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Introduction: One Size Doesn't Fit All

In May 2002 the eminent American legal theorist Ronald Dworkin toured several Chinese universities and delivered lectures on human rights. The Chinese translation of his renowned book *Taking Rights Seriously* had been topping the best-seller lists for several weeks and his public lectures drew literally thousands of people. At the time, Professor Dworkin's tour was compared to the visits to China eight decades ago by John Dewey and Bertrand Russell. China had once again been opening up to the West, and it looked like another opportunity for cross-cultural exchanges and mutual learning by the leading intellectuals of "East" and "West."

Dworkin began his lectures by "conceding" that the human rights discourse is uniquely Western, but he argued that this "fact" does not bear on the question of the normative worth of human rights. If the concept of human rights is morally defensible, then the uniquely Western history of human rights should not be used as an excuse to prevent its application in non-Western contexts, including China. Dworkin proceeded to sketch a view of human rights self-consciously inspired by the liberal thinkers of the Enlightenment. He posited two moral principles (moral equality and self-direction) that support civil and political rights and then showed that these principles can underpin critiques of contemporary Chinese legal and political practices. He then challenged his audience to come up with competing principles based on "Asian values" that would justify violations of civil and political rights. The audience, however, failed to rise to the challenge; perhaps the idea of mounting a compelling oral defense of an alternative Asian philosophy in a brief question-and-answer period, particularly in a context where there may be political constraints, linguistic barriers, and cultural aversions to public intellectual battles, struck members of the audience as, to put it neutrally, inappropriate.

Those expressing "enthusiasm for liberal values," Dworkin noted, did voice their views: "all the scholars and almost all the students who spoke about the issue on various occasions insisted that there was no important difference between Western values or conceptions of human rights and their own." One member of the audience "said of course the fundamental situation of human beings is the same everywhere, that there should be no more talk of distinctive Chinese values, that China must begin what he called a 'renaissance' of liberal individualistic values. When he finished, the large audience clapped loudly." Nevertheless, Dworkin found it peculiar that members of the audience did not seem to share his desire to discuss specific cases of human rights violations, leading him to conclude that Chinese academic discourse remains "eerily abstract in a country whose government treats itself as above the law."[1] What Dworkin seems to have learned from his trip, in short, is that Chinese academics cannot mount a successful defense of an Asian philosophy even when given the opportunity to do so. The only question that remains is how to implement liberal individualism in China, which apparently requires greater moral courage and concrete thinking on the part of Chinese academics.

Not surprisingly, Dworkin's visit generated less-than-friendly responses. Professor Liufang Fang, who teaches law at the Chinese University of Political Science and Law, opens his critique with a sarcastic account of the college students who attended Dworkin's lectures because they "did not want to miss the festival-like event." They could hardly hear anything, but "being squeezed in the crowd itself was a joy to many of the students." Professor Dworkin, meanwhile, "unilaterally believed that his China tour was a valuable opportunity for China to be privy to his ideas of liberty." Ironically, he was taken for a ride by the Chinese government. His visit had been organized to showcase China's new freedoms, and the government knew full well that Chinese academics would not argue publicly about the details of particularly sensitive cases. Dworkin seemed unaware of the risks that China-based academics would incur by publicly endorsing his condemnation of the Chinese government's handling of such cases. As Professor Fang puts it, "the truth is that the degree of freedom of speech is negatively correlated with the risks borne by the speaker." Moreover, Dworkin seemed unaware of the extent to which "general discussions" of legal issues by China-based academics have led to substantial improvements of legal practice. Had Dworkin been better informed, he would not have made facile comments regarding the "eerily abstract" Chinese discourse. Professor Fang concludes his essay by suggesting that Chinese professors should spend more time reading, thinking, and writing instead of wasting time on "hot events."[2]

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[1] See Ronald Dworkin, "Taking Rights Seriously in Beijing," *The New York Review of Books*, vol. 49, no. 14 (26 September 2002). Ironically, the dean of Beijing University's School of Law (China's leading law school), Professor Zhu Suli, is most famous for his critique of abstract theorizing in law and has also translated many of Richard Posner's works into Chinese. For an excellent account of Zhu Suli's work in English, see Frank Upham, "Who Will Find the Defendant If He Stays with His Sheep? Justice in Rural China?" *The Yale Law Journal*, vol. 114, no. 7 (May 2005), 1675–1718. Zhu's colleague, Professor He Weifang, has openly and courageously campaigned for an improvement of civil and political rights in China, and his efforts have been credited for recent reforms of laws protecting the rights of migrant workers.

