Lecture November 11

Relations and Balances: Confucian Constitutionalism in Taiwan

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In this paper, democracy broadly refers to the existence of effective mechanisms to prevent the authorities, on behalf of the population, from arbitrarily making policy. This definition allows a non-institutional system of constraint on the abuse of power, such as cultural values, to be conceived of as a viable component of democracy while excluding ineffective or decaying constitutional or electoral design from democracy. (Xu 2006, Ackery 2005) Based upon an empirical finding, the subsequent discussion proposes a theory of relations and balances (RaB) that can exist alongside the familiar theory of checks and balances or the related idea of separation of powers in the Western political thoughts in constitutional democracy. The existence of RaB means that the authorities and members within a democratic system relate with each other and among themselves to ensure that there are shared systemic identities. The democratic processes can remain stable if and only if members face no threat of exclusion. This requires self-restraint of the more advantaged and self-restraint is a known virtue of liberal democracy. (Baxley 2010: 57-59; Berkowitz 1999: xi; Allison 1995) For democratic systems that do not have a liberal tradition, other accesses to the virtue of self-restraint must exist. One such access is to embed the self in a relationship greater than the self.

There has been the impression that liberal societies have to spread the virtue of self-restraint to non-liberal societies for them to coordinate internationally because self-restraint is not a common feature in the latter. (Adler 2008; Goh 2011) The following discussion will argue, philosophically as well as empirically, that self-restraint is intrinsically Confucian, to say the least. RaB are the behavioral consequence of Confucianism. However, liberal self-restraint and Confucian self-restraint operates at different levels. The RaB are systemic level behaviors while checks and balances as well as liberal self-restraint are intra-systemic issues, pertaining primarily to the due process and the norm of the system that defines political relationships among its components. The functions of RaB and the concomitant Confucian self-restraint, in comparison, are to ensure inclusiveness of the system regarding who is entitled to democratic rights. Both are important to democracy. Without sound RaB, even a well-designed structure of checks and balances can result in exclusion. However, with sound RaB, even violation of rights has a limit because, via an imagined greater self that encompasses the victim, exclusion of a related member would be tantamount to a kind of self-exclusion.

Although the theory of RaB draws on Confucianism, it addresses to the abovementioned virtue shared by all societies—self-restraint. Theorization of self-restraint under liberalism is an established agenda. (Kautz 1995; Spragner 1999) In comparison, the RaB is primarily based on the nascent empirical findings which reveal that Confucianism's emphasis on morality does not legitimize unrestrained power of the allegedly moral ruler. Rather, the evidence points out a style of stability that welcomes rather than suppresses pluralism. (Shin 2011; Chu et al., 2010) Confucianism achieves stability via reciprocal relationships between the authorities and the constituting components of their political system. In spite of desiring moral leadership, the Confucian constituency is lukewarm for granting its leaders ideological or political monopoly in order to keep the system inclusive and stable in the long run. Confucianism's pursuit of systemic stability provides a clue to how various contending versions of democracy most likely all share the same need to maintain an inclusive systemic identity to ensure the governability of the polity. By no means is this restrictively liberal or Confucian.

Civic Nationalism Aborted

Western political thoughts treats separation of powers so seriously that prevention of the authorities from doing evil is their paramount purpose. In practice, however, no politics operates without its members as well as leaders relating to one another in various ways, including partisanship, ideology, civic association, and so on. In fact, even for example American presidential as well as legislative powers rely heavily on informal persuasion and networking. (Neustadt 1980; Redman, 1973) Thinkers of constitutional democracy have yet to provide an effective discourse on how citizens and the authorities as well as their system ought to relate to one another. (Sheets et al, 2011) One candidate that comes close is civic nationalism, which unfortunately proves to be weak and increasingly weakening in the 21st century. Facing the national identity crisis, for example, President Obama of the United States appealed to the sense of "togetherness" in his election night speech in 2012. (Obama, 2012) In short, a comprehensive theory of democracy must simultaneously address the question of how its members relate to one another.

The practice of constitutional democracy has faced two acknowledged challenges since the end of the Cold War. One challenge is about illiberal democracy. (Zakaria 1997) Everywhere electoral politics fail to deal with the confrontation between either ethnic or religious groups that belong to the same political system, or transnational and yet cohesive groups that belong to different political systems. The other challenge is the rising in-group consciousness in liberal democracy that leads to a feeling of aversion toward immigrant generations and their children. Presidential

elections in the United States in the 21st century, to continue the abovementioned American example, have witnessed a style of campaigning that increasingly echoes the fundamentalist aversion towards difference. The once-triumphant wish for the coming of the end of history in which the troika of individualism, capitalism, and democracy prevail over nationalism, socialism and authoritarianism either has failed to materialize in the newly democratizing systems, or has even faded in the democratized systems.

