and glib people) in the *Analects* is not simply because he values actual doing over mere saying (or reticence over fancy words), but more importantly because he truly understands the harmful consequence of inflated speech that undermines mutual accountability.

In fact, the Confucian tradition rightly understands the power of language in our political life. Otherwise, the long *Analects* would not end with this meaningful sentence that “He who does not understand *yan* (言, words, saying or speech) is incapable of understanding people (20:3).” P. Pae understands this last sentence as a Confucian declaration of “man as a social being of *logos*.”

By ending *Analects* this way, the Confucian school clearly emphasizes that language is the most important means for understanding and living with other people. Also, I think it is particularly interesting that only Confucius’ *Analects* is titled as “Analects” (*論語, Lunyu*, literally meaning “debating (or discussing) sayings”), whereas other Chinese classics are usually titled after philosopher’s name, such as *Mencius, Xunzi, Hanfeizi*, etc. Whereas *Hanfeizi*, for example, is a monologue of Han Fei, the *Analects* are a collection of debates and conversations between Confucius, his students, and others; it contains teachings that Confucius gave while asking and responding to disciples and his contemporaries, and the lessons learned from Confucius that disciples spoke to each other and debate with others. In this regard, for Confucian tradition, learning through exchanging speech is a social activity and political participation as it is. As Sor-hoon Tan properly states, the *Analects* is “records of social inquiries in which everybody participates according to their abilities rather than one-directional

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transmission of knowledge.” It may imply that Confucius – or Confucianism – was the one who hoped that our moral and political life would be filled with diverse human speeches and thoughts rather than one sage’s eloquence.

Speech, for Confucius, is a significant element in politics indeed. It makes him go one step further to pursue the “righteousness” in our language life. This is best explained by Confucius’ idea of zhengming (正名, rectification of names, or right names). In the Analects 13:3, Confucius suggests this idea with the account of how bad names spark an unhealthy political cycle.

Zilu asked. “If the Ruler of Wei were to wait for you to serve in his administration, what would be your first priority?” The Master answered, “It would, of course, be the rectification of names (zhengming, 正名).” Zilu said, “Is that so? What you said has nothing to do with the matter. Why should names be corrected?” The Master replied, “How uncultivated you are! … If names are not rectified, speech will be incorrect; and if speech is incorrect, no affairs can be successfully accomplished. If no affairs can be successfully accomplished, the rituals and music will not flourish; and if the rituals and music not flourish, punishments and penalties will go astray. If punishments and penalties will go astray, then common people will do not know what to do.”

Zhengming in this conversation is primarily relevant to the legitimacy of the Wei state, but at a deeper level, this passage gives us an important message about the relationship between human capacity for language and a good political life. In this passage, Confucius claims that our whole political life is built upon our language, thus using right names (or right terms) for the right things is the very first step for a good and healthy political life. Otherwise, the whole political structure will be in chaos as he suggests above. In our daily life, we experience such cases that naming actually plays a significant role in our perception and thereby in our political life. “Politically correct terms” are obvious examples. We all know how the term “negro” had

affected American society over time, and how American people have fought for the right name for people of African origin. Until the mid-eighties, South Korean textbooks, newspapers and medias commonly used “the North Korean puppet regime” or “the North Korean evil regime” when they referred to North Korea. Those negative titles implied that South Korea perceived North Korea not only as evil but also just as a regime, i.e., an illegitimate political clan but not a state. When the name was later rectified as “North Korea,” it certainly enhanced the overall political relations between the North and the South. Seen this way, Confucius rightly understood the power of language in our communal and political life at the very basic level.

In sum, whereas Aristotle simply suggests us to be a political animal using reasoned speech, Confucius suggests us to be a political animal using reasoned and truthful language through the idea of zhengming. Regarding this, the Analects 2:11, where Confucius argues that “a king should be like king; a father should be like a father; a son should be like a son; and this is what we call politics,” allows us to appreciate a deeper meaning of zhengming. In other words, the idea of zhengming not only means the necessity of politically right names but also suggests people live virtuously to fit into their names. In this way, Confucius highlights the importance of speech and language in politics, and shows how it is connected to our virtuous life. We shall see how this slight but important Confucian addition, i.e., not simply “reasoned” speech but “reasoned and truthful language,” makes some significant differences in Confucian community in the next section.

If it is relatively clear that Confucius agrees with Aristotle in appreciating the human capacity for speech and language, then does Confucius share the same Aristotelian understanding of the relationship between speech and justice? Before we start discussion, we
should note that there is no exactly equivalent term for justice in the classical lexicon of Confucius. The mostly like candidate, yi (義), which is frequently translated as justice but actually covers various ideas such as righteousness, good, principle and obligation, does not entirely correspond to the Western concept of justice. Therefore, there have been active debates over the Confucian conception of justice: some focus on social distribution and welfare while others approach it in terms of individual virtue and excellence; some use Rawls’ distinction between “the concept of justice, a conception of justice, and the sense of justice”\(^8^4\) to explain the similarities and differences between the Western and Confucian concept of justice better; several Confucian ideas such as yi (義), gong (公), zheng (正), ren (仁), li (禮) have been examined in terms of justice for a better understanding of Confucian justice.\(^8^5\) Although this discussion on Confucian justice is all meaningful and relevant to my thesis, I do not explore the deeper meaning of Confucian justice here in detail. Setting aside the sophisticated answer to how we can exactly define the notion of justice using traditional Confucian lexicon, I try to

\(^{84}\) According to John Rawls, the concept of justice is “a proper balance between competing claims” whereas a concept of justice is “a set of related principles for identifying the relevant considerations which determine this balance” (p. 10). In other words, the concept of justice is what we might call the thin or minimal understanding of justice that is shared by anything we could count as an account of justice. A conception of justice, in contrast, is a detailed formulation of what counts as “arbitrary distinctions” and “a proper balance,” such as a liberal conception of justice. Finally, a sense of justice is “the capacity to understand, to apply, and to act upon principles of justice” (p. 46 and p. 505). Erin M. Cline argues that Rawls and Confucius have radically different conceptions of justice but they share the concept of justice and the belief that all humans have a capacity for a sense of justice. J. Rawls, *A Theory of Justice* (Cambridge: The Belknap Press of Harvard University Press, 2005) and E. M. Cline, *Confucius, Rawls, and the Sense of Justice* (Fordham University Press, 2013).

focus on whether Confucius had an ethical project between fear, morality and active political life similar to what has been shown in Aristotle’s theory.

Although we should not assume that there must be a single Chinese term that corresponds to the English word justice, it may be helpful to look at those Chinese characters that can be meaning just, or justice so that we can get a sense of how classical Confucians would grasp the idea. Most frequently used terms around the concept are \textit{yi} (義, rightness, right, justice, just), \textit{gong} (公, impartiality, politics, political/ fairness, fair, justice, just/ togetherness), \textit{zheng} (正, justice, just, rightness, right), and \textit{xin} (信, trustworthiness, trustworthy). All of them partly or fully imply the political process explored in Aristotle’s theory of justice, speech and political community. Perhaps the most noticeable letter regarding the role of speech will be \textit{xin} (信, trustworthiness, trustworthy), a letter produced by the combination of human (人) and speech (言). It properly mirrors the Aristotelian understanding of political process that creates mutual accountability and just relationship through speech among people. Confucius claims that the trustworthy word is like a little chain or pin that connects the people and makes community going forward: “The Master said, ‘I do not see how a man can be acceptable who is untrustworthy in word. When a pin is missing in the yoke-bar of a large cart, how can the cart be expected to go?’” (2:22) The role of speech in this Confucian saying is quite similar to what Aristotle thinks of speech, the distinctive human capacity that contributes to create and maintain political community by holding one another accountable.

Justice for Aristotle is a political process of building a mutual accountability; it is reciprocal and highly contextual, thereby political. So is the Confucian understanding of justice, since Confucius’ thoughts on justice shares the essential relationship between fear, morality and
political life shown in Aristotle’s thoughts. For Confucius, e (惡), which is often translated as badness or evil, actually means “an unhealthy state like obesity or malnutrition, a state to be afraid and avoid.”\(^6\) In other words, e is just a failed mean state, not an absolute evil in Western sense. This Confucian meaning of e suggests that there exists neither absolute good nor absolute evil in this world. Confucius makes this point clear in the Analects 4:10: “In his dealing with the world, junzi is not prejudiced for or against anything. He does what he considers yi.” Therefore, it is up to junzi and his colleagues to decide what to avoid and what to fear, according to their mutual consensus on what is just, namely, what they consider yi. In this regard, Chinese terms that can be meaning just, or justice in the Analects, i.e., yi, gong, and zheng, are all relational and situational terms pointing at a mean state in diverse contexts.

Most scholars agree that Confucian justice is first and foremost context-dependent. It is not such thing derived from some formalized and abstract principles, or individual rights naturally given to a human being. In both Aristotelian and Confucian community, social order and solutions emerge out of the particulars. Therefore, like Aristotelian justice, justice for Confucius is not a pattern laid up in heaven. Justice can be gained through achieving a proper balance in different situations as suggested in the Analects 7:27, 13:18, 14:36 and 19:22. Since justice is not a universal rule following, human interaction becomes more important. One must respond to the particular circumstances with an open mind and join in a cooperative search for a harmonious solution with other people. For both philosophers, public deliberation or social participation becomes crucial in this way. For Aristotle and Confucius, a man is distinguished from beasts by participating in community using reasoned speech searching for a better, humane

\(^6\) P. Pae, Nonô, vol. 1, p. 181.
state. Therefore, for both philosophers, justice is not a natural right given to human beings qua members of a biological species; men can be truly human beings qua social beings by pursuing and achieving justice constantly. According to R. P. Peerenboom, “[F]or Confucius a just state is a humane state, one in which each member contributes his or her unique talents to the realization of the highest quality of social harmony achievable. Justice as an aesthetic judgment of quality rather than a deduction from first principles, justice as a harmonization of the disparate interests and potentialities in the creation of a maximally humane state is a matter of
degree, and context-dependent.”

There might be a challenge arguing that a traditional Confucian society is not a place for active public deliberation among free citizens like Athens. But a group of scholars such as David Hall, Roger Ames, and Sor-hoon Tan, who have shown interests in articulating a new idea of “‘Confucian democracy,’” may give some plausible answers to this challenge. These scholars attempt to construct a viable democracy that is distinct from liberal individualistic democracy by exploring the classical texts and institutions in Confucian philosophy that resonate well with contemporary democratic practice. Also, there are several researches that explore compatibility between Confucian tradition and democracy in actual history. For example, Jongryn Mo draws on the example of the Censorate of Chosŏn Dynasty in Korea to argue that there were effective institutional places for public deliberation that worked as a democratic check and balance system; Wang Juntao argues that many key figures in the

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democratic movements in contemporary Chinese history actually drew inspiration from Confucian values.\textsuperscript{89}

However, without the help of those new researches, we can still argue that Confucian justice is created in the process of exchanging thoughts and making public consensus. In a Confucian society, learning is a major way of creating justice and participating in public matters. Contrary to the common belief that Confucian education is endless book reading and blind learning by rote, Confucius makes it clear that reading books is the least important way of education. In the \textit{Analects} 1:6, Confucius contends; “a young man should behave well to his parents at home and to his elders abroad, should be cautious in giving promises and punctual in keeping them, to have kindly feelings towards everyone and cultivate friendship of his fellow men. If he has any energy to spare, let him devote to reading books.” In this passage, learning is primarily a matter of making good and accountable human relationships. Acquiring knowledge is secondary. Therefore, Confucian learning is far from the aristocratic learning of sophisticated arts; a peasant boy can participate in constant learning naturally in his ordinary life. Confucius claims that it is the primary duty for young students to learn how to love and be loved in family, and practice how to be fair, just, and trustworthy in ordinary life; it effectively shows the fundamental connection between Confucian conception of justice and learning in a society.

According to Confucius, it is “human beings that can broaden the Way (\textit{Tao}), it is not the Way that broadens human beings” (\textit{Analects} 15:29), which means the Way is not something given but something we can actively broaden with our moral agency. Human beings, as moral

agents, are supposed to realize and cultivate the Way in a political community. To realize the Way, one must learn and practice to know what to do in various situations. Therefore, Confucian learning opens up the possibility of participation in social inquiry. Social inquiry in the process of learning arises primarily with the issue of justice, especially when people encounter diverse problems with diverse people. In learning as social inquiry, we keep considering tensions and conflicts, seeking answers to what to do and what is to be just. Confucius encourages everyone to be a *junzi*, who seeks a lifetime of learning, so that social justice can be achieved in this ubiquitous process of learning. Although there may be no distinct place for public deliberation like the agora or ecclesia as in ancient Greece, social consensus can be achieved through this lifetime network of Confucian learning that occurs with every human relationship.

4) Fear, public deliberation, and the mode of political membership

The divergence between Aristotle and Confucius, however, occurs in this political process of achieving public consensus in two ways: 1) *A different mode of political membership* affects how each political community publicly deliberates what we should fear. In other words, the different ways they understand political membership greatly affects the way each community deliberates on fear. 2) The two philosophers’ different notions of right fear and rightful language also make differences. In this case, *different understanding of the purpose of public deliberation* influences the way in which each community discusses what they should fear.

1) Whereas Aristotle’s political community is primarily a community of free and equal friends, Confucian community basically stretches from the intimate and unequal relations of a family. This different mode of political membership gives each community its own strength and
weakness. I already mentioned that Aristotelian political community is exclusive to some extent as its primary members are free and equal male citizens. Aristotle makes it clear that the male-female relationship and master-slave relationship never develops the friendship which distinguishes the political partnership (*Pol*. 1252a-1253a); therefore, for example, the political community has no interest in having a pregnant woman exercise her mind (*Pol*. 1335b11). Aristotle seems to confine the qualified members for public deliberation based on their deliberative capacities, but this is a major weakness in Aristotle’s account of political life as he fails to offer a clear account of why Greek women and those slaves captivated in wars are assumed to have the natural inferiority in deliberation. As I mentioned earlier, this categorization of political membership is very likely to create a devastated area that is not protected by political justice, where there is no more ethical reflection on fear that Aristotle wanted to secure but a blurry line between injustice and misfortune. In contrast, Confucius understands that politics extends from what happens in a family. When someone asks Confucius why he does not join the government, he answers that cultivating filial piety and being kind to your brothers and sisters at home is also a form of political action (*Analects* 2:21). The famous feminist axiom from Carol Hanisch’s 1969 essay, “the personal is political”90 is already here without the dichotomy between what is personal and what is political.


Some may argue that Confucian tradition has been more frequently blamed by feminists. In other words, Confucianism has known for its infamous subordination of women, and it is indisputable that traditional Confucianism endorsed patriarchy. However, as Sin Yee Chan argues, the explicit subordination of women in Confucianism only started with Chinese scholar Dong Zhongshu (董仲舒) of Han Dynasty. Dong aligned the female with the cosmic force of yin and the male with yang and converted the complementary and equal relationship of yin and yang to a hierarchical relationship of yang presiding over yin. The Neo-Confucians exacerbated this trend. Therefore, Sin argues that the conception of gender in early Confucian tradition is not sufficient to justify subordination of women. Sin Yee Chan, “Gender And Relationship Roles in the Analects and the Mencius,” in *Confucian Political Ethics*, (ed.) D. Bell (Princeton University Press, 2008), p. 147.
Guojia (國家), the most widely used term for a nation-state, which is made of two respective letters that indicates states (guo, 國) and family (jia, 家), represents how Confucian tradition perceives state and family in a mingled concept. Therefore, for Confucius, all human relationships are political relations and family relations at the same time. Renjian (人間), the term used for a human being is a compound word of two letters that indicates man (ren, 人) and relations (jian, 間). In this way, Aristotelian axiom of “man is by nature a political animal” is engraved on the image that people perceive themselves in Confucian tradition.

When it comes to public deliberation, however, the strength of Confucian side of their debate becomes its weakness. Although Confucian perception of political community includes more people in the political realm, especially more people who lack political power, this wider circle inevitably renders those people in lower rank hesitant in public speaking. This is like what happens when parents let their children speak how they want to spend their pocket money. Being intimidated by what their parents might think, or being afraid of the possible dispossession of the money, many children would be hesitant or try to find some plausible answers that would please their parents. On the contrary, more honest and quick answers would pop out when the same question asked by their friends. A small forum of two little kids, rather than a family conversation of parents and children, will be more open and democratic; they will be able to exchange their thoughts on how they should spend their money more freely and honestly without any anxiety.

Public speaking, or public deliberation, is most active when participants are free and equal. Although Aristotle’s political community has limited membership, among those members, it actually turns into a relatively democratic and comfortable platform in which nobody has to
read another’s face and nobody suffers. Ironically, an undemocratic mode of membership creates a more democratic playground. Due to this limited membership, more open discussion becomes possible because no one has to read signs of disapprovals by fear or anxiety. In contrast, a young junzi habituating appropriate fear shall give the first priority to the elder, who are presumed to be wise. Ironically, the junzi’s right fear as a virtuous person is very likely to constrain his exercise of the virtues as an active citizen. In this way, a different mode of political membership affects the way each community deliberates on fear.

2) The idea of zhengming and Confucius’ claim for truthful language may increase the difficulty in creating a comfortable platform to debate. Aristotle’s public deliberation is all about persuasion. It is not about getting terms right or finding a right place to fit. Confucian insight, in contrast, was careful enough to reflect upon the “rightness” of language for a better and virtuous political life, but this philosophical strength turns into a great weakness when we actually engage in public deliberation. When a debate is expected to deal with rightness or truth, people hesitate. When people discuss what is most appropriate in this situation or what is qualitatively better, people can easily express their opinions. When people have to talk about truth, or right and wrong, a debate easily turns into a lecture in which persuasion can no more takes place. It may stifle different voices; more seriously, it is very likely to take an authoritative path. This authoritative path inevitably increases fear on the platform of public deliberation and constrains free exchange of thoughts.

Therefore, the Confucian good will for the right fear may result in an ironical outcome once again. This time, not only the younger side but also the elder side would face problems. The idea of zhengming encourages people to live virtuously by fitting into their names; a father
should be like a father and a son should be like a son. Therefore, a father who is not like a father finds it hard to maintain his authority; an opinion from a father that is not like a father’s is an opinion to be shamed, no matter how creative and beneficial it may be. In exercising public deliberation, Aristotelian citizens do not have to worry about being shamed. A selfish and unfilial son can persuade a faithful and benevolent father without the fear of being shamed. In a Confucian society, on the contrary, everybody has to read another’s face not to be shamed, and not to shame another. When it works well, it contributes to a smooth and fruitful debate in which nobody suffers and everybody learns from one another. At some level, fear of shame can work for a better conversation by functioning as self-restraint. When it goes to extremes, however, the conversation would hardly move forward. Everybody would be so concerned about whether my opinion would be appropriate, and whether others would approve what I say. Perhaps the most common scene like this may occur in the first day of graduate seminars, especially in East Asian classrooms. In an extreme case, younger students rarely challenge opinions of professor or those of older students reading their faces; older students may suffer from fear and anxiety of being shamed because they are supposed to be wiser and more prudent than their younger colleagues.

Aristotle notoriously claims that non-Greek Northerners are unable to create political communities despite their spiritedness keeps them from being enslaved, whereas Asian people “have souls endowed with thought and art but lacking in spiritedness; hence they remain ruled and enslaved” (Pol. 1327b 27). I have a more reasonable account of this accusation from what I have developed so far. This is a cultural difference regarding fear, not a racial difference regarding spiritedness. A more in-depth understanding of the Confucian view on fear, political community and their unique attitude toward the human capacity of speech might induce Aristotle
to draw a different conclusion. Once we recognize this divergence, we can get a better picture of the moralist understanding on fear and political life without portraying the ancient Confucian society as unspirited and enslaved. Not to mention that all human relationships are basically political relations for these East Asian people (which Aristotle may find hard to understand from his own image of political community), Asians do not assert their obviously well-developed rational capacities not because they lack in spiritedness but because they are supposed to refrain themselves as a means of maintaining appropriate inner fear. In this regard, Confucian longing for right fear is a double-edged sword; it is designed to protect more vulnerable people from overwhelming top-down fear, but the very concept of right fear makes people reluctant to publicly exchange their thoughts on the right fear.

**Same means, different ends: Moralist conclusions**

In Aristotle’s and Confucius’ theory, the means are similar but the end goal is different. Both philosophers use “moral training within a political community” as a means, by which people reach a certain level of shared justice as an end. For Aristotle, justice is basically what I create, develop and build up by arguing and interacting with others. For Confucius, justice is not entirely what I create; it is rather to understand where I fit in a society harmoniously with others. This Confucian justice is different from Plato’s justice of harmonious order that also signifies where I fit. Plato’s justice, i.e., to know the place where I can mind my own business, is something like a pattern laid up in the sky.\(^{91}\) A Confucian junzi is not a person who follows a pattern laid up in the sky; a junzi is a person who understands that people can make some

\(^{91}\) Plato, *Republic*, 433a and 592b.
harmonious patterns all together, and constantly struggles with other people within a community to find a proper balance.

I believe that Confucius has a better insight on fear as a concept but Aristotle has a better understanding of politics in which the concept of fear can be created in a proper way. Both moralists perceive fear as a key concept in the integration of politics and ethics. In other words, Aristotelian and Confucian virtue ethics is a way of dealing with political conflicts, and fear is the key concept bridging the two. Confucius rightly extends his thought to the actual condition that fear can be fairly combined with morality, i.e., no overwhelming top-down fear, thus claims that the state itself should not be the source of fear. Confucius also gives fear a bigger role as a means of ethical training by including more vulnerable people who are exposed to fear more often. Furthermore, Confucius rightly understands the role of reasoned speech in political life and goes one step further to make the speech right and truthful. However, Confucian hope for rightful language and inclusive membership ironically does not produce a better outcome; Aristotelian theory allows more people to freely argue and interact with others. The weakness of Confucian side becomes the strength of Aristotelian side, and vice versa. This interesting relationship implies that each side may have a lot to think and learn from the other side.

An Aristotelian would say to a Confucian that a political animal should seek for an opinion from public deliberation, not an answer. He would argue that persuasion enhances the right kind of fear that Confucians want to cultivate, but truth-seeking increases wrong fear that Confucians strongly reject. An Aristotelian would also ask a Confucian to act independently out of the cumbersome network that prohibits healthy exchange of thoughts. However, a Confucian
would respond that independent action would undermine the whole political relationship that is
designed to develop the proper fear.
CHAPTER THREE

A Realist Dialogue: Hobbes and Han Fei

Overview: fear understood differently

Compared to the two moralists in the previous chapter, whose understanding of fear was not clear at first sight in their writings, Hobbes gave fear a special pride as a distinguished political idea. According to Corey Robin, while Thucydides and Machiavelli had identified fear as a political motivation, only Hobbes was willing to claim that, mutual fear, not the mutual good, was the original of great and lasting societies.92 This claim also worked well for Han Fei, who has been commonly introduced as the Chinese Machiavelli to Western readers but in recent literature is more frequently compared to Thomas Hobbes.93 Fear became central to the thought of Hobbes and Han Fei because both thinkers believed that what bound and maintained a

93 Although we should not expect Han Fei—indeed, any other early Chinese thinkers,—to have developed a theory that fits neatly into the Western mold, the question raised here depends upon the extent to which Han Fei fits with modern political science. Thinking upon who would be Han Fei’s better Western counterpart between Machiavelli and Hobbes, the key is how to evaluate the relationship between Han Fei’s thought and modernity, especially the modern concept of state and sovereign. Of course the ambiguity existing in the concept of “ancient” and “modern” allows scholars to make equally convincing but contradictory claims at times, yet most of recent Han Fei scholars tend to agree that Han Fei is a much more modern and synthetic philosopher than he generally is thought to be. Certainly some of Han Fei’s work reads more like Machiavelli in The Prince than like Hobbes in Leviathan, but I believe that his philosophy shares more in common with Hobbes if we consider Han Fei’s notion of law and sovereign, his insight on inevitable moral disagreement, and most of all, his negative approach. For recent articles on Han Fei’s thought and modernity, see A. P. Martinich, “The Sovereign in the Political Thought of Hanfeizi and Thomas Hobbes,” Journal of Chinese Philosophy 38:1 (March 2011), 64-72; T. Bai, “Preliminary Remarks: Han Fei Zi — First Modern Political Philosopher?” Journal of Chinese Philosophy 38:1 (March 2011), 4-13; P. R. Moody, Jr., “The Legalism of Han Fei-tzu and Its Affinities with Modern Political Thought,” International Philosophical Quarterly 19 (1979), Vol. 19, 317-330; P. J. Ivanhoe, “Hanfeizi and Moral Self-cultivation,” Journal of Chinese Philosophy 38:1 (March 2011), 31-45.
community was fear itself, not the social and political process orienting fear, as Aristotle and Confucius had believed. It may sound awkward that such a negative idea could be the basis of a strong and stable community. How could our mutual fear toward each other, rather than mutual consent on what to fear, serve as a binding force for great and lasting societies?

To answer this question, we should understand that Hobbes and Han Fei adopt a totally different approach when constructing their theories for a good political community compared to the previous thinkers. Aristotle and Confucius believed that fear grew out of society’s shared moral ethos, and understood the processes of sharing, deliberating and habituating as the gist of a good political life. Being skeptical about the possibility of such a shared ethos, Hobbes and Han Fei turned their eyes toward a negative moral foundation upon which men could live together in peace. In other words, Hobbes and Han Fei thought that it was more urgent and much easier to reduce the greatest evil rather than to create the greatest good for a better political life. The greatest evil they commonly found was the fear of death.\(^{94}\) Hobbes and Han Fei thought that a

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\(^{94}\) Some might believe that Han Fei was never interested in reducing fear, mainly due to his infamous association with the Qin dynasty and all the cruel and tyrannical things associated with the regime. However, it should be noted that most criticism of Legalist school – of which Han Fei was a leading proponent – has come from the Confucian school, and we often tend to see Legalism as the Confucians see it. After the early demise of Qin, Han Fei’s thoughts were officially blamed and vilified by the following Han Dynasty, in which Confucian norms officially ruled in education and court politics. Since then, Han Fei’s philosophy has not only been discredited but also widely misunderstood. Part of my aim is to overturn this prejudice.

The English-reading public would acknowledge that Hobbes’ philosophy has been often misperceived as a claim for the inherent wickedness of human beings, given the brutal and nasty impression of the State of Nature. Han Fei’s ideas and principles involve similar misconceptions when he repeatedly talks about coercion and obedience. Just as Hobbes designed the State of Nature in order to highlight the inevitable disagreement among diverse individuals rather than to show the inherent wickedness of human beings, Han Fei’s emphasis on penal law and coercion was not because he wanted a recipe for tyranny but because his main concern was to define “legitimate use of violence” to save all lives out of chaos. In the miserable Warring States Period, Han Fei was most interested in maintaining a strong and ordered state that could guarantee people’s lives and security. In this regard, Han Fei’s thought was much in line with Hobbes’ insight that everybody would prefer a fearful society in order to be able to escape from the widespread fear of death, as long as legitimate force of a concentrated state power could replace crude, uncontrolled violence of scattered and unexpected enemies.
much stronger and more stable political community could be built upon this concrete mutual fear rather than much more abstract ideas about our mutual good.

When compared to the moralist understanding of fear, the realist understanding of fear is most distinguished by the fact that there is no distinction between right fear and wrong fear. Fear belongs to the realm of good or bad, not of right or wrong; and fear is simply bad, something that everybody wants to avoid. For Aristotle and Confucius, fear is something that people have to curb, orient or cultivate with other community members for “living well.” For Hobbes and Han Fei, fear is all about “living.” It is not something that people actively cultivate with each other for human beings’ sake. Rather, it is a given condition that people have to deal with in order to stay alive. This change reflects an important premise of my dissertation that fear is not a simple emotion but a political idea with a history of its own. Aristotle and Confucius, whose writings are generally called “classics,” understood fear in terms of our ethical and political way of living. Hobbes and Han Fei, who wrote about fear when new political forms and ideas were emerging, i.e., the new political form of the modern state and the new idea of the separation of politics from morality, found that fear was not a matter of ethical deliberation any more. Not “reflection on

95 It should be noted that “the separation of politics from morality” does not mean that Hobbes and Han Fei believed morality should be completely rejected in political affairs. Rather, they challenged the effectiveness of moral virtues. Therefore, they thought that government must operate to some degree free from moral constraints. Hobbes and Han Fei recognized that a government based mainly on virtues and morality could be quite problematic and unstable due to the difficulties from inevitable moral disagreements, therefore they wanted to detach politics from morality so that laws could remain as neutral standards rather than moral norms.

Nevertheless, like Aristotle and Confucius, Hobbes and Han Fei also did emphasize fear’s moral components. I shall explain this point later with more details, but it may be helpful to mention here that both philosophers promote morality as political. In other words, they had to rely on fear as a negative moral foundation, so they promoted fear-based political morality, which trumps private morality. Regarding this point, Eirik Lang Harris, after exploring the source of Han Fei’s laws, concluded that Han Fei was neither a legal positivist nor a natural law theorist; rather, he looked to a “political normativity,” which should be distinguished from moral normativity. E. L. Harris, “Is the Law in the Way? On the Source of Han Fei’s Laws,” Journal of Chinese Philosophy 38:1 (March 2011), p. 80. A. P. Martinich also argues that Hobbes “create[d] political morality, which trumps nonpolitical and private morality,” and “Hanfeizi promote[d] morality as political.” A. P. Martinich, “The Sovereign in the Political Thought of Hanfeizi and Thomas Hobbes,” Journal of Chinese Philosophy 38:1 (March 2011), p. 66 and p. 70.
fear” but “fear itself” binds and maintains community as a great motivation. The nexus between fear and morality, which the moralists wanted to defend so eagerly, now appears to be broken.

