

# Xunzi's Ritual Program as a Response to Han Feizi's Criticism of Confucianism

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## Abstract

One of Han Feizi's most subtle criticisms of Confucianism targets a central feature of its moral cultivation program, namely an appeal to modelling oneself on ancient sages. According to Han Feizi, this ideal of model emulation is doomed to failure due to imperfect knowledge of past exemplars, the fact that certain ideals of practice may not be applicable to (or catastrophic for) some practitioners, and the additional fact that one cannot always rely on past examples to provide good guidance for future events. As Eric Hutton points out, this line of critique bears striking similarities to one offered by Bernard Williams against virtue ethics. Accordingly, this emulation problem poses difficulties not only for Confucianism, but also more generally for virtue ethics. This paper argues that the *emulation problem* can be overcome by appealing to the Confucian Xunzi's account of the role of ritual (*li*) in moral cultivation. Specifically, the ways in which ritual promotes moral development provide the Confucians (and, by association, virtue ethics) with the means of devising a sufficiently sophisticated account of emulation to meet the challenge lobbied by Han Feizi and Williams.

**Keywords:** Xunzi, Han Feizi, Bernard Williams, virtue ethics, ritual, moral education

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## I. Introduction: The Emulation Problem and the Practice Model

One of Han Feizi's (c. 280–233 BCE)<sup>1</sup> most poignant attacks on Confucianism is elaborated by Eric Hutton (2008), who describes what I will call the *emulation problem* for moral development. Put simply, the concern is that using model emulation, as a primary guide for moral cultivation or sociopolitical practice, is at best insufficient and at worst disastrous for directing one's behavior and general lifestyle. In Han Feizi's particular critique, the problem arises due to the Confucians advocating ideals (in the forms of people or actions) that either yield unrealistic models for those who are (morally or politically) less capable, or end up being ineffective (or dangerous) even for capable agents.<sup>2</sup> When a model is unrealistic, emulation is doomed to failure because learner-practitioners will be unable to achieve or execute the quality or action modelled; this can lead to frustration, self-degradation, and even injury or death in situations that place learner-practitioners in genuine peril.<sup>3</sup> When a model is ineffective, it does not reliably produce the results or qualities for others that it did in the original context, and so is not a viable resource. Han Feizi's cautionary tale of Lord Zikuai exemplifies both aspects of the emulation problem: it is said that handing over the state to a "worthy minister" was something that the sages of old had done. Zikuai, seeking to be a good king by emulating these sages, decided to hand over power to a trusted minister, Zizhi. The rest, as they say, is history: Zikuai perished when his state, under Zizhi's inept stewardship, was conquered by a neighboring territory.<sup>4</sup>

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<sup>1</sup> A philosopher during China's Warring States period (475–221 BCE) traditionally associated with legalism.

<sup>2</sup> As Hutton himself notes, Han Feizi does not totally reject imitation as a practice, but cautions that one should not attempt to imitate those whose abilities are beyond one's current reach (438–439). In place of such imitation, Han Feizi recommends appealing to more accessible, and supposedly more objective, legalistic standards.

<sup>3</sup> A possible example of such a case appears in a, possibly satirical, story from the *Zhuangzi*, in which a Confucian is mocked for planning to rectify a feudal lord by appeal to Confucian models (*Zhuangzi*, ch. 4).

<sup>4</sup> *Han Feizi* HKCS 44/134/27–30. See also Watson (2003, 32–33).

Hutton expands the nature and importance of Han Feizi's case against emulation via comparison with one of Bernard Williams' (1995) concerns about virtue ethics, namely that a moral novice's imitating a virtuous person might not lead to the novice's flourishing, but to catastrophe. Hutton illustrates Williams' argument by having readers imagine two characters: one, healthy and temperate; the other, an obese glutton. We are to assume that the glutton wants to be temperate but has great difficulty with appetite-control. In an emulation-based approach to cultivation, the glutton tries to cultivate appetite-control by doing as the temperate exemplar does. Here is the problem with this approach: if these two characters were to attend a party with a lavish buffet, then it would not suit the glutton (who merely aspires to temperance) to do *exactly* as the (already) temperate person does. The temperate person can eat and chat around the buffet without over-indulging, but the glutton, lest temptation strikes, would do better to avoid the buffet altogether. This problem, Hutton observes, "calls into question the use of the virtuous person as an ideal, by showing how that ideal provides the wrong kind of guidance" (2008, 433). It follows, then, that straightforward emulation poses risks, as the actions and behaviors of a person in possession of a virtue may not be practicable by or desirable for a person lacking that virtue, even in cases where the latter consciously or sincerely strives for said trait. This example also illustrates Han Feizi's objection to the Confucians: even if the sages acted in ways that ordered society, benefitted the realm, and were emulation-worthy in context, it does not follow that one should attempt to replicate the actions and attitudes of these sages, since what worked for the sages might not be congenial to one's own ability or circumstances.

