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# Civil Society in Early Ming China

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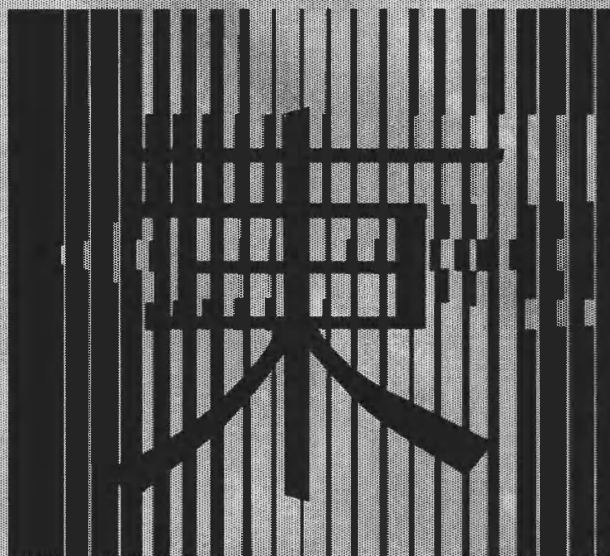
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**ÉTAT, SOCIÉTÉ CIVILE ET SPHÈRE  
PUBLIQUE EN ASIE DE L'EST**

REGARDS SUR LES TRADITIONS POLITIQUES  
DE LA CHINE, DU JAPON,  
DE LA CORÉE ET DU VIETNAM

Sous la direction de  
**Charles Le Blanc et Alain Rocher**



**Sociétés et cultures de l'Asie n° 1**

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UNIVERSITÉ DE MONTRÉAL**

## CIVIL SOCIETY IN EARLY MING CHINA

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Zbigniew Rau defines civil society as “a space free from both family influence and state power”. He goes on to remark that “[t]he absence of family influence and state power in civil society is expressed in its characteristic features—individualism, the market, and pluralism.”<sup>1</sup> Important to the discussion here is his statement regarding the “precondition” for the creation of a civil society:

The precondition for the existence of civil society is a normative consensus of its members. This consensus concerns the moral and social order that prevails among them. It concerns both the central moral values on which civil society is based and the rules of behavior of its members—who are to promote rather than hinder the enforcement of those rules. It is this normative consensus that ties together the members of civil society and makes them a moral community and a distinct entity that can then act as a whole.<sup>2</sup>

Although Rau’s definition and precondition are idealized, and do not easily admit the issue of historical change which I propose to trace here, the identifying labels he provides frame the topic serviceably, and point to what it is one should be looking for. There were indeed features that resembled the precondition for a “civil society” in early Ming China (from its foundation in the mid-14th century down to roughly the mid-16th). Over time, its scope grew, then shrank (1368-1424), then grew again (after 1449).

If “individualism, the market, and pluralism” are what result as “family

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<sup>1</sup> Zbigniew Rau, ed. *The Reemergence of Civil Society in Eastern Europe and the Soviet Union* (Boulder: Westview Press, 1991), p. 4.

<sup>2</sup> *Ibid.*, p. 6.

influence and state power" recede, then it would appear that by the 16th century, reasonable approximations to those conditions emerged—with economic growth and change (the "sprouts of capitalism"), and the development of variety and complexity in the intellectual and religious life of China. And there is a great deal of earlier evidence, from the 14th century, that bears upon the issue of creating consensus about the "moral and social order", and the evidence shows that those most concerned with that issue were free of political or family coercion when at the outset they voiced their ideas. One difficulty over the use of the concept "civil society" in describing Ming China emerges from the fact that the existence of such a space, free from the constraints of state and family, was not itself cherished as an ideal, even though it was sometimes recognized in fact—as "the wilderness" (*yeh* 野), in counterpoint to "the court", the sphere of government (*ch'ao* 朝). In Ming China, the ideal was that state and family should themselves so effectively embody the normative moral consensus of the realm that an autonomous "civil society" would scarcely be necessary, and might indeed pose a threat, as a source of antinomy and disorder.

