

Seminar with

Prof. **Scott Lash**

Toward a Non-Hegemonic Rationality

- 일시: 2019년 4월 24일(수) 오후 3시
- 장소: 중민사회이론연구재단 세미나실
- 주최: 중민사회이론연구재단
한국이론사회학회
한국문화사회학회

■ Poster (Korean)



옥스퍼드대학교 & 홍콩시티대학교

Scott Lash 교수 초청 학술행사 Language: English

- **기간** 2019년 4월 22일(월) ~ 25일(목)
- **주최** 중민사회이론연구재단, 한국이론사회학회, 한국문화사회학회, 서울대 사회학과, 경희대 인류사회재건연구원, 전북대 사회과학연구원, 전주시청



4월 22일 (월요일) 11:00-13:00

Brown-Bag Talk and Discussion

주제 *What is Technology?: the Digitization of Mind*

장소 서울대 사회대 16동 349호

주최 서울대 사회학과, 중민재단

4월 23일 (화요일) 16:00-18:00

Lecture and Discussion

주제 *The 'What' and the 'Thus': East Asia and the Crisis of Ontology*

장소 경희대 청운관 619호

주최 경희대 인류사회재건연구원, 중민재단

4월 24일 (수요일) 15:00-18:00

Seminar

주제 *Toward a Non-Hegemonic Rationality*

Scott Lash: The Literati and the Dao:
Vernacular and Nation in China

한상진: Is Affective Rationality Possible?:
Filial Piety and Funeral Reform in China

장소 중민재단 세미나실

주최 중민재단, 한국이론사회학회,
한국문화사회학회

4월 25일 (목요일) 16:00-18:00

Special Lecture

주제 *Social Theory through a Chinese Lens: Towards a Critical Chinese Sociology*

장소 전북대 인문사회관 204호(백년대계홀)

주최 전북대 사회과학연구원, 중민재단

(10:30-14:30 전주시청 주최 문화 탐방)

*문의: 02)875-8474 / www.joongmin.org

중민사회이론연구재단

Joongmin Foundation for Social Theory

■ Poster (English)



Lectures and Seminars with **Prof. Scott Lash**

COMPAS, Oxford Univ. &
City University of Hong Kong

- **Time** Monday, April 22 – Thursday, April 25, 2019
- **Hosted by** Joongmin Foundation for Social Theory (JMF), Korean Society for Social Theory (KSST), Korean Association for Cultural Sociology (KACS), Dept. of Sociology, Seoul National University (SNU), Institute for Human Society, Kyunghee University (KHU), Social Science Research Institute, Chonbuk National University (CBNU), Jeonju City Government



Monday, April 22 (11:00–13:00)

Brown-Bag Talk and Discussion

Topic *What is Technology?:
the Digitization of Mind*

Venue College of Social Sciences, SNU 16-349
Host SNU, JMF

Tuesday, April 23 (16:00–18:00)

Lecture and Discussion

Topic *The 'What' and the 'Thus':
East Asia and the Crisis of Ontology*

Venue Room 619 Cheongwoon Gwan Bldg., KHU
Host KHU, JMF

Wednesday, April 24 (15:00–18:00)

Seminar

Topic *Toward a Non-Hegemonic Rationality*

Scott Lash: *The Literati and the Dao:
Vernacular and Nation in China*

Sang-Jin Han: *Is Affective Rationality Possible?:
Filial Piety and Funeral Reform in China*

Venue Seminar Room, JMF
Host JMF, KSST, KACS

Thursday, April 25 (16:00–18:00)

Special Lecture

Topic *Social Theory through a Chinese Lens:
Towards a Critical Chinese Sociology*

Venue Room 204 Humanities and
Social Science Bldg., CBNU
Host CBNU, JMF

* 10:30–14:30
Cultural Excursion hosted by Jeonju City Government

Joongmin Foundation for Social Theory

Seminar

Toward a Non-Hegemonic Rationality

- Time: Wednesday, April 24, 2019 15:00-18:00
- Venue: Seminar Room, JMF

○ Program

14:40 – 15:00 Registration

15:00 – 16:50 Presentation

· Moderator: Hwan-Seok Kim (Kookmin Univ. and KSST)

1. *“The Literati and the Dao: Vernacular and Nation in China”*
Scott Lash (Oxford University and Hong Kong City University)
2. *“Is Affective Rationality Possible?: Filial Piety and Funeral Reform in China”*
Sang-Jin Han (Seoul National University)

16:50 – 17:00 Break

17:00 – 18:00 Discussion

18:00 – Dinner (for those Invited)

The Literati and the Dao: Vernacular and Nation in China

Scott Lash

Introduction

The central figure of the first part of Max Weber's *General Economic History* is the clan. The clan is a lineage group that has or claims a common ancestor. In southern China, a village of say 1500 people may only have say three clans or lineage groups. Weber's early economic writings of the 1890s was very much in the context of the German Historical School of Economics in relation to the Austrian School, while the ideal types of action in *Economy and Society* seem, as Gane notes, much more in line with Austrian neo-classical economics. In contrast, the *General Economic History* given as a lecture course shortly before Weber's death, has a much wider comparative horizon, picking up the problematique of the protestant ethic and the uniqueness of Western rationalism. There are number of Western mechanisms of individualization and universalization that bypass the clans in China. These mechanisms are clan destroyers in the West. Weber ties the clan not to Daoism or Confucianism which are more or less world religions, but instead more or less to magic. Magic, in this context for Weber, stands as the polar opposite of Protestantism¹.

The first destroyer of the clan in Western rationalization is feudalism itself. The one-to-one quasi-contractuality of Hegel's *Herrschaft und Knechtschaft* - of lord and vassal - already presumes the dissolution of the clan. Clan and *mir*, unlike in Western Europe, persist in China and Russia. In China, when rule is fragmented in the Shang Dynasty, in the Spring and Autumn and Warring States there existed a more feudal manorial division of land. The Qin dynasty restoration of Zhou "absolutism", overcame feudal fragmentation, hence clan and village ownership of property persisted and have lasted till this very day. Weber observed that the strength of the clan in contrast to the weakness of the state meant that the state did not bureaucratize as in the West, where this was driven not by Confucian humanists but by jurisprudential knowledge. The main source of this jurisprudence is Roman private and civil law. The origins of rational, which Weber called formal law were, not in Greece but in Rome, in what Hannah Arendt termed the ultimate political space of Rome. Formalism of law was a precondition for the later calculability crucial for the modern capitalist². This stands in contrast, to the not formal but instead 'material' formations of Chinese law. Weber gives the example of someone who purchases a house. Were the previous owner to fall into poverty, there was a strong convention that the purchaser was obligated to take him back as a free renter.

The second clan destroyer in the West is the city. In Confucian China the Mandarin, who had as his seat much like the western bishops in every city, knew nothing of statecraft. There was no rationalization of a centralised state bureaucracy, as achieved in France under Louis XIV. A legal-rational bureaucracy needs the application of rational jurisprudence, whereas the provincialised Mandarin was oriented to the Analects or the writings of Mencius. State rationalization in the West penetrates the population at large and leads to an instrumental and individualizing attitude. In China, Weber notes, the state stays largely separate from the people, and the clan structure closely tied to magic and not religion persists. One basis of western capitalism for Weber is the independence of the city. In China, in contrast, the army of the prince is older than the city. So, the empire and not the city principle dominates, at least as far back as the Zhou dynasty (1050-750 BC) and through modernity. With no city and the hegemony of the clan there can be no Western oikos/polis dichotomy that thinkers from Arendt to Foucault but also Weber have

¹ N. Gane, *Max Weber and Contemporary Capitalism*. Basingstoke: Palgrave Macmillan, 2012. Max Weber, *General Economic History*, Mineola, N.Y.: Dover, 2003. p. 21.

² *Ibid.*, p. 341. The Chinese language literature refer to these periods literally in terms of feudalism (*fengjian*). [They are feudal in terms of Weber's 'decentralization of the means of destruction'. But they do not exhibit the emergent contractual nature that Weber notes in his ideal type of feudalism in *Economy and Society*.

thematised. Indeed, there is no (political) polis and its military 'phratry', but only the lineage-based clan of multi-generational family and the dominance of the 'prince'.³

There is a second, anti-clan movement in the West and this is the mediaeval guild city; again, the Chinese clan did not undergo this. Craftsman-based urban Christianity was another anti-clan formation, whereas Confucianism partly reinforced clan structure and in particular its lineage base. Paul the Apostle and the other apostles were wandering tradesmen and carriers of prophetic religion. Weber's prophet intones, "it (tradition) is written, but I (prophecy) say unto you". Indeed, as the Evangelist John says, you follow me and you have to 'say goodbye to your family', your hearth, your magic and wider kinship and clan. Paul promotes universalism, ordering that the uncircumcised may sit down and eat with the Jew. This stands against the particularism of clan and magic. Weber brings this out more strongly in the *General Economic History* than in the *Religion of China* where he places the emphasis on Confucian elites. Magic stands in the path of a rational capitalism. So there seems to be a chasm between the 'magic' of the clans and indeed the guilds with their preference for geomancy⁴. The famous Confucian five relationships do bear a marked resemblance to the everyday family life of the clan.

In contrast, the *I Ching* was a divining manual yet had what Leibniz saw as its own rationality in its yin and yang combinations in trigrams and hexagrams. And China's unification via the script of a written language that represented, iconically and that penetrated to a few in each village is a step in the direction of rationalization, though not so much as the more abstract phonetic alphabets in Indo-European languages. In Durkheim and Mauss's *Primitive Classifications* Chinese classifications are seen as less rational than Western modernity, yet more rational than hunting and gathering social formations. Major decisions in regard to selling land and land re-divisions needed clan approval⁵. How then did China enjoy such great economic success in China till c 1750? It was the Qing Dynasty regressed the Chinese economy and society. Without the Qing, there would not have arisen a Cantonese overseas monopoly guild of merchants. In the Tang and Song dynasties markets were developing in foreign trade. Weber had no interest in writing a history of China and the exact place of the Qing dynasty in regressing the immanent forces within Chinese civilization, just as he had no interest in writing a history of the West. What he was interested in was the peculiar rationalism of the West and its instrumentalization of rationality. Weber never extended this to Marcel Mauss's anthropological interest that all social relations embody some, and different, forms of rationality. Clan shrines are still everywhere in rural China, yet all work takes place in cities. Clans and lineages remain important and while Weberian exact calculability may be absent in Chinese history, we have to accept the operation of a quasi-calculability that allowed lineage and business to co-exist and this relationality is capable of a rationalization process in its own right. Here we need to turn to the contrast between Confucianism and Daoism.

This chapter, while drawing on all of the above will argue that Weber's Confucianism is neither this worldly nor other worldly but with François Jullien, an 'in between', or 'between worldly: between the *wu wei* and instrumental rationality; between sacred and profane, between ideal and material. In doing this I will bring in the linguistic dimension which Weber largely ignores. I will introduce a number of linguistic concepts - 'langue-pensée, analogical culture - in order to contrast Indo-European languages with that of Chinese language. This produces a civilizational difference and a new site to locate civilizational rationalization. The contrast, on the one side, is the more analytic and propositional Western langues-pensée, and especially the clarity and precision of phonological Sanskrit and, on the other side, the comparatively a-lexical and anti-grammar of ancient Chinese. In such a context, I will draw substantially on Sheldon Pollock's *The Language of the Gods in the World of Men: Sanskrit, Culture and Power in Premodern India*.⁶

³ Ibid, p. 319.

⁴ Ibid., p. 322.

⁵ Ibid., p. 95.

⁶ François Jullien, *De l'Être au Vivre: Lexique euro-chinois de la pensée*. Paris: Gallimard, 2014; S. Pollock, *The Language of the Gods in the World of Men: Sanskrit, Culture and Power in Premodern India*; Berkeley, University of California Press, 2006.

If we think in terms of Kant's three Critiques, we can identify Weber with instrumental and practical rationality of the first two Critiques and Pollock with the Third-critique rationality of aesthetic judgement. Pollock is concerned with the poetics of culture; in Sanskrit culture and South Asian culture more generally, extending also to the whole of southeast Asia, what is now Cambodia, Indonesia, Thailand. The larger point is that if we were to speak in terms of what might be termed world cultures rather than world religions we could generalize or ideal-typify Western cultures as organised by the epistemic and hence instrumentality, of Sanskrit cultures by the poetic and lack of finality, and Chinese culture by a moral cosmology, an embedded ethics of Confucianism, importantly driven by the way of the Dao.⁷

Pollock also gives us as a theory of rationalization, not the rationalization of knowing and changing the world (Weber's theory of knowledge) but a rationalization of the poetic. What is meant by this? Here we have to explain briefly Jullien's concept of the *langue-pensée*. For Jullien the language of a culture or civilization is inextricably linked to its way of thinking. Thus, the pictographic Chinese script in part signifies through resemblance of its referent (i.e. analogically), in comparison to European alphabetic script which signifies much more abstractly and indeed rationally. The unit of meaning in Chinese, especially up until the 1920s is in many respects the single character, whereas in European languages it is the sentence. The absence of morphology and inflection in Chinese entails that meaning must be grasped more through context.⁸ In comparison to the subject-verb-object or subject-predicate structure of the West, Chinese foregrounds the adverbial of time and place. Chinese language situates the Western abstract pronoun, the 'I' or 'she', in quasi-familial context, so that students call fellow students 'xue mei' or 'xue jie' (student little sister, student big sister. In the West, such linguistic assumptions structure our thought in its derivation from Aristotelian logic of substance and its predications (qualities). In the East, a mode of thought that stems from the Daoist-Confucian moral cosmology.

Confucianism and Daoism: The Magic Garden

Let us look at Weber's Confucianism. The Confucian bureaucrat-gentleman was responsible for maintaining the unity of Chinese culture. He was schooled in the rites and protocols and was responsible for the maintenance of tradition. The Confucian literati-office holder was the mould for Weber's traditional authority (Herrschaft), which was not (mostly Western) feudalism but patrimonial authority. Patrimonial authority presumes a central state apparatus, a written language and settled agriculture and thus is less enchanted than societies of hunting and gathering and nomadic herders. Hunting-gathering is fully 'enchanted', and with continual movement has neither developed institutions of property and is more totemic than ancestor-worshipping. It is ancestor-worshipping patriarchy that is the legitimizing glue for patrimonial Herrschaft. Ideal-type Confucianism has two 'peaks', first in the Han dynasty (206 BC to 220 AD) and second with Zhu Xi's reforms and interpretations in Southern Song dynasty in the late Twelfth century. This was in terms of both the full systematization of the office-holding framework as well as the spread of Confucian teaching to overlay the more fully *zaubert* already patriarchal (but not yet patrimonial) rural village life. This entailed a partial Entzauberung with the disappearance of the I Ching among the new classics. This partial Entzauberung is Duan Lin's argument in his *Konfuzianistische Ethik und Legitimation der Herrschaft im alten China*.⁹ The point is that this happened at about the same time as Pollock's 'vernacularization' and the beginnings of nation-state formation in the West. In China Zhu Xi's partially rationalized Neo-Confucianism instead reinforced imperial central power and inhibited both vernacularization and nation-state formation, all this despite the rise of science and technology and markets in Song.

