

*What is Authority Made Of?*¹

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In a letter to M. Coray, Thomas Jefferson distinguished two distinct notions of political authority. The first was that of ancient Greece, which was characterized by “slavery” and the subjection of the population. Jefferson’s characterization was astute insofar as Aristotle regarded some groups as privileged to rule “by nature,” while all other hereditary groups were fit only to be ruled. The second type, referring to governments of “the present age,” rejected that standard in favor of equality and the promotion of the people’s “happiness.” Unexpectedly, the dichotomy between hereditary privilege systems and egalitarian service to the people maps onto the contrast between “feudal” and “bureaucratic” systems in late imperial Chinese theory. In other words, this insight into the nature of authority was known to theorists both in China and in the “West,” suggesting that it captures something fundamental about the nature of “authority.” This essay probes the dichotomy in two ways, theoretical and historical. In theory, “feudal” systems, east and west, seem to be informed by a substance metaphor, and so both Aristotle and his early modern followers conflated authority with social status, and imagined the latter as a hereditary, noble substance such as gold. In this model, social groups are necessarily ranked, with gold being nobler, for instance, than brass. Because authority inheres in the person as a substance, authority is personalistic. In other words, there is no clear, external standard for checking abuses of power. Classical Chinese bureaucratic theory imagined authority as a tally. In that case, an officer’s performance had to match the office’s public charge. Because the assignment of office is merit-based, tally systems tend to be more egalitarian. Moreover, they naturally provide an external standard for checking abuse, namely, the officer’s effect on the people’s “happiness.” Historically, these two paradigms clashed in England and Europe during the seventeenth and eighteenth centuries, when translations of Chinese texts became available. Using translanguinal analysis, this essay traces the transformation of authority from a substance model to a tally model in the thinking of several Enlightenment writers, culminating in the writings of Thomas Jefferson.

Key words: meritocracy, China; meritocracy, Europe; China-Europe cultural relations; authority; theory of Imperial China; political theory

Thomas Jefferson once identified two opposing conceptions of political authority. He imagined one as ancient, the other as modern:

The government of Athens was that [of] the people of one city making laws for the whole country subjected to them. That of Lacedaemon [Sparta] was the rule of military monks over the laboring class of the people, reduced to abject slavery. These are not the doctrines of the present age. The equal rights of man, and the happiness of every individual, are now acknowledged to be the only legitimate objects of government. (Coray 1823: vii, 319)

Apparently for Jefferson, what we now call “Greek democracy” was not very democratic. That insight found resonance recently in the pages of *JWP*, where Shuchen Xiang exposed the basic assumptions in Aristotle’s *Politics* as racist. In that essay she traced the transmission and replication of Aristotle’s

arguments in European history, showing how his premises were deployed to justify slavery and colonization throughout the early modern and modern periods. Even today, within the western academy, the “age-old racist tropes about the Other still structure [academic philosophy’s] perception of other cultures” (Xiang 2020: 115).² An important upshot of Xiang’s study is that it shows how an ancient master narrative can shape political consciousness across history, even up to the present moment.

Building on her work, this essay aims to take a closer look at the construction of “authority” in the Aristotelian model, as well as in the alternative that informed Jefferson’s ideals. The evidence shows that the latter model has roots in both Chinese and European sources. This essay aims to clarify its intercultural development by examining the metaphorical foundations of competing political narratives.

I will not attempt an “east/west” cultural comparison, seeing as both the Chinese and European traditions have been richly intercultural for centuries. Instead, following some methodological groundwork, the essay focuses on that historical moment when the later model encountered the Aristotelian model in English-language publications of the seventeenth and eighteenth centuries. Examining translations of Chinese terms and concepts in that literature, the intercultural and interlingual character of early liberal thought becomes difficult to deny. That conclusion differs sharply from what traditional “rise-of-the-west” narratives might lead one to expect, as discussed in detail elsewhere (Powers 2019: 11–24).³ Possible ramifications for contemporary affairs will be noted in the concluding remarks.