What made this change? While Aristotle and Confucius recognized arguing or deliberating about justice as a way of establishing mutual obligations and developing the shared moral ethos that bound a political community, Hobbes and Han Fei think that public deliberation about justice or the common good leads us into a war rather than community. Therefore, they believe not arguing about justice is a necessary condition of a stable political community. Fear grows out of moral disagreement, not from the shared moral ethos. Hobbes and Han Fei both understand that virtues based on a comprehensive conception of good cannot be universally applicable because of the inevitable pluralism of moral virtues, and the difficulty of creating such a comprehensive common good. Therefore, they do not rely upon virtues for political stability. Laws, institutional means, and reward and punishments, instead of virtues, have to be used to regulate a modern state. Furthermore, Hobbes and Han Fei are skeptical about what moral education can do for human nature. In other words, they do not believe that most people, including kings, can fundamentally alter or transform their nature. Therefore, morality steps out and instrumental rationality steps in. The fearful man, according to Aristotle and Confucius, was an ethical man; now Hobbes and Han Fei declare that a fearful man is a rational actor. Whereas an ethical man’s focal point is to choose the right end, a rational actor’s is to choose the right

96 See pp. 88.

97 In this regard, there is an interesting article by Peter R. Moody Jr. who analyzes Han Fei’s political thought through a rational choice approach, using Han Fei’s well-known concept of shi (勢) as political, historical, cultural, and psychological context that a rational actor must consider in order to make a rational choice. In this article, the author also identifies Hobbes as “a progenitor of the rational choice approach to politics.” P. R. Moody, Jr., “Rational Choice Analysis in Classical Chinese Political Thought: The Han Feizi,” Polity, vol. 40. no. 1, (January 2008), 95-119.
To put it differently, whereas the fearful man of Aristotle and Confucius deliberates on what to avoid, the fearful man of Hobbes and Han Fei calculates for how to avoid violent death. The nexus between fear and morality, which the moralists sincerely wanted to defend, starts to fracture in this way especially with the separation of value judgment and economic calculation regarding fear.

In this chapter, I examine three major issues: 1) how rationality-oriented fear can create political community and how it differs from the moralist understanding of political life; 2) how this rationality-oriented fear understands laws and institutions and how it creates a need for the separation of the public and private; 3) and how the different understandings of the public and private in the two societies affect the function of law/punishment system and the cultivation of fear. While explaining these issues, I shall keep three questions in my mind to explore, regarding realist fear: 1) Why does an attempt to reduce fear generally end up with a strong emphasis on positive law, rather than go to other paths such as moral education, public deliberation and socialization? 2) Compared to the morally oriented fear proposed by Aristotle and Confucius, is this rationality-oriented fear more capable of being combined with the politics of repression, or in its extreme form, despotism? 3) Does a certain mode of perceiving the public and private have something to do with the proliferation or reduction of fear?

In order to explore issues and questions raised above, we should start with Hobbes and Han Fei’s claim that a fearful man is a rational actor. I shall first explain Hobbes’ and Han Fei’s means. The major difference between these two types of man comes from the different nature of rationality they involve. In other words, both types engage in some kind of instrumental reasoning: whereas the rational actor is mainly interested in choosing the right (i.e., the most efficient) means to an (whatever) end, the ethical man’s focal point is to choose the right end. Therefore, in the theories of Hobbes and Han Fei, the nature of rationality is limited to the question of economic thinking rather than value judgment. They are introducing a new concept of rationality that later becomes significant in social science, especially in economics.
understanding of human nature and fear, as it stands in relation to their understanding of the origin and basis of political community and political life.

**Fear and mere life**

Hobbes (1588-1679) learned his political lessons during the English Civil War of the mid-seventeenth century; Han Fei (281-233 BC) lived toward the end of the Warring States Period. In both England and China at these times, warfare ceased to be the aristocratic sport of earlier times and began to be executed by huge armies organized into infantry and cavalry, armed with ever more efficient weapons. No matter how dressed up in the name of God or the Mandate of Heaven (天命), those wars became more and more ruthless as they became intertwined with economic struggles. Experiencing cruel and endless wars without a clear distinction between friends and enemies, Hobbes and Han Fei were understandably skeptical about Aristotle’s idea that a battlefield was a place to demonstrate one’s noble virtue. Furthermore, they also witnessed that moral disagreement and disputes, which Aristotle had considered as a sign of healthy political community, were frequently the first step to war.

As discussed earlier, some kind of “distance” is necessary for the moralist nexus between fear and morality. In other words, in order to make fear firmly grounded on ones’ ethical

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99 As the name of the era implies, the Warring States Period was made of seven warring states constantly at war. Among them there was the Qin state, which later conquered the others and unified them under the Qin Empire in 221 BC, and the Han state, in which Han Fei was born into the ruling family during the end phase of the Warring States Period. I shall not provide a lengthy historical background of Han Fei, but to put it briefly, this period is well known for the establishment of bureaucracies and centralized governments, as well as a clearly established legal system and military organization. These centuries were a period of economic growth. Han Fei was writing at a time when feudalism was in decline and monarchs who ruled directly over states – states that were becoming larger and more populous – were becoming the norm. For a good summary of Han Fei’s life and his times, see P. R. Moody, “Han Fei in His Context: Legalism on the Eve of the Qin Conquest” in *Journal of Chinese Philosophy* 38:1 (March 2011), 14-30. For a more detailed background of Han Fei, see B. Lundahl, *Han Fei Zi: The Man and The Work* (Stockholm: Institute of Oriental Languages, Stockholm University, 1992), especially chapter 1 and 2.
reflection, the fear should not be overwhelming and ceaseless; otherwise it becomes nothing but
a simply negative and vain emotion. To put it differently, overwhelming and ceaseless fear does
not yield a distinction between right and wrong fear; irresistible fear simply turns out to be
“bad.” A fearful child who is afraid of being scolded by his loving parents will try to behave well
in front of them, but an abused child who is afraid of harsh violence will simply cry and run
away. As Hobbes and Han Fei rightly observed from brutal and nasty battlefields, overwhelming
and ceaseless fear merely produced a paralyzed man, not a reflective man, and instinctive
behaviors, not ethical behaviors.

The moralist nexus between fear and morality gets diluted in this way. In the lifetime of
war, the “mere life” – for which Aristotle had contempt – achieves supreme importance. A virtue
becomes nothing but “a habit of doing according to these and other laws of nature that tends to
our preservation” (EL 1.17.14)\(^{100}\), which is far from the Aristotelian mean, a mean between two
extremes. Courage seems more like a passion rather than a virtue when Hobbes defines “anger”
as “sudden courage” (L 1.6, p.123).\(^{101}\) Courage, the noble political virtue once Aristotle related
to the fundamental question of a good life, is downgraded as “the Contempt of Wounds, and
violent Death” that “enclineth men to private Revenge, and sometimes to endeavour the
unsetling of Publique Peace” (L p.717). Here we find Hobbes denying not only exaggerated
courage but the very idea of courage as a virtue.\(^{102}\) As Leo Strauss aptly explains, the change
which took place in Hobbes’ moral ideas led him from the aristocratic virtue of valor to the


\(^{102}\) Similarly, Han Fei’s notion of courage is also downgraded as completely responding to one’s self-interest. Han Fei
easily approves an ordinary woman’s bold action for profit-seeking as brave as a hero’s action. See the story of
silkworms and eels on p. 90.
bourgeois virtue of prudence, from the pursuit of honor to the avoidance of violent death.\textsuperscript{103} Therefore, when Hobbes declared his departure from “the old Morall Philosophers” by writing “there is no such \textit{Finis ultimus} (utmost ayme), nor \textit{Summum Bonum} (greatest Good), as is spoken of in the Books of the old Morall Philosophers,” he means primarily the departure from the Aristotelian moralist tradition discussed earlier in chapter one (\textit{L} 1. 11, p.160). Hobbes would proudly call his theory a new political science.\textsuperscript{104}

Hobbes understood science as “knowledge of Consequences” or “certain rules of actions,” clear and infallible, from which all mankind would benefit (\textit{L} 1. 5, pp.115-8). He believed that we could create a fully deductive new science of man and State (or civil philosophy, as Hobbes called it). For this, he had a strong desire to find a solid basis in human passions for a principle that would be universally applicable and reliable under all circumstances. The answer he found was not something positive, but negative: the fear of violent death. Everybody wants to avoid death, and this is the only reliable passion from which a scientific principle can be established, unless some neurotic like Dostoyevsky’s Kirilov in \textit{The Possessed} comes along and tries to ruin it just for the perverse satisfaction of showing that he is free to kill himself.\textsuperscript{105} By “violent” death, Hobbes actually ruled out the cases of suicides; a violent death


\textsuperscript{104} Hobbes proudly believed that human beings had lacked political science until he wrote \textit{De Cive}. He introduced Galileo’s scientific method into political science, believing that by this new method he could achieve for political philosophy what Galileo had achieved for physics.

\textsuperscript{105} In fact, Hobbes and Han Fei had similar worries about this deviant case that would not fit into the reward-punishment system based on cost-benefit calculation. More significant than the case of neurotic was the case of hero or saint, who would not respond to reward or punishment due to their morally autonomous character – thus renders the entire system helpless. As Hobbes and Han Fei constructed their theory on the rejection of moral virtues and their effectiveness, they were aware of possible problems raised by moral paragon. I shall return to this point later with more details, as I believe this is an important moral dilemma Hobbes and Han Fei have to deal with, although both thinkers seem to regard these as rare exceptions. See pp. 119-120.
means not simply an agonizing or painful death but a death that threatens a man at the hand of
other man. As Strauss explains, Hobbes chose to base his theory on the negative expression
“avoiding death” over the positive one “preserving life,” because “we feel death and not life,”
and “we fear death infinitely more than we desire life.” Therefore, there seems to be an irony
when Hobbes wanted to establish a new political science that would benefit the lives of all
mankind; he believed we could make our life better only if we would stop thinking about what a
better life is. He had to drag our attention from “living well” to “living,” “good life” to “mere
life,” and finally, from “life” to “death.” In order to make a better life, according to Hobbes, our
deliberation should not be concentrated on the “better” part. Instead, the “better” part comes
naturally when we merely delve into the question of life and death. We will consider later
whether this new negative approach actually leads us to a better life.

Similarly, Han Fei was neither interested in the moralist claim for the virtuous life nor in
human flourishing for a better life. Rather, he blamed the Confucian virtuous life for bringing
disorder in society. According to Han Fei, everybody appreciates filial piety, loyalty, and
fraternal respect, but these virtues are actually what lead people to conflicts and murders very
often. Han Fei argues that there are murderers of rulers and rebels against fathers because people
want to imitate the virtuous lives of ancient heroes who actually murdered their masters and
superiors in the name of righteousness (Han Feizi, 51: Loyalty and Filial Piety). He stresses

107 Han Fei’s entire recorded work is collected in the book of 55 chapters titled Han Feizi. Following the common way
that scholars cite Han Feizi, I cite his work with chapter number and chapter title. For English translation of Han
Feizi, I have consulted two volumes of The Complete Works of Han Fei Tzu by W. K. Liao (London: Probsthain,
1939-59), which is the only complete English translation currently available, and Burton Watson’s selective
translation of Han Feizi: Basic Writings (New York: Columbia University Press, 2003). I have also referred to Philip
J. Ivanhoe and Bryan W. Van Norden’s Readings in Classical Chinese Philosophy (Hackett, 2001) for several
chapters of English translation of Han Feizi.
many times that private virtues might very well be public vices. Commenting on the story of a son whose father stole a sheep, Han Fei claims that a man who is an honest subject of his sovereign may be an infamous son to his father (Han Feizi, 49: The Five Vermin). Accordingly, for Han Fei, the Confucian notion of a virtuous life is not necessarily a good life. It is because subjective moral virtues can conflict with each other as in the case of the son and stolen sheep, and more importantly, those virtues often cause dangers and conflicts in our life as in the case of murderers of kings and rebels against fathers.

The moralist ideal of human flourishing in a political community, i.e., achieving humanity or enlightenment does not seem attractive to Han Fei as a model of a good political life, either. Han Fei says that in the state of the great ruler, “there is no literature of books and records but the laws serve as the teaching. There are no sayings of ancient kings but the officials act as teachers” (Han Feizi, 49: The Five Vermin). It seems that people are only required to know laws and orders; moral education or intelligence is dispensable, or even dangerous according to Han Fei. Han Fei had a very low opinion of the wandering scholars of his times. He believed that they were unproductive and useless, only bringing skepticism and confusion into people’s minds. They did not farm; they could not handle heavy machinery; they were too incompetent to fight on the battlefield. In chapter 49 titled “The Five Vermin,” Han Fei refers to scholars as the first and the most dangerous vermin of the state. In contrast to Confucius who hoped All-under-Heaven (天下) to enjoy learning and studying to be enlightened, Han Fei’s

As in the case of Confucius’ Analects, there is a similar debate on the authenticity of some chapters. B. Lundahl’s Han Fei Zi: The Man and the Work (Institute of Oriental Languages, Stockholm University, 1992) includes a rich discussion of this issue. See his, chapter 4-6.
policy of banishing all nontechnical books and opposing thinkers reflects that he was never interested in nurturing deliberative mind.

Rejecting moral virtues and human flourishing, Han Fei constructs his theory on empirical observation instead of particular ideology. In this regard, Han Fei’s theory echoes Machiavelli’s saying, “how men live is so different from how they should live.” In Han Fei’s observation, what common people generally prefer are material gains, physical well-being, leisure, eminence, glory and fame; what they generally detest are poverty, physical injuries including death, hard work, low status, humiliation and disrepute. According to Han Fei, it is human nature to like benefits and dislike harm, thus a good life for the majority is a life of maximizing benefits and avoiding harm (Han Feizi, 54: Surmising the Mentality of the People). Politics should be primarily dedicated to security and wealth rather than human flourishing or fulfillment. Politics is not about moral transformation; it is about establishing orders and efficiency so that people can stay free from war and fear of death to be able to seek for their physical well-being and material gains. Clearly, Aristotle and Confucius would have contempt for this type of life as “mere life.” However, Hobbes and Han Fei would argue against Aristotle and Confucius that their notion of a good life threatens life itself. Let me elaborate this moralist versus realist dispute over a good political life more in detail in the next section.

The fearful as the rational

Hobbes would say that there is no irony in his claim that a better life comes from our refraining from seeking the good, for he is willing to say that our moral desire for “living well”

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actually makes us miserable and leads us to war and death. For Hobbes and Han Fei, virtues based on a comprehensive conception of good cannot be universally applicable because of the inevitable pluralism of moral virtues. Consider the following two statements from *Han Feizi*, the first for the inevitable conflict of moral virtues and the second for a sketch of moral disagreement in his time:

For funerals, the Mohists wear winter mourning garments in winter and summer garments in summer, make coffins only three inches thick of paulownia wood, and observe only three months’ mourning. The rulers of the time regard such ways as frugal and honor them. The Confucians, on the other hand, will bankrupt the family to provide a lavish funeral. They wear mourning garments for three years till they break down in health and have to walk with the aid of canes. The rulers of the time regard such ways as filial and honor them. Now if you approve of frugality of Mozi, you must condemn Confucius for his extravagance, and if you approve of the filial piety of Confucius, you must condemn Mozi for his impiety. Thus the teachings of the Confucians and Mohists embrace both piety and impiety, extravagance and frugality, and yet the ruler honors them both equally! (*Han Feizi*, 50: On the Prominent Schools of Thought)

After Confucius and Mozi, the Confucians split into eight factions and the Mohists split into three. The doctrines and practices that each of these factions accept and reject are divergent and conflicting, and yet each faction claims that they are the true representatives of the Way of Confucius or Mozi. Confucius and Mozi cannot come back to life, so who will determine which of the current schools are the right ones? (*Han Feizi*, 50: On the Prominent Schools of Thought)

Similarly, all moral judgments are relative and subjective in Hobbes’ view. As we notice from his simple but powerful distinction between superstition and religion – of which the key is whether it is “publiquely allowed or not” –, Hobbes suggests that nothing is intrinsically good or bad in itself (*L*. 1.6, p.124). Hobbes explicitly claims that what is good and evil is relative to people and times, thus there is “no[t] any common Rule of Good and Evil” in the world (*L*. 1.6, p.120). People are neither born good nor evil; rather, they just follow their interest, uncertain about their future. I have five apples in my hands and I know it will be enough for today, but I

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109 “Feare of power invisible, feigned by the mind, or imagined from tales publiquely allowed, RELIGION; not allowed, SUPERSTITION.”
try to beat other people to stock up more and more apples in my backyard since I am not sure whether I can have it tomorrow, a week after, or a year after. In other words, we are not naturally greedy but we cannot assure “the power and means to live well, which [we have] present, without the acquisition of more” (L 1.11, p.16). As we can never know when is enough, this “perpetuall and restlesse desire of Power after power” ceases only in death (L 1.11, p.16).

Like Hobbes, Han Fei also believes that all human behaviors are reduced to the question of “interest” that serves self-preservation, which creates a warlike situation in which even one’s own wife and children are not to be trusted. Like Hobbes who argues that “when even in his house [a man] locks his chests” (L 1.13, p.186), Han Fei explains that consorts, concubines, or sons are likely to wish for the early death of a ruler, longing for the chance of succeeding to the throne (Han Feizi, 17: Guarding against the Interior). This claim that even family relations can be understood by calculation would be especially shocking to Confucius, who regarded family as the core of all moral virtues and the basis of a healthy political community. Han Fei honestly admits that intense and ugly forms of distrust and conflict can exist within a family and it is natural. According to Han Fei, the parent-child relationship is the closest of all human relationships but they come to hate each other simply because of their interests regarding self-preservation: “If a son receives no good care in his childhood from his parents, he shows resentment at them when he grows up,” and “if a son grows to be a big and strong man but does not take good care of parents, the parents become angry and reprimand him” (Han Feizi 32: Outer Congeries of Saying, Part One, Upper Left).

All parents may love their children, thinks Han Fei, yet there is often disorder in families. Han Fei believes that if love does not suffice to bring order in family, it will not bring order in
the state (*Han Feizi, 49: The Five Vermin*). For Hobbes and Han Fei, no matter how small and manageable, dissonance and conflicts – what Aristotle and Confucius saw as the essential character of political life – were instead signs of the failure of the moralist approach to political theory. Therefore, Han Fei goes back to the rational calculation of self-interest, by which he believes to be able to explain all human behaviors like Hobbes. Confucius once argued that profit was only petty men’s concern (*Analects* 4:16). A junzi is only interested in *yi* (義, rightness), not *li* (利, interest). Han Fei honestly accepts that expediency is all that counts in our everyday life. *Li* is not only petty men’s concern as Confucius argued; in eyes of Han Fei, it is everybody’s basic and natural concern. Anticipating some of the reflections of Adam Smith, Han Fei argues that a carriage maker wants people to be rich because they will then buy carriages; a carpenter hopes to more people die early for a high demand for coffins.

A physician will often suck patients’ cuts and hold the bad blood in his mouth, not because he is bound to them by any tie of kinship but because he knows there is profit in it. The carriage maker making carriages hopes people to be rich and noble; the carpenter making coffins hopes people to die early. It is not that the carriage maker is kind-hearted and the carpenter is cruel. It is only that unless people are noble, the carriages will never sell, and unless people die, there will be no market for coffins. The carpenter has no hatred toward others; he merely stands to profit by their death. (*Han Feizi, 17:Guarding against the Interior*)

What is more interesting in Han Fei’s writing is that even courage or bravery completely responds to one’s own interest. Unlike Confucius whose strict moral standard made him always hesitant to praise Zilu, the man of loyalty and courage but lack of prudence that could balance his courage, Han Fei simply approves an ordinary woman’s bold action for profit-seeking as no less brave than a hero’s action:

Eels resemble snakes and silkworms look like moths. People are afraid of snakes, and moths make your skin crawl. Nevertheless, women pick up silkworms and fishermen grasp eels. Whenever there is profit people forget their visceral dislikes and become as brave as any hero. (*Han Feizi, 30: Inner Congeries of Sayings, Part One*)
Certainly the virtue of courage has been downgraded in the theory of Han Fei and Hobbes because their primary concern was to protect one’s life and secure his or her interests. For the purpose of self-preservation, a fearful man becomes a rational man seeking for his interests,110 not an ethical man appreciating courage or honor that sometimes obligates himself to risk his life. In this regard, it is worth noting that Hobbes explicitly broke the moral connection between fear and honor that Aristotle and Confucius had appreciated so much. Aristotle respected honor as “the greatest of external goods” to be “awarded to good people” who habituated the right kind of fear (NE 1123b20). Hobbes became increasingly critical of the principle of honor as he came to see the fear of violent death as the right and sufficient motive for human behavior. According to Hobbes, to honor is “to pray to another for ayde of any kind,” i.e., “to obey” (L 1.10, p. 152). In other words, Aristotle relates honor to a good and magnanimous person whereas Hobbes links it to an obedient person. Certainly, the Machiavellian necessity for the great man disappears in Hobbes’ theory as fear becomes a different idea losing its connection with morality. As Strauss states, “Once Hobbes has fully elucidated his conception of fear, he cannot but reject aristocratic virtue, [f]or ‘fear’ and ‘honour’ are irreconcilable. … Honour, …, is finally directly opposed to (Hobbesian) justice and therefore to virtue in general.”111 For moralists, fear and honor should be cohesive; for realists, they are irreconcilable. Hobbes rejected vanity – honor as an expression of vain human pride – as it

110 More precisely, the fear of a violent death is “pre-rational in its origin, but rational in its effect” in Leo Strauss’ phrases. In other words, the “rational” principle of self-preservation is the outcome of the “pre-rational” fear of death. Hobbes makes it clear that the fear of violent death is the emotional passion that brings man to reason. L. Strauss, The Political Philosophy of Hobbes, p. 17.

“makes men blind,” but he embraced the fear of violent death because it “makes men see.”

Only the fear of violent death defeats the subjective vanity, i.e., the frivolous but dangerous subjective attitudes that characterize the state of nature. In sum, Hobbes’ effort was to supplant aristocratic virtues in order to resolve the inevitable conflicts caused by its demands, by promoting a new moral perspective, i.e., fear, which would bring enlightenment and peace instead. Disarmed with honor and courage, fear lost its traditional moral draperies, and being naked, entered the realm of instrumental rationality in the theory of Hobbes and Han Fei. Now let me turn to explore how this neutralized fear creates a different kind of political community and political life compared to that of previous moralist thinkers.

A Hobbesian man and his life in *Leviathan*

Hobbes denies the traditional claim that man is by nature a political being. Nature pushes us in the direction of self-destruction because nature equips us passions that are not sociable. Aristotle errs, in Hobbes’ view, in believing that man is by nature a political animal whose potentiality will flourish only in political communities. Hobbes does not mean to suggest that men do not need a political community, but he thinks that men are not made by nature fit for society. Civil society is instituted because people are seeking a way to reduce fear; therefore, it is an artificial thing created by consent, rather than something natural. As discussed earlier, a political community is created not for the greatest common good, but for the avoidance of the greatest evil, i.e., the fear of violent death. The purpose of politics is simply to create sufficient

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state power to protect the lives of its members rather than to perfect their faculties to make them
fully human.

“Natural versus artificial” distinction becomes much clearer when we compare state
metaphors of Aristotle and Hobbes. Compared to Aristotle who viewed the polis as a naturally
existing organic body (Pol. 1253a20), Hobbes describes a state as an “Artificiall Man” created
by men (L, The Introduction, p. 81). Using mechanical metaphors, Hobbes claims that we human
beings created a greater and stronger artificial machine in order to solve the troubles that nature
had given us. Therefore, political philosophy becomes the work of technicians, not of political
animals. In other words, politics becomes more the administration and execution of the few
rather than persuasion and agreement of the many. This new image of a state allows us certain
amount of freedom and looseness because we can freely replace or reform some parts of the
machine. However, at the same time, it deprives us of a certain warmth and a sense of
belonging.113 Human beings need companions in order to protect themselves, neither, as Spinoza
said, “to help other people and join them in friendship,”114 nor “to learn from people, good points
for imitating and bad points for correcting myself,” as Confucius said (Analects 7:21), nor
simply, “for the sake of living well,” as Aristotle said (Pol. 1252b30). According to Hobbes,
“men have no pleasure, (but on the contrary a great deale of griefe) in keeping company, where
there is no power able to over-awe them all” (L 1.13, p.185).

113 Refer to Jeffrey Abramson’s comments on Hobbes’ cold language: “Aristotle’s emphasis on the polis being
“natural” to the human condition gave a certain warmth, if I may put it that way, to political life. The state did more
than merely protect us; it completed us, fulfilled our natures, provided us with a home and a community of shared
lives. By contrast, machine language is a cold language. It is difficult to feel much of a communal attachment to the
state when it is considered impersonally as a piece of artificial machinery, dead metal.” J. Abramson, Minerva’s Owl,
pp. 174-5.

What is more significant is, for Hobbes, the specific difference between man and all other animals is “reason,” not “reasoned speech” as Aristotle understood. Hobbes desired to establish an accurate political science that could be reliable under any circumstances. For him, ordinary speech about good and bad, about virtue and vice, about justice and injustice, was so shaped by men’s passion-driven preferences that it could be very likely to mislead us. Therefore, Hobbes was greatly interested in the abuses of speech, as we see in chapter 4 and 5 of the *Leviathan*. In order to be exact knowledge, political philosophy had to be completely free of the character of opinions. It certainly shows how Hobbesian political life departs from Aristotelian type of political life. Various opinions expressed in everyday speech, or people’s everyday praise and blame, which Aristotle would call for the gist of political life and the notion of justice, was in Hobbes’ view, “darkness from vain philosophy” (*L* 4.46, p.682). For Hobbes, it was exactly what creates the widespread fear. Therefore, the place for public deliberation is not very welcomed by Hobbes. He believed “the tongue of man is a trumpet of war and sedition” (*DC* 5.5).

In order to bring peace and order in a political community, what should replace “the tongue of man”? Hobbes believes noisy controversy on justice should be replaced by quiet and equal application of settled rules. For Hobbes, fear was primarily a matter of equality, not justice. Natural equality has an immediate relation to the fear of violent death and is supported by the same common and powerful passion of fear. Therefore, Hobbes’ effort was to supplant the virtue of justice with a new moral perspective, i.e., equal obedience to rules. When we would conceptualize fear in terms of justice, we could never overcome or reduce fear, thought Hobbes. In his view, the moralist concept of justice is too subjective and changeable to be able to be

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universally applicable. Hobbes, therefore, thought the moralist connection between fear and justice was wrong, or at best, inappropriate. According to Aristotle, it is natural to speak of justice and injustice in the interactions of men, because it does not make sense to speak of justice and injustice among beasts or gods (Politics, 1253a25-29). Hobbes simply overturns this statement by saying that human deliberation on justice and injustice should remain in the realm of god (i.e., church); otherwise, it makes men beastlike animals bringing fear to each other.

Let me elaborate the contrasting Aristotelian and Hobbesian accounts of justice since it significantly shows how the realist understanding of political life is different from that of the moralists. According to Aristotle, every political community is based upon some notion of justice, and political communities suppose a persistent human disagreement as to what is just. Therefore, it is very likely that political communities have different views and standards on justice and injustice. For example, a good citizen of an oligarchy may be a bad citizen of democracy. As we see in book 5 of the Politics, a conception of justice is a necessary cause of faction. Aristotle considers these disagreements and diversities natural and necessary for our political life.

In contrast, Hobbes wants to eliminate controversy as much as possible for a good political life because he understands controversy as source of fear. He declares that justice is “none of the Faculties neither of the Body, nor Mind,” therefore it is not about the matter of a just soul or a good citizen (L 1.13, p.188). Justice is not a question of who should rule or what should be ruled; rather, justice is simply not breaking a covenant (L 1.15, p.202) Therefore, a Hobbesian subject can only ask himself whether a command is the one he has covenanted to obey, but cannot properly or meaningfully ask whether the command is just or not. In a
Hobbesian community, the indirect question of consent replaces the direct questions of political controversy about justice and injustice. While an Aristotelian community would be full of everyday opinions and heated debates, a Hobbesian community would remain relatively quiet.

What is to be gained from creating this type of community in which people are simply required to obey covenants without saying that much? In order to answer, we need to examine what life in the Leviathan state looks like. In chapter 30 of the *Leviathan*, Hobbes suggests that the end of the sovereign is “the procuration of the safety of the people,” but he continues, “[B]y Safety here, is not meant a bare Preservation, but also all other Contentments of life, which every man by lawfull Industry, without danger, or hurt to the Commonwealth, shall acquire to himselfe” (*L* 2.30, p.376). Therefore, Hobbes seems to suggest that a life in *Leviathan* is better not only because it is safer and longer but also because Leviathan can provide something more than that. Hobbes certainly claims that people form a government not merely for survival but for a good life and in order to live happily (*DC* 13.4). Then what are these “Contentments of life” that civil society can provide, and what kind of political life does Hobbes suggest here?

We can find some clues from chapter 21 of the *Leviathan* where Hobbes introduces a list of liberties that a subject can enjoy only in a civil society: “the Liberty to buy, and sell, and otherwise contract with one another; to choose their own aboad, their own diet, their own trade of life, and institute their children as they themselves think fit; & the like” (*L* 2.21, p.264). Hobbes is frequently viewed as a defender of classic liberalism, defender of negative liberty and limited government from his discussions on liberty in chapter 14 and 21 of the *Leviathan*. What Hobbes suggests as a better life here is a bourgeois life, a life of less inconvenience and more individual freedom. This is certainly one attractive type of life that individuals can freely flow
like a river without any external impediments (L 2.21, pp. 261-2). In Aristotle’s and Confucius’ account, a society seems to put enormous burdens on just men in their daily conduct in order to have a stable system. “They are required,” as Judith Shklar argues, “in addition to their ratiocinating and political skills, to possess the psychological ability to recognize the claims of others as if these were their own. The just man sees the merits and deserts of others exactly as if he himself were making a claim on those grounds, …. [h]e can see all the demands of others and his own a perfectly equal footing.”

Free from this burden, a man in Hobbes’ Leviathan state can enjoy safety, longevity, freedom from the lifetime of character training to be a virtuous man, no moral guilty from pursuing one’s own desires, and the rights to be remained as natural as they are. A life of less inconvenience and more individual freedom: this is what Hobbes suggests as a good life of a man in a civil society.