### Creating a "Normative Consensus" in the 1350s and 60s

In the middle decades of the 14th century, natural disasters, popular millenarian uprisings, the slow collapse of the Yuan dynasty, and the rise of local and regional warlords, reduced China from a prosperous and peaceful society to a condition of catastrophic ruin. Virtually all thinking men who pondered the causes of such calamity identified themselves as "Confucians" (*shih* 士 or *ju* 儒). A Confucian was thought to be anyone of education who was trained in the Confucian texts, and who sought ways to apply what was in those texts to the improvement of the world. Although not everyone agreed on interpretation, the texts together provided normative guides to all of civilized life: from the ethical psychology of the individual, to the social forms into which each individual must fit, to the nature and purpose of political systems. As learned "experts" who were especially knowledgeable in such matters, Confucians occupied a special social niche, far enough removed from family and state constraints to allow them to deliberate upon family and state formation, and to critique their practices. Their diagnosis of the national calamity of the mid-14th century identified Yuan bureaucratic corruption, and the failure of the throne to purge that corruption, as the fundamental cause.

Only a few Confucians ventured to define the next step, but their influence on the early Ming order was crucial. Sung Lien and the other formulators of the original Ming agenda lived at home in eastern Chekiang province in the early 1360s, witnesses to the anarchy; there they worked

out their ideas for the reconstruction of China, under the stress of civil disorder to be sure, but under no political coercion whatever.

Sung Lien and the others constituted the leading edge of a national Confucian intelligentsia. I have argued elsewhere that they were more than just an intelligentsia, and much like leaders of a militant *professional* movement, in that, based on their reading of the orthodox texts, they claimed to know what a good society should look like, and they wrote and spoke in behalf of a Confucian community generally, whose role, they asserted, was to serve the needs of society (as advisors, officials, or teachers) in the light of the norms and methods they elaborated. The militant professionalism of those Confucians was so strongly asserted, because what was at stake was the very validity of Confucianism itself, as contrasted to *ad hoc* solution-making by wardlords and regionalists and other patently self-interested elements competing for territory and power in China.<sup>3</sup>

It is also possible to see in the militant Chekiang Confucianists of the 1350s and 60s something of the revolutionary, world-remaking impulses of Puritans or Jacobins. Those Confucianists saw China in its turmoil as a society in an acute stage of an awful disease; a mass of people so bent upon mindless self-destruction that nothing short of a total ethical re-making of their minds would save it. They insisted that a new state must use all means to foster a new people who were imbued with altruism. By the same token, a new state must relentlessly repress all bearers of the viruses of China's present national sickness—the hypocrites, the villains, the greedy, the ambitious, the purely self-seeking. The writers specified the goals of this new order, the central role of the ruler in it, and the function of the Confucian community as his source of advisors and officials. They extended the ruler a free grant of discretionary power to restore peace and order, refashion the national moral order, and save the realm from its self-inflicted ills.

As it happened, ex-peasant Chu Yuan-chang, an out-of-control regional general nominally in the service of a millenarian rebel emperor, appeared in the midst of these writers in 1360, and he took them on as his advisors. Chu was boundlessly energetic, and ruthless. He was also teachable. Eight years later, Chu reunified China and founded the Ming dynasty. (Edward Dreyer has argued that other outcomes were more likely; that the Ming unification owes a great deal to pure contingency, a series of very lucky breaks.<sup>4</sup> Chu Yuan-chang interpreted his own good luck as signs of Heaven's favor).

Chu Yuan-chang (Ming T'ai-tsu, r. 1368-98) carried out the Confucian program for the regeneration of China with fidelity and vigor. Power

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<sup>3</sup> *Confucianism and Autocracy* (Berkeley, 1983).

<sup>4</sup> *Early Ming China. A Political History, 1355-1435* (Stanford, 1982).

was recentralized in the hands of the monarch, and the monarch was given *carte blanche* to purge national administration of the corruption believed to have been responsible for the Yuan collapse. The Confucian advisors, even before they had made common cause with the Ming dynasty, had discussed the problem that there was no way for the Confucian community itself, which lacked formal organization, to prune its own ranks of incompetents, corrupt hypocrites, and self-interested place-seekers. Only an emperor could do that, by using the police powers of the state, in the light of his own ultimate insights into the dispositions for good or evil in men's minds. It was T'ai-tsu's Confucian advisors who thus helped create a routinized paranoia about people's true intentions; and that attitude, as adopted by T'ai-tsu, fueled the terrible waves of purges that over a period of thirty years claimed many thousands of victims, many if not most of them innocent.