The problems of illiberal democracy appear to be both that citizens have no choice of their sub-national group membership, which is given, and that defeat in an election incurs the fear of suppression or discrimination by the victorious group. Electoral politics in liberal as well as illiberal democracy excavates, reproduces or even contrives social cleavages. (Kitschelt, 2000, Brooks and Manza, 1997; Przeworski and Sprague, 1986; Lipset and Rokkan, 1967) Liberal democracy used to provide a solution. A liberal democracy presumably built up of civic politics where citizenship is individualized so that their group identity has no immediate political relevance to their civic rights. Defeat of their candidate in an election does not allude to the fate of the group. In this way, liberal democracy breeds civic nationalism whereby citizens of different ethnicities share their identification with the national due process which individualizes all groups as well as protects all citizens indiscriminately. (Tamir, 1993; Greenfeld, 1992) Civic nationalism cannot cope with the age of globalization where immigrants, usually ethnically distinguishable in the surrounding neighborhood, compel the relatively larger group to scrutinize their political loyalty and economic squeezing. The virtue of liberal self-restraint loses relevance in face of a perceived out-group. In a nutshell, it is the feeling that they do not belong to the "hosting" community whose self-consciousness, rather than self-restraint, emerges powerfully. The literature on disintegration testify to the unattainability of civic nationalism. (Huntington, 2005; Schlesinger, 1998)

While Self-restraint is a norm similarly stressed under Christianity and Confucianism, important contrasts exist between them in philosophy, institution, and practice. The liberal self-restraint is an acknowledgement of everyone else' rights each to pursue their welfare. It works most powerfully among strangers belonging to the same communities of practices, (Adler 2008) where procedures organize all into synchronized role players restrained from encroaching other people's rights. Comprising self-respect, the liberal self-restraint thus confirms self-worth of everyone. Relational security indicated by the citizens' self-conscious observance of procedure can then achieve relatedness among strangers. Self-restraint simultaneously attests to the shared identity with the political system that institutionalizes the due processes. Loyalty to the system is accordingly a product of rationality. (Kim 2007) Even

anarchical conditions in international politics can evolve into regimes through self-restraint of the rational states, liberal and illiberal alike. (Ikenbery 2001)

On the contrary, Confucian self-restraint is an acknowledgement of a greater self whose survival and wellbeing are of utmost priority. This greater self usually adopts the metaphor of family. The Confucian self-restraint incurs self-sacrifice, so it is not a reciprocal duty to exchange for one's own rights with any other equal people. Rather, it is an absolute duty to ensure the survival of the ontologically presupposed greater self, hence disregard for the immediate self-worth. Self-restraint contributes to already-related others under Confucianism, as opposed to the communities of strangers abiding by universal values and procedures. In fact, for Confucius himself, the "truth" is that all those liberal strangers are related brothers. (Tan 2009: 151) Relational security arising from belonging to the imagined greater self should transcend the difference in ethnicity, regime type, economic class, religion, and so on. Coexistence of varieties is preserved by shunning synchronization of any specific platform such as liberalism.

The reference to Confucianism in the following discussion is primarily about the public values of benevolence, selflessness, and harmony, and their behavioral consequences, (Han 2013, Hwang 2012, Hofstede and Bond 1988) instead of sagehood, institution, or religion. These public values certainly have institutional and ritual basis, but the latter's manifestation varies across space as well as history. For the sake of this research, the emphasis is on the shared concern, though, amongst Confucian disciples over the harmony of society composed of reciprocal roles embedded in filial piety. (Lew, Choi and Wang 2011, Yang and Rosenblatt 2008) There is additionally the shared belief that the leader's benevolence is essential to ensure the members of the society's willing adherence to duties prescribed by their roles. The highest value in the public life is that all under-heaven belongs to all. Exclusion or confrontation indicates the leader's lack of benevolence and destroys both reciprocity and legitimacy essential to welfare of all. Such value-orientation makes a significant contrast with the liberalist assumption that individuals are naturally unrelated actors only bound together by the due process of rights protection. (Richey 2013, Bell 2007; Park and Shin 2006)

Due Processes in the multilateral settings among self-restraining strangers would probably deprive Confucian actors of the relational security provided by belonging to the greater self. To abide by allegedly due processes could damage the greater self-identity since the reliance on due processes assumes ontologically unrelated autonomous actors. Under Confucianism, self-restraints mean concession made to the related others to form or reconfirm the existence of a greater self presumably encompassing them all. That's why the Confucian self-restraint has to be

context-bound in order to enhance enough flexibility to include "all under heaven". In brief in theory, given that self-restraint makes a system possible, Confucian self-restraint attends to the inclusiveness of the system, as opposed to liberal self-restraint that attends to the rights of every individual.

