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The historic turn of the Confucian destiny from "not being used" to "being valued" ——An analysis of the dilemma between filial piety and loyalty

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Abstract: There is a strange and yet seldom persuasively explained phenomenon in the history of Confucianism: While Kongzi and Mengzi were rarely put in an important position by their contemporary rulers when they were alive, so many Confucians have been put in very important positions in more than two thousand years since the Han Dynasty, even if they cannot be compared favorably with Kongzi and Mengzi at all. The basic reason for this dramatic turn lies in the two different attitudes towards the dilemma between filial piety and loyalty: Kongzi and Mengzi usually placed filial piety above loyalty in the case of conflict and demanded that people should choose filial piety to their parents at the cost of loyalty to their rulers, whereas Xunzi and Dong Zhongshu demanded that people should choose loyalty to their rulers at the cost of filial piety to their parents in the case of conflict according to the principle of "loyalty to the ruler is the greatest".

Key Words: Confucianism; dilemma between filial piety and loyalty; choosing filial piety at the cost of loyalty; choosing loyalty at the cost of filial piety

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In the history of Confucianism, there is a peculiar issue with a striking contrast between its two aspects, which still has not been persuasively explained. On the one hand, Kongzi (Confucius, 551－479 BC) and Mengzi (Mencius, 372－289 BC), respectively recognized in Confucianism as "the Utmost Sage" and "the Second Sage", had long lived in the awkwardness of "not being used" as mentioned by Sima Qian (135－86 BC, a renowned ancient Chinese historian). On the other hand, in the subsequent 2,000 years after the Han Dynasty (206BC－220AD), countless mediocre Confucians whose moral characters and knowledge were far inferior to those of these two sages were easily entrusted by the rulers of the past dynasties and elevated to an exclusive height of long-term "being valued". What caused such a tremendously dramatic turn of the Confucian destiny through history? This paper attempts to focus on the "dilemma between filial piety and

loyalty" of the Confucianism so as to formulate some preliminary analysis thereof.

Ⅰ Kongzi's and Mengzi's Ideas of "Choosing Filial Piety at the Cost of Loyalty"

As the Confucian thought was rooted in the "enfeoffment structure of the patriarchal clan-kinships-ritual system" featuring the "integrity of families and the country" in the Western Zhou Dynasty (1046—771 BC), the "filial piety" and "loyalty" could be said to constitute the two core values supporting it. For instance, Kongzi advocated that "there is a government, when the ruler is ruler, and the minister is minister; when the father is father, and the son is son" (*Analects* 12. 11), and that "one's immediate duty is to serve one's father, and one's remote duty is to serve one's ruler." (*Analects* 17. 9) Mengzi advocated that "between father and son, there should be affectation; between sovereign and minister, there should be righteousness" (*Mengzi* 3A2), and that "acknowledging neither ruler nor father is to be in the state of a beast." (*Mengzi* 3B9) You Ruo, a famous disciple of Kongzi, also claimed that "There are few who, being filial and fraternal, are fond of offending against their superiors. There have been none, who, not liking to offend against their superiors, have been fond of stirring up confusion." (*Analects* 1. 2) These statements have clearly shown that these Confucian thinkers were actively trying to mention these two most Confucian ethical norms at the same breadth, emphasize them as the essences of being humans, and maintain their unity through "transforming filial piety to parents into loyalty to the ruler".

However, like many of the ideals in the world, although "the harmony between loyalty and filial piety" hoping by Confucius and Mengzi could be achieved under many circumstances, these two matters would face severe conflicts more often than not, for a very simple reason: loyalty is mainly aimed at the ruler in the political relationships[1], while filial piety is mainly aimed at parents in the family relationships. They were not entirely the same. In fact, only within the ruling group of the Ji family in the Western Zhou Dynasty would there be "the sameness of family and the country or of loyalty and filial piety" due to the enfeoffment system: the obedience of the dukes to the king of Zhou is both the filial piety of sons to their father from a blood-tie perspective and the loyalty of officials to their ruler from the political perspective. Nevertheless, once one goes beyond this narrow range, things turned differently, because the "filial piety" of an ordinary person towards his parents was likely to conflict with his "loyalty" to the ruler, so that if he wanted to have filial piety, he had to give up loyalty, and vice versa. As a result, he was caught in the dilemma that "loyalty and filial piety cannot be achieved simultaneously".

From the Analects and the *Mengzi*, we can see that, although the two sages had not consciously realized such a dilemma which became familiar to and tough for the later generations, they had

[1] The word "loyalty (zhong, 忠)" in ancient Chinese was originally meant "with all one's heart" and "doing one's best", thus including the sincerity of people towards themselves and others. Then it gradually evolved to refer exclusively to the sincerity of subordinates towards their superiors. Especially in the Confucian context to correspond with "filial piety", "loyalty" in the first place means that subjects are loyal to the ruler. Therefore, similar to the "filial piety" which means that the children conform to their parents, "loyalty" is also a kind of ethical norm with special objects and particularistic connotations, and both of them are obviously different from "humaneness" that can openly point to all people and has universalistic connotations (see Qingping Liu, Loyalty and Filiality vs. Humaneness and Justice-A Critique on the Confucian Ethics, Shanghai: Fudan University Press, 2012, pp. 180-194).

already discussed several special cases of "offending against their superiors, stirring up confusion" in tensed contradiction of "being filial and fraterna". In particular, it is worth noting that, just like dealing with the conflict between filial piety and humaneness, Kongzi and Mengzi, in dealing with the conflict between filial piety and loyalty, also gave the ultimate meaning to filial piety over loyalty according to the supreme spirit of "consanguinitism". (see Qingping Liu, "Filiality versus sociality and individuality: On Confucianism as 'consanguinitism'". *Philosophy East & West*, 53, 234-250.) Therefore, they always advocated that people should choose filial piety at the cost of loyalty instead of choosing loyalty at the cost of filial piety when facing the dilemma between filial piety and loyalty.