Even scholars otherwise sympathetic to Dworkin's theory reacted with dismay. The philosopher Jiwei Ci expresses broad agreement with the two principles of ethical individualism spelled out in Dworkin's article "Taking Rights Seriously in Beijing," and he praises Dworkin for critically evaluating his own society on the basis of his moral theory in other works. However, Dworkin's theory "went out the window" when he addressed the Chinese audience. Rather than appealing to his radical first principle (which underpins his critique of economic inequality), he stuck to American political common sense that equates human rights with civil and political rights. As a result, Professor Ci notes, "the United States, and the West as a whole, emerge triumphantly above the threshold, well-placed to sit in judgment of the human rights record of the rest of the world. . . . When Dworkin leaves the Euro-American academic context and takes on the role of observer and critic of China's human rights record, he can come pretty close to an uncritical identification with the mainstream values of the West, at times almost sounding like its moral and political spokesman."[3]

How could things have gone so wrong? Yes, Dworkin should have been better acquainted with the contemporary Chinese political context and the situation of Chinese academics in particular.[4] His less-than-modest demeanor and hectoring tone did not help. The deeper problem, however, is that Dworkin made no serious attempt to learn about Chinese philosophy, to identify aspects worth defending and learning from, and to relate his own ideas to those of Chinese political traditions such as Confucianism and Legalism. Whereas earlier luminaries such as Dewey and Russell had expressed their admiration of Chinese culture and argued for a synthesis of "East" and "West,"[5] Dworkin merely put forward his own ideas and identified fellow "liberals,"[6] and the "debate" rarely moved beyond this starting point.

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[2] Liufang Fang, "Taking Academic Games Seriously," *Perspectives*, vol. 3, no. 7 (www.oycf.org/Perspectives/19_123102/takingAcademic.htm, visited 19 July 2003). Professor Fang's views are criticized by Yanan Peng. In my view, Peng's critique is unfair (e.g., he argues that "Professor Fang chooses to believe the government" in specific legal cases, but Fang's argument is that Dworkin did not have sufficient information to pass judgment, not that he should have sided with the government). Even Peng, however, implicitly criticizes Dworkin by noting that foreigners must "understand their Chinese audience before they give speeches." Yanan Peng, "Taking Dworkin Seriously," *Perspectives*, vol. 4, no. 1.

[3] Jiwei Ci, "Taking the Reasons for Human Rights Seriously (in China)," ms. on file with author. Ci views Dworkin's misuse of human rights in the Chinese context as typical of a wider phenomenon, and he argues that the human rights discourse has been so tainted with such misuses that it should be dropped altogether. A more abstract version of this manuscript, without discussion of China or Dworkin, was published in *Political Theory*, vol. 33, no. 2 (April 2005), 243–65.

[4] Dworkin's article includes such bizarre statements as "It is important to remember that the professoriate and the intellectuals in China are almost all young."

The Uniquely Parochial Development of Liberal Democracy

Unfortunately, Dworkin's experience is not atypical. Few, if any, Western liberal democratic theorists in the post–World War II era have sought to learn from the traditions and experiences of East Asian societies. Although derived entirely from the norms and practices of Western societies, their theories are presented as universally valid, and defenders of "Asian values" are viewed as archaic or politically dangerous.

This blind faith in the universal potential of liberal democracy would not be so worrisome if it did not take the form of U.S. government policy to promote human rights and democracy abroad, regardless of local habits, needs, and traditions.[7] Notwithstanding the rather huge gap between liberal democratic ideals and the reality at home,[8] and the repeated history of misadventures abroad due (at least partly) to ignorance of local conditions (Guatemala, Iran, Vietnam, Iraq),[9] nothing seems to shake the faith in the universal potential of Western-style liberal democracy in official circles.[10]

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[5] Part of the explanation for the difference may be the relatively short length of Dworkin's visit (two weeks). In the 1920s it would have been unthinkable to plan such a short trip to China (Dewey came for one year and decided to stay for a second). Given the length and inconvenience of the travel and the fact that travelers would be cut off from their home cultures for prolonged periods, this kind of trip provided an incentive for relatively serious commitment to learning the culture of the far-away destination. In our day of rapid intraplanetary travel (and global e-mail), it is possible to pop in and pop out, and no serious cost is attached to limiting oneself to a superficial understanding of the "distant" culture.

Prior to the twentieth century, several Western political thinkers did make efforts to engage with East Asian thought. However, they were working with unreliable translations and reports, and they tended to oscillate between the extremes of uncritical and idealized endorsement of the "Eastern way" (e.g., Voltaire and Leibniz) to blanket condemnation of East Asian political thought and practice as belonging to "prehistory" and thus inappropriate for modern societies (e.g., Hegel, Marx, and Mill). See J. J. Clarke, *Oriental Enlightenment: The Encounter between Asian and Western Thought* (London and New York: RoutledgeCurzon, 1997).

[6] It is worth asking whether the "liberals" Professor Dworkin allegedly encountered during his visit to China shared much more than a common label. Notwithstanding their own self-identification, did these Chinese "liberals" really identify with Dworkin's priorities and political outlooks? Richard Nisbett's findings offer reason for doubt. In value surveys, Beijing University students reported holding "Western" values such as independence more strongly than Westerners did. However, when the investigators "described scenarios that tacitly pitted values against one another and asked participants how they would behave in those situations, or would prefer others to behave, [they] obtained results that matched the intuitions of Asian and American scholars who study Asia." Nisbett, *The Geography of Thought: How Asians and Westerners Think Differently . . . and Why* (New York: The Free Press, 2003), 221–22.