Finally, for the purposes of this study, I make no claims regarding the political thought of the philosopher who lived in Athens during the fourth century BCE. My interest is in Aristotle as understood in preindustrial England and America. At that time, many read Aristotle in the original, but we get some sense of how they understood him from references to *Politics* in the writings of political thinkers like Samuel Pufendorf. Those interpretations seem consistent with the 1776 edition by William Ellis, one of the earliest true translations, and one that—to judge from the number of extant copies—was widely read. During that same period, English translations of essays by Mencius and famous Chinese statesmen also were circulating widely among English and American men of letters.

1 Imagining Authority

Professor Xiang showed that, in Aristotle’s master narrative, members of some hereditary groups are by nature superior to the members of other groups, and so enjoy privileges denied their inferiors:

For that some should govern, and others be governed, is not only necessary but useful, and from the hour of their birth, some are marked out for those purposes, and others for the other [...]. (Aristotle 1776, I:5, 12)

This leads to a master narrative in which the privileges of the favored group do not require justification, authority being ontological in origin. In that narrative, being Athenian, or an aristocrat, or white, is its own justification.

Modern democracies, in principle, reject the privilege standard in favor of legal equality for individuals, irrespective of group membership. That leads to a narrative in which the exercise of power is no longer ontological and so requires justification. These two conceptions of governance can be

imagined as inversely related along a scale running from one end to the other. On one end, authority is realized as privilege; on the other, it takes shape as an office. Both models of governance appear in China as well as in Europe, though at different times.

In China, the origin and exercise of political authority emerged as problematic from early times, and remained so into Song times and later. Mozi (c. 470–c. 391 BCE), for instance, held that legitimate authority requires a humane administration, one that recognizes the value of people's lives: "There are many in this world who rule as monarchs. Among these, very few are humane. If you were to take monarchs as the standard, then the standard would not be humane. If the standard is not humane, then it cannot be construed as a standard" (Mozi 2006: 30). 天下之為君者眾，仁者寡，若皆法其君，此法不仁也。法不仁，不可以為法。

Mencius (c. 385–c. 304) likewise maintained that legitimate government must be humane, and the people's condition will be the measure of that. That is why a proper government must win the "hearts and minds" of the people. According to Mencius, "there is a method for gaining the hearts and minds of the people, and that is to give them what they desire, and do not implement those policies that they detest. That is all!" (Mencius 2014: 7.9, 181–2).⁴ 得其心有道：所欲與之聚之，所惡勿施，爾也。In short, government should execute the wishes of the people, a sentiment not unfamiliar to Jefferson's readers.

Dismissing claims for divine authority, Shenzi (c. 400–c. 337) held that laws are legitimate only when accepted into the people's hearts. Similarly, in a text dating to the Warring States Period, the *Guanzi* maintained that laws unacceptable to the people are illegitimate (Powers 2006: 146; 175–6). As a group, the writings just cited represent different philosophical traditions—Mohist politics, Confucian ethics, and bureaucratic theory—but for each of them, legitimate authority was understood as deriving from the condition and disposition of the people. Heredity, or divine right exercised arbitrarily, scarcely figure in classical ruminations on authority in China.

The story is similar if we turn to the execution of authority. Classical thought recognized that group-based qualities such as wealth, lineage, ethnicity, or status in no way qualify a man to exercise authority. Holding that state authority should be implemented for the benefit of the country, not the officer, bureaucratic theory stressed the distinction between public and private interest. The bureaucratic theorist Shenzi put it this way:

Formerly when they set someone up as emperor and honored him, it was not for the benefit of that one person. When one sets up an emperor, it is for the benefit of the world, it is not that the world is set up to benefit the emperor. When one sets up the lord of a state, it is for the benefit of the state, it is not that the state is set up to benefit the lord. When one sets up officials, it is so they can serve in office, it is not the office that is set up to serve the official (Xue and Xu 1990: 136–37).⁵ 古者立天子而貴之者，非以利一人也。故立天子以為天下，非立天下以為天子也，立國君以為國，非立國以為君也，立官長以為官，非立官以為長也。

Institutionally speaking, that meant situating power in offices rather than in persons, with authority being contingent on properly discharging the duties of office (Powers 2006: 145–50).