For democracy embedded in the individualist epistemology of rights to remain socially cohesive, some socially and culturally sensible device to convince the threatened that they will not suffer exclusion is required. This promise of inclusion speaks more deeply, albeit indirectly, to the politically advantaged strata than the disadvantaged since it is usually the fear toward the anticipated political defeat that causes democratic failure. (West and Jeffery 2006: 19, 22) If all feel becoming disadvantaged, due processes will lose their credit and the system turns illiberal. The paper draws on Confucian wisdom in China and Taiwan to illustrate how a thinking route to democratic inclusiveness enables democratic participants to relate and balance in thought. It begins with a reflection on how constitutional democracy and liberal self-restraint are not sufficient to curb illiberal politics. It proceeds with how in theory Confucianism and democracy may impact upon each other negatively. This does not mean that China or Taiwan is a Confucian state. In fact, differing institutional arrangements between China's one-proletarian-party rule and Taiwan's electoral rule does not fully tell or guarantee the democratic nature of each polity. Rather, the Confucian self-restraint at the systemic level reduces the significance of difference in institutional arrangement of the two societies. Finally, it the paper suggests how Confucianism and democracy have empirically adapted to each other.

Epistemological Hiatus of Constitutional Democracy

The postcolonial century beginning in the 1960s has mainly suffered systemic identity crisis. Modern political theory, including the long-lived system theory, (Easton, 1965; Almond and Verba, 1963) that deals with intra-system behavior, generally ignores the absence of stable systemic culture elsewhere, (Hu, 1998) in postcolonial societies in particular. To rely on the individual members' trust toward the due process is a flawed program because when the members do not accept each other as belonging to the same system, their ideological favor for liberal democracy cannot predict their discriminative or even violent responses to the perceived out-group. However, contemporary constitutional liberalism attends primarily to the relationship between the various branches of the authorities as well as between the individual citizens and the authorities, to the negligence over the need to have an integrative mechanism, be it national or post-national. (Abizadeh, 2004, 2002)

Constitutional democracy relies on the conviction that, to protect individual citizens from the abuse of power, the powers of the government should be separated

or limited. , that multiple parties should compete in elections for public office, and that elections should be regular, hence due processes. None of these institutional or practical checks on administrative powers guarantee constitutionalism if the people decide not to apply measures allowed for themselves to check the governmental powers. In fact, democratic constitution frequently runs into people's reversed volition to renounce the power to check so as to enhance their leaders' discretion, (Fromm 1942; Pye 1985) usually without self-restraint over issues involving a perceived out-group. As a result, the leaders abuse their granted power, turning democracy into illiberal politics. In the literature, illiberal politics that has plagued constitutionalism consistently involve ethnic politics. In the history of the United States, it has to do with black politics and in Europe it reminds one of the notorious Holocaust. To enforce constitutionalism, neither institutional design nor multi-party competition can ensure success. It seems that the use of constitutionalism to institutionalize self-restraint of elected leaders and their constituency is not always plausible.

Culture of self-restraint is not always reliable either. Even in the United States where liberalism has both constitutional and cultural support, national security advisors could not resist taking advantage of the 911 terrorist attacks, for example, to launch a war on the virtually fabricated ground of Iraq's possession of weapons of massive destruction. The same leaders even approved the adoption of torture toward the Iraqi prisoners of war. (McMurtry, 2013; Cerf and Navasky, 2008) The condition for constitutionalism is certainly less sanguine where no such tradition of liberalism exists at all as in the States. In modern Chinese history, for example, appealing to the extra-systemic call for unity has been effective in convincing the staff of the systemic roles to renounce their duty of checks and balances. This included the infamous Yuan Shikai's short-lived attempt to resume emperorship in 1916 through the convening of an extra-constitutional body--Representative Assembly. Another example is, in newly democratized Taiwan, Li Denghui's acclaimed amendment of a parliamentary constitution toward one of presidential leadership via the convening of a similar ad hoc body of the Representative Assembly.

Nevertheless, civic nationalism is still an attractive program to transcend illiberal politics. If illiberal politics draws on the attitude of aversion to an ethnic target group, liberalism strives to individualize one's ethnic identity to give the illusion that ethnic identity is one's choice. (Glass 1995) Nevertheless, civic nationalism as a theory faces serious challenges in the age of globalization because globalization sensitizes ethnic representations and undergirds them with a politically irresistible ideology of sub- or cross-national multiculturalism. At the end of the Cold War, ethnic cleansing staged in the Balkans in the 1990s and fundamentalist discourses have spread in American politics in the 21st century. (Campbell, 1998; Smidt et al, 2010) Illiberal democracy is

apparently not just the patent of the developing world.

It appears that neither individual citizens nor ethnic groups that institutionally belong to the same political system can automatically relate to one another. They estrange from each other at the systemic level via the checks and balances. In times of difficulty, liberal democracy consistently fails the test of self-restraint at the systemic level. Individual rights as the boundary of the system turns blurred due to the struggle of who should be in and who else, out. After all, self-restraint motivated by rights consciousness is by no means aimed at systemic cohesiveness. Nor constitutionalism is in itself helpful in determining the criteria of membership for the system. On the other hand, however, religious, ethnic or regional identities enacted to protect specific sub-national groups are not by themselves subject to democratic procedures. Therefore, for a democracy to sustain the challenge of politics of difference, there must be other mechanisms at work that bring divergent components of the system into accepting one another. Such a mechanism of mutual relating is not discursively evident in liberal self-restraint. A clue of how liberal democratic members may relate to one another exists in Confucian self-restraint, which deliberately breeds the overarching systemic identity that transcends religious, regional or ethnic divides