The emulation problem is not easily discharged, as Hutton notes that several possible rebuttals on behalf of the Confucians (at best) only partially address the concerns raised.<sup>5</sup> Ultimately, though, Hutton

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<sup>5</sup> In particular, Hutton observes that attempts to brush off the challenge as "improper" emulation appear to be little more than "just so" stories (2008, 442–443), and that resetting the object of emulation as "sagely thought," "sagely wisdom," or "sagely character" all run into subsequent troubles that either do not escape the emulation problem, do not offer substantive guidance, or end up being impractically demanding.

does propose a way to rescue the Confucians from the emulation problem: rather than adopt a “goal model” of emulation, Confucians could instead deploy a “practice model.”<sup>6</sup> The practice model turns emulation into a matter of progressive development, rather than trying to embody “perfected” virtue all in one go. As described by Hutton:

On such a view, the actions of perfected sages can remain a model in the sense of an end goal to aim at, but the beginner has a separate model for cultivation. This “practice model” would consist of less heroic and more homely actions to imitate . . . that are accordingly more likely to be safe for such a person to do in any circumstances. (Hutton 2008, 451)

Such an approach potentially avoids the emulation problem: it does not recommend that one attempt to be “just like” particular sages, nor does it require one to do *exactly* as these exemplars did. The practice model has humbler expectations: one engages in prescribed activities and studies that *aim* at, and build toward, the virtuosity of exemplars, but do not demand that one *achieve* virtue in one fell swoop. This method is similar to the modern educational technique of “scaffolding,” in which a learner’s proximate level of knowledge is built on by gradually introducing new, related material. As the learner’s competency improves, “fluency” with the material is achieved. In the context of Confucianism, this sort of practice concerns material regarded as necessary for moral cultivation and, in turn, sociopolitical order and harmony.

Even if the Confucians can provide such a model, however, they are still beset by a line of concern raised by Han Feizi and Williams: in morally charged situations, it is reasonable to expect that morally salient confounds could arise and complicate otherwise straightforward encounters. If such complications can and do occur, then it must be assumed that one will have to be adaptive in how one approaches these problems. Yet if one must be adaptive, then one may question the utility of the relatively set materials employed in

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<sup>6</sup> Hutton (2008, 451) notes that this idea was originally suggested by Philip J. Ivanhoe.

the practice model (Hutton 2008, 451). In other words, it is unclear that even a practice model can resolve the issue of whether the practices proposed can guarantee the development of virtue. At this point, Hutton ends his discussion of the practice model, leaving it vulnerable to this general concern.

The concern can play out in several ways. For one, if the practice model pushes “one-size-fits-all” solutions/outlooks/actions, then students of the practice model might become overly rigid and incapable of adapting to contextual nuances, inhibiting them from developing or displaying full virtuosity or competency. Consider greetings—given their cultural pervasiveness, such practices might seem ideal candidates for part of a practice model for inculcating practices conducive to social harmony. If, however, a certain practice, say the firm clasping of hands with eye contact, were to shift from being a sign of cordiality to a display of disregard for another’s health and wellbeing (e.g., as in the case of the current global pandemic), then clearly the practice model that included this now problematic behavior would no longer be contributing exclusively toward the desired end; indeed, it would seemingly produce the contrary effect. The details of even seemingly simple practices can be intricate, context dependent, and subject to alteration over time, and this seems to make them difficult for novices to master.

Alternatively, one might worry that the practices themselves are beyond the capability of the target practitioners and, thus, unable to perform their target functions. This is similar to a problem faced by modern exposure therapy, a treatment designed to assist in resolving post-traumatic stress disorder (PTSD). Exposure therapy works by replacing the practice of avoiding triggers for traumatic stress reactions with confrontation of those triggers in a safe environment, thus allowing patients to overcome their fears and concomitant need for avoidance.<sup>7</sup> Despite demonstrated efficacy in helping patients to

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<sup>7</sup> American Psychological Association (APA), “What Is Exposure Therapy?” APA.org. <https://www.apa.org/ptsd-guideline/patients-and-families/exposure-therapy.aspx> (accessed 12 December 2018). The APA describes a variety of ways in which exposure therapy can be pursued based on the patient’s needs, including direct and simulated methods of exposure, as well as being paced as graded or flooded exposure.

cope with or overcome PTSD, however, exposure therapy is relatively underutilized due, in part, to clients declining the option out of concern about the treatment being (re-)traumatizing, since exposure therapy necessarily entails forgoing avoidance of the very triggers that cause the debilitating stress reactions.<sup>8</sup> Whatever a practice model entails, it cannot be too demanding of a novice, and it should also be adaptable to serve those with considerable handicaps. Returning to the example of the glutton, it will not do for this character to merely mimic the temperate person; it is beyond the glutton's capability. Similarly, it might also be overwhelming to even approximate the lifestyle of the temperate person: if just being around food sends the glutton into a feeding frenzy, then clearly additional restrictions will be necessary to work from gluttony toward temperance.

The remainder of this article is dedicated to completing the line of thought that Hutton originates by further elaborating the practice model and defending it against these worries. First, I explicate a version of the practice model that already exists in classical Confucianism, namely Xunzi's (c. 310–235 BCE)<sup>9</sup> ritual education model. After providing a sufficiently detailed sketch of Xunzi's ritual pedagogy and explaining how it can be construed as a practice model, I evaluate how well Xunzi's model meets the challenges of the emulation problem. While some concerns for the general Confucian program remain, it is arguable that the account of moral cultivation offered herein is largely immune to the emulation problem and, moreover, provides a defensible resolution to the quandary posed for model-based virtue ethics.

## II. Xunzi's Ritual Education as Practice

Ritual, as presented in Confucianism, is a complex concept. The character traditionally rendered as "ritual" (*li* 禮), has several meanings, "ritual" being the common translation. Herein, I treat ritual specifically

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<sup>8</sup> For an overview of the literature on this topic, see Jaeger et al. (2009).