That principle was implemented under the Han administration (206 BCE–220 CE), but was largely ignored during the medieval period. It revived in the tenth century under the Song, and figures prominently in handbooks on government at that time. The standard supposition was that society is part of nature *tiandi* 天地. Nature's fundamental disposition favors the production of life. Therefore, it is the duty of government to work with nature to foster the lives of the people, and it is the people's duty to work with government toward that end. Without any reference to divine authority, this natural

condition gives rise to the distinction between public and private interest: “It is only when the duties of office are matched to this practice [the promotion of life] that one can know how to serve the people. If duties are disengaged from this practice, then all one knows is how to serve oneself” (Powers 2019: 55–6). 惟職當於事，則知所以為民。職浮於事，則徒知所以自為而已。

Divergent views certainly existed within the Chinese tradition. The arguments just cited represent only a sampling of mainstream ruminations on the nature of authority in China, but anyone familiar with that tradition who undertakes to read Aristotle’s *Politics* will be surprised at how little interest, comparatively speaking, he expressed in the source of authority, its limitations, or the qualifications of officers. Even so, we encounter some clues in the opening chapters. As noted earlier, the master narrative that emerges there differs from mainstream views in China chiefly in that authority, for Aristotle, was determined primarily by the accident of noble birth, a condition he refers to as “natural”:

It is also from natural causes that some beings command, and others obey, that each may obtain their mutual safety; for a being who is endowed with a mind capable of reflection and forethought is by nature the superior and governor, whereas he whose excellence is merely corporeal is formed to be a slave. (Aristotle 1776, I: 1, 3)⁶

Now, it would be possible to assign a meritocratic reading to this passage on the assumption that some people, naturally, are born with more talent and intelligence than others, and therefore may serve as administrators. But as we saw earlier, these roles are disbursed at the hour of birth as a function of hereditary status.

Apparently, Aristotle conflated noble birth with intelligence and ability. This explains why, in discussing the assignment of posts, he regards appointment by election as equivalent to assignment by lot. It matters not who is assigned to any given role, so long as he is an aristocrat (Aristotle 1776, III: 130; IV: 15, 232–4).

To his credit, Aristotle recognized that some men might abuse their power, and some judges were authorized to restrain errant authorities (Aristotle 1776, I: 235–6). However, insofar as he tied “freedom” to social class, it is clear that talent alone was not sufficient to earn a public charge. Hereditary membership in a privileged group, however, was a requirement.

Aristotle rarely asserts this as a proposition, but it is frequently adopted as a premise. The question arises in Book I, Chapter 6, when Aristotle considers that a man of noble birth might be captured in battle and made into a slave. This, he recognized, suggests that the condition of slavery is not natural, but he rejected that possibility, noting that, were this the case,

men of the noblest families might happen to be slaves, and the descendants of slaves, if they should chance to be taken prisoners of war, and sold: to avoid this difficulty they (wise men) say that such persons should not be called slaves, but barbarians only should; but when they say this, they do nothing more than enquire who is a slave by nature, which is what we at first said; for we must acknowledge that there are some persons, who, wherever they are, must necessarily be slaves, but others (can be slaves), in no situation; thus also it is with those of noble descent. (Aristotle 1776, I: 6, 17)

We might inquire how it should be determined that some men “naturally” possess such authority while others do not? It is at this juncture that we discover the tautology underlying Aristotle’s logic:

It is not only in their own country that they (Greek nobility) are esteemed as such, but everywhere, but the barbarians are respected on this account at home only; as if nobility and freedom were of two sorts, the one universal, the other not so. (Aristotle 1776, I : 6, 17–8)

“Freedom” is genuine and universal only for the Greek nobility; for everyone else, it’s contingent. Why? Because Greeks from every state recognize Greek nobility, while among the barbarians, only the barbarians recognize their nobility! According to Professor Xiang, variants of this argument would endure throughout the ages so that “[t]raditionally, western moral universalism proved its universalism through fantasizing about the perverse behaviors of the ‘barbarian’ as a negative proof of why its own values are universal” (Xiang 2020: 101).