For example, Confucius advocated that "The father conceals the misconduct of the son, and the son conceals the misconduct of the father. Uprightness is to be found in this" (*Analects* 13. 18). From the text correlation, it is directly targeted at "if the father have stolen a sheep, the son will bear witness to the fact" as advocated by the Duke of She (550—470 BC, an ancient ruler). Therefore, this case involved not only the conflict between the son's filial piety towards his father who stole someone else's sheep and his humaneness towards the person who lost his sheep, but also the conflict between the son's filial piety towards his father and his loyalty to his ruler. On the one hand, if the son concealed his father's crime of stealing a sheep for the sake of filial piety, he as a subject would disrupt the order of social life and thus lead to his disloyalty to his ruler. On the other hand, if the son accused his father of stealing a sheep, he would bring his father into prison and put himself under the name of "unfilial piety". Facing the dilemma between loyalty and filial piety, Kongzi made a clear choice (though he might not be aware of the potential consequences): to preserve the sacred and inviolable blood—tie and kinship between a merciful father and a filial son, one can give up not only the universal relationship of humaneness between human beings, but also the particular relationship between a beneficial ruler and a loyal subject.[2]

Again, the question of "three years' mourning for parents" raised by Zai Wo (422—458BC, a disciple of Kongzi) also involved the contradiction between filial piety and loyalty: a superior man, who for the sake of showing his filial piety to dead parents by abiding the three years of mourning, had to give up his duty as a loyal official to his living ruler and might even lead to the disintegration of the ritual system, as Zai Wo said that "If the superior man abstains for three years from the observances of propriety, those observance will be quite lost. If for three years he abstains from music, music will be ruined" (*Analects* 17. 21). However, despite this well—founded worry of Zai Wo, Kongzi still berated him harshly for being "not humane", thus demonstrating his similar attitude to the case of "the mutual concealment between father and son": in times of a conflict, people should maintain the blood-tie and kinship between a merciful father and a filial son, even at the cost of the

[2] Today, when certain Confucian scholars discuss the case of "the mutual concealment between father and son", they still mainly pay attention to the tensed contradictions between the two particular relationships: the father—son one and the ruler—official one, while failing to see that such concealment has first of all negated the universal humaneness among human beings and caused unacceptable harm to innocent strangers. Thus, they have repeatedly stressed that "when there is a conflict between the interests of the State and the interests of the relatives in general, everyone should lean towards protecting the interests of the relatives" (see A Collection of Arguments on Confucian Ethics, edited by Qiyong Guo, Wuhan: Hubei Education Press, 2004, p. 53). In other words, they only see that the "interests of the relatives" in "the mutual concealment between father and son" conflict with "the national interest" of "showing loyalty to the ruler", yet hardly realize that it first undermines the deserved rights and interests of an ordinary people whose sheep had been stolen.

political connection between a beneficial ruler and a loyal official.

Mengzi obviously inherited the fundamental position of Kongzi on this issue. Therefore, when he launched the ranking of human ethics, he specifically placed "the kinship between father and son" before "the righteousness between sovereign and minister" in order to demonstrate the supreme position of filial piety over loyalty. It was also from this standpoint he clearly advocated that under the circumstances of "Shun being sovereign, Gaoyao chief minister of justice, and yet Gusou (Shun's father) murdering an innocent man", Shun should "privately take his father on his back and retire into concealment". As a result, Shun had not only given up his duty of the ruler as "being the parents of his people", but also the "righteousness" between him as the sovereign and Gaoyao as a minister, so that the latter who had been impartially enforcing the laws was unable to bring Gusou to justice (*see Mengzi* 7A35). From the perspective of the conflict between "the kinships between father and son" and "the righteousness between sovereign and minister", then, Mengzi and Kongzi were in complete agreement: both of them were in favor of placing kinship above righteousness and rejected sacrificing consanguinity for the sake of righteousness in the conflict between loyalty and filial piety.

To sum up, the fundamental attitude of Kongzi and Mengzi on the issue of the relationship between loyalty and filial piety is: on the one hand, they advocated that people should regard filial piety as the basis of realizing loyalty, so as to achieve a harmonious unity between the two; on the other hand, they gave filial piety the ultimate status of overruling loyalty, requiring people in case of conflict to give up loyalty for the sake of filial piety, but not to give up filial piety for the sake of loyalty. This reflects a firm stance of these two Confucian sages to strive to carry through the supreme spirit of consanguinitism.

Ⅱ "Not Being Used" Resulted from "the Supremacy of Filial Piety over Loyalty"

However, although the attitude adopted by Kongzi and Mengzi under the dilemma to "choosing filial piety at the cost of loyalty" has insisted the supreme spirit of consanguinitism, it also made Confucianism fall into a paradox in theory and face crises in practice.

Let's first look at the Confucian paradox in theory: just as on the relationship between humaneness and filial piety, Kongzi and Mengzi originally wanted to realize loyalty on the basis of filial piety. However, because they gave the supreme meaning to filial piety, the result was that, in case of conflict, one's loyalty to the ruler would be denied by one's filial piety to one's parents, thus posing a fatal challenge to the essence of being humans as maintained by Confucianism.

For example, according to Mengzi's statement that "acknowledging neither ruler nor father is to be in the state of a beast", once there was a conflict between the "kinships of father and son" and the "righteousness of sovereign and minister", a Confucian would find himself in a rather awkward position: he would find it difficult to be a complete "human being" defined by Confucianism, whether by "sacrificing kinship for the sake of righteousness" or "sacrificing righteousness for the sake of kinship". One thing recorded in "Biographies of Obedient Officials" in *Records of the Historian* reveals such a dilemma in which one found it hard to escape the suspicion of being the half of a "beast":

As the prime minister of King Zhao of Chu State, Shi She was impartial, honest and righteous. Once he came across a man in the county who committed a murder, so he managed to chase and catch the man. To his astonishment, he found the murderer was no one but his father. Then he released his father and had himself put in prison. He sent a man to the King and said: "The murderer is my father. If I punish my father to uphold the law, I would be an unfilial son; if I break the law to release my father, I would be a disloyal minister, so I have to bear the guilt and be punished". The King said: "Those who failed to catch the criminal should not be punished, so you should be my prime minister as before". Shi She said, "Without loving one's father, one cannot be a filial son; without keeping the countries law, one cannot be a loyal minister. It is your favour to pardon my guilt, but to die for the law is what I should do". Then, without obeying the King's order, Shi She killed himself.