In legal-rationalism respect is given to the law and the duties of the office, while Chinese patrimonial power entailed the personalization of authority, so respect was due to the temporary inhabitant of the office. Legal-

⁷ Pollock, *ibid.*, p. 10ff. Weber, *The Religion of China*, New York: Free Press, 1964, p. 152 ff.

⁸ Jullien, *op. cit.*, p. 19.

⁹ Christopher Adair Toteff, Max Weber on Confucianism versus Protestantism, *Max Weber Studies*, Vol. 14, No. 1 (Jan. 2014), p. 79-96, p. 83. Duan Lin, *Konfuzianistische Ethik und Legitimation der Herrschaft im alten China*, Berlin: Duncker & Humblot, 1997, p. 83.

rationalism enables entrepreneurs to make reliable calculations and contracts are enforceable. In China, more important is the personal *guanxi* of the people making the contract. Weber notes that China does not have the pervasive spread of civil law, but instead often a temple court, in which dispute resolution is by personally-respected notables instead of based on abstract legal rules. There was codification of law, but decisions were based on the interpretations of the Confucian bureaucrat. Finally, the bureaucrat's obligation is not to professional competence and but personally to his superior.¹⁰

Weber's second central dimension of traditional Chinese culture-power is in religion. Unlike Durkheim and Mauss¹¹, Weber sees a strong dimension of magic in Chinese beliefs. He points to the role of magician as rain maker, in particular in drought-prone northern China. The gods and especially the god of heaven were the arbiters of rain. The magician was closer to the gods than everyday people: was a mediator between them and the gods. If the Confucian literati was the maintainer of normative order the magician had or the power restore cosmic order. Weber understood otherworldliness as asceticism. Thus, the early Christians 'escaped this world to the desert' and mediaeval Christians to the monastery. In China, you have Buddhist and Daoist ascetics, standing in contrast to the this-worldly Confucian. Weber's Calvinist ascetic, for his part, escapes neither to the early Christian desert nor the mediaeval Catholic monastery, but into his own interiority. Hence the radical anxiety of Protestant guilt in comparison with 'confessionable' Catholic guilt. In Confucian culture there is not guilt but only shame, and not for sin, but only the bad taste of breaking social norms. There is never the inner loneliness.

Adair-Toteff observes that Weber's Confucian China resembles Leibniz's theodicy, in which this world is the best of all possible worlds. A theodicy justifies God in face of the evils of this world. So, Voltaire mocks Leibniz in his *Candide*. Theodicies have very much to do with doctrines of free will. Enlightenment notions of free will have their roots, as Hans Blumenberg has shown, in Augustinian Christianity. For the Greeks everything was caused, by some combination of formal, final, material and efficient causation. In Christianity, God as prime mover - as uncaused cause - granted powers of free will to man. Thus, Augustinian Catholics can see evils of this world as man-made. Job from the Old testament keeps faith in God despite losing all that he has. He does not even need to know God's reasons. In Job's theodicy, there is little question of free will. Weber's pre-destined Calvinist Protestant does not have free will at all. He does not need to justify God in regard to the evils of this world, but is fully focussed on the next world. The fully enzaubert this world is seen as chaos and needs to be mastered. The Protestant inner-worldly ascetic is all-powerful God's instrument. He in turn treats the world instrumentally. Hence there is Weber's instrumental rationality or *zweckrationality*. The Protestant ascetic imposes on this world the order and calculability of the rational business enterprise. He does this in the interests of the Eden-like order and reason of the next world. God's justice is then understood wholly in terms of the next world.¹² The Confucian in contrast, without transcendental God or original sin, does not see this world as either evil or disordered, but instead as ordered. In place of the Greek four causes there are the five Confucian relations – emperor-subject, husband-wife, older sibling-younger sibling, friend-friend, teacher-student. The relations are governed by the *li* 礼, which are called rites, but are just as much conventions or protocols. Our Western idea of free will comes from Plato's prime mover in the context of Greek epistemic causation. China is not primarily an epistemic culture but as Weber more a moral culture¹³.

Confucianism is driven by this-worldly rites that are largely court protocols, extending to the everyday in the five relations (*wu lun* 五伦) of emperor-subject, father-son, etc. But this this worldliness should not be misunderstood to be along the lines of Western materialism. Unlike Copernicus's and Galileo's West, Chinese thought has no categories for the radically material. Materialism is *wuzhizhuyi* 物质主义, matter is *wuzhi* 物质 physics is

¹⁰ Adair Toteff, *Ibid.*, p. 87-8 ; Hans Kelsen, *Pure Theory of Law*, Berkeley: University of California Press, 1967; Weber, *Religion of China*, p. 80.

¹¹ E. Durkheim and M. Mauss, *Primitive Classification*. London: Routledge, 2009.

¹² Adair Toteff, *op. cit.*; G.W. Leibniz, *Theodicy*, N.Y.: Cosimo Classics, 2010.

¹³ Max Weber, *The Religion of China: Confucianism and Taoism*. N.Y.: Free Press 1968. Reinhard Bendix, *Max Weber: An Intellectual Portrait*, Berkeley: University of California Press, 1977. p. 114.

wulixue 物理学, but all these are loan words in modern Chinese. The key root is wu 物, or thing, as in the wan wu, the Ten Thousand Things. And the 10,000 things which share in the Dao, are not primarily material but part of Daoism's moral universe¹⁴.

Jean Calvin's lifespan – and Voltaire understood Calvinism as abolishing priestly chastity to put the entire society into a convent – fully chiming with Weber's above inner worldly asceticism – is sandwiched by Copernicus (1463-1543) and Galileo (1564-1642). The Calvinist subject alongside the Cartesian cogito, is otherworldly. He is so otherworldly that he no longer possesses free will but is now only an extension of God's will. The Buddhist or Daoist monk is also not in possession of a free will: he is instead more or less will-less. The ascetic Protestant for whom the world is one of suffering and sin listens to God, whereas the Daoist ascetic is in tune with a happy and harmonic nature of the Dao, the way¹⁵. In contrast to Western epistemic cosmology, in China at stake are otherworldly and this-worldly moral space, the one which is Daoism and the other Confucianism. Daoism is characterised by a near Buddhist will-lessness of the wu wei, which is a refusal of social stratification and asceticism. The difference with the West – as Parsons underscored – is that Daoism's otherworldliness is immanent – in its adaptation to the flow of nature, while Protestantism is otherworldly and transcendental¹⁶.

Weber spoke of China as a 'magic garden' in the chapter on Orthodoxy and Heterodoxy in *The Religion of China*. He rightly sees there a measure of Entzauberung in Confucianism. Let me try to unpack this a bit further, drawing on Duan Lin's Konfuzianistische Ethik. Shang dynasty religion was very much a combination of a transnational god, Shangdi 上帝, feudal rule and magic in the sense of the domination of divination, of rites that were closely coupled with sacrifice. There was in Weber's sense no ethics, not a morality. There was not yet the rise of the characteristic Chinese moral cosmology, or for Weber a religious ethic. The massive change came with the Zhou Dynasty in which there was the shift from Shangdi to tian 天, from a personal god to heaven. The Shang Dynasty (shangdai 商代) personal god was the given instance of a pantheon of gods, dividing his magical powers to control the other gods. Di 帝 also means emperor. And on the oracle bones and turtle shells of the Shang dynasty, it was invariably this one character di 帝, that is encountered by researchers. The Shang means that he is above the emperor. The emperor shared in the divinity of the personal god but was in so sense his son. The personal god was not a creator god. He and the emperor ruled through magical power and pure power. There was not a sense of duty or even a contract or covenant with the people. There was no ethic. And this is Weber's huge contribution to our understanding of the axial Age, the age of the rise of the world religions. In his *Ancient Judaism* too, we see the beginnings of Entzauberung with the move from Baal worshipping Israel's tribes to an ethics. The ethics is complete in the Covenant. There are similarities then between the Covenant and Zhou Dynasty's Mandate of Heaven tianming 天命. Only in Judaism it was a move from immanence to a transcendental personal god, while in China the move was away from Shang's personal god to the space of heaven.

So the key here is in the Zhou dynasty, in the centuries before Confucius Spring and Autumn middle 6th century BC and a further two centuries before Zhuanzi's Warring States heroic attacks on Confucian society. The Five Classics of the Han Dynasty were ordered by a book of songs and book of documents in Zhou. In these as Lin notes scholars have seen the Heavenly mandate made explicit. Even under Shang, Zhou kings are benevolent rulers.

Chinese scholarship changed definitively some 20 years after Weber's *Religion of China* appeared, with Wang Guowei's scholarship in the 1920s on Shang Dynasty oracle bones and on bronze culture in Shang and Zhou. Even in the preceding Xia Dynasty, there was selected agriculture, hence ancestor shrines and property relations, in parallel with for example Mesopotamia. But Wang's work and subsequent work confirms the importance of the

¹⁴ A.C. Graham, *Disputers of the Tao*, Chicago: Open Court, 1999.

¹⁵ GWF Hegel, *The Phenomenology of Spirit*. Cambridge University Press, 2019. Introduction. Weber, *The Protestant Ethic and the Spirit of Capitalism*, Oxford: Oxford University Press, 2010.

¹⁶ T. Parsons, *The Structure of Social Action*. NY: Free Press, 1968.

weberian ideal types of magic on the one hand and an ethics on the other. Wang Guo Wei's pivotal piece was published in 1917.

The Zhou Dynasty, was dominated ruling families from the 'Ji' tribe. From Zhou and not in Shang there was primogeniture. In Shang the eldest male did not succeed a king but instead the most virtuous or ablest male. This led to contestable succession and instability. Zhou primogeniture sets up one single family as the ruling bloodline, and it is at this point you get the rule of rites and 'role ethics'. Stability of social order now depends on stability of moral order, on honouring ancestral lineages and respect to ministers. Confucius witnesses partial breakdown of this during Spring and Autumn that opened into outright rebellion of non-Ji states during Warring States. After the brutal legalist unification of WQin came the 400 year stability and centrality of the 'Confucian classics' in the Han dynasty. Confucius redacts and systematizes Zhou Dynasty books of documents and songs, which became dominant only 300 years later in Han.

So we see the transition from tribal magic to a proper imperial ethics. This parallels as Weber saw in ancient Judaism with the first temple of Solomon, probably 950-586 BC a united kingdom of the tribes of Israel and Judah, a time c. 950 BC when first evidence of written paleo-Hebrew language emerges, a northwest Semitic branch of the Afro-Asiatic language family. Baal worship persisted alongside Yahweh worship even into the Second temple (under Persia's Cyrus the Great) and destroyed by the Babylonians. After it disappeared as a language of men, Hebrew re-emerged as a language of the gods for some 1600 years before it is resurrected as a spoken language in the later nineteenth century.

Magic (Baalism) and rituals also existed in China over the centuries. Thus Weber's comments on the constitution of the magic garden. Let us develop the ethics a bit more. Whereas a number of Confucian philologists in China tend to privilege the li 礼 or rites, Weber scholar Duan Lin focuses on ren 仁. In the Shang dynasty there was no clear hierarchy of virtues. In Zhou as again systematized later by Confucius ren is the cardinal virtue and drives the others of the wu chang 五常, literally the 'five constants'. As in the wu xing in nature in wuyuch one element emerges from the last, in the wu chang, ren, usually benevolence is the cardinal virtue leading to yi (义), which is righteousness, uprightness, rightness, justice; justice leading to li (礼) which is propriety (rites), conduct according to conditions, itself leading to wisdom zhi 智 and finally loyalty, xin. For Lin, ren is at the centre, presuming a personal and moral innerworldliness, achieved through cultivation, which in sees as an again innerworldly transcendence. The modern Chinese word for cultivation neizaichao 内在超越, gets this literally with the nei 内 referring to the innerworldliness and the chao 超 the transcendence. Lin captures this as not individualistic, since the ren or what in sees as 'humanity', in a very humanist ethic is already a relation between people, as presence of a person symbol and a two, thus we are starting from a 'Mitmensch'. So we have relation between ren and li in which, li are legitimated through ren, while at the same time ren generates li. As for the medieval, yi (righteousness, justice) you need this for the mandate of heaven and indeed for any ethics. It is the lynchpin virtue for Plato and the Greeks, associated with the idea of the good. Yet in Chinese virtue de 德, which is probably also the best word for 'efficacy', as featured in Jullien's cultural and social theory. Greek virtues will be defined in terms of their form or eidos, but in China not only does the 'great image', but also virtue and the good have no form. It instead has efficacy in the sense of working for the whole. If we have constant speech acts which have which work in the value register of true and false and moral performatives, whose value register is good/bad or just/unjust then in China both cognitive and moral judgments work in the register of efficacy, that is in terms of what is private or not for the thriving and surviving of the whole, of the moral and social system.