This is not to deny that academic defenders of liberal democracy have cast doubt on the means employed by U.S. foreign policy makers. Amy Chua has put forward an argument against promoting electoral democracy and free markets in poor societies on the grounds that they empower resentful majority groups who proceed to target relatively well-off minority groups. Thus, the U.S. foreign policy establishment should not recklessly push for immediate adoption of democratic practices that took root slowly even in relatively prosperous and stable Western societies. However, Chua does not seem to doubt that the "West is best" and that liberal democracy should be the long-term goal.[11] Samuel Huntington, for his part, argues against exporting democratic ideals for now and the foreseeable future. Although he upholds these ideals, they are appropriate only in (Western) cultures with particular histories, and they will lead to clashes in non-Western "civilizations" with different histories and cultural outlooks. On the home front, the United States is under threat from multiculturalists who threaten to dilute Western civilization: "The futures of the United States and of the West depend upon Americans reaffirming their commitment to Western civilization."[12] Thus, the U.S. government should stick to buttressing Western values at home and build up walls against foreign influence, at least until conditions change for the better in the non-Western world. In neither case do these critics of expansionist U.S. foreign policy suggest that liberal democracy can be substantially enriched by engaging with the principles and practices of non-Western political traditions.

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[7] In contemporary U.S. foreign policy, the most enthusiastic defenders of expansionism grounded in the idea that American-style liberal principles should be exported to the rest of the world tend to be labeled as "neoconservatives," but President Woodrow Wilson (a Democrat) is perhaps the main intellectual inspiration for expansionism. See Lloyd A. Ambrosius, *Wilsonianism: Woodrow Wilson and His Legacy in American Foreign Relations* (New York: Palgrave Macmillan, 2002).

[8] I do not mean to deny that there are substantial differences between liberal democracies in different Western countries (consider the differences between Sweden and the United States). In this book, I will be working with a definition of liberal democracy that draws mainly on the theories of Anglo-American liberal political theorists and the values and practices of U.S.-style liberal democracy.

[9] Even apparent success stories could have been more "successful" had the political relevance of local knowledge been taken more seriously. It could be argued that Japan would have surrendered earlier (thus avoiding much bloodshed) if President Truman had followed the advice of Japan experts in the State Department who opposed the demand for unconditional surrender on the grounds that a promise to protect the imperial throne would increase the likelihood of surrender. See Ian Buruma, *Inventing Japan: From Empire to Economic Miracle 1853–1964* (London: Weidenfeld & Nicolson, 2003), 102.

[10] Of course, some forms of missionary zeal are more overt than others. In 1997 a senior Chinese official briefed American visitors from the U.S. Congress on China's domestic and international challenges. In the question period, one member of Congress asked, "I just want to know if you've accepted Jesus Christ as your personal savior." Quoted in Robert M. Hathaway, "The Lingering Legacy of Tiananmen," *Foreign Affairs* (September/October 2003).

[11] Amy Chua, *World on Fire: How Exporting Free Market Democracy Breeds Ethnic Hatred and Global Instability* (New York: Doubleday, 2003), 13, 263–64.

In short, defenders of liberal democracy, notwithstanding different interpretations of implications for U.S. foreign policy, do not seem to doubt that the "West is best." This helps to explain why Western liberal democrats, *pace* occasional lip service to openness, fail to allow engagement with the non-Western world to challenge the normative underpinnings of their preset views. They serve, de facto, as secular preachers of the democratic faith, blind to the possibility of defensible alternatives that may be worth learning from. Here the asymmetry with East Asia[13] is most striking. Since the late nineteenth century, the dominant trend has been to recognize (and act upon) the importance of learning from Western political theories and practices. It would be almost unthinkable for contemporary East Asian political thinkers and actors to uphold political theories and practices that owe nothing to liberal democracy.[14]

This sad state of affairs, at the level of both Western-style political theory and political practice, is not, fortunately, replicated in other domains. The modern history of Western painting has been immeasurably enriched, consciously so, by its encounter with East Asian art. French Impressionists and post-Impressionists were directly inspired by Japanese prints. Occasionally, this took the form of slavish imitation and incorporation of Japanese themes. At its best, however, familiarity with the Japanese tradition led to subtle incorporation of Japanese techniques and styles, to the point that they were both unmistakable yet almost impossible to separate from the whole. Vincent van Gogh, who had spent several years studying Japanese art, told his brother Theo that his landscape drawings from the Arles period did not look Japanese but "really are, more so than others."[15] By the twentieth century East Asian thought and art did not just influence formal and visual techniques, they also provided the philosophical inspiration for some revolutionary developments in Western art. For example, "the parallels between the free existentialist gestures of Pollock, Kline or Soulages and Zen ink painting [the Zen ink flingers of the thirteenth century] seem too close to be mere chance."[16] In some cases, the influence was direct, as in Paul Klee's expressive distortion of form inspired by his immersion in Chinese poetry.[17]

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[12] Samuel P. Huntington, *The Clash of Civilizations and the Remaking of World Order* (New York: Simon & Schuster, 1996), 307. See also Samuel P. Huntington, *Who Are We?: The Challenges to America's Identity* (New York: Simon & Schuster, 2004).

[13] In this book, the term "East Asia" refers to countries in the East Asian region that have been subject to prolonged Chinese cultural influence and that have demonstrated economic prowess in the post–World War II era: mainland China, Hong Kong, Taiwan, South Korea, and Japan. Singapore is also included because it is predominantly Chinese, though it is located in the Southeast Asian region. I will not say as much about Vietnam because of its relatively undeveloped economic status and unique recent history (i.e., the fact that Vietnamese are still recovering from what they call the American War).

[14] North Korea is an obvious exception. This point refers to East Asian countries that are economically and culturally integrated with the rest of the world.