Politics of Exclusion and Inclusion under Confucianism

In his peculiar reinterpretation of illiberal democracy, Daniel Bell (1996) actually defends illiberal politics of Confucian societies. His illiberal politics is not diseased with ethnic confrontation. Rather, it refers to the benevolent ruling of the gentlemen over the entire system. Implicitly, Confucianism pertains to national politics, which transcends ethnic division. Confucianism stresses the greater self. (Hwang, 2012: 280-1; 340-1) No one should be left without care regardless of one's contribution to the welfare of the society. Ethnic politics has no legitimacy under Confucianism. If not necessarily a welcome, ethnic difference is usually not a source of alarm to the Confucian society. Instead, mixed kinship has been conventionally a positive measure to transcend the ethnic boundary. (He, 2004) Caring for the vulnerable is one of the most important rituals for Confucianism because Confucian leaders rule with the pretention that all are related as brothers. Ethnicity is a politically incorrect target despite practices of discrimination persevere in the society.

For Bell whose perspective comes from within Confucianism, the puzzle is therefore not about ethnic conflict. Instead, it is how to alleviate the disintegrating consequence of the self-centric values of liberal democracy, (Bell, 2007) partly embedded in the device of checks and balances. Consider that human quality and the value of benevolence are the foundation of good governance. Bell and his colleagues

find Confucianism far more advanced in thinking good governance because its leaders are responsible for the welfare of the entire system rather than primarily their own constituency. Another interrelated Confucian ideology which is opposed to the assumptions of constitutional democracy is about the nature of politics. Empirical findings show that constitutional democracy's treatment of the government as a necessary evil contradicts with Confucianism's regard for it as the symbol of the highest moral being.[1] Essentially, morality comprises selfless service to the people. Probably because of this moral pretension, Confucianism could receive democracy with abhorrence lest democracy should destroy the credit of leadership and, consequently, systemic cohesiveness.[2] If the authorities are conceived of as necessary evils, democracy needs to install checks and balances. However, if the authorities are

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[1] 86% of Chinese and 69% of Taiwanese respondents of a comparative survey are positive on inquiry 134 (which inquiries are you referring to?), Government leaders are like the head of a family, we should all follow their decisions.

The survey data are acquired from East Asia Barometer (2005-8). East Asia Barometer is part of Asia Barometer which includes also South Asia Barometer and belongs to the Network of Democracy Research Institute. The United Nations Development Programme (UNDP) has included the Asia Barometer surveys in its publication of "Governance Indicator: A Users' Guide." All the subsequent notes on the survey result come from the same source. To access the data, follow the procedures provided at http://www.asianbarometer.org/newenglish/surveys/DataRelease.htm

[2] 57% of both Chinese and Taiwanese respondents agree with inquiry 136, harmony of the community will be disrupted if people organize lots of groups, but almost 38% in Taiwan disagree.

56% of the Chinese and 65% of the Taiwanese respondents are positive with 26% and 31% negative on inquiry 140, if people have too many different ways of thinking, society will be chaotic.

a necessary moral, democracy needs to ensure all can relate to it each in their chosen ways.[3]

The logic seems to suggest that, on the one hand, constitutional democracy embedded in assertive individualism is in need of a way to relate all the members which checks and balances cannot provide; on the other hand, Confucianism alone is not sufficient to restrain abuse of power by leaders. Their union could be a solution to the flaws of each other. However, if Confucian morality points to systemic politics indeed, candidates must compete at the national level for under Confucianism they are neither just individual nor just ethnic. The competition for national leadership necessarily generates anxiety,[4] because multiple candidates compel all to present one another as either partial interests or traitors. In practice, both power contenders of socialist democracy in China and liberal democracy in Taiwan, like in many other political systems elsewhere, have the tendency to earmark their opponents as traitors. (Shih 2007, 1999) There could otherwise be no better explanation as why someone else could oppose a presumably selfless stance of oneself. Any national politics that transcends ethnic lines to strive for unity could risk overreliance on witch hunt to the effect of destroying unity. (Schmitt 1996) The only exit to this traitors' competition is to fall back to competence competition, which easily invites a personality-murdering campaign.

Indirect evidence shows that protection of individual rights or interests is a secondary issue at the systemic level under Confucianism.[5] The battle of discourse

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[3] 79% of the Chinese and 75% of the Taiwanese respondents are positive toward inquiry 64, the

relationship between the government and the people should be like that between parents and children;

[4] 59% in China and 80% in Taiwan are positive toward inquiry 63, open quarrels (criticisms) among

politicians are harmful to society.

50% in China and 52% in Taiwan disagree but equally significantly 41% in Taiwan agree with inquiry

71, conflict among political groups is not a bad thing for our country. Stronger acceptance in Taiwan

could be explained with the concern for governability (more later)

[5] 72% and 71% of the Chinese and the Taiwanese respondents respectively support inquiry 72, if a

ought to focus on which side destroys social cohesion or which side is truly inclusive. A truly inclusive platform ought not to insist on ideological consistency so that all voices can be articulated each in a proper context.[6] It should not even raise a particular ideology in order to keep one from rigidity in adapting to divergent thoughts and needs in the society. The answer that the constituency seeks is how members of the society relate to each candidate. Unless the designation of traitor is accepted, multiple links between candidates and their constituency are typical. This is

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government policy serves the interests of the majority of people, I should support it even if it

jeopardizes my private interests.