Yet this post-magic ethical, is accompanied by the still-magic of divination. The yijing does not disappear but is central to cosmology and cosmogeny, as the dao works through qi and yin/yang to constitute the cosmos, and indeed with the wu xing underpinning as Needham, says Chinese science. He is at stake is a moral plus magic cosmology, a proper world-repositioning ethic verlain into a largely magic cosmology

Philippe Descola has spoken of ‘ontologies’ of various cultures: of a ‘naturalistic’ more or less Galilean ontology in the West and, as suggested above – an ‘analogical’ ontology in China. Others, like Jullien have argue that Chinese thought must be understood as very much non-ontological. Perhaps more at stake is what again Descola understands as a ‘mode of identification’.¹⁷ A mode of identification is an experiential frame or set of schema that are more or less culture specific that enable us to identify things, beings and entities more generally. Thus, in Western, naturalistic schema of experience we identify things in terms of objects, with powers of cause and effect in a more or less mechanistic vein. Chinese schema of experience, instead deriving from the not epistemic but instead moral Weltanschauung, instead identify entities less as mechanistic objects and more along the lines of the Daoist 10,000 things, each endowed – in tune with yin and yang - with the Dao. In this context Emmanuel Levinas is also right to say that Judaic thought is beyond ontology (‘otherwise than being’) and is concerned less with the quiddity or ‘whatness’ of being than it is with the ethical relationships of God and the subject, that is with Martin Buber’s ‘I-thou’ relationship¹⁸. Yet the Judaic ‘I-thou’ is very different from the also extra-ontological Chinese moral universe. The latter instead operates in tune with nature, with a forgiving and harmonic nature. In Christianity, Judaism’s Abrahamic God is overlain with Plotinus, Augustine and Aquinas, that is with Platonic and Aristotelian ontology. Weber is fully right to talk of ideal and material interests, but this works better for the West. In China’s moral universe it makes much less sense to speak either of idealism or materialism, or their counterparts in the sacred and profane.

Jacques Derrida, for his part, argues, that despite Levinas’s rejection of Greek being for Judaism’s I-thou ethics, that we are all Jew-Greeks or Greek-Jews. The Jew is not yet a free will – in the Old Testament’s *Ecclesiastes* for example time is predestined-, and redemption is collective in a messianic age. Augustine’s Christian is possessed with free will –and with original sin, which continue through Aquinas and Medieval Christianity. Christianity not only Hellenizes and ontologizes the I-thou ethics of Jerusalem, it partly this-worlds the previously hyper-transcendental God the Father into the more this-worldly Son and Holy Spirit. The Renaissance, as both Hegel and Hans Blumenberg observed - turns this Greco-Christian synthesis into modernity. With Greeks, reason was analytic and driven by geometry. With the Renaissance, Greek thought comes alive now to synthesize with nature now as art and later as science. This synthesis we see in the perspectivalism of Renaissance art and architecture. It becomes fully epistemological in its scientific synthesis with nature as completed by Newton’s *Philosophiæ Naturalis Principia Mathematica*. Perhaps the best account of this is in Blumenberg’s *Legitimacy of the Modern Age*.¹⁹ Note Blumenberg is not talking about legitimation but legitimacy. If Christianity for Carl Schmitt, delegitimised modern politics, for Blumenberg the modern age is at once, with Weber, Christian-based and also legitimate. Only the religion is reborn not so much as capitalism or the economy but as modern science and modern philosophy.

But where does his leave us with Chinese thought. What is the Daoist moral universe and what is its cosmology and cosmogony? The Dao de Jing is first found as written in about 350 BC – during the Warring States some 300 years after Confucius’s Spring and Autumn period. The Dao de Jing makes common cause with the School of Yin/Yang and School of Nature. This is not a ‘philosophy of nature’ such as in Newton or Hegel. It is nature as the ground of a moral universe. There are large doses of magic-like shamanism in this: the Yi Jing is about divination and arises in late Shang Dynasty or early Zhou, about 1150 BC. It uses the 8 trigrams each with its yin yang composition, and then the 64 hexagrams for divination of the future.²⁰ The shaman is a bit different, with Manchu - that is Palaeolithic and not (Chinese) Neolithic - origins. And the shift from Palaeolithic to Neolithic - settled agriculture, the state, written language – brings with it a sea change in the direction of disenchantment. Shamanism intermediates between individuals and the spirits for fortune telling, and exorcism. There are very important shamanic origins in the Yi Jing and Daoism, though both undergo substantial Neolithic rationalization, the Yi Jing in its binary rationalization. Since Moses’s termination of Baalism for the commandments of the transcendental God, soothsaying is much less present in Jewish and Christian traditions. Of all the Five Classics

¹⁷ Jullien, op.cit. P. Descola, *Beyond Nature and Culture*, Chicago: University of Chicago Press, 2014.

¹⁸ E. Levinas, *Otherwise than Being*, Dordrecht: Kluwer, 1981.

¹⁹ H. Blumenberg, *Legitimacy of the Modern Age*. Cambridge, mass.: MIT Press, 1985.

²⁰ Graham, op. cit.

in the Confucian orthodoxy of the Han Dynasty, only the Yi Jing engaged with divination. The others were already more disenchanting. After the Confucian Han Dynasty, Daoism arose to a hegemonic role in the Three Kingdoms and the Jin Dynasty. The subsequent Tang Dynasty saw the reception and predominance of Buddhism, yielding to the neo Confucian hegemony – and disappearance of the Yi Jing from the classics - in Song²¹.

But what kind of *cosmology* are we talking about? For example, 8 unbroken yang lines are ‘force’, while 8 broken yin lines are ‘field’. This along with feng shui (geomancy) and other methods such as palm reading and astrology, will more or less accurately predict futures. In other combinations, this will ultimately yield the 10,000 things. Yi jing divination with its ‘combinatorics’ as Leibniz put it, are ways of putting order on an otherwise pre-existent chaos. Combined with the Five Phases or Five Elements (wu xing 五行) – air, water, earth, wood, fire they give rise to what Needham saw as a basis for all Chinese sciences²². Without a creator god, cosmogony comes from the Dao itself. The Dao, which is not a being, much less a personal god, and is universal harmony, is the one that generates the two that then generate the three which finally generates the 10,000 things. For their part, the 10,000 things are not a chaotic but instead an ordered multiplicity: ordered less by classification than by generation from the Dao. How does the Dao generate? Through the poles of yang and yin, positive and negative.

Dao cosmology from the beginning is a cosmos of qi (气): the qi, matter-energy of the Dao, as William Matthews points out is a field of energy that is mediated through positive and negative poles of yin and yang, again, to generate the Ten Thousand things of the cosmos. Cognitive psychologist Eleanor Rosch developed the culture-specific schema of experience then give you the paradigm of identification of all beings for a given culture²³, a schema of perception and the imagination. Chinese ‘analogical culture’ foregrounds the imagination: still a mode of representation but analogic representation. The Dao itself is immanent and does not represent at all. Before Zhou unification there is a more or less transcendental god, the old shangdi of the ‘feudal’ Shang dynasty. Thus before Daoism there is a sort of dualism of shen 神 and gui 鬼, in which gui is at the same time ghost and disorder while shen gives order. The Dao for its part is as Matthews notes monist. The Yijing and the Dao work through qi 气 as matter energy, as sort of monist ‘materialism’, which the Hangzhou diviners in Matthews’ ethnography themselves see as big bang like matter energy²⁴. The Daoist moral cosmos then keeps self-generating in a seemingly ‘self-organizing’ process, in which the Dao itself is present in each of the 10,000 things. This Dao is also present in the highest levels of consciousness, in the wu wei of man who withdraws from politics and joins nature in a monasticism classically portrayed by the poets of the Three Kings era in the ‘Seven Worthies in the Bamboo Forest’.

Weber saw the Dao and Confucianism as in many ways consistent. How then is the other-worldly yet immanent Dao brought into conjunction with the this-worldly – and indeed in some sense Promethean Confucianism? First as Yuk Hui notes by technology as qi 器, which we encounter in the *Book of Rites* as literally containers for the rites themselves. The implications indeed, as Hui notes using Plato’s discussions of at least partial fusion of technics and praxis, is that the rites themselves become technics, become a technology which bring the Dao into court society and forms of life more generally in the relationships of filial piety. There is another move here. And here we must keep in mind that the reception of Buddhism in China was onto a Daoist set of presuppositions, and mode of identification. The massive difference is that Buddhists see the world as suffering while Daoist nature is happy and harmonic. Hence Buddhist, like Hindu and Vedic thought feature reincarnation, while Daoism does not. Not Theravada but Mahayana Buddhism came into China along the Silk Roads. This took one form in Tibet and Zen - that features meditation. It took a somewhat less ascetic form in China, featuring the Bodhisattvas and especially Guanyin. The Bodhisattva works through tathata or ‘suchness’, the and thus, and thus and thus, very

²¹ R. Collins, *The Sociology of Philosophies*, Cambridge, Mass.: Harvard University press, 2000.

²² R. Needham, *Science and Civilization in China*, vol. 4, Cambridge: Cambridge University Press, 1965.

²³ W. Matthews. ‘Ontology with Chinese Characteristics: Homology as a Mode of Identification’, *HAU: Journal of Anthropological Theory*, vol. 7, no.1, 2017. E. Rosch, ‘Cognitive Representation of Semantic Categories’, *Journal of Experimental Psychology* 104 (3), 192-233.

²⁴ Matthews, *ibid.*

much akin to the Daoist 'way'. This suchness also informs the Confucian cultivation of the self. The mode of identification in the Chinese moral universe are schema through which we see the world as such a suchness and not as Western quiddity: through not the 'what' but the 'thus'. In the West, we see things in their whatness, in the East in their 'thusness'. You need to cultivate the self if you want Enlightenment, through the eight stages of consciousness. And you do so in terms of their 'thus' and 'thus' and 'thus', that is in terms of their Dao, which is their 'suchness'. Western ontology as Jullien insists is a mode of thought foregrounding the *qu'est-ce que c'est*. This what is it that it is indeed the 'whatness' of the things, what Aristotle and Aquinas understood as 'quiddity', in contrast to what Duns Scotus saw as its haecceity or 'thisness'. In the Chinese moral universe at stake is neither epistemic quiddity nor haecceity, neither whatness or thisness, but instead suchness. China's variety of Mahayana Buddhism has been *wei shi* or consciousness-only Buddhism. It works from eight levels of consciousness, the seventh being wilful and instrumental, and the eighth being storehouse consciousness, that approaches willlessness or *wu wei*. Yet in which there is still cultivation of the self and things are seen in terms of their thusness, their suchness²⁵.

Language and Thought: The Missing Vernacular

In contrast to Confucianism, Daoism is against rules. Confucianism gives us a quasi-determination, in the not Daoism's *wu ming*, but instead the *mingfen* (analytic name) which brings harmony. This is not law but more or less formalized custom. If Weber's West universalizes through Paul's versus Peter and Jesus versus the clans, then China universalizes through written language. This was very state centric, even the large factories in China, Weber notes, produced porcelain for the king in state enterprises. This is Chinese 'langue-pensée, what Walter Benjamin²⁶ saw as a 'mimetic' language and Descola analogical. In keeping with Weber's tri-partism of China, the religion of India and the Abrahamic ethos of *Ancient Judaism* and the *Protestant Ethic*, this calls into question its third, Indian part. And Indian langue-pensée stands in contrast with the analytic and propositional West. Yet at stake are Indo-European languages (and Dravidian) languages. more generally and especially with the *Religion of India's* phonological Sanskrit whose clarity and precision, its lexicon and grammar stood in contrast to the arguably a-lexical and anti-grammar of ancient Chinese.

Weber (as Marx) works very much from the opposition of Zweck and Wertrationality, while Schelling and Georg Simmel very much work from the opposition of Zweckrationality and Zweckmäßigkeit²⁷. The point here is that Pollock on Indian langue-pensée is talking about a poetics, in regard to Zweckmäßigkeit in Sanskrit culture and South Asian culture more generally, extending also to the whole of southeast Asia, what is now Cambodia, Indonesia, Thailand. What we might wonder is that if Western rationalization entails an epistemic (-theological) cosmology, and China and the East a moral cosmology, then Indian thought may be coloured by a sort of poetic or aesthetic cosmology.

For Pollock's reflections on Sanskrit and its vernacularization is of such a poetic or aesthetic rationalization. Vernacularization presages the rise of nation-states, with not capitalism, but vernacular spreads from 900-1300 along with the 'pre-capitalist world system', yes with trade but with the vast extension of agriculture. That is from nomads and hunting, and herd-raising and horse breeding and trading to the 'Neolithic' standard of crop raising, and especially single crops, grains. The spread of written language and 'civilization' itself took place with large scale grain growing. But it seems as if single crop growing spreads not just the numeracy of calculation, as Arrighi describes in 'Adam Smith's' China but also literacy. And we only need to ask William Tyndale's Protestant how literacy spreads with vernacularization. Pollock describes two stages, a 'cosmopolitan' epoch that corresponds to Weber's world religions and an epoch of such vernacularization that leads more to considerations of nation, to a

²⁵ D. Lusthaus, *Buddhist Phenomenology*, London: Routledge, 2002; Yuk Hui, *The Question concerning Technology in China*, Cambridge, Mass.: MIT Press, 2016.

²⁶ W. Benjamin, 'On the Mimetic Faculty', *New German Critique*, 1979, 334-5. D. Gellner, 'Max Weber, Capitalism and the Religion of India', *Sociology*, 16, 526-543.

²⁷ G. Simmel, *Sociological Theory*, N.Y.: McGraw-Hill, 2008.

shift from empire to nation. So, the cosmopolitan stage matches very much with Rome in the West is about Empire and maybe the classical, while vernacularization has very much to do with nation and the modern. There are here parallels with Wang Hui's work on China and modernity in *The Rise of Modern Chinese Thought*. Wang's argument is very much about a (partial?) transition from empire to nation, with the backwards to the Zhou Dynasty looking Heavenly Principle inspiring 'empire', while the forward looking universal principle (gongli), on paradigm of Western forward-looking thought as the basis of nation. It is signal that the Heavenly Principle entails Zhou unification of the much more splintered previous Shang Dynasty. And is enunciated at the time of the much more splintered Spring and Autumn Periods. China is re-unified in the Qin dynasty, Qin's Legalist culture was not enough to give harmony and thus sustained unity. For this it took Confucianism which married an ideology, a way of life with bureaucratic structure²⁸.

For Pollock, in 'the cosmopolitan', there are lexicons and grammars, works on meter and phonology. This is not for him yet 'philology' (which arises only with vernacular), though classical Greece was at the heart of Winckelmann's philological tradition that Nietzsche was trained in and rebelled against. Pollock describes the epic as pivotal to Sanskrit and Greco-Roman culture. Epic poems are lengthy narrative poems dealing with heroic deeds of men and women and their dealings with the gods. Epic gives rise to cosmologies and mythic lineages whose descendants are the people of a nation. Epics presume something like the equivalent of bards. The study of the epics features complex rhetorical and metrical schemes. The great Sanskrit epics are the Ramayana and the Mahabharata, more influential than the Western epics - in the cosmopolitan age, The Iliad, Odyssey, the vernacular German the *Nibelunglied* and the French *Song of Roland*. Classical epic was in dactylic hexameter, which was also an aide memoire. Epic comprised not only a narrative, but always a journey²⁹.