Until recently, Western medicine had developed largely impervious to East Asian influence, but there has been a rapprochement of late. Acupuncture is widely practiced in the United States to treat back and other pains (and it is often covered by medical insurance, which is the ultimate test of social acceptance in the American context). Herbal remedies are increasingly used, and recent emphasis on the links between lifestyle and health parallels the Chinese idea that patients should be treated as wholes, not simply as carriers of this or that defective physical part. "Alternative medicine" has been relabeled "complementary medicine" by the U.S. medical establishment, partly to make it sound more acceptable. Medical professionals in Western countries have not (yet?) reached the point of routinely prescribing mixtures of Western chemical drugs and Chinese herbal medicines, as in Japan and China, but it is not implausible to surmise that we may be heading that way.

In psychology, too, there is growing awareness of critical differences between Westerners and East Asians, along with the concomitant idea that both "sides" can be enriched by mutual learning. The social psychologist Richard Nisbett, following intriguing questions by his then student (now collaborator) Kaiping Peng, has engaged in comparative research that points to profound cognitive differences between Westerners and East Asians. In one famous experiment, Nisbett showed an animated underwater scene to two groups of students and found striking differences in their responses: American students focused on a big fish swimming among smaller fish, whereas the Japanese students made observations about the background environment.[18] Drawing on such experiments, Nisbett argues that Westerners typically have a strong interest in categorization and analytical separation, and East Asians rely more on contextual and background knowledge. These contrasting cognitive patterns are explained with reference to different philosophical backgrounds, language structures, and child-rearing practices. While they are not impervious to change (Asian Americans scored midway on most tests), they express pervasive and long-lasting differences that have implications for reforming such apparently "culturally neutral" practices as IQ tests. Nisbett also surveys the advantages and disadvantages of Western and Asian thinking styles, concluding with a normative plea for mutual enrichment.[19]

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[15] Michael Sullivan, *The Meeting of Eastern and Western Art* (Berkeley: University of California Press, 1997), 235. Sullivan's book traces the history of mutual learning between Western and East Asian art, focusing largely on influence that has enriched the history of art. If an equivalent book were to be written on political theory, the chapter on "The Western liberal democratic response to East Asian political thought" would be very short indeed.

[16] Ibid., 244.

[17] Klee steeped himself in Chinese poetry from 1917 to 1923, and during this period he wrote to his wife, "J'ai le temps de lire beaucoup, et je deviens de plus en plus chinois" [I have time to do lots of reading, and I'm becoming more and more Chinese]. Quoted in ibid., 251.

Once again, Western liberal democratic theory stands out by its apparent imperviousness to developments in East Asia and elsewhere in the non-Western world. This insularity would not be so worrisome if East Asian political traditions and practices had nothing of value and it really was just a matter of exporting Western political ways or building barriers until the non-Western world becomes more "civilized" and hence willing and able to implement Western-style liberal democratic practices.

My own view, not surprisingly, is different. I will argue that that there are morally legitimate alternatives to Western-style liberal democracy in the East Asian region. What is right for East Asians does not simply involve implementing Western-style political practices when the opportunity presents itself; it involves drawing upon East Asian political realities and cultural traditions that are defensible to contemporary East Asians. They may also be defensible to contemporary Western-style liberal democrats, in which case they may be worth learning from.[20] But there may also be areas of conflict, in which case the Western-style liberal democrat should tolerate, if not respect, areas of justifiable difference.

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[18] A Japanese friend of mine joked that the different result can be explained by the fact that Japanese find fish boring because they eat so much sushi and thus find it more interesting to focus on the relatively novel background.

[19] Nisbett, *The Geography of Thought*. See also David Wong, "Relational and Autonomous Selves," *Journal of Chinese Philosophy*, vol. 31, no. 4 (December 2004), 422.

[20] It may also be possible to learn from East Asian political realities and cultural traditions that are not defensible to contemporary East Asians. For example, certain practices meant to foster social ties in the workplace that may be widely viewed as overly burdensome in Japan can help to inspire reform in Western companies that seek to remedy the problem of worker alienation.

In this book, I will try to show that the main hallmarks of liberal democracy—human rights, democracy, and capitalism—have been substantially modified during the course of transmission to East Asian societies that have not been shaped by liberalism to nearly the same extent. The normative argument points to the dangers of implementing Western-style models and proposes alternative justifications and practices that may be more appropriate for East Asian societies. If human rights, democracy, and capitalism are to take root and produce beneficial outcomes in East Asia, they must be adjusted to contemporary East Asian political and economic realities and to the values of nonliberal East Asian political traditions such as Confucianism and Legalism. Local knowledge is therefore essential for realistic and morally informed contributions to debates on political reform in the region, as well as for mutual learning and enrichment of political theories.

The book is divided into three sections that correspond to the main hallmarks of liberal democracy. Each section opens with a chapter that discusses the historical and philosophical roots of legitimate East Asian alternatives to Western-style human rights, democracy, and capitalism, respectively, followed by chapters that focus more directly on contemporary themes.

Human Rights for an East Asian Context

Western democracies are *constitutional* democracies, meaning that their constitutional systems are meant to protect certain individual rights. These rights are held to be so fundamental that they "trump" the ephemeral decisions of democratically elected politicians in cases of conflict. When this notion is exported abroad, it takes the form of campaigns to promote human rights, and non-Western governments are criticized for failing to live up to these standards. But is it really appropriate to uphold standards of human rights derived from the Western experience in East Asian societies?

