

Virtue Ethics, Confucian Tradition and the General Predicament of Modern Society: A Discussion of Chen Lai's *Confucian Theory of Virtue*

Wenming TANG 唐文明

Abstract

This paper discusses the nature of Confucian ethics and its tense relations with modernity through analysing the arguments contained in Chen Lai's 陈来 *Confucian Theory of Virtue*. The author points out that Confucian ethical theory is a kind of virtue ethics and that the distinction between public virtue and private virtue in modern moral projects necessarily leads to the elimination of the latter by the former. This is a general predicament of virtue ethics faced by modern societies.

Keywords: virtue, rules (laws), public virtue, private virtue, republicanism

Etika kreposti, konfucijanska tradicija in splošna zadrega moderne družbe: razprava o Chen Laijevi *Konfucijanski teoriji kreposti*

Izvleček

Članek razpravlja o naravi konfucijanske etike in njenih napetih odnosih z modernostjo z analiziranjem argumentov v Chen Laijevi 陈来 *Konfucijanski teoriji kreposti*. Avtor opozori, da je konfucijanska teorija etike nekakšna etika kreposti in da razlikovanje med javno krepostjo in zasebno krepostjo v modernih moralnih projektih nujno vodi v odpravo slednje s strani prve. To je splošna zadrega etike kreposti, s katero se spoprijemajo moderne družbe.

Ključne besede: krepost, pravila (zakoni), javna krepost, zasebna krepost, republikanizem

* Wenming TANG 唐文明, Department of Philosophy, Tsinghua University.
Email address: tangwm@mail.tsinghua.edu.cn



Is Confucian ethical thought a virtue ethics or not?¹ This has been a hot topic of much recent academic discussion. The controversies that have come out of attempts to answer this question not only involve theoretical judgments on a philosophical level, but also the historical appraisal of the entire modern tradition of research into Confucianism. In answering this question, Chen Lai's 陳來 new book, *Ruxue meidelun* 儒學美德論 (hereafter referred to as *Confucian Theory of Virtue*) encompasses all of the present arguments as well as proposes its own unique position, thereby providing us with a very suitable sample discussion for furthering our exploration of this question. Due to the fact that public virtue (*gongde* 公德) and private virtue (*side* 私德) constitute a focal problem that many scholars have paid attention to, and also because it is an important part of Chen's book, I want to use this article to discuss and analyse this in a detailed account while also participating in the wider discussion.

Confucian Ethical Thought as Virtue Ethics

In brief, Chen Lai acknowledges that Confucian ethical thought includes a narrow virtue ethics, but he also especially emphasizes that we cannot reduce the whole of Confucian ethical thought to a theory of virtue ethics. In relating his conclusion he states that we should understand Confucian ethical thought in terms of "five unities" (*wu ge tongyi* 五個統一) thinking that we should use such terminology as "ethics of exemplars" (*junzi lunli* 君子倫理) to describe the "form of Confucian ethics" (*rujia lunli de xingtai* 儒家倫理的形態). Chen says:

In relation to the unity of principle and virtue talked about by Liu Yuli 劉余莉, I think that Confucian ethics also includes the unity of virtuous character and virtuous conduct, the unity of morality and amorality, the unity of public virtue and private virtue, and the unity of the moral world and the super-moral world. If we understand these five unities, then we will be able to fully understand the relation between Confucian ethics and virtue ethics. If we do not employ the word "unity", then we can say that Confucian ethical thought emphasizes both virtue and principle, both virtuous character and virtuous conduct, both morality and amorality, both private virtue and public virtue, and both the moral world and the super-moral world. (2019, 300)²

1 This paper is translated by Kevin J. Turner (Hong Kong Baptist University). The original Chinese article was titled "Meide lunli, rujia chuantong yu xiandai shehui de pubian kunjing 美德倫理、儒家傳統與現代社會的普遍困境", published in *Wenshibizhe* 文史哲5, 2020: 15-25.

2 The term "principle" (*yuanze* 原則) in the original citation of Liu is "regulation" (*guize* 規則) which is also a common term found in virtue ethics discussions. Throughout his book, Chen Lai

Being able to arrive at such a conclusion is presupposed on the high recognition of the approach of interpreting Confucian ethical thought in terms of virtue ethics: “Regardless, the idea and movement of virtue ethics, in comparison with other Western philosophies or ethical theories, has a positive efficiency when applied to understanding Chinese philosophy, that is, the possible affirmation that it brings to Confucian ethics is quite prominent” (ibid., 279–89). It is because it is easy to see that Confucian ethical thought greatly emphasizes virtue that Chen Lai did not spend much ink on explaining why Confucian ethical thought is a virtue ethics or analysing the controversies surrounding this problem in any detail (ibid., 284). This is what we must first clarify in order to properly understand his “five unities”, and thus in what follows I will analyse in detail how we should understand them from the position of virtue ethics.

The unity of rules (laws) and virtue refers to the problem of the relation of rules and virtue. This is a fundamental problem in the field of ethics. In contemporary Western academic discourse on ethics, virtue ethics is one category that is established in comparison with and in distinction from rule ethics. Rule ethics understands rules as the core ethical concept. Deontology and utilitarianism are two prominent examples that focus on the proper rules of behaviour, and thus they are classic examples of rule ethics. In contrast, the core ethical concept is not rules but instead virtue.³ Therefore there is only a single correlate question: how does virtue ethics provide proper rules for behaviour? On this question virtue ethicists have undertaken deep analyses, such as those of Rosalind Hursthouse mentioned by Chen Lai, that directly address this problem in academia.

Since determining whether not an ethical theory is a virtue ethics or a rule ethics mainly requires understanding whether or not its intellectual approach focuses on the virtue of agents or the proper rules (laws) of behaviour, then when we look at Confucian ethical thought in light of this standard, what will we find? Borrowing from detailed analysis that I have already carried out (Tang 2012, ff. 111), here I only want to focus on the main ethical concern present in Chen Lai’s description. Since it is not difficult to see that Confucian ethical thought greatly emphasizes duty, therefore the question is whether or not it is appropriate to categorize it entirely as a virtue ethics? Without a doubt, this is one of the problems encountered by Chen when thinking about a “Confucian theory of virtue”.

sometimes uses the term “principle” and sometimes the term “regulation”. In the following I have used the term “regulation” in accordance with the field of virtue ethics.