There was no Chinese epic poetry. The closest thing is *The Epic of Darkness* (hei an zhuan (黑暗转)). These addresses myths of world creation rather than the journey of the epic hero. It dates not from the mid first millennium BCE like the Sanskrit and Western epics but only from mid Seventh century Tang Dynasty. Is there no space for heroes in China? For the heroic? In Aristotle's tripartite, epic/dramatic/lyric distinction, there surely was the lyric in China, in the Shijing (诗经) the Classic of Poetry or Book of Odes. These are meant to come from folk songs, but mediated through the hands of literati in the Zhou Dynasty about 1000 BCE. Such lyric poetry was a specialty of the courts, the court aristocracy would collect the poems³⁰. It comprised two types of poems – the airs of state - short lyrics on simple language – folk songs, about soldiers, courtship, political satire and second eulogies and hymns – longer ritual, or sacrificial songs, courtly panegyrics, dynastic hymns. Praise of finders of Zhou unity as contrasted the feudal anarchy of Shang. These are not devotional songs as in classical Sanskrit poetry the kavya, which themselves were never purely oral but always mediated through literati. The Chinese *Classic of Poetry*, comprised poems and not commentaries on poems whereas in Sanskrit and Rome, the poets followed quickly with analytics, with grammars and lexicons, with discipline of meter and genre. In China, despite books of rhymes and despite adding pronunciation radicals to meaning radicals, such analytics was far thinner on the ground. We may attribute this to Confucian rejection of formal definition, not to mention the Daoist devaluation of the designation of the name: ming ke ming fei chang ming (名可名非常名). But also, a reason for this may be the absence of inflection and morphology in the language, with the meaning only possible through word order and context.

Sanskrit in contrast to Greek, Roman and oracle-bone written language, started with the religious community – which 'universalised' from near Iraq to much of southeast Asia via South Asia. It spread through the highly exclusive religious community – literally sacerdotal, that is through the mediation of a priest and then later to the 'world of man'. Sanskrit poetry too gives us two genres, kavya, written poetry and prasati, or royal panegyrics. It was not a language of documents, or one of tax collecting – more common in Latin and middle Chinese realm. In

²⁸ Pollock, op. cit., Chapter one; G. Arrighi, *Adam Smith in Beijing*, London: Verso, 2009; Wang Hui, *From Empire to Nation-State*, Cambridge, Mass.: Harvard University Press, 2014.

²⁹ Pollock, op. cit. p. 63.

³⁰ Graham, op. cit.

contrast to Weber's legal-rationality, the Chinese *Book of Documents* did not literally comprise *documents* but instead of speeches by Zhou dynasty figures. Kavya's overlords were patrons of grammarians, lexicographers and metricians, and a set of schools for grammatical studies. This compares with the Platonic focus not on correct grammar or the shape of the phrase but instead on the ontological or epistemic truth of the thing: with the Platonic focus on not syntax but semantics, a definitional semantics. Chinese thought-language focussed on neither: neither clear and distinct lexical meaning, nor a clear and distinct syntax. Chinese instead is at home in Wittgenstein's *Philosophical Investigations*: as neither so much (philological) content nor grammatical form, but as the unclear and indistinct, as what again Jullien has understood as 'fadeur'³¹.

What drives this universalization of cosmopolitan thought-language? In the West, it is Roman armies - and the Roman Catholic church - following in the tracks of Alexander the Great's organized military, whose model itself was from Cyrus the Great of Persia. In the Indian world, with Sanskrit, it was the 'homogeneous language of political poetry, which becomes trans-regional not through armies but through the spread of Vedic thought - from 1500-500 BCE of monarchic state level polities in Northwest India's Indus valley and its Bronze age civilization stretching first to the Ganges Valley. Thus, there are the Vedas as liturgical texts, that is texts of customary public worship, in which the public is participating in divine action, like Christian liturgy and unlike Jewish or Islam, in which there is not so much liturgy as rites. The economic context and way of life was itself tribal and pastoral until about 1200 BCE at which point emerged the spread of settled agriculture. Vedic rites are exclusive and practised by an elite: they have a bit of a monopoly on the religious until about 500 BCE with the rise of Buddhism and Jainism, the world religions proper of the 'Axial Age'. These are non-Brahmanic ascetic movements, post-Vedic Jainism and Buddhism, circles of mendicant and Yogic³².

Vernacular

Vernacularization for Pollock takes place from 1700 to 1000 years later than the 'cosmopolitan' epoch, the period that aligns with the pre-capitalist world system of about 800 to 1350 and the Black Death. This is the pre-capitalist world system of settled agriculture that follows the Arab and Muslim conquests and is circumscribed in China by the Mongols eclipse of Southern Song. In the post-Sanskrit world, it is often documents rather than literature that first emerges in vernacular. So there are substantial measures here of Weber's legal rational Herrschaft. And there is another round of philologization, for Pollock the birth of philology in grammars, lexicons and studies in metrics. In each case - even if there are folk origins - it passes through those who are literate in the cosmopolitan language - in Sanskrit and Latin (Greek), as underpinned via donors and other support in court aristocracies. In the West, troubadours are important carriers of vernacular, but they operate also importantly through court society. Even in India and south Asia it comes from not monastery but from court, from literati and their benefactors³³.

With vernacularization, there is a break with the classical and pre-classical world of the Epic. For Bakhtin, the epic world is constructed in the zone of an absolute distanced imaginary. Latin becomes itself distant as it becomes literary. Churches combat vernacular as Tyndale learned the hard way at the hands of the humanist Thomas More. The 'non-place' of the 'unintimate and unforgiving' Sanskrit which may never have had a place, and the no-longer place of Latin. This is the move to not-yet emergent nation from Empire, of indeed Zivilisation to Kultur, the Zivilisations of cosmopolitan Greece and Rome, and Sanskrit to the Kultur of the national vernaculars- English, French, German, Italian, Spanish, Hindi, Bengali, Marathi, Urdu, Tamil, Kannada. Zivilisation was universal, Kultur particular end even singular. Zivilisation was Gesellschaft, Kultur Gemeinschaft, Zivilisation maps onto social anthropology and Kultur onto cultural anthropology, Zivilisation the Austrian School and Kultur the German Historical School, Max Weber suspended between the two. Weber in this sense was More Kultur than Carl Menger and utility theory but more Zivilisation than Sombart, Simmel and Goethe³⁴.

But China was the odd man out. Chinese never vernacularized. To vernacularize is to have a written language, is

³¹ Pollock, op. cit. p. 68 f., Jullien, *In Praise of Blandness*, Cambridge, Mass.: MIT Press, 1991.

³² See Pollock, *ibid.* p. 54.

³³ *Ibid.*, p. 63.

³⁴ S. Lash, *Experience: New Foundations for the Human Sciences*.

to have documents in the variety of idioms that never happened in Cantonese and Shanghainese or Wu dialects that originated mainly on in Southern Song. Why? This is associated with what Wang Hui notes as an only partial transition from Empire to nation state, from the Heavenly Principle which always points back to Zhou to the universal principle (*gongli*) that points forward and is associated with modernity that Russell and Dewey, Newton and Einstein brought to China. Zhou already brought harmony and unity after feudal Shang. Confucius is looking back to Zhou already from the chaos of the Spring and Autumn. Vernacularization would have meant a large number of states with different written languages, with their own lexicons and grammars. The Heavenly Principle itself was one of unity and anti-vernacular. Vernacular would have destroyed the hegemony of Confucian culture, of the tax collecting literati bureaucracy. These literati were not fully a court literati. They were more a *noblesse d'epée* without the *épée* that were shuffled about every say 3-4 years as the Communist officers are now, yet were not located in capital or the court cities. Empire was just too strong for nation to settle in.³⁵

What is going on in vernacularization? In the era of Frankish kings from 600-1000, Latin is still the language of political expression. It is still under Charlemagne the language of literary and document production, the imperial language, the Holy-Roman imperial language. This stands in contrast to Sanskrit, which was from the religious and neither military-religious nor military-political. Literature itself written in Latin begins only about 240 BC, some 200 years before *The Aeneid*. Often Latin writing was superposed on the Greek Epics. Roman laws were written in Latin from 540 BC but not literature. The political context of cosmopolitan language was Empire, and both India and Rome, though not China were influenced by the imperial model taken from Achaemenid Persia. Later, in the Tang dynasty, Indian religion in Buddhism and even literature and grammar would flow to China along the Silk Road. The age where China could have vernacularized in late Song with Zhu Xi's Confucianism was preceded by Buddhism a great leveller in India and China as was Daoism against which Confucianism always was able to rally. Zhu Xi's neo-Confucianism was thus a re-assertion of stratification and class power, that would tend to preserve Empire and inhibit the transition to nation-state. Hinduism and Confucianism recognise social stratification and inequalities in their thisworldliness that the monastic Buddhism and Daoism did not. The Achaemenid Empire, following the Neo Assyrian Empires in northern Mesopotamia, was the model for bureaucratic, centralized administration through satraps and the independence of local cultures, famously the emancipation of Jewish exiles in Babylonia. Achievements included building road systems, postal systems a civil service and a large professional army. The clan of Achaemenids was a Persian tribe, a nomadic Persian tribe.³⁶ In their empire, ethnic groups were governed on the principle of equal responsibility and rights for as long as subjects kept the peace, and satraps paid tribute. The satrap could have a chief financial officer who reported only to the shah as well as the chief military general. This approached Weber's centralization of the means of destruction and was a palliative to any feudalism.

Global integration of trade from the Eighth to the Eleventh centuries saw vast routes extended from Bruges to Hangzhou. International trade peaked in 1350 with Black Death and the isolation of Ming China. The Arab conquest of Sindh from the Eighth century was part of this global trade integration, to which India was tied with its export of spices and finished cloth. This was the triumph of settled agriculture, yet China had single crop growing some 800 years earlier: China didn't need to vernacularize in order to 'modernise'. It already was ready for the 'Neolithic' pre-capitalist world system. The merchant guilds expand at this vernacular moment in Ninth century Kannada speaking regions. The further you were away from the centre of Sanskrit and Latin, the more quickly you vernacularized. The culture of the Silk Road was largely Sanskrit, mercantile-Sanskrit. Thus, also the troubadours in Fourteenth-century Occitan and nearby with their vernacular, whose poetry and songs were paralleled by academization in grammars and dictionaries. For Pollock, China was the odd one out because of 'the imperial polity, its language of politics and neo-Confucian ideas'.³⁷ This may have been reinforced by Zhu Xi and further, this time neo Confucian centralization from Song. From this point on, candidates needed to compose recent style poetry in order to pass the civil service exam. In Tang, there was adoption of defining features of this

³⁵ Wang Hui, op. cit.

³⁶ Pollock, op. cit. p. 59.

³⁷ Ibid.

new poetry ‘from Sanskrit literary theory’.

The patrons of the literati all over Europe and India were no longer satisfied with Latin and Sanskrit. In Europe, there was a move to Romance as a writing medium, accompanied by the paper revolution of the Twelfth and Thirteenth centuries, again accompanied by ‘the philological appurtenances of literary culture. This had been Latin in Western Christendom, Greek in Byzantium. In the Latin West, with its missionizing priests, literacy and Romanization accompanied Christianity everywhere. In India, vernacular came first not in literature but in documents: political transactions, durable deeds, record of endowment’. In Europe, with literization came literarization with the French *chansons de geste*. Again, the law of distance held as Dravidian Sanskrit first vernacularized in South India, both Tamil and Kannada in the Ninth century, in Karnataka by court elites in the Tenth century, while in north India only from the Fifteenth century. In Europe this distance privileged England, starting about 990 with Aelfric’s glosses on his Latin “Grammatica, while King Alfred in 878 sponsored state-directed translation into English of Augustine’s soliloquies. The first Romance productions were however political documents in the Oath of Strasbourg of 842 following the dispute of the sons of Charlemagne. Only 250 years later is there literary vernacular. French literary culture emerges in the encounter in Anglo-Norman England from the Twelfth century in political documents and courtly literature. The Chanson de Roland was written in Anglo-Norman c. 1150. French grammars too emerge about 1140 again in Anglo-Norman England, as always Latin-mediated on the model of Donatus’s Latin grammar. At the same time, we see Kannada and Marathi reworking the Sanskrit grammar model in their own grammar, in Kannada phonology and Marathi morphology. To repeat, there was no phonology in old Chinese: only in middle Chinese do pronunciation radicals appear in characters next to meaning radicals. The European vernacular philologists were schooled in Latin in Quintilian’s rhetoric and Virgil’s and Horace’s rhetoric, comprising, literary tradition that was ‘intentional, reflexive, memorializing, circulating, continually reproduced and philologized.’³⁸

In China, what changes with Zhu Xi’s re-imposition of the Imperial? The Book of Songs was in the direction of Sanskrit poetic grammaticality. It featured odes in syntactically related couplets, in stanzas with rhymes between second and fourth lines, written in 4-syllable meter. Its hymns and eulogies were accompanied by bells, drums and stone chimes. The songs were collected from the regions and passed through the courts. With Zhu Xi’s re-imposition, The Yi Jing disappears, as does the *Book of Documents*. The *Mencius* with its focus on the goodness of human nature is added as well as the *Analects*, mostly sayings and ideas of Confucius that was previously seen as a commentary on the Five Classics. The parts of the Book of Rites dealing with protocols are much less present. Instead two chapters of the *Book of Rites* becomes two of the Four Books, that is the *Doctrine of the Mean* and the *Great Learning*, though mainly as commentary. Zhu Xi’s featured a rationalism, in which all things are made from qi and li, in which li was the structure of all things as well as present in all human beings and the basis of the cultivating of the person, and in which qi mostly was an obstacle. Zhu Xi was born in Fujian, from Southern Song Dynasty, born after Northern Song had been overrun by the Jurchens, dying 70 years before the whole of China was overrun by the Mongols. Zhu encouraged the investigation of things, (gewu, gewuzhizhi)³⁹. He stood up against both Daoism and Buddhism – though the *Great Learning* features the Dao. Yet his li (理 or reason) itself stemmed from the taiji, the Supreme Ultimate, not god, but a principle that was not still and silent like the Dao or in Buddhism but dynamic and constantly creative. Was this a partial rationalisation? Yes, surely. Was it a move to modernity, to vernacular and the nations state? In that it reinforced the power of the Confucian bureaucracy for the following 700 years, it was surely not.