**Hobbes’ dilemma: a limited government of unlimited power**

However, no pains, no gains. I believe that Hobbes’ attempt to create a new political science, to some extent, shows how science deconstructs moral values and other value-creating activities like public deliberation and public law-making, and finally results in some kind of nihilistic circle of fear, i.e., reproducing fear for the sake of fear. In other words, I believe that the contribution and limitation of Hobbes’ theory originate mainly from his confident attempt to establish a political science, which necessarily requires a synthesis of different value spheres. As Max Weber noted in his account of the relations between politics and science, “political science”

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116 J. Shklar, *Political Thought and Political Thinkers*, (ed.) S. Hoffmann (Chicago: The University of Chicago Press, 1998), p. 23. In this passage, Shklar is referring to Aristotle only, but exactly same critique can be applicable to Confucius.
assumes reconciliation between subjective value and objective rationality. The more optimistic Hobbes in the early modern period wanted to integrate the goals of Weber’s *Politics as a Vocation* and *Science as a Vocation*. But we know from Weber’s late modern works that they cannot be put together. Politics is closer to the realm of opinions, judgments, persuasions, and subjective value commitments, whereas science rather involves facts, truths, objective knowledge and universal applicability. These two areas are neither naturally reconcilable nor necessarily complementary, thus any attempt to synthesize them is bound to lose something important. I do not want to devote too much space to this issue. But I am concerned whether Hobbes created a successful reconciliation between value commitment and rational calculation to produce a “better life” as he believes, a life that goes beyond mere survival. Hobbes created a stable life based on his scientific reasoning and it was certainly a better, safer and longer life compared to the “solitary, poore, nasty, brutish, and short” life in the state of nature (*L* 1.13, p.186). But it is arguable whether his Leviathan state actually supported a good political life on its own.

There are at least two possible doubts or objections against Hobbes’ version of the good life. First, there may be an Aristotelian claim that Hobbes ends up contradicting himself because the civil liberties suggested by Hobbes are still to be related to a “mere life.” According to this

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117 For Weber, modern science is a deeply nihilistic and deconstructive enterprise. It is because any scientific achievement must “ask to be surpassed and made obsolete” until we relentlessly deconstructed other value-creating activities and finally come to the question of the meaning of science. According to him, the biggest modern dilemma is that the progress of knowledge and science dispels any sort of metaphysical teleology; nevertheless, without teleology, science cannot render meaningful accounts of human action and life. I think that Hobbes’ attempt to create a scientific theory of politics inevitably embraces this kind of deconstructive and nihilistic feature. His constant search for the universal and scientific principles almost leaves no room for diverse opinions or subjective value judgment and thereby makes our political life empty. Max Weber, “Objectivity in Social Science and Social Policy” in *The Methodology of the Social Sciences*, (ed. & trans.) E. A. Shils and H. A. Finch (New York: Free Press, 1949). For a secondary reading on this issue, see chapter 4, “Politics, Science, Ethics” of Sung Ho Kim, *Max Weber’s Politics of Civil Society* (Cambridge University Press, 2004).
Aristotelian claim, Hobbes’ new vision of life is neither a good life nor a political life. The list of civil liberties in *Leviathan* look domestic and economic rather than public or political, and the “Contentments of life” that each individual “shall acquire to himselfe” are nothing but the manifestation of individual agency in the private realm, acquired by giving up their political agency in the public area. In Hobbes’ state of nature, a man is depicted as a desiring machine, perpetually concerned about making a living, to the exclusion of living well. However, even after we enter into civil society, we remain the same and unchanged, mainly concerned about making a living, seeking after our private pleasure. The role of political authority is to arrange “Hedges” so that each individual can best travel on her way seeking for their own desire free from interference (*L* 2.30, p.388). As Jeffrey Abramson puts it, “[p]aradoxical as it sounds, for Hobbes we agree to enter society as the better way to be left alone.”118 The bourgeois life lacking inconvenience and enjoying being alone may be a sufficiently good life for some people, but may not be enough for others who think a good life should be something more than an endless pursuit of desire, or for those who seek to satisfy their desire of belonging and being together in a community.

The second objection may sound more serious, for such a bourgeois life based on economic liberties is entirely compatible with a fearful sovereign equipped with absolute power. Perhaps the irony here lies in that Hobbes is a defender of a limited government of unlimited power. In other words, Hobbes grants a sovereign an unlimited and absolute power to do the job of limited government. The purpose of proper government, according to Hobbes, is only to protect people from sudden and violent death and to be the final arbiter in conflicts, but the

limitations of government are not limitations in reality as the sovereign must be an absolute sovereign of unrestricted and monopolistic power. Hobbes seems to replace “the tongue of man” by the tongue of one man, and that tongue with a sword.\textsuperscript{119}

According to Hobbes, we created a government and granted it absolute and irrevocable power to protect us and leave us alone. At the same time, Hobbes’ yearning for a universally applicable, scientific and neutral method deconstructed moral values in his theory and disempowered other value-creating political activities such as public deliberation and law-making process. The result is an absolute sovereign endowed with unlimited power on the one hand, and the scattered individuals enjoying being alone who exchanged their political liberty for their security on the other. Our life in this system may be less fearful than in the state of nature because the source of fear has been concentrated on one individual or institution. But certainly it is not a life free from fear because the Leviathan state is a system that feeds on constant fear. Although we escaped from the fearful state of nature, the Leviathan state still needs to stay fearful. For example, the law and punishment system, which Hobbes hoped to replace the rule of aristocratic virtue, cannot be regulated without some level of physical cruelty and the creation of unremitting fear in the population. In this regard, it is helpful to recall Shklar’s description of that kind of legalism associated with Hobbes: “As an ideology, Legalism is capable of being combined with the politics of repression, though not in its extreme form.”\textsuperscript{120}

Therefore, paradoxical as it may sound, people who desperately wanted to escape from fear of death created a fearful Leviathan state whose important task is reproduction of fear in the

\textsuperscript{119} This is my paraphrase of Hobbes’ argument that “covenants without the sword are but words and of no strength to secure a man at all” (\textit{L. 17.2}, p. 223).

population. Fear has to be instilled through a combination of laws, elites, institutions like church and school in which people are “to be taught” the “philosophy of fearful obedience” (B, p.59).\textsuperscript{121} Therefore, fear is still there to be felt and cultivated. What even bothers us more is the enormous power gap we created. The gist of the political covenant we made was that each individual would give up his or her political agency to create an absolute, powerful judge. In other words, our consents created the powerful sovereign of unlimited power on one hand and the scattered individuals lacking political agency on the other. A good life should be equally supported by economic and political liberties, but the members of civil society in Hobbes’ theory exchanged their political liberties for their economic liberties. Even though we consider the “Contentments of life” that Hobbes proudly describes, their political life seems to be empty. No matter how free and contentious they can be, people are required to remain silent in public. As Leo Strauss puts it, “The introduction of Galileo’s method into political science is thus bought at the price that the new political science from the outset renounces all discussion of the fundamental, the most urgent question.”\textsuperscript{122} This significant trade-off renders people vulnerable to political repression. People in the Leviathan state seem to be free-floating individuals rather than actively communicating citizens; and importantly, they can float freely only in a vast river of constant fear.

\textbf{Han Fei’s man and his political life}


\textsuperscript{122}L. Strauss, \textit{The Political Philosophy of Hobbes}, p. 152.
By and large, a life in a political community in Han Fei’s theory does not differ greatly from the quiet and obedient life in pursuit of material comfort and security illustrated in Hobbes’ *Leviathan*. However, their surface similarity is not always supported by the same logic. This section begins with the similarities in their thoughts first. In this section, I focus on three points about the understanding of a political life in the *Han Feizi*: the original state and the change of *shih* (勢, circumstances); Han Fei’s attitude toward morality; and Han Fei’s attitude toward public deliberation.  

Like Hobbes, Han Fei rejects the Aristotelian notion that man is by nature a political being. For Han Fei, a political community is neither a place for human flourishing nor a place for active interaction for the common good. Rather, he sees it as a necessary condition for living. He does not start from how a political community *ought to be* but how it *is*. A community is an interlocked network of interests in which everybody aims for the maximization of his or her self-interest. In this interlocked network of interest, one person’s loss often becomes another’s gain. Therefore, the maximization of everyone’s self-interest is very likely to make a warlike situation. In *Han Feizi*, we can see considerable cases of betrayals among friends and murders among family members due to the clash of self-interests.

However, Han Fei thinks that it was not a war of all against all from the outset. For him, mutual distrust and fear is relatively modern condition for living. Han Fei says that in ancient

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123 The most important element in Han Fei’s political life shall be laws; but I will separate a new section devoted to that issue only, in which I shall compare Hobbes’ notion of law with that of Han Fei’s. It is because their different understandings of law are the key to understand the different paths of realist fear, especially regarding the broken relationship between fear and morality. It will also make a nice bridge toward the conclusive dialogue between Hobbes and Han Fei.

124 As Han Fei lived in the third century BC, one may not feel comfortable with calling it “modern.” It is because The Warring States Period is often compared with the classical western antiquity of Greece and Rome, simply because time overlaps. However, on a socio-political level, this period was the time of social turmoil and political
times, no one had to struggle to keep himself supplied because there were few people and abundant goods. As time goes on, however, the lack of resources and the increase of population newly have created the hostile situation. One might expect Han Fei to have argued that the state originated in conquest, fear and violence, but Han Fei’s state of nature is not as dangerous and unpleasant like Hobbes.’ Rather, it looks more like a Lockean state of nature.

In the most ancient times, people were few and animals were numerous. Human beings were unable to overcome the birds, beasts, insects, and snakes, until a sage put some wood together and made nests to protect men from harm. The people were happy and made him ruler of the world. … The people ate fruit, seeds, mussels, and clams. Their food would go bad and stink, and people would get sick. They had many illnesses until a sage twisted a drill and made fire, thus getting rid of problems caused by bad food. The people were happy and made him ruler of the world. (Han Feizi 49: The Five Vermin)

For Han Fei, a state is to some extent a human artifact inspired by self-preservation, but at the same time the development of a state has something to do with expediency and sociological cooperation. Whereas Hobbes emphasizes the “equality of hope” that even the weakest slave girl can kill the strongest general, Han Fei stresses on the importance of “external environment” that equally affects the human mindset over time. Below is Han Fei’s account that the lack of resources and the increase of population newly create hostile situations:

In ancient times men did not have to till, for the seeds of grass and the fruit of trees were sufficient to feed them. Women did not have to weave, for the skins of birds and beasts were sufficient to clothe them. No one had to struggle to keep himself supplied. The people were few, there was an abundance of goods, and so no one quarreled. Therefore, without large rewards and heavy punishments, people governed themselves. But nowadays no one regards five sons as a large number, and these five sons in turn have five sons each, so that before the grandfather has died, he has twenty-five grandchildren. As a result, people becomes numerous, goods grow scarce, and men have to struggle and slave for a meager living. Therefore, although rewards are doubled and punishments
repeated, people quarrel so much that disorder is inevitable (*Han Feizi* 49: The Five Vermin).

Han Fei seems to suggest a materialist explanation of the golden age here. Compared to Hobbes who designs the state of nature as a heuristic thought experiment, Han Fei points toward actual history in order to say that a warlike situation is inevitable as we move forward. Han Fei seems naive to think that abundance will rule out disagreements and conflicts, but this story clearly highlights the Hobbesian point that moral attributes are not part of our intrinsic nature. Rather, Han Fei seems to believe something like the Marxist claim that human beings are more or less the product of their socio-economic environment. For Han Fei, human history moves toward degradation of morality and progress of technology, and this is an irrevocable movement.

The key difference between Han Fei’s state of nature and that of Hobbes’ lies in their different understandings of human beings’ natural appetite. Han Fei believes that people would remain within modest bounds as long as they are safe and full. Hobbes, in contrast, focuses more on those who are “taking pleasure in contemplating their own power in the acts of conquest, which they pursue farther than their security requires” (*L* 1.13, p. 184). Hobbes believes that there is no room for natural harmony in his state of nature where equality – more precisely, equality of hope – combined with scarcity. According to Hobbes, scarcity is not necessarily a

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125 Han Fei created a type of ethical materialism. He believed better circumstances would make better people. Han Fei argued, “In the spring of famine years men do not even feed their infant brothers, while in the autumn of abundant years even strangers are always well fed. … Men of ancient times made light of goods, not because they were benevolent, but because goods were abundant; while men of today quarrel and snatch, not because they are brutish, but because goods are scarce” (*Han Feizi* 49: The Five Vermin).

Han Fei seemed to believe abundance and physical well-being as the sufficient condition of a morally superior society. In this regard, I think Han Fei’s philosophy deserves a fair attention from a group of political scientists, not only from modernization theorists who see the positive relationship between economic development and positive social change but also from dependency theorists dealing with the controversial affinity between modernization process and authoritarianism regimes.
matter of insufficient goods to go around. Given the nature of human beings as a desiring machine, imaginary scarcity always exists even in a land flowing with milk and honey. In sum, Hobbes and Han Fei both agree that people are not inherently bad but the circumstance makes them enemies. However, whereas Han Fei assumes that actual scarcity is a necessary condition to make people enemies, Hobbes believes that a state of nature cannot but always make a war of all against all.

From the stories above, one may doubt the validity of my previous claim that Han Fei believes mutual fear is the original of great and lasting societies. In order to understand when mutual fear comes into human relationship in Han Fei’s theory, we have to understand his concept of shih (勢, circumstances). In fact, the cited paragraphs above are followed by Han Fei’s critique of those who were blindly chasing past utopia without knowing the change of shih. Han Fei argues that human behaviors can be understood only within a particular situation; the comprehensive historical setting that includes social system, cultural background, moral assumptions, power relations and personal traits of relevant actors, all of which fall into Han Fei’s notion of shih. A good ruler should be aware of how shih is changing, but those who are blind to the change of shih are very likely to cause dangers in the state. Han Fei’s contemporary Confucian followers were main targets of his criticism. According to Han Fei, there was a golden age in the past that Confucians try to imitate, but it was the old shih that permitted peaceful coexistence at that time only. That shih is now gone. Nothing about the past utopia is relevant to our condition at present.

Han Fei explains how human societies have changed over time: “Men of remote antiquity strove for moral virtue; those of the middle ages sought out wise schemes; men of today fight for
strength and spirit” (*Han Feizi* 49: The Five Vermin). In other words, human society was relatively peaceful and cooperative in the past but it has become chaotic over time; as a result, present turns out to be a time of war that needs physical strength and spirit the most. Cultivation of moral virtues does not work anymore because the old environment is gone and is never coming back. In this new stage of war, Han Fei says, “whoever hates chaos wants to be ruled” (*Han Feizi* 46: Six Contrarieties). This is Han Fei’s version of “fear as a constituting factor of a society.” In ancient times, mutual good was the key of the birth of a state, but now in the world of chaos, mutual fear pushes men into a civil society. Furthermore, he was also well aware of the role of fear in maintaining order: “A mother loves children twice as much as a father does, but a father enforces orders among children ten times better than a mother does. … Thus an intelligent ruler knows this principle, he does not cultivate love but extend authority and fear” (*Han Feizi* 46: Six Contrarieties). It echoes Machiavelli’s famous claim that “it is much better and safer to be fear than loved.”¹²⁶ Therefore, although Han Fei’s understanding of the origin of a state is different from Hobbes’, it is still valid to say that, mutual fear, not mutual good, is the original of great and lasting societies in Han Fei’s theory.

Now let me turn to explain how the political life in Han Fei’s theory looks like. *Han Feizi* is addressed exclusively to rulers and not to common people. Han Fei therefore rarely addresses how common people interact – or should interact – with others in a community. But from his advice to rulers we can guess how Han Fei wants the life of common people to be. First, it seems that he is never interested in the ethical state of people or cultivation of morality.

Consider a story in the seventh chapter of *Han Feizi* to think about his attitude toward ethical qualities.

Once in the past, Marquis Zhao of Han got drunk and fell asleep. The keeper of the royal hat, seeing that the marquis was cold, laid a robe over him. When the marquis awoke, he was pleased and asked his attendants, “Who covered me with a robe?” “The keeper of the hat,” they replied. The marquis thereupon punished both the keeper of the royal hat and the keeper of the royal robe. He punished the keeper of the robe for failing to do his duty, and the keeper of the hat for overstepping his office. It was not that he did not dislike the cold, but he considered the trespass of one official upon the duties of another to be a greater danger than cold. (*Han Feizi* 7: The Two Handles)

Han Fei’s utter disregard for the inner ethical qualities of people is confirmed in this story. By praising Marquis Zhao who equally punished the keeper of the royal hat as well as the keeper of the royal robe, Han Fei is demonstrating he is not at all interested in evaluating inner motives or inculcating virtuous character. The hat keeper’s behavior may look virtuous for Confucius, but for Han Fei, it is simply wrong as it trespasses what the royal code regulates. This story also affirms Han Fei’s Hobbesian idea that what the law rewards is, by definition, right, and what the law punishes is wrong. According to Han Fei, human motives are diverse and invisible, thus a seemingly virtuous behavior might come from a wicked calculation. Therefore, inner motives are irrelevant, and moral training is impractical.

Second, it seems that Han Fei does not want people to be men of *logos*, either. Like Hobbes, who believes “the tongue of man is a trumpet of war and sedition” (*DC* 5.5), Han Fei believes that controversy in a society brings disorder and danger rather than political benefits. He also anticipates a world in which there is a tongue of only one absolute man. Accordingly, he proclaims, “Orders are the most precious among the words of men,” and “Disputes originate
The title of chapter three of *Han Feizi* is “On the Difficulty in Speaking.” In this chapter, Han Fei collects many historical anecdotes to show how difficult it can be for a man to persuade others. At the same time, he acknowledges how easily a man can deceive others with simple lies. Han Fei says, if someone says there is a tiger in the market, people do not believe it; if two men say there is a tiger in the market, people still do not believe it; but if three men say there is a tiger in the market, people start to believe it. Although there is no tiger in the market, three men’s false words can make the tiger come into existence (*Han Feizi* 30: Inner Congeries of Sayings, Upper Series). In sum, persuasion is difficult whereas telling a lie is easy. Therefore, Han Fei does not trust utilizing *logos* as a way of reducing fear or creating a good political life. He claims, “Two different words cannot be equally precious,” therefore, “words and deeds not conforming to laws and decrees must be forbidden” (*Han Feizi* 41: Inquiring into the Origin of Dispute). The notorious anti-liberal policy of burning literature and vanishing controversial thinkers comes from this negative view of human speech. Yi I, one of the most prominent Korean Confucian scholars of sixteenth century once argued that the rise and fall of a state would depend upon how much the state opened itself to different opinions of the public. He therefore advised rulers to “ask opinions of an ordinary salesman in a market and a traveler on a street in order to fully collect public opinions.”

By contrast, Han Fei wanted rulers to keep people in a

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127 There might be a counterargument that Han Fei actually admits the freedom of speech between rulers and their ministers. This view comes from an alternative interpretation of chapter five, in which Han Fei advises rulers to hold themselves and wait for ministers to speak their opinions enough. However, I think that this advice is not about the freedom of speech but about the art of manipulation in politics. In other words, Han Fei asks rulers not to speak first to reveal their opinions because it is the only way to “make the true hearts of the ministers revealed” (*Han Feizi* 5: The Way of the Sovereign). Therefore, he brings out this democratically-looking advice not because rulers have to be good listeners but because they have to be skillful manipulators.

state of ignorance and awe. As Ivanhoe argues, Han Fei wants the ruler to keep his subordinates “in an ongoing state of awe and apprehension, which makes them all the more attentive and dedicated to their jobs and all the less likely to upset or interfere with his administration. The ruler’s image and persona leads people to avoid thinking too much about him, his government, or how else things might be.”

Why laws? How despotic? : Han Fei’s answer

So far, we have seen Han Fei’s rejection of the two important moralist keywords for a good political life, i.e., moral cultivation and public consensus. Instead of subjective moral virtues, Han Fei wanted objective laws to regulate people; instead of public deliberation, Han Fei wanted “orders” to be perceived as “the most precious among the words of men” (Han Feizi 41: Inquiring into the Origin of Dispute). Clearly, Han Fei does not trust moral virtues and public deliberation as appropriate and effective ways to reduce fear. Having the diminution of fear – fear of violent death – as a goal, there are several options we can take: moral education, socialization, public deliberation, emphasis on law and punishment, check and balance system, etc. Among these, both Hobbes and Han Fei want to reduce fear through settled, regularly applied laws. Why does the attempt to reduce prevalent fear end up with emphasis on positive laws rather than morality? Why does Han Fei believe a system of law and order is a better and effective choice compared to other important options?

For Hobbes and Han Fei, it is because fear is primarily not a matter of justice but of equality and predictability. For Hobbes, equality of hope is the essential cause of fear. Therefore,

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equal application of rules – promising not to kill each other – should replace the equality of hope. For Han Fei, the inevitable change of shih affects everybody equally and it causes mutual fear among them. Therefore, equal application of rules – promising not to kill each other and not to steal from each other – can resolve the widespread fear. The moralist project, the orientation – or socialization – of fear, was based on the belief that fear was primarily a matter of justice. In other words, moralists wanted to orient fear to produce “right fear” so that we could uphold justice and create common good in a political community. For Hobbes and Han Fei, this moralist option may cause controversy about the very notion of right fear, by which possibly creates more fear in a society. Therefore, fear can be best managed if everybody is supposed to be equally subject to clear and predictable rules. In other words, a more effective way to manage fear is not to create something good to cover or treat it, but to reduce the worst part and concentrate the remaining source of fear in order for everyone to be able to see and avoid it. For Hobbes and Han Fei, creation of something good and common is a hard and exhausting job. Consider Han Fei’s argument below as an example of this negative approach:

When a sage governs a state, he does not wait for people to be good. Instead, he creates a situation in which people find it impossible to do wrong. If you wait for people to be good, you will find that there are no more than ten good people within your borders. But if you create a situation in which people find it impossible to do wrong, the entire state can be brought to an order. In governing, one must use measures that will be effective with the majority and discard those that will be effective with only a few. Therefore, the sage does not work on his virtue; he works on his laws. (Han Feizi 50: On the Prominent Schools of Thought)

Indeed, Han Fei thinks that cultivation of morality takes a lifetime of habituation so it is extremely hard to achieve. For example, recall Confucius’ confession that it took him seventy years to get to the point where he could follow his desires without going astray (Analects 2.4). Also, consider Han Fei’s critique of the limited success of Confucian education: even Confucius,
one of the greatest sages of the world as well as the great moral educator, only obtained seventy devoted followers during his entire life (Han Feizi 49: The Five Vermin). In other words, Han Fei points out the difficulty of moral diffusion; only a few would be transformed by such moral teachings. Only a few would be transformed, but moral disagreements occur even among those a few. Even after Confucius’ death, his followers split into eight factions and claimed that they were the true representatives of the Way of Confucius. Furthermore, Han Fei believes that there are strong reasons why moral cultivation is so hard and complex even if it could be achieved. For example, consider there is a weak man who tries to lift 300 lbs to imitate a strong man. It would be extremely hard and even dangerous to life 300 lbs as a beginner. Sages can remain a “goal model” but a beginner may need a separate “practice model” for moral cultivation, and those practice models should vary greatly according to practitioner’s levels and circumstances. In other words, there are no fixed patterns in moral cultivation because the same virtuous behavior might lead to disaster in different circumstances. Han Fei’s challenge raises a genuine difficulty for the moralist cultivation, the difficulty to reach a proper mean state that Confucius and Aristotle wanted to achieve. Han Fei wanted to take a different path – which is seemingly simpler and easier than the moralist methods – for a better political life: laws and punishment rather than the cultivation of virtues.

There is one more reason in favor of the realist option that seems to make Han Fei very proud: justice is hard to achieve but equality and predictability are relatively less painful to

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130 See p. 88.

131 For more details regarding this weakling case and the gap between “goal model” and “practice model,” see E. Hutton, “Han Feizi’s Criticism of Confucianism and Its Implications for Virtue Ethics,” Journal of Moral Philosophy 5, no. 3 (2008), pp. 449-52.
secure in a system. Whereas justice is a personal virtue that puts a considerable burden on us for moral training, Han Fei believes equality and predictability can be easily secured through a system of law and punishment. Han Fei claims:

To govern a state by laws is extremely easy. The law does not make exceptions for the noble, like the plumb line does not yield to the crooked. Whenever the law applies, the wise cannot reject nor the brave defy. When faults are to be punished, the highest minister cannot escape; when good is to be rewarded, the lowest peasant must not to be missed. … If laws are strict, the noble cannot discriminate against the humble. If the law is clear, the superiors are esteemed and not violated. (Han Feizi 6: Having Regulations)

In this paragraph, Hen Fei proudly claims that the rule of law makes the ruler’s job pretty effortless. Equality and predictability can be easily obtained within the legal system without a lifetime of personal efforts. Han Fei argues, “The enlightened ruler stays in non-doing (wu-wei, 無為) high above; his ministers tremble with fear down below” (Han Feizi 5: The Way of Sovereign). In fact, for both Confucius and Han Fei, wu-wei is the highest way of governing. The ideal Confucian ruler can repose in non-doing due to his or her personal attraction and moral charisma that have uplifting and pulling effect like a magnetic. The ideal ruler of Han Fei is able to dwell in non-doing as well, not due to her moral charisma but because the machinery of her state is so well constructed and maintained that the state is governed without any need for effort on her part. Her role is to stay behind the scenes and see that things run smoothly. Whereas Confucian wu-wei requires much personal effort, Han Fei’s wu-wei does not need a lifetime of self-regulation nor an excellent person as a king; it only needs clear laws and strict orders that can be handed down for decades once structured well enough. Similarly, Hobbes does not require his sovereign to be a man of moral excellence, either. There are no requirements for a king because the system will work for itself. Anyone can be a sovereign through a contract: the king simply has to have the final say on political matters. For Hobbes and Han Fei, there is no
need to suffer from the moralist headache searching for a qualified king.\textsuperscript{132} As Han Fei claims, “The ruler, even though not worthy, becomes the master of the worthies; and even though he is not wise, becomes the corrector of the wise men” (\textit{Han Feizi} 5: The Way of Sovereign).

In sum, according to Hobbes and Han Fei, the law and order system can be a better and more effective measure than the moralist options for reducing fear because: 1) fear is primarily not a matter of justice but of equality and predictability, thus can be best managed if everybody is equally subject to clear and predictable rules; 2) fear can be best reduced by a negative approach, while moral education and public consensus are positive approaches that can potentially increase fear; 3) the rule of law makes governing more effective and less painful compared to the rule of virtue.

However, Han Fei’s approach also has dilemmas, or problems to solve. I think there are at least four arguments to counter Han Fei’s project at this stage.\textsuperscript{133} 1) As already discussed in the case of Hobbes, there is an irony that the legalist machinery is designed to reduce fear but it cannot be sustained well without constant cultivation of fear. This constant instilling of fear in a society requires special attention in Han Fei’s theory because he especially demands “heavy penalties (\textit{中刑})” in order to secure predictability and effectiveness. This special call for severe physical cruelty may open a secret door to oppressive politics when combined with the unlimited power of sovereign. 2) Although Han Fei believes that the rule of law makes the ruler’s job pretty effortless, actually it is not so easy after all. Han Fei’s legalist machinery cannot but decay without certain number of deliberative and enlightened minds who are wise enough to

\textsuperscript{132} However, for the different role of sovereign between Hobbes and Han Fei, see pp. 124-5.

\textsuperscript{133} A few more problems will be addressed in the next section where I explain Hobbes’ and Han Fei’s notion of law and the relationship between the public and private.
acknowledge the change of *shih* and prepare for it. Han Fei’s ruler does not need to be a philosopher king nor a virtuous sage, but a different kind of knowledge is still needed in order to run the legalist machinery smoothly. The policy of burning books and vanishing philosophers is supposed to hold up the machinery; but the positive law system cannot sustain itself without resorting to education, culture, literature and philosophy to some extent. 3) The basic premise that everybody wants to maximize his or her benefit can be *wrong*. People are not always motivated by material benefits. Money does not necessarily buy happiness, and profits do not necessarily makes a better life. Han Fei’s materialistic approach flattens out human behaviors, substituting formal simplicity for political analysis. 4) The same basic premise can be *oppressive* as well. Han Fei acknowledges that there are people who are not always motivated by rewards and punishments, and sees them as extremely dangerous exceptions. He originally deduced that basic premise in order to find a better way to reduce fear and enlarge predictability. But he did not understand that the premise itself contained an oppressive and totalitarian flavor. It might try to standardize individuals for the sake of predictability, suffocating individual freedoms to be unique. Ironically in this case, the attempt to reduce fear actually turns out to be increasing fear to the minority Han Fei regards as dangerous and detrimental to society.

Given the four issues I listed above, perhaps the most frequent and serious concern would be the potential cohesiveness between the realist fear and the politics of repression. Therefore, I would like to explore more of the possible connection between them, namely, how an attempt to reduce fear can actually reintroduce fear through a back door. Among others, predictability is the key concept that may be linked to the pathway toward repression. Basically, Hobbes and Han Fei design their political theories from the belief that the moralist options for managing fear are
unproductive and unpredictable. Aristotle and Confucius embrace dissonance and conflicts as natural and necessary, but in the realists’ eyes, those unnecessary disputes may lead us to unpredictable chaos. A clear set of rules can prevent the negative outcomes; accordingly, their primary concern is how to secure predictability in the legal system. However, pursuit of predictability may come with a price.

To some extent, Han Fei’s writing gives us the impression that he wants predictable laws to trump all other aspects of life. For Han Fei, predictability is an uncompromising concern even in a family. The following story of Tseng Tzu shows us how crucial predictability is for Han Fei.