<sup>9</sup> Xunzi's birth and death dates are approximate. There is speculation that he may have lived to see the rise of the Qin Dynasty (221 BCE), which would put his death even later.

as those prescriptions governing the practices and standards that embody expressions of respect and related prosocial attitudes. While this account has nuance, and defending it is beyond the scope of this project, I suspect that my proposal is largely uncontentious: it is clear that ritual texts are treated as prescriptive (e.g., the *Rites of Zhou/Zhouli* and *Classic of Rites/Liji*), as is the fact that rituals can be performed. Additionally, Xunzi clarifies that ritual can also refer to social distinctions<sup>10</sup> and, repeatedly, that rituals are designed to facilitate prosociality (e.g., *Xunzi* 9/39/15–16; 19/90/3–5; 27/127/22). Such a definition of ritual will help both to clarify its function within a practice model of virtue and resolve the challenge of the emulation problem.

In responding to the emulation problem, the Confucian practice model should still involve emulation, presumably of the sages; arguably, this is a function of ritual. Xunzi notably regards ritual as the greatest accomplishment of the sages and a means by which their way is transmitted.<sup>11</sup> He claims that ritual, as an integral part of a moral education program, provides learners with a path to an orderly, flourishing life. While the specifics of Xunzi's ritual education method are mostly unknown, Xunzi elaborates the importance of ritual throughout his text (most notably in Book 19, "Discourse on Ritual"). Perhaps the most comprehensive overview of systematic moral education is offered in the following excerpt from Book 1 ("An Exhortation to Learning"):

Where does learning begin? Where does learning end? I say: Its order begins with reciting the classics and ends with studying ritual. Its purpose begins with becoming a well-bred man and ends with becoming a sage. . . . The *Documents* is the record of government affairs. The *Odes* is the repository of balanced sound. Rituals are the

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<sup>10</sup> For example, *Xunzi* 12/57/23–26. Reading numbers for the *Xunzi*, *Analects/Lunyu*, *Mengzi*, and *Liji* are from the ICS concordance series.

<sup>11</sup> For example, see *Xunzi* 5/18/17. In this sense, and in the general approach to practice, I take Xunzi's program to be continuous with the general, but perhaps less systematic, emphasis on the importance of accumulative learning (*xue* 學) and practice (*xi* 習) espoused by Confucius/Kongzi throughout the *Analects/Lunyu*.

great divisions in the model for things. Outlines of things' proper classes are in the rituals found. And so, learning comes to ritual and then stops, for this is called the ultimate point in pursuit of the Way and virtue. (*Xunzi* 1/3/7-12; Hutton 2014, 38)

Herein, *Xunzi* clearly views ritual as key to the moral cultivation process, aligning it with the goals of sageliness, and regards ritual as a facilitator of social harmony by providing its learners and adherents with a means for comprehensibly and respectfully engaging with one another by establishing prescriptions for roles and obligations within a community. The particular dictates of a ritual prescription (e.g., the timing of one's bow, the nature of one's comportment, the style of one's clothing and so on) are all concerned with the nature of one's relationship to others and the expression of associated pro-social attitudes.

Such a tool also fits *Xunzi*'s assertion that, in an ideal society, "there is to be respect for one and all" (*Xunzi* 13/65/18), and that interpersonal exchanges should be guided by ritual:

As for "proper conduct," it means conducting ritual. As for ritual, through it those who are noble are treated with respect. Through it those who are elderly are treated with filiality. Through it those who are senior are treated with fraternal respect. Through it those who are young are treated with kindness. Through it those who are lowly are treated with generosity. (*Xunzi* 27/127/15; Hutton 2014, 291-292)

Throughout the *Xunzi*, and the other pre-Qin Confucian texts, such respectful attitudes are regarded as integral to a flourishing society and, insofar as they are intimately bound-up with ritual, one might think of ritual education as providing a training ground for developing these attitudes alongside reliable means of deploying and receiving them.<sup>12</sup>

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<sup>12</sup> For further discussion of the relationship between ritual and respect, see Lewis (forthcoming). For discussion of the concept of respect in classical Confucian thought, see Chan (2006). Additionally, Chan draws on the works of Cranor (1975) and Darwall (1977).



In addition to promoting interpersonal harmony, ritual has a second, related function. In a recent paper (Lewis 2018), I argue that Xunzi regards ritual not only as a facilitator for developing harmony between the people comprising a community, but also within said people themselves (i.e., *intrapersonal* harmony). Specifically, ritual is intended to guide and channel features of human psychology in a way that not only refines and cements dispositions that are relevant to morally charged interactions with others, but also benefits one's own psychological wellbeing. I compare this function of ritual to language:

[J]ust as language facilitates communication between others and helps to organize and navigate one's own thoughts and experiences, so too does ritual facilitate promoral interactions and help organize one's own morally relevant internal states. (Lewis 2018, 88)<sup>13</sup>

Thus construed, ritual is an integral resource for understanding both the external, social world and the internal, psychological one. Developing this understanding permits further cultivation of those dispositions that are conducive to personal flourishing and a harmonious, prosocial coexistence with other members of one's community.

To see how this is so, it will help to look at Xunzi's understanding of human psychology. Throughout Book 23, "Human Nature Is Bad," Xunzi argues that humans lack innate moral competence: at birth, humans are motivated by brutish desires that seldom reflect dispositions conducive to social order; it is only after a period of dedicated cultivation that one comes (close) to moral goodness.<sup>14</sup> Xunzi treats cultivation as educative accumulation: when humans learn something, they are adding to themselves. In moral cultivation, one of the things that humans add is how to cope with and care for their physiological and psychosocial needs in a manner that avoids devolution into chaos. A prominent example of such development

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<sup>13</sup> For other examples of ritual-language analogies in Confucianism, see Bockover (2012), Li (2007), and Nam (2014).