Why the extraordinary grammatization in India, and its relative absence in China? Sanskrit Veda and later Hinduist langue-pensée is more grammatized, systematized and hence rationalized than even Greek and Latin. Pantangali’s grammar and Panini’s commentaries are often thought to be the founding of linguistics, whose discoveries are only surpassed in the Twentieth century. This was at about the Third or Fourth century BCE followed by Patanjali’s

³⁸ Ibid., p. 451 ff. Perhaps not to the extent of Sanskrit and Ancient Greek, China had dictionaries and compendia of syllables that look back to the Zhou Dynasty, in particular the 说文解字 (shuowenjiexue) and the 尔雅 *The Literary Expositor*.

³⁹ Wang Hui, *xiandai zhongguo aixiang de xingqi 现代中国思想的兴起 Rise of Modern Chinese Thought*, Beijing, 2004-2009.

commentaries at about 150 BCE. Panini, who lived near the border with Persia's Achaemenid Empire, gave us transformation rules, like algorithms which took material from lexical lists as input that generated well-formed words as output. He innovated in noun compounds, in rules of syntax and semantics. There were metalanguage and meta rules in his syntax, his morphology, his lexicon. He addresses phonemes, morphemes and roots. With Patanjali's Great Commentary on Panini's Astadhyayi we also have an etymology and semantic explanation. Panini, who addressed dharma, wrote in the late Vedic period, before the emergence of Hinduism. In between the two comes Katyayana about 300 BCE, the other great Sanskrit grammarian, with whom Panatjali fiercely disagreed. Katyayana was also a mathematician and a Vedic priest, a geometer. This was already Brahmanical thought that did not address the varnas or the caste system: that is, Brahmanical thought not by Brahmins. Panini and Patanjali were, not so much philosophers in the search of knowledge but sages who had knowledge. Patanjali insisted on the 'removal of impurities': in the mind through yoga, of speech through his grammar and of the body through medicine⁴⁰.

This relates to Vedic and Hindu but not Buddhist thought. It foregrounded the concepts of Brahman and atman. In the Upanishads Brahman is the Ultimate reality, the material, efficient, formal and final cause of everything. It is counterposed to the soul, to Ātman, the self, that is also breath. It is as in Schopenhauer's will, essence, and imperishable, beyond time, after, as it were, finitude. Buddhism reverses the Vedic, from the soul and self to emptiness, the refusal in Buddhism of a transcendent, the refusal of the caste system and its this-worldly pursuits for otherworldly monastic asceticism. The refusal indeed of Sanskrit for everyday spoken language. This was indeed inversion, although the inversion is on Vedic terms. In the Greco-Roman world, technically the grammarian was a lowly job, often filled by slaves, who taught boys during the second stage of education after they had learnt basic Greek and Latin, especially the ancient poets Homer and Virgil, before the boys moved onto the next stage under the auspices of a rhetor. Yet in Aristotle, logic works through the attaching of predicates or qualities to substances, and Hegel speaks of a shift from substance to subject in the transition from the ancient world to the modern. In Kant's First Critique the transcendental unity of apperception (subject) knows objects through their predicates (categories). Analytic or linguistic philosophy works through predications, and as we know from natural language theory from Austin and Searle that most speech acts, most performatives are not predications at all. The point here is that European *langue-pensée* is driven by these predications, by propositional thinking, by the epistemic⁴¹. Yet language was purer, more clear and distinct, in the high levels of grammatical commentary in Vedic and Sanskrit culture, in Weber's *Religion of India*. Such grammatization of thought in Panini was not about knowing the Greek truth of the thing, of substance but instead about the achievement of ritual purity. Proper Sanskrit grammar excluded all but the select few, for ⁴² 'the performance of ritual, for performing scriptural injunction, requiring familiarity with the grammar, with phonetics, etymology and metrics.' This was especially in sacrificial rituals and also 'in the naming ceremonies of one's son'. These are sacerdotal and not epistemic purposes.

Where is China in all of this? China without morphology or clitics, only modern Chinese – since about 1910 with something like noun compounds, that is bound morphemes in words like *dongxi*, where there is, at very long last, some phonological dependency. Chinese thought does not have its origins in either ritual purity or morphological purity, indeed not in the clear and distinct, but in the vague and indistinct of everyday life. Sanskrit linguistic purity is forged in the language of the gods, in Vedic and Hinduist otherworldliness. Without Sanskrit grammatical purity, there is no access to *samskara* or ritual purification. *Samskaras* in Hindu philosophy are the basis of karma theory, mental impressions as karmic impulses, an affective and motivational field that contributes to the value structure within a person. Mimamsa as Brahmanic thought is a reflection, a critical investigation of Vedic texts, especially on the nature of *sharam* in the later portions of the Vedas, in the Upanishads. Here the shudra were excluded, only Brahmin, Kshatriya and some Vaishya boys could participate. Here in the 'ethical realm of *sharama*', in which dharma is behaviour in accord with the order that makes life and the universe possible. Key

⁴⁰ Pollock, op. cit.

⁴¹ Jullien, *De l'Être au vivre*, op. cit.

⁴² Op. cit., p.47.

again was participation in sacrifice, to have access to the ritual fires of sacrifice. Mimamsa as Brahminical thought, reflection on Vedic texts concerning ritual actions, with a sophisticated focus on proof, inference, perception, comparison and analogy. This is consistent with the theory of the Vedic and Hindu soul whose inscription onto dharma worked in sustaining laws. The grammar⁴³ ‘understood its own purposes in describing and conserving sacred usage’.

Where again does this leave Chinese thought? Again, The Doctrine of the Mean is not the abstraction of the Golden Rule that we learn as children in the West. It is not so much do unto others as you would have others do unto you, but is a “principle of reciprocity” that we are meant to cultivate in our natures. It is the zhongyong 中庸, where yong is both ordinary and use. In which what you do not like when done to yourself, do not do to others, which Confucius immediately embeds, so that I would serve my father as I would require my son to serve me, or I would serve my prince as I would require my minister to serve me. The doctrine of the mean is not an arithmetic mean. It is from the *Book of Rites* but does not seem a sacred rite at all. There is nothing clear and distinct about it. It works not through definition or clarity and distinction, not through saying but through showing, through examples⁴⁴. There is no ritual purity, there is no logical purity. Moderns like Lu Xun and Mao opposed the Doctrine of the Mean, because it would impede progress for China; it was un-dialectical.

In India, Weberian religion plays out between the more this-worldly Hinduism and the otherworldly Buddhism. In contrast to the void and emptiness of Buddhism, of the Buddhist non-self is the active creative principle of Hindu atman and Brahman. This contrast between this-worldly and otherworldly plays out in the Bhagavad Gita, this Sanskrit scripture that is part of the Hindu epic, Mahabharata. Here Krishna is charioteer to the prince and in their dialogue the prince, on the one hand does not want to kill the enemy, who consists partly of, for example, relatives, yet decides in the end to fight the war and fulfil his Kshatriya warrior duty to uphold dharma. In the Bhagavad Gita, we see various paths to liberation from the cycle of reincarnation – a feature of Vedic culture since mid-second millennium BCE. A Yogic path that was ascetic and the path taken as Kshatriya. The answer was a sort of Hindu synthesis, a both-and that influenced Mahatma Gandhi. So that the dharmic householder can achieve the same goals as the renouncing monk, through a sort of inner renunciation⁴⁵. Yet the Hindu virtues, the Vedic virtues against stealing and violence, of truthfulness, non-possessiveness, compassion and charity seem somehow closer to the Christian faith, hope and charity than the Greek virtues which are to do with justice and the this-worldly polis. In India the question is how do we escape the wheel of existence and transmigration of soul from hells to ghosts to animals, humans and gods (devas) through ethical living on the one hand – in correspondence with our role or through ascetic yogic practices.

In China Confucianism won. In which the five relations of filial piety, of the ciaojing or xiaodao (孝经, 孝道) through the five virtues following from the Five Elements – benevolence, righteousness, reverence, wisdom and sincerity - the relationality of these is in place of either the soul or nonatmen the non-self of the Buddhists and the monks. Confucianism which has the Dao but not the wu wei, that is neither religious nor secular but somehow in-between. In India reason was neither propositional nor sacred grammatical, but poetic but most of all religious. Aristotle’s famous three modes of reason - episteme, technics and praxis - are all phenomena of the city of man. But Indian langue-pensée is more about the city of the gods. It plays out in the sacerdotal. In China, we have neither city of Man nor City of God, but no city whatsoever. Generational ancestor worship and familial sovereignty prevented, again as Weber noted, the Chinese polity to take on city form in either its ancient or modern incarnations⁴⁶. Instead we got, we get empire. Neither city nor nation but empire. Neither city-state nor nation-state but empire-state. Itself based so much in the Confucian looking backwards to the heavenly Principle and Heavenly mandate of Zhou: the Confucian ideology-bureaucracy was its glue with its anti-grammatology in either the Indian or Aristotelian sense whether as ritual purity or propositional logic. The Confucian rites are not rituals

⁴³ Ibid., p. 46.

⁴⁴ Duan Lin, op. cit.

⁴⁵ Pollock, op. cit.

⁴⁶ Weber, *General Economic History*, op. cit.

– they are a way of life. India tried to unify, notably in the Maurya short lived and longer-lived Gupta empires (300-600 AD). But they could not withstand nor integrate the Huns into the sacerdotal Hindu and at times Buddhist culture and polity. China could and did via its far-from-rational language: through its non-grammatological language and non-religious religion. China had neither Panini's poetics nor Aristotle's propositional logic. China with its flourishing of markets in the Song Dynasty. China – still suffering by 100 plus years of humiliation from the Opium Wars to the Japanese invasions - is intensely nationalist. Chinese intellectuals espouse a nationalism that would make people blanch in the UK, France, the US or Germany. Yet it is nationalism without in large part nation. It is still empire. It is as if the West had kept to Latin of the Holy Roman Empire, and never vernacularised. Does this matter in an age in which English is cosmopolitan *Weltsprache* with Mandarin waiting in the wings? To the capitalist-modernity of the original comparativist, Max Weber, it would seem to matter. On the level of economy, thought and geopolitics it would seem to matter.

Is Affective Rationality Possible?

Filial piety and funeral reform in China

Sang-Jin Han

1. Introduction

Kaesler (2017:320) repeated a typical question why it was only in the Western world that has produced a specific rational culture of universal significance and he confirmed the thesis of universal rationalization by saying, ‘No matter where Max Weber looked, everywhere he saw the irrefutable evidence of a great, world-historical process of rationalization’. This thesis has long been articulated by many scholars such as Schluchter, Tenbruch, Kalberg, and even Habermas. He also stressed what he called “an apocalyptic irony of unintended success,” which means Weber was highly skeptical and pessimistic about human destiny. He metaphorically described the future as “the polar night of freezing darkness and hardship’ rather than ‘the blossoming of summer.” I want to explore other approach within Max Weber which can offer a way out of this too heavy focus on instrumental (scientific, technological, capitalist) rationality and too pessimistic outlook of the future. A key word lies in affection (emotion, sentiment, feeling, mood, milieu). The main text for this inquiry is Weber’s article on *Verstehensoziologie* (1913), translated into “Some Categories of Interpretive Sociology,” in *The Sociological Quarterly*, 22(2), Spring, 151-180, 1981.

My contentions are as follows: 1) We accept from Weber the idea of value pluralism; 2) He defended value pluralism mostly in terms of value spheres (like cognitive science, morality, religion, arts, laws etc.) but we should distinguish value spheres and validity claim. Weber talked about validity, but only from the observational standpoint, not from the actor’s point of view involving reflexivity. 3) At the same time, we should distinguish ‘influence’ (power, efficacy, effect, control, etc.) and validity. Influence can be measured by effect. The more a position is followed by people, the greater its influence is. It refers to power. Here testing operates in terms of influence (effect). In contrast, validity claim refers to not power, influence, effect, etc. but something which can be tested in terms of certain normative criteria, like whether it is true or not, whether it is morally binding or not, or whether it is affectively resonating or not. This dimension of validity differs from power and influence.

What Weber did: 1) he started with the idea of value pluralities and orientations; 2) and investigated the occidental process of historical changes and confirmed the tendency of rationalization within each value sphere in terms of methodological consistency, systematization, and institutional specialization. In this sense, we can talk about rationalization of arts and religion. However, Weber’s concept of purposive (instrumental, scientific, bureaucratic, etc.) rationality differs from these overall cultural dimensions of rationalization. It involves a methodological process of testing the involved validity claims in an objective way. Thus, it means the increase of scientific knowledge, technical prediction and control, industrial productivity, managerial efficiency, etc. based on this institutionalized process of learning and testing.

What I want to do is to apply Weber’s concept of value pluralities (orientations) and strong falsifiable concept of rationality to the sphere of affection (emotion, sentiment, feeling, milieu). It is indeed a big challenge to the standard Western conceptions of reason, rational politics, and scientific management. I want to pursue this possibility not by breaking away from Weber but by immersing into his idea of sociology of understanding. One step further, I don’t see any problem in exploring how important affection, as a value sphere, is in our social life: politics, economy, religion, sexuality, everyday life. It can be convincingly shown that even such domains like reason, elections, consumption, and rational choice of policy are deeply entangled with the operation of affection in one way or another. For instance, digital technology and communication unavoidably expands emotional expression far greater than ever. Emotion is a key issue of post-truth society. All the discourses about this are, however, about their actual (substantial or real) influence of emotion. There can be no ‘pure’ reason, rationality, objective truth. Every living thing in the world is in fact working as deeply related to affection.

This is not surprising at all to say so. It has been a basic assumption and perspective in East Asia as exemplified

by the teaching of Confucianism, Daoism, and Buddhism. We are just beginning to realize how deeply we have been penetrated by some Western inventions of reason and rationality at the cost of properly recognizing the role of human affection.