One day the wife of Tseng Tzu went to the market. Her son went along with her crying. “Go home,” said the mother, “then I will kill a pig and cook it for you when I am home.” When she came home, Tseng Tzu wanted to catch a pig to kill it. His wife stopped him and said, “That was just a joke for soothing a crying child.” Tseng Tzu said, “You must not joke with a child. … If the mother deceives her son, the son will have no faith in his mother. This is not the way to teach children.” He killed a pig and cooked the pork for their son. (Han Feizi 32: Outer Congeries of Saying, Part One, Upper Left)

Predictability is certainly a crucial element in habituating laws and orders. Han Fei wants laws to be concise and simple so that everybody in the state knows the consequences of violating them. For this, laws should be publicly known: “The law should be codified in books, kept in governmental offices, and promulgated to the people. The law wants nothing more than publicity” (Han Feizi 38: Criticisms of the Ancients, Series Three). Publication of laws helps to reduce fear and protect people; once the law is published, it is no longer subject to the whim of rulers.

Once laws are publicized, the next step for securing predictability is actual enforcement. Obligations so weak can hardly cement people to the stable obedience that guarantees predictable outcomes. Importantly, this process necessarily involves certain level of physical
cruelty, and Han Fei wants it to be severe enough. Consider Han Fei’s following claim on the necessity of heavy penalty policy:

Now, those who do not know the right way to order all say: “Heavy penalties injure the people. Light penalties can suppress villainy. Then why should heavy penalties be necessary?” Such speakers do not really understand the principles of order. To be sure, what is stopped by heavy penalties is not necessarily stopped by light penalties; but what is stopped by light penalties is always stopped by heavy penalties. For this reason, where the superior set up heavy penalties, all culprits disappear. If all culprits disappear, how can the application of heavy penalties be detrimental to the people? (Han Feizi 46: Six Contrarieties)

It is worthwhile to recall Hobbes’ claim here, “Covenants without the sword are but words and of no strength to secure a man at all” (L 17.2, p. 223). The law and punishment system, which Hobbes and Han Fei hope to replace the rule of aristocratic virtue, cannot be regulated without some level of force, physical cruelty and unremitting fear in the population. Judith Shklar once claimed that the ultimate spiritual and political struggle is always between war and law. If we choose law between the two options of war and law, then the law should be strong and powerful enough to be a deterring force against war. Therefore, compared to the morally oriented fear proposed by Aristotle and Confucius, which keeps considerable distance from physical cruelty, there is a concern that the rationality-oriented fear seems more capable of being combined with the politics of repression, or in its extreme form, despotism. Han Fei’s call for severe penalties may cause a greater concern when it is combined with the unlimited power of a ruler, e.g., Hobbes’ absolute sovereign as the “Mortall God” (L 17.13, p. 227). Here is the realists’ biggest dilemma: they started from a free and rational individual; those individuals did rational calculations to remain free; but the result is that those individuals must subject

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themselves completely to a greater external power to be free.\(^{135}\) Perhaps Aristotle and Confucius may want to say, if we conceptualize fear in terms of equality rather than justice, it does not necessarily produce a better or happy outcome; we may come to live in a society in which everybody is equally suppressed.

There is one more concern regarding predictability’s possible link toward repressive politics. It is a question about Han Fei’s basic premise that everybody wants to maximize benefits and avoid harm. This premise can be pretty oppressive in its nature. By pursuing predictability – laws are to be observed best if they are based on general human nature –, Han Fei inevitably alienates a group of people who are not necessarily motivated by rewards and punishments. What is especially oppressive in this process is that he not only alienates these people from the majority but also regard them as dangerous to society. Han Fei says, “A state governs ordinary people. ... Extreme things and eccentric words are detrimental to political order” (Han Feizi 51: Loyalty and Filial Piety). It is reminiscent of the Foucauldian dichotomy of normality and abnormality.\(^{136}\) An idea of abnormality – or deviance – is possible only where norms exist. In Han Fei’s claim, the majority that fits into the reward-punishment system is normal; the minority not responding to this system – due to whatever reason – becomes abnormal. Han Fei seems to turn a neutral distinction between majority and minority into something normative: standard and deviance. This is an extremely oppressive idea that requires

\(^{135}\) Therefore, the major political question of later philosophers in my study, i.e., Montesquieu and Liang Qichao, was how to achieve Aristotle’s healthy diversity and Hobbes’ stability at the same time.

\(^{136}\) M. Foucault, The Foucault Reader (Vintage Books, 2010), pp. 193-197. It should be noted that Foucault’s notion of normality and abnormality is not corresponding to rationality and irrationality. Foucault’s abnormality is rather a matter of disposition, preference or distinctiveness. However, Hobbes and Han Fei’s notion of normality and abnormality primarily goes with the dichotomy of rationality and irrationality. For Hobbes and Han Fei, the normal are those who are rational enough to do the right calculation for their self-preservation, whereas the abnormal are primarily irrational people who risk their security for void honor, diluted by hallowed ideas.
everybody remain the same and rarely allows uniqueness or creativity in a society. Therefore, there is a contradiction in Han Fei’s project: his attempt to reduce fear by enhancing predictability actually turns out to be a great source of fear to minorities.

In fact, Hobbes and Han Fei had similar concerns about this deviant case that would not fit into the reward-punishment system. Although both thinkers thought those cases were rare, they did recognize that it could seriously undermine predictability and stability of the system. The most serious case was hero or saint, who would not respond to reward or punishment due to their strong conviction and autonomy, thus touches other people and renders the entire system helpless. Han Fei says, “They will still go through fire and water to become models to the world, encouraging others to seek an early death, to desert the world with no concern for political order” (Han Feizi 51: Loyalty and Filial Piety). The famous moral paragons Bo Yi (伯夷) and Shu Qi (叔齊) are two such examples; these faithful brothers are the Confucian symbol of loyalty and righteousness, but for Han Fei, they are merely dangerous deviations detrimental to political order (Han Feizi 14: Ministers Apt to Betray, Molest, or Murder the Ruler). The case of the hero or saint actually reflects the twisted relationship between moralist respect and realist contempt for honor and courage. In other words, their contrasting attitudes toward honor and courage are mirroring their different understandings of relationship between fear and morality. Courage was the vital virtue that governs fear in Aristotle’s theory. Once Hobbes and Han Fei fully elucidated their conception of fear that had been separated from morality, they came to realize that honor and courage are irreconcilable with fear in their theories.

This contrasting attitude toward courage and honor becomes more interesting when we consider how Hobbes and Han Fei look at their key idea: law. The moralists and realists show
very different understandings of law. In my study, the link between fear and morality is the major difference between the moralist thinkers and realist thinkers. The next section will highlight the changed relationship between fear and morality. At the same time, to explore the notion of law will reveal meaningful differences between Hobbes and Han Fei as well. In the next section, I shall explain 1) how Hobbes and Han Fei understand the meaning and function of law, 2) how they define the role of sovereign in their legal system, 3) how their call for stable legal system creates the need for the distinction between public and private, 4) to what extent Han Fei takes different paths compared to Hobbes, 5) and why both thinkers make a renewed call for moral education.

The different paths of Hobbes and Han Fei

1) Law and sovereign

Despite their many similarities, I believe that there is an important difference between Han Fei’s attitude towards law and morality and that of Hobbes’. On most accounts, Han Fei is a legal positivist who takes the separation of law and morality very seriously, and believes that morality should be rejected in political affairs. However, there are those who think that Han Fei is a kind of natural law theorist, that he believes that there needs to be some ethical or

rational reasons to undergird our law. Indeed, different chapters of the *Han Feizi* seem to suggest that Han Fei’s notion of law does not fall neatly into the Western division between natural law and positive law.

Let me first start with Hobbes’ notion of law and morality so that we can compare it with Han Fei’s. For Hobbes, the virtue of law is not in justice but equality. He is more interested in the fair and equal application of law rather than the law making process, in the efficacy of a certain rule rather than its substantial meaning. Unlike Aristotle, whose notion of law is primarily a mutual consensus on justice among the member of community, Hobbes argues that a law, which is always just, is the command of sovereign (*DC* 14.11, *QLNC*, p. 182). Hobbes believes that public debate about legislation increases unavoidable fear due to the irreconcilable moral differences among people. He thus wants to detach politics from morality so that laws can remain as neutral contracts rather than moral standards. Hobbes’ attitude toward law and morality becomes clear when compared to the attitude expressed by Confucius in the following anecdote. In a conversation with Tzu-gong who wants to stop the sacrificing of a lamb at the monthly ceremony to be frugal, Confucius says, “Do you grudge the lamb? I grudge the spirit of the ritual” (*Analects* 3:17). Confucius’ main concern is not the number of lamb to sacrifice but the spirit embedded in the rule. Hobbes, in contrast, argues that “right reason” is the reason of a judge who enforces the rules of a game and settles down the controversy, just like we set up

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some rules when playing cards (L 5:3, p. 112). All that matters is whether the law equally binds all members of a political community, not whether the law reflects certain level of common good. If Confucius seeks correct standard in laws, Hobbes seeks common standard.

Han Fei’s notion of law seems to set somewhere between of the two. Unlike Confucius, who emphasizes unwritten norms and customs that affect our everyday life as a self-regulating moral force, Han Fei strongly calls for the official enactments of written rules and orders so that the objective rule of law can replace the subjective rule of virtue. However, for Han Fei, laws are not merely rules of a game as Hobbes insists. Rather, laws in Han Feizi seem to have a moral function both as a means of education and a device for filtering immorality and injustice in a society. We see this point when Han Fei says:

Now here is a young man of bad character. His parents rail at him but he does not reform; the neighbors scold but he does not move; his teachers instruct him but he refuses to change his ways. … But let the local magistrate send out the government soldiers to enforce the law and search for evildoers, and then he is filled with terror, reforms his conduct, and change his ways. Thus the love of parents is not enough to make children learn what is right, but must be backed up by the strict penalties of the local officials. (Han Feizi 49: The Five Vermin)

In this story, the goal of penalties is not simply to coerce people to keep their contracts but to let people learn what is right and change their bad characters. Through the system of law and punishment, Han Fei wants “to forbid the practice of wickedness and to prevent villainous acts” (Han Feizi 14: Ministers Apt to Betray, Molest, or Murder the Ruler). Therefore, it seems that the function of laws is not only to arrange “hedges” so that each individual can best travel on her way, as Hobbes suggests. In Han Fei’s theory, it seems that there are certain notions of right

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141 Han Fei’s description of the role of government is also a mixed version of Hobbes and Plato. According to Han Fei, a good government is a place “in which the honorable and the humble do not get in each other’s way, and the stupid and the wise find their proper place” (Han Feizi 6: On Having Standards).
and wrong out there, and the task of law and punishment system is to reinforce the distinction. Laws have something to do with education, civilization and habituation of right behavior.

Let me pause here to go over the meaning of Chinese character fa (法, law). Although “law” is the most prominent meaning of fa in Modern Chinese, originally the term fa covers a much larger semantic range. In classical Chinese, the ordinary way of referring to the law was xing (刑), now usually relegated to the sense of punishment. Fa surely includes law, but there are two more basic meanings of fa: “model” and “method.” In Han Feizi, fa generally refers to “laws” instituted by rulers, but Han Fei also frequently uses fa as “model” or “standard” as following example:

A truly enlightened ruler uses fa to select his men; he does not select them himself. He uses fa to weigh their merits; he does not judge them for himself. Hence men of true worth will not be able to hide their talents, nor spoilers to gloss over their faults. … Only if the ruler makes use of fa can he hope to achieve this. (Han Feizi 6: On Having Standard)

In this passage, fa does not fit the ordinary meaning of the word “laws” or “legal codes.” Rather, it means standards to keep, or good examples to follow. Regarding fa’s original meaning of model or example, it is the king who is expected as the supreme model for entire people to follow. A common misperception associates Han Fei with absolute and tyrannical rulers but Han Fei always advises rulers to be the first one to keep the rules to be the model of the state. In this regard, Han Fei’s ruler differs from Hobbes’ sovereign who is the third-party beneficiary of the covenant among subjects, the only one not having obligations to anyone. Han Fei’s sovereign

142 See C. Hansen, “Fa (Standards: Laws) and Meaning Changes in Chinese Philosophy,” Philosophy East and West 44, no. 3 (1994), 435–88. In this regard, Paul R. Goldin suggests that “legalism” is an inadequate and misleading translation of fajia (法家) because fa can include more than simply laws. He argues that the identification of fa with laws is a grave error that leads us into a partisan concept of fa and unproductive reading of Han Fei, which result in the conventional meaning of legalism as an amoral science of statecraft. P. Goldin, “Persistent Misconceptions about Chinese “Legalism,”” Journal of Chinese Philosophy 38:1 (March 2011), 88-103.
also differs from Confucius’ king of moral excellence; A Confucian king is also is the supreme model for All-under-Heaven to follow, but it is because the sage king himself is the man of virtue for all human beings to imitate. Han Fei’s king does not need to be a moral person; he just needs to be the first one to keep the official rules so that everyone can follow in his steps. A Confucian ruler is the model of the state because he himself is the man of supreme virtue to be followed by ordinary people; Han Fei’s king is the model of state because he is the first to keep state rules as an exemplary person, and he is the one who always obey laws. In this way, with the meaning of fa as a model or standard, Han Fei’s theory has a mixed sense of moralist and realist flavor that Hobbes rarely suggests. Consider the following story illustrating how Han Fei’s ruler is supposed to be, regarding the meaning of fa as a model:

The ruler of Tsou was fond of wearing long fringes. So were all his attendants. Therefore, fringes became very expensive. Worried over this, he asked his attendants about it. They said: “As Your Highness is fond of wearing them, people wear them too. Therefore, they are expensive.” Accordingly, the ruler cut off his fringes himself and went out. As a result, nobody in the country would wear long fringes any more. (Han Feizi 32: Outer Congeries of Saying, Part One, Upper Left)

Clearly, this story describes Han Fei’s ruler as the model of the state, who is in charge of creating and maintaining fa. Although the fa in this story – a long fringe or a short fringe – sounds more like Hobbes’ one goat or two lambs, it is worthwhile to note that the ruler of Tsou primarily worries about its effect on the common good. He actively plays a model role for everybody by being the first to create and follow the rule rather than simply remains as a Hobbesian umpire who stands out of all legal obligations.

In Han Feizi, Han Fei commonly identifies fa with mirror, balance and compass, which implies that fa has something to do with reflection, measurement and patterns. Han Fei believes if everybody follows the same standard and patterns, there will be no dissonance and tension.
The pattern Han Fei pays his most attention is *tao* (道, way), the pattern of the natural world. For those scholars who believe that Han Fei’s theory is not just a cold, amoral science of statecraft, his discussion of *tao* in chapter 29 provides an important cue. For Han Fei, *tao* is the patterns of the universe that laws should not violate. Han Fei therefore advises the ruler to “follow *tao* to perfect the law” (*Han Feizi* 29: The Principal Features of Legalism). According to Han Fei, great men know the patterns of universe and follow them so that laws “never act contrary to the course of heaven, never hurt the feeling and reason of mankind.” He goes on to argue, “In a peaceful and stable state, law is like the morning dew: pure, simple and undiluted,” therefore “there is no resentment in the people’s mind, no vexing words from their mouth” (*Han Feizi* 29: The Principal Features of Legalism). From this statement, one might conclude that he is a natural law theorist, that he believes nature endows us with some ethical or rational reasons that undergird our law.

I believe, however, Han Fei is neither a legal positivist nor a natural law theorist. His discussion of law and *tao* tells us that Han Fei’s strict laws are not simply the whims of rulers. If the law were simply whatever ruler wants to enact, it is likely to conflict with the pattern of the natural world very often. But taking *tao* as the underlying pattern of laws does not necessarily mean that he supports natural laws in the Western sense setting a higher natural authority over man. Classical Western natural law theory has a deep attachment to the natural right of all humans to judge whether civil laws are sufficiently reasonable to obey. Han Fei’s advice of “following *tao* to perfect the law” has a different meaning. Han Fei encourages rulers to follow the pattern of the universe not because nature provides us with certain moral maxims or natural rights but because effective laws are found on the pattern of universe. In other words, Han Fei
believes that if commands and laws are to be successful in ordering a state, they should accord with the pattern of the universe. As Eirik Lang Harris aptly explains, this is close to a NASA scientist taking the laws of physics into account when planning a mission to the Mars. In other words, “following tao to perfect the law” does not mean “adapting law to higher moral standards.” As Harris points out, “there is nothing inherently moral about looking to features of the natural world to figure out how to order the state.”

Following Harris, I believe Han Fei’s notion of tao is drawn from his materialistic understanding of nature rather than a naturally derived morality. As we previously examined his original state of nature, human beings are basically the product of their socio-economic environment in his theory. Therefore, Han Fei sees nature primarily as the material condition of human beings rather than a source of normativity. Laws in accordance with the pattern of universe are more likely to lead us to order and smooth functioning of a state as we live in it. Interpreting Han Fei’s notion of nature in this way works better for the coherent understanding of his theory, one that highly values equality and predictability. Nature is neither just nor morally good in itself. A big, strong lion kills a small, helpless baby deer. Yet nature equally provides opportunities and constraints to everyone. Lions and deer equally have to go through steaming summer and freezing winter. Also, as nature provides the conditions and constraints within which we work, it is necessary for the rulers to look at the pattern of nature so that they know the life pattern of his people. It is a plausible way of securing predictability if the rulers – especially the rulers of ancient China, one of the great agricultural civilizations – knows the life cycle of

most people so that they can make best use of it when making laws. Han Fei therefore argues that an intelligent sovereign observes the change of seasons to govern a state, calculating taxes and tributes in order to equalize the poor and the rich (Han Feizi 46, Six Contrarieties). Han Fei’s advice of “following tao to perfect the law” can be interpreted in this way without resort to the natural law theory.

In sum, Han Fei’s legal theory does not seem to be based upon moral normativity, but it has more possible links to morality than Hobbes’. As Eirik Lang Harris suggests, Han Fei’s theory pursues “a political normativity.”\textsuperscript{145} For Han Fei, the standards for good laws are not moral standards but political standards that would lead to a strong and stable state. Nevertheless, Han Fei’s pursuit of political normativity, it does not necessarily put him at odds with Hobbes. To some extent, Hobbes pursues similar things. Hobbes claimed for moral education, i.e., the instillation of the “philosophy of fearful obedience” (B, p.59) through church and school also pursued kind of political normativity. Both philosophers pursue political normativity in their theories, but we can surely see that Han Fei’s theory has more potential links toward morality. For example, Han Fei’s portrayal of an ideal society differs greatly from Hobbes’ proud description of “the Contentment of life” in Leviathan discussed in the previous section. Han Fei says:

The enlightened ruler, … prohibits the strong from exploiting the weak, and the many from oppressing the few, enables the old and the infirm to die in peace and the young and the orphan to grow freely and sees to it that the frontiers be not to be invaded, that ruler and minister be intimate with each other, that father and son support each other… (Han Feizi 14: Ministers Apt to Betray, Molest, or Murder the Ruler)

One may not doubt if someone makes a joke that this passage is from Confucius’ Analects. Han Fei’s ideal political community embraces some substantial justice unlike Hobbes’

Leviathan; we can even find the humanistic purpose of his political theory. Hobbes’ sovereign, for example, does not have any interest in keeping the strong from exploiting the weak unless the political covenant says something about it. Then, how can we make a coherent understanding of Han Fei, who once coldly showed no interest in inculcating virtuous character by admonishing the keeper of the royal hat who laid a robe over a drunken king?

In contrast to Hobbes’ theory in which moral conscience is completely a matter of personal choice in the private realm free from public intervention, Han Fei’s theory presupposes that there is a certain distinction between good and evil in people’s mind that the law and punishment system is designed to maintain. According to Han Fei, a good ruler adopts the law and punishment system “to forbid the practice of wickedness and to prevent villainous acts” (*Han Feizi* 14: Ministers Apt to Betray, Molest, or Murder the Ruler). Therefore, it seems clear that Han Fei’s legal system is built upon some kind of moral consciousness of what is wicked and villainous. Unlike Hobbes who does not seem to understand that political covenants can never be reduced to something like the rules of poker game, Han Fei accepts the fact that laws cannot eliminate the moral consciousness of community members. For Han Fei, there is nothing inherently right or wrong, but people come to develop certain notion of right and wrong as they interact with each other pursuing their own interests. To be clear, Han Fei does not explicitly deny the existence of morality, but only challenges the effectiveness of virtues. People have a natural appetite for material well-being, so promoting moral constraints is contrary to human nature, thus ineffective. The most attractive aspect of realist theory is its honest refusal to extensive moralization of our life. For Han Fei, it is unavoidable for ordinary people to have certain level of moral consciousness in their mind, but active and extensive cultivation of moral
virtues like Confucians will very likely lead us to chaos. Taking all these into consideration, Han Fei believes that the rule of law is a more effective way to create order in a society rather than the rule of virtue.

In practicing the rule of law, however, the real problem begins with the role of the sovereign in both philosophers’ theories, especially with regard to fear. For Hobbes and Han Fei, the sovereign is the legislator, executive, and judge of all laws. Thanks to these triple political powers, the sovereign creates political morality that trumps private morality, i.e., certain notions of right and wrong in the political community. The sovereign creates right and wrong, makes laws, judges who has been naughty or nice, rewards and punishes everyone according to his or her due. Their omnipotent sovereigns have divine attributes as a “mortal god” (L 17.13, p. 227). For both Hobbes and Han Fei, sovereigns should be as incomprehensible or at least uncomprehended as the Calvinist’s God. This leads the major contradiction. Hobbes wants to reduce widespread fear by concentrating the source of fear to be exposed in public; Han Fei wants predictability to trump all other aspects of life; but in order to maintain the whole system, the sovereign of unlimited power is never supposed to be predictable. For example, there should be “nothing on earth” compared to Hobbes’ sovereign as “Hee seeth every high thing below him” (L 28.26, p. 362); Han Fei’s king should “be immeasurably great, be unfathomably deep” so that nobody dares to understand his views and wants (Han Feizi 5: The Way of Sovereign). As a result, both Hobbes and Han Fei want to increase predictability in every corner of a society in order to decrease fear; but they leave the most powerful source of fear remain unpredictable. Here is the biggest irony of realist theory: their political system of predictability has to be firmly based on the unpredictable character of the sovereign.
Of course, both philosophers make it clear that laws are not merely the whims of rulers. Han Fei’s laws are not supposed to go against the pattern of heaven, and the traditional meaning of .fa expects the ruler to be always the first to keep the law. Seemingly, Hobbes’ laws can be potentially turned into the whims of rulers because the unlimited sovereign power has so many indirect ways to take a person’s life without resort to the obvious and urgent threat of killing. However, in chapter 30 of the Leviathan, Hobbes argues that there is no difference between a law and a just law because no law can be unjust; but there is one between a law and a good law. According to Hobbes, “A good Law is that, which is Needfull, for the Good of the People” (L 30:20, p. 388). According to Hobbes, “a sovereign is strong only so long as his subjects are strong,” so it is in sovereign’s own interest to make good laws for the good of the people. Therefore, for both philosophers, at least theoretically, laws are made for the good of the people, not for the arbitrary needs of sovereign.

Nevertheless, we already discussed that a sovereign could still remain as incomprehensible and unpredictable while he made laws for the good of the people. For example, Han Fei claims that in order to be able to maintain the system smoothly for securing peace and order, the sovereign should remain unpredictable till the end, but it may be fearful for everyone that the most powerful source of fear remains unpredictable. No matter how beautifully the theory is designed, Hobbes and Han Fei’s rule of law will possibly fall into the despotic rule of a person if some of the real-life sovereign’s desires run counter to the demand of peace and order. That is mainly because there is no way to legitimately check and balance the sovereign’s power in the theory of Hobbes and Han Fei. Hobbes believes that any system of government that involves checks and balances is inherently unstable. Han Fei also explicitly argues that
“authority cannot be shared; control must be in one hand” \textit{(Han Feizi 6: Having Regulations)}. In both theories, public deliberation is the least to be welcomed; instead, the omnipotent sovereign is fed with “a philosophy of awe and obedience” from people.

Ironically, the most fearful person in both Hobbes’ and Han Fei’s theory could be not the subjects but the sovereign himself. It is because the crown of absolute power will be the most attractive to everybody who wants to maximize his or her benefit. Han Fei explicitly states, “The mental agony and physical pain of the rulers molested and murdered certainly exceed those of the leper. From this viewpoint, the leper may have a good reason to feel pity for the king” \textit{(Han Feizi 14: Ministers Apt to Betray, Molest, or Murder the Ruler)}. Also consider Han Fei’s advice for the king in the very first chapter of \textit{Han Feizi}: “Be alarmed and trembling in fear; act more carefully day after day. If thou act carefully in due manner, thou mayest hold All-under-Heaven under thy sway” \textit{(Han Feizi 1: The First Interview with the King of Qin)}. Han Fei knew that the ruler could be the most fearful person in the state, so warned the ruler that you could control All-under-Heaven but would have to remain “trembling in fear day after day.” Hobbes also acknowledges how difficult it is to be a sovereign: “The inconvenience arising from government in general to him that governs consists partly in the continual care and trouble about the business of other men that are his subjects, and partly in the danger of his person. For the head is always that part not only where the care resides but also against which the stroke of an enemy most commonly is directed” \textit{(EL 2.5.2)}. Also, it may be extremely difficult for the sovereign to wear the unnatural mask to hide his own feelings and desires to remain neutral for the lifetime. The sovereign may want to be loved and respected; the sovereign may love philosophy and public debates; but as Peter R. Moody Jr. aptly states, “to the extent that the ruler has values other then
power, to that extent order is endangered.”

Recall Jeffrey Abramson’s critique of Hobbes: “Paradoxical as it sounds, for Hobbes we agree to enter society as the better way to be left alone.” In this critique, “we” include not only ordinary individuals but also importantly include the sovereign. In the theory of Hobbes and Han Fei, although human beings created and have lived in a political community, everybody including sovereign remains lonely and fearful.

2) The public and the private versus gong and si

Hobbes and Han Fei want to maintain a reasonable line between the public and private because it is one major key for a successful law and punishment system. For Hobbes, the separation of the two spheres enables the sovereign-making covenant and civil society; For Han Fei, it is the duty of sovereign “to make clear the distinction between public and private matters and enact laws and orders openly” (Han Feizi 19: On Pretensions and Heresies). However, in the theory of Hobbes and Han Fei, fear sprouts around the idea of the public and the private. In either society, the private is not effectively protected.

In Hobbes’ case, the major problem comes from the “increasing gap” created from the limited government of unlimited power. The costly exchange between political agency in the public sphere and individual economic liberty in the private realm leaves some fearful concerns.

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If individuals feel helpless and alienated from the politics, they will retreat to the passive realm of consumption, which would make a perfect environment for fearful despotism to blossom. Furthermore, questions have been raised upon the blurry line between the two dichotomous spheres. For instance, Michael Walzer argues that the private sphere such as kinship and love is not a sacred precinct at all. He insists that it is closely connected to other distributive spheres, and “highly vulnerable to their interventions and itself pervasively influential.”\(^{149}\) For example, in the next chapter on Montesquieu, we shall see a story of a mother and a young daughter from Montesquieu’s novel *The Persian Letters*.\(^{150}\) In this story, the loving mother wants to put her seven-year-old daughter into harem – which is a perfect microcosm of Hobbes’ Leviathan – for the girl’s early education, safety and well-being. Indeed, fear can be generated in the name of love and patriarchal authority, and we know that family ideology can be easily abused as a shelter for justification of fearful decisions. The question of “who should be with whom” constitutes rules, shape politics, and fix the legal status of men and women, which are all commonly regarded as public matters. In this regard, the divided spheres sometimes mislead us to think of many essentially political issues simply as personal ones, thus leaving them behind the house door.

In Han Fei’s case, the major problem comes from the ethical hierarchy between *gong* (公, public) and *si* (私, private). In other words, *gong* tends to require the sacrifice of *si* in the name of common good. To say it simply, a state or nation is valued much more than individuals and their families. In order to understand this ethical hierarchy, we should first understand that the

conceptual dichotomy of the public and private developed in the West has never existed in Han Fei’s China. People perceived human life as a complex web of relations, a web in which the public and private existed on a continuum.\footnote{According to Fei Xiaotong, the configuration of Chinese society is “like the rings of successive ripples that are propelled outward on the surface when you throw a stone into water. Each individual is the center of the rings emanating from his social influence. Wherever the ripples reach, affiliations occur.” X. Fei, “Chinese Social Structure and Its Values,” in Changing China: Readings in the History of China from the Opium War to the Present, (ed.) M. Gentzler (New York: Praeger, 1977), as quoted in R. Madsen, “Conceptions of Civil Society” in Confucian Political Ethics, (ed.) D. Bell (Princeton University Press, 2008), p. 5.} There are two major differences between Hobbes’ and Han Fei’s concepts of spheres. First, due to the culturally flexible notion of gong and si, it is extremely hard to make a clear distinction between them in Han Fei’s case. In other words, gong and si are relative and interconnected spheres that change flexibly case by case. A small gong could be si in a larger picture; si could be possibly recognized as a little gong in a smaller setting since gong and si are intermingled as a larger cluster. For example, a family issue can be gong when I (si) have a conflicting interest against my family clan (gong). At the same time, however, the same family issue can be si when the family (si) has a conflicting relationship with a state (gong) on that matter. In other words, gong and si are flexible and relative concepts unlike the public and the private in the Western sense of the words. Second, the relationship between the spheres and ethics makes a critical difference. For Hobbes, moral conscience and religious belief are a completely personal and private matter free from public intervention or any other legal obligations. In contrast, for Han Fei, gong and si are themselves a standard to judge the good and evil in human behavior. For Han Fei, laws are basically what curbs si (私, the meaning of si here is “selfishness” rather than “the private”) as he argues that “the cause of order is law, the cause of chaos is si” (Han Feizi 45: Absurd Encouragements). The ethical hierarchy between gong and si, i.e., the exaltation of gong at the expense of si comes from this cultural background.
The concept of gong and si is a complex relationship of multiple meanings. By and large, the Chinese letter gong embraces three different concepts: 1) the political power or actual politicians, 2) justice and fairness, and 3) togetherness, or majority. The first and primary meaning of gong is political power, or people holding the governing power. In classical writings such as The Book of Changes [周易] and The Book of History [書經], gong mainly refers to kings and feudal lords. Later in The Book of Odes [詩經], this concept was enlarged to include the families and relatives of those people, or the place where the officials do their works. By contrast, si was its conceptual dyad that refers to something related to private individuals or personal family. For example, si (私) was used for the terms such as private owned field [私田], private owned slave [私奴], and a group of solders that a family owns for its private purpose [私兵], etc. A troublesome conjunction occurs here. Because the letter gong implies ethical principles such as justice, fairness and respectfulness as in the terms such as justice [公正] and fairness [公平], the political powers – kings and the superiors – easily achieve political legitimacy from the cultural meaning of gong. On the other hand, si is largely used for referring to unjust or immoral acts as in sitong (私通, private communication or private interconnection, widely used for extramarital affairs).