This was the perhaps inevitable downside of any national program of ethical revitalization, conducted (as this one was) with fierce determination, and with no concern for procedural safeguards. In the circumstances, "civil society"—in the form of an independent critical voice with regard to the direction national policy had taken—all but disappeared. Only a handful of dissenters dared make open protests; and the ruler, suspicious of their real intentions, dealt harshly with some and ignored the others. Sustained and reasoned resistance to the founder's "line" therefore developed underground, and came out into the open only upon the succession of T'ai-tsu's grandson, the Chien-wen emperor (r. 1398-1402).

The leader of the resistance was Fang Hsiao-ju (1357-1402), who represented a new Confucian generation that lacked its predecessor's experience of civil war and chaos. Fang's father had been a victim of one of the founder's indiscriminate purges. Through word-of-mouth recommendations, careful introductions, and letter-writing, Fang Hsiao-ju put together a small clique of like-minded and serious junior Confucian revisionists in the 1380s and 90s, and worked out a bold and comprehensive plan for the reorganization of China, based on stable institution-building as a replacement for the founder's increasingly self-defeating methods of purge and penal terror. In an action much discussed in higher Confucian circles, the older informal leadership of the Confucian community, in the person of Sung Lien (who tacitly backed away from his earlier views), acting in a non-official capacity as a teacher and writer, passed to Fang Hsiao-ju a symbolic tablet, and named him his successor as "exemplar" (*tsung* 宗) of the next Confucian generation.

Thus even in the dark and repressive later years of the Ming founder's reign, there managed to survive a precarious open space, "free from both family influence and state power", where a few men discussed and formulated plans that bore upon issues affecting the very foundations of China's "moral and social order". The Ming founder had twice inter-

viewed Fang Hsiao-ju, but it seems he learned nothing about Fang's counterrevolutionary ideas and his network-building activities.

In the early Ming, then, there existed the idea of a national Confucian community, professional in its pretensions to national service, which, while it participated in government, was also an entity quite separate from it, with an informal recruiting and ranking system of its own, and here and there small circles where men formulated national purposes.

That kind of Confucianism ended with an awful and bloody finality in Nanking in the summer of 1402. The army of the Prince of Yen (soon to be the Yung-lo emperor) entered the city after a civil war and put an end to the Chien-wen regime. Fang Hsiao-ju and many of his circle were slaughtered. Others committed suicide. Mention of Fang, or possession of his writings, was punishable by death for as long as a century thereafter.

### Civil Society in Eclipse, 1402-1449

The Yung-lo emperor commanded enough power and authority to set his own national priorities. Under his command and rule (1402-24), the Ming state proceeded to incorporate Confucianism by deepening the government school system; establishing an orthodox curriculum of study for those schools; and making the civil service examination system the leading mechanism for recruiting the best and brightest from the schools into government service.

For roughly half a century, there was scarcely any social space, outside the bounds of state control, in which an independent intelligentsia might operate. (In 1449 came a major turning-point, when a disastrous military campaign led by the young and wayward Cheng-t'ung emperor signalled what turned out to be a permanent downgrading of the leadership and prestige of the Ming throne. A freer intellectual atmosphere was one of the consequences).