The tautology lurking between the lines here is based upon deeper assumptions informing Aristotle’s value system, as Professor Xiang explained:

What “ought” to happen is that rational persons ought to restrain, according to objective moral truths that only they can understand, those who are (culturally) different, as cultural difference is a sign of ontological difference and ontological difference is necessarily parsed hierarchically. (Xiang 2020: 100–1)

“Objective moral truths that only they can understand,” such as why Greek nobility can never be slaves, while non-Greek nobility can. For Greek philosophers, equivocations like this appear to have been a common ploy. According to Danielle Allen, Aristotle understood the importance of analogies that could make fundamentally unequal things appear to be commensurate, and he appreciated the fact that, through such analogies, one could prevent “strife in the community because people are willing to acquiesce in distributions of goods *when they believe* that those are carried out on ‘equal’ or ‘fair’ terms” (Allen 2000: 286; emphasis added).⁷

Equivocations can make a draconian system appear democratic. For instance, in Book III Aristotle declares that the purpose of a polity is to enable “each person to live more agreeably [...] and that this indeed is the great object not only to all in general, but also to each individual.” He further approves of governments “established to preserve and defend the equality of the citizens.” All this fits nicely into mythologies of the Greek origins of modern democracy. However, in between those two mellifluous passages, Aristotle explains that “[t]he power of the master, though by nature equally serviceable both to the master and to the slave; yet nevertheless has for its object the benefit of the master, while the benefit of the slave arises accidentally, for if the slave is destroyed, the power of the master is at an end” (Aristotle 1776, III: 129–30). Apparently, neither living “agreeably” nor “the equality of the citizens” applies to slaves or, for that matter, to any other sort of commoner (Aristotle 1776, I: 13, 39–42).

As Xiang demonstrates, an aristocrat’s freedom can justify enslavement because of a presumed ontological difference. These differences, including body/soul, barbarian/Greek, or slave/master, fit into a widespread cognitive practice Charles Tilly has called “paired, unequal categories” (Tilly 1998: 82–9)⁸: For Aristotle, these pairs were epistemological as well as ontological, and were by no means restricted to social groups. The entire world could be organized along the lines of paired categories ranked by levels of honor, and so “Judging the front part more worthy than the back to be in honour and to command, the gods made us to travel, for the most part, in that direction” (Taylor 1929: 43).⁹ In the *Timaean*, the front isn’t merely the conventional term for whichever direction we happen to face; it is an expression of the universal dominion of the noble over the base.

Because racial difference is ontologically determined, Professor Xiang classifies Aristotle's assumptions as racist, but racism is only one type of ranked discrimination based upon group membership. In some societies, class or wealth is more important than race; in others, religion, and in many, gender (Tilly 1998: 72, 82–9). Whenever a society distributes rank according to group membership, one could argue that authority becomes a function of privilege, with privilege being both the justification and the expression of inequality. Tilly refers to such societies as “inequality-generating systems” (Tilly 2003: 32–3).¹⁰

Returning to the two notions of political authority that Jefferson recognized, we find that in one, authority was understood as privilege, and privilege was distributed according to ranked group membership. In the other, authority was invested in offices, with the latter normatively intended to promote the public welfare, or the people's “happiness.”

As it happens, that dichotomy maps onto the standard terms for analyzing “feudal” 封建 versus “bureaucratic” 郡縣 systems in Chinese political theory. Jefferson might have developed a similar analysis from his own reading of world history, or he could have gleaned something from Chinese sources, as we shall see. In either case, our study of paradigms of “authority” will maintain an open dialogue with imperial Chinese social theory, as well as with more modern sociological categories, avoiding jargon wherever possible.

2 Privilege and Inequality

One can think of privilege as the fundamental medium of power exchange in societies divided into ranked groups. Danielle Allen has explained the concept of rank: “A similar idea is rank. A prince has a lofty station high above a peasant who is in a lowly station. A clergyman has a reasonably high station but not as high as a prince. The prince gets the most respect, the clergyman the next level of respect, and the peasant the least. In an aristocratic society, a person's ‘station’ determines how much respect he gets from others” (Allen 2014: 119).¹¹