Chapter 2 discusses what may be the mother of all human rights debates: what, if anything, justifies warfare and the consequent killing of people for particular ends? Western debates on just and unjust war have largely ignored Chinese contributions, and my essay is an attempt to formulate a Confucian perspective that draws primarily on the philosophy of Mencius. Of course, Mencius did not develop his theories with reference to the language of human rights. In substance, however, there are some parallels between Mencius's ideas on warfare and those of contemporary theorists of just war who deploy the language of human rights.

Mencius upholds an ideal theory of sage-kings who govern the world by means of rites and virtues rather than coercion. This kind of theory cannot provide much, if any, guidance for the real world, particularly when rulers must decide whether or not to go to war. However, Mencius also puts forward principles designed to provide practical, morally informed guidance in the nonideal world of competing states, and he draws implications for the pursuit of warfare. He is severely critical of rulers who launched ruthless wars of conquest simply to increase their territory. But he does not oppose war in principle. States can defend themselves if the ruler is supported by the people. Mencius also argues that wars of conquest can be justified if the aim is to bring peace to foreign lands, so long as particular conditions are in place: the conquerors must try to liberate the people who are being oppressed by tyrants, the people must welcome their conquerors, and the wars of conquest are led by virtuous rulers who can make a plausible claim to have the world's support. The chapter ends with an argument that seemingly historical debates may have important implications for present-day East Asian societies.

The next two chapters turn to more contemporary debates on human rights. The most visible challenge to Western ideas of human rights has come from the "Asian values" school. This debate, however, has generated more heat than light. Chapter 3 aims to get beyond the rhetoric and identify relatively persuasive East Asian criticisms of traditional Western approaches to the human rights. It is made explicit at the outset that the debate turns on the merits of publicly contested rights that fall outside the sphere of customary international law. Drawing on several East–West dialogues on human rights, four separate East Asian challenges are discussed: (1) the argument that situation-specific justifications for the temporary curtailment of particular human rights can only be countered following the acquisition of substantial local knowledge; (2) the argument that East Asian cultural traditions can provide the resources to justify and increase local commitment to practices that in the West are typically realized through a human rights regime (as opposed to the claim that the Western liberal tradition is the only moral foundation for human rights values and practices); (3) the argument that distinctive East Asian conceptions of vital human interests may justify some political practices that differ from human rights regimes typically endorsed in Western liberal countries; and (4) the argument that the current "Westcentric" human rights regime needs to be modified to incorporate East Asian viewpoints. The chapter ends with my own doubts regarding the practical use of further cross-cultural dialogues between academics on human rights theory.

Chapter 4 incorporates the views of practitioners, and it turns out that the lack of a truly universal foundation for human rights is not the main obstacle for human rights organizations operating in the East Asian region. Drawing on dialogues between representatives of international human rights nongovernmental organizations (INGOs) and human rights theorists, I discuss the actual challenges encountered by INGOs during the course of their work: the challenge of cultural conflict; the challenge of dealing with global poverty; the challenge of dealing with states that restrict the activities of INGOs; and the challenge of fund raising. Different ways of dealing with these challenges have advantages and disadvantages that vary in importance from context to context, and any satisfactory solution must bear this in mind. Normative views, however, can help to determine outcomes in truly hard cases—when the advantages and disadvantages of different approaches seem comparable—and the chapter ends with reflections on implications for INGOs operating in East Asia.

Democracy for an East Asian Context

The next four chapters assess the possibility and desirability of implementing Western-style democracy in East Asia. One of the bulwarks of liberal democracy is the idea that, at minimum, the political community's most powerful decision-makers should be chosen by the people in free and fair competitive elections. These days, it is also widely argued that democratic values should be promoted in other spheres, such as schools that educate future citizens. Once again, the question is whether it is appropriate to export liberal models derived from the Western experience to East Asian societies. There are reasons to be cautious about implementing liberal notions of democratic rule, and this section examines the possibility of justifiable East Asian variations of these models.

The origin of democratic citizenship can be traced to ancient Athenians. The Athenians recognized that the educational system is crucial for the purpose of cultivating democratic virtues, and they devised elaborate mechanisms for doing so. The main purpose of the Athenian educational system, including intellectual and physical education, was to prepare future citizens for the competitive, rough-and-tumble arena of democratic politics. State-sponsored physical education was an important component of the educational system, and chapter 5 compares the ancient Greek system of physical education with the approach to physical education in ancient China of the Warring States period.

In ancient Greece, the need to train future citizens underpinned state-sponsored physical education in two ways. First, the citizens of diverse

Greek polities fought hard to maintain their political independence, though the sense of cultural commonality allowed for international sporting competitions that provided the forums for the expression of the "political difference within cultural unity" principle. Second, the material surplus of largely commercial societies and freedom from family obligations provided sufficient leisure time for a class of male citizens to perfect their human bodies and train for physical excellence. The tight link between the Greek conception of active citizenship and state-sponsored physical education may not be a legacy worth preserving, however. Greek-style civic republicanism upholds the glorification of warfare and underpins a highly competitive mode of life, including macho pride in athletic rivalry. In ancient China, different social conditions underpinned the Confucian view that physical activity should be tied to the pursuit of nonmilitaristic virtues and that the test of success should be its contribution to moral and intellectual development rather than victory in warfare and international sporting competitions.