The Yung-lo emperor, soon to be the proud sponsor of a state-sanctioned Confucian orthodoxy, issued an early and effective warning to independent scholars. In 1404, one Chu Chi-yu submitted the results of his creative research into the Confucian classics to the court, clearly expecting some sort of commendation. Instead, the emperor and his advisors decided to make a negative example of him to the realm. Chu Chi-yu "slandered the Sages and Worthies" and "contradicted" Chu Hsi and the other Sung Neo-Confucian fathers. Armed guards escorted the luckless Chu Chi-yu back to his home. Local officials gathered the literati and students and conducted a public criticism session. Police searched Chu Chi-yu's house, seized all his writings, and destroyed them. Chu was flogged a hundred times. He was forbidden to call

himself a Confucian (*ju*) or ever to teach anyone again.<sup>5</sup>

The repression of Chu Chi-yu had the intended effect: just a few severely shrunken islands of free social space survived in the China of the first half of the 15th century. Best known is that which formed around the modest rural home of Wu Yü-pi (1392-1469), in northeastern Kiangsi. As a young man, Wu could have exploited his father's connections to make a career for himself in government, but something deterred him, perhaps the events in Nanking in the summer of 1402, something of which he may have witnessed as a child of ten. At the age of seventeen, he left his father and returned home to Kiangsi to manage his family's smallholding, living and dressing as a peasant while pursuing according to his own lights what he considered the true path of Confucianism to be.

Several things bear noting here. The first is that Wu Yü-pi couched his program of self-tuition entirely within the scope of "orthodox" Ch'eng-Chu Neo-Confucianism, as recently sanctioned by the Yung-lo government. Thus he could not be accused of heresy. The second is that he showed no interest in China's history or institutions, no interest in current issues, no interest in large-scale questions of national sociomoral order or the future of China, matters that had obsessed Sung Lien and Fang Hsiao-ju. Wu's obsession was, instead, singularly targeted upon his own individual psychic reconstruction, the achievement of sagehood, in conjunction with (rather than as an escape from) the labor, the discomforts, and the irritations of life at the everyday level of a working *commoner*. The constraining effect of the Chu Chi-yu case upon Wu Yü-pi's choices is quite apparent.

Word of Wu Yü-pi's efforts at self-reorganization through Neo-Confucian reflection spread, and disciples came to him, a few at a time. Wu Yü-pi was surely fearful of a government crackdown if too many came, which seems to be in part why he was so extremely demanding, and affected an air of ill-humor. At some point he gave the job of screening and teaching new followers to an aide, Hu Chiu-shao, who joined him very early, perhaps as early as 1421.<sup>6</sup>

Some of those who came to study with Wu Yü-pi were disillusioned dropouts from the state examination system. Hsieh Fu (1441-1505) was at a very young age disturbed by the discrepancy between the ethical idealism of orthodox Neo-Confucianism, and the real-world demands of the examination system and official life, and so, "when he heard [Wu Yü-pi] was discussing the Confucian Way at Hsiao-p'ò, he abandoned the exams and travelled [about 175 miles south from his home] to follow him as a student. Everything he was taught he internalized in his mind,

<sup>5</sup> T'an Ch'ien, *Kuo ch'ueh* (reprint Beijing, 1958), 1.937; *Ming shih-lu*, 10.581.

<sup>6</sup> Yang Hsi-min, ed., *Shih-wu chia nien-p'u* (reprint Taipei, 1966), vol. 4, p. 1526.



and energetically put it into practice, seeking thereby to 'acquire it for himself'. Over a period of three years he didn't slacken in the least. Wu said of him happily: "There is hope for our Way!"<sup>7</sup>

Cheng K'ang, after failing several times to achieve his provincial degree, quit to become a truth-seeker at the rather advanced age of thirty. "The regimen here can't be absorbed in a short time," said Wu, when Cheng K'ang appeared before him. "You've made a mistake to come so far." "This mind of mine has been dispersed a long time," replied Cheng, "and I'm just a little late in seeking you out. I don't dare look for quick results." Cheng submitted to Wu's stern regimen, and after having "learned something" of the essentials, returned home again to a private life of study and teaching.<sup>8</sup>

Then there was Ch'en Chen-sheng (1410-73), a would-be disciple of Wu. Born into a military community on the south China coast, Ch'en early on resolved to make something of himself. He tried the examinations, but discourteous treatment on the part of the officials in charge caused him to quit in shock and disgust at the age of 34. Entirely on his own, he then sought out some key or recipe to the psychic makeup of the Confucian sages, a transcendent mental state where all unwanted thoughts (*k'o-nien* 客念) were stilled, and one undertook no action prompted solely by external inducements (*wai-yu* 外誘). As with Wu Yü-pi, Ch'en's method for achieving this state of mind was to link together clues from the state-sanctioned texts of Confucian orthodoxy in such fashion as to make psychic self-realignment possible as a regimen, and its results visible in one's actions.