It is that respect, not legal structures, that enables nobility to exercise power over the lower ranks. The purpose of law is not to prescribe or proscribe behaviors for all citizens equally. Instead, law “generates inequality” by providing legal support for social privilege. Jonathan Israel, describing the normative political systems of early modern Europe, put it this way: “The late eighteenth-century ancien regime world, still extending, even after American independence, to large parts of the New World, was one ruled by princes and nobilities, and characterized by huge inequalities of wealth and legally buttressed privilege [...]” (Israel 2006: 50).¹²

One man's legally buttressed privilege was another man's exploitation. Marx held that exploitation occurs whenever one section of a population is alienated from the surplus value it creates insofar as that value is controlled by another section of the populace (Marx 1973: 389, 396).¹³ Arguably, authority exhibits a resonant pattern, in that it takes the form of privilege whenever power is disengaged from the larger community.

If “authority” is the ability to command the assent of the governed, then the combined individual wills of the multitude are constitutive of authority. When the bulk of individuals in a community are alienated from the determination of their collective will, the minority in charge exercises privilege, which now emerges as exploitation. I do not claim this as an expression of modern, democratic sentiment. Mozi, Bai Juyi (772–846), Thomas More (1478–1535), and Sir John Eliot (1592–1632) all recognized that the aristocracy exercised authority in the name of the multitude while excluding the latter from benefits they should enjoy (Powers 2019: 36–7, 50).

The relationship is structural. Every political system must define the relationship between the center and the multitude. If there are to be state-level directives, a center is a requirement, and the multitude is the common object of policy. Depending upon how the multitude is construed, the exercise of power in the center will take different forms.

If the multitude is divided into hereditary groups, and the groups ranked—wealthy people, white people, black people, Muslims—then privileged groups can treat the lower ranks, or the multitude, as irrelevant to governance. In this case, insiders will serve as their own judges. Thousands of people might die from malmanagement, yet no external sanctions would apply.

On the other hand, if the center recognizes, as Mencius maintained (Mencius 2014: 7.9, 181–2), the interdependence of the people and the government, or the multitude and the center, then the support of the multitude becomes desirable. Under those conditions, it is advantageous to minimize group distinctions so as to encourage cooperation within the multitude. This will have the added advantage of reducing the potential for conflict.

One way to accomplish that is to permit members of the multitude to participate in governance irrespective of group membership. However that might be accomplished, the center must win the support of the multitude with policies beneficial to it. But that plan introduces a challenge: the needs of a heterogeneous multitude are necessarily complex, so the task of improving living conditions for the community requires expertise, not privilege. It follows that the exercise of power for the community's benefit—as opposed to the aristocracy's benefit—must be tested against external standards, as Chinese bureaucratic theorists maintained.

In the latter case, one of the chief executive's responsibilities—whether monarch, chancellor, or president—will be the assignment of responsibility to specialists. As will soon become evident, this was the core premise of post-Tang political theory in China. Whenever a political functionary received a charge, he was expected to possess the expertise required to fulfill his duty. Because expertise always exists in relation to some standard, that standard would serve as a reality test against which to assess the government's legitimacy.

Adopting a reality test means that the authority to assign someone to a task no longer resided entirely in the hands of the chief executive, or even subordinate departmental heads. Rather, as bureaucratic theorists in China observed, the choice would be largely determined by the candidates' own qualifications (Powers 2019: 37–8). Under these circumstances, political actors would be held accountable to a reality test beyond the power-user's ability to control.

Needless to say, the reality test only works if a power-user's performance is tested against the actual condition of the community. If the community accepts empty tokens as proof of benefit—such as praise from the supreme leader, equivocations about “freedom” and the “Commonwealth,” or paradise after death—then power-users can do much as they please.

Thomas Paine understood that the exercise of power becomes a privilege in the absence of a credible standard. In *Rights of Man*, he noted that an office is always associated with some ability or expertise, but a noble title is just arbitrary power (Paine 1978: 390).¹⁴ This comment strikes at the heart of the matter. If the power-user lacks the required expertise, the exercise of power amounts to corruption because the officer profits from the office, yet renders no service to the community.

Privilege can be thought of as the most extreme form of corruption, one in which standards no longer apply because corrupt behavior is accepted as privilege. Operating in the absence of any standard, there will be no sanctions for mismanagement, which is precisely what is meant by “privilege.”