The chapter ends with some general reflections on the ideal of active citizenship for the East Asian context. Even if it is possible to detach this ideal from its problematic ancient Greek features, the main problem is that it threatens to overwhelm all our other communal commitments, particularly ties to the family. In East Asian societies with a Confucian heritage, the family has long been regarded as the key to the good life, and the republican tradition is so far removed from people's self-understandings that it is a complete nonstarter. Most people have devoted time and energy to family and other "local" obligations, with political decision making left to an educated, public-spirited elite.

Elite politics does not rule out democratic participation by ordinary citizens, but democracy will take minimal forms, not much more demanding than visiting the voting booth every few years. Chapter 6 points to the Confucian underpinnings of elite politics in East Asia and sketches an ideal that reconciles minimal democracy with elite politics. Confucian political culture places great emphasis on the quality of political rulers. The main task of the educational system is to identify and empower the wise and public-spirited elite, and the common people are not presumed to possess the capabilities necessary for substantial political participation. In imperial China, the meritocratic ideal was institutionalized by means of the civil service examination system. This system was of course imperfect, but neo-Confucian thinkers put forward ideas for reform that may still be relevant for the modern world. Huang Zongxi, for example, argued for a political institution composed of representatives selected on the basis of competitive examinations that test for both memorization and independent thought. Combined with a democratically elected lower house, Huang's proposal could institutionalize dual commitments to "rule by the people" and rule by a talented and public-spirited elite. This chapter ends with suggestions for dealing with conflicts between the two houses and some reflections on the possibility and desirability of strong meritocratic rule.

This ideal, admittedly, has yet to be institutionalized, and the "realist" will favor thinking about political problems in ways that draw on existing practices and institutions. The next two chapters are less speculative: they both focus on the tension between democracy and the interests of minority groups and draw some lessons for East Asian societies. Chapter 7 evaluates the likely effects of democratic elections on minority groups in the East Asian region. It is argued that some less-than-democratic political systems in the region have helped to secure the interests of minority groups and that democratization can be detrimental to those interests. More specifically, democracy can harm minority interests by promoting a form of nation building centered on the culture of the majority group. The experience of several East Asian countries shows that democracy may pose special dangers to vulnerable ethnocultural minority groups because nation-building projects centered on the majority culture can marginalize or eliminate expressions of minority traditions and languages.

This argument should not be too controversial; on reflection, most people will likely accept that democratic rule is generally advantageous for majorities and sometimes for minorities, but that it may also hinder legitimate minority rights, depending on the context. The problem, however, is that leading liberal defenders of minority rights, such as Will Kymlicka, fail to concede the possibility of trade-offs between majority rule and minority rights. More worrisome, this utopian view informs the practices of Western-based prodemocracy forces, perhaps causing real harm to minority groups. Thus, outside prodemocracy forces need to investigate the local reality to determine the likely effects of democratization on minority groups in the region. If democracy is likely to be disadvantageous to minority groups in particular contexts, prodemocracy forces should consider the possibility of focusing their energies elsewhere. The chapter ends with some reflections on the possible dangers of democratization in China for the Taiwanese minority.

The foregoing suggests that even minimal democracy needs to be underpinned by citizens that display political virtues such as tolerance and respect for difference. Chapter 8 puts forward ideas for educating such citizens. One of the teaching methods designed to improve democratic education is public recognition of the intellectual contributions of different groups, including those historically marginalized. In the East Asian context, this means reaching beyond the works of Great White European Males to include works by Asian thinkers that may resonate more with the interests and cultural backgrounds of the students. The aim is not so much to transmit specific moral content from particular traditions as to identify significant contributions by authors of scholarly traditions that students take pride in and that seem to address their concerns, thus increasing the students' desire to learn and participate in classroom discussion, and, one hopes, improving their ability to participate intelligently as adults in the political processes that shape their society.

This argument is supported by my own experience teaching political theory at the National University of Singapore. To give greater recognition to Asian civilizations in the course curriculum, I assigned Han Fei Zi, an ancient Chinese Legalist thinker, as a starting point for the course. Han Fei was an original and politically influential proponent of realpolitik who anticipated many of the arguments in Machiavelli's *The Prince*, and my assumption was that Han Fei and other Chinese thinkers would generate more interest in the predominantly Chinese Singapore context. To my surprise, the decision to discuss the contributions of Chinese thinkers led to hate mail and strong dissatisfaction among minority Malay and Indian students. The following year, the curriculum was expanded to include the contributions of Malay and Indian thinkers and the course was far more successful, judging by the lively discussion in tutorial groups.

The lesson, of course, is that the teacher should make an effort to design a curriculum that draws on the scholarly contributions of all ethnic groups in the class. From the political point of view, a curriculum that ignores the contributions of minority groups can only exacerbate the marginalization and sense of political alienation of those groups in society at large. An inclusive curriculum, on the other hand, provides the foundation for social cohesion and political participation by all groups. The normative vision animating this proposal is not a political community composed of active, public-spirited citizens from all ethnic groups; that, to repeat, would be both unrealistic and undesirable in Western societies, and even more far-fetched in East Asia. But if "minimal democracy"—in the sense of very occasional participation by the people in the public affairs of the day—is to be workable, it is important for all sectors of society to feel a stake in the outcome, to be motivated by slightly more than crude self-interest, and to respect the rights of minority groups. And that is where fully inclusive democratic education can help. The chapter ends with an argument that democratic education should be further tailored to the East Asian context, with open recognition of the value of political elitism and greater emphasis on the virtue of humility.