By 1459, the earlier climate of intellectual repression had lifted somewhat. Ch'en Chen-sheng thought the time had come to share his thoughts with the world. In 1459, he broke free of the constraints of "civil society" (a concept he had never heard of) and came to Peking to talk to the emperor and give him a tract he had written, called "Epitome of the Ch'eng-Chu Orthodoxy". The emperor (who a year earlier had tried without success to get Wu Yü-pi to accept a position as tutor to the heir apparent) declined to see Ch'en. The tract, sent to the Ministry of Rites for their consideration, died there without comment from the officials. Ch'en also sent a copy to the heir apparent, the future Ch'eng-hua emperor, then twelve years old. Ch'en then returned home, where he urged the authorities to make the civil service examinations conform more closely to Confucian orthodoxy. Then, having heard of Wu Yü-pi, and wishing to put some questions to him, he sold his property and again took to the road, accompanied only by a nephew. "If I die," he instructed his nephew, "just bury me by the roadside and label my tomb 'Tomb of

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<sup>7</sup> Chiao Hung, ed., *Kuo-ch'ao hsien-cheng lu* (reprint Taipei, 1965), 114.29ab.

<sup>8</sup> *Ibid.*, 114.36ab.

Ch'en X of Fukien, a hemp-wearing commoner.”

It appears that Wu Yü-pi may have refused to see Ch'en. Somewhere in Kiangsi, Ch'en chanced to stop at an inn where Chang Yuan-chen (1437-1507) was also staying. A Han-lin Junior Compiler, Chang resigned his position around 1465 owing to differences with higher administration, and was probably embarked upon his “twenty years of intensive home study of Neo-Confucian metaphysics” at the time Ch'en met him and shared his ideas with him. “I must say,” said Chang, “that you're the first man since the time of Ch'eng and Chu themselves to grasp the truth. Neither Wu nor Hsu [Wu Ch'eng and Hsu Heng?] ever got as far as you have. You can't [see] Wu Yü-pi, but you don't need to see him.” Thus flattered and advised, Ch'en returned home, where he became a local influence on behalf of Confucian orthodoxy, remembered and honored there long after his death.<sup>9</sup>

The aim of Ch'en Chen-sheng and Wu Yü-pi was to work out privately a practicable method of ethical self-development, based entirely on the state-approved Confucian orthodoxy. Although Wu Yü-pi had no known political or social objectives, it appears that finding social space free of the demands and restrictions of government (though not of the requirements of daily life) was essential to his method. He dressed as a peasant, not as a scholar or member of the gentry (and when he showed up in Peking in 1458 wearing a palm-fiber hat such as peasants wore, Han-lin Junior Compiler Yin Chih was irritated and asked an aide of Wu's: “Scholars don't wear palm-fiber hats. Why does Master Wu have one on?” “It's just to keep off the sun,” replied the aide).<sup>10</sup> One imagines Wu Yü-pi and his small following of disciples at home, looking for all the world like common peasants grubbing at chores, while absorbed in their psychic self-disciplines. This was China's major center for “civil society”, and this is how spatially cramped and intellectually constricted things must have appeared. But Wu Yü-pi lived long enough to see things loosen, and he became by the time he died in 1469 a true national celebrity, vilified by some, and admired by many.

## The Rise of a New Moral Community

Traditional sources label Hu Chiu-shao, Hsieh Fu, and Cheng K'ang as “second-tier disciples” of Wu Yü-pi, men who suffered the limitations of the repressive conditions of the early 15th century. They list as “first-tier

<sup>9</sup> Ibid., 114.33a-35b; Ch'en Chen-sheng, *Ch'en Cheng-fu hsien-sheng chi* (Cheng-i t'ang ch'üan-shu ed.), 4.1a-5a; W. T. de Bary, *The Message of the Mind in Neo-Confucianism* (Columbia, 1989), pp. 68-71, 192.