In western Europe, following Aristotle, the standard equivocation for privilege was “liberty” or “rights.” Liberties and rights were not universal. Different people enjoyed different privileges

depending upon their group's social ranking, which made "liberty" arbitrary in its very conception. Aristocrats were not chosen following a rigorous series of examinations, or because of their intelligence or dedication to the public weal. The only criterion was the accident of birth in a noble lineage and an orthodox religious preference, which was inherited as well.

Most aristocracies, though selected by chance, set the standards for everyone, not just in law, but in religion, interpersonal relations, and even clothing. Commoners had to bow to their betters, they were to wear clothing appropriate for their station, and if there was a disagreement with a nobleman, the commoner was wrong. As Voltaire put it, "If my farm happens to be in the neighborhood of one of our great lords, it is unknown what damages I am obliged to put up with; and if I have a lawsuit with a relation to a relation of one of their high-mightinesses, it will infallibly go against me" (Voltaire 1765: 316–7).¹⁵

How could the nobility justify capricious control over other people's lives? God. The wonderful thing about God is that, if there is one, we have no reliable way of communicating with Her. In other words, where God is concerned, third-party checks are not feasible. This was fortunate for aristocrats because God was in essence a monopolized resource, much like land. The nobility could attribute to God whatever it was that they wanted to declare as law, such as their inherited privileges. Since commoners did not have the right to put words in God's mouth, inequality remained the driving principle informing aristocratic societies well into the nineteenth century. It was this system that Edmund Burke (1729–1797) identified with what we now call "Western Civilization":

"[Civilization] in this European world of ours, depended for ages upon two principles; and were indeed the result of both combined; I mean the spirit of a gentleman, and the spirit of religion [...] the nobility and the clergy." (Burke 1955: 76)¹⁶

3 Metaphors and Master Narratives

Popular wisdom has it that China differs from the west in all respects, but of course this could hardly be the case. In some periods, such as early bronze age or medieval China, the structure of government and society was not much different from that of European aristocracies. Power was granted to the nobility from divine sources, and was conceived and exercised as privilege. Nonetheless, for large chunks of history, China's political system was different from Europe's. The differences were not due to culture, much less to ethnicity, but to a different master narrative about the origins of authority.

George Lakoff and Mark Johnson's work on metaphor may be useful for illuminating the different master narratives about authority that developed in the ancient world. They argue that we "ground" abstract concepts on the foundations of more immediate experience. Metaphors permit us to "conceptualize the less clearly delineated [abstractions] in terms of the more clearly delineated [concrete experience]" (Lakoff and Johnson 1980: 56–62).¹⁷ They distinguish many kinds of metaphor, such as Orientational metaphors, Container metaphors, Substance metaphors, and so on. And so, to "construct an argument covering the topic" is grounded in a comparison with architecture. In this case, we imagine an argument as being built up in the same way as a building (Onians 1992: 202–3).¹⁸ Lakoff and Johnson would call this a "Structural metaphor."

Knowledge, love, or authority can be thought of as substance metaphors, for we readily understand that such things can be transferred from one to another in different amounts, like sacks of grain. Substances can differ in quality as well. In *Politics*, Aristotle imagined that different classes of people were composed of different, inherited substances, like gold, brass, and so on (Aristotle 1776,

II: V, 64). From this we can see that the Greek master narrative about authority was informed at a deep level by a substance metaphor.

Three political consequences derive from the basic character of a substance metaphor:

- First, because substances differ in quality, political authority as substance naturally takes the form of a ranked system: gold, silver, brass, and so on.
- Secondly, a noble substance cannot be made from anything other than a noble substance. The same applies to ignoble substances, so the substance metaphor naturally gives rise to a caste system.
- Finally, substance inheres in the person rather than being a function of the political system, so substance metaphors imply a personalistic conception of authority.