76% in China and 51% in Taiwan agree but 40% in Taiwan disagree with inquiry 76, for the sake of the

national community/society, the individual should be prepared to sacrifice his/her personal interest.

With Taiwan's national identity being intensely disputed, the support in Taiwan is significantly weaker

in comparison with the support in China.

84% in China and 82% in Taiwan agree with inquiry154, a citizen should always remain loyal only to

his country, no matter how imperfect it is or what wrong it has done.

[6] Evidence suggests that the authorities are not entrusted with unreserved legitimacy to monopolize

politics or ideas.

49% of Chinese respondents are positive and 24% are negative in comparison with 22% of Taiwanese

positive but 71% negative on inquiry 135, the government should decide whether certain ideas should

be allowed to be discussed in society.

35% in China and 33% in Taiwan agree but 44% and 63% disagree respectively with inquiry 139, if we

have political leaders who are morally upright, we can let them decide everything.

not unlike the repeated cases throughout Chinese dynastic and modern history in which local gentry negotiated for peace with each ruling force arriving in turn regardless of the latter's family tree, ethnicity or loyalty. (Naito, 1983; Skinner, 1964-5; Shue, 1988) The threat of disunity is dissolved in this multiple networking when multiple bilateral relationships with each political force remain stable regardless of the result of election. This by no means suggests that Confucian democracy is sheer opportunist, negligent in justice, or pseudo-liberal. It is long-term stability and unity that Confucianism seeks.

Confucianism prepares its modern disciples for democracy intellectually differently. Contending for regime is conceived of as chaos (luan), contrast to which is governability (zhi), referring to inclusiveness and stability. Confucius himself advised temporary retirement from public service during the time of chaos. According to him, one should serve in the government only when all could coexist in peace, a condition called "the Way." When the Way prevails, all are re-connected and the polity returns governable. Note that the Way is a notion of harmony to accommodate all so that governability incurs no checks and balances. Governability is both a long-term necessity that will return spontaneously given a waiting period and an inexpressible order exempt from any predominant ideology.[7] The best evidence of selfless quality is coexistence of the incompatible.[8] The "Three Represents" is a

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[7] Waiting is a way of managing time than space, immediate resolutions are unnecessary.

39% in China and 17% in Taiwan agree but 46% and 78% disagree respectively with inquiry 62, when dealing with others, securing one's immediate interests should be more important than developing a long-term relationship.

However, more Chinese respondents agree (44% vs. 20%) while many less Taiwanese respondents does (26% vs. 66%), with inquiry 73, the best way to deal with complicated political issues should be to leave them to the future. Taiwanese respondents' alienation from the future may have to do with the governability problem in association with the uncertainty of the national identity in Taiwan.

[8] 62% in China and 76% in Taiwan disagree with inquiry 124, we should get rid of parliament and

contemporary illustration of how the Chinese Communist Party discursively accommodates the owners of capital to start anew its pledge to socialist democracy. In the extreme long run, both chaos and governability would appear spontaneous and cyclical. Their inevitability is not subject to human (i.e. ideological) intervention. The aesthetic characteristics of governability usually privilege pragmatism over rationalism. (Hall and Ames, 2003)

Epistemologically, checks and balances comprise synchronic institutions sharing or dividing powers while the cycles of chaos and governability exist on a temporal dimension. Separation of powers would require clarification of the governing ideology to prime one's leadership in order to coordinate consistently, but governability accepts any ideology that appears working for the constituency and/or a part of it at a given time. Governability, instead of rationality, is a flexible philosophy of ruling purported to achieve inclusiveness.[9] For any components of the constituency, finding ways to relate to the electoral candidates or the authorities is the shortest cut to receive beneficial treatments. The literature suggests that participation in the process of street-level administration makes much better sense to the Confucian society, (Shi, 1997; King 1975) in comparison with the system of checks and balances that stresses the participation in legislation. The perception of chaos results from incapacity of the authorities to relate and to be related. Open requests for remedy

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elections and have a strong leader decide things.

83% of Taiwanese respondents disagree with inquiry 125, only one political party is allowed to stand for election and hold office. This question was not asked in China.

[9] 86% of the Chinese and 69 % of the Taiwanese respondents are positive on inquiry 74, political reform should be introduced little-by-little instead of all-at-once.