<sup>10</sup> Yin Chih, *Chien-chai so-chui lu* (Li-tai hsiao-shih ed.), 23a.

disciples" Lou Liang (1422-91), Ch'en Hsien-chang (1428-1500), and Hu Chü-jen (1434-84). These were men of a younger generation, who joined Wu around 1454, soon became very well known in their own right, and had strong influences upon the development of a new Ming intelligentsia that increasingly found room to function outside the framework of the state and its orthodoxy. Lou Liang was an important teacher of Wang Yang-ming (1472-1529). Ch'en Hsien-chang preceded Wang Yang-ming in making a major break with the Ch'eng-Chu orthodoxy. Hu Chü-jen had an early hand in the revival of the academies (*shu-yuan* 書院) as extra-governmental centers of philosophical discussion all over China. None of these disciples was an office-holder.

By the early decades of the 16th century, the social space for forming a "moral community" expanded to comprise large numbers of officials, on active duty or retired, as its leadership. One has in mind such figures as Wang Yang-ming (1472-1529), Chan Jo-shui (1466-1560), Ou-yang Te (1496-1554), and others too numerous to mention here. Though typically led by men in government, the Confucian community of the 16th century was not an outgrowth of government in any immediate sense; it was a product of personal commitment and individual initiative on the part of people whose official positions afforded them prestige and visibility, but did not compel their behavior.

Unlike Wu Yü-pi, Wang Yang-ming was a charismatic figure who was able and eager to reach out to welcome a wide followership, especially among the growing population of government students, and younger men just beginning their bureaucratic careers. He taught unofficially even while busy with government work. He frequently took part in informal philosophical meetings and discussions. There is testimony (biographies of many of his followers) that to come to see life through the subjective Confucian lens that Wang devised was to undergo something akin to a religious awakening. Much of south China flocked enthusiastically to his banner. Wang's philosophy retained its vitality for a half-century, from his death in 1529 down to Grand Secretary Chang Chü-cheng's suppression of the academies and philosophical discussion in the 1570s.<sup>11</sup> It was propagated in a distinctly collegial style, emphasizing group interaction, rather than the strongly asymmetrical master-disciple hierarchies common to orthodox Neo-Confucianism.

Wang Yang-ming's breakthrough to the formation of a wide new public conscience, or "moral community", helped to open floodgates that he probably did not anticipate, and certainly could not control. Down in Fukien, failed student Lin Chao-en (1517-98) founded a large new religious sect based upon an amalgam of Confucianism with Bud-

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<sup>11</sup> John Meskill, *Academies in Ming China. A Historical Essay* (Tucson, 1982).

dhism and Taoism.<sup>12</sup> In Yang-chou, former saltworker Wang Ken (1483-1541) took to the streets preaching the promise of Confucian sagehood to all who would listen. Ho Hsin-yin (1517-79), willing "to place loyalty to friends above one's obligations to state and family", travelled all over China building a network of assemblies for a national society of "friends", a breathtakingly visionary project in the social re-engineering of the country (with the idea, perhaps, of creating something very close to a "civil society"), a project which ended in his death in prison on charges of sedition.<sup>13</sup>

### Expressing Dissent

It is difficult for a "moral community" concerned to build consensus about "the moral and social order" categorically to exclude the question of political power from its agenda. Indeed, the world-remaking Confucian intellectuals of the mid-14th century occupied themselves exactly with the question of how to use state power to remold the moral and social order of China. To be sure, later on, Wu Yü-pi was forced to go to extreme lengths to exile himself from government and the "gentry" class, and develop an ethical agenda that was as much as possible apolitical. The Wang Yang-ming "consensus" was fundamentally ethical too, but it was also strongly collegial; and far from escaping the state, Wang and many of his followers participated in it, and from time to time they (and others as well) confronted it openly—by way of dissent and protest.

The metaphorical channel for dissent and protest was the so-called "avenue of speech" (*yen-lu* 言路), built into the Ming state from its beginning, as a means whereby vital information and admonition might reach the ruler unimpeded by bureaucratic entanglements. (Notes for a very interesting history of the changing uses of the avenue of speech in the Ming were written by Chao I, in the 18th century).<sup>14</sup> As the power of the throne and its moral primacy waned after 1449, the avenue of speech came to serve more and more as a channel through which officials, acting as the self-styled moral conscience of the realm, "struggled to the death" (*ssu-cheng* 死爭) to make their opinions in ethical-ritual matters prevail over the will of the emperor or his principal surrogates.