3 The view that demands virtue ethics pick a side between deontology and utilitarianism because it views these two as already covering all there is to cover in regard to ethics is actually obsessed with the standard for determining appropriate conduct. It is easy to see that the tenability of virtue ethics is not related to dividing different ethical forms in terms of the standards of appropriate conduct.

In addition to Liu Yuli, Chen Lai also cites the views of Ming-huei Lee 李明輝 in order to explain that it is not appropriate to set Confucian ethics in relation to Kantian deontological ethics. While Liu's theory of conciliation (*tiaobe lun* 調和論) is not perfect, Lee's theory faces much more serious problems that prevent him from achieving what he set out to do. To point out that Kant's thought includes an ethical description of virtue certainly enhances and improves our understanding of Kant's moral philosophy—this is something that some Anglo-American Kantian ethicists have taken too far in their response to challenges to the Kantian system, and have even expressed regret at doing so (Onora O'Neill is an example of this)—however, if we therefore ignore the differences between virtue ethics and deontology, then we can only arrive at paper-thin conclusions.

For Kant, virtue mainly comes from a sense of duty, that is the “respect for moral laws”. In other words, Kant's concept of virtue is established in relation to his concept of duty. This is entirely consistent with Kant's deontological ethics. The conceptual image that manifests from this theoretical tradition has a core composed of the concept of duty. We can even say that its definition of the concept of virtue is based on that of moral duty. Therefore, an appropriate inference is that, regarding virtue ethics in Kant's moral thought, we have to say that his moral philosophy is a kind of classical rule ethics that differs from virtue ethics—and the opposite conclusion is simply out of the question. Ming-huei Lee's analysis thus did not go further than providing some effective criticism (2012, 111–17). As far as Lee's use of the ideas of the moral good and the natural good in a Kantian sense to interpret the traditional Confucian debate on duty and profit, we are actually better off saying that duty refers to the good, but duty, in the Confucian tradition, is more like a virtue that includes humaneness (*ren* 仁), propriety (*li* 禮), wisdom (*zhi* 智), and credibility (*xin* 信) alongside each other. Another example provided by Lee that is key to his argument is found in his analysis of Confucius' answer to his disciples' questioning of the three-year mourning period. He makes use of the Kantian sense of attitude ethics, but, in fact, a more appropriate interpretation of Confucius' answer would be founded on the virtue of “filiality” (*xiao* 孝) that is especially emphasized by traditional Confucianism.⁴ Simply put, virtue ethics has never ignored the question of motivation and certainly provides a theoretical explanation of ethical behaviour that is based on the concept of virtue.⁵

Actually, if we want to explain the importance of the notion of duty in Confucian ethical thought, then there is no better example than pointing out the rules

4 Chen Lai cites both of these passages from Lee (2019, 297–98).

5 Regarding the problem of motivation, virtue ethics' criticism of deontology says that there is a serious problem of disunity between motivation and reason in the former. See Tang Wenming's 唐文明 *Yinmi de dianfu* 隱秘的顛覆 (2012, ff. 124) for more on this.

of interpersonal relationships that are greatly stressed by the Confucian tradition. If we take the relationship between father and son as an example, then of course there exists bidirectional obligations between them. We will have a complete picture of how their relationship “should” be even if all we do is look at it in terms of filiality and parental compassion (*ci* 慈). In my view, the reason why Ming-huei Lee specifically avoided involving himself in examples of interpersonal relationships is because he is fully committed to a Kantian universalism and therefore is not willing to bring to light the interpersonal foundation behind the concept of duty. This stance that abandons particularity for the sake of universality has nothing to do with Confucian ethical thought. If we take Song Neo-Confucianism for example, then all we have to do is remember Cheng Yi’s 程頤 (1033–1107 CE) dialectic notion that “principle is one; manifestations many” (*liyi fenshu* 理一分殊). Now, does Confucian ethical thought contain a universal duty that has nothing to do with interpersonal relationships? From an analytic perspective, it is possible for us to provide such an impersonal and therefore universal notion of duty, but this is not at all the means by which traditional Confucianism engaged in ethical thought and moral inference.⁶

Clarifying how deontology deals with the concept of virtue has allowed us to see how virtue ethics understands duty. In Chapter 12 of *After Virtue*, Alasdair MacIntyre (2007, 150) specifically discusses the “crucial link between” virtue and law. He first of all points out that “there is very little mention of rules anywhere in the *Ethics*”. That is to say, an Aristotelian virtue ethics fully acknowledges the importance of rules but in its explanation thereof it does not resemble modern explanations that appeal to categorical imperatives or the consideration of the results of human behaviour, but instead appeals to the maintenance and flourishing of a possible communal life that is achievable through virtue. After turning the virtue ethic concern for rules into a concern for laws that the community relies on, MacIntyre says:

[T]he only way to elucidate the relationship between virtues on the one hand and a morality of laws on the other is to consider what would be involved in any age in founding a community to achieve a common project, to bring about some good recognized as their shared good by all those engaging in the project. As modern examples of such a project we might

6 According to Bernard Williams, this way of thinking is related to the inappropriate distillation of some distorted moral considerations out of ethical considerations. See below for more on this. In addition, Roger T. Ames and Henry Rosemont (2016) have proposed the idea that Confucian ethics is a role ethics based on reflections on human relationships. In Chapter 15 of *Confucian Theory of Virtue*, Chen Lai’s response to this is based on a line of thought that appeals to a universal virtue ethics that is able to encompass particular ethical roles.

consider the founding and carrying forward of a school, a hospital or an art gallery; in the ancient world the characteristic examples would have been those of a religious cult or of an expedition or of a city. Those who participated in such a project would need to develop two quite different types of evaluative practice. On the one hand they would need to value – to praise as excellences – those qualities of mind and character which would contribute to the realization of their common good or goods. That is, they would need to recognize a certain set of qualities as virtues and the corresponding set of defects as vices. They would also need however to identify certain types of action as the doing or the production of harm of such an order that they destroy the bonds of community in such a way as to render the doing or achieving of good impossible in some respect at least for some time. Examples of such offences would characteristically be the taking of innocent life, theft and perjury and betrayal. The table of the virtues promulgated in such a community would teach its citizens what kinds of actions would gain them merit and honour; the table of legal offences would teach them what kinds of actions would be regarded not simply as bad, but as intolerable. (MacIntyre 2007, 150–51)