It is not difficult to see that, when this "honest andrighteous "prime minister faced the case that" his father killed someone", the reason why he firstly let his father go to be "filial" and then committed suicide to be "loyal" was precisely an attempt to thereby get rid of being in an awkward situation of either "not acknowledging the father" or"not acknowledging the ruler" in the dilemma between filial piety and loyalty.

Then let us look at the Confucian crisis in practice: although Kongzi and Mengzi have never denied the significance of "loyalty to the ruler" and even regarded it as the essence of human beings, their attitudes of "choosing filial piety at the cost of loyalty" in the conflict would undoubtedly offend those powerful rulers. Because the latter, upon mild reflections, would find that such a position of "placing filial piety over loyalty or family over country" would encourage officials and subjects to sacrifice the interests of the rulers for the benefit of the officials and subjects' parents. Both "Xiu Wen" in *Shuo Yuan* and *Hanshi Waizhuan* record a story of King Xuan of Qi State consulting Tian Guo, a Confucian scholar on the issue of "three years'mourning for parents", which clearly demonstrates this crisis:

TheKing asked Tian Guo, "I heard that Confucians mourn parents for three years and also the ruler for three years, so which one is more important, the ruler or parents?" Tian Guo replied, "Maybe the ruler is not as important as parents." The King said with displeasure and wrath: "Then why do you leave your parents to serve the ruler?" Tian Guo replied: "If it wasn't for the land the ruler gave me, I couldn't give my parents shelter. If it wasn't for the ruler's salary, I couldn't support my parents. If it wasn't for the title the ruler gave me, I couldn't make my parents prominent and honored. All the services to the ruler are for my parents. "The King was unhappy but speechless.

It is not difficult to see that what involved here was only a ritual issue of mourning for three years on deaths. However, as soon as he heard that Tian Guo had openly declared that "the king is not as important as his father", the King became furious right on the spot. After Tian Guo gave out the specific argument of "all the services to the ruler are for my parents" based on the supreme spirit of consanguinitism, the King still held the grudge and could not acknowledge it. In view of this, if more immediate, practical interests were involved, the tensions and conflicts between filial piety and loyalty could only have become more serious.

Ironically, Han Fei (280－233 BC), a famous Legalist taught by the Confucian master Xunzi (313－238 BC), pointed out exactly what a tough dilemma would Kongzi's and Mengzi's attitude of "choosing filial piety at the cost of loyalty" put the Confucianism into:

There is a man, named Zhigong in the state of Chu, and his father had stolen a sheep. He went to tell the county official about the thing. The official said: "Kill you". As in the official's view, the man was loyal to the ruler but unfilial to his father. So the man was sentenced to death. From this point of view, the loyal subject would be anunfilial son. A man in the state of Lu went to the war with the ruler, and fled from many battles. Kongzi asked him the reason and he said: "There is an old father in my family, and no one will support him if I died." Kongzi considered this to be a filial son and promoted him to be an official. From this point of view, the filial son would be a disloyal subject. Therefore, after the county official killed the man in the state of Chu, no one would report the bad deeds of their relatives any more. After Kongzi rewarded the deserters, the people of Lu state would easily surrender and flee in battle. (Wu Du, *Han Feizi*)

It is not difficult to see that, by referring to the case of "a man's father have stolen a sheep" and pointing out the name of "Kongzi", here Han Fei was attempting to demonstrate the tremendous difficulty to be "both a loyal official and a filial son at the same time" when there was a conflict. Under such a condition, it was not only easy for a filial son to become a disloyal subject, but also possible for a loyal subject to become an unfilial son.

Now we could understand why Sima Qian described in "Aristocratic Family of Kongzi" and "Collected Biographies of Mengzi and Xunzi" in *Records of the Historian*: "Duke Jing of Qi... would give Kongzi the land of Nixi, which Yanying didn't approve of... Kongzi lived in State of Chen for three years and returned to the capital of State of Wei. Duke Ling of Wei didn't appoint Kongzi... When Ji Huanzi of Lu died, he left the last words to Ji Kangzi that he must recall Kongzi. His officials stopped him, so Ji Kangzi called Ranyou for help. But Kongzi wasn't appointed by Lu government to the end." "Mengzi went to lobby King Xuan of Qi, but failed to get the appointment. So he arrived in the State of Wei. To his surprise, King Hui of Liang did not believe his ideas, even regarded the ideas as romantic and far away from reality." The word of "*yong* (appoint or employ)" was repeated here, which is actually quite a reflection on the intention of Kongzi and Mengzi, because just as Xiong Shili (1885—1968, a renowned modern Confucian thinker) clearly pointed out based on the text of the *Analects* in *his Liujing Shi Kongzi* Wannian Dinglun ("*Six Classics are Final Conclusions of Kongzi in his Later Years*"): "In the early years of Kongzi, he wants to be appointed by the ruler so as to put his political views into practices. In the Analects, he said that 'If any one employ me, may I not make an eastern Zhou?' And he also said to Yan Yuan: 'When called to office, to undertake its duties; when not called, to lie retired.'" But the tragedy is that despite Kongzi and Mengzi had unanimously emphasized in theory "serving one's ruler according to what is right", and toured across various states in practice, these two Confucian sages, who were eager to be "appointed with key positions", had hardly been favored by any rulers in their lives at all, not to mention of having their ideas becoming the ideology with supreme respect in the imperial court as these ideas did in later times. If we consider the fact that after the Han Dynasty, so many Confucians who were far inferior to Kongzi and Mengzi in terms of learning and morality were promoted to positions of different ranks and even to the position "below one person and above the rest" (a position akin to a prime minister), and that the *Analects* and *Mengzi* became the official textbooks for the imperial examinations after the Southern Song Dynasty (1127—1279), such a sharp contrast will inevitably lead to a question: why Kongzi and Mengzi were deemed "not being used" when they were alive?