In his analysis of feudal and bureaucratic systems in history, the historian Liu Zongyuan (773–819 CE) recognized the personalistic nature of authority in feudal societies. As he explains it, the reason the ancient kings could not bring an end to feudalism was that they “personally situated their strength in themselves (as opposed to an office); they personally situated their power in their sons and grandsons” (Liu 1992, I: 248).¹⁹ 私其力於己也, 私其衛於子孫也。

In a caste system where power is personalized, authority is difficult to check, for reasons just explained, so in both China and in Europe, substance metaphors posed obstacles to the separation of powers. Astutely, Liu had observed that feudalism favors the exercise of arbitrary power. Though he argued that feudalism arises naturally from primitive social conditions, he also noted that feudalism invites injustice, violence, and political fragmentation (Liu 1992, I: 247).

In non-feudal societies, power tends to be exercised separately in the political, social, and economic domains. If the three domains operate separately, they will tend to check one another. On the other hand, if any one group dominates all three, it can overpower those checks that might otherwise obtain. For instance, if a man were a billionaire, a television celebrity, and the US president, then it would be difficult to maintain the separation of powers with any degree of rigor.

In his classic study of bureaucratic empires, S.N. Eisenstadt noted as much. According to his analysis, “in feudal and patrimonial” societies, we find “closely parallel, if not identical, social, political, and economic hierarchies” (Eisenstadt 1963: 23).²⁰ This meant that the people at the top of the social hierarchy were also at the top of the political hierarchy and just happened to be the wealthiest as well. For Eisenstadt, this structure was a diagnostic feature of feudal/patrimonial societies.

What marks bureaucratic empires like Imperial China is that these three sources of social influence generally operated independently. In Song China, a magistrate had political authority, but his income was modest. A merchant living in the same county might be very wealthy, but he had no legitimate political authority. A poet living in that county might enjoy nation-wide celebrity, and could influence what was called “public opinion” (see below), yet he might hold no office and live on a modest income. In other words, these three sources of social influence operated independently and, to some extent, served as checks one upon the other.

Fortunately for aristocrats, conceptions of authority as a substance tended to prevent the separation of social, political, and economic influence. Because the king sat at the top of all three hierarchies, those three kinds of authority would be indistinguishable within those portions of authority-substance the king scooped out for subordinates. In practice then, commoners would experience a nobleman’s power as a unified authority-substance called “majesty,” “nobility,” and so on. “Nobility,” being visible in a nobleman’s clothing, accoutrements, facial expression, and

deportment, would signify high social rank, political authority, and wealth. Edmund Burke described the system as only an insider could:

By this means [inheritance] our liberty becomes a noble freedom. It carries an imposing and majestic aspect. It has a pedigree and illustrating ancestors. It has its bearing, and its ensigns armorial. It has its gallery of portraits; its monumental inscriptions; its records, evidences, and titles. We procure reverence to our civil institutions on the principle upon which nature teaches us to revere individual men; on account of their age, and on account of those from whom they are descended. (Burke 1955: 32)

“Noble freedom” here echoes Aristotle’s sense of “freedom,” which is to say, an inherited privilege. This privilege “carries an imposing and majestic aspect” for reasons just explained. The power of privilege comes from ranked group membership, which is materially documented in portraits, insignia, monuments, personal bearing, and so on. Power is executed by eliciting “reverence” from inferiors in response to internalized social norms. This gives rise to a ranked legal system where both power and punishment become functions of class privilege, as opposed to the facts.

What made preindustrial China different from Burke’s European Civilization was the conception of authority that emerged in Chinese courts and academies during the Classical period. Religion had little part in that body of theory. True, ceremony was a significant feature of pre-Han government, and Confucius valued ceremonies, but he cautioned his students not to worry whether spirits actually existed. The ceremony itself was beneficial, irrespective of whether it had any ontological basis (Graham 1989: 15–6; Powers 2006: 50–60).²¹

Mencius went further still, identifying “Heaven” with *minxin*, or the hearts and minds of the people. Unlike Aristotle’s references to the people, *min* primarily signified taxpayers, mostly farmers, but the term included craftsmen, merchants, and other groups excluded in Aristotle’s theory (Munro 1969: 18).²² Mencius, in other words, transformed the authority to govern from a spiritual substance to the expressed wills of the multitude understood as taxpayers, people with a stake in the system (Graham 1989: 115–7). For this reason, Confucian philosophy had no need of authorization from a conveniently ineffable supernatural power.