<sup>14</sup> See also *Xunzi* 19/90/3–5.

in the *Xunzi* involves one's sense of approbation (*ke* 可) and using it to control one's desires (*yu* 欲). This is achieved through rituals that help humans learn to "halt" their excessive desires and extend their prosocial dispositions when relevant.<sup>15</sup> *Xunzi* depicts this process as "straightening" and "sharpening" one's character, following which one becomes "well ordered" (*Xunzi* 23/113/9–10). On this construal, ritual is a key tool for training people to be both increasingly aware of their own internal states, in addition to circumstances external to themselves and the impact of these circumstances on others, as well as provide a shared framework for understanding these internal states and their concomitant expressions.

Ritual's integral role in cultivating sagely virtue also involves channeling and refining feelings so as to make them socially appropriate, tolerable, and comprehensible across various scenarios. This is achieved through ritual's dual function as an object of practice (*xi* 習) and reflection (*si* 思). Ideally, students of the ritual curriculum gradually become more accustomed to ritual and the ritual structure of the social world. As this acclimation progresses, learners should find effective participation in such rituals to be less effortful: on seeing the person in mourning garb, one reflexively shrinks away; on meeting one's superior, one automatically adopts a deferential posture. Much like learning a language, one becomes so fluent in ritual that performance comes easily. Such fluency requires considerable training/conditioning, so practice is necessarily an important part of *Xunzi*'s educational program.

Equally important to *Xunzi*'s ritual education program is reflection, both as part of practicing and understanding ritual, as well as treating ritual as an object of reflection. The first theme is exemplified in cases such as using ritual to help cope with traumatic events such as losing a loved one, as ritual is intended to provide the bereaved with a means of moving past loss and returning to "normal living" (e.g., *Xunzi* 19/94/3). Other excerpts from the text more directly implicate a connection between ritual conduct and reflection, like when *Xunzi* suggests that reflection can enlighten one's ritually ordered conduct

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<sup>15</sup> For example, see *Xunzi* 19/94/8, 22/111/8–9.

(*Xunzi* 2/6/9). The implication is that ritual involves not only practice, but also a deliberative component that helps one to develop an ever-evolving capacity for moral understanding, judgment, and action.

The second theme, ritual as an object of reflection, stems from the idea that reflecting on ritual prescriptions themselves may assist in cultivating sagely dispositions. In several passages, Xunzi insists that in reflecting on ritual one comes to have more complete capacities like deliberation (*Xunzi* 19/92/14–17), and that without such reflection one will never truly grasp the sagely content of said rituals (*Xunzi* 23/114/21), including many promoral dispositions (e.g., compassion, kindness, righteousness, and so on). For Confucians, proper application of ritual requires the presence of such dispositions, and Xunzi suggests that reflecting on the rituals may assist in their cultivation: as one comes to better understand the ritual (through reflection), one is more likely to develop the relevant dispositions. Such understandings also lend a degree of flexibility in ritual application and assessment. For example, there may be instances in which specific dictates of a ritual might be impractical (e.g., when resources are scarce, funds are insufficient, or there is an emergency). In these instances, one cannot simply abandon the ritual, but pursuing its original form may not be feasible. One must, then, find a way of adapting the ritual to the circumstances that maintains the spirit of the ritual while accommodating reality.<sup>16</sup>

Through practice and reflection, ritual can assist not only in establishing and maintaining social harmony, but also in coordinating one's feelings and other dispositions, such as one's sense of moral judgment (e.g., *Xunzi* 4/15/13–17). As seen earlier, this

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<sup>16</sup> One might worry that this highlights a tension in Xunzi's practice model, since understanding what changes can be made to ritual entails a sufficiently cultivated capacity to distinguish appropriate from inappropriate adaptations; a parallel issue can be raised for virtuous behavior more generally. This, however, is precisely what the application of practice and reflection is intended to help mitigate, since the learner is supposed to reflect on the ritual, its function/purpose, and its fit with present circumstances. It is also worth noting that this practice and reflection are not wholly unguided: as I note later in the paper, teachers and other resources may facilitate learners' progress.

growth is exhibited in the way that ritual helps refine one's sense of approbation such that self- and social awareness are enhanced even when seeking to fulfill desires. While contemplating desire-fulfillment, one's deliberation is subject to an increasingly cultivated sense of approbation that is framed by ritual, restraining one with the norms of propriety and inhibiting impulsive action (*Xunzi* 22/111/8–9). Over time, as one adheres to these cultivated judgments, one begins to appreciate them more, while also reflecting on the purpose and function of the underlying ritual. This, in turn, yields an increasingly clear source of moral guidance. Establishing these norms throughout a community sets a basis for harmony and, in Xunzi's account, ritual is the foundation of said establishment.