So far so good. But my question is NOT how we can better deal with the function of affection as a value sphere but whether or not we can deal with the validity claim of affection so that we can speak of affective rationality in its strong sense. Again, I make distinction between strong and weak dimensions of affective rationality. The weak version is nothing new. Weber clearly recognizes this with his key concepts of “*Einverständnis*” or “*Einverständishandeln*.” This concept is commonly translated as ‘agreement’ but the cognitive bias is too strong. It also involves common feeling, sympathy, compathy, something that actors share emotionally as a common framework of understanding. So, this term can be translated as ‘affective agreement’ or ‘agreement based on common feeling. Affective rationality in its weak version can be confirmed what actors just follow the shared feeling in interactive process so that the actors can understand each other why they act the way they do. This is a minimum requirement of rationality for Weber. Look the following simple interpretation by Martin Albrow. “*Einverständnis*’ is simple adaptation to the customary, simply because it is customary. Rules will be followed because no reason has been found not to follow them. A person does something in the expectation that others will behave in a certain way and that expectation has a good chance of being satisfied because the others take it as a valid expectation (Albrow, 2004 219)”

But I argue that the strong version of affective rationality requires a process of testing the relevant type of validity claim as cognitive rationality does (scientific, instrumental, technological rationality). In this presentation, however, I will first present a case study about Chinese development which can show how a scientific rationality represented by the communist party and the affective rationality of filial piety have collided and reconciled in the process of funeral reform in China. I will then later try to systematize the implications of this study to conceptualize affective rationality in its strong sense.

2. Funeral reform and its developmental Stages

A funeral(葬礼) is a part of a funeral rite (丧礼) and means the procedure and ceremony related to the handling process of a dead body after a person’s death. From old times, funereal rituals have varied according to regions, traditions, religions, and cultures. In China, cremation was preferred when Buddhism was popular, while inhumation was preferred when Confucianism was a general trend. This means that inhumation has been settled as customary in China for a long time. However, there were more than a few side effects of such customs, which include conspicuous funeral rites, excessive costs, occupation of agricultural lands, and land pollution. In this context, in 1956, Mao Zedong declared a funeral reform to require cremation in funeral by law, and prohibited the inhumation system in which the dead body is put into the coffin and the coffin is buried¹. This reform announced its aim at liquidating the feudal superstition and saving national resources. Communist leaders defined the long-standing feudal custom as a “foolish and corrupt” superstition and regarded it as a backward custom running counter to the new age of “science and democracy”, which the communist party claimed to represent. Accordingly, traditional funeral rituals were included in the official category of superstitions together with folk religions. Since this funeral ceremony was not a simple notion but the institutionalized process of action resulting in the wastes of national resources, they found it necessary to accelerate the funeral reform².

The reform progressed through three stages in China. The first stage was from 1956 to the mid-1980s. In 1956,

¹ On April 27, 1956, at the Central Committee Meeting of the Communist Party held in Huarentang (怀仁堂), Zhongnanhai (中南海), Beijing, Mao Zedong proposed a reform proposal that reads, “Everyone shall be cremated after death, the dead body should not be left, and no burial mound should be built.” More than 150 leaders, who attended the meeting, including Zhou Enlai, signed the 《Proposal (倡议书)》. This is the first expression of the will for funeral reform by the state’s top leaders (Li Dezhu/李德珠, 2010).

² At the time of the Communist Revolution, an absolute majority of the population in China engaged in agriculture, and the economy was in critical condition due to the domestic and foreign wars for more than 20 years. Therefore, developing China into an advanced industrial country in a short period of time was a matter of the greatest interest to the Communist Party and government.

Mao Zedong declared a funeral reform to abandon the traditional system of inhumation and chose cremation with the directive, “Everyone should be cremated after death to leave only bone powder and should not make any tomb.” Until the 1970s, however, the funeral reform was more an ideological campaign than a legal process of enforcement. It worked as a sort of reform movement of old mentality to do away with the feudal superstition by means of media campaigns and propaganda. The government encouraged cremation in the name of “civilization, advancement, saving, and science”, while criticizing the traditional inhumation as a “backward and foolish act that causes waste” (Tang Yunhong /唐云红, 2008). However, the level of systematic legislation was not yet reached. After the failure of the Cultural Revolution, the traditional custom of inhumation, which died down for a while, was revived.

In this circumstance, the second stage to enact laws regarding the funeral reform began. As the first administrative regulation, the 《Provisional Regulation Regarding Funeral Management (殡葬管理暂行条例)》³ was enacted in 1985, and the State Council promulgated the 《Funeral Management Ordinance of the People’s Republic of China (殡葬管理条例)》⁴ in 1997. Thereafter, inhumation was clearly defined as an illegal act, and the funeral reform began to be enforced by the law in earnest. However, it took a long time for the central government’s funeral reform guidelines to be implemented by local governments at different levels like provinces, cities, towns, and villages. In fact, the funeral reform was able to be fully carried out in rural areas only in the early 21st century. After receiving the documents from of the higher government, the provincial and city governments throughout China enacted 《management ordinances (管理条例)》 that fit their regional circumstances one after another. The core of this ordinance was to connect the outcomes of the funeral reform to the target goals of achievement by officials in order to establish responsibility (management) systems. Therefore, the local officials had to prove successful outcomes in short periods of time. That is, they began not to mind using heavy administrative pressures and coercive reform methods.

The third stage is intended to convert the goal of funeral reform into ecological funerals (生态葬)⁵. Until 2013, “ecological funerals” were just some sort of “voluntary acts” or “acts at the level of encouragement” and were not legally stipulated. There was no incentive or support policy to promote them either (Long Minfei/龙敏飞, 2013). Consequently, the development of “ecological funerals” was slow, despite decades of time having passed since the beginning of the funeral reform. In this situation, those ecological funerals in which cremated remains are kept in charnel houses in small areas, or are powdered and scattered in rivers or the sea started to be actively promoted. The Chinese Ministry of Civil Affairs (中國民政部) promulgated the 《Notice for the smooth progress of the work for Ching Ming Festival in 2013/关于做好2013年清明节工作的通知》, and included the lease of funeral halls and ecological funerals of bone ash in the category of basic services provided by the government. This means that the ecological funerals of bone ashes were switched into a public service provided by the government (Government Website/中国政府网 : 2013-02-28). In addition, according to a report by Beijing Times (京华时报), the ratio of cremation in China has steadily increased from 36% in 1997 to 49.5% in 2012. By keeping this momentum, the government announced that by 2020, it would not only raise the ratio of cremation throughout China to 100%, but also the ratio of ecological funerals (生态葬), which are considered to be an exemplary form

³ According to Article 2 of the Ordinance, “In areas where cremation should be carried out, one-time treatment of burying bone ashes deeply or scattering bone ashes is recommended, and bone ash cemeteries may be established through the application and approval process. In areas where inhumation is permitted, dead body cemeteries or charnel houses should be established” (State Council of the People’s Republic of China, February 8, 1985). At that time, the government allowed inhumation and stayed at the level of clamping down and regulating related actions (Dong Furong/董芙蓉, 2013)

⁴ In this ordinance, land saving, the spread of cremation, and the abolition of old customs were core guidelines. According to paragraph 4, “In areas that are densely populated, have relatively less farmlands, and have convenient transportation facilities, cremation should be carried out. Inhumation is allowed in areas where those conditions are not met temporarily” (State Council of the People’s Republic of China, Funeral Management Ordinance, July 21, 1997, Article 4).

⁵ Ecological funerals refer to the method of environmentally friendly handling of ashes, such as ‘natural burials (树葬)’ which is to scatter the remains from cremation in forests; ‘grass burials (草坪葬)’, which is to scatter the remains from cremation on grass; “grass prairie”, which is laid on the prairie grass; and the “water burial”, which is to scatter the remains from cremation on the waters.

of land conservation, to at least 40% (Beijing Times/京华时报, 2014-04-04). In addition to the forementioned, in 2016, nine governmental organizations, including the Civil Affairs Bureau, jointly announced the 《Guidance Opinion to Implement Ecological Funerals that Save the Lands/关于推行节地生态安葬的指导意见》 and promulgated the <Guidance Opinion to Implement the Funeral Reform One Step Further to Promote the Funeral Project/关于进一步推动殡葬改革促进殡葬事业发展的指导意见> in 2018.⁶

3. Side effects of the funeral reform

The funeral reform has been achieving remarkable success thanks to the policy campaigns by central and local governments. From 1986 to 2000, the nationwide ratio of cremation showed a relatively rapid upward trend, and it was during 2001-2017 that the ratio became stabilized as it reached the nation-wide level of 50% (+/- 3%) (The Beijing News/新京报 : 2018-09-20). But behind this success numerous ethical controversies and social problems occurred, because in the process of implementing the policies, many conflicts occurred with the villagers who adhered to traditional funeral customs.

The case of grave removal in Zhoukou City (周口市) in Henan Province (河南省) is a good example. The municipal government announced a “plan for the progress of the funeral reform by one step further” in March 2012, and decided that existing graves should be cleared without fail in order to promote the funeral reform. The municipal government mobilized all sorts of measures to extensively develop the activities “to remove graves and restore farmlands (平坟复耕).” As a result, over two million cemeteries were completely cleared over eight months (IUD Chinese Political Affairs and Public Opinion Monitoring Center, 中国政务舆情监测中心, 2014: 26).

The experience of Anqing City (安庆市) in Anhui Province (安徽省) in 2014 is particularly noteworthy. The funeral reform in this region had not achieved any notable outcome for a long time. Then, in 1994, Anhui Province enacted the 《Anhui Province Funeral Management Method (安徽省殡葬管理办法)》 to designate all areas as cremation zones except Yuexi Xian (岳西县) in Anqing City. Anhui Province held meetings to promote cremation in 2006 but the outcomes were not very effective. However, in 2009, when the ratio of cremation in Anqing City was counted to be below 10%, Anhui provincial government pointed out the poor outcome of Anqing City. This outcome would adversely affect the overall evaluation of the entire Anhui Province. Only then, the city government became fully determined to improve the performance as quickly as possible, under the pressures of the provincial government as well as their quantitatively proven record of poor outcomes. Finally, on March 16, 2014, city government distributed the 《Notice on the organization of the Anqing City funeral reform executive committee (关于成立安庆市殡葬改革工作领导小组的通知)》 and declared on March 25 that urban and rural residents should be cremated after death from April 1 (Luo Niu/罗妞, 2017:10) and that the expected ratio of cremation should be about 80% by 2016. They adopted a ‘uniform (一刀切)’ method to that end (The Beijing News/新京报: 2014-05-28). The executives of each village required all households to report and register coffins fabricated and kept. They notified the households that they should destroy the coffins by themselves, otherwise the village funeral reform committee would have to collect the coffins. At that time, young people and middle-aged people in rural areas did not pay much attention to the issues of cremation and inhumation, but many senior citizens are said to have felt embarrassed because they had, in fact, long ago prepared coffins which would contain their dead body after their death (The Beijing News/新京报: 2014-05-28). Eventually, in the process of collecting the coffins in a uniform way, the policy enforcers began to face fierce defiance from the villagers. More than ten

⁶ However, the records of implementation of “ecological funerals” seem to be still insignificant. According to the argument by Long Minfei/龙敏飞(2013), to the Chinese who have adhered to the traditional funeral rituals, “ecological funerals” are perceived as being too simple and shabby, and as acts of losing face. To effectively promote ecological funerals, support at the level of public service is essential. The Chinese government is aware of this and is implementing supplementary policies to increase the numbers of cremation related facilities, charnel house, and public cemeteries (Beijing Times / 京华 报报, 2014-04-04).

elderly people even committed suicide and this caused nationwide controversies.

The core problem was in the top-down reform method. Preoccupied with the necessity of the reform, local governments distributed administrative resources and service in a top-down manner without considering regional needs and circumstances. (Guo Lin/郭林, 2013; Wang Junying/汪俊英, 2009; Zhang Xi/张溪, 2017; Chen Xianyi/陈先义, 2017). The policy enforcers judged the extent of successful reform by the uniform “ratio of cremation” as a typical bureaucratic administration. In this circumstance, under pressure from higher authorities, local officials were highly likely to mobilize extreme and coercive means to achieve their assigned performance in a short period of time (Wu Dezhi/伍德志, 2019).⁷

The IUD Chinese Political Affairs and Public Opinion Monitoring Center (中国政务舆情监测中心, 2014:26) had once examined socially controversial events. According to its report, “In 2005, in Mengjin Xian (孟津县) in Henan Province, a coffin already buried was dug out and dragged on the streets for the reason that the dead body was not cremated, to make an example out of it to show the public. In 2008, in Yiliang Xian (宜良县) in Kunming City (昆明市), the dead body of an elderly person buried on the previous day was taken out from the coffin. In 2011, in Xiangcheng City (项城市) in Henan Province, graves and cemeteries where funerals had been completed one month earlier were dugged out at daybreak by mobilizing more than 100 people. This action was taken without prior notice to the bereaved families.

As can be seen here, the actual enforcement process of the funeral reform was never smooth. The unilateral action of the local government stimulated the farmers to become conscious of their sense of ethics and rights, and they became doubtful about the rationality and legitimacy of the reform. When seen from the viewpoint of the villagers, the burial mounds and graves were the symbols of respect and filial piety to their ancestors, and the substance of longing of people for their dead relatives. Therefore, the act of compulsory enforcement of the reform policy trampled the traditional ethics of the farmers, and this negatively affected the implementation of the reform as well as the stability of society (Dong Furong/董芙蓉, 2013).

4. Academic Discourses on the Funeral Reform

In this social context, critical debates about the funeral reform also arose. In particular, criticism of the “top-down” methodology of reform was strongly raised. Here, the index of rationality was uniform and one-dimensional administrative outputs. Some argued that since China is a latecomer, global values such as democracy, human rights, and the rule of law could not but be sacrificed for fast achievement of policy goals. But others strongly argued that the funeral reform falls short of realizing a relationship between rights and obligations guaranteed by the law, but becomes degenerated into a ‘movement-like enforcement’ of unilateral ‘violence’ (Wu Dezhi/伍德志, 2019:101). The funeral reform gave rise to controversies about the relationships between the state and individuals in terms of rights and obligation, producing such arguments as: ‘The dead bodies of individuals after death should be freely handled by the relevant individuals (or the bereaved families)’ and ‘Since individuals have the rights to use farmlands owned by them in rural areas in the way they want, individuals also have the ‘right’ for inhumation’.⁸

⁷ As the funeral reform faced many controversies, the central government revised the 《Funeral Management Ordinance》 in 2012 to abolish the compulsory enforcement ordinance. According to the 《Administrative Compulsory Law of the People’s Republic of China (中华人民共和国行政强制法)》 (enforced from January 1, 2012), “Administrative compulsory execution is prescribed by the law; In order to make administrative decisions in a situation where the law does not allow compulsory execution, the administrative agency must apply to the people’s court for it (compulsory execution).” Therefore, the compulsory executions conducted by local governments since 2012 have no legal basis.