The answer lies in the attitude of Kongzi and Mengzi to "choose filial piety at the cost of loyalty" and "give up the big family (state) for small families" when facing the dilemma between filial piety and loyalty. The reason is simple: as mentioned above, although those powerful rulers would like to see their subjects follow the Confucian concept of "transforming filial piety into loyalty" so as to establish their loyalty on the filial piety for their parents, they were certainly unwilling to see their subjects, when there was a conflict, practicing the principle of that "serving parents is the greatest" as advocated by Kongzi and Mengzi of putting filial piety above loyalty, taking "serving the ruler" as a means of "serving parents", even violating the interests of the imperial court for the sake of their family interests, and acting willingly to be "a filial son" of parents and "a disloyal official" of the ruler. In this regard, Han Fei's comments were indeed an incisive exposure of the fatal weak point of the Confucian ideas of Kongzi and Mengzi. In other words, from the perspective of value ideas regardless of other factors, the key reason for the "not being used" of Kongzi and Mengzi when they were alive was that they were still unwilling to give up the supreme spirit of consanguinitism even facing the dilemma between loyalty and filial piety, and thus failed to honor the ruler in the only sacred ultimate position, so that they were not favored by the rulers both in theory and in practice. It is not difficult to imagine that if the Confucian thinkers after Kongzi and Mengzi had adhered to this stance of choosing filial piety at the cost of loyalty, even if they had been as sincere as these two sages in looking forward to "serving the ruler with the right ways", the historical fate of Confucianism as a whole would still be the sorrowful "not being used".

Facing the dilemma between loyalty and filial piety, indeed, Kongzi and Mengzi still insisted on "serving parents is the greatest" and fell into an awkward situation of "not being used" in their lives. However, it needs to be noted that it is not because they valued the blood-ties and kinships of the common people more, even at the cost of maintaining distance with their rulers, but due to that they were not aware of the substantial changes in the real society. As mentioned above, at the establishment of the enfeoffment system, the King of Zhou and various dukes did maintain a much closer connection of kinship with blood being thicker than water. Therefore, under such an atmosphere, "serving parents is the greatest" was directly equivalent to "being loyal to the ruler is the greatest", where there would no dilemma between loyalty and filial piety. However, as Li Si (284 —208 BC), another famous Legalist taught by Xunzi, pointed out, a profound change had taken place: "King Wen of Zhou and King Wu of Zhou entitled their children and relatives of the same surname, but their descendants gradually alienated and attacked each other like enemies, the dukes fought against each other. It was such a disorder that King of Zhou could not stop them." (Biographic Sketches of the First Emperor of Qin, *Records of Historian*) In other words, by the Period of Spring and Autumn (770 — 476 BC) and the Warring States (475 — 221 BC) periods, the kinships between the King of Zhou and various dukes had become quite estranged, and thus failed to maintain the steady structure of "the integrity of the family and the country" through the concentric force of "blood being thicker than water", not to mention those ordinary people who had no blood-tie or kinship with the ruling group of the Zhou Dynasty. As a result, under such circumstances, to emphasize on "serving parents is the greatest" as Kongzi and Mengzi did was no longer directly equivalent to emphasizing on that "serving the ruler is the greatest", but was bound to create an in-depth dilemma of "the supremacy of the family over the country" and "choosing filial piety at the

cost of loyalty",preventing the ambition of Kongzi and Mengzi to be"appointed with key positions" from being achieved in reality.

Ⅲ Xunzi and Dong Zhongshu's Ideas of "Choosing Loyalty at the Cost of Filial Piety"

Fortunately enough for Confucianism, there seemed to be no shortage of reformists at the turning points of history. Although Xunzi, another thinker of Confucianism in the Pre-Qin Period (Before 221 BC), generally accepted Kongzi' basic stance of "the harmony between loyalty and filial piety", he boldly broke through the doctrine of "serving parents is the greatest" advocated by Kongzi and Mengzi under the circumstances of conflict. After affirming that "the root of human society" is "the kinship between father and son", he did not came to Mengzi's conclusion that "of all which a filial son can attain to, there is nothing greater than his honoring to his parents", instead he innovatively put forward his own idea of "to serve the ruler is the most important according to the propriety" (Emptiness, *Xunzi*). In other words, Xunzi explicitly required the officials and subjects to deal with the dilemma between loyalty and filial piety according to the principle of "the supremacy of loyalty over filial piety", thus having laid a theoretical foundation for the Confucianism to get rid of the tragic fate of "not being used".

Originally, when Kongzi and Mengzi affirmed the supremacy of kinship, they emphasized an indisputable, fundamental rationale: the blood-ties and kinships between parents and children formed the basis of people's lives; that is, "it is not till a child is three years old that it is allowed to leave the arms of its parents" (*Analects* 17. 21) and "heaven gives birth to creatures in such a way that they have the sole root." (*Mengzi* 3A5) Therefore, in their view, anyone who wishes to maintain their existence as a human being must recognize the "greatest" meaning of their parents as the "sole root", otherwise they would become a beast that forgot their origin. Trying to respond this view of Kongzi and Mengzi and demonstrate his new idea that the ruler shall be "greater" than parents, Xunzi first put forward: "There are three roots of the propriety, heaven and earth are the root of life, ancestors are the root of clan, the ruler and the teacher are the root of governing." (The Theory of Rites, *Xunzi*)

Obviously, here Xunzi did not deny the root meaning of the kinship, as stated in"ancestors are the root of clan". However, it is equally obvious that he did not describe the blood-tie as the only root, instead pointed out that there were two other roots, namely "heaven and earth" and "the ruler and the teacher". To be certain, if he had only relied on this neutral and equal notion of "three roots", Xunzi would still have come to a compromising conclusion that all of "three roots" were "great", and yet not to his idea that "to serve the ruler is the most important according to the propriety". After all, "although the ruler was the 'the root of governing', he did not give birth to and raise the officials and subjects like what their parents did"[3]; then, why was he entitled to be even greater than their parents? It is precisely to make up for this theoretical defect that Xunzi further pointed out when he explained "the three roots for the propriety": "The Odes says that the amiable

〔3〕 郭齐勇 Guo Qiyong,《中国哲学史》Zhongguo zhexue shi [History of Chinese Philosophy],(北京 Beijing:高等教育出版社 Gaodeng jiaoyu chubanshe [Higher Education Press],2006),106.

ruler is the parents of the people... A father can bear a child, but he cannot raise the child. Mother can nurture the child, but she cannot teach the child. However, the ruler can both nurture and teach the child." (The Theory of Rites, *Xunzi*)

Although this paragraph is not long, its significance in influencing the historical fate of the traditional Confucianism cannot be overestimated. Based on the ideas of "being as the parents of the people" and "transforming filial piety into loyalty" also agreed by Kongzi and Mengzi, it broke through the creed as advocated by Kongzi and Mengzi that "serving parents is the greatest, and emphasized that compared with parents who only have the effects of producing and raising children, the ruler, though he could not give birth to his officials and subjects, could play the dual function of raising and instructing them. Or in other words, the ruler provided both material and spiritual foods for the official and subjects, which went far beyond the role of their parents in producing and raising them. Therefore, officials and subjects should also take serving the ruler as the greater even than serving their parents precisely according to the so-called "root sense" identified by Confucianism. Therefore, after these rigorous arguments, the supreme creed of "serving the ruler is the greatest" seemed to have enough reason to replace another supreme creed of "serving parents is the greatest".