This depiction of ritual education nicely fits Hutton's notion of a practice model of moral cultivation. Recall that, in the practice model, one aims at emulating the sages not by doing *exactly* as particular sages did, but by practicing a model established by the sages to *approximate* and *approach* their virtuosity. It is conceivable that this is a purpose of the ritual model. In his discussion of self-cultivation, the theme of Book 2, "Cultivating Oneself," Xunzi offers the following illustrations:

[G]oing step by step without stopping, even a lame turtle can go a thousand *li*. If you pile up earth without ceasing, then hills and mountains will majestically arise. If you plug up their sources and open up their channels, then even the great rivers can be drained. (*Xunzi* 2/7/13; Hutton 2014, 47)

Notably, these remarks are preceded by cautioning against merely attempting to utilize the "inexhaustible and limitless" and emphasizing the need for clear starting and stopping points. Given these facts, coupled with the previously cited remarks from Book 1, it is clear that Xunzi is suggesting that humans utilize select tools, namely ritual, to furnish themselves with resources for coping with and adapting to their social reality; that is, for making them morally good. In utilizing these tools, however, one should not expect a complete or immediate moral transformation: the process of becoming morally good can be

long and arduous and may require the accumulation of innumerable and possibly infinitesimal steps. Presumably, it is through intensive study and practice of the ritual curriculum that one accumulates these steps along the path to goodness. Rather than immediately attempting to live one's life as a sage, then, one abides by the rituals laid out by these figures and their sagely successors, for it is in these practices that one comes to approach the virtue of the progenitors of the rituals themselves.

### III. Resolving the Emulation Problem

Confucianism clearly has access to a practice model of moral cultivation; the question is whether this model can avoid the emulation problem as described. To alleviate the concern, recall that a practice model must be able to handle variable circumstances, including diverse capabilities among learner-practitioners, and be suitable for facilitating moral cultivation in a manner that does not court disaster. One might worry that the ritual model cannot handle these demands, even though I have argued that ritual education does *not* depend on rigid adherence to (possibly dated) prescriptions, especially since novices initially lack a sufficient degree of competency in the practice. Consequently, novices also lack the ability to be both morally capable *and* practically adaptable, and so they should (presumably) stick to the ritual as given. If so, then the practice model is still vulnerable to the worry that its curriculum might be inappropriate for novice learners (at least in some circumstances).

One could try to offset this worry by appeal to an educational failsafe: the teacher. As Xunzi notes, teachers are expedient for moral growth (*Xunzi* 1/3/20), and a *good* teacher is one who makes reliable judgments on behalf of learners with regard to where they might or might not adjust a ritual according to their needs. Indeed, Xunzi's very conception of the ritual practice method suggests that his approach is not the sort of emulation that easily falls prey to Han Feizi's condemnation *because* the model emulation is guided and gradual rather than independent and immediate; it is not a stand-alone enterprise.

Unfortunately, such a resolution just offloads the problem onto the teacher's wisdom and raises the question of whether the learner should defer to said teacher (as well as how a complete novice might identify the right teacher in the first place).<sup>17</sup> One could potentially alleviate this problem by elaborating the conception and function of a good teacher,<sup>18</sup> but it is unclear whether such additions guarantee a different outcome.

Another solution can be drawn from Wilson Lee's (2018) approach to the practice model. Lee argues that part of Xunzi's moral education curriculum involves habituating students to think and feel in certain ways by studying the classical texts (i.e., the *Odes*, *Documents*, and *Spring and Autumn Annals*), and by "fasting the mind" (*xinzhai*, 心齋), to make students more receptive to subsequent practice with ritual (86, 89). Lee's account adds a dimension to the practice model that is congruent with Xunzi's vision for moral cultivation and seems analogous to Ronald de Sousa's "paradigm scenarios," by which humans become acquainted with and habituated to something like a vocabulary of emotion (1990, 182). If Lee's gloss is correct, then this feature would facilitate ritual education. Unfortunately, it fails to resolve the issue of the emulation problem: just as good instruction is integral to learning ritual, it is equally important for grasping the classical texts (*Xunzi* 1/3/21). If this is the case, then it seems like novices may once again have difficulty wrangling with the material, running the approach back into the aforementioned problem of offloading onto the teacher's wisdom.

Perhaps this line of critique is misguided, though. Han Feizi's complaint is not against emulation *in general*,<sup>19</sup> but a model like the

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<sup>17</sup> This concern may be overstated. In general, teachers are not hovering over their students (at least not in the Confucian practice model). Rather, the general approach is for teachers to make regular check-ins on students' practice, as well as make themselves available to assist with problem cases. In most contexts outside of initial instruction, though, learning and development are largely student driven. I thank Philip J. Ivanhoe for this observation.

<sup>18</sup> For a recent attempt to expand the notion of locating ideal teachers in Confucianism, see Harris (2017).

<sup>19</sup> Hutton is clear about this (2008, 438–439).

Confucians' *in particular*.<sup>20</sup> Similarly, Williams' concern for virtue ethics focuses on programs that specifically enjoin moral novices to mimic the actions or character of the already virtuous; it is *not* directed at the general use of standards. Practically, structured models are necessary to guide psychosocial development, moral or otherwise; the key is to employ models and tools that are accessible and functional regarding both learner ability and the target ends.

When reframed this way, the challenge to the ritual practice model becomes far less daunting. For one, the rituals are clearly accessible for learners: as noted, they are (or have been) culturally pervasive and woven into many or most social interactions.<sup>21</sup> Ritual serves as a framing device for structuring and guiding exchanges, so many rituals are likely to be quite basic. Although some rituals will be more sophisticated than others, such as courtly practices, it is unlikely that these are rituals intended for novices anyway since these roles would (ideally) only be held by those well-qualified.<sup>22</sup> This speaks further to the practice model's merits since building up to more complex practices is part of the aforementioned scaffolding inherent in the Xunzian educational approach: even among rituals, one does not seek to emulate all practices, attitudes, and abilities in one fell swoop; it is a step-by-step process.