However, since both functionaity of the authorities and multiplicity of the delegates are required for inclusiveness, ambivalence can ensue, with 34% in China and 56% in Taiwan agreeing but 21% in China and 34% in Taiwan disagreeing with inquiry 138, if the government is constantly checked [i.e. monitored and supervised] by the legislature, it cannot possibly accomplish great things.

could shame the authorities and compose a more powerful push for the authorities to take an effective action in order to restore the image of inclusiveness. In other words, showing one's vulnerable condition in the public could achieve quicker democratic responses. It is therefore not about the institutional checks that make the authorities accountable. Rather, it is the challenge to the inclusive image of the authorities that does damage to governability. The constituency appeals to the authorities to enact inclusiveness, resulting in the peculiar systemic rights to appeal ("chenqin" in Taiwan or "shangfang" in China). Confucian democracy involves constant negotiation as the proper degree and form to appeal.

Governability and Balance of Relationships

The empirical evidence shows, in China as well as Taiwan, coexistence of deference to authority and group interests on the one hand and positive attitudes toward civic liberty and differing opinions on the other hand.[10] In East Asia in general, Doh Chull Shin (2011, also Kim 2007) finds that Confucian societies continue to embrace traditional values that are incompatible with liberalism. However, people in Confucian societies show high tolerance toward differences in theory, if not in practice. This finding is in line with the RaB argument in that tolerance is obviously not motivated by the concern with checks and balances. Rather, it is motivated by relational security, so it transcends specific values. The essence of politics of RaB is inclusiveness which requests both the stable systemic identity and, for that sake, the capacity to keep differing kinships, values and practices in harmony.

Certainly the quest for governability is the quest for stabilized reciprocal relationship between the authorities and the constituency, hence the quest for relational security. Relational security does not abide by any synchronic value or justice applicable to all belonging to the same system. Instead, and in fact, justice requires perspective shifting. (Lerner, 2002: 28-29) The issue of governing is not to establish systemic justice. To do this could push the leadership into confrontation with some component of the system. Long-term stability depends on inclusiveness of the system rather than the commitment to a just arrangement.[11] Consequently,

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[10] See footnotes 3 through 11 as well as 13 through 18.

[11] 63% are positive and 30% are not in China with 48% squarely on both pro and con sides in Taiwan toward inquiry 61, sometimes one has to follow one's own beliefs regardless of what other people

governability is not a structural issue, nor an issue of value. Instead, it is a matter of systemic stability. Electoral competition confronts relational security to the effect that public campaigning in the Confucian context is typically zero-sum, without intention on a middle way. (Pye, 1981, 1) The candidates and their supporters have to act as if the other side is as evil as either a traitor or a partial-interest seeker. The competition focuses on the systemic membership of the candidates themselves. Nevertheless, almost all electoral politics engages in some ritual of self-restraint in the aftermath to convince the constituency inclusiveness is restored.

Legitimacy is a concept that has no good Chinese translation. (Jiang and Bell, 2012) When legitimacy refers to legitimation of a regime or a political figure to rule in the Chinese context, it means that the regime or the politician is able to disappear from any specific category or identity to become selfless. A regime claims legitimacy by transcending the interests of the regime itself. (Bell, 2011: 143), so adhering to due process still has symbolic significance.[12] This makes the Chinese translation of legitimacy difficult. To go further, legitimation of an extreme policy that kills members' lives rests on the capacity of the policy maker to deny any involvement of their personal judgment. Legitimacy of a policy relies on the pretension that its victim falls into a partial interest or a traitor category. Its sacrifice is a process of reincarnation or rehabilitation to reproduce the pretentiously selfless entirely, only in the name of which the presumably selfless authorities can act. With proper coaching, "barbarians," "imperialists," "bandits" and any brutal forces of intrusion can borrow

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think.

35% of the Chinese and 82 % of the Taiwanese respondents disagree but 25% of the Chinese 11% of the Taiwanese respondents agree with inquiry 77, the most important thing for political leaders is to accomplish their goals even if they have to ignore the established procedure.

Comparing inquiries 61 and 77 indicates that both Chinese and Taiwanese respondents show much more support (63:25 and 48:11 respectively) for one oneself than the authorities to act assertively.

[12] 55% and 68 % in China and Taiwan respectively say no to inquiry 141, when the country is facing a difficult situation, it is ok for the government to disregard the law in order to deal with the situation.

an inclusive ideology to restore governability and gain their own legitimacy to reign in the system even though they could have committed massive killings.

Contrary to intuition, the system that suffers the governability problem in various illiberal forms will experience less support of the constituency for the authorities to act assertively because restoring inclusiveness in an easy-going style is the more imminent issue than drafting any rational platform. Comparing Taiwan and China, the former apparently has a much more serious problem of systemic identity, pertaining to Taiwan's political future being an independent nation or a lost piece of territory to be reunited with China. (Huang 2006) Although Taiwan's identity problem is not the usual ethnic conflict present in the aforementioned areas, it is an RaB problem as the pro-independence constituency and the less enthusiastic others of the same system undergo mutual estrangement. The appearance of Taiwan being liberal because of coexistence of incompatible identities could be spurious. An RaB pursuit of inclusiveness and liberalism shares the preference for tolerance. Where there is the governability problem, the liberal constituency will likely desire assertive leadership. However, the Confucian constituency likely averts assertive leadership under the same circumstance.[13] In the light that most other Confucian values are still highly accepted in Taiwan, Taiwanese positive attitude toward liberal institutions may well reflect more an RaB attempt to restore inclusiveness than a preference for liberalism. The former is a systemic issue while the latter, a structural one. The higher dissatisfaction shown by the Taiwanese constituency toward the performance of the authorities may well reflect the problem of systemic identity despite willingness to express dissatisfaction appears to confirm the liberalist value.[14]