Confucius had the same problem regarding the ambiguous characteristics of gong and si. However, he emphasized ceaseless moral training and exchange of deliberative thoughts among people in order to make a proper distinction between gong and si case by case, so that they could seek for a balanced mean state among them. In contrast, Han Fei left stiff written laws to distinguish the flexible gong and si, which rarely gave people enough time and opportunities to
decide what they should take as *gong*, and whether it would be truly just and legitimate to be titled as *gong*. Accordingly, it often resulted in a tendency toward blindly support *gong* as the common good while treating *si* as a mainly negative idea. From the sketchy line between *gong* and *si*, the renewed war of all against all occurs when people try to occupy the title of *gong* in the large network of interests. For Han Fei, this is the major problem to be solved, as it is the renewed source of great fear.

In order to solve this problem, both thinkers cannot but emphasize the role of the sovereign as the final judge. Here is the reason why both make a renewed claim for moral education that once they wanted to reject in political affairs. For example, Hobbes wanted fear to be understood as a form of life by the collaborative work of elites and social institutions, “Men may be brought to a love of obedience by preachers and gentlemen that imbibe good principles in their youth at the Universities” (*B*, p. 59). For Hobbes and Han Fei, “philosophy of obedience” is the essential part of their new morality. The realist system of laws and orders can be best sustained when it is constantly fed with a philosophy of awe and obedience so that the sovereign can have the unchallengeable power and authority.

However, this realist call for moral education differs from what moralist thinkers previously pursued as a way of curbing fear in a political community. Aristotle might call it indoctrination rather than education. Confucius might argue that it is a way of filling a society with constant fear rather than reducing fear. Whereas Hobbes and Han Fei may argue that the moral education of Aristotle and Confucius bring dissonance and chaos while theirs bring order and stability, Aristotle and Confucius may ask us to choose between healthy dissonance and unhealthy silence.
It is interesting that both moralists and realists advocate pretty much the same policies, i.e., the necessity of moral education, despite their opposing understandings of human nature. Regarding fear, what is to be learned, and how to be learned, are necessary choices we have to make. Shall we choose honor and courage as our public virtues, taking considerable burdens as a virtuous person? Or do we want to enjoy the quiet and free life, cultivating the moral virtue of obedience, feeling fine with giving up our political agency for our security? Or should we find ways to make another path, taking all into consideration? Which way would be the most appropriate, safe and effective way to reduce fear in a political community?

**Fear as the foundation of a community: Realist conclusions**

Hobbes and Han Fei directly explored the fundamental question of this research: why fear matters. They paid attention to the significant role of fear in creating and maintaining a political community. More importantly, they suggested the necessity of a negative approach as an appropriate way of dealing with fear. With their skeptical eyes catching the intrinsic difficulty of creating certain notion of common good or moral ethos, they sought to find a negative moral foundation upon which men could live together in peace. This is a decisive insight: we can create a better community not by adding up some positive ideas, but by taking away the greatest evil.

Judith Shklar makes this point very clear when she insists that the conventional approach to liberty does not effectively enlarge our freedom. Because fear is “an absolute evil that destroys freedom,” she strongly encourages contemporary liberals to fix their eyes on fear and ordinary vices rather than to spend enormous time making conceptual debates on freedom.152 Thomas

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Hobbes makes it clear that fear is the foundation of a political community by showing us how fearful men move into a political community in order to get out of the fearful state of nature, and how fear should work “as a form of life” in a civil society. In other words, *Leviathan* is a book that describes a human life as nothing but a ceaseless motion led by fear. We feel fear more immediately and directly than liberty in actual life, as it is much more likely we feel injustice than justice in our daily life. Agreeing with Hobbes’ insight, this research adopts a negative approach as a corrective alternative.

Although Hobbes and Han Fei highlighted the role of fear in political science with proper attention and penetrating insights, their projects left several ironies and contradictions. Fear is reintroduced through a back door to be felt and cultivated; there is a tremendous gap between the unlimited power of sovereign and a limited government; there is a concern of theoretical affinity between rationality-oriented fear and repressive politics; there is also an irony that the system pursuing predictability is based on the unpredictability of the biggest power; problems around the public and private spheres have been developed into a new source of fear; and most significantly, the broken relationship with fear and morality by realists has been replaced by a renewed claim for political normativity, i.e., a doctrine of fearful obedience.

Perhaps Aristotle and Confucius want to say: if we conceptualize fear in terms of equality rather than justice, it does not necessarily produce a happier outcome; we may come to live in a society in which everybody is equally suppressed and never to be able to overcome fear. Hobbes and Han Fei may want to counter: the moralist project is so burdensome and contentious that it could be a great source of fear; therefore, although we have to pay some price, the more effective way to reduce fear is the fair and equal application of laws supported by a powerful sovereign.
Otherwise, human beings can never escape from ceaseless wars, especially taking the modern condition of large population and the increasing size of state into consideration. Aristotle and Confucius would answer that the blind pursuit of effectiveness kills human potentials by transforming great human beings into a petit, coward individuals who remain fearful, only content with material comfort and safety. Aristotle and Confucius might go on to say: the realist philosophy has already produced an irreconcilable gap among the virtues – for example, on the one hand, by creating disparity between public virtues and private virtues, such as in the case that ordinary people are supposed to be honest whereas the ruler are encouraged not to be; on the other hand, by transforming the meaning of virtues as in the case that honor and courage are degraded into vanity – so renders the entire ethical system in question. More importantly, Aristotle and Confucius would ask whether we could call the life suggested in *Leviathan* and *Han Feizi* a “political” life. Aristotle and Confucius may want to call it not politics but mere administration.

Moralists are primarily concerned with justice; realists shifted the focus onto equality. Moralists wanted to keep the relationship between fear and morality; realists tried to break the relationship to reintroduce a new political morality they needed. From this conversation between the moralists and realists, our next philosophers, the Enlightenment thinkers, after delving into the questions pointed above, come to join the conversation with their new project of liberty.
CHAPTER FOUR

An Enlightenment Dialogue: Montesquieu and Liang Qichao

Overview: modern faces of fear

The third pair of critics, Montesquieu and Liang Qichao, are political thinkers who lived in the Enlightenment period of their own society. Charles Louis de Secondat, baron de Montesquieu (1689-1775) was an eighteenth century French aristocrat who was born in the reign of Louis XIV, perhaps the most suitable example of Hobbesian absolutism in French history. Contrary to the complaints of Hobbes and Han Fei, Montesquieu’s contemporaries suffered not from the absence of absolute power and orders but from heavily concentrated political power and strict orders. Liang Qichao (1873-1929), born a century after Montesquieu’s death, was the

153 Liang Qichao (梁啓超) was the most widely read public intellectual during the late nineteenth century transitional period of China, someone whose opinions actually changed and led the public opinion of his country. Liang’s writings of the early 1900s, more than anyone else of the time, helped shape the minds of new intellectuals in China.

Liang Qichao was a political philosopher, journalist, political activist, translator, writer and educator. Liang translated the works of Western philosophers such as Aristotle, Spinoza, Hobbes, Locke, Rousseau, Kant, Montesquieu, Bacon, Hume and Bentham and introduced them to his Chinese and Korean contemporaries. Among Chinese scholars, there is a consensus that almost all the fundamental assumptions and ideas that we find in the work of contemporary Chinese philosophers can be traced back to Liang Qichao and his teacher Kang Youwei (康有為, 1858-1927). For the best short summary of Liang’s life and thought, see K. C. Hsiao, “Liang Ch’i-ch’ao,” in Biographical Dictionary of Republican China, (ed.) H. Boorman, vol. 4 (New York: Columbia University Press, 1967-71). The introduction chapter of Phillip Huang’s book, Liang Ch’i-ch’ao and Modern Chinese Liberalism, also provides a good summary of his life and his legacy to modern Chinese thought: P. Huang, Liang Ch’i-ch’ao and Modern Chinese Liberalism (Seattle and London: University of Washington Press, 1972).

Liang Qichao was an incredibly prolific writer. The most comprehensive edition of his works is Liang Qichao Quanji [The Collected Works of Liang Qichao], ten volumes published in Chinese language (Beijing: Beijing Publishing House, 1999). Unfortunately, there are not many English translations of Liang’s work. Only a couple of books have been translated in English such as Intellectual Trends in the Ch’ing Period, (trans.) I. C. Y. Hsŭ (Cambridge: Harvard University Press, 1959) and History of Chinese Political Thought During the Early Tsin Period, (trans.) L. T. Chen, (New York: Harcourt, Brace & Company, 1930). English readers can find his other writings only selectively in the works of Liang Qichao scholars such as Joseph Levenson, K. C. Hsiao, Ernest Young, Hao Chang and Phillip Huang. Those are including: J. Levenson, Liang Ch’i-ch’ao and the Mind of Modern China (Cambridge:
most influential intellectual leader of China in the late nineteenth and early twentieth century, which corresponds to the transitional period from the late Qing Dynasty to the early Chinese Republic. Liang’s political surroundings were a little more complicated. The source of fear was not only the greedy despot in the luxurious palace – in this case, Empress Dowager Cixi (慈禧太后). At the international level, the prevalent threat of European and Japanese imperialism was creating a quasi-Hobbesian-state-of-nature in parts of Asia and Africa.

The list of Enlightenment thinkers is of course long, and their various aims and strategies are complex, but among them, Montesquieu and Liang Qichao make a great pair for a cross-cultural dialogue on fear. The Enlightenment project, which begins with the scientific revolution of the sixteenth and seventeenth centuries, is most frequently described as a battle between the darkness of ignorance and the light of human reason. This project is characterized by a dramatic, wholesale revolution in philosophy and society because Enlightenment could be achieved not by compelling a single philosopher to return from the light of the sun to the cave as in the *Republic*


Liang Qichao was a man of the transitional period, whose political thought showed constant changes along his lifetime of learning and ceaseless reflection. Actually he was the first who invented the Chinese word for “transitional period (過渡期)” and made it a common vocabulary in East Asia. Therefore, his works require careful reading since his thought contains incompatible ideas and necessary inconsistencies. Especially English readers should be ready for inevitable ambiguity in his use of Western philosophical concepts.

Empress Dowager Cixi (1835-1908) was Emperor Xianfeng’s (咸豐帝) concubine who unofficially but charismatically ruled China for 47 years after the emperor’s death. She ruled through her son, the Tongzhi Emperor (同治帝), from 1861 to 1875, and her nephew, the Guangxu Emperor (光緖帝), from 1875 to 1908. The Guangxu Emperor, a reformist mind, began the Hundred Day’s Reform in 1898 with the support of progressive intellectuals such as Kang Youwei and Liang Qichao in order to make China a modern constitutional empire. Cixi rejected it as too radical and detrimental to dynastic power. Cixi and the Conservative Coup placed the Guangxu Emperor under house arrest for the rest of his life and exiled Liang to Japan, where Liang stayed the next 14 years before taking trips to the Western democratic countries. Historians both in China and abroad generally portrayed Cixi as a despot, who enjoyed an extravagant life and was responsible for the fall of Qing Dynasty.
of Plato, but by completely reconstructing the dark cave that the sunlight could penetrate to its every corner. Both Montesquieu and Liang Qichao, in this regard, were very influential Enlightenment thinkers who envisioned a totally new political system and society. Montesquieu suggested a new system of separation of powers against the dark horror of despotism; Liang Qichao longed for a newly enlightened modern state supported by New Citizens (xin-min, 新民) who could bravely destroy the old Chinese cave of ignorance.

These two philosophers fit nicely into my fear dialogue in three ways. Both thinkers were known foremost for their scathing criticism of fearful despotism\(^\text{156}\); their basic concern was security (or the rights of defense) rather than the greater good; and they both kept their eyes primarily on human passions rather than reason. For example, although the traditional Enlightenment project was largely practiced with the belief in the power of reason that would bring the sunlight to mankind, Montesquieu’s skeptical eyes perceived man as a primarily “sensible creature” rather than as a rational one, who was “subject to ignorance and error” (SL bk.1, chap.1).\(^\text{157}\) In opposition to the typical Enlightenment propaganda describing an unenlightened man as a savage or a beastlike being, Montesquieu makes it clear that beasts have one obvious advantage over men: “[t]hey do not have our hope, but they are without our fears; they are subject like us to death, but without knowing it; even most of them are more attentive

\(^{156}\) A caution is needed regarding Liang’s attitude toward despotism, since he proposed so-called “enlightened despotism” later around 1906. Liang had a profound faith in constitutional and representative government as the political ideal for China. However, after his overseas trips around 1903, he thought that he had gone too far in his advocacy of liberty – liberal democracy could only function in matured nations but China was not ready for such a government, thought Liang. Therefore, he wanted to insert a transitional and preparatory phase of at least ten to fifteen years before constitutional government could become practicable in China. He hoped an enlightened and benevolent despot to come and use his or her authority for necessary reforms. However, this fact never made him a true supporter of despotism. In many essays, he showed his fundamental detest toward fearful despotism such as the tyrannical regime of Louis XIV in France.


141
than we to self-preservation, and do not make so bad a use of their passions” (SL bk.1, chap.1, emphasis added). Therefore, instead of using human reason to sweep away the traditional hierarchy and old social orders leading mankind to prejudice and superstition – which itself could be a fearful political scene as we learned from the experience of French Revolution – Montesquieu set his task as the discovery of the best means to manipulate those passions so that we might enjoy security and tranquility, free from fear. Liang Qichao shared Montesquieu’s fundamental concern for self-preservation and human passions in his Enlightenment project. Although his political stance showed constant changes and negotiations throughout his life – Liang seriously wavered among constitutional monarchy, liberalism, social Darwinism and enlightened despotism before he finally returned to the values of Confucianism, arguing that the Western and Chinese ideals were really the same –, his foremost task was to preserve the integrity and independence of Chinese state. He of course advocated knowledge of power and showed a great interest in elevating Chinese minds in terms of intelligence. As he was in charge of governmental translation bureau, he had a greater access to Western philosophy and enjoyed the opportunity to study them. He thought that “[w]hen there is one degree of intelligence, there is one degree of power.”158 However, his thirst for modern knowledge was not a simple repetition of Bacon’s aphorism, “knowledge is power,” for he advocated the acquisition of modern knowledge as a necessary means of self-preservation. For him, intelligence basically meant knowledge of the mighty West, therefore, reducing anxiety by “knowing who they were” was an essential part of managing fear. Liang’s Enlightenment project was, like Montesquieu’s, a project of rationally directing human passions, rather than the pursuit of reason itself. He was

158 Q. Liang, Liang Qichao Quanj (Beijing: Beijing Publishing House, 1999), vol. 1, p. 177.
deeply interested in how to constrain self-preferring inclinations that might invite corruptive individuals – obviously the most prominent example is a despot – and dedicated himself to foster the political virtue of “love of country,”159 which is not the consequence of acquired knowledge.

For both Montesquieu and Liang Qichao, fear was the given political condition as well as their intellectual starting point. Fear of despotism pushes Montesquieu toward a liberal state; fear of the West drives Liang toward a modern Chinese state. In other words, in these Enlightenment thinkers’ thought, fear motivates people to authorize a new political foundation, just in the same way that the fear of the state of nature does for Hobbes. In this regard, for Montesquieu and Liang, fear plays a key role as a basis for a new political community. However, they did not want fear as an existing component of their new political vision. In contrast to Hobbes and Han Fei who had wanted to maintain fear in their newly established polities, Montesquieu and Liang Qichao wanted to depart from it as much as possible. For this Enlightenment group, fear was a devastating and barbaric force. Fear was the enemy of reason, liberty, humanity and civilization. This typical portrayal of fear was shared and further developing by many modern thinkers who shared their view of Enlightenment such as Diderot, Hegel, Arendt and Shklar.

The four philosophers in the previous chapters did not see fear in this way. Although fear has been generally seen as an unwelcomed emotion, it has shown some intimate relationship with inner self, moral deliberation, rational reasoning, social education, and above all, political community. In contrast, Montesquieu identifies fear with paralyzed agency, frozen rationality, a total loss of self that destroys political life. For Aristotle and Confucius, the primary

159 Both Liang Qichao and Montesquieu were interested in the republican principle of love of country, as opposed to fear, the principle of despotism. According to Montesquieu, each type of regime has its characteristic passion that he calls “principle.” Fear is the principle of despotism; love of individual honor is the principle of monarchy; love of country is the principle of republicanism. For details, see book 3 of The Spirit of Laws.
characteristic of fear was “communal.” People had to embrace fear and orient it together as it was a necessary element of their ordinary political and ethical life. For Hobbes and Han Fei, fear was evidently “constituent.” Fear was what motivated people as a foundation of politics, and it had to be remained and regenerated in political communities to make them function. For both groups, fear was a significant element of political life so they searched for ways to live with it.

Montesquieu and Liang Qichao had a different thought. Although fear worked as an opportunity for political renewal, they did not want to make any better use of the nightmares fear inspires. In this regard, their political fear is simply “galvanizing.” In fact, there are several modern interpreters who also introduced fear’s galvanizing character. “A sublimated delightful horror” by Edmund Burke, “salutary fear vs. idle terror” by Alexis de Tocqueville, and Carl Schmitt’s project for the revival of “the political” are renowned examples of galvanizing fear.160 These modern interpreters highlighted the role of fear as a source of political vitality and collective self-awareness. Seen from the positive adjectives such as “delightful” and “salutary,” galvanizing fear does not necessarily have a fully negative nature. However, Montesquieu’s portrayal of fear suggests the most unfriendly, negative image. It galvanizes people because it is so horrible. Judith Shklar, the most prominent contemporary follower of Montesquieu, defines Montesquieu’s notion of fear as a “physiological reaction when a command is transmitted from the soul to all the fibres of body with paralyzing results,” an “involuntary, far too imperious to be controlled, and so tyrannical passion.”161 Another description of Montesquieu’s despotic fear by Mark Hulliung highlights fear’s isolating and nullifying force that destroys political life: “As fear

is the motor of despotism, society is atomized and man isolated from man… [A]ll traces of liberty are absent, communication is virtually nonexistent.”162 He goes further; it is “a condition of perpetual destruction of structure and differentiation, the leveling chaos and illogic of men in panic, an amorphous society that is the negation of society.”163 Fear becomes a simple physical and physiological reaction rather than a complex moral and rational idea. Also, it is the opposite of diversity and social cohesion as it gives way to ignorance, barbarism, and homogeneity.

What caused this change in the notion of fear? Three answers are possible. One possibility is the intensified anxiety due to the combination of fear and modern technology. As mankind moves forward, aggressive power with modern technology has become a new source of fear. With the help of visible images, the threat of massive sudden death has made fear a more physiological and paralyzing one. While unlikely for Montesquieu, this might be particularly true in Liang’s side. For more than a thousand years, Chinese had believed that China was at the center of the universe and the Confucian Tao (道) was the source of all truth. In the nineteenth century, however, the encounter with the powerful West – armed with modern technology and unfamiliar philosophy – shocked the entire Chinese society. England, France, United States, Netherlands, Russia came to swallow India, Vietnam, Philippines, Indonesia, Mongolia respectively, and newly modernized Japan entered into the imperialist scene to annex Korea and Manchuria. China was about to be torn down into pieces at any moment. The traditional Confucian Tao did not give Chinese people immediate answers to this new challenge; rather, the old manners and rituals were suffocating them. Consider the following sentences from Lu Xin’s
(魯迅, 1881-1936) novel, *A Madman’s Diary*, to see how one of the greatest Chinese writers of twentieth century described his world:

I have reason for my fear.

…
Wanting to eat men, at the same time afraid of being eaten themselves, they all eye each other with the deepest suspicion.

…
If you don’t change, you may all be eaten by each other. However many of you there are, you will be wiped out by the real men, just as wolves are killed by hunters!  

For many Chinese people, the mighty West was identified with fear. They recognized the West as a devastating force that would destroy Chinese people’s sense of self, society and civilization. If they do not change, they would have been killed. In such a situation fear is bound to a monstrous, unendurable thing.

Another reason for this negative re-conceptualization of fear relates to the political purpose of Enlightenment thinkers. Montesquieu had a standing concern about despotic fear under the stifling regime of Louis XIV, and Liang had to enlighten people to preserve China from the fearful imperialist threats. In order to fight against royal absolutism – this was Montesquieu’s lifelong goal and Liang’s primary task – they had to depict a form of fear so absolute and destructive enough to sweep away all those positive values, in order to create a sufficient moral foundation of new polity against those old regimes. “The more malignant the regime, the more promising its liberal alternative,” argues Corey Robin.  

He claims that “a necessary exaggeration of the evil” was built into Montesquieu’s argument, which ultimately made him sometimes lose sight of his more subtle and piercing insights about despotism. I agree

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and I shall argue later that Montesquieu’s completely negative depiction of despotic fear in *The Spirit of the Laws* fails to capture some important features of fear: i.e., the possibility that despotic fear can blossom in ordinary, civilized and even affectionate political and social settings.

Liang Qichao’s second task, i.e., to face the fearful West, followed pretty much the same logic. Liang hated cruel tyrants. For him, the Western imperialist powers in many parts of Asia and Africa were fearful mainly because many of them acted like ruthless tyrants. For example, in *History of the Loss of Vietnam*, Liang explained in detail how harshly France treated Vietnamese people with violence and merciless taxes in order to maintain their colonial power.\(^{166}\) He frequently made grotesque portrayals of the French imperialists: monstrous beasts who treated Vietnamese “not as human beings but as animals to prey upon.”\(^{167}\) Liang was so impressed by the Vietnamese history because he felt that China would suffer a similar fate by foreign domination in any minute. Therefore, fear had to be highlighted and exaggerated. Just as Montesquieu exaggerated fear because he felt France was going toward fearful despotism, Liang highlighted fear because he felt China was going toward a miserable path to foreign domination.

However, like Montesquieu’s “necessary exaggeration of the evil” sometimes obstructed his more piercing insights about despotism, Liang had to make powerful propaganda to foster young patriots, which sometimes led him to create unnecessarily antagonistic dichotomies. The

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\(^{166}\) Phan Boi Chau, the leading Vietnamese anti-colonial revolutionary, met Liang Qichao during his exile in Japan. With similar backgrounds of high education in Chinese classics, they could exchange their anti-imperialist sentiment and share their vision of monarchical constitutionalism. Liang was very impressed by Phan Boi Chau’s ardent account of French’s cruel treatment of the Vietnamese, so he transcribed it into Chinese and published it in 1905 with his own preface. It was widely read in China, greatly affected Chinese and Korean nationalists as it was being reprinted in numerous journals and vernaculars around the country. There is no English translation of this book; I referred to a Korean translation by M. Ahn and Y. Song, *Wal Nam Mang Kuk Sa* [越南亡國史, *History of the Loss of Vietnam*] (Seoul: Taehaksa, 2007). For the background details and summary in English, see R. E. Karl, *Staging the World: Chinese Nationalism at the Turn of the Twentieth Century* (Duke University Press, 2002), pp. 164-5.

dual characteristic of the West – a monstrous threat on one hand but a shiny role model on the other – made the dichotomy even harder. Under the concept of fear he himself described and spread, he sometimes fell into his own trap. For example, exaggeration of certain values sometimes result in complete rejection of others, which are not incompatible indeed. In particular, Liang had difficulty in finding a harmony between “civilization” and “tradition.” Today we hardly think of thousands years of Confucian tradition as uncivilized but many Liang’s contemporary intellectuals tended to think civilization and tradition as two incompatible words. For them, civilization, innovation and modernization seemed to start only when the old irrational Chinese tradition stopped. This contrast between cultural inheritance and modernization was a common Enlightenment issue, however, in most parts of Asia and Africa of the late nineteenth and early twentieth century, it became so much starker and harsher by Western invasion that it often turned out to be an either-or choice. Especially, for Liang, civilization and tradition also went along with a self-other division. “Tradition” meant the old Confucian tradition in China whereas “civilization” represented the fearful but mighty West. Therefore, in Liang’s thought, the Chinese Confucian tradition appeared as a vice to be discarded at first, and ultimately reappeared as a rescue, all of which is an outcome of his exaggerated negation. In addition, because of his limited historical experience and political urgency, Liang had to make strong propaganda sometimes not being aware of possible conflicts between national rights and human rights, the liberation of a nation and the liberation of an individual, the public and the private, etc., which actually created a new source of fear in modern Chinese society. I shall return to this issue later with details.
But “the relationship between fear and liberty” is perhaps the most significant reason why these Enlightenment thinkers developed such a negative concept of fear. Unlike Hobbes’ political system, where fear had to remain for the sake of civil liberty, Montesquieu and Liang Qichao understand freedom by the absence of fear. Consider how differently Hobbes and Montesquieu articulate their notion of liberty. Hobbes says that fear and liberty are consistent (L 21.3, p. 263); Montesquieu insists that if someone fears, he is not free. Montesquieu defines political liberty of a citizen as “tranquility of mind which comes from the opinion each one has of his security, and in order for him to have this liberty the government must be such that one citizen cannot fear another citizen” (SL bk.11, chap.6, emphasis added). Montesquieu, like Hobbes, understands that liberty is impossible without security. By clarifying liberty as “tranquility of mind,” however, Montesquieu clearly detaches his concept of liberty from fear, and makes it clear that his security has a much broader sense than that of Hobbes. For Hobbes, security simply means survival; for Montesquieu, security includes protection from the very absolute power defended by Hobbes.

Liang Qichao’s concept of liberty had a similar concern about security. For Liang Qichao, liberty was a completely foreign term. His use of the term first appeared in a letter to his teacher Kang Youwei in 1900, where he discussed it in terms of individual and national self-determination especially with his concept of “New Citizen.” In the letter, Liang urged his teacher to recognize the need of liberty to develop a new Chinese character: “[T]his so-called liberty is what is needed to make people conscious of their own character and thus to enable them to shake free from control by others. This illness [of slavishness] cannot possibly be cured without taking
the medicine of liberty.”\textsuperscript{168} In short, Liang seemed to have a conceptual dichotomy between liberty and slavery in his mind; the former was linked to the self-preservation and self-determination of Chinese people whereas the latter was categorized with lethargic fear of the West. Therefore, for this third group of modern critics, fear and liberty hardly have a positive relationship. As far as liberty is “a universal principle and a necessary condition of life” as Liang sees it,\textsuperscript{169} fear cannot but become a negative, barbaric and destructive concept that destroys liberty. In this regard, we can understand why Shklar called Montesquieu’s liberalism as “a liberalism of fear.”\textsuperscript{170} A liberalism defended by Montesquieu is a liberalism defined not in terms of happiness of mankind but in terms of the need to diminish fear of cruelty and hatred of inhumanity.

In order to provide its people with the greatest possible liberty, a government must have certain features. For this Enlightenment group, reduction of fear has an essential relationship with liberty and the structure of government. Montesquieu and Liang favor a limited government that can work as a mediator. Montesquieu claims that since “constant experience shows us that every man invested with power is apt to abuse it ... it is necessary from the very nature of things that power should be a check to power” (\textit{SL} bk.11, chap.4). This is achieved through the separation of the executive, legislative, and judicial powers of government. Liang also shows a similar view when he argues: “A nation or state is like a company; the court is the management; and the head of the court is just the manager of the department. … This is what the King of


\textsuperscript{169} P. Huang, \textit{Liang Ch‘i-ch‘ao and Modern Chinese Liberalism}, p. 69.

\textsuperscript{170} J. Shklar, \textit{Montesquieu}, p. 89.
France’s statement “I am the state” is today regarded as absolutely incorrect.”

Whereas Hobbes and Han Fei wanted to establish a negative moral foundation from a conviction that a shared moral ethos no longer existed, Montesquieu and Liang discard the negative moral foundation – that is, fear – as it serves no useful political purpose. Instead, they focus on the “system” to see what kind of political structure will best secure liberty and other political values without being overwhelmed with fear. The moralists wanted to keep diversity, and the realists wanted to focus on security or stability. Now this third group asks how to achieve diversity and security at the same time. The answer lies in the system, a system of plural political structure that contains check and balance system working for liberty and autonomy.

So far, I have overviewed three points regarding Montesquieu’s and Liang Qichao’s understanding of fear: 1) how their notion of fear is different from those of philosophers in previous chapters; 2) how these modern thinkers perceive fear as a devastating force of a political community as well as a foundation of new politics; 3) and how they suggest political solutions for dealing with fear, which was separation of powers and restoration of diversity. The most interesting face of modern fear, however, comes to appear when we engage Montesquieu and Liang Qichao in a dialogue on diversity and pluralism. One way to make that dialogue is to compare Liang’s actual experience in encountering Western civilization with Montesquieu’s famous characterization of Asians in Paris in his novel, *The Persian Letters*.

*The Persian Letters* consists of letters exchanged between two Persian travelers to France – the enlightened despot Usbek and his friend Rica – and their friends, servants, and wives at home. Liang Qichao himself was an enlightened Chinese visitor to Europe and America. Just like

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Usbek in Paris, Liang was a gifted observer, an intelligent mind having skeptical eyes. By creating a dialogue between these Asians in Paris, we can make a little collage on modern fear that includes various snapshots of despotism, imperialism, Orientalism and nationalism in a cross-cultural setting. In doing so, we can also see how the self-other division in modern pluralism raises significant questions about fear, and how this division works as a source of fear as well as an outlet of fear.