Understanding the model thusly helps to mitigate concerns about whether learners can know *on their own* where to start in the cultivation process. While there remains a worry about overly ambitious learners attempting practices beyond their skill level, it is not clear that this is a fault of practice models like Xunzi's. Consider an athletics analogy: there will always be athletes who aspire to greatness and undertake intensive training that unregulated can

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<sup>20</sup> Indeed, Han Feizi needs his argument to be limited, else any system of standards (or attempts to live up to said standards) would become problematic, even Han Feizi's own.

<sup>21</sup> The comparison with language is again helpful, as language is, technically, quite complex, yet humans can internalize and deploy a language even at an early age.

<sup>22</sup> Even Han Feizi, with his worries about court intrigue, suggests that officials should have specific qualifications. See in particular Ch. 5, "The Way of the Ruler." At the very least, one would expect that novice practitioners would not undertake more complex rituals without some sort of guidance.

be harmful; at the same time, without added challenge, athletes can plateau and cease to grow. This is, in part, what trainers and coaches are supposed to help prevent, the analogue in the case of moral development being teachers and mentors. Of course, trainers, coaches, teachers, and mentors are neither omniscient nor omnipresent: they make mistakes in judgment that can result in guidance producing subpar or dangerous results for their trainees/pupils.<sup>23</sup> The point here, however, is that the potential dangers of over-training do not entail that training itself is an inherently flawed approach to athletic improvement; indeed, training is quintessential to such growth. Similarly, the fact that learners can fail, or incur injury, in ritual practice does not demonstrate that the ritual model is either unsafe or untenable.

Moreover, it is possible that the ritual practice model of moral cultivation is less susceptible to these sorts of concerns than at least some other approaches to moral development. Comparative scholars like Deborah Mower (2013), Hagop Sarkissian (2010, 2017), and Edward Slingerland (2011) deploy a similar conceptualization of the ritual model in their responses to situationist critiques of virtue ethics. A general idea found in these arguments, and one that resonates with my point here, is that ritual, as a framing device, helps to structure moral interactions in a way that minimizes potentially confounding variables and maximizes morally ideal responses. As Sarkissian notes:

Xunzi says much . . . about what occurs at the micro level—including the more immediate effects of contextual cues on a person’s behavior. For example, he maintains that individuals must be very attentive to their surroundings because certain social and asocial factors can cause predictable changes in an individual’s temperament and behavior. Xunzi observes the effects of ritual settings and ceremonies—that they elicit, strengthen, and express appropriate emotions and sentiment in particular situation types. (Sarkissian 2017, 495)

An example of this function to which both Sarkissian and Mower

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<sup>23</sup> Eirik Harris, citing an anonymous reviewer, makes a similar observation (2017, 466).



appeal involves funerary rites. Since burials are likely to be emotionally tumultuous, it is desirable to have structures to facilitate the event, ones that “elicit positive emotional responses and . . . [redirect] one’s attention accordingly,” (Mower 2013, 119, modified). So long as there is some guiding structure by which learner practitioners can orient themselves, the odds of their being grossly misled are reduced. By designing and deploying rituals in a manner that helps to both signal and strengthen general promoral dispositions, it is plausible that the learner practitioner will find clarity where there might otherwise be confusion.

Furthermore, even when guides are not immediately present, it is arguable that learners are never truly “on their own.” Psychosocial development does not occur in a vacuum: learners are inevitably influenced by their proximate environments (including other humans), getting feedback on their personal efficaciousness and limitations (as well as the expansion or contraction of those limitations). While this does not guarantee that learners will (independently) know where to start their cultivation, it gives reason to be optimistic about the view that getting them to the ideal starting point could result from a combination of trial-and-error and varying degrees of prompting (social or otherwise).

All of this is to say that the concern of learners taking on too much too soon applies to many, if not all, forms of education or training: being imperfect creatures, humans are bound to make mistakes occasionally, and these mistakes can have unfortunate consequences (presumably even in the case of, say, Han Feizian legalistic instruction). It would not be sensible, though, to abandon any and all forms of education or training merely because of these risks; indeed, it is impossible to do without them.<sup>24</sup> Consequently, the problem should be reworked to ask if there is anything particularly risky about practice model approaches. Given the research so far, there is seemingly no need to be any more averse to a practice model of virtue than to, say, methods of moral education focused on

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<sup>24</sup> In some ways, then, this might be construed as a way of using Han Feizi’s claim that the sage rules by employing “measures that will be effective with the majority and discard those that will be effective only with a few” (Watson 2003, 126).

improving critical thinking (e.g., as with a Kohlbergian approach).

It may also help to distinguish between the practice model as a *method* and the *content* of a particular application of the model, such as Xunzi's. As a method of moral education, the practice model simply consists in utilizing a tool like ritual to acculturate learners and advance their psychosocial and moral development. This is the general strategy of all practice models, and so it is not necessary that the rituals employed be Confucian. Indeed, one might even utilize tools other than ritual (e.g., games, music, stories, etc.) to assist in moral development and still be said to be engaging or developing the practice model method. If one is discussing a practice model, however, then one is speaking to its *content*: the specific rituals (or other tools) contained therein, and the set of aims and values to which the given model is tied. For example, Xunzi's specific version of a practice model requires learners to study and train in a particular collection of ritual and cultivate the relevant dispositions, habits, and understandings.