⁸ The ambiguity of the 《Funeral Management Ordinance (2012 revision)》 was also criticized (Tang Fei/唐飞, 2013). As an example, Article 11 of the Ordinance stipulated that “the occupying area and period of use of public cemeteries are strictly limited,” but did not mention the concrete time limit when it was handed over to local governments. Article 16 stated that “funeral facilities such as cremation facilities, dead body transportation vehicles, and dead body freezers must meet the

In particular, the conflict between tradition and modernity has attracted attention. According to these studies, the very assumption of postulating the traditional custom of inhumation as the object of elimination for the modernization of China is a problem because it will inevitably lead to conflicts between the public authority and civil interests (human rights, property rights, land ownership, etc.) of individuals. Zhang Haitao (张海涛, 2014) and Zhao Peiguang (赵培光, 2016) indicated that prior to the enactment of the law, the right to use rural graveyards should have been established. Wang Junying/汪俊英 (2013) further argued that promoting cremation for land conservation is a violation of private rights by the public authority. To him, it was unreasonable for the state to restrict citizens' right of choice, and citizens should naturally have the right to choose funeral rituals. Of course, counter-arguments also followed. Tang Fei (唐飞, 2013) argued that certain restrictions on private rights and interests are necessary for the development of the nation and society as a whole.

An important issue involved was the lack of a normative foundation of the funeral reform. As an example, Zhao Fasheng (赵法生, 2018) argued that a social reform, if it becomes successful, requires new values and imaginations that constitute the normative cultural foundation of the reform. Relying on the present laws and regulations in China, however, such foundation appears only scantily. The laws and regulations neglected values and meanings while just emphasizing the means of reform. In other words, the instrumental rationality prevailed, while the role of reason backed up by value traditions is deficient. This means that the funeral reform has been deformed into a simple technical and administrative enforcement, resulting in a serious gap between the ideal and the real, and between the goals and the means of a reform.

Here, we should take note of the conflict between the traditional ethics of China – centered on filial piety – and the scientific rationality professed by the socialist system. From the functionalist viewpoint, the Chinese peasants have been affected by the Confucian culture and inhumation practice for several thousand years and, therefore, it is functional for them to share a strong sense of dependency on lands, along with the psychology of “becoming comforted in burial”. The traditional funeral rituals, in fact, have performed the function of developing and strengthening the cohesion of a community among its members beyond the family boundaries. They also cultivate and express farmers' ethical and humane emotions. One can see the traditional ethics as a sort of informal system counteracting formal systems, thereby maintaining social order and equilibrium (Wang Ting/王婷, 2018). However, the funeral reform represents only the legal and scientific reason implemented by the administrative system. As this policy was compulsorily enforced, the order and meanings unique to farm villages collapsed. It caused severance or vacuums in people's ethical and humane emotions, leading to confusion in community life (Wang Ting/王婷, 2018).

In this context, we can understand the argument that the traditional way of life can never simply collapse or become extinct, because its moral legitimacy is robust. From this background comes an argument that the funeral reform of China should not neglect the positive effects of tradition. This argument is also related to the recent cultural awakening in China. After the reform and opening in the 1980s, the Chinese government has turned its position to “enhance its excellent traditional culture.” Accordingly, the Chinese government advocated for new recognition of Confucian culture for the future of China, though they had viewed it negatively for a while.

To review again, funeral rituals are not just a physical process to handle dead bodies, but are essential for social manners and cultural life. Their meaning is crucial not only for social integration but also for individuals' lives. Therefore, there are arguments that the ethical emotion immanent in the traditional rituals (inhumation) should be converted into a modern form of life. To express this more generally, it has been argued that the positive functions of traditional norms, ethics, and customs should be acknowledged and preserved.

The typical dichotomy between tradition and modernity has been rejected. Instead, a critical inheritance of

standards stipulated by the state” but did not present any concrete standards.

tradition or a harmony between tradition and modernity has been pursued (Guo Pei/郭佩, 2015; Cheng Hongyan/程宏燕, 2016; Zhao Fasheng/赵法生, 2018). Common arguments say that the funeral reform should not aim to replace traditional ethics, but should provide conditions necessary for the success of traditional ethics. Such arguments have been supported by the communicative approach to deliberative democracy and participatory social governance: According to Lv Yan/吕焰·Ding Shejiao/丁社教 (2014), it's important for the official authority system to pursue instrumental reason and the maximization of efficiency as well as the maximum happiness of the maximum number of people. In contrast, however, the Chinese traditional ethics regulating human relations based on the rules of family genealogy attach importance to personal self-cultivation and exemplary moral practice. In order for such moral actions to be expanded throughout society up to the point where "the law can be replaced by virtue", the argument says that it is necessary to pursue mutual understanding and common affection among community members by taking up a path towards a communicative reason, as suggested by Habermas.⁹

5. Traditional ethics of filial piety and resistance of farmers

In what follows, we will examine more closely the farmers' response to the funeral reform from the viewpoint of their traditional ethics, particularly filial piety. The first issue is concerned with the conflicts between the funeral reform and folk religions.

Chinese farmers have formed various tacit rules and taboos related to funeral rituals while living in feudal society for a long period of time. In particular, they firmly believed in the existence of the "soul". The common saying that when a person has died, although the body is in the "dead" state, the 'soul' has left the body and is wandering in this world in the state of a ghost (鬼魂) has been dominant. The underlying assumptions of soul and ghost-worship were combined with the Confucian norm of filial piety and the Buddhist doctrine of reincarnation to develop diverse funeral rituals (Guo Pei/郭佩, 2015:15). Many people in China still believe in the doctrine of the immortality of the soul. They particularly care about the funerals and ancestral worship rituals for themselves and their family members. Their feelings about lands are also special. Lands arouse a sort of piety (Guo Pei/郭佩, 2015:23). There is a proverb saying that those who have died and are buried in the earth obtain rest while those who still live feel stabilization of their minds and hearts. The spirit of '入土为安 (being comforted in burial)', which is wanting to be buried in the earth to forget the weariness in this world and obtain rest, greatly affect farmers who value lands. These customs and practices lasted for thousands of years. For this reason, inhumation has been established as the mainstream funeral method.

On the other hand, cremation is known to have been carried out only for monks who had no one to take care of their dead bodies, or for thieves who committed crimes. Cremation means burning the body, removing the bones to be buried in the earth, and cremation was possible because Buddhism and Taoism regarded the extinction of dead bodies as the "freedom" of souls. Confucianism, however, regarded cremation as a very brutal act that results in "the destruction of the soul" (Guo Pei/郭佩, 2015; Luo Niu/罗妞, 2017). From this background came the common saying that the soul suffers from the pain of burning during cremation. Since Confucianists assume that souls have senses, they think that 'living' souls feel pain when dead bodies are burned. Since the shroud is taken off during cremation and the dead body is damaged in the process of cremation, they feel it to be insulting to the deceased (especially the ancestors).

⁹ However, controversies over the possibility of pursuing dialogue between tradition and modernity in Habermas's style have proceeded in China. As an example, Wu Dezhi/伍德志 (2019) stated that the deliberative democratic method is not different from neglecting the urgency of the 'top-down' "intervention strategy (赶超战略)" which is a characteristic of Chinese modernization. However, it was also pointed out that the 'top-down' modernization results in the "reversal of authority and responsibility" between China's upper and lower governments (Wu Dezhi/伍德志, 2019:105). That is, as has often been considered thus far, public officials of local governments have not played the role of "intermediaries" in negotiating democracies, but merely acted upon the orders of the higher government.

The following dream stories of elderly women are typical examples.

“Since my husband was a public official, his dead body had to be cremated when he died more than 10 years ago. But he appeared in my dreams and complained that it was so painful. He said that he was not afraid of death but he was so scared of being burnt in fire. He complained to me, asking why he had to undergo such hardship even after death.” (Luo Niu/罗妞, 2017: 19)

“My husband died five years ago. At that time, since he died suddenly and the household situation was not good, I could not prepare a decent shroud [...]. Thereafter, he appeared in my grandson’s dream one day and said that he was being ridiculed by surrounding people because he had no clothes to wear. My grandson told me this on the next day, but I did not care much. However, several days later, my grandson suffered from high fever for a few days and was not cured well despite having gone to the doctor. I had no choice but to ask for help from a local shaman, and she said that the reason of the problem was because my husband visited my grandson. Only then, I recalled the dream I heard from my grandson a while ago, and I burnt clothes made of paper in front of my husband’s grave. After, my grandson’s fever began to subside that night.” (Luo Niu/罗妞, 2017: 21-22)

Another folk belief is that when cremated, the body is completely destroyed, and reincarnation is difficult or troubles occur in reunion with ancestors in the otherworld. According to the common sayings about reincarnation as such, cremation means the “death” of the soul. They think that since the link between the earth and the soul is burned and blown away as ash, it will be difficult or will take a long time to be born again on the earth (Guo Pei/郭佩, 2015). They think that even if the bones or remains are kept to miss the deceased, since the contact with the earth was lost, the soul will piteously wander without any place to which it belongs.

“Honestly, I am not afraid of anything because I have lived until this age. [...] But if I become ash after I die, how can I reincarnate? In that case, even my descendants would not recognize me.” (Luo Niu/罗妞, 2017: 19)

“My husband died in a traffic accident before the age of 60. At that time, the dead body had to be inspected by the public safety agency, and since the dead body was damaged to the extent that it could be hardly recognized, it was unavoidably cremated. It is heartbreaking when I think about it even now. Two years ago, he appeared in my dream and called my name. I was very anxious emotionally. Therefore, I visited Monk Daeseon(大仙), who is famous in my neighborhood, to seek a solution. He told me that although ten years had passed, my husband had not been able to be reborn and had been doing dirty work in shady places. Since he died in an unexpected disaster and his dead body was cremated in addition, it would have been hard for him to be reborn as a person.” (Luo Niu/罗妞, 2017: 21)

Cremation and the Confucian concept of filial piety conflict with each other. In China, inhumation has been passed down as a custom from 6000 years ago. It is said that from the time of the Qin and Han dynasties (秦汉), cremation was completely prohibited, and inhumation was recommended in accordance with the teaching of Confucius that “since the body was received from parents, it should not be damaged (身体发肤, 受之父母, 不敢损伤).” (Book of Filial Piety /孝经). In the Tang Dynasty, even a legal provision regarding 《the act of causing damage to a dead body (残害死尸)》 was set forth, and corresponding criminal penalties were prescribed (《Tang Code/唐律疏议·vol/卷18》; Wang Fuzi/王夫子, 2007:501 recited). The Chinese classics 《Record of Rites (禮記)》 cited ancestral worship rites as the most important part of courtesy. It stated that the first of the ten ethics of ancestral worship rites was ‘to serve the ghosts,’ as a way of opening the link between the human mind and ghosts. According to Lee Dong-ju (2013), “the sincerity of filial piety was measured first, with behavior of supporting parents when parents are living; second, with the intensity of sorrow during funeral rites implemented when they have died, and third, with the periodic implementation of ancestral worship rites and the respect and affection while performing the rites”. Therefore, from the viewpoint of children, cremating the dead body was regarded as the worst vice against filial piety.

The moral concept of “filial piety as the first priority of all good deeds” is a characteristic of Confucianism. As the funeral culture of filial piety was combined with the traditional psychology of “becoming comforted in burial”, inhumation was publicly recognized as the right convention among villagers. That is, inhumation became a public ritual to censor filial piety. Funeral rituals were important in that they served as the final and authoritative ‘stage of performing filial piety’ in front of all people (Li Dezhu/李德珠, 2010). If a person has not performed inhumation according to the traditional custom when his/her old parents died, he/she might be branded as an “undutiful child” and might even be ostracized. The pressure of public opinions and their resulting psychological burdens were so high that bereaved family members strove to make inhumation look good by all means.

“I lived in a city in another district before I got married and came here. My mother is around 80 years old. My mother was so shocked when the government enforcement agents took her coffin away that she has been ill in bed ever since. Every time I went home, she grabbed my hand and asked me to call some people, she told me to mourn for her after she died and bury her dead body together with my father’s dead body. I and my brothers and sisters thought that since our parents underwent so many hardships, we should do filial piety while our parents were living, as well as performing nice funeral rituals when our parents died. But suddenly the funeral reform was enforced so that people are required to be cremated after death, and left as powder, and this makes us uncomfortable. When my father passed away in the past, we performed the funeral rite modestly because our household conditions were not good, but we planned to perform a funeral rite grandly when my mother dies. But we cannot do so because of this (reform). We, the children, are really uncomfortable.” (Luo Niu/罗妞, 2017: 26)

6. Adaptative Transformation of policies and the attitudes of enforcing officers

The above examples illustrate well the tensions, complaints, and sufferings experienced by villagers in the process of the funeral reform. In situations where the effects of implementation of the policy were poor, the Chinese government mobilized forceful measures to promote the funeral reform. The initial responses of villagers were psychological defiance and resistant attitudes. However, as external regulations and clampdowns – such as the forced collection of coffins, the supervision by executives, and the agricultural land management rules being strengthened day by day – farmers began to reach the situation where they could not help but accept cremation, whether voluntarily or involuntarily (Wu Lei/吴磊· Zhu Guannan/朱冠楠, 2008:15). Although local officials sometimes shut their eyes to the acts of burying dead bodies in secret or inhumation at the beginning of the reform, as the reform policy was strengthened, the funeral reform began to show the effects of implementation, and the ratios of cremation in individual provincial cities showed steady upward trends.

However, in the process of policy implementation, a sort of ‘makeshift’ (变通) became prevalent as a dual practice of apparently cremating the dead body, but putting the remains into a coffin and burying the coffin just as before. The costs of funeral rituals were also observed to have rather increased. For example, a survey of 80 farm households in one administrative village in Ningguo City (宁国市) in Anhui Province (安徽省) indicated that all the households, with no exception, put remains from cremation into a coffin and buried it in the earth, keeping a burial mounds (Wu Lei/吴磊· Zhu Guannan/朱冠楠, 2008:15).

The act of putting remains (bone ashes) into the coffin and burying it after cremation is against the law. Paragraph 5 of the 《Funeral Management Ordinance》 states that “(in areas where cremation is implemented), the bone ashes from cremation should be entrusted to the designated institution for storage or handled in ways that do not occupy, or hardly occupy, lands.” Some local governments even stipulated, “The burial of remains from cremation is prohibited.”¹⁰. Many factors acted to make villagers daring enough to put remains in coffins and bury the coffins

¹⁰ As an example, Article 17 of the <Funeral Management Method> issued by the government of Shaoguan City(韶关市) in Guangdong Province (广东省) in October 1999, clearly stipulated that “It is recommended to place remains after cremation

in the earth despite the ordinances.