When the systemic identity is rather stable, the constituency ought to be more willing to stay patient with challenges to the reciprocal relationship. The call for a harmonious society in China re-affirms the classic wisdom that members of the polity should be related to one another in imagined reciprocal ways instead of being

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[13] The relatively intense governability condition in Taiwan makes 61% disagree, in contrast to 77% in China agreeing, with inquiry 65, people should always support the decisions of their government even if they disagree with them.

[14] Probably as a result of Taiwan's national identity conflict, 54% in Taiwan disagree while 72% in China agree with the assessment inquiry 108, everyone is treated equally by the government.

distinguished from one another as holders of differentiated rights or distinctive identities. Concession, instead of dominance, is the sensible way to cope with a minor challenge when governability is not an issue. On the contrary, to keep an already disturbed systemic identity inclusive requires not only the authorities to be tolerant, but sometimes its members to withdraw from self-restraint to signal the lack of the greater self.[15] Consequently, the attempt to restore systemic inclusiveness may lead to the enhanced apprehension of chaos. Both the authorities and the people have to acquire a transcendental perspective in order to imagine a horizon broader than their own living conditions. While there is no guarantee that they will do that, the theory of RaB indicates how restoration via self-restraint is always possible.

Democratic governability is at its highest if the system performs two kinds of concession. First, members of the system are ready to concede their interests for the sake of systemic stability in the long run. Second, the authorities are ready to make concessions to the disadvantaged or differing components of the system to maintain various reciprocal bilateral relationships. Empirical evidence suggests that both the little self and the greater self are able to concede. Three "RaB" factors can be identified from a factor analysis of a Chinese and a Taiwanese polls regarding attitudes toward democracy, which yields 14 Chinese and 11 Taiwanese factors respectively out of roughly 40 questions. Together, the three factors show the agreement of the respondents to self-restraint on their personal interests in association with their caution against the monopoly of politics by the authorities. The implications are both aversion to one-party or strong-man ruling on the one hand and to confrontation between groups and parties on the other hand. The essence of RaB is that both the authorities and their constituency have to constantly judge the condition in order to decide at a particular moment and on a particular issue how they choose between these two aversions.

Tables 1, 2, 3 about here

Specifically, the one "RaB" factor in the Chinese poll associates three variables of "putting personal interests second to the family," "supporting the government

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[15] 61% in China agree while 66% in Taiwan, living with an unclear systemic identity, disagree with inquiry 58, when one has a conflict with a neighbor, the best way to deal with it is to accommodate the other person.

policy personally disapproved", and "accepting parent-child metaphor for government-people relationship" with the variable of "opposing morally right leaders to decide everything." The performance on the fourth variable also incorporates the RaB style of not "confronting different opinion." The first factor in the Taiwanese poll combines the variable that suggests that "one should not insist on one's disputed opinion" with the two other variables showing negative attitudes toward either the view that "harmony will be disrupted if people organize lots of groups" or that "society will be chaotic if people have too many different ways of thinking." The second factor in Taiwan includes a hesitant attitude toward "long-term relationship" and a tolerant attitude toward "open quarrels among politicians" on the one hand, in association with an agreeing attitude toward "helping people today for a return in the future" and a positive attitude toward "indiscriminate support for the government" on the other hand. All three factors indicate either that the little self and the greater self should both yield (the China factor and the first Taiwan factor) or that the little self should be unrestrained but ready to support the unrestrained greater self (the second Taiwan factor). Clearly, for RaB to operate, the system depends on human judgments.

The following principles of conduct, based upon the discussion so far, should be applicable to all democratic systems, which rely on RaB to secure systemic stability in the long run. Under Confucianism, nevertheless, restoration or repairing at the expense of immediate resolution for the sake of a harmonious future is always appreciated.[16] There are the principles of governability to ensure systemic stability. There are the principles of challenge to restore bilateral relationships. Each set of principles predict the behavior of the authorities and the members of the system separately. To begin, to keep the system governable and stable, the authorities ought to
1. Avoid arbitrarily enforcing any synchronic value despite the lip service to it;

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[16] 77% of respondents in both China and Taiwan agree with inquiry 30, do you agree or disagree with

the following statement: "By helping people in trouble today, someone else will help me when I am in

trouble someday."

72% in China and 71% in Taiwan agree with inquiry 70, we should give up gains in the present for the

possibility of larger gains in the future.