It is not difficult to see that all of the examples of duty provided by Kant in his explanation of moral law can be subsumed under what MacIntyre calls the “table of legal offences”. This is one of the reasons why Hegel criticized the spiritual substance of Kant’s moral philosophy as being nothing more than that of Moses.⁷ If we say that the importance of legal rules through a distinction between two kinds of evaluative practices is the first meaning of the laws or rules emphasized by virtue ethics, then MacIntyre’s virtue ethics also maintains that there is “another crucial link between the virtues and law, for knowing how to apply the law is itself possible only for someone who possess the virtue of justice” (ibid., 152). Regarding this, MacIntyre appropriately emphasizes that human circumstances differ between past and present: in ancient society, law and morality did not have the same kind of division as they do in modern society. In Chapter 14 of *After Virtue*, MacIntyre summarizes the description developed in Chapter 12: “a morality of virtues requires as its counterpart a conception of moral law” (ibid., 254). Clearly, it is not only the case that virtue ethics does not exclude the necessary legal rules, but in fact lays great emphasis on them. It is just that the reason for emphasizing rules is founded on the concept of virtue. In particular, it appeals to the possibility of virtue and the flourishing community that is possible through virtue and can understand the importance of rules.

7 See Tang (2012, 113) for more on this. Furthermore, according to Kant’s deontology, MacIntyre’s so-called “table of legal offences” (2007) basically correlates to whole duties one has for oneself and for others rather than incomplete duties.

Therefore, there are actually two approaches to the problem of the unity of virtue and rules (laws). The first resembles Kant in that it is founded on rules but understands virtue and therefore can be said to unify virtue with rules. The other resembles MacIntyre's description of Aristotle in that it is founded on virtue but acknowledges rules and therefore can be said to unify rules with virtue. Even though Chen Lai did not describe how virtue and rules are to be unified in detail, he nevertheless was aware of the great differences between past and present societies and, moreover, he also clearly noticed that, in regard to this point, there are many similarities between Confucian ethical thought and Aristotelian ethics. For example, he said: "The reflection on the framework that set virtue and rules in opposition in the Western virtue ethics movement is a prominent feature that rose in the 1980s and is not a fact of either Aristotelean or Confucian ethics" (Chen 2019, 285). In light of this, and in addition to what was said at the beginning of this article regarding Chen Lai's acknowledgment of utilizing virtue ethics to interpret Confucian ethical thought, I think there is sufficient reason to state that if we continue in this way then it is not possible for Chen's account of the unity of virtue and rules in Confucian ethical thought to become a Kantian understanding, nor should it be a kind of conciliatory ethics either. The most suitable interpretation is that of MacIntyre, or at least something similar.

Since Chen Lai was clearly aware of the fact that the Chinese words *dexing*^a 德行, *dexing*^b 德性 and *meide* 美德 can all be translated as the English word "virtue", when we encounter his so-called "unity of virtuous conduct and virtuous character" (i.e., the unity of *dexing*^a and *dexing*^b) we should first of all become clear on what he means by these two terms. We can find clarification in the following passage:

Early Confucianism did not clearly differentiate between *dexing*^a and *dexing*^b so this is one place where we should pay special attention when it comes to research in virtue (*dexing*^a) ethics. They did not separate mind from action, mind from body, nor doing from what is done. Those things set in stark opposition to each other in Western culture are not so in ancient Confucianism, where instead they are contained in a single unity. Instead of focusing on character to the detriment of conduct, character and conduct are consistent with each other. We see this in such texts as the "Confucian conduct" chapter ("Ruxing pian 儒行篇") of the *Liji* 禮記 (*Book of Rites*) and the "Xiang commentary" (*xiangzhuan* 象傳) of the *Zhouyi* 周易 (*Book of Changes*). Thus, the virtue (*dexing*^b) of exemplary persons is a realization and expression of their character, and their character necessarily manifests in their conduct. (Chen 2019, 286)

Dexing^a refers to conduct while *dexing*^b refers to character. This is a distinction that Chen Lai makes on the basis of the ancient commentary to a passage in the *Zhouli* 周禮 that reads “In the heart-mind it is virtue and in implementing it is conduct” (*zai xin wei de shi zhi wei xing* 在心為德施之為行). This differentiation also involves some important views that Chen holds in terms of his research into the history of ethical thought in China. Prior to the year 2000, Chen Lai tried to utilize Aristotle’s virtue ethics—and the Aristotelian virtue ethics MacIntyre tried to reconstruct—as an intellectual resource to try to characterize the Spring and Autumn Period as a “period of virtue” (*dexing shidai* 德行時代), that is, an historical period where “virtue ethics” was the mainstream and which is contrasted with a “ceremonial period” (*yishi shidai* 儀式時代) (Chen 2002a, 15).⁸ In an article published in 2002b, Chen again proposed that this virtue ethics of the Spring and Autumn Period was developed by Confucius into a more complete “ethics of exemplars” that focused on a person’s total character. In *Confucian Theory of Virtue*, he once more extends this idea and clearly uses the term “post-virtue period” (*houdexing shidai* 後德行時代) to characterize the significance of Confucius in the history of Chinese ethical thought:

Chinese culture had already entered the period of virtue ethics during the Spring and Autumn Period, and by the time of Confucius it had already entered a post-virtue ethics period. Therefore, even though Confucius’ thought contains a part that is a virtue ethics, on the whole, however, it does not belong to a virtue ethics and instead belongs to a new form of “exemplary personality” (*junzi renga* 君子人格) where it is united with the personality of exemplars. (Chen 2019, 300)

From this we can see that Chen Lai’s answer to the question of whether or not Confucian ethics is a virtue ethics is not primarily philosophical or at least does not begin from a theoretical judgement. Very early Chen Lai began to utilize virtue ethics resources in his research into the history of Chinese ethical thought, and it is on the basis of his many years earnestly and steadfastly engaging in this research that he arrived at the conclusion quoted at the beginning of this article.⁹

8 According to the author’s explanation in the epilogue, this book was completed two years prior to its publication. In addition, according to the author’s explanation in the preface, this book is “Part 2” of 1996’s *Gudai zongjia yu lunli* 古代宗教與倫理 which described three different stages of development in pre-Spring and Autumn Period religious and ethical thought. It is clear that the “ceremonial period” mentioned in “Part 2” is related to the stage of ritual and music in “Part 1”.