Capitalism for an East Asian Context

The next three chapters address the question of whether liberal models of capitalism are appropriate for the East Asian context. Liberal democracy is not simply a political system. It is also an economic system that is dominated by owners of capital who hire wage laborers and produce for profit, that is, capitalism. The main virtue of capitalism is that it facilitates economic and technological development more rapidly than other forms of economic organization. The fact that Western liberal democracies first embraced capitalism largely explains their current economic prowess relative to the rest of the world. Several East Asian societies have recently embarked on the "capitalist road" and seem likely to challenge the economic dominance of Western democracies in the future. But capitalism does not take the same forms in all times and places. There are different ways of organizing the market and of dealing with its negative consequences. In East Asia, as we will see, some of these variations may be normatively appealing as well.

East Asian countries such as Japan and Korea have managed to combine rapid economic development with relatively egalitarian distributions of income. Economic development has been less egalitarian in China, but the state's policies in the economic reform era have helped to lift tens of millions out of poverty. Chapter 9 discusses Confucian perspectives on wealth distribution underpinning economic policies in East Asia. The aim here is not to deny the importance of other explanatory factors, but to suggest that Confucianism facilitates and helps to maintain certain characteristic features of East Asian capitalism.

Throughout Chinese history, Confucians opposed heavy-handed Legalist government control and warned of the negative effects of state intervention in the economy. This did not translate, however, into endorsement of an unfettered private property rights regime. Rather, Confucians defended constraints on the free market in the name of more fundamental values. These constraints have influenced the workings of East Asian economies and continue to do so today.

First, the state has an obligation to secure the conditions for people's basic material welfare, an obligation that has priority over competing political goods. The government realizes this aim, according to Mencius, by means of the "well-field system" that allows farmers to make productive use of land while ensuring that enough food is supplied to the nonfarming classes. Chinese rulers adapted the principles of this system to their own circumstances, and even Deng Xiaoping's rural land reform program may have been influenced by Mencius's ideas.

Second, Confucians argued that ownership rights should be vested in the family, not the individual, so as to encourage the realization of "family values" such as filial piety, the care of elderly parents. Family joint ownership was institutionalized in traditional legal systems—for example, junior members of families could not be accused of stealing, but only of appropriating (for their own use) family property. While modern East Asian countries have incorporated "individualistic" conceptions of property rights to a certain extent, they still tend, in both law and morality, to regard property as an asset of the whole family, including elderly parents. This feature of East Asian–style property rights has the advantage that needy members of the family are less likely to be deprived of the means of subsistence. However, Confucian familism can be criticized for its haphazard legal implementation. The chapter ends with some thoughts on the prospects of exporting Confucian-style constraints on property rights to countries outside East Asia.

The next two chapters deal more directly with contemporary capitalist phenomena in East Asia. Chapter 10 tries to steer between the extremes of universalizing claims made on behalf of the liberal Anglo-American form of capitalism and glorification of the East Asian approach that preceded the Asian economic crisis of the late 1990s. It attempts to identify the features of East Asian capitalism that seem, prima facie, to serve desirable social and political purposes while also being compatible with, if not beneficial for, the requirements of economic productivity in an age of intense international competition. These features owe something to East Asia's common cultural background, but not every East Asian country partakes of all these features.

East Asian capitalism is characterized by several features that serve to promote economic productivity. These features include a strong, autonomous state that takes an active role in regulating the economy, heavy reliance on social networks to "grease the wheels" of economic transactions, a tendency to rely on family members in management and ownership positions of firms, and group-based business cooperation. East Asian capitalism is also characterized by several features that serve to secure the welfare of those vulnerable to the negative effects of capitalist development. These include active state intervention to secure widespread access to education and curtailment of Western-style property rights as well as an indirect, less interventionist approach that relies on informal, relational bonds to secure care for the needy. The chapter ends by drawing implications for public policy. I argue that the East Asian emphasis on affective ties within the workplace can justify policies that curb the imperatives of economic productivity, but that the larger challenge will be to ensure that such policies do not radically undermine family ties.

Chapter 11 assesses the typical East Asian response to an unfortunate but characteristic feature of global capitalism—the fact that many people in poor countries lack decent work opportunities and therefore are drawn to relatively rich countries to do the low-status and difficult work that locals are unwilling to do. I focus on the case of domestic workers who migrate to wealthy territories to help with housework and care for needy family members. They are perhaps the most vulnerable group of all residents, but they are denied equal rights in East Asian societies, no matter how long they stay.