It is precisely based on this brand-new supreme creed that, different from Mengzi who put "the kinship between father and son" before "the righteousness between ruler and official" in the great ethics of human beings, Xunzi, in the "ethics of righteousness", put "the ruler and the teacher" before "father and son" and "a loyal official" before "a filial son". He also repeatedly advocated: "There is no dignity of the ruler or the teacher, and there is no ethics between father and son. This is called extreme chaos" (Emperor System, *Xunzi*); "the principle of precedent kings is the norm of being loyal subjects and filial children." (The Theory of Rites, *Xunzi*) He even declared: "People should respect parents at home and respect elder brothers outside, which is the fundamental moral rule of being a man... It is the highest rule of life to insist the morality rather than obey the sovereign, and obey the righteousness but not the father." (Being a son, Xunzi) Although here Xunzi attempted to put the Confucian "morality" above the power of the ruler, the saying of "obeying the righteousness but not the father" obviously put "the righteousness between sovereign and minister" above "the kinships between father and son", requiring that the officials and subjects, when facing the dilemma between loyalty and filial piety, shall "eliminate his relatives for the sake of the greatest righteousness (or choose loyalty at the cost of filial piety)", that is, maintain the supremacy of the "righteousness between ruler and official" even at the heavy cost of destroying the kinships between father and son.

Obviously, these original arguments of Xunzi substantially broke through the supreme creed of consanguinitism advocated by Kongzi and Mengzi. Especially his statements that "the ruler can both nurture and teach his subjects" and "to obey the righteousness but not the father" not only clearly defined the strict ranking of the "Heaven, Earth, Ruler, Parents, and Teacher" which lasted for more than 2,000 years, but also provided a cultural basis for such popular mantras as "the imperial court feeds the common people" and "the ruler is even closer or more intimate than their parents to the common people". For this reason, Tan Sitong (1865 — 1898, a renowned Chinese politician and thinker) severely criticized the doctrine of Xunzi that it "has granted the ruler unlimited power so that the ruler can govern the people just depending on Confucianism". (Volume 28, *Benevolence*)

Since the ruler was granted unlimited power in this Confucian way, how could Confucianism not get rid of the dilemma of "not being used" brought about by "the supremacy of filial piety over loyalty" and become the orthodox ideology "appointed with key positions" by the imperial court? In this regard, although Xunzi's theoretical contributions to Confucianism were not equal to that of Kongzi and Mengzi[4], he obviously could not be ranked under any other pre-Qin Confucians except for Kongzi and Mengzi. We might as well take this perspective to understand why Xunzi could transcend such famous Confucians as You Ruo (518—5th Century BC), Zeng Shen (505—435 BC), Zisi (ca. 481—402 BC) and others with closer relationships with Kongzi and Mengzi, and became the third master figure qualified to stand side by side with Kongzi and Mengzi amid the Confucians in the Pre-Qin Period.

It should be pointed out that Xunzi was not alone in realizing this problem. Facing the awkward situation of "not being used", many contemporary Confucians were also reflecting about how to enable Confucianism to be valued or used by the imperial court, with a basic train of thought in line with Xunzi's. For example, in the three commented versions of the *Annals of Spring and Autumn*, the following propositions appeared in unison: "the great righteousness is supreme over the kinship" (*the fourth year of Duke Yin*, *Zuo Commentaries*); "one must not give up king's affairs for the sake of family's affairs, but rather should give up family's affairs for the sake of king's affairs" (the third year of Duke Ai, *Gong Yang Commentaries*); "don't violate the principle of respect for seniors because of affectations to your family." (the second year of Duke Wan, *Gu Liang Commentaries*) Once placed in the context of that "one must not give up king's affairs for the sake of family's affairs" and that "don't violate the principle of respect for seniors because of affectations to your family", the "great righteousness" that could be placed above the "minor kinship" obviously referred to the "loyalty to the ruler" in the sense of "the righteousness between ruler and official".[5] As to why it was especially emphasized that the righteousness is "great", the reason is clear enough that, like Xun Zi's advocacy of "to serve the ruler is the most important according to the propriety", it was first of all directed against Mengzi's "serving parents is the greatest", attempting to show that the "king's affairs" or the righteousness between ruler and official were even "greater" than the "family affairs" or the kinship between father and son. As a result, although these propositions lack systematic argumentation, their essences are tantamount to declaring in the same way as Xunzi did: in the dilemma between loyalty and filial piety, people should "choose loyalty at the cost of filial piety", safeguard the "righteousness between ruler and official" even at the cost of abandoning the "kinship

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〔4〕 For the issue on why Mengzi could become the "Second Sage" of Confucianism by virtue of his original contributions, see Qingping Liu, "How did Mengzi Become 'the Second Sage?'" (Issue 10, the Journal of Humanities, 2014). In addition, the main difference between Mengzi's and Xunzi's thoughts lies not in the frequently discussed distinction between "good nature" and "evil nature", but firstly in whether "serving parents" or "serving the ruler" is the greatest. Even the reason why Xunzi specifically advocated "evil nature" as a Confucian was that he tried to emphasize the supremacy of "loyalty to the ruler" over "serving parents". This issue is to be elaborated in a separate paper.

〔5〕 As a matter of fact, the original connotation of the idiom "great righteousness is supreme over the affectation" was precisely to praise Shi Que, a senior official of the Wei state who safeguarded the "great righteousness" between ruler and official at the expense of the "minor kinship" between father and son: Shi Que found out that his own son, Shi Hou, had conspired with others to kill the ruler. Therefore, Shi Que decisively ordered the killing of his son, thus showing his loyalty to the ruler (see the fourth year of Duke Yin, Zuo Commentaries). Needless to say, this practice of "eliminating the kinship for the great righteousness" was essentially the same as that of Duke Zhou who had led a punitive expedition against his brothers Guan and Cai in order to maintain his allegiance to King Wu of Zhou.

between father and son".