9 We can see that the whole structure of the second half of *Confucian Theory of Virtue* is arranged on the basis on this idea: it first clarifies the relation between Confucian ethical thought and virtue ethics thereby defining the former as an “ethics of exemplars” or a kind of broad virtue ethics (Chapter 9). Following this are the Confucian theory of human beings (Chapter 10) and

In his differentiation between *dexing*^a and *dexing*^b, Chen Lai also extended his conclusion to periods after Confucius. For example, in discussing Mengzi 孟子, he emphasizes that “Mengzi’s proposal that human nature is good is a foundation for virtue ethics” and “the mind-body process of developing virtuous character into virtuous conduct greatly emphasized by the Confucian school, with Mengzi as its representative, includes the generation and extension of moral psychology, it is a process of virtue ‘taking shape externally’ (*xing yu wai* 形於外) that begins internally” (ibid., 286). Additionally, in discussing the relationship between Song-Ming Neo-Confucianism and pre-Qin Confucianism, Chen Lai says:

How to become an exemplar or a sage is a question for theories of cultivation in Chinese philosophy. Theories of cultivation occupy a large part of Song-Ming Neo-Confucianism. There is a continuity of virtue ethics between Confucius and Mengzi and the Cheng brothers and Zhu Xi, but by the time of Song-Ming Neo-Confucianism it already did not occupy a large part. (ibid., 285)

Actually, the unity of character and conduct is what virtue ethics maintains; virtue ethics does not separate them from each other but instead emphasizes that a focus on character is more fundamental than a focus on conduct, and that in the end character is displayed through conduct. Chen Lai differentiates between a broad and a narrow virtue ethics thinking that the Confucian ethics of exemplars is a kind of broad virtue ethics. This provides us with an appropriate measure for appraising his argument. When Chen Lai says that Confucian ethical thought goes beyond narrow virtue ethics, his purpose is to highlight the characteristics of Confucian ethical thought and the integrity of Confucianism as a whole. From this we can see the most pressing concerns in his argument. Therefore, we see that when the object of comparison is modern theories of virtue ethics, Chen Lai emphasizes those places where Confucius and Aristotle resemble each other but when it comes to the relationship between the teachings of Confucius and Aristotle, he emphasizes their differences (Chen, 2019, 285–86). As far as the most crucial Confucian theories of mind/nature (*xinxing lun* 心性論) and cultivation (*gongfu lun* 工夫論) developed over the course of history are concerned, other than manifesting “differences in culture and civilization”, they also manifest “differences in philosophical speculation”. But if we give it a little more consideration,

Confucian practical wisdom (Chapter 11). Next are narrow ethics (Chapter 12) and the virtue ethics of Confucius and Mengzi, as well as that represented in excavated texts (Chapters 13, 14, and 15). Finally, Chen Lai supplements virtue ethics with the theories of two modern philosophers (Chapters 16 and 17). For more on the author’s arrangement of the second part of this project, see the preface of *Confucian Theory of Virtue* (2019, 3).

then we can find in the Western tradition of virtue ethics those things of equivalent value that correlate to actual life experiences. For example, that both Plato and Aristotle have an analytic theory of the soul is similar to how Mengzi developed his theory of mind/nature based on the thought of Confucius. Another example that can perhaps shed greater light on the problem is the Western theological tradition, since both theology and Confucianism are complete systems in themselves. For example, in Thomas Aquinas' ethics, not only is there obedience to the Commandments, but there are also the teachings of secular virtues and theological virtues in addition to a theory of spiritual cultivation that can be seen as equivalent to a Confucian theory of cultivation.

When describing how Confucian ethical thought is not limited to virtuous conduct but also includes considerations belonging to an amoral field, Chen Lai also began his discussion on the basis of virtue ethics:

What Aristotle and broad virtue ethics emphasize is ... the entire human life ... and it is because of this that some people think that virtue ethics is a kind of "theory of amorality". Similarly, Confucian ethics is clearly not limited to virtuous conduct but focuses on the cultivation of virtuous conduct, personality, and practice. What this book [*Confucian Theory of Virtue*] calls Confucian ethics is meant in this sense. The focal point of life is not what is "appropriate" or "correct", but instead, what is "lofty" and what is an "exemplary" personality, these are what constitute the entire form of Confucian ethics. (Chen 2019, 293–94)

Regarding virtue ethics' concern for amoral virtues, Chen Lai's explanation primarily follows the research of Michael Slote and Wong Wai-ying 黃慧英.¹⁰ The problem is, how should we understand the unity of morality and amorality on the basis of their distinction? The direct answer does not seem to be, at first, incorrect; as Chen Lai tells us, in order to achieve a sagely personality, it is first required to be a moral person, but one cannot simply stop at being a moral person. However, if we understand the term "morality" in a clear Kantian sense as involving the notion of duty, then, I would like to provide a line of criticism that comes from Bernard Williams.

Williams (1993) thinks that considerations regarding the entirety of our whole life are not limited to ethical considerations, but Kant emphasized moral purity and, from ethical considerations, distilled moral considerations, therefore, in terms of agency, there exists moral agency, ethical agency, and even broader general agency.