This led on occasion to bureaucratic "strikes". In 1468, the civil and

<sup>12</sup> Judith Berling, *The Syncretic Religion of Lin Chao-en* (Columbia, 1980).

<sup>13</sup> Wu Pei-yi and Julia Ching, "Ho Hsin-yin", in L. C. Goodrich and Chaoying Fang, eds., *Dictionary of Ming Biography* (Columbia, 1976), vol. 1, p. 515. Also Hou Wai-lu, *Chung-kuo ssu-hsiang t'ung-shih* (Peking, 1960), vol. 4, part 2, pp. 1003-30.

<sup>14</sup> Chao I, *Nien-erh-shih cha-chi* (reprint Taipei, 1958), vol. 1, pp. 506-8.

military bureaucrats, almost to a man, staged a kneeling demonstration at the Wen-hua gate inside the Forbidden City, and succeeded in getting the Ch'eng-hua emperor to yield to them in a ritual matter. The issue at hand (recognizably a "constitutional" issue, in the American sense) was whether the emperor's birth-mother had the right to order her son to violate the correctly expressed will of his deceased father with regard to how his principal consort should be buried. In 1519, a major demonstration on the part of much of Peking officialdom succeeded, despite blood, imprisonment, torture, and death, in forcing the Cheng-te emperor to postpone an ill-advised and dangerous tour of south China. In 1524, another bureaucratic "general strike" was mounted, this time unsuccessfully, and again at the cost of much suffering and death, to force the Chia-ching emperor ritually to disown his own father, and make himself son by adoption of the Hung-chih emperor, whose line had become extinct (at issue here was whether the state system and the private system of ancestral order were two separate things, or one).<sup>15</sup>

### Conclusion: The Early Ming and "Civil Society"

The facts would appear to show that China in the 14th-16th centuries satisfied fairly well Rau's "precondition for the existence of civil society". The indications are (1) that there *was* a good deal of consensus about the moral and social order, and about central moral values, and that (2) this consensus, broadly speaking, was achieved by intellectuals and scholar-officials acting for the most part independently of state and family. It has been recently emphasized that Confucianism on the whole required that each individual must discover moral truth for himself.<sup>16</sup> Even the official Ch'eng-Chu orthodoxy as sanctioned by the early Ming state had to concede the fundamental legitimacy of the individual quest for ethical self-perfection to such men as Wu Yü-pi and Ch'en Chen-sheng.

But somehow the "precondition" resolved itself otherwise than in the formation of a full-blown "civil society". For that, there appear to be at least two principal reasons. The first reason is that the quest for moral truth was not open-ended, because moral truth, though elusive, was

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<sup>15</sup> These incidents are discussed in much more detail in Dardess, "Ming Officials and Modern Intellectuals: Some Enduring Configurations of Moral-Political Protest in China", paper for the research conference "The Continuing Relevance of Traditional Institutions and Values in the Context of Modern China", East-WestCenter, University of Hawaii, May 1993.

<sup>16</sup> For example, Wm. Theodore de Bary, *Learning for One's Self. Essays on the Individual in Neo-Confucian Thought* (Columbia, 1991); Thomas A. Metzger, "Confucian Thought and the Modern Chinese Quest for Moral Autonomy", in Silke Krieger and Rolf Trauzettel, eds., *Confucianism and the Modernization of China* (Mainz, 1991), pp. 266-306.

definable (definably Confucian); and it was construed not narrowly but universally, such that ultimately it was impossible to conceive of throne, officialdom, and family as institutions that ought to be considered quite separately from the question of the moral autonomy of the individual, and from the "moral and social order" generally.