It is possible, then, to speak of the practice model as a general method, or to focus on a particular case of a practice model. I propose that the practice model *method* is a plausible means of avoiding (if not eliminating) the emulation problem for virtue ethics more generally. Specifically, insofar as virtue cultivation involves model emulation, and said emulation can be pursued in the form of a (functional) practice model, this method can avoid inviting the disasters of which Han Feizi and Williams are wary. To start, it will help to consider the track record of model-based education: it is well-documented that modelling/emulation is an effective means of inculcating skills and transmitting information to learners and has likely been a cornerstone of broader educational pursuits throughout human history.<sup>25</sup> To clarify, I am not defending model-based education on the grounds that pedagogical methods cannot be improved; rather, I am arguing that the methods in question have worked, do work, and will likely continue to work. Frankly, it is unlikely that the human species, even over long periods of time, will evolve to the point that they

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<sup>25</sup> For an overview of literature on modelling's efficacy as well as additional research on the practice of modelling among professional educators, see Fisher and Frey (2015).

would need or employ radically different educational *methods*.

There are plenty of longstanding educative methods that can serve as supportive evidence here, memorization being an exemplary case: data storage technologies have advanced to the point that massive stores of information are now readily available or transmittable in resources external to the human brain; pessimistically, this might be construed as reason for, or a path toward, abandoning memorization as an educative method. If, after all, I do not need to spend time memorizing historical facts, or even the quickest route to my favorite restaurant, then it might seem more prudent to use that extra time for other pursuits. Nonetheless, and despite the purported problems of over-reliance on rote memorization as an educative method (e.g., Mayer 2002), memorization and the capacity to memorize serve important roles in cognitive development more generally (e.g., Hagen, Jongeward, and Kail 1975). Consequently, developing and expanding one's memory is fundamental to continued cognitive and meta-cognitive growth and educative pursuits (e.g., Cowan 2014). This is partly due to the fact that, even though technology for rapidly accessing information is now available, many instances of cognitive growth, problem-solving, and general interaction require both having the information consciously available *and* a developed ability (of which memory will be at least a component) to utilize the information effectively (e.g., as when finding patterns or establishing relationships).<sup>26</sup>

It follows, then, that even if a particular educative method or tool might be made to *seem* unnecessary or obsolete by emergent technologies or circumstances, this does not prove that the method itself is disadvantageous to learners; on the contrary, the method may retain (or even raise) its utility.<sup>27</sup> It need not be the case that such a method (at least if well-engrained or well-supported empirically) should be dropped. Such a defense applies to modelling/

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<sup>26</sup> Thanks to Philip J. Ivanhoe for helping to make this feature more explicit.

<sup>27</sup> Maintaining the example of memory: if the current research is accurate and improving memory directly improves cognitive ability, then one should value improved memory more highly insofar as one values cognitive ability and the various ends to which it contributes (including the development of new technologies).

emulation: while human psychologies can vary substantially,<sup>28</sup> it does not follow that major tools and subjects of education become wholly inaccessible to, or useless for, the overwhelming majority of learners; there simply are not sufficient data to support such a worry. Accordingly, it is unlikely that practice models of virtue as *methods* need fall prey to the emulation problem.

Still, the methods skeptic might push the following concern: even if a method appears defensible at *present*, circumstances could shift to such a degree *in the future* so as to provide reason not to employ or rely on said method (indeed, this very concern is toward the center of Han Feizi's initial criticism).<sup>29</sup> For example, if technology were developed that could perform the same functions as memorization or modelling, do so at a fraction of the cost (temporally, ergonomically, monetarily, etc.), and integrate these processes into human cognitive development, then it seems one would be disadvantaged by using the old methods over the newer technology.<sup>30</sup> In short, there is no way of "futureproofing" the method.

I think that several things can be said in response to this worry. First, the concern about futureproofing is problematically broad: if we assume that circumstances could always radically change to disadvantage current methods, then *no* educative method is safe from the worry. Yet it would be absurd to abandon currently efficacious methods simply due to speculation about the future.<sup>31</sup> It is also worth reiterating that it is unlikely that any such change to circumstances would be so drastic as to make older educative methods *completely*

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<sup>28</sup> Which, for the record, is both accepted and accounted for in modern, differentiated approaches to instruction.

<sup>29</sup> Thanks to Eric Hutton for raising this concern.

<sup>30</sup> As an anonymous reviewer points out, in some scenarios reliance on the older methods might even present a relative danger to users (e.g., using carcinogens to preserve food might be beneficial if life expectancies tend to be shorter than the amount of time it takes for cancer to develop; once life expectancies pass a certain threshold, the preservatives present a clear problem). I briefly address how methods threatening wellbeing should be handled below, though I do not take this to be a major concern for the practice model in particular.

<sup>31</sup> See also Wilson (1995). If nothing else, there is reason to maintain use of these methods for much the same reasons one should continue to practice mathematical operations without the use of advanced computational devices.

obsolete or disadvantageous. In such a case, it may be better (perhaps, more prudent) to maintain and refine these methods over time rather than simply dispose of them.

Second, if it ever came to pass that circumstances or human psychology were so disposed as to make these educative methods decidedly disadvantageous or dangerous for humans, they likely could not be defended.<sup>32</sup> Education studies, however, are constantly evaluating current methods of instruction, including how they might be approved or adapted for various circumstances. While this leads to some methods being rejected in favor of others, it is also the means by which effective methods are vetted, maintained, and improved over time. Again, memorization and modelling fall into the category of methods supported by evidence and, although this could (hypothetically) change, for now these methods, in their various incarnations, appear to work very well, so there is at least no practical reason to abandon them.