To be sure, Xunzi did not get rid of his own "not being used" when he was alive. However, the quick collapse of the Qin Empire set up with the help of Han Fei and Li Si, the two Legalist disciples he taught, fully exposed the fatal defects of the Legalist School: "Injuring the closest family, damaging gratitude, and benevolence becoming acrimony." (Collections of Books, *The History of the Han Dynasty*) After the ruling clique of the Han Dynasty turned to seek spiritual support from other cultural trends, then, Dong Zhongshu (179—104 BC, a renowned Confucian statesman) carried forward Xunzi's principle of "to serve the ruler is the most important according to the propriety", making Confucianism the only candidate as the orthodox ideology. As we all know, when he arranged the order of the three special ethical relationships, that is, the famous "three principles of the kingly way", Dong Zhongshu clearly placed the ruler-subject relationship first, immediately followed by the father-son relationship and the husband-wife relationship, that is, "ruler guides subject, father guides son, and husband guides wife". Therefore, it was obviously different from Mengzi' identification of "the great ethics of human beings", which placed the father-son relationship before the ruler-subject relationship. In this regard, Dong Zhongshu's primary motive for this sort of ranking should be considered as, just as Xunzi, to highlight that the political connection between ruler and subject should override the consanguineous kinship between father and son and the marriage between husband and wife. Especially, it tried to demonstrate the "supreme ethical status"[6] of "the ruler" so as to achieve the goal of enabling Confucianism to be "appointed with key position" by virtue of the stance of "the supremacy of loyalty over filial piety". In fact, Dong Zhongshu particularly stressed that "the great righteousness of the *Annals of Spring and Autumn*" contains "the people must be obedient to their ruler without any conditions". (Jade, Ch'un-ch'iu fan-lu) Within the framework of the "three principles", thus, "he already revealed the new Confucian tendency to require that people should give up the kinships for the sake of the great righteousness" in the dilemma of loyalty and filial piety. In view of this, after the theoretical efforts of Xunzi and Dong Zhongshu, it was not surprising that Confucianism was finally able to enjoy the status of "exclusive respect" in ancient society for a long time. Meanwhile, it wasn't difficult to understand the reason that the history of Confucian thought could not be separated from Dong Zhongshu, a figure who had not made many original theoretical contributions comparable to those by Xunzi.

People often refer to the political framework supported by the "three principles" since the Han Dynasty as the "facial Confucianism and substantive Legalism (yang ru yin fa)", but rarely explain why Confucianism was facial and Legalism was substantive. As long as viewed from the comparison between the spiritual essences of Confucianism and Legalism, virtually, it is not difficult to see that the so-called "facial Confucianism" mainly means that the "three principles" connected the "great ethics of human relationships" of ruler-official, father-son, and husband-wife into a network totally with kinship implications on the open and conscious basis of the Confucian standpoint. The so-called "substantive Legalism" mainly means that the "three principles" quietly absorbed the core ideas of Legalism, so that they not only affirmed the supremacy of the ruler-official relationship over other

〔6〕 郭齐勇 Guo Qiyong, 《中国哲学史》 Zhongguo zhexue shi [History of Chinese Philosophy], (北京 Beijing: 高等教育出版社 Gaodeng jiaoyu chubanshe [Higher Education Press], 2006), 146.

human relationships, including the father-son relationship, but also stressed the absolute authority of the ruler over the subjects. When the two were combined, the political framework supported by the "three principles" overcame both the Confucian loophole of placing filial piety over loyalty and the Legalist drawbacks of denying kinships and valuing only severe punishments. As a result, the Legalist structure of "the ruler as the principle of officials" was successfully supported and strengthened by the centripetal cohesion of Confucian kinships. That was the key reason why Confucianism (rather than Legalism) had always been "appointed with key positions" by successive ruling groups.

Ⅳ Other Interpretations for Confucianism's "Being Valued"

Some contemporary scholars have also attempted to explain the reasons for the historical turning of the fate of Confucianism in the Han Dynasty from other perspectives. However, due to the negligence on the dilemma between loyalty and filial piety, such explanations seem unconvincing in theory.

For example, when explaining why Confucians never joined the decision-making group serving for the rulers during the Warring States Period, Weiming Tu points out: "They deliberately chose to fail. Mengzi condemned powerful ministers as 'concubines'.... He couldn't communicate with those in power.... The Confucian monopoly on education may be the only factor for the rise of Confucian intellectuals in the Han Dynasty. They had become advocates of the legitimacy of authority in the system".[7] Needless to say, the emphasis on education had been a major feature of Confucianism since its birth. However, if we attribute the turning of the Confucianism's fate in the Han Dynasty to "its monopoly of education", it seemed to have missed the crux of the problem.

Firstly, since Kongzi and Mengzi had already paid special attention to education, why couldn't they take this advantage to "communicate with those in power" as those Confucians did after the Han Dynasty, instead of "losing badly"? Why did Confucianism's "monopoly on education" after the Han Dynasty enable it to get rid of the disadvantages in the period of Kongzi and Mengzi and make countless Confucians far inferior to Kongzi and Mengzi in all aspects smoothly "join the decision-making group serving for the ruler?" Furthermore, why did these Confucians no longer follow the examples of Kongzi and Mengzi who "deliberately chose to fail" at that time but flocked to be "defender of the legitimacy of authority in the system" and even become "powerful ministers" like "concubines" in many cases? More importantly, after the Han Dynasty, wasn't "Confucianism's monopoly on education" a consequence of its exclusive political status? Could we simply reverse the cause and effect to call it as the sole reason for the political status of Confucianism?