10 See Chapter 1 of *Confucian Theory of Virtue* (2019, especially 24–28).

The special emphasis on moral considerations or moral agency is for the purpose of highlighting the importance of morality, and therefore we can easily see that another theoretical measure that correlates with this theoretical distillation must proclaim morality as the highest value. For Williams, this method seriously distorts our ethical deliberation, because if we do not have a particular motivation then normal people will not make morality a life goal and, furthermore, setting morality as the highest value requires people live an abnormal kind of life. Williams is obviously not a thorough amoralist, even if he has been greatly influenced by Nietzsche, but his more positive views here, at least concerning broad ethical considerations, can satisfy those concerns lying behind the moral considerations distilled and handed out by moral theorists, and it is even more appropriate to situate this consideration in an ethical theory concerning the whole life of the individual. Therefore, Williams' position abandons morality in favour of ethics and he sees morality as a kind of "peculiar institution" that enslaves people.¹¹

In modern Chinese academia, usage of the term *daode* 道德 is more often than not ambiguous. This is because *daode* is a term from the ancient Chinese language and has been used as the translation for the Western term "morality". However, the meanings of these two terms that come from two different times and places are quite distinct. Therefore, a common phenomenon reduces Confucian ethical thought to a kind of Western moral philosophy through the appropriation of the Western concept of "morality".¹² As mentioned above, if Williams' criticism of Kant's classical moral philosophy is effective, then discussing the unity of morality and amorality is not the best means of argumentation because there is no need to distil moral considerations out of more holistic ethical ones. In another regard, if we try to explain that an understanding of "morality" should return to its original meaning in classical Chinese texts, then the unity of morality and amorality is untenable because the term *daode*—composed of the separate terms *dao* 道 and *de* 德—originally includes the field of amorality distinguished by modern thought.

In conclusion, it is my view that the "unity of morality and amorality" in Confucian ethical thought proposed by Chen Lai begins from a modern distinction between morality and amorality and is assisted by considerations in the virtue ethic mode of thought to turn attention and focus toward the amoral elements in Confucian ethical thought. This is without a doubt an important topic that is especially helpful in understanding Confucian ethical thought by abandoning stereotypical moralism. As far as the topic of the "unity of the moral realm with the super-moral realm" is concerned, we should base our understanding on a similar

11 See Bernard Williams (1993, 174 ff).

12 See Part 1 "Moral Reductionism" in Tang (2012) for more on this.

analysis so as to rethink and repaint our image thereof, even if the “super-moral realm” can refer to essences and is not entirely different in emphasis from the “realm of amorality”. This topic lacks a dedicated chapter in *Confucian Theory of Virtue*, and since it is not something that can be fully explained in relatively few words I will not discuss it further here.

Regarding the relationship between public virtue and private virtue and their expression in Confucian ethical thought, the second part of Chen Lai’s *Confucian Theory of Virtue* only summarily points out that one of the biggest problems faced by the Confucian theory of virtue in the modern world is the “serious imbalance between private and public virtues simultaneously contains a general predicament faced by modern society” (Chen 2019, 301). This is the topic that Part 1 of *Confucian Theory of Virtue* discusses in detail. Furthermore, this topic can be divided into three parts. The first is how to understand the meaning and limit of the change in private virtue and public virtue between past and present and the rise of this topic in the modern world. The second is how to understand the unity of “private virtue and public virtue” in Confucian ethical thought. And the third is, based on our answer to the first two, how do we reveal the universal predicament of modern society based on Confucian ethical thought. We will now turn to these issues.

Public and Private Virtues in Confucian Ethical Thought

Liang Qichao 梁啟超 (1873–1929 CE), in a series of essays published under the title *Xinmin Shuo* 新民說 (*Theory of a New People*) (Liang 1994), proposed the distinction between private virtue and public virtue, which then became a topic of countless debates. However, in tracing these discussions back across nearly one hundred years, one finds something quite perplexing: there has never been a clear definition of either private or public virtue and, moreover, no one has seemed to notice this lack. This clearly shows that the distinction between private virtue and public virtue comes from a strong practical motivation, and it is the urgency of this practical motivation that has caused many people to not worry about obtaining clear definitions of the ideas of private virtue and public virtue. But perhaps there is an even deeper reason for this lack of attention? Since critical reflection is the proper function of philosophy, then in order to reveal the practical motivation behind the distinction between public virtue and private virtue, we first need to undertake a clarification of these two ideas.

A direct standard for distinguishing between private virtue and public virtue is the two realms of life they correlate to. Public virtue correlates to the public nature of the realm of social and political life, while private virtue correlates to the

private nature of the realm of personal and family life. Since there is a distinction in what is meant by public virtue and private virtue between the ancient and modern worlds, we must point out that it is the modern distinction that forms the foundation for the differentiation between private and public virtues. In other words, the distinction between private and public virtues bears the distinct stamp of modernity. In the vast majority of the literature on private and public virtues this point has been taken for granted and considered unworthy of mention all the while being a common presupposition for continued discussion. Obviously, we do not even need to mention that this distinction was never seriously reflected on.

Another standard for distinguishing between private virtue and public virtue is the different ethical forms that are based on different types of ethical objects. This was clearly pointed out by Liang Qichao: public virtue is about the individual with regard to the group, so the group is the ethical object, while private virtue is about one individual and another and thus the individual is the ethical object. In this distinction, the individual and the group are thought of as two different kinds of ethical objects; in correlation, the relationship between individuals and that between individuals and groups manifests as two kinds of ethical forms. If we take the relationship between ruler and minister for example, and if we say that it belongs to the ethics of individual to individual rather than of individual to group (such as the government and its institutions), then the virtue that determines and completes the ruler-minister relationship does not belong to public virtue but instead to private virtue. The reason why Liang arrived at the conclusion that ancient China did not have public virtue but only had private virtue was based on his differentiation between different kinds of ethical objects and different ethical forms. Behind this, of course, was his understanding of the basic features of modern society. That is to say, the term “group”, in the sense used here, refers to a kind of rational construction in a social sense rather than an ethical construction based on personal lived experience. This is why he stereotyped the ancient “five relations” (*wuchang* 五常) in terms of familial ethics, social ethics, and political ethics.