2. Remain flexible in coping with members of the system in inclusive ways;

3. Gather information of reality in order to preempt disturbance to stability.

For the members of the system to ensure governability, they ought to

1. Negotiate patiently with the authorities to avoid synchronic values and institution;

2. Participate in accordance with the current procedures to address demands;

3. Resist when the existing ways of life face the danger of destruction.

Regarding the principle of challenge, the general balance of relationships advises compromise or concession in order to repair a minor challenge, but complete destruction in order to start the already corrupt relationship anew in correct ways. Accordingly, when facing a challenge to stability, the authorities ought to

1. Make exceptions to procedures in order to restore stability when the challenge is minor;

2. Suppress in the name of procedure when the challenge is direct;

3. Mix suppression and compromise each to a lesser extent when the challenge is indirect.

When facing a challenge to reciprocal relationship, the members ought to

1. Lobby via standard procedures to seek remedy when the challenge is minor;

2. Dishonor the authorities by public protest when the challenge is direct;

3. Mix protest and lobby each to a lesser extent when the challenge is indirect.

It may appear that these balances of relationships owe greatly to Confucian wisdom. However, in the short run, the Chinese authorities could likewise resort to any beautiful slogan embedded in specific ideological and value pursuit, such as liberalism, communism, or nationalism, etc. Abiding by some lofty ideology is usually a way to conspire the image of partial characteristics of their opponents. These temporarily incurred synchronic values may survive in the short run, but any such value can always be compromised in the specific contexts to ensure a balance of relationships with a particular component of the system so as to maintain the sense of relational security conducive to long-term stability of the system. In fact, non-Chinese conditions likewise consciously tolerate, if not encourage, compromises of value in specific contexts to ensure systemic stability. Cases of exclusion, compensation, pardon, and so on, are, as cycles or dialectic developments, numerous anywhere in the world, especially in the democratic systems. The RaB lays the deep groundwork that enables members of the system to still stick around an institutional arrangement already failing its promise.

All contemporary synchronic values or institutions are at best transient in the long run. What is never changed is that, for the system to be governable, the authorities and the governed must agree on their systemic membership. And, the shortest cut to reach a consensus on the scope of system is through compromise and

suppression. This is by no means exclusively Confucian. All authorities and their governed members have to make subjective judgments all the time to determine if the relationship between them have changed for the worse and the extent to which the remedy to this perceived change should be addressed within the procedures. The judgment reflects the comfort or discomfort of one with one's systemic membership. What exactly composes the governable procedures varies by ideology and institution of the time. Checks and balances represent only one of the varieties and they cannot sustain without RaB underneath.

RaB as Ontological Democracy

The problems with illiberal democracy and the challenges to liberal democracy are similarly about the lack of a theory of RaB, which all systems begin with but gradually lose due to preoccupation with choosing and reproducing a particular synchronic ideology and institution. Civic nationalism cannot cope as its advocates once thought it could with the increasingly diverging political identities, rooted as well constructed, in the globalizing cultural politics. They will adapt by relaxing on ideological front in order to enact systemic inclusiveness upon which checks and balances are based. They will also make concessions to immigrant groups from time to time to ensure their sense of belonging and, subsequently, the systemic stability. If one considers Taiwan as an illiberal society due to the national identity cleavage, its illiberal democracy is after all not about the typical ethnic conflict. Rather, Confucianism provides a clue as to how to resolve the governability issue via the evolution of an inclusive style of RaB. In comparison, the support for the Chinese authorities in China reflects a kind of RaB that suffers less the national identity cleavage.

The problem with Confucian societies running democracy is about the lack of checks and balances, which results from the lack of an institutional setting embedded in the historically specific context of European modernity. The Confucian constituency expects a lofty leader who is above politics on the one hand to symbolize the systemic identity and yet flexible on the other hand to avoid intervening by his or her authorities in differing social contexts. In practice, they dislike challenges to the authorities for the sake of systemic stability but in theory they disapprove dictatorship or top-down control so as to maintain reciprocity with the authorities. Finding a position between the two is the essence of RaB. Typically, it would be deciding the extent of support for the ideological stance of the authorities in exchange for an exemption from the duty derived from the same ideological stance. Lucien Pye's (1988, 1968) analyses of Chinese people's ambivalence toward authority and the

authorities' undecidable self-positioning between ideological and social roles echo these findings on relations and balance.

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Table 1: The Chinese RaB Factor

+.471	For the sake of the family, the individual should put his personal interests second.
+.407	People should always support the decisions of their government even if they disagree with them.
+.367	The relationship between the government and the people should be like that between parents and children.
-.344	If we have political leaders who are morally upright, we can let them decide everything.
+.329	Would you have a hard time conversing with your friends or co-workers about politics if you had differing opinions?

Table 2. The first Taiwanese RaB factor

-.349	Harmony of the community will be disrupted if people organize lots of groups
-.316	If people have too many different ways of thinking, society will be chaotic
+.300	A person should not insist on his own opinion if his co-workers disagree with him

Table 3. The Second Taiwanese RaB factor

+.305	When dealing with others, securing one's immediate interests should be more important than developing a long-term relationship.
-.310	Open quarrels (criticisms) among politicians are harmful to society
+.334	People should always support the decisions of their government even if they disagree with them
+.449	Do you agree or disagree with the following statement: By helping people in trouble today, someone else will help me when I am in trouble someday.