Secondly, if Kongzi and Mengzi were "unable to communicate with those in power" because of "condemning powerful ministers", then, why, after the Han Dynasty, the Confucians who still declared that they wanted to "rectify what is wrong in the sovereign's mind" could change this tragic fate and "join the decision-making group serving for the ruler" and even "communicating with those

〔7〕 杜维明 Tu Weiming,《杜维明文集(第三卷)》Tu Weiming wenji disanjuan [Collected works of Weiming Tu (vol 3)],(武汉 Wuhan: Wuhan chubanshe [Wuhan Publishing House],2002:517-524.

in power" in harmony? Could it be that this is because all the rulers before the Han Dynasty were headstrong and impervious to different opinion and only willing to appoint those ministers like "concubines", while all the rulers after the Han Dynasty suddenly awoke to remold themselves and stayed eager to listen to criticism and guidance of those Confucians like "great husbands"?

In fact, there is a similar flaw in Sima Qian's explanations, because when he talked about the "not being used" of Mengzi, he used the "being valued" of other persons at that time as a sharp contrast: "At that time, Shang Yang was appointed by Qin State, Wu Qi was appointed by Chu and Wei State, Sunzi and Tian Ji were appointed by Qi State". All the states were taking the unite means and strategy of horizontal alliance of states, causing to regarding people who was good at war as the expert. But what Mengzi recommended the virtue of Monarch Yao, Monarch Shun, Xia (21st-16th Century BC), Shang (1600—1046 BC) and Zhou (Mid-11th Century-256 BC) Dynasties, didn't meet the needs of the States he travelled, so that he was not appointed. (Collected Biographies of Mengzi and Xunzi, *Records of Historian*) However, once included in the historical correlations of 2,000 years, we will find that this comparison deviates from the crux of the matter, because we certainly do not have much reason to assert that each and every ruler before the Han Dynasty scoffed the "virtue of Monarch Yao, Monarch Shun, Xia, Shang and Zhou Dynasties", resulting in the Confucianism represented by Kongzi and Mengzi being "not being used" for a long time, while the emperors after the Han Dynasty were full of respect for the "virtues of Monarch Yao, Monarch Shun, Xia, Shang and Zhou Dynasties", leading to countless Confucians being "appointed with key positions". Of course, since Sima Qian did not understand the historical development after the Han Dynasty, his deficiency could be understood sympathetically. However, if we continue to hold similar views today, it would be a bit unjustifiable from an academic perspective.

Strictly speaking, the next point of Weiming Tu indeed touches on the crux of the problem:

Some of the other surrounding forces——the preferences of emperors, the interests of key ministers, and the concern of officials——will certainly contribute to the rejuvenation of Confucianism. After Confucianism gradually became the dominant court doctrine, it was no longer the original doctrine of Kongzi and Mengzi. It was more of a hodgepodge with Xunzi's worship of proprieties, Legalist views, the Yin-Yang cosmic theory, the Taoist thought, and many other beliefs at that time.[8]

In other words, as for the most important factor that led to the revival of Confucianism into a "dominant court doctrine" after the Han Dynasty, instead of regarding it as "Confucianism's monopoly on education", we should rather say that "the preferences of emperors, the interests of key ministers, and the concern of officials" shifted from other trends of thought (including Legalism) to Confucianism in seeking the spiritual pillar of ideology. As for the most crucial opportunity to trigger such a transformation, it is, as mentioned above, precisely Dong Zhongshu's "three principles" which, based on adhering to the consanguinitistic spirit as advocated by Kongzi and Mengzi, combining Xunzi's idea of "serving the ruler is the greatest" with the Legalist views, which clearly emphasized "the supremacy of loyalty over filial piety" so as to cater to "the preferences of

[8] 杜维明 Tu Weiming,《杜维明文集(第三卷)》Tu Weiming wenji disanjuan [Collected works of Weiming Tu (vol 3)],(武汉 Wuhan: Wuhan chubanshe [Wuhan Publishing House],2002:),517-524.

emperors, the interests of key ministers, and the concern of officials." Indeed, these rulers understood it very clear: as long as "the relationship of ruler- official" was put above "the relationship of father-son", those "not being used" ideas of kinships advocated by Kongzi and Mengzi could be easily transformed into the "being valued" orthodox doctrines.

In this regard, Weiming Tu's praise of Dong Zhongshu and others may have been guilted of flattering: "Their basic concerns were not the stability of a few rulers, butfor the people to live and work in peace and contentment… They appealed to the transcendent Heaven and the people for support. Although they were not hostile to those in power, they were able to maintain an independent stance as teachers, advisers, critics or friends to the emperors. They were never concubines." The question is, if Dong Zhongshu was concerned with "the people to live and work in peace and contentment instead of the stability of a few rulers", why did he always insist on fully demonstrating the "supreme ethical status" of the "king" in the "three principles", affirming almost no moral values of ordinary people and contending in a derogatory way that "the name of the people is taken from obscure darkness"? (Check for Naming, *Ch'un-ch'iu fan-lu*) Why did he not advocate "the ruler should concern the people as the most important thing" but rather "the people must be obedient to the ruler without any conditions" in summarizing the "great righteousness of the *Annals of Spring and Autumn*?" In any case, if Dong Zhongshu had only "appealed to the people for support", "maintained an independent stance towards the emperor", and even been indifferent to maintaining "the stability of the ruler", his view was probably difficult to stir "the preferences of emperors, the interests of key ministers, and the concerns of officials"—unless these emperors, ministers, and officials also valued "people to live and work in peace and contentment" and cared nothing about their own "stability", by which they could be even said to be the genuine "sages within and kings without".

The following statement by Weiming Tu could be considered highly incisive: "Since the times of Emperor Wu (reign: 141-87 BC), Confucianism had become an important tool for training Chinese officials... Because Confucian classics were adopted as the core curriculum and Kongzi was worshipped as the protector deity of the schools, Confucian ethics had become the social standards for recruiting political elites."[9] As is known to all, after "becoming an important tool for training Chinese officials" from the time of Emperor Wu of the Han Dynasty, Confucianism had indeed become the so-called "Chinese Studies (*guo xue*)" for a long time. Although some founding emperors who battled on horses to win the state power happened to prefer Legalism and belittled Confucianism, their successors tended to change their courses quickly, trying to seek the spiritual pillar from Confucianism. Even for those foreign rulers who were originally considered barbarians, once they began to rule the Han Chinese, they would still convert themselves into faithful believers of Confucianism. Considered the length of this paper, only two examples are provided here: "In 916, Yelü Abaoji (reign: 916-926) in the Liao Dynasty, proclaimed himself as the emperor and founded a country… After he ascended the throne, the first building he constructed was the Kongzi Temple. He also ordered the prince to offer a sacrifice to Kongzi. According to Prince Bei's own words, 'Kongzi,