First, cracks were formed in the legal system. Although the 《ordinances》 presented the principle of the handling of remains after cremation, they did not present any particular regulation regarding concrete handling methods. No disciplinary actions against violations were mentioned. Some local governments stated that “inhumation of bone ashes” was prohibited, as exemplified by the Ministry of Civil Affairs (民政部) of Guangdong Province (广东省). However, after cremation was compelled, due to many reasons, the methods for bone ash handling were relatively insufficient, and the understanding of local residents was insufficient, too (Department of Civil Affairs of Guangdong Province /广东省民政厅: 2006-09-29). The “ambiguity” of the law and the negligent management of the government provided the villagers with a space where they could “watch for a gap” of the law.

Second, farmers had difficulties in finding a place to lay the remains in state because for-profit cemeteries were expensive, and the numbers of charnel houses and public cemeteries in rural areas were insufficient. Even when there is a public facility such as a charnel house, the villagers began to prefer inhumation with a burial mound in the area where they reside, considering their convenience in ancestral worship rites and economic conditions (my399.com/哈尔滨 新闻网: 2011-04-26).

Third, the act of acquiescence of local government officials was a core factor that led to the wide spreading of the double funerals. There were ‘conspiracies’ between the villagers and local officials behind the act of putting remains in a coffin and burying the coffin after cremation (Chen Huawen/陈华文, 2006; Li Dezhu/李德珠, 2010). Whether or not the actors involved in the reform – i.e., policy enforcers and the targets of reform (especially villagers) – comply with the relevant laws is not dependent on the rationality of legal norms, but rather on the maximization of the “subjective efficacy” judged by the actors. The “subjective efficacy” includes material gains and emotional satisfaction (Wang Ting/王婷, 2018). To say it in easy terms, the villagers carried out cremation to observe the law while keeping traditional rituals in all other procedures except cremation, and in doing so, they could be psychologically comforted and show ‘honorable acts’ in their local community.

An important aspect of affective rationality is related to the attitude of the local executives who enforce the law. First, they are subjected to the pressure raised by higher-level agencies. Whether they complete their assignments or not is directly related to the overall evaluation of performance by the concerned local government. Failure to attain the goal of the ratio of cremation leads to a great encumbrance on their bureaucratic lives. Therefore, the enforcement officers cannot help but be desperate, and their foremost principle is only the achievement of the goals. However, such coercive ways are likely to lead to resistance and complaints from the villagers who have maintained the traditional values and customs for a long time. In this situation, the local policy executors suffer from two pressures. One is the regulations from local government, and the other is the rules of emotional interactions with the villagers, including benevolence and giving face. The conflicts between the two are evident in the interview data below.

“However, to be honest with you, the regulation is to collect all coffins within two months, and I personally think that it can hardly be accepted by not only the elders in families, but also team leaders who enforce the regulation. [...] After completing the meeting, I have to visit every house and explain the situation according to the regulation. When I get home after work, I am sick at heart.” (Luo Niu/罗妞, 2017: 28).

“When I visited the villagers’ houses this time, I was not welcomed by any of them. Many senior citizens grabbed my hand and begged me while crying. Some people blindly spoke ill of me, others did not even open the door, and still others drove me out while throwing things at me. [...] During this period, I slept fitfully every day. [...] I thought I would quit for a while. Although their acts were huge obstacles to the performance of our work, we understand them because of their circumstances.

in such a way that they do not occupy, or hardly occupy, lands such as deeply burying, scattering, and storage and the act of putting the remains into the coffin and burying the coffin is prohibited.”

In fact, our acts are a challenge to the traditional custom that has lasted for thousands of years. Every time I go to collect coffins, my heart grows heavy. My position was literally unbearable. To be honest with you, the policy and demand of the government this time are unrealistic. Since they can hardly be understood by us, they should be much more so by the elderly.” (Luo Niu/罗妞, 2017: 28-29).

As can be seen here, the local officials just pushed ahead with the policy of regulations without completely accepting the legitimacy of the policy. They felt considerable psychological distress from the worsening of their relationships with the villagers. They became sympathetic to the reasons for complaints by the farmers. Therefore, they committed themselves to securing the “ratio of cremation”, which is their primary goal, in order to minimize the negative results affecting the local government in question. They then showed an attitude of conniving or looking on with folded arms over the acts of the villagers after cremation. In this way, the villagers acted to enhance their “subjective efficacy” while realizing the bureaucratic and instrumental rationality of the funeral reform. The ‘equilibrium’ was also reached even by local government executives, who did not control the villagers’ behavior of carrying out secondary inhumation after cremation, insofar as they satisfied the ratio of cremation.

7. Chinese Imagination of Affective Rationality (合情合理: héqíng hélǐ)

Through the above analysis, we have identified the conflicts between the rules of the formal bureaucratic system and the traditional ethics of filial piety built into the daily life world in China. We have also seen the unique adaptative transformative pattern termed ‘makeshift’ (变通) that resolves the conflicts. There are theoretical and practical grounds for such adaptative transformation to work properly. First, we will examine the main flows of the Chinese theoretical discussions.

1) Chinese-style interpretation of ‘affection’ and ‘reason’

The 《Modern Chinese Dictionary (现代汉语词典)》 defines the term ‘Qing-li’ (‘affective reasonableness: 情理’) as “a general way of expressing the ordinary people’s normal emotions and situational understanding”. However, an elaborate academic concept of the term is still lacking. In view of many interpretations, we can perhaps take it as referring to a sort of fusion of emotion and reason, enabling a practice in which reason is based on, rather than separated from, emotions (Xiao Qunzhong/肖群忠, 2003; Lin Duan/林端, 2004; Ling Bin/凌斌, 2012; Guo Weihua/郭卫华, 2015). This Chinese way of thinking is clearly distinguished from the Western way of dealing with emotion. The distinction comes from the different ways of solving the relationship between “affection” and “reason” in the East and the West. In the West, from the viewpoint of instrumental reason and the rule of law, ‘emotion’ refers to the special characteristics of individuals, which cannot be easily predicted or controlled, such as sexual desire and sentiments. On the other hand, in the Chinese society, ‘emotion’ focuses on the relational or situational properties operating between individuals rather than ‘personal private feelings’. Therefore, ‘affection (情)’ is understood as linking individuals in terms of mind and heart (通情).’ Affection as a social flow has certain attributes, like multilaterality and adaptative transformation (Xiao Qunzhong/肖群忠, 2003:38). Meanwhile, the ‘reason’ of Western society means cognitive thinking such as judgment and scientific inquiry. It is opposite to unreasonable things (desire, emotion, etc.) and maintains its ‘purity’ while excluding ‘emotion (情).’ On the other hand, the Chinese view of ‘reason’ ultimately appears as ‘the heavenly law (天理)’ and is understood as a sort of moral and practical imperative. In China, the concrete expression of this reason is ‘manners (礼)’. Reason is based on ‘affection’ yet simultaneously plays the role of guiding it (Xiao Qunzhong/肖群忠, 2003:38). In short, Chinese culture clearly departs from the Western tendency of the oppositional dichotomy of reason and emotion. Instead, it shows a value system in which reason expresses itself as a morality based on ethical emotions (Xiao Qunzhong/肖群忠, 2003; Wu Yingzi/吴英姿, 2005; Ling Bin/凌斌, 2012; Guo Weihua/郭卫华, 2015),

2) Discussion on affective rationality(合情合理: héqíng hélǐ)

Affective reasonableness (情理), which is referred to in Confucian culture, is the flow in which emotions and reason are combined. In his book 『Chinese (中国人)』, Lin Yutang/林语堂 (2001) presented affective reasonableness as a spiritual civilization, which is a distinctive characteristic of China. It was said to involve not only humanism (人本主义) but also an ordinary (庸常) practical spirit (Xiao Qunzhong/肖群忠, 2003; 37 recited). In other words, ‘affection (情)’ not only means such characteristics as ‘humane feeling (人情)’ or ‘humane personality (人性),’ but also involves a concrete relationship depending on ‘circumstance and situation.’ (Ling Bin/凌斌, 2012). Meanwhile, ‘reason (理)’ retains some sort of value-oriented implications such as the “the heavenly law (天理)”. Unlike the Western cognitive reason, the Chinese concept of reason expresses itself from the beginning as a normative claim that something “should be right” to pursue (应当) (Guo Weihua/郭卫华, 2015). Here, “the heavenly law (天理)” is some kinds of nature’s self-operating laws with universal orientation, while ‘the humane emotion (人情)’ involves innumerable many differences per individual. Chinese philosophy argues that only ‘manners (礼)’ can put individualism and universalism into order, properly considering individual distinctiveness.

Accordingly, the two concepts that had been separated into ‘heavenly law’ and ‘humane emotion’ were transformed into the concept of ‘affective reasonableness’ via the function of ‘manners (礼)’. China can be said to have found a way in which universalism and particularism can be reconciled without being biased toward either of them, and this view is very different from the Western dichotomy that regards universalism and particularism as mutually conflicting (Chen Chongchao/陈崇潮, 2015). More specifically, Guo Xinghua/郭星华 and Sui Jiabin/隋嘉滨(2010) defined ‘affective reasonableness’ as some sort of action guidelines, which is a behavioral pattern generally weighed by common affection, social norms, special relationships between two parties, past careers, and predictions of future exchanges in the process of exchanges between people. Whereas reason (道理) is an abstract, analytical, and ideal logic, affective reasonableness is more realistic, humanistic, and closely related to reality, and thus enables examining circumstances more quickly and precisely (Lin Yutang/林语堂, 2001 ; Xiao Qunzhong/肖群忠, 2003; 37 recited). Therefore, in Chinese culture, being “sensible to reason (通情达理, tōng-qíng-dá-lǐ)” and having “affective rationality (合情合理, hé-qíng-hé-lǐ)” can be regarded to be the most ideal behavioral patterns. Concrete expressions appear different according to persons (吴英姿, 2005). ‘Affective rationality (合情合理) among individuals lies in sympathy or fairness learned through experiences of reciprocal understanding (将心比心) (Wu Yingzi/吴英姿, 2005). Xiao Qunzhong/肖群忠 (2003) conceptualized one of the key Chinese ways of thinking, *Zhongyong* (moderation: 中庸), as the state where emotion and reason are fused in balance. Perhaps, this state can be interpreted to be close to what was meant by ‘affective rationality’. As a methodology to reach this ideal state, Xiao Qunzhong/肖群忠 (2004) presented ‘maintaining 经 (JING)¹¹while performing 权 (QUAN)¹²; that is, ‘Maintain Principles with Flexibility’, a state where principles are observed while having flexibility depending on situations (Xiao Qunzhong/肖群忠, 2004:9). Perhaps, we can apply this conceptualization to the Chinese experience of funeral reforms during the last several decades.

With regards to the meaning of *Zhōngyōng* (中庸), ‘Zhōng (中)’ means ‘the state where there is no bias, neither too much nor too little, while ‘yōng (庸)’ means ‘common and constant’ (Fu Xurong/傅绪荣-Sun Qingmin/孙庆民, 2013). Therefore, moderation (中庸) literally means reaching the state of harmony and balance by avoiding the two polarizing poles and taking the common roots (Xiao Qunzhong/肖群忠, 2003,2004). However, it is still far from being clear what is meant by saying ‘this is the state of harmony and balance.’ Further research is needed to clarify and measure the extent of affective rationality aspired to by the Chinese *Qingli* culture and *Zhongyong* philosophy.

Meanwhile, according to Confucianism, the concept that best expresses the attributes of affective reasonableness

¹¹ 经: characterized by determinancy and stability. It emphasizes the universal normative action of principles.

¹² 权: specified the conditionality in which norms operate. It involves the meanings of flexibility, response, and makeshift.

is 'ren (仁)' (Xie Hanfeng/谢寒枫, 2002; Xiao Qunzhong/肖群忠, 2003:37 recited). Xie Hanfeng/谢寒枫 (2002) pointed out that 'ren (仁)' first refers to concrete sentiments as the basic foundation of benevolence. If we go one step further, 'ren (仁)' is a rational sentiment. This implies that people's diverse emotional desires should be adjusted and regulated by reason. "Ren (仁) boils down to a sort of reasonable emotional feelings," exemplified by 'affective reasonableness' as an integration of reason and emotion (Xie Hanfeng/谢寒枫, 2002; Xiao Qunzhong/肖群忠, 2003:37 recited). Therefore, the norm of affective reasonableness is sublimating emotional feelings into reasonable feelings, that is, sublimating the 'personal private feelings' expressed to family members into universal emotions such as 'public affection to love others'. (Chen Chongchao/陈崇潮, 2015)

3) Beyond the conflict between affective reasonableness and legal principles

As seen above, the concept of affective reasonableness implies a normative grammar deeply penetrating through people's everyday life in China. Behind it was rural society in China. As families were expanded to clans and the village community was formed based on large families, the relationship between humane emotion (人情), on the one hand, and heavenly law (天理), on the other, acted as a regulative principle for social order in China. However, when modern times came, the industrial civilization of the West forced upon China a complete change in social systems. Chinese people, who were accustomed to the existing rural society and *Qingli* culture, had to spend inhumane daily lives enforced by the modern machine industry and work disciplines. In the meantime, Chinese people started to pursue the rule of law. Nevertheless, the legacy of *Qingli* culture is still mighty. They still dominate people's daily lives and act as the main criteria for judgment of behaviors.

As stated above, the social basis of *Qingli* relations was the traditional society based on blood ties and clan rules (宗法) (Guo Weihua/郭卫华, 2015). In modern society, however, the influence of scientific technology, democratic politics, and instrumental reason has become mighty. The collective human beings of the past have been transformed into 'the individualized human beings' (Guo Weihua/郭卫华, 2015). Consequently, as social relations based on blood ties and regional networks are weakened, equal and free 'citizens' are growing (Ling Bin/凌斌, 2012). Vulnerabilities in this process are by no means negligible. Although the development of scientific technology, professional rationality, and the modernization of laws are inevitable, new cultural innovation is also needed to go beyond the limits of the Western paradigm of modernity and instrumental rationality. There is a great necessity to establish a new relationship between tradition and modernity. It is necessary to get away from an easy way of contrasting in the dichotomy between the rule of law and *Qingli* culture. It is of practical necessity to move into a creative inquiry to explore the possible new relationships among cognitive (instrumental) rationality, moral (normative) rationality, and affective (emotional) rationality.

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