In fact, we can see a view similar to Liang’s on the “five relationships” appear a few decades later in the Western world. In the concluding part of his 1915 *The Religion of China*, Max Weber, used “personalism” to characterize Confucianism, that is to say, he understood the five social relations as “purely personal”. His purpose was to criticize this aspect of Confucianism as the reason why it was unable to lead to the rationalization of economic life:

For the economic mentality, the personalist principle was undoubtedly as great a barrier to impersonal rationalization as it was generally to impersonal matter of factness. It tended to tie the individual ever anew to his

sib [kin group] members and to bind him to the manner of the sib, in any case to “persons” instead of functional tasks. This barrier was intimately connected with the nature of Chinese religion, as our whole presentation has shown. For it was an obstacle to rationalizing the religious ethic, an obstacle which the ruling and educated stratum maintained in the interest of their position. It is of considerable economic consequence whether or not confidence, which is basic to business, rests upon purely personal, familial, or semi-familial relationships, as was largely the case in China. (Weber 1951, 236–37)

At the same time as acknowledging the profundity of both Liang’s view that the five relations are a matter of ethics between private individuals and Weber’s view that Confucian ethics have an aspect of “personalism”, we also feel a great doubt in this regard. Sticking with the ruler-minister example, how is it possible that their relationship is purely one of private ethics? How can it be that there is nothing public in the relationship between a ruler and a minister? If we understand a ruler as the representative of the government or the state and also understand ministers accordingly, then it becomes very difficult to say that their relationship lacks any trace of a public element or that it entirely belongs to a private ethic.¹³ Therefore, a necessary clarification to be made regarding Liang’s and Weber’s views is that just as the former’s distinction between private and public virtues is based on an understanding of modern society, the objectivity and rationality in the eyes of the latter is likewise based on his own understanding of modern society. In other words, both Liang’s and Weber’s views are based on what Charles Taylor (2004, 23–30) calls “modern social imaginaries”. In light of this, behind the distinction between ethical forms in terms of relations between individuals and those between individuals and groups, or between the ethical forms of Confucian personalism and Puritan rationalism, is an intimate connection to the modern distinction between private and public realms.¹⁴

Based on the standard determined by the dictionary order of the two virtues distinguished above, we can say in conclusion that public virtue is a virtue that takes the

13 The political ethics of personalism does not only belong to Confucianism nor does it only belong to ancient societies. If we understand the ruler-minister relation in terms of sovereignty and related problems, then there will be a great similarity between this aspect of Confucianism and what Carl Schmitt calls the political form of Catholicism. And it is also well known that Thomas Hobbes is an example of a modern political thinker who maintained a theory of the sovereignty of individual persons.

14 In explaining his difference here Weber also appealed to the problem of transcendence in Confucianism and Christianity. That is, he thought that the dimension of transcendence led Puritanism to rationality and its lack in Confucianism led to personalism (Weber 1951, 242).

ethical form relating to individuals to groups in the social and political realms, while private virtue is a virtue that takes the ethical form relating individuals to individuals in the personal and family realms. However, this conclusion is far from adequate. For example, a faithful Christian, beginning from his own belief, thinks that he has certain responsibilities to his own society and nation and, therefore, generates a series of virtues that are geared toward the public realm. Nevertheless, we would not say that this kind of virtue produced from a public-oriented faith is a public virtue but, in contrast, we would think that is an uncompromising private virtue. Actually, the distinction between private and public virtues proposed by Liang Qichao was greatly influenced by Montesquieu. Montesquieu thought that republican politics required the support of virtue and that such virtues needed to include political ones like patriotism and egalitarianism, rather than those that come from personal belief. It was under the influence of Montesquieu that Liang proposed the distinction between private and public virtues during his fervent calls for Chinese republicanism.

From this we come to another important standard for distinguishing private virtue from public virtue: different sources of normativity. In the concept of public virtue the source of normativity is rationally understood and conceptualized society, and therefore understanding how society is established makes it possible to understand the source of normativity of public virtue. For example, since modern society has been thought to be founded on individual rights, the concept of rights is one of the primary meanings of public virtue. In the concept of private virtue, the source of normativity is extremely individualized beliefs that either come from the traditional culture of one's ancestors, or from one's own beliefs that more often than not appeal to something transcendent or religious. For example, a Catholic might protect a concept of rights based on personal dignity due to their belief system, and even if this concept of rights is in high accord with the modern concept of social rights, this concept of rights that comes from personal belief cannot be considered a public virtue but instead is an uncompromising private virtue.

There is another clarification to make here regarding the conceptual pair of private virtue and public virtue. Based on the different understandings of “morality” (*daode* 道德) and “virtue” (*meide* 美德): a possible problem is whether or not the *de* in the Chinese for public virtue (*gongde* 公德) and “private virtue” (*side* 私德) refers to “morality” or “virtue”. If we say that the word “morality” refers more to rules and that “virtue” refers more to character, then the problem becomes whether the “virtue” in “public virtue” and “private virtue” refers to rules or character. Since we have already provided a clear analysis of how normative ethics deals with virtue and how virtue ethics deals with norms, a more serious understanding of this problem is this: The “virtue” in “public virtue” and “private virtue” firstly refers to character, so then the issue is whether this quality of character comes from loving

in accordance with norms, or whether it is an objective requirement for achieving a good life. Behind this debate lie different understandings of society. If we use the terminology used by Fei Xiaotong 費孝通 to translate Ferdinand Tönnies, then the former is a society of laws and the latter is a society of customs. Even if he did not state it clearly, since Chen Lai nevertheless placed his discussion of private and public virtues under the greater heading of *Confucian Theory of Virtue*, it is clear that he understood the *de* of private and public “virtues” as belonging to the *de* of virtue ethics.

In our analysis so far, the distinction between private and public virtues is not one made in terms of different realms of life from the perspective of virtue ethics, because private and public virtues do not only correlate with different realms of life, but also have different origins of normativity. Since public virtue primarily comes from the normative requirements of modern society, the fact of the matter with regard to its distinction from private virtue is that modern society, based on rational authority, makes normative moral requests of citizens and these normative moral requests are what is referred to by “public virtue”, and therefore all kinds of profound virtue ethics traditions in ancient society thereby become matters of private virtue. Frankly speaking, the problem of private and public virtues is actually a direct reflection on differences between ancient and modern ethics.