〔9〕 杜维明 Tu Weiming,《杜维明文集(第三卷)》Tu Weiming wenji disanjuan [Collected works of Weiming Tu (vol 3)],(武汉 Wuhan: Wuhan chubanshe [Wuhan Publishing House], 2002: 517-524.

the great sage, should be respected forever'"[10]; "After the collapse of the Southern Song Dynasty, Mongolians… in conquering the Central Plains, were also conquered by the matured Han culture. Because of the need to govern a large multi-ethnic country, Confucianism became the state learnings of the Yuan Dynasty."[11] In view of these, if we still attribute these phenomena to that the moral nobility of these rulers improved after receiving the Confucianism's "monopoly over education", that all they wanted to do were to hire "Confucian political elites" especially concerning about "people to live and work in peace and contentment" but "remaining independent" from these rulers as "teachers, advisers, or friends", while keeping themselves far away from those ministers like "concubines", it would be a little naive.

What is worth mentioning is a statement by Zhu Xi (1130—1120, a renowned Neo-Confucian), had reflected from a certain aspect the fundamental reason why Confucianism was later "being valued" was that it emphasized "the supremacy of loyalty over filial piety": "'The three cardinal guides are sovereign guides minister, father guides son, husband guides wife. The three cardinal guides and the five constant virtues are the greatest norm of the proprieties, have been succeeded by following dynasties without any change... That's the reason why the Sage (Kongzi) can predict the future." (Annotations of Chapter Wei Chang, *Collected Annotations on the Analects*) As stated above, Kongzi had never actually advocated "the ruler as the principle of officials" being over "the father as the principle of the son". On the contrary, he had repeatedly advocated that people should choose filial piety at the cost of loyalty in the dilemma between them. As a Confucian master deeply familiar with the *Analects*, Zhu Xi, even if he did not realize the latter point, ought to know that there was no such ideas or terms as "three principles" in this Confucian canon. However, he ignored the obvious textual evidence, attached a concept that was only formed in the Han Dynasty and had finally pushed Confucianism to the status of "exclusive respect" to the name of Kongzi himself, even further accused, on this basis, Buddhism and the Taoism "to abate the three cardinal guides and the five constant virtues is a great charge!" (Volume 126, *Analects of Chu Xi*) According to the previous analysis, the reason he was blind to the fact to handle matters undercover was probably because he was vaguely aware that if he did not associate the "three cardinal principles" directly with the "Sage" in such a far-fetched way, "the preferences of emperors, the interests of key ministers, and the concern of officials" would be difficult to focus on the *Four Classics* he had chosen, decree them as reference books for the imperial examinations, and make Confucianism "an important tool for training Chinese officials", "the social standards for recruiting political elites", and "the dominant court doctrine".

By contrast, Xiong Shili, the leading thinker of modern New-Confucianism in the 20th century, realized the crux of the problem more clearly. He had repeatedly stated in his "Conclusions in Declining Years" that:

Since Han Dynasty, people had been obeying the rules that theruler is more important than the father and to be loyal is more important than to be filial… By combining respecting the father and

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〔10〕 韩德民 Han Demin,《荀子与儒家的社会理想》Xunzi yu Rujia de shehui lixiang [Xunzi and Confucian's social ideas], (济南 Jinan: Qilu shushe [Qilu Press], 2001), 33.

〔11〕 郭齐勇 Guo Qiyong,《中国哲学史》Zhongguo zhexue shi [History of Chinese Philosophy], (北京 Beijing: 高等教育出版社 Gaodeng jiaoyu chubanshe [Higher Education Press], 2006), 301.

respecting the ruler, the dictators can keep their governing for a special long time. (*Liujing Shi Kongzi Wannian Dinglun* (*Six Classics are Final Conclusions of Kongzi in his Later Years*)

The essence of the three cardinal guides is to respect the ruler, working in with respecting father and husband, so that people take the guides for granted without any doubt... Then to combine filial piety and loyalty with political meaning is named as the Confucian ethical code, based on which emperors govern the country with filial piety. (The second part of Yuanxuetong, the first part of the *Original Confucianim*)

From being filial to father to loyal to theruler, this is called transforming filial piety to loyalty. Thus, the ruler is more important than father, loyalty is more important than filial pity... Emperors in ancient China make full use of the Confucian doctrine of filial piety to support their dominance. (Differentiation, *the Heaven and Earth*)

Although Xiong Shili had neither realized Kongzi and Mengzi's stance of that "serving parents is the greatest" in the dilemma between loyalty and filial piety would certainly lead to "not being used", nor found out that Xunzi had shown an ideological tendency to emphasize "loyalty before filial piety", he had still pointed out clearly enough that since the Han Dynasty, the Confucians, including those in the Song and Ming dynasties, had adhered to the "three cardinal principles" in which "the ruler is more respected than the father", in order to reveal the spiritual essence of the "supreme ethical status" of "kings". He also pointed out clearly enough that the traditional Confucianism became "the tool of great thieves to steal the country" and the historical outcome that "the traditional Confucianism and the imperial autocracy had mutually depended to survive for thousands of years". In this sense, these very insightful warnings voiced by this Confucian master half a century ago are especially worthy of our reflection today to explore the internal reasons for the transition of traditional Confucianism from "not being used" to "being valued".

中文题目:

儒家从"不能用"到"受重用"的命运转折——"忠孝不能两全"的悖论解析

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提要:儒家历史上有一个反差鲜明的奇特现象:虽然孔孟在世的时候总是处于"不能用"的尴尬状态,汉代之后无数道德品格和学问知识远不如他们的儒者却能够长期享有"受重用"的独尊地位。究其原因,主要是儒家大师们在处理"忠孝不能两全"的二难困境时,采取了两种截然不同的态度:孔子和孟子强调孝高于忠,主张"舍忠而尽孝";荀子和董仲舒却强调忠高于孝,主张"舍孝而尽忠",从而实现了对于儒家命运来说十分关键的一次历史转折。

关键词:儒家;忠孝不能两全;舍忠而尽孝;舍孝而尽忠