In the remaining sections, I begin with a brief discussion of the relationship between fear and liberty in Montesquieu and Liang Qichao’s theory. That will give us a more concrete understanding of these Enlightenment thinkers’ fear. Then I open a dialogue between Usbek and Liang, analyzing to what extent each voice may have a source of fear within itself. As Liang finally turns to emphasize the Confucian values after being alarmed by the violence of World War I, Confucius shall return and engage in this modern dialogue. Finally, I shall explain how the self-other division raises significant questions about fear toward each other, by elaborating Montesquieu’s Orientalist voice and Liang’s nationalist voice. That will produce a cross-cultural dialogue on fear that gives us much to think about today’s global political community.

**Fear and liberty: Hobbes’ mistake**

Louis XIV’s drive toward centralized power pushed Montesquieu toward lifelong concern about despotic fear. Montesquieu saw despotism as a critical danger for any government, regardless of whether it was already despotic or not. Hobbesian individuals wanted to secure themselves by concentrating fear at some points. In Montesquieu’s eyes, doing so was a big mistake, since the more concentrated fear was, the more powerful it became. People suffered not
from the absence of absolute power and orders but from the heavily concentrated political power and stifling orders. The absolutism favored by Hobbes and Han Fei opened an express way to fearful despotism, thought Montesquieu.

Montesquieu seems to catch two major problems in Hobbes’ argument. First, in *Leviathan*, the purpose of government is only to protect people from sudden violent death and to be the final arbiter in conflicts while Hobbes granted a sovereign an unlimited and absolute power to do the job of limited government. Second, no matter how the legal system advocates equality and non-arbitrariness, the rule of law can be easily combined with repressive politics unless there is supreme law such as constitution that fundamentally protects people’s rights. Imagine, for example, laws completely banning overseas trips, or a Draft Law prescribing a ten years’ mandatory military service, which will be equally and non-arbitrarily applied to everyone. Perhaps a great example would be something like “rules regulating national death match” appeared in Suzanne Collins’ popular book series and Gary Ross’ 2012 film, *The Hunger Games*. In this story of a dystopian future, two young representatives from each district are selected each year by lottery to participate in a televised fight to the death by a tyrannical government. Clearly, in this case, the Hobbesian combination of absolute power, well-established legal system, and fear that flows in a society as an effective ruling tool does not provide a secured and better life as Hobbes insisted. Hobbes knew that his system necessarily required some level of fear to function well, but he might not expect that his civil society could reproduce the kind of fear he had found in his state of nature. Montesquieu was right to catch that Hobbes’ two mistakes, being combined with each other, could produce a nurturing environment for tyrannical despotism.
Unlike Hobbes who proudly listed “Contentments of life” only possible under the fearful Leviathan – “the Liberty to buy, and sell, and otherwise contract with one another; to choose their own aboad, their own diet, their own trade of life, and institute their children as they themselves think fit; & the like” (L 2.21, p.264) – Montesquieu thinks that the fear of death cannot be linked to any kinds of goods or good life, for despotic fear is a great nullifying force that would suck up all those goods like a “vacuum” to turn a whole country into a “desert,” only to serve the unquenchable desires of a despot (SL bk.5, chap.14, bk.6, chap.1). Therefore, Montesquieu denies Hobbes’ cheerful picture of “Contentments of life,” saying: “In despotic countries one is so unhappy that one fears death more than one cherishes life” (SL bk.6, chap.9).

Hobbes and Han Fei might be able to acquire the tranquility of society, but not the “tranquility of people’s mind” that Montesquieu hoped to secure. In the theory of Hobbes and Han Fei, nobody can easily get tranquility of mind, even the absolute sovereign. Montesquieu makes this point very clear: “As fear is the principle of despotic government, its end is tranquility; but this tranquility cannot be called a peace; no, it is only the silence of those towns which the enemy is ready to invade” (SL bk.5, chap.14). In short, Montesquieu would probably see peace in Hobbes’ Leviathan state as an illusion. In fact, the features of despotic society suggested by Montesquieu – no rational agency and personality, whimsical cruelty, no warmth, isolated man, cultural primitivism and social simplicity, negation of society – are exactly what Hobbes was trying to show in the state of nature. In other words, Montesquieu sees Hobbes’ Leviathan state reproducing the conditions of Hobbes’s state of nature:

[T]here is no place for industry;... and consequently no culture of the earth; no navigation, nor use of the commodities...; no knowledge of the face of the earth; no account of time; no arts; no letters; no society; and which is worst of all, continual fear, and danger of violent death; and the life of man, solitary, poor, nasty, brutish and short. (Hobbes, L 1.13, p.186)
[In despotic governments,] … the neglect of agriculture arises, … all manner of industry ruined. Under this sort of government, nothing is repaired or improved, … the whole country becomes a desert. … The strong men will be prompted to use a thousand oppressive methods, imagining they have no other property than the gold and silver which they are able to seize upon by violence. … Man’s portion here, like that of beasts, is instinct, compliance, and punishment. (Montesquieu, SL bk.5, chap.14, bk.3, chap.10)

How can we explain this ironical situation that Hobbes’s Leviathan state created exactly the negative conditions of the state of nature from which he wanted to escape so badly?

Montesquieu would argue that it was mainly because Hobbes approached the idea of fear in terms of equality. Hobbes argued that fear grows out of “equality of hope” – everybody has fear of violent death because even a weak slave girl can kill a strong-muscled general by poison – and suggested that fear can be best managed by people’s “equal obedience” to rules in a civil society. Doing so would not necessarily reduce fear, thought Montesquieu. Aristotle and Confucius thought that fear was primarily a matter of justice. Fear was what the members of a community commonly had as a shared moral ethos. Therefore, political interaction for establishing the concept of justice, i.e., finding mutual agreement on what to fear, was the essential part of moralist approach. Hobbes and Han Fei thought this moralist connection between fear and justice was wrong – or at best, inappropriate – because we could never overcome or reduce fear in that way due to our inevitable and unbearable moral disagreement. Hobbes and Han Fei, instead, thought fear was primarily a matter of equality. For them, fear grew out of our natural equality, i.e., our mutual vulnerability, rather than our shared moral ethos, and self-preservation could be achieved only through our equal obedience to political contract and rules. For Montesquieu and Liang Qichao, this realist approach could only make a silent, equally oppressive society that fear would still remain while freedom get suffocated. For these Enlightenment thinkers, fear is
primarily a concept regarding liberty.\textsuperscript{172} As long as we understand fear in terms of justice or equality, we may have to embrace fear in our political realm as moralists and realists did. Justice may be compatible with the concept of fear; equality needs a certain amount of fear to be ensured; but liberty is generally thought to be the absence of fear. Therefore, moralists wanted to curb and orient it; realists wanted to use and maintain it; now the Enlightenment thinkers want to depart from it as much as they can. This is a decisive moment in which fear loses its relationship with moral deliberation, our sense of self, reasoning capacity and social education so as to be conceptualized as an almost negative idea. In fact, the Montesquieu view of fear as a totalizing and tyrannical emotion that devastates civilization and strips individuals of freedom and reason – which is familiar to us – is relatively recent. The different attitudes and approaches toward fear have been developed in this way, with its relationship with crucial philosophical ideas, i.e., justice, equality and liberty.

For Montesquieu, liberty is not the freedom to do whatever we want. In \textit{The Spirit of the Laws}, he makes a distinction between political and philosophic conception of liberty.

“Philosophic liberty consists in the free exercise of the will, or at least, in an opinion that we have the free exercise of our will,” whereas “political liberty consists in security, or at least, in the opinion that we enjoy security” (\textit{SL} bk.12, chap.2). By making a relatively narrow definition of political liberty in terms of security, Montesquieu successfully creates a close relationship between political liberty and fear. For instance, if we have the freedom to harm others, others

\textsuperscript{172} Hobbes was a great contributor to liberalism for his relentlessly individualistic account of society and negative concept of liberty, but at the same time he also argued that drastic limitations on liberty could be justified. Montesquieu rejected, among other things, Hobbes’ claim that “fear and liberty are consistent” (\textit{L} 21.3, p.262). For Montesquieu, fear and liberty are opposite ideas because if someone fears, he is not free (\textit{SL} bk.11, chap.6). In the Enlightenment context in which human capacity was cherished and slavery became completely disrespected, this conceptual dichotomy became clearer and more common. In other words, as we get to consider liberty as an essential political value that we cannot give up, fear cannot but lose its ground as the opposite idea.
will also have the freedom to harm us, and we will have no confidence in our security. Therefore, this political conception of liberty is in its essence fundamentally against harm, physical cruelty, or violence. Also, this definition creates a natural affinity with not-so-repressive rule of law. According to Montesquieu, liberty is “the right to do everything the laws permit” (SL, bk.12, chap.2). As political liberty consists in security and it is what laws permit, it is natural that rule of law should protect our political liberty, which he understands as our security. Therefore, living under laws should mean protection from harm, and more importantly, rule of law should enable us to feel the confidence that if we obey those laws, the power of the state will not be directed against us.

For Liang Qichao, as already noted, the English word “liberty” was entirely new, so he had to create a new vocabulary to convey this idea. He had a difficult time giving a clear definition of liberty, and as Phillip Huang argues, his liberal ideas were inevitably “a conglomeration of Confucian precepts and Western liberal ideas” that reflected his intellectual inheritance and his world.173 According to Yang Xiao, Liang Qichao distinguishes political liberty from ethical liberty in a way that roughly corresponds to Isaiah Berlin’s two concepts of liberty, negative and positive liberty.174 When the principle of liberty is applied to character or ethics, freedom means “what makes the conscience absolutely free, not to be controlled by the bodily desires,” but when applied to politics, it means negative legal concepts such as “what is

173 Although Liang was profoundly influenced by eighteenth and nineteenth century English liberal thinkers such as Jeremy Bentham, John Stuart Mill and Herbert Spencer, his liberal ideas could not but undergo substantive change when it crossed the cultural borders. According to Phillip Huang, the heart of Liang’s liberal program was his idea of the “new citizen,” which was a synthetic idea born from Liang’s Confucian stress of the morality and importance of human being, and his attachment to the classical-liberal ideal of “freedom of thought.” P. Huang, Liang Ch’i-ch’ao and Modern Chinese Liberalism, pp. 68-69.

protected by laws in order to make necessary conditions for everyone’s meaningful life." Like Montesquieu, Liang makes it clear that his own concern is primarily with political liberty. The following paragraphs show us how Liang conceptualizes political liberty in ways that echo Montesquieu:

Everyone has liberty protected by the law; everyone is equal before the law. The life of a man relies on these two principles. In last few years, the government has arbitrarily invented all kinds of taxes to exploit people, which has deprived people of the liberty of property; the government has put under surveillance and spied on people’s speeches in the streets, which has deprived people of freedom of speech and association; the government has fabricated evidence to trap people and put people to death without trial, which has deprived people of the liberty of the life; the government has used coercive force to manipulate people’s will, which has deprived people of the freedom of conscience. How can anyone have a meaningful life under such a political system?

Since rights were the basis of [Roman] laws, the purpose of law was thus not to limit people’s freedom but to protect people’s freedom. This will make it natural for people to be pleased to have and respect law. … China has three thousand years of legal history; there have been countless legal taxes. But there was almost nothing about civil law.

Then, how can we possibly reduce fear to secure our political liberty? More importantly, how can we achieve diversity (that the moralists wanted to keep) and security (that the realists wanted to secure) at the same time without being taken by fear? Montesquieu goes back to Hobbes’ two mistakes to answer these questions. First, a sovereign cannot be granted an unlimited and absolute power to do the job of limited government. Security – or “liberty in terms of security” as Montesquieu understands it – should be firmly guaranteed but political power

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176 Liang attempted to give a systematic definition of his concept of liberty in his essay “The New Citizen,” most of which was written in 1902. According to Liang, there are four kinds of liberty: political, religious, national, and economic. His concern, as he himself clearly wrote, was primarily with “political” and “national” liberty, which he soon combined into “political liberty.” There were in turn six kinds of political liberty: the absence of class privileges; the right of the citizens to a voice in government; the right of a colony to self-government and equal status with the mother country; the freedom of belief; national self-determination; and the freedom of workers from exploitation. P. Huang, *Liang Ch’i-ch’ao and Modern Chinese Liberalism*, pp. 69-70.


should not be concentrated in one strong hand. Since “constant experience shows us that every man invested with power is apt to abuse it,” Montesquieu argues, “it is necessary from the very nature of things that power should be a check to power” (SL bk.11, chap.4). Given Hobbes’ first mistake, Montesquieu claims that liberty and other political values can be best secured not by an absolute sovereign but by a political system of many institutions checking and balancing each other. He therefore suggests his famous theory of separation of executive, legislative, and judicial powers.

Second, as we learn from Hobbes, no matter how equal and non-arbitrary the legal system is, it can be easily combined with repressive politics unless there is supreme law such as constitution that fundamentally protects people’s rights and diverse opinions. Hobbes wanted to avoid social controversy as much as possible, but in Montesquieu’s thought, giving up diversity may create a shortcut toward a simplistic and despotic society. To some extent, diversity and healthy controversy work as social criteria showing the level of fear in a society. People should be able to express their opinions without being terrified, with the confidence in their security. In order to restore the value of diversity and not to sacrifice equality, Montesquieu turns to the role of constitutional rule of law. In sum, Montesquieu argues that despotism can be best prevented by a system in which different bodies exercise legislative, executive, and judicial power, and in which all those bodies are bound by constitution. Montesquieu’s masterpiece, The Spirit of Laws, is in fact his answers to Hobbes’ mistakes; the entire book is an accusation against despotic power of Leviathan on one hand, and a dedication to his theory of the separation of powers on the other. This theory of the separation of powers had an enormous impact on liberal political theory, and on the framers of the Constitution of the United States.
Liang generally followed Montesquieu’s solutions by advocating separation of powers and constitutional government. Through the miserable defeat in Sino-Japanese War (1894-5), many Chinese came to think that the power of the West must have to do with their political institutions, for Chinese witnessed that Japanese had adopted it to grow strong. For Liang, the old Chinese political system was very likely to generate corruptive despots all over the country – not only in the palace but also in numerous local offices – because those people were endowed with integrated power of legislative, executive, and judicial power.

The Western people separate discussion and legislation from execution. The legislators have the authority to decide upon general procedures but do not have the power to carry out such. The executors have the authority of implementation but do not have the authority of deciding upon general procedures. When something is to be done, the assemblymen get together and deliberate over its advisability. If they approve, they will discuss its procedures. After the procedures have been drafted, they are given to the administrator to carry out. The administrator may not arbitrarily change them. If, in carrying them out, obstacles and difficulties are encountered, then he will inform the assemblymen who will in turn discuss and change them. The Westerner’s laws for this reason are constantly changing and are refined with each change, becoming better adapted to the people’s interests. This is because the assemblymen are elected by the people.179

This passage deals with the necessity of the separation of legislative and executive power. Liang’s later essay, “On National Consciousness,” shows his developed thought on this issue, which includes the role of judicial power as well.180 Having understood the necessity of the separation of powers, Liang introduced Montesquieu to his contemporaries: “Until the eighteenth century, the political and legal base was very narrow. In the hands of the sovereign and his ministers lay sole responsibility for ruin or prosperity. Then came Montesquieu, the first to distinguish between the three types of power… legislative, executive and judicial. Thereafter,

179 Q. Liang, YPSCC (Yin-ping-shih chuan-chi) 1:133. Quoted from P. Huang, Liang Ch’i-ch’ao and Modern Chinese Liberalism, p. 28.
every civilized country followed this procedure [i.e., separation of powers].”

Liang even devoted a separate essay to Montesquieu, “The Great Legal Philosopher Montesquieu,” in which he described the American Revolution and the US government system, the abolition of slavery in British colonies and the United States, the abolition of serfdom in Russia, and penal reform; he concluded each section with a repeating sentence, “Who brought about this happy circumstance? Montesquieu!”

Clearly, Liang recognized that liberty was Montesquieu’s major concern and the separation of powers was designed to secure it.

Liang also clearly understood the vital relationship between liberty and constitutional law. For Liang Qichao, two unfortunate features of the traditional Chinese legal system were its lack of private law (or civil law) regulating the relationship among private individuals in general, and its lack of a constitution as the basic part of public law.

Perhaps Liang Qichao was the first Chinese intellectual who perceived the purpose of law in terms of freedom. Whereas Confucius wanted people primarily to be led by virtues rather than laws, and whereas Han Fei wanted people to follow laws primarily for stability, Liang Qichao wanted to have civil laws primarily for liberty.

The most valuable thing about Roman law was that its civil law was comprehensive … Its influence was so great that the legal systems of all modern countries are not duty-based, but right-based. … Since rights were the basis of law, the purpose of law was thus not to limit people’s freedom, but to protect people’s freedom. This will then make it natural for people to be pleased to have law and respect law. Isn’t this revolutionary change of [legal] principle crucially important? China has three thousand years of legal history; there have been countless legal texts. But there was almost nothing about civil law. (emphasis added)

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In contrast to Hobbes and Han Fei who thought that an absolute sovereign would make people obey laws to create stability, Liang believed that people would be pleased to have laws and respect laws for their security if the purpose of law was not to limit but to protect people’s freedom. Also, Liang was aware that constitutional law was the necessary condition for rule of law; a legal system without a constitution would be very likely to take a path to fearful despotism, hardly protecting people’s freedom. Liang thought that the lack of a constitution in China, something to regulate the relationship between the state and its citizens, was primarily due to the greedy desire of the ruling class for absolute political power. Therefore, Liang Qichao had enough good reasons to reject Hobbes’ idea that absolutism would help and sustain rule of law. Instead, Liang longed for a constitution as an essential part of the rule of law:

If we do not have a constitution, we will not be able to have the rule of law. Why? Because a constitution is the basic law, without which all laws are without foundation and without protection. … The constitutions of all nations, good one and bad ones alike, generally have three parts: 1) the method of state structure; 2) the rules of state administration; and 3) the citizen’s rights and duties with respect to the state. Lacking any one of the three, it cannot be called a constitution. 185

To sum up, Liang Qichao shared many of Montesquieu’s concerns and solutions about fear and liberty. However, the divergence between the two philosophers appears when we consider the political and cultural context in which they wrote. Although both understood liberty as the most critical idea to be considered with fear, the concept of liberty was very different in Montesquieu’s and Liang’s mind. Whereas Montesquieu’s Western Europe conceptualized liberty mainly as individual’s agency against a state power, Liang’s China found it difficult to understand what those Western people meant by an “individual,” and could not properly imagine the political tension between individuals and a state due to thousands years of Confucian

teachings. In the traditional Chinese view, the self was a social self rather than an atomized and autonomous individual, and it was to be in great harmony with society rather than defined in opposition to it. Similarly, a state should be an extended form of a family; it was hard for most Chinese people to assume natural political tension between a state and its people. The traditional concept of gong and si we discussed in chapter two, which was different from the Western concept of public and private, also contributed to this perception. As a result, Liang developed a uniquely nationalist understanding of liberty. Liberty is a concept “for” the state, not something “against” the state power. Unlike Montesquieu who thought liberty was a political value in and of itself, Liang Qichao thought that liberty was desirable not only as an end itself, but also because it would contribute to the survival of the nation through the growth of national power. To some extent, Liang’s notion of liberty has a collective character, as he frequently discusses it in terms of national self-determination.

This understanding creates a fundamental tension in Liang’s theory. His liberal visions such as separation of powers, representative government and the freedom of thought are mainly designed for empowering individuals whereas his main concern is to strengthen state power. What if the separation of powers and the freedom of thought would not contribute to the survival of nation but in fact weaken the state power? As Philip Huang argues, “while Liang’s classical liberal inclinations led him to emphasize the limitation of governmental authority, his nationalistic concern increasingly demanded that he place first priority on a strong state.”186 Liang believes that the liberation of a nation and the liberation of an individual are – and should be – generally harmonious; but when they are in tension, he immediately puts more weight on

186 P. Huang, Liang Ch’i-ch’ao and Modern Chinese Liberalism, p. 77.
national power. In addition, he tends to think that the liberty of a nation primarily depends on the strength of the nation. Therefore, his conception of liberty has a more significant relationship with fear: the possibility of the “loss of individuals” on the one hand and the “projection of fear” that builds around self-other divisions at an international level on the other. I shall discuss this part in detail later.

The next section deals with this meaningful cultural divergence in detail. In it, I discuss to what extent Montesquieu and Liang Qichao’s theory may have a source of fear within itself. 1) I first explain liberty’s uncomfortable relationship with nationalism in Liang Qichao’s theory, a relationship that ironically invites fear rather than reduces it. The possibility of the “loss of individual” will be explained in detail.\(^\text{187}\) 2) Then I show how Montesquieu’s *The Persian Letters* gives us similarly uncomfortable issues to consider – that despotism can thrive on pluralist density and sociological complexity, even in situations that people act with rational reasoning and good intention.

**New faces of fear: fear from inside**

1) Liang Qichao: liberty misunderstood

For more than thousand years, Confucian *Tao* has emphasized balance and harmony rather than competition. A Confucian *junzi* is a matured agent who has his own free will. But as Confucius said that he knew the will of Heaven at the age of fifty and followed his heart’s desire without crossing the line at the age of seventy (*Analects* 2:4), a *junzi*’s free will mainly works by adapting himself to the beautiful balance of the world rather than actively directing the world.

\(^\text{187}\) The other possibility, “projection of fear” that builds around self-other divisions at an international level, will be dealt in the last section where I explain questions about fear toward each other.
itself. As Confucian beings have been encouraged to seek a harmony among all-under-Heaven (天下), and as they have perceived a state as an extended form of a family all connected to each other, the classical liberal idea of individual agency against a state power was far from taken for granted in Liang’s China. At the same time, suffering from internal strife and foreign aggression, Chinese intellectuals’ overriding concern was to secure national sovereignty and build a strong state. This cultural and political context transformed classical liberalism when it crossed Chinese borders. As Phillip Huang argues, to call Liang a classical liberal is “to suggest both too much and too little.”\textsuperscript{188} It is because his understanding of liberty was, in the eyes’ of Western scholars, strange enough to uphold the night watchman theory of the government and the collectivist notion of an independent state – that existed above the people and government – simultaneously in the same essay.\textsuperscript{189} Liang’s liberal ideas were inevitably a challenging mixture of Confucian principles and Western liberal ideas, shaped by the realities of his world. Let me explain how Liang Qichao developed his nationalist understanding of liberty, in which he had to confront a dilemma between his liberal and nationalistic ideas.

Isaiah Berlin once argued that Kantian idea of individual self-determination could be an “unfamiliar source of nationalism,” and Elie Kedourie showed how Immanuel Kant’s universalistic principle of self-determination was twisted by German heirs to celebrate particularistic ideology of nationalism.\textsuperscript{190} In Liang’s thought, individual self-determination and national self-determination went hand in hand from the outset without necessarily being

\textsuperscript{188} P. Huang, \textit{Liang Ch‘i-ch’ao and Modern Chinese Liberalism}, p. 68.
“unfamiliar” or “twisted.” The aforementioned cultural and political context greatly contributed to this composite idea. Above all, the Western concept of “individual” was unfamiliar to Liang, given the traditional perception of Confucian social self. The English term “society” was also new. Chinese had not many divided categories to perceive the world; they had “families” and “a state as a family,” but not “a civil society” in Western sense. When Liang translated paragraphs from John Stuart Mill’s *On Liberty*, he frequently got confused between “individual” and “people,” and between “society” and “government,” although those words had significant political difference. Interestingly, whereas Mill’s stress was put on “individual” and “society,” Liang mainly spoke of “people” and “government.” The conventional emphasis on *gong* over *si*, and the urgent need for a strong state may account for Liang’s stress on people and government. Montesquieu’s France was an already structured state with overly concentrated power, thus political tension between autonomous individuals and empowered state was taken for granted in Montesquieu’s mind. In contrast, Liang and his contemporaries’ major concern was how to rebuild state power. They did not even have a state to function to protect people’s liberty. Without having a clear understanding of liberty, what Liang observed was simple; England was a strong and civilized state, and her most prominent philosophers all appreciated liberty. Therefore, Liang thought liberty as something new to foster energetic citizens – “New Citizens” in Liang’s term – who would in turn strengthen national power. Therefore, individual and national well-being went hand in hand in the name of liberty in Liang’s mind. For him, there was no need for envisioning tension between the two.

No nations should violate my nation’s liberty, and my nation should not violate other nations’ liberty. When this doctrine is applied to us, it means the independence of human
beings; when the doctrine is applied to the world, it means the independence of nations.\textsuperscript{191}

Liang explicitly connected his concept of liberty with strength, hoping it to be extended to the power of nation. He argues, “He who wants to have the right of liberty must seek to be strong.”\textsuperscript{192} However, there is no necessary connection between liberty and national power. Also, individual self-determination does not necessarily fit harmoniously with national self-determination. A liberal-nationalist, the term often used to describe Liang Qichao, is in many ways contradiction in term, or at best a very difficult mix. Liang exemplified the difficulties himself, whose liberal inclinations led him to advocate the limit of state authority, while his nationalist concerns anticipated a strong and powerful state. However, under the old Confucian influence giving moral priority to \textit{gong} over \textit{si}, and due to his judgment that this new concept of individual liberty could not be implemented overnight in China, Liang could not help putting more weight on nationalistic concerns. Most Western liberal-nationalists, like John Stuart Mill or Ernest Renan, emphasized individual liberty in this balance. Liang, in contrast, opted for the other – which means that his liberal goals were pushed into the distant future – given the Confucian influence of \textit{gong}’s superiority. Therefore, liberty should be a concept “for” the state, not something “against” it. At this point, cultural difference unconsciously opens a door toward repressive outcomes; and what could be worse, not just priority but \textit{moral} priority was given to this cultural preference for \textit{gong} over \textit{si} as we discussed in chapter two. In other words, thanks to \textit{gong}’s moral priority generally accepted in Liang’s society, virtuous individuals had to sacrifice their interests for the state interests. Classical liberalism drew a certain line between public and

\textsuperscript{191} Q. Liang, \textit{Liang Qichao Quanji}, vol. 1, p. 459.

private in order to maximize individual freedom and minimize state intervention. Although Liang hoped to espouse liberty as celebrated by his liberal mentors such as John Stuart Mill and Jeremy Bentham, he went in the opposite direction to make individual freedom dependent upon national interests. In other words, the cultural difference in the way he understood the public and private, and the moralistic flavor bestowed on these cultural ideas – i.e., gong as just and fair whereas si as small and selfish – created this unfortunate twist in the concept of liberty in Liang’s mind.

Such a formulation suggests that Liang was less concerned with Mill’s “individuality” than Bentham’s “greatest happiness of the greatest number.” In his book On Liberty, Mill gives a Benthamite explain of liberty in chapter two, but he immediately distances himself from Bentham by introducing his doctrine of higher and lower pleasures in the next chapter. However, it seems that Liang was only interested in chapter two, not that much interested in Mill’s celebration of individuality. Or, at least, Liang seemed to misunderstand the notion of individuality. Even though Liang admired Mill’s On Liberty and translated many passages from it in his own writings, Liang had little appreciation for “individuality” as an end in itself. His interest was rather focused on the role of individuals in history, that is to say, how those great men of passion and freedom in history brought greater good and innovation to their nations. Liang consistently placed the notion of liberty in the context of national interest rather than individual well-being. 193 In this regard, Liang’s favorite individuals were heroes rather than geniuses.

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193 P. Huang, *Liang Ch’i-ch’ao and Modern Chinese Liberalism*, pp. 72-74.
Neither could Liang share Mill’s fear of “tyranny of the majority.” Unlike Mill whose real concerns were the Jacobin reign of terror and Tocqueville’s warning about the dangers of democracy, these seemingly distant problems could not impress Liang. Liang’s political reality was far from worrying about the inevitable growth of social and political equality; his primary concern was to preserve national sovereignty. Overly powerful democracy and aggressive republics were not even a conceivable possibility for Liang. In other words, although Liang wanted to build a strong and enlightened majority in the name of “New Citizens,” he could neither fully understand what Mill meant by the “tyranny of majority” nor why Tocqueville worried about “the irreversible tide of democracy.” However, he should have been able to see how those seemingly distant issues could turn into a major issue in Chinese politics only after a few decades. Mill would probably associate his concern of tyranny of majority with Chinese Communist Revolutions in the early twentieth century.

For Liang, the concept of “tyranny of the majority” was even harder to appreciate given the Chinese culture where gong not only had a moral priority over si but also had a significant implication of “togetherness or majority.” As we saw in the previous chapter, the concept of gong is a complex idea of integrating three different concepts: the political power or actual politicians; justice and fairness; togetherness or majority. Precisely, the fact that gong has an implication of togetherness or majority does not necessarily validate the reverse relationship, i.e., that a majority would generally embrace gong’s other characteristics such as justice and fairness. However, we can assume that the term “majority” might be able to get some immediate connection with some level of goodness in Chinese people’s mind more easily. This cultural bend toward gong – or cultural ambiguity in understanding political concepts like individual,
society and majority – could make a friendly environment for a repressive society that would often place a higher value on collective well-being over individuality. At one point, Liang wrote that “In the age of barbarism, individual freedom prevails and no collective freedom develops. In the civilized age, the freedom of the group develops while individual freedom decrease.”\textsuperscript{194} Liang’s freedom was foremost the freedom of nation rather than the freedom of individuals. Liang frequently claimed that individuals were indebted to society thus always had to be ready to pay back this social debts; he called this willingness “public virtue.”\textsuperscript{195} In this regard, Bentham’s “the greatest happiness of the greatest number” was one of Liang’s favorite phrases; it appeared frequently in his essays. He even mentioned that where minority and majority interests were in conflict, the minority must sacrifice for the greater good.\textsuperscript{196} Such a claim would have been anathema to Mill. In this regard, Hao Chang asserts that one would hesitate to call Liang’s ideas in “On New Citizens” truly liberal.\textsuperscript{197}

Liang Qichao gives an important lesson to contemporary scholars who are interested in “Confucian communitarianism”\textsuperscript{198} as a political vision or as a possible alternative to liberal democracy: without secured freedom and rights of individuals, a Confucian community can be easily turned into a collective society in which public matters often have moral supremacy over private issues. Recent theories of Confucian communitarianism are so preoccupied with social

\textsuperscript{197} H. Chang, Liang Ch’i-ch’ao and Intellectual Transition in China, p. 190.
harmony, solidarity and stability that they often forget the fact that it can be easily affiliated with repressive or conservative politics thanks to Confucians’ cultural preference for gong. In other words, this society may look harmonious and virtuous from outside, but it is very likely to contain numerous individuals and minorities suffering from social coercion. The old Confucian tradition tried to deal with this possible danger by lifetime cultivation of the ethical mind within a community. This communal solution may work, but it may not be such an effective answer to the complex, rapidly changing political environment of our time. Secured freedom and rights of individuals were especially needed in Liang’s China because of the possible path toward repressive politics going along with cultural bend toward gong; however, Liang’s notion of freedom itself was critically affected by the cultural difference to become a repressive one.