Distinguishing private and public virtues in the historical context of ancient and modern societies obviously has the purpose of promoting public virtue, since it correlates with the modern imagination and construction even if such enlightened figures as Liang Qichao from the early modern period in China quickly realized that it was not possible to ignore private virtue for the sole benefit of public virtue. In the second chapter titled “The Prejudice and Fault of Emphasizing Public Virtue and De-emphasizing Private Virtue in Contemporary China”, Chen Lai critically analysed the ethical descriptions and ideas on normativity from the century since the late Qing dynasty.¹⁵ We see that this critical analysis not only includes some important thinkers from the academic world, such as Liang Qichao, Liu Shipai 劉師培 (1884–1919), Ma Junwu 馬君武 (1881–1940), Zhang Taiyan 章太炎 (1869–1936) and others, but it also includes important political figures such as Mao Zedong 毛澤東 (1893–1976) and Xu Teli 徐特立 (1877–1968) in addition to important bureaucratic documents such as the 1954 and 1982 constitutions and the 2001 *Gongmin daode jianshe shishi gangyao* 公民道德建設實施綱要 (Practical Outline for the Establishment of public Morality) published by the

15 The problem of the modern emphasis of public virtue over private virtue already appears in Chen Lai's *Renxue bentilun* 仁學本體論 (*Ontology of Humaneness*) (2014, 465). In addition, when discussing the modern significance of virtue ethics, Wan Junren 萬俊人 (2008) also mentions something similar.

Central Committee of the Chinese Communist Party. Included in this list is the highly important intellectual from the Opening and Reform Period, Li Zehou 李澤厚 (1930–2021), whose “two kinds of morality” and related problems are specifically discussed in the sixth and seventh chapters of the first part of *Confucian Theory of Virtue*.

According to Chen Lai, we see the conclusive historical fact is that in the century-long period of modern Chinese history there has always existed the fault of seeing public virtue as more important than private virtue. How are we supposed to deal with this conclusive historical fact? One possible understanding appeals to the characteristics of modern society and the happenstance of historical change. That is to say, our understanding of the “serious imbalance” between private and public virtues should not come from any fundamental doubts regarding modern life but from particular historical experiences, and that appropriate measures for restoring balance should be based on serious reflection on private and public virtues. This is how Chen Lai set up his argument. At the end of the second chapter of *Confucian Theory of Virtue* we see him propose constructive criticism for how to achieve balance between private virtue and public virtue based on his understanding of “basic individual morality” (*geren jiben daode* 個人基本道德):

In conclusion, our view is that what is truly ethical and moral is centred on basic individual morality. The biggest problem since contemporary times has been the substitution of private morality for political morality, the overwhelming and elimination of individual morality alongside a correlate ignoring of social virtue so that political virtue, social virtue, and individual virtue have become imbalanced. Therefore, the key for reflecting on modern Chinese moral life is in recovering the uniqueness and importance of individual morality and forcefully promoting social virtue. (Chen 2019, 80)¹⁶

Obviously, calling for the balance of public virtue and private virtue is based on the modern distinction between the two, and therefore it is still a correction based on a modern position. It is probably because Chen Lai begins from a positive attitude towards intellectuals’ involvement in social construction that he proposed this idea. However, if we look at his argumentation then I think that his point does not stop here. At the beginning of the second chapter of *Confucian Theory of Virtue*, Chen reflects on the “public virtue/private virtue” framework that appeared in contemporary China, and in doing so he mainly draws on Aristotle’s concept of

16 Distinguishing between the virtue of the public and common morality is another important part of Chen Lai’s *Confucian Theory of Virtue*.

the “noble man” and the Confucian tradition’s concept of “exemplars” to point out a “great limitation” of the “public virtue/private virtue” framework:

Even though the distinction between private virtue and public virtue has a certain meaning, if we understand these two as the main division within the entirety of morality, then we will lose some fundamental morality. This also proves that the division between private virtue and public virtue has a great limitation. (ibid., 33)

It must be pointed out that the “basic individual morality” in the previous quotation is actually directed at the virtue of such consummate individuals as represented by the “noble man” and “exemplars” and is not at all what a shallow modern mind would think of as a moral lower limit when seeing this term.¹⁷ If we point out here that both Aristotle’s “noble man” or Confucianism’s “exemplars” are situated in a classical context, then we can arrive at a reasonable inference regarding Chen Lai’s argumentation—his reflection on the “public virtue/private virtue” framework is based on a classical position and is actually a criticism of modernity.

Thinking more on this, we arrive at the right opportunity to answer the question of how we should view the tradition of Confucian ethical thought. Just as we have already seen in Chen Lai’s two books *Gudai zongjiao yu lunli* 古代宗教與倫理 (*Ancient Religion and Ethics*) (1996) and *Gudai sixiang wenhua de shijie* 古代思想文化的世界 (*The World of Ancient Intellectual Culture*) (2002a), he has already established his own classificatory system of traditional Confucian virtue ethics, and this is referred to several times in *Confucian Theory of Virtue* (1996, ff. 306; 2002a, 289; 2019, 30, 90). Even if there are some minor discrepancies, he still follows the system described in his *Gudai sixiang wenhua de shijie* (2002a) that classifies Confucian virtue ethics into *xingqing zhi de* 性情之德 (virtue of natural and emotional dispositions), *daode zhi de* 道德之德 (virtue of morality), *lunli zhi de* 倫理之德 (virtue of ethics), and *lizhi zhi de* 理智之德 (virtue of intelligence).¹⁸ That is to say, Chen Lai does not actually discuss Confucian ethical thought in terms of the “public virtue/private virtue” framework, even if he sometimes acknowledges that this distinction between individual virtue and social virtue is appropriate in discussing Confucian ethical thought. Therefore, strictly speaking, the problem of the so-called “unity of public virtue and private virtue” in the Confucian ethical tradition is, according to Chen Lai, not an actual problem; or, at least, it is not a

17 In *Renxue bentilun* 仁學本體論, “basic individual morality” refers to private virtue (Chen 2014, 467).

18 It is easy to see that his classificatory system of virtue ethics follows Aristotle’s differentiation of virtue into ethical virtue and rational virtue. MacIntyre points out that as a teleological theory based on a kind of renewed conceptualization, Aristotle’s classification of virtue ethics, still has meaning (2007, 181–203).

serious enough description of related problems. And the modes of questioning and thought regarding the unity of virtue according to the classical tradition of virtue ethics is also the actual path followed by Chen Lai in dealing with problems in the tradition of Confucian ethical thought.