4 The Tally Metaphor and the Separation of Powers

But China was still an aristocracy in classical times. What would you do if a nobleman’s actions inflicted misery upon the people? If you couldn’t appeal to God, what options did you have to correct bad behavior? The answer was *zhengming* 正名. This is usually translated as “the rectification of names,” a phrase meaning little to English speakers, so let’s render it as “matching claim with reality.”

The “*ming*” in that phrase actually referred to a title, such as “king” or “officer.” Early Confucians did not perceive titles as a privilege but as a responsibility, a kind of claim one had to make good on. A king, for example, was charged with fostering the welfare of the people so that, as Mencius put it, “They may live out their lives in happiness and with full bellies 樂歲終身飽” (Mencius 2014: 1.7, 15–6). For Mencius, this was the king’s “charge,” or *ming* 命, often mistranslated as “mandate.” If the facts of the king’s actions did not match that description, but instead provoked suffering, then, for Mencius, he was not a king at all and could be disposed of just like any other criminal.

At that stage, roughly the fourth to third century BCE, the *zhengming* idea was reframed so that its meaning corresponded more closely to the term itself, namely, *mingshi* 名实 (claim/reality). In a

proper administration, claim and reality must match (藕、副、合), or tally (名實相符). From classical times right up until today, Chinese speakers may point to bad government by noting that the claim and reality do not “tally” 名不符實 (Di 2013: 10–1).²³

The tally is a structural metaphor that informs the master narrative of the origins of authority in China. One side is the title with its charge or standard; the other is the facts of an officer's performance. Authority is not activated unless the two sides match. Because the two sides, in fact, might not match, by its very nature this metaphorical model recognizes the fallibility of government, along with the necessity for checks. For the same reason, this understanding of authority is reality-based, and so differs from the conception of authority as substance, which encourages mystification.

It was a powerful idea, but was difficult to carry out. Then, as now, if the chief executive is too readily removed, then his or her leadership can be easily compromised during moments of crisis, precisely those times when consistent leadership is required. On the other hand, if s/he is too difficult to remove, that invites abuse. Despite this challenge, *zhengming* was refined and applied to administration quite effectively.

This concept lay at the core of the bureaucratic theories that emerged between the fourth and second centuries BCE. Those theories addressed the chief executive problem by separating budget sources and administration for the court and state. This had the effect of limiting the monarch's powers in two important ways:

1. He could not dispose of state revenues at all as these were budgeted explicitly for public services such as roads, education, administrative expenses, military, and so on. The emperor had to rely on separate taxes, often luxury taxes, to fund the expenses of the court (Powers 2019: 58).
2. The emperor did not appoint, promote, or demote most officers as such decisions were made by career administrators. Those men based their judgments on merit, or the *mingshi* standard (Qu 2003: 14–9).²⁴ The emperor's real authority was largely limited to his role as chief executive within the cabinet, but even there, his powers were more constrained than we have been led to imagine (Bol 2001: 131–4).²⁵ Unlike an American president, typically he could not fire cabinet ministers without cause, and he rarely contested the judgments of cabinet ministers within their sphere of authority (Kracke 1968: 28–37).²⁶

Because the tally concept of authority involved two elements, each contingent on the other, it could not be portioned out to subordinates. In theory, an officer could activate the powers of office only by discharging its duties properly in the public interest. At least two consequences follow from this concept of authority:

1. It has little to do with social rank, wealth, ethnicity, religion, or other aspects of group membership. That is why the civil service examinations were anonymous. Being anonymous, the examiners (there were several) could divine very little about the examinee's wealth, social status, or religion from the contents of the examination. Since group membership is the basis of most forms of bias, especially racism, this institution helped to reduce the impact of racial, religious, or class prejudice. It did not eliminate inequality or groupthink—no society ever has—but it made for a more egalitarian system of distributing authority.

2. The powers of office were activated by talents and abilities that the officer possessed as an individual, not as a member of some caste. This, too, fostered a more egalitarian system for distributing authority.

Liu Zongyuan recognized the salaried bureaucratic system as superior to feudalism because “[i]f an officer breaks the rules, you can fire him; if he is capable, you can promote him