Liberal political theorists argue that such an arrangement is fundamentally unjust, and that long-term migrant workers should be put on the road to equal citizenship. Their argument mirrors the emerging pattern in most Western liberal democracies. In East Asia, however, migrant domestic workers typically have other concerns and do not regard equal citizenship as an important goal. Were they to do so, they would likely be deported, and the door would be closed to other migrant domestic workers. The East Asian approach to migrant workers seems morally suspect, but it has comparative advantages. The fact that the door is closed to equal rights has the benefit that more doors are open to temporary contract workers. In most Western countries, few foreign domestic workers are officially admitted, though many work illegally without any legal protections whatsoever. The choice, in reality, is between Western-style, formal equal rights for all workers combined with high rates of illegal employment of foreigners and Asian-style reliance on large numbers of contract workers with legal protection but without the hope of equal rights. In the West, the liberal political culture places higher priority on the justice of legal forms, and there may be greater willingness to accept substantial harm in the social world for the sake of preserving laws that conform to liberal democratic principles. In East Asia, by contrast, the authorities prefer to enact nonliberal laws that allow for large numbers of migrant domestic workers to engage temporarily in legally protected work in their territories. And from the perspective of people in poor sending countries and regions, the East Asian approach may be preferable. The cultural particularities in East Asia, such as the idea of extending family-like norms to nonfamily members, may also justify different solutions to the question of how best to secure the interests of migrant domestic workers. The chapter ends with a discussion of migrant domestic workers in mainland Chinese cities: it turns out that similar questions and prescriptions may also arise at the national level.

A Note on the Culturally Sensitive Approach to Political Theorizing

These essays may be provocative. In my view, however, the pervasive and politically influential view that liberal democracy is the final destination of human social evolution is sufficiently wrong-headed that it is better to err on the side of critique. East Asian societies, by and large, have been relatively successful in adapting to the requirements of modernity.

To the extent that East Asian countries need to reform, they should be very cautious about implementing liberal models that fail to work properly at home, never mind in contexts with radically different cultures and priorities. Put positively, the traditional values of East Asia provide ample resources for thinking about social and political change.

The role of "traditional values," however, may seem somewhat obscure. If the aim is to explain policy outcomes, the effects of economic and political factors often seem more immediate and less controversial. But culture can also play an important role. It provides an intellectual framework for sociopolitical alternatives and the motivational resources for policy implementation, and certain paths thus become more likely. Let me be more precise. Culture can help to explain the *origin* of policies and institutional arrangements. Traditional Confucian concerns for securing the basic means of subsistence, for example, may have made East Asian legislators emotionally and intellectually committed to relatively egalitarian forms of economic development. Culture can also help to explain the *stability* of policies and institutional arrangements. Legislators in Singapore may have been primarily motivated by the need to minimize state welfare expenditures when they forced adult children to provide material support for their elderly parents, but this policy may prove to be long-lasting at least partly because it resonates with people's traditional and deeply felt concern for filial piety. Culture can also help to explain the *failure* of policies. Japanese policymakers, in their haste to modernize, copied the "shareholder-first" Anglo-Saxon model of corporate governance in the early twentieth century, but this model may have been short-lived partly because of its incompatibility with deeply held cultural values that prioritize reciprocal obligations in face-to-face group contexts (e.g., fellow workers) over obligations to distant outsiders (e.g., anonymous shareholders). A similar argument can be made about the Cultural Revolution's ultimately failed attack on family loyalties. The culturally sensitive approach, in short, allows for the possibility that deeply held values provide the motivational resources to influence certain outcomes, both in the minds of legislators and in the minds of people who must follow (or defy) their decisions.

Let me say something about the role of cultural values in thinking about social and political reform. Short- to medium-term proposals should not deviate too far from existing social practices (or else they would not seem realistic). For such proposals, it is more important to have detailed knowledge of the relevant political and economic context than knowledge of philosophical traditions. For example, the defense of differential citizenship rights in Singapore and Hong Kong appeals primarily to economic and political features of those two societies (chapter 11). In the case of medium- to long-term proposals, the constraint of feasibility is relaxed somewhat and there is more room to seek inspiration from traditional philosophical resources. One example is the proposal for an upper house of government composed of meritocratically selected deputies (chapter 6). Such proposals need to show their potential for addressing the medium- to long-term needs of the particular society. It also helps to speculate about how they might evolve from current practices and institutions, but detailed knowledge of the empirical reality is not essential. Part of the point of putting forward medium- to long-term proposals is the expectation (hope) that they can shape the future, though not necessarily the foreseeable future.

Finally, there is the question of which particular cultural traditions matter for explanatory and normative purposes. Once again, it depends on the context. In East Asia, two main political traditions—Confucianism and Legalism—have shaped and continue to shape understandings informing political practices and ways of dealing with social problems.[21] More precisely, Confucian concerns for the good of the family, material well-being, and the quality of political rulers inform political understandings in the region, as do Legalist calls for strong states and political institutions that reflect the needs of the times. These two traditions have been in constant tension, but both are essential underpinnings of East Asian politics. From a normative standpoint, both traditions have merits and demerits, and which particular aspect to defend depends, once again, on the context and the particular problem at hand.

I have been presenting material from this book at conferences and seminars for several years, and no matter how much I say—to be more precise, because of how much I say—there still seem to be misunderstandings regarding my methodology and my intentions. Hence, the final chapter will attempt to set the record straight—and perhaps the book will end on a lighter note than expected.

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[21] John E. Schrecker distinguishes between Confucian-inspired *fengjian* and Legalist-inspired *junxian* and helpfully deploys these ideal types to understand ancient China and the subsequent course of Chinese history. Shrecker, *The Chinese Revolution in Historical Perspective* (New York: Greenwood Press, 1991).