Liang Qichao rejected fear in the name of freedom and Enlightenment, but he unfortunately invited fear in the name of those very values. For the sake of the freedom and enlightenment of Chinese people, he wanted to restore the state power first. In doing so, however, he unfortunately introduced people into other fear-inducing situations like the expectation that people would be ready to sacrifice for the state. Cultural factors made this process smooth and easy. As gong originally had moral characteristics, it was relatively easy for these government authorities to require their people to act for national interests as a call of morality. In fact, this unfortunate Confucian twist was pretty common in East Asian countries in the late nineteenth and early twentieth century. Perhaps the worst and the most extreme example was the Japanese kamikaze, the nationally organized military suicide attacks. During the World War II, nearly

199 A valuable exception is Sungmoon Kim, who sees problems from Confucian communitarian characterization of the Confucian self as a social self. He argues that we should pay more attention to Confucianism’s vision of the ethico-political transformation of the world rather than dominant Confucian vision of social harmony and stability. See S. Kim, “The Anatomy of Confucian Communitarianism: The Confucian Social Self and Its Discontent,” The Philosophical Forum 42:2 (2011, Summer).
4,000 kamikaze pilots were sacrificed in the name of honor and freedom of the state, the supreme virtue for the greater good. In Hobbes’ case, when people in a Leviathan state face a “certain and present danger” of violent death, they can run away to live because “[a] covenant not to defend my selfe from force, by force, is always voyd” (L 14.29, p. 199). In contrast, in this extreme culture of gong, kamikaze pilots might not even run away no matter how they were terrified because to die for the state would be the supreme moral virtue. Those who did not follow the state order would be publicly humiliated and socially stigmatized. Such a society causes fear because it tells her people that there will be no place to lean on for whom disobeys the voice of a group they belong to. It is a threat to insist that there can be no individuals without a nation. There is no individual or individuality in such a society.

Another problem regarding fear in this situation is that no one clearly takes responsibility when a great majority is involved with certain wrongdoing. In short, there may be such cases like everybody has done something wrong as a greater one but nobody takes responsibility as an individual. In a society of atomized individuals, it is much easier for each person to take his or her due. In contrast, a society that prefers “we” instead of “I” is more likely to have a tendency to understand its members as a plural form, or a part of an organic whole. Americans may think it weird that a Korean child will always call her mother as “our mommy” instead of “my mommy” although she is the only child in her family, and may feel embarrassed when Korean wives commonly call their spouses as “our husband.” In contrast, an American child will always call her mother “my mommy,” no matter how many siblings she may have. This contrast tells us how our languages reflect cultural perception of self and community in terms of “I” and “we.” Western societies may need to construct more social relationships in their languages whereas
their Asian counterparts may have to construct autonomous individuals in their words that are mirroring their mindset.

These two types of communities have their own merits and demerits, but regarding the problem of taking responsibility, “we” community would have more difficulty in laying the proper responsibility on each individual. We need to divide those organic wholes into little autonomous parts, but individuals often hide themselves in the name of the greater “we.” Their excuse is simple. I did a certain thing but it was not just what I personally did; I did it as an organic part of “we,” as a greater one. Perhaps the most problematic case would be such a society where not only “I and we” but also “gong and si” get mingled easily. In other words, free riders or buck passers easily prey upon the relatively intimate relationship between we and I, with the flexible and sometimes ambiguous notion of gong and si. If a person is in the middle of concentric circles of social network, this person can take advantage of drawing a larger circle of si for a good thing but a smaller circle for a bad thing in order to maximize his benefit and minimize his responsibility. For example, Japanese scholar Maruyama Masao pointed out how the wartime leaders in Tokyo trials after the World War II abused the flexible gong and si with endless buck-passing using ambiguous “we” language. According to him, “Thanks to the sorcery of this wording, a personal sense of responsibility became more and more obscured.”200 They so frequently exploited the phrases “national affairs” (which is mainly considered gong) in order to obfuscate their responsibility that the buck stopped nowhere.201 The lack of moral accountability due to the extreme oneness is possibly the worst outcome of the flexible gong and si. People will

201 M. Masao, Thought and behavior in modern Japanese politics, pp. 118-120.
easily take advantage of *gong*’s flexibility for buck-passing, and at the same time easily justify
their actions using the notion’s moral implication.

More seriously, sometimes people would take certain morality without any actual moral
reflection, simply being deceived by the mask of *gong*. In other words, once a certain thing is
generally perceived as a matter of *gong*, people can easily – sometimes automatically – take it as
a moral call without real inner reflection. Minami Jiro, a Japanese war criminal and the former
Governor-General of colonial Korea, provides a good example in this case. When he was asked
why he called the World War II “a Holy War” at the International Military Tribunal for the Far
East held in 1947, he answered that “I never thought about that very deeply” but “I just happened
to use the word because it was in wide currency at that time.”\(^2\) This answer is more striking
when we consider that Japanese war leaders were all highly educated elites who occupied the
highest governmental positions. In Chinese philosophy, a Confucian self has been proudly
distinguished by her lifetime of moral reflection and cultivation of mind, but in reality, a
Confucian self could possibly bend toward a socialized moral belief without serious deliberation
due to the traditional perception of *gong*. That means, in a worst case, that a Confucian self can
easily hide himself in a larger society with a lifetime of hollow following of major opinion in the
name of social harmony. Therefore, it is a pity that Liang Qichao could neither understand what
Mill meant by the “tyranny of majority” nor why Tocqueville worried about “the irreversible tide
of democracy.” In his culture of *gong*, Liang should more able to see what Mill and Tocqueville
concerned so deeply.

Military Tribunal for the Far East (I.M.T.F.E.)*, 29 April 1946-12 November 1948 (Amsterdam: APA-University
Liang Qichao allows us to think about the possibilities that cultural difference can twist the meaning of certain crucial concepts – e.g., freedom, which many of us think as a universal value – to unfortunately increase fear within a society. Liang’s time was a transitional period in which unfortunate combinations could happen due to the lack of profound understanding and experiences. Those painful experiences were still ongoing in some parts of Asian societies, and this whole picture can give some insights to newly challenged regions of our time. As Liang tried to deal with the idea of fear and liberty, contemporary liberals may be able to get some insights from his case. One may learn from him that there is no universal way of reducing fear because cultural difference can introduce significant challenges. One may argue that liberals in Confucian societies should pay special attention to these cultural concerns about gong and si to make their political designs working with less trouble. Perhaps one may go one step further to argue that Shklar’s “liberalism of fear” is strengthened by Liang’s painful experience. To some extent, Liang’s Enlightenment effort to espouse liberty produced an ironical outcome. He wanted overcome fear of the West by fostering liberty in Chinese society but he unfortunately introduced fear-inducing moments by distorting liberty. When he later claimed for “enlightened despotism” after realizing the gap between his liberal ideals and Chinese realities, he even argued; “even if a governmental system nearly robs the people of the bulk or all of their liberty, it is a good system provided that it is founded on the spirit of meeting the exigencies of national defense.”

203 Liang had espoused liberal ideas with great enthusiasm since 1898, but after he traveled extensively through the United States visiting every major Chinatowns in 1903, he came to think that Chinese people were not ready for liberal democracy. He was especially frustrated by observing Chinatown in San Francisco, where the community of twenty to thirty thousand with six newspapers and journals, a far more literate community than any in mainland China, was swamped with corruption, infighting, inefficiency and poverty. He bitterly accepted that Chinese were not yet qualified to be mature citizens of a modern nation so that an enlightened despot should come to rule in the interest of national survival and preparation for full-fledged representative government. P. Huang, Liang Ch’i-ch’ao and Modern Chinese Liberalism, pp. 77-83. Liang, “Enlightened Despotism,” in Collected Essays of the Ice-Drinkers’ Studio, 17:21, quoted from P. Huang, Liang Ch’i-ch’ao and Modern Chinese Liberalism, p. 82.
claim clearly shows how his Enlightenment effort could turn into a repressive and fearful voice to ordinary people.

Liang’s project did not work well, for fear was reproduced within a social and cultural setting in less obvious but more repressive ways. Discussion of Montesquieu’s *The Persian Letter* catches this issue nicely, because he raises the possibility that the despotic fear can blossom in ordinary, civilized and even affectionate political and social settings. Let me introduce a dialogue between Montesquieu’s Usbek and Liang Qichao’s Confucius regarding fear in ordinary life.

2) **Montesquieu: fear in ordinary life**

Previously I explained that the Enlightenment portrayal of fear was very negative. Fear has become a totalizing and tyrannical emotion, an emotion that devastates civilization and strips individuals of reason. Corey Robin argues that this negative understanding of fear is very much rooted in a selective reading and misreading of Montesquieu. According to Robin, “In a youthful work, *The Persian Letters*, he offered plentiful evidence to suggest that his mature conception of despotic terror, stated in *The Spirit of the Laws*, was as much political pornography as it was social vision.”

In other words, Robin claims that Montesquieu’s subtler and often more piercing insights about despotism can be found in *The Persian Letters* rather than in *The Spirit of the Laws*. In *The Persian Letters*, fear is still connected to our moral and reasoning capacity and our sense of self, and despotism thrives on a network of elites, institutions, rule of law and moral education. This description of fear is not radically different from the characteristics of

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moralist and realist fear explained in my previous chapters. Therefore, Robin argues that our current understanding of fear is too indebted to conventional – very exaggerated – interpretations of Montesquieu’s views in The Spirit of the Laws, and contemporary theorists would be better served by looking at the analysis from The Persian Letters instead.

Agreeing with Robin’s claim that we must turn to The Persian Letters to discover a less polemical and more discerning account of fear suggested by Montesquieu, I argue that we should pull ourselves from this widespread conception of Enlightenment fear and go back to Hobbes’ description of fear. By saying that we should go back to Hobbes’ description of fear, I do not mean we should go back to his description of fear in the state of nature where there is “no Arts, no Letters; no Society” (L 13.8, p. 186) but to his discussion on fear in the civil society where fear is cultivated and regenerated with the help of sociological and political apparatus such as families, churches and universities.²⁰⁶ I believe that Hobbes was the first philosopher who truly appreciated how fear could be transformed from an immediate, overwhelming and explosive power into an ordinary, mild and common experience. Montesquieu was right in its solution – i.e., separation of powers and constitutional rule of law for enlarging freedom – but in order to achieve his Enlightenment goals he sometimes depicted an unnecessarily monstrous form of fear that eventually undermined proper ways to understand and reduce fear. To conceptualize fear as a monstrous, abnormal and totally horrifying force often makes us feel that fear cannot coexist with civilized society, comprehensive moral education system, virtue, honor and love, etc. In other words, it often averts our watchful eyes from our ordinary system in which fear has been

²⁰⁶ See Behemoth, for example, where Hobbes argues: “Men may be brought to a love of obedience by preachers and gentlemen that imbibe good principles in their youth at the Universities.” T. Hobbes, Behemoth, or the Long Parliament (ed.) Ferdinand Tönnies (University of Chicago Press, 1990), p. 59. Also see “Review, and Conclusion” in Leviathan, where Hobbes claims that “The Universities are the Fountains of Civill, and Morall Doctrine,” from which the preachers of absolute obedience would draw water to sprinkle upon ordinary people. p. 728.
peacefully penetrated. In contrast, although Hobbes failed to secure our political agency by opening a door to repressive politics because he thought any system of government that involves checks and balances was inherently unstable – as he argued “A Kingdome divided in it selfe cannot stand” (L 18.15, p. 236) – Hobbes gave a brilliant description of fear that even today’s liberal democracies should appreciate. Fear can have ordinary, mild and humane faces and Hobbes knew it. Arguing that a man ought to obey the sovereign in every situation except for the sake of self-preservation (L 21, pp. 268-9, 272-4), Hobbes was somewhat dishonest and even cunning because he knew well that an absolute sovereign would have unlimited secret and unrevealed ways to threaten people’s lives in ordinary circumstances. Therefore, I argue that more careful look is needed at what we perceive as “our ordinary life.” The intense and dramatic portraits of fear in the state of nature often get greater attention, but being a man living in today’s modern society, it is Hobbes’ description of fear within civil society that we should pay our greater attention. Similarly, the intense and powerful portrait of fear in The Spirit of the Laws has obtained greater attention among Montesquieu scholars, but The Persian Letters offers a more accurate and productive way to understand fear.

In this section, by bringing our attention to Montesquieu’s The Persian Letters, I first explain how Enlightenment portrait of fear has been exaggerated and why it cannot be a proper way of conceptualizing fear. Then I contrast Liang’s mingled spheres with Usbek’s separated spheres in order to show how the way of managing spheres can be a source of despotic fear in both societies respectively. In doing so, Confucius shall return to this modern dialogue as we discuss the relationship between fear and some Confucian issues elaborated in The Persian
Letters such as familial love, the importance of mores and customs, and human relationship among unequal powers.

Montesquieu’s two books, *The Persian Letters* (1721) and *The Spirit of the Laws* (1748) are both dedicated to his lifelong concern about despotic fear. Although there is an overwhelming consensus that the later work has a more comprehensive analysis of despotism, a more discerning and less exaggerated account of despotic fear can be found in his earlier novel.²⁰⁷ Usbék’s harem in *The Persian Letters* offers a microcosm of despotic kingdom. Usbék uses fear and punishment to have harem’s total submission to his will. In many respects, Usbék is like Louis XIV of France. Montesquieu makes a great parallel between Usbék’s despotism at home and the despotism he finds abroad, by which he hopes to raise serious questions regarding the fearful regime of Louis XIV. The letters exchanged between Usbék in France and his friends, servants and wives at home, however, gives us a quite different account of despotic fear from what we generally understand as Montesquieu’s portrayal of fear.

As we have seen from the previous section, a Montesquieu’s portrayal of fear means a total loss of self, disconnection from morality and rationality, and liquidation of civil society. In *The Spirit of the Laws*, Montesquieu argues that fear is the only dominant emotion that people experience in a despotic government; “there is neither honor nor virtue” (*SL* bk.5, chap.7), and it is hardly avail to plead “the natural feelings, filial respect, conjugal or parental tenderness, the law of honor, or want of health” (*SL* bk.3, chap.10). The victims of fear cannot love, hope,

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²⁰⁷ However, it should be noted that we must not overemphasize the difference between those two books. According to Corey Robin, *The Spirit of the Laws* contains some evidences that Montesquieu did not see despotic fear as a totally nullifying force, but those evidences were often “eclipsed by more dramatic portraits of total terror.” Unfortunately, many Montesquieu scholars particularly seized those dramatic portraits to make it common. According to Robin, “It has a tremendous rhetorical force, but a force that can obscure as much as it reveals.” C. Robin, “Reflections on Fear: Montesquieu in Retrieval,” p. 349.
respect, or think rationally for a long term because despotic fear destroys everything; they are just “a creature that blindly submits to the absolute will of the sovereign” (SL bk.3, chap.10). Also, for despotic fear is a great nullifying force sucking up all possible goods like a vacuum to turn a whole country into a desert (SL bk.5, chap.14, bk.6, chap.1), a despotic society can hardly have multiple political actors having meaningful interaction, comprehensive system of moral education, sophisticated legal system, distinct economy, well-established virtues or morality. However, Usbek’s Persia in The Persian Letters has many features that do not fit with those negative portraits of despotic fear listed above. It is a pretty dynamic society with established social structures in which wider range of emotions interact. Fear is not entirely isolated from the traditional connection with morality and rationality. It is built on a social collaboration of elites, institutions, rule of law, mores and education. I think that Usbek’s harem is a concrete and vivid picture of what Hobbes described as “fear within a civil society.”

In Usbek’s harem, what strikes us the most is that despotic fear can coexist with – even bloom upon – our ordinary emotions and our valued social institutions. Despotic fear does not always come from violence or cruelty as we generally expect. As Corey Robin nicely puts it, The Persian Letters shows “how our ordinary emotions – even love and compassion – can bolster the most terrible regimes of fear.”208 Hobbes may not be surprised at this because he already knew that his civil society needed the same comprehensive network of families, schools and churches, i.e., an ordinary social setting for maintaining and circulating fear. However, after the very negative portrait of fear suggested by Enlightenment thinkers that sweeps away everything, the close relationship between fear and ordinariness may seem awkward now.

In this novel, there is a story of Zelis, a loving mother in a harem who wants to put her seven-year-old daughter into the harem for her daughter’s well-being (*PL*, letter 62). Zelis is neither a cruel nor irresponsible mother; in her culture, she is an affectionate and virtuous mother who has all the best intention for her little child. As she believes the importance of moral habituation from an early age as Aristotle or Confucius did, she does not want to wait for her daughter to be ten. Wishing to be able to indoctrinate her daughter in the name of “holy education,” she write to Uzbek: “we must be made to practice submission, so that it sustains us in those critical moments when the passions begin to arouse and encourage us to independence” (*PL*, letter 62). This story suggests that fear can be generated by familial love, moral education, virtues and mores.

There is another story of an old chief eunuch and a young black eunuch Jaron. The older eunuch is also an affectionate and kind mentor for Jaron, like Zelis is a loving mother for her daughter. He tells Jaron that “I watched with pleasure your childhood growth,” and “I loved you as a father loves his son” (*PL*, letter 15). When the time came for castration, the chief eunuch held the knife but at the same time appeased Jaron’s tears and cries; he says, “I saw you born again, and leaving a servitude where you could only obey, to enter a servitude where you would command” (*PL*, letter 15). “By playing this ostensibly humanitarian role, he inducted him into the despotic regime,” says Corey Robin.\(^{209}\) In this story, the chief eunuch is a respected mentor who takes care of the young eunuch’s education, thus reproduces a group of elites who attain power and responsibility to sustain the despotic regime. Again, this story does not simply tell us that despotic fear exclusively preys upon violence and cruelty. This case involves Confucian

authority of the older as a mentor, rational calculation of gain and loss, a humanitarian concern to lessen the suffering, the exchange of kindness and respect between the old and young within a community. Therefore, fear does not have a single, constantly monstrous face as in the typical Enlightenment portrayal; it also has many different ordinary faces sometimes kind, sometimes anxious, sometimes calm and smart. Therefore, I argue that we cannot draw a full picture on fear with the relatively new conception of entirely negative fear. Fear has always been a political and communal idea; the unnecessarily exaggerated portrayal of modern fear has made it simply a horrible and uncontrollable idea that our ordinary politics cannot take anymore.

Before we get into the next issue of spheres, let me pause here to consider possible objections. Clearly, the argument that despotic fear can bloom upon pluralist density and sociological complexity, with our rational reasoning, moral education, love and affection, seems to be a big counter to the moralist argument. To some extent, Montesquieu seems to argue that the whole society itself can be a source of fear and a hindrance to happiness given the story of Apheridon and Astarte, the love story of a brother and sister that Montesquieu presents as true love (PL, letter 67). Perhaps Confucius would become speechless to see how the idea of familial love goes to extremes so that it can be even used to justify a war. The following statement of General Matsui Iwane, the former Commander-in-Chief of the expeditionary forces sent to China in World War II, shows us how he viewed the war between China and Japan as “brotherly love”:

The struggle between Japan and China was always a fight between brothers within the “Asian Family”... We do not do this because we hate them, but on the contrary because we love them too much. It is just the same as in a family when an elder brother has taken all that he can stand from his ill-behaved younger brother and has to chastise him in order to make him behave properly. 210

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210 IMTFE, no. 310, 7 Nov., 1947.
Aside from the absurdity of his argument – because even a loving elder brother can never scold his younger brother to death –, it is shocking that a war is nearly downgraded as a private family business in his thought. Although this is an extreme and extraordinary case that would hardly happen again among any states in our time, what makes us still uncomfortable is the similarity among the voices of General Iwane, Zelis, and the old chief eunuch. We certainly know that Iwane’s view is terribly wrong because his use of family ideology went too extreme, but we know that there are numerous cases in our ordinary life that require tough judgment. To some extent, it is true that despotic fear can bloom upon our cherished emotions such as love and affection through the very basic vein of our political community, but because of those treasured emotions and affectionate relationships, our eyes get fooled easily. Montesquieu’s *The Persian Letters* let us realize how easily fear can be generated in the name of love, affection, or patriarchal authority, and how often family ideology and virtuous traditions can be abused as a shelter for moral justification of fearful acts.

How would Aristotle and Confucius respond? One major purpose of constructing a cross-cultural dialogue on fear across time is to make each group clearly know which part can be a source of fear in their theory. For the moralist group, their key concepts for handling fear were diversity, morality, communal cooperation; but they must know that the very exercise of orienting fear based on those networks should be watched carefully. In responding to the given question, perhaps Aristotle and Confucius can go back to their basic claims, the importance of public deliberation and moral self-reflection for a wise, proper balance that can be applied case by case. Highlighting that every virtue lies between two vices, Aristotle and Confucius may claim that the moralist group has always been aware of the possibility that familial love can turn
into despotic repression if it goes too much, or desertion if it goes too little. Aristotle and Confucius may think that Montesquieu’s counterargument is indeed due to his own problematic depiction of fear that does not seem compatible with our ordinary civilized life. They will argue that fear is not a totally tyrannical and barbaric emotion but an important element of our political life that could be dealt with the doctrine of the mean and public deliberation. Clearly, earnest public deliberation of mature community members searching for a reasonable balance is their strongest solution for all kinds of concern.

Therefore, the most difficult issue for the moralist group would be the case of the young and immature members, or members that are considered to be immature. Remember that Aristotelian virtues are primarily for free males, so there are distinctive virtues appropriate to women and the subordinate, which are second level virtues that are partial, relational, and inferior in character (Pol. 1260a). Public deliberation is also for free male citizens; slaves, women and children were excluded from the outset. Similarly, in Confucian society, a child is very likely to be indoctrinated by the whole affectionate social network of family, relatives, mores and customs. One may say that a child in a Confucian or Aristotelian society may still be able to grow to become an autonomous and independent mind regardless of indoctrination, but there are numerous cases that cannot be irrevocable. For example, consider the traditional Chinese culture of foot binding. Like young Jaron’s case, this process begins with very young girls with age of four or five, by their loving parents who expect their daughters to be brought up to be a lady that never needs to work. Although it is a lifelong disabilities and a serious limit of freedom, it was encouraged as a way of being beautiful, a way of showing the virtue of female
obedience, and as a way of standing above others. Once again, kindness and sympathy can be despot’s fear’s closet partner especially for the young and immature.

This case can be discussed in three ways. First, Montesquieu can argue that this is why the liberals cherish supreme law that regulates unalienable human rights. He may call for the necessity of the constitutional law that fundamentally protects people’s rights and freedom, including those of the young and vulnerable. Second, Aristotle and Confucius can still claim the importance of the public deliberation on justice, by which they hope societies can achieve collective emancipation little by little. The last way to see this issue is to transform this case into a matter of spheres. We already discussed how Liang’s “intermingled” idea of gong and si could generate fear in unintended ways. In contrast, this case can be interpreted as the possible generation of fear with the “separation” of spheres. Classical liberalism drew a certain line between public and private in order to maximize individual freedom and minimize state intervention. It can be a double-edged sword because the private sphere is often left to the good intentions and affectionate interactions among the people. Whereas the public sphere generally consists of equal members, the private sphere is more often filled with unequal relationships. Here we can see the possible source of fear.

Usbek’s story can be a brilliant case in this regard. Usbek himself is a great challenge to our standard perception of despotism. Usbek is an enlightened intellectual who seeks for wisdom and truth. He praises open societies, appreciates arts and cultural diversity, and envisions a society of industry and abundance; he seems to stand for everything that is opposed to a despotic force. At the same time, he is a fearful despot. He castrates young boys for their faithfulness, treats his wives with terror and harsh punishment, holds a naked beauty contest for his pleasure,
does not accept disagreements at home. As Corey Robin puts it, “he is a humanitarian and a rapist, a rationalist and an terrorist;” “One moment he is speculating about the foundations of international law, the next he is ordering his servants to terrorize his wives. He aspires to a pluralist vision of the universe, claiming that no one set of principles is objectively superior to another, but at the same time he forces his wives to accept a regime of moral purity.”

Judith Shklar understands Usbek’s contradictory life as “the universal power of self-deception,” the common distance between theoretical knowledge and personal conduct. Usbek brilliantly captures despotic and profane features of Europeans, but cannot rightly recognize or control the disorders and irrationalities at home. In some sense, Usbek resembles the Spanish described by “a Frenchmen in Spain” in Rica’s letter: “they have made enormous discoveries in the New World, and yet they do not know their own country; their rivers are not entirely explored, and their mountains hold nations unknown to them” (PL, letter 78). Shklar argues, “He certainly knows a lot about other people, but nothing about himself.” This self-illusion and hypocrisy can be typical traits of a tyrant. However, Corey Robin argues that there is a darker truth; “Usbek’s capacity for compartmentalizing his life into separate spheres – the brilliant intellectual, the political moralist, the vicious husband – is one key to his despotism.” In other words, he can be both an enlightened intellectual and a despot because he divides his world into distinct spheres – France and Persia, the polity and the harem, his mind and body – that different rules and principles can be applied. In this way, separation of spheres can work as a nurturing

212 J. Shklar, Montesquieu, p. 31.
213 J. Shklar, Montesquieu, p. 34.
environment of despotic fear. It is particularly interesting given that Liang’s case was the contrary; the culturally intermingled concept of spheres unfortunately brought the suffocation of individuality that enlarges fear. Both societies show how the way of managing spheres can be a source of despotic fear. I do not argue that spheres are the source of fear; what I want to highlight is that each society has a certain way of perceiving spheres, and the ways of managing it can be closely related to the creation of political fear in that society.

Regarding Usbek’s abuse of spheres, there may be critiques that it may be the case of Montesquieu makes the same mistake that his character (i.e., Usbek) made when he portrays despotic fear as particularly oriental. Usbek was lenient toward despotic features in his world but critical and strict toward those of others. Similarly, Montesquieu’s portrayal of European despotism was soft and roundabout whereas his depiction of Oriental despotism was more direct, barbaric and dehumanizing. Montesquieu was worrying about Louis XIV’s stifling regime and very concerned about France was going toward despotism. Accordingly, he wanted to make French people realize their political situation and resist it strongly. Therefore, he intentionally exaggerated the idea of fear on the one hand and pictured a very crude type of despotism in Persia on the other, in order for French people to be very afraid and resist it. In this regard, Montesquieu really created fear, based on the inevitable distinction between self (France) and other (Persia). In other words, Montesquieu was projecting the worst picture of his society (France) to other (Persia) to wake up French people. Regarding this, Corey Robin argues that a theory designed to admonish despotic fear at home unintentionally provides an excuse for practicing it abroad, and what is worse, it easily develops into a justification for colonialism from
This “projection of fear” or “externalization of fear” is a typical way that political fear builds around self-other relation especially at the international level. In the next section, I shall explain how the self-other division raises significant questions about fear toward each other, by elaborating Montesquieu’s possibly Orientalist voice and Liang’s nationalist voice. A dialogue between Montesquieu and Liang Qichao makes a meaningful parallel on the issue of “how others see us” and how it influences the pattern of fear across continents. That will give us much to think about today’s global political community.

New faces of fear: self and other

Both Montesquieu and Liang Qichao opposed absolute political power concentrated in one powerful actor, which led them to return to the moralist claim for diversity and difference in a political community. As previously discussed, both thinkers understood diversity and difference as some social criteria indicating the level of fear in a society. Montesquieu thought that giving up diversity would become a quick recipe for a simplistic and despotic society, so he tried to secure a certain level of social pluralism and toleration through the constitutional laws and separation of powers. Although Liang Qichao had more difficulties in pursuing his faith in diversity given the pressing need for strong governmental authority in China, cultural monism

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216 Regarding this, Roxanne Euben’s Journeys to the Other Shore: Muslim and Western Travelers in Search of Knowledge (Princeton University Press, 2006) is a great example of cross-cultural comparison that gives us wonderful parallels between the West and the Islamic world. By presenting travel narratives of the parallel world on the “other’s side,” Euben shows how both sides represented “other,” often failing to recognize the limits of their own knowledge or authority. Deliberating the concept of cosmopolitanism, she argues that curiosity about the unknown and the desire to understand foreign culture are not the monopoly of any single civilization.
remained a lifelong target in Liang’s writings and he truly believed in the merit of the freedom of thought. Just like Usbek, Liang was very excited to encounter new world and new philosophies, believing that these new and different ideas would help China to become a stronger and brighter society.

Diversity and difference, however, introduce the possibility and likelihood of moral disagreement. The realist group wanted to get rid of this possibility as much as they could, whereas the moralist group welcomed it as an essential part of our political life. Yet this modernist return to a pluralistic setting could not simply consider “public deliberation by good and virtuous citizens within a small political community” as its solution. This “pluralistic setting” came to have especially complex dimensions, thanks to the modern technology that enlarged the boundary of our political world. Political surroundings have been changed: pluralism now had to be built on a mutual gaze at a distance rather than the interactive mingling described by the moralists. Liang’s time was a critical period in which the East encountered the West. Montesquieu’s France had been exposed to an overwhelming knowledge of morals and customs of non-European world, thanks to the hundreds years of overseas exploration. Comparison of values, morals and manners was unavoidable. In this regard, The Persian Letters, a series of come-and-go letters, allows diverse plural voices to blossom all simultaneously. Those exchanged letters show how a shared moral ethos in a certain society can easily lose its ground under the innocent gaze of an outsider. The novel is full of real confrontations of values, however, those values do not really interact with each other as they belong to different political communities. The Persians and Parisians do not really persuade each other in order to reach a
certain conclusion because it is not that necessary. They mainly see each other and respond – think, laugh, judge, get astonished, sometimes seriously shocked – by themselves.