Admittedly, this response gives ground to the Han Feizian critique, but it is ground that I think is shareable. The Confucians *do* acknowledge that circumstances can change so as to warrant some changes (e.g., changing the material of ritual caps, altering examples used in argumentation, etc.)<sup>33</sup> but reject the idea that circumstances can ever change so radically so as to *completely* alter the general psychosocial and physiological needs of humans.<sup>34</sup> Since ritual's functionality includes providing for a subset of these very needs, it is plausible that the ritual practice model ought generally be preserved. The rituals themselves might need adjusting or updating, but the general method is (relatively) safe.

At this juncture, one might worry that, by abstracting the method of the ritual practice model away from specific content, my proposal is now vulnerable to an issue that Hutton also raises, namely that the method might be so general as to be vacuous and incapable of

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<sup>32</sup> At least not without modification which, as referenced in the first response, may well be sufficient.

<sup>33</sup> See, for example, *Analects* 9.3/20/10–11 and *Xunzi* 5/18/17–22.

<sup>34</sup> See, for example, *Xunzi* 3/11/14–18 and 17/19/16–18.

providing normative guidance.<sup>35</sup> Specifically, in an attempt to avoid the emulation problem, what we are left with is a contentless method that leaves learners with no concrete tools or guides. If the practice model has nothing to practice, then the solution is functionally impotent.

Even abstracted to the level of method, however, the ritual practice model maintains its utility: just because the ritual practice model need not be tied to a *specific* collection of rituals (e.g., those of the Zhou) does not mean that we jettison ritual content altogether. That is to say, the model will still make use of the distinctive category of resources that is ritual (else it would not make sense to call it a *ritual* practice model). Moreover, I take such resources to be capable of providing normative guidance—since the abstraction need not strip away the conception of ritual with which I have been working (i.e., prescriptions governing the practices and standards that embody expressions of respect and related prosocial attitudes) nor ritual's general functionality. Whatever rituals one *does* adopt or develop to fill out the content of an instantiation of the ritual practice model method, they must at least fit these descriptions and expectations. In other words, while the method has a specific *type* of content (i.e., rituals), it is possible that the *tokens* of content could be selected or designed in a plurality of ways.<sup>36</sup> This allows the method to remain flexible while still providing basic structure and normative guidance via the rituals employed (whatever they may be).<sup>37</sup>

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<sup>35</sup> See, in particular, Hutton (2008, 448).

<sup>36</sup> Of course, developing a ritual practice curriculum will require an understanding of respect and related prosocial attitudes, but this is a question for the designers of the educative curriculum rather than the learners, so the issue is beyond the scope of the present essay.

<sup>37</sup> Admittedly, the efficacy of this guidance will be partly contingent on the particular rituals that are employed in a given instantiation of a ritual practice model, but this does not endanger the fact that the method itself should be generally effective. This may, however, pose a problem for the Confucians *in particular* insofar as they do often appear to tie themselves to specific ritual content (e.g., the rituals of the Zhou). Full vindication of particular Confucian rituals is not my aim, but it is worth noting that the potential severity of this remaining vulnerability might be mitigated if the Confucians are more invested in ritual *theory* (e.g., Xunzi's theory of rituals) than *particular* rituals (e.g., Xunzi's rituals). Again, though, such interpretive analysis is beyond the scope of this paper.

#### **IV. Conclusion: Ritual, Practice, and Virtue Ethics**

To summarize—I initially explained that Confucianism and virtue ethics in general are faced with an emulation problem, as model emulation may be insufficient for moral cultivation and can even lead to disaster. I also noted that any attempt to resolve the emulation problem must be both adaptable in its application (to avoid the issue of being overly limited by context), as well as practicable given human limitations (so as to avoid harming learners). In order to meet these challenges, a ritual practice model was proposed based primarily on the writings of Xunzi. In this model, students are guided through the study and practice of rituals credited to the sages, with the end goal being that the learners approximate (if not outright achieve) sagely virtue.

As I examined how a practice model can resolve the emulation problem, I abstracted away from the particulars of Xunzi's Confucian rituals and looked at how a general ritual method could be applied. In so doing, I open up the possibility for a variety of practice models that are not limited to Xunzian tools: it is likely that various sociocultural resources (e.g., games, music, stories, etc.) could be used in a manner similar to ritual and with similarly promoral ends in their design to help train up moral character in novices. Whether any one of these tools might be more effective in inculcating virtue, or how the tools could cooperate with one another, is something for future projects to investigate.<sup>38</sup> Tentatively, though, there is reason to be optimistic about the functionality of these tools and, in turn, their place in a practice model of virtue.<sup>39</sup>

In closing, there is good reason to think that a ritual practice model is feasible not only as a reply to Han Feizi's emulation problem (and, by association, some of Williams' worries for modern virtue ethics), but also as a resource for moral cultivation in and of itself.

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<sup>38</sup> Wilson Lee (2018) offers at least a preliminary picture of how music and ritual could cooperate.

<sup>39</sup> In fact, it is plausible other ethical theories might also be able to coopt the practice model to inculcate conducive attitudes and modes of thinking in learners. Yen-Yi Lee (2018) might gesture at such a possibility while looking at how character- and rule-ethics education programs could be integrated by appeal to Xunzi's pedagogy.

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