A second reason why a fully-developed notion of civil society did not develop can be seen in the actual working of the *yen-lu*, the "avenue of speech". The opinion that was forwarded upward through the *yen-lu* was commonly called "public opinion" (*kung-lun* 公論), but unless the opinion being expressed was completely correct, wholly impartial, and totally sincere, then it was not public opinion at all, but self-serving and villainous deceit, which no one had any right to voice. Anyone who expressed an opinion, even one that seemed correct and impartial, could legitimately expect to have his sincerity evaluated and his motive for expressing his opinion judged. That seems to be the only way, for example, to understand the remarks of the well-known Confucian thinker Lo Hung-hsien, when in 1547 the Chia-ching emperor released his friend and colleague Liu K'uei from six years of physical abuse and imprisonment. Liu had protested an imperial construction project, on the grounds of insufficient funds. The emperor could not fault the substance of the protest, but he wondered about Liu's motive for making it, and so, legitimately, he decided to use cruelty to "test his sincerity". After subjecting him to six years of flogging, shackling, food deprivations, and other abuse, the emperor concluded from the reports of his police spies that the prisoner was sincere, and so he showed his "sagely benevolence" by at last releasing him.<sup>17</sup>

The roots of this attitude were planted not by imperial fiat, but by the Confucian theoreticians of eastern Chekiang at the time of the Ming founding in the 14th century. They believed the mass of activists and intellectuals (i.e., "civil society") could not be trusted. Men commonly acted and spoke out of self-interest. The horrors of civil war and anarchy were proof of that. Few had the general good in mind. China had to have a ruler free to act upon his sagely insights into the men's spiritual dispositions—a ruler free to make common cause with correct, morally upright, and impartial men, and free to ferret out and crush the self-serving, the deceitful, and the villainous. That was a compelling and viscerally powerful attitude, and it continued to inhibit the formation of civil society in China long after the Ming dynasty itself passed into history.

<sup>17</sup> Lo Hung-hsien, *Nien-an wen-chi* (Ssu-k'u ch'üan-shu chen-pen ed., 5th ser.), 11.48a-51a.

À vrai dire, c'est l'expansion simultanée des pouvoirs de l'État et des pouvoirs du corps social, et leur interpénétration, qui engendrèrent ces concepts. L'enjeu, pour l'État et la société civile, fut le contrôle de tout l'espace public formant une frontière commune imprécise entre les deux. La société civile, en s'appropriant cet espace public où s'affrontèrent les intérêts généraux de la nation et les intérêts privés des classes montantes (surtout dans le domaine économique - pensons à la bourgeoisie des XVIII<sup>e</sup> et XIX<sup>e</sup> siècles), requérait l'intervention de l'État pour résoudre ses propres contradictions internes. L'opposition entre société civile et État ne signifia donc nullement séparation ou écart entre les deux, mais plutôt symbiose.

C'est cette conception habermasienne de la société civile qui se profile à l'arrière de plusieurs chapitres du présent ouvrage. La société civile y apparaît moins comme un objet empirique socio-historique à décrire, qu'une méthode heuristique permettant de découvrir, d'identifier et de théoriser certains aspects parfois moins remarquables de la pensée et de la pratique politiques des pays de l'Asie de l'Est. Ce sont peut-être ces aspects ombrés qui cachent une part importante des traditions profondes de l'Extrême-Orient, gages de développements inédits au III<sup>e</sup> millénaire.

—— PRÉFACE

*In fact, it was the simultaneous expansion of state power and of the powers invested in the social body, and their mutual interpenetration, which informed these concepts. The stake, both for the state and civil society, was the political control of all public activity, leading in practice, to a common and blurred boundary between the two. Civil society by appropriating this public arena where the general interests of the nation and private interests of the rising classes met head on (we may think of the bourgeoisie of the 17th and 18th centuries), in fact urged state intervention to solve its own internal contradictions. The opposition between civil society and the state did not therefore imply separation or distance between the two, but rather a form of symbiosis.*

*We find this habermasian view of civil society in the background of many chapters of the present work. The civil society appears less as an empirical socio-historical object of description than as a heuristic method for the discovery, identification and theorizing of certain less noticed aspects of the political thought and praxis of East Asian countries. It may be precisely these adumbrated aspects which conceal an important part of the deep traditions of the Far East, seeds perhaps of unexpected developments in the third millennium.*

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