A mutual gaze at a distance does not necessarily increase fear. If I am looking at a Muslim girl wearing a chador and she is looking back at me wearing a violet wig, there is no immediate violence or intrinsic cruelty in this curious eye contact. However, Montesquieu lets us think more about the meaning of this mutual gaze by showing what happened when Usbek’s friend Rica first arrived in Paris. Rica says, “when I arrived, I was studied as if I had dropped from the sky; old men, women, children, all wanted to see me (PL, letter 30).” However, when Rica changed his Persian clothes for European to see if there was truly something astonishing in his appearance, he immediately “became the most frightful nonentity” so that he could remain in a group for an hour without anyone looking at him or talking to him. Only when someone chanced to inform the people that he was a Persian, people started to murmur all around him. At this moment, the unavoidable question of “self and other” penetrates into the murmur, “He is a Persian? How extraordinary! How can anyone be a Persian? (PL, letter 30)” The same statement was made when an English woman traveled several Korean villages in the early 1890s. When the nineteenth century English explorer Isabella Bird Bishop appeared in a little Korean inn, her presence became a great show. People were extremely curious about “how anyone can be a European.”

All the paper was torn off the doors, and a crowd of dirty Mongolian faces took its place. I hung up cambric curtains, but long sticks were produced and my curtains were poked into the middle of the room. The crowd broke in the doors, and filled the small space not occupied by myself and my gear. The women and children sat on my bed in heaps, examined my clothing, took out my hairpins and pulled down my hair, took off my slippers, drew my sleeves up to the elbow and pinched my arms to see if they were of the same flesh and blood as their own.217

217 I. B. Bishop, Korea and Her Neighbors (John Murray, 1880), vol. 1, p. 144.
Although Bishop wrote that those people were “obstreperous and obnoxious, though not hostile,” this extreme curiosity of a majority toward “other” sounds unpleasant and even dangerous. However, it is still an embarrassing scene rather than a fearful moment.

Then, how can the modernist return to diversity and difference invite new dimensions on fear? Is there any intimate relationship between the self-other division and fear? There seems to be no intrinsic harm in the self-other division itself. In fact, the awareness of self and other allows us to gain a deeper appreciation of our identity and our society. For example, Rica, an ordinary Persian man, was able to think about the idea of “ordinariness” when Parisians were so impressed by his extraordinariness (PL, letter 30). Usbek and Rica, men from a polygamous culture, came to think about their custom deeply when they saw monogamous marriages and women’s lives in France (PL, letter 34 and 63). Although Montesquieu’s answer was not clear on this matter, he often inclined toward the position of moral relativism. Montesquieu seemed to argue that the form of marriage could be moral and lawful depending on its cultural context. As we see from the story of Apheridon and Astarte, a story of incest that Montesquieu presented as true love (PL, letter 67), he even seemed to send us a message that perhaps neither European monogamy nor Persian polygamy would be a natural form of marriage. In other words, according to this story, only outsiders of a society could enjoy real happiness free from those controversies on marriage or other customs. In many ways, Usbek’s journey for truth makes us skeptical about the very idea of truth because it is largely defined by cultural and temporal conditions. Clearly, The Persian Letters was designed more to ask and provoke rather than to answer and persuade by elaborating differences. If self-other division does not produce intrinsic fear, then how does it relate to our modern dialogue on fear?
The self-other division implanted in modern pluralism becomes a troubling source of fear when we synthesize Montesquieu and Liang Qicaho’s very negative conceptualization of fear into this picture. To some extent, “externalization of fear” based on self-other division is a logical conclusion of their horrible portrayal of fear. As fear is such a horrible, destructive and nullifying force, fear should exist outside of our political community as a barbaric thing, or at least, to be localized as an abnormal thing. In other words, a strong and healthy “Self” should properly keep fear at bay with the help of constitutional laws and concrete system of checks and balances; otherwise, fear must be placed completely in the realm of “Other.” As a result, self-other distinction becomes unfortunately dangerous or unnecessarily aggressive when it combines with this Enlightenment concept of negative fear.

This is how the Enlightenment group’s understanding of fear released new pattern of fear across the globe. The “civilization versus tradition” dichotomy is written on the self-other division, and when it is combined with the Enlightenment characterization of negative fear all together, it becomes so threatening. Others are the objects of curiosity when they are few, threat when numerous. The civilization-tradition dichotomy in combination with the Enlightenment conception of negative fear deepens this threat. Due to this combination, the Enlightenment attempts to diminish fear became the pattern of externalization of fear, i.e., imposing it to others. It explains why we had to suffer from hearing many Orientalistic voices from the Western Europe while fierce nationalistic voices were also cried out from the colonial East and Africa during Montesquieu’s and Liang’s time. Due to the unfortunate marriage of negative concept of fear and self-other division, no nation wanted to be “other,” which was identical with inferiority and barbarism. This undesirable conjunction between self-other division and projection of fear
was especially prominent in colonial relationship. Declan Kiberd once claimed: “If Ireland had never existed, the English would have invented it; … Ireland was soon patented as not-England, a place where whose peoples were, in many important ways, the very antitheses of their new rulers from overseas.”\textsuperscript{218} According to this claim, England, one of the most powerful empires at that time, even had to “invent” Ireland to make herself (England) a strong, beautiful and civilized “Self” so that she could project all those negative images to the “Other” (Ireland). It soon spread out across the globe. The typical Orientalistic and nationalistic voices of Montesquieu’s and Liang’s time were largely the result of the worldwide struggle for hoping to become “Self” and make “Others.” Europeans relived themselves by denominating Asians and Africans “uncivilized Other,” while those “Others” strongly desired to become “Self” so that they belonged to the realm of normalcy and civilization. Sometimes, as in the case of Japan, a state once categorized as “Others” started to make new inferior “Others” – Manchuria and Korea in this case – in order to elevate herself as a new regional “Self.” In this way, the Enlightenment portrayal of horrible fear, the modern self-other division, and the externalization of fear went hand in hand.

Let me explain how exactly the “externalization of fear” can work. One may argue that Montesquieu relieved France by projecting cruder stereotypes into Persia, i.e., by describing Persia as a more fearful and uncivilized society. No matter how obviously Montesquieu aimed to criticize despotism in his motherland through \textit{The Persian Letters}, French people would feel relieved and even feel superior to see the more miserable and dehumanizing scenes from Usbek’s harem. “Projection of fear” or “externalization of fear” is an easy, effective and popular way to relocate fear. We are well aware of Nazi’s nasty use of the externalization and projection of fear.

toward the Jewish people during the World War II. It effectively relocated inner anxiety and fear of Germans toward others and created a powerful aggressive energy. As we all witnessed, it is not indeed a proper way to reduce or manage fear; it is nothing but sad self-consolation or unhealthy hallucination.

Previously I argued that we must pull ourselves from the widespread (mis)conception of Enlightenment fear and go back to Hobbes’ description of fear in the civil society in order not to undermine proper ways to understand and reduce fear. Regarding this, externalization of fear is the most inappropriate way of reducing fear that I can think of. In fact, it is not a way to reduce fear; it is more like a way to inflict fear. There are many ways of externalizing fear; among them, what Maruyama Masao calls “the maintenance of equilibrium by the transfer of oppression” shows the worst way that the externalization of fear could go.\(^{219}\) He explains why the atrocities committed by Japanese armies during the WWII, especially by the lower rank soldiers, were extremely cruel in China and Philippines. Those soldiers brutally killed and raped civilians at a massive level. According to Maruyama, these soldiers, full of fear and pressure coming from above, tried to transfer it into a downward or outward direction. By exercising arbitrary power on those who are below or outside, therefore weak and vulnerable – in this case, civilians and women in China and Philippines –, the soldiers sought to find ways be satisfied and compensated. Externalization of fear does not necessarily mean murders or slaughters, but this extreme case that actually happened in history allows us to realize how ugly it can go. This is a horrible chain of fear and pain. In some cases, pain can be simply circulated over and over with more and more victims. For example, imagine a frustrated man from his work shouts at his neighbor kid, and the

\(^{219}\) M. Maruyama, Thought and behavior in modern Japanese politics, pp. 18-19.
discontented kid kicks a poor street dog, and the injured dog whines all night in front of the frustrated man’s house. The bomb will keep tossing around unless there comes a main victim who is too weak to toss the bomb, or who is too unfortunate not to able to avoid exploding it in his hands. So it does not sound at all like an Enlightenment scenario. It is not what the tolerance-loving enlightened people like Montesquieu would accept.

Furthermore, there is one more possible way that this externalization of fear may reach with self-other division. If the self-other distinction happens to be combined with the notion of “uncivilized society” that fear can only be exercised vigorously – as fear can hardly coexist with civilization –, it can produce an unfortunate link between Enlightenment conception of fear and the justification of colonialism. Let me explain this unfortunate modern link – between the self-other distinction and the Enlightenment understanding of fear – through John Stuart Mill’s theory of liberal imperialism. In the theory of Mill, one of the prominent Enlightenment thinkers and the great defender of liberty, we can see how the Enlightenment understanding of fear – as the opposite of liberty and humanity – actually takes a path toward a normative defense of colonialism, which creates fear. According to Boyd Hilton, early nineteenth century England was characterized by “a constant sensation of fear – fear of revolution, of the masses, of crime, famine, and poverty, of disorder and instability, and for many people even fear of pleasure.”

Mill thought the social crisis in England was due to a shortage of land and an excess of capital and labor, therefore, emigration to the unpopulated colonies would be the most effective answer to the stagnant growth and increasing unrest. In this regard, Mill’s strategy was also a kind of

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externalization of fear and anxiety, i.e., providing some relief to the English low classes from the pressure of excessive competition by branching out to India. Just like French people felt relieved and even felt superior to see the miserable Usbek’s Persia, the English lower classes felt relieved to see the arbitrary cruelty of fearful despots in their colonies. Although they were externalizing their fear to others, fear seemed to be primarily in the realm of those uncivilized and barbaric “Others” in English people’s mind. Relieved on one hand, but feeling pity for those uncivilized on the other – it allows thinkers like J. S. Mill to take a humanist and normative defense of “colonial reformers.” According to Mill, who was a life-long employee of the British East India Company himself, savages do not have the capacity for self-government, therefore, paternalistic practice of government that “exports civilization” is beneficial for the world as a whole in terms of human progress, peace and prosperity. Mill, the most respected defender of the civilizing mission, clearly imposed the self-other distinction on England and India, and externalized fear. Just enough truth is claimed to mask the domination and exploitation – like sati in India, the immolation of a window on her husband’s funeral pyre, which reinforces the externalization of fear.

According to the Enlightenment understanding, fear was a barbaric force standing in opposition to civilization. From this thought sprouted the idea of so-called “white man’s burden,” originally appeared in a poem by English poet R. Kipling and became quite popular in the late nineteenth and early twentieth century Europe. Its basic idea was: first, white men were the only ones who had achieved progress and civilization as human beings; second, they had a moral obligation to rescue the savages and barbaric people from fearful local despots so that they could

be liberated and civilized. According to this logic, imperialism was not primarily a form of political domination or economic exploitation, since civilized societies like England and France were actually acting on behalf of less-developed and uncivilized people.

However, Liang Qichao witnessed that many Western imperialists who marched out to Asia and Africa acted like barbaric despots themselves. In *History of the Loss of Vietnam*, Liang explained in detail how France treated Vietnamese people with violence, cruelty and barbarism; he frequently asked himself “how the civilization could have so many uncivilized faces.”

This frustration and disappointment led him to his final return to Confucian ideals of *ren* in his later years. The Western civilization had been his shiny role model for many years. However, facing their uncivilized faces from their Imperialist desires on one hand, and from the devastating experience of the World Wars those civilized countries carried on, Liang discarded the self-other division that was commonly identified with barbarism and civility respectively. Although Liang Qichao had a hard time in understanding many Western concepts – some of which he could never fully appreciate –, at least he came to understand the Enlightenment relationship between fear and barbarism to be wrong.

So far, I explained how self-other division raises significant questions about fear toward each other, providing small snapshots of Orientalism, nationalism and imperialism. The major problem lies in the widespread, unnecessarily negative picture of modern fear that cannot properly capture the essential features of fear. It not only averts our watchful eyes from our ordinary system in which fear has been peacefully penetrated, but also pushes us to externalize fear in many repressive ways toward each other.

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Conclusion: exaggerated fear, shrunken liberty?

Montesquieu and Liang Qichao rightly caught Hobbes’ mistakes and tried to reduce overwhelming fear exercised by unlimited sovereign. They thought that fear was neither a matter of justice as moralists thought, nor a matter of equality as realists believed; for them, fear was primarily a concept regarding liberty. Therefore, they suggested “separation of powers and constitutional law” as their political solution in order to reduce fear and secure liberty. However, doing this unfortunately made other parts of the society vulnerable to fear. For example, Liang’s China did not have paid special attention to their gong culture when pursuing their modern project for liberty. The culturally intermingled concept of spheres unfortunately brought the suffocation of individual freedom in the name of national liberty, which increased fear in Liang’s Chinese society. Montesquieu’s exaggerated notion of fear for the sake of liberty was unfortunately coupled with the self-other division to open a door to aggressive externalization of fear. Above all, the major problem was that they made fear more difficult and harder to deal with.

Through the works of modern Enlightenment thinkers, fear became a simple physical and physiological reaction rather than a complex moral and rational idea. The typical depiction of Enlightenment fear as an abnormal, monstrous and totally nullifying force has made us to feel that fear cannot coexist with good normal people living in civilized societies. For the moralist and realist group, fear was a natural element of a political community and a universal matter for all human beings. For example, Hobbes believed that fear would challenge every man in the state of nature, and would serve everyone in the state, both ruler and the ruled. Unlike Hobbes,
Montesquieu thought that fear would only serve some exceptional sociopaths such as despots. Formerly, fear was something to be “oriented or properly handled”; but now our whole political structure – political and social institutions such as government, police, special agency, education, etc. – has been designed to “reduce” fear.

However, moralists and realists group may want us to reconsider whether fear is really something that can – and should – be decreased in a political community. They believe that it is not so productive to conceptualize fear as a totally negative thing to be exterminated from our political community because there will always be plenty of fear. They are aware that fear would be always at the center of our political life so try to find ways to live with it. According to them, the role that fear plays in our political lives depends on the role we allow it to play. In that regard, moralists and realists have a belief that we can have some control of it. However, the horrible portrayal of Enlightenment fear changed quite everything. Fear became so intolerable and uncontrollable. Since fear is such a horrible thing, people often become too irrational to unavoidable fear such as security threat while they become relatively dull and even blind to ordinary fear in our civilized life. Therefore, Lars Svendsen, along with Giorgio Agamben, claims that “we live today in a permanent state of emergency, where the reference to serious dangers almost works like trump card – and the card trumps recognized democratic rights.”  

We may have to think about what we have gained from our negative portrayal of fear. For moralists, justice can be achieved by deliberating and cultivating right fear. For realists, fear and equality are compatible ideas that maintain each other in our political life. In other words, those valuable political ideas – justice and equality – at least can coexist with fear in the theory.

224 L. Svendsen, A Philosophy of Fear, p.125.
of moralists and realists. However, according to Enlightenment thinkers, liberty only can be achieved by eliminating fear since they are two opposite concepts. It suddenly became an either-or matter. Have we succeeded in enlarging our liberty and decreasing fear, as those Enlightenment thinkers hoped eagerly?

The Enlightenment emphasis on constitutional law and the separation of powers certainly allows us to enjoy both security and diversity at the same time. However, there may be no one who can be so sure to assert that we are living in a fear-free world. In contrast, Lars Svendsen claims that we live in “a culture of victims and fear.” Judith Shklar’s “Liberalism of Fear” is right in that we can enlarge our liberty neither by active formulation of liberty (as in the case of Liang) nor by tossing our cruelty toward vulnerable others (as in the case of Montesquieu.) Fear can be managed only when “we put cruelty first and recognize the fear of fear and recognize them everywhere.” Shklar’s statement becomes especially fresh after exploring Montesquieu’s and Liang Qichao’s thoughts; our primary task seems to fix our eyes on fear itself, reflect upon how the concept has changed, and think whether that conceptualization will do a fine job dealing with fear. The Enlightenment thinkers made an initial mistake in re-conceptualizing fear: they exaggerated fear in order to decrease fear. The widespread concept of modern fear – fear as we know it – became neither appropriate nor productive for those who want to manage fear.

CHAPTER FIVE

Fear and Freedom: How to Use the History of Fear

Let us, then, look forward to the future with that salutary fear which makes men keep watch and ward for freedom, and not with that flabby, idle terror which make men’s heart sink and enervates them.

(Alexis de Tocqueville, *Democracy in America*)

This thesis was inspired by the hope of better understanding and managing fear in our political lives. Fear has always been at the center of politics, but today, influenced by the Enlightenment ideas discussed in the previous chapter, we tend to think of fear as something that is too powerful to be managed and directed. Fear is thought to be the greatest evil of civilization and the greatest enemy to freedom. We tend to associate it with violence, anomie, moral anarchy and social breakdown. We find it difficult to imagine that fear can be generated and sustained by morality of conventional modes of civil life because fear is often suggested to us the absence of morality and civil sentiments. This thesis has tried to show that this way of thinking about fear is not the only one that is plausible or available to us. The automatic identification of fear with anomie and social breakdown is relatively new: looking at Aristotle and Confucius shows, in contrast how fear can be deeply connected to our moral and communal sense; looking at Hobbes and Han Fei shows how fear can be put to work ground civil society.

I do not claim here that moralist or realist fear provides us with a superior way of conceptualizing fear than the much more familiar Enlightenment conception. Instead, I argue that

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if we limit our image of fear to the latter conception, then we lose sight of a full picture of the problems that fear creates for us in our political lives. My thesis thus aims to broaden, rather than correct, our understanding of fear and political community.

Consider, for example, the familiar picture of fear as the greatest evil of civilization, as a threat to the very existence of a civilized life. This picture reflects Enlightenment thinkers’ political strategy: depict a form of fear destructive and barbaric enough to turn us completely against the temptations of despotic power. But this horrible depiction of fear pushed people to identify their fears with figures outside their society so that they could maintain some distance from those horrible sources of fear. As a result, an unfortunate link has been forged between fear and the foreigner or alien. These problems caused by the “externalization of fear” were treated in the previous chapter, where we saw how Montesquieu relieved France by projecting cruder stereotypes onto Persia and the idea of oriental despotism. We also saw there how many Asian and African societies of Liang Qichao’s time suffered from this global relocation of fear. We are well aware of the Nazis’ nasty use of the externalization of fear toward the Jewish people during the 20th century, and not a few people living in the 21st century have expressed similar feelings toward immigrants and Islamic culture. As the primary object of fear is thought to exist outside, we tend to lower our guard against domestic fear and more likely to undermine the fact that a civilized society can equally generate fear. In other words, confronting external threats, or responding solely to foreign objects of fear, we ignore or downplay everyday forms of fear, or “quotidian fear” as Corey Robin calls it, which reinforce a repressive social order, constrain freedom, and create or perpetuate inequality. C. Robin, Fear, The History of a Political Idea, p. 20.
everyday conduct without actual coercion or physical violence. In fact, it is not necessary to make notable threats to arouse fear, or make spectacularly bloody scenes; fear can flow quietly in our ordinary life along the more intimate and less abnormal relationships such as the traditional Chinese perception of a state as an extended form of a family, or the unique cultural understanding of *gong* and *si*. Understanding fear as we do, or solely following our basic assumptions about fear, does not fully capture the various faces of fear, sometimes kind, sometimes anxious, sometimes calm and smart. We must ask ourselves what is missing from the world we see from our current understanding of fear.

Since fear is often thought to be the opposite of freedom in our current understanding, we address “freedom from fear” as an important human need. Taking Montesquieu’s Enlightenment lead, politicians and scholars have presumed that fear is purely negative, something to be fought at all costs. In order to defend our freedom against fear, they have recommended a collection of liberal prescriptions such as a limited government, the rule of law, a fragmented political power with check and balance system, emphasis on liberty and individual rights, and a pluralistic civil society. Today, most of these elements are cherished and respected as keystones of liberal democracy, which means that we rarely suspect those liberal prescriptions as places where political fear can sprout.

Yet it is hard to deny that it has indeed sprouted there periodically in the United States, from the anti-immigrant panics of the nineteenth century to the repressive experience of McCarthyism in the twentieth century. Strangely enough, although many writers, thinkers and politicians reject fear in the name of freedom, they often ask people to embrace fear in the name of freedom. I believe that these seemingly odd snapshots in our political life are mainly the
consequences of our current understanding of fear, i.e., understanding fear as one certain way that does not fully capture its various features. The antagonistic fear against the foreign and alien – e.g., fear of immigrants and the Soviet Union – is the typical problem generated by Enlightenment portrayal of fear; the exaggeration of fear as a monstrous and barbaric force often results in less precautions against ordinary vices and fear; and the seemingly contradictory attitude of writers, thinkers and politicians towards fear happens when they actually appreciate the fact that fear is not an entirely negative idea as Montesquieu and his followers suggest.

In a similar way, for example, a Korean society in the 21st century may have difficulty in properly facing fear, armed solely with the prevalent understanding of modern fear and liberal solutions. Besides the three issues listed above, this Confucian and liberal democracy society may have an additional – imaginary or actual – problem coming from the antagonistic Western model of self and state, which challenges their traditional perception of the state as an extended form of a family. Liberal solutions that heavily focus on the rule of law, a well-made political system of check and balance, and the pluralistic civil society may also need additional thoughts given the traditional Confucian understandings we have explored in previous chapters. For example, the rule of law, the simple and fair way to settle down disagreements among people, could make a different impression to a considerable number of Koreans, especially members of older generations. For these people, laws seem heatless and coldblooded, a last resort in settling disputes in our daily life. For them, when a party wants to stop arguing and follow what law requires, that means the person does not trust the other as a good and reasonable person any more.

Furthermore, the liberal prescription of the pluralistic society may require special cautions here as well. Confucius, Han Fei and Liang Qichao all together have shown that the
Confucian pluralistic society is basically a political association of more intimate and less equal members who are supposed to have some social and cultural hierarchies among them. Therefore, the pluralistic society itself is insufficient to work as a remedy due to its uneasy relationship with ordinary, quotidian, subtle forms of fear.

In most liberal democratic societies, political fear generally works in two ways. In Chapter One, I defined political fear as fear whose cause and effect are associated with society as a shared feeling of a certain number of people, either by governments or a group of people. The first mode of political fear is spectacular or visible forms of fear, usually articulated by government. Political leaders or military elites may define what their people’s main object of fear is to be, and the media will inflate the possible danger of it. Usually in this case, the object of fear is located outside their territory, or at least, outside their imagined territory. For example, the South Korean government may point to the North Korea; the American government may point to the terrorism originated in the Middle East; some political leaders may point to the drugs and illegal immigrants flooding from neighboring countries as a serious source of fear. Hobbes, Montesquieu and Aristotle can give their thoughts to this first mode of political fear all together. We can draw a penetrating insight from Hobbes’ state of nature in order to interpret a pre-emptive strike done by terrorists, or we may refer to the logic of realist fear for making a covenant to secure peace and stability among those political actors who have “equality of hope.” Montesquieu’s negative perception of fear will be able to account for the “externalization of fear” that passes through those three cases and will go further to ask how it may empower domestic fear in the name of liberty. Aristotle may add some critical perspectives, since this first mode of political fear usually presupposes that the leaders and people to share a common identity and some moral ethos, and that both political actors are
basically thought to be free and equal in relation to each other. This is an example of how to make use of the history of fear in our actual deliberation on fear and political life. The moralist, realist and Enlightenment group can give, add, refute and exchange their thoughts on fear to make a better understanding of fear and our political life.

The second mode of political fear is unspectacular and invisible forms of fear, usually felt by a group of people in a society maintaining power at the expense of others. Although this fear also can be strengthened and manipulated by political readers, it is cultivated by subtler and less visible means. It arises from the social, political and economic hierarchies that constitute as well as influence our daily life. In this case, all six philosophers may add and exchange their respective voices. First of all, the philosophers from the non-Western culture may warn that fear can hover quietly near the separation of spheres, with which the most vulnerable members of a community – very often women and children – may suffer from everyday social coercion behind closed doors. In return, the Western philosophers may want their dialogue partners from the other side of the globe to take special precautions with the ambiguous ideas of gong and si for the same reason, especially regarding the moral hierarchy of gong over si lest the individuals in Confucian society suffocate from the unnecessary ethical burden from the society. Montesquieu may want to emphasize that fear can flourish with ordinary, peaceful and even altruistic political settings as we see in The Persian Letters; fear can be generated by familial love, affectionate mentors, kind seniors, moral education, virtues and mores. Aristotle and Confucius may turn to their basic argument that the questions regarding spheres can be best answered by the active interaction among members seeking public consensus in which they pursue a proper balance case by case. Liang Qichao may want to emphasize that liberalism cannot always work as a solution.
Without sufficient consideration of one’s own political and cultural surroundings, a simple transplantation of liberal prescriptions against fear as a universal solution may work as a problem than a solution.

The Enlightenment portrayal of negative fear – the common way we think of political fear today – is not well-suited for dealing with the second, less visible form of fear. For it tends to ignore or downplay everyday forms of fear that influence our ordinary conduct without actual coercion or physical violence. Judith Shklar tries to correct this limitation in her well-known “Liberalism of Fear.” By emphasizing that governments are particularly positioned to raise fear “with the overwhelming power to kill, main, indoctrinate, and make war,” she makes a clear warning against the first mode of fear. But by arguing that the urgent task of contemporary liberals is to put cruelty first and fix their eyes on everyday fear and ordinary vices, she urges us to pay more attention to the second, often overlooked mode of political fear.

Shklar’s “Liberalism of Fear” suggests that our lives have not changed as much from Hobbes’ state of nature as we think. Although her “liberalism of fear” clearly rejects Hobbes’ absolute sovereign of unconditional power, the Hobbesian sense of constant fear runs through the vein of her theory as she claims that “to be alive is to be afraid.” Accordingly, vulnerable individuals require strong protections from arbitrary state power, to which Montesquieu dedicated the whole volume of *The Spirit of the Laws*. Following Montesquieu’s conception of fear, a distinctively psychological emotion that destroys freedom, Shklar points out that fear can flourish in our ordinary life without the presence of actual threats, a point well made in the

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portrayal of daily life in the harem in Montesquieu’s *The Persian Letters*. The freedom Shklar wants to defend by her liberalism of fear is neither a mere positive nor negative freedom. Rather, it has a close affinity with the republican understanding of freedom, freedom as non-domination and discursive control. Discursive control, as Petit explains, involves with the ability to reason and interact with others. Discursive freedom becomes possible only when non-domination is secured and all parties have equal standings. Therefore, Shklar’s liberalism of fear provides a nice example of a theory that brings together insights from the condensed history of fear I have presented in this thesis. Although mainly indebted to Montesquieu, it mixes insights from Aristotle and Hobbes as well to provide an expansion and corrective to more familiar liberal accounts of fear.

Following Shklar’s insight that we should put fear and cruelty first, I argue that contemporary liberals need to realize that there is much that is missing in their understanding of fear. From the cross-cultural dialogue between six philosophers who delved into the issue of fear and political life, I hope to have suggested different perspectives and fresh insights to broaden our theoretical vocabulary. In doing so, I also hope to have opened some healthy distance on the predominant ideas and institutions of our time. The different faces of fear in my cross-cultural dialogue will, I hope, help guide us toward a richer understanding of fear and how to manage it in our political communities.

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APPENDIX

*Translation of The Analects*


Pae, Pyŏng-sam. 2002. *Han’gŭl sedae ka pon Nonŏ*. Seoul: Munhakdong’nae. (Korean, two volumes)


Notes) Depending on the particular strength of accuracy, accessibility and elegance, each translation appeals to a different group of English-speaking readers.

Ames and Rosement include the original Chinese text; they follow a rather untraditional interpretation using unorthodox translation of key terms, but they provide a “philosophical” translation of the *Analects* as they claimed in the title – *The Analects of Confucius: A Philosophical Translation* –, portraying Confucius in light of his communitarian leanings.

Brookses’ translation is at times awkward, but it is perhaps the most precise and scholarly one available in English. It attempts to establish a chronological sequence by radical reorganization of the text; it also offers extensive commentary on each passage.

Dawson’ volume is slim but solid; it is a traditionally oriented translation but with little annotation.

D. C. Lau’s version is often cited as the most commonly read or a standard. It is originally published in 1979; it generally follows the 12th century Confucian scholar Zhu Xi’s interpretation.

Leys’ work is freer and more readable translation than any other, although occasionally at the expense of literalness. This translation written in English aphoristic style with helpful and concise notes is an elaborated version of Ryckmans’ 1987 French translation.

Pyŏng-sam Pae’s Korean translation of two volumes is very solid, fresh, and highly readable for Korean readers. It includes the original Chinese text with important commentary of Chinese, Korean and Japanese
scholars; it often incorporates relevant passages from other philosophers and literatures; it also provides alternate readings of passages and cross-cultural implications of the text.

Slingerland’s is one of the few translations that provides rich historical background on each passage, important traditional commentary, and alternate readings of passages with a helpful set of appendix.

Waley’s, originally published in 1938, is commonly regarded as a canonical translation that generally eschews Zhu Xi and follows the pre-Tang commentators. It is a smooth and literary translation with excellent notes; wordy and more prose-like than other translations.

**Translation of Han Feizi**


**Works and Translation of Liang Qichao**


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215