In summary, *Confucian Theory of Virtue* is Chen Lai's most critical book to date. If we say that Liang Qichao's "Lun side" 論私德 (On Private Virtue) written the year after he wrote "Lun gongde" 論公德 (On Public Virtue) was an attempt to correct problems of modernity (Liang 1994, 16–17), then, after more than 120 years, Chen Lai not only follows him in ameliorating modern problems but he also follows him in opening up a more critical path for criticizing modernity. In Chen Lai's historical analysis of the problem of public virtue and private virtue we can see a manifest critical attitude that closely follows modern changes and therefore manifests a clear pointedness and sharpness:

In terms of the problem, in a society based on a market economy system, there is no need for the government to regulate professional morality as each professional unit in society will have its own requirements and will adapt to its own needs. This seems to be a line of thought left over from the system of total ownership by the people. Familial virtues should be guaranteed by the cultural tradition rather than regulated by the government because government regulation of familial virtue reflects a long period of the government ignoring traditional social and cultural habits. (Chen 2019, 77–88)

What kind of concept of society can we glimpse from this passage? Perhaps there will be people who, in connection to the line "the substitution of private morality for political morality, the overwhelming and elimination of individual morality" quoted above, will say that Chen Lai's criticism here is similar to liberal criticism of Chinese social realities. If we connect this passage with Chen's so-called "political morality" that mainly refers to the idea of public virtue maintained by republicanism, then this criticism would seem to become a liberal criticism of republicanism. Here, I must point out that this understanding is incorrect, that it is in fact a misunderstanding of Chen Lai.

In Chapter 8 of *Confucian Theory of Virtue*, Chen Lai explained his understanding of republicanism by borrowing from Michael Sandel's book *Democracy's Discontent* wherein the relation between republicanism and virtue is an important topic (Chen 2019, 261–68). As someone belonging to American society and holding republican ideas, Sandel set his theoretical rival as liberalism. Sandel provides a sharp criticism of the neutrality of liberal government emphasizing the political

value and importance of the virtue of the people. In criticizing Sandel on this point, Chen says: “The Confucian position is amiable to the republican position” (2019, 263), and in his criticism of Sandel’s stance on the virtue of the people, he says

Concern for the loss of the virtue of the people was a persistent theme for republicanism. The political ideal of republicanism is the revolution of the moral character of the people and the strengthening of their commitment to the common good ... This understanding has at least a formal resemblance to consistent ideas spanning from early Confucianism (*The Expansive Learning*) to Liang Qichao (*Theory of a New People*) ... Republicanism rejects short-term scheming as a core value, believes that the virtuous conduct of the people can overcome selfishness, that freedom should be protected through the virtue of the people, that virtuous people should be in charge of the government, that the government should transcend selfish desires and respond to the needs of the common good, and public opinions should be manufactured through republican government. All of this is similar to the Confucian position. (Chen 2019, 264)

We can see from the above quotation that Chen Lai, from a Confucian position, supported much of republicanism. Therefore, his criticism of *the overwhelming of private virtue by public virtue* in modern Chinese society cannot be seen as belonging to the same way of thinking as the liberal criticism of republicanism. It is better to say that Chen Lai is able to accept Sandel’s republican criticism of liberalism, and that it is on this basis that he tried to reflect on the former. Therefore, we can also see in Chapter 8 with its short, review-style format, that Chen Lai raised his own doubts regarding republicanism:

Sandel raised the question of why we need to insist on the separation between the “we” of the public and the “we” of individuals. What we need to ask is why do we need to separate the virtuous conduct of the public and that of individuals whereby we only focus on the cultivation of the latter? Other than individual virtuous conduct, what is it that republicanism values? (ibid., 269)

Actually, following Chen Lai’s line of thought there is much more room for the expansion of his criticism of the overwhelming of private virtue by public virtue in modern society. In other words, Chen’s criticism is perhaps still unclear in some parts. To propose public virtue and then classify traditional Confucian virtue ethics as part of private virtue, in addition to promoting the construction

of public virtue based on its importance and also to emphasize the construction of private virtue, appears to be something that was already recognized by Liang Qichao. However, since the proposal and promotion of the concept of public virtue is aimed at modern society and theoretically and practically serves the transformation of the modern social order, the relation between public virtue and private virtue can become a problem of their imbalance. To be clear, public virtue will completely eradicate private virtue not only because public virtue overwhelms individual private virtue, but also because the source of the normativity of public virtue is rationalized knowledge and conceptualized modern society, and that which has been considered a tradition of private virtue ethics actually has no place in such a rationalized and conceptualized society.¹⁹ It is not hard to imagine that in his essay *Lun gongde* Liang Qichao offered insights on the serious historical need for a revolution in morality, although this morality would be in a form not yet seen, and one which those who follow him today in modern China have still not developed.

This seems to already touch upon the limit of republicanism: is it possible to rearrange personal ethical life in the name of public virtue? If the essence of public virtue in the modern context eradicates private virtue and the two are separated from each other, then where does the virtue of the people that modern republicanism relies on come from? There is reason why some claim that the problem of virtue in modern republicanism contains a great paradox that is expressed in the educational predicament of the virtue of the people: modern social structures cause virtue traditions to lose the land on which they exist and grow, and so also cut off the true source of the virtue of the people.²⁰ This is perhaps one of the important reasons why modern governments are getting worse and worse when it comes to issues of virtue. As was quoted above, in discussing the serious imbalance between public virtue and private virtue, Chen Lai clearly pointed out the problem of the “universal predicament of modern society”. Even though he did not clearly state what this “universal predicament of modern society” is in his *Confucian Theory of Virtue*, we can, nonetheless, through the above analysis and conclusions, see in what direction his answer would take us.

19 This can be said to be the main theme of MacIntyre's *After Virtue* (2007).

20 This MacIntyre-esque criticism of republicanism comes from Li Tianling 李天伶, and I would like to thank her for the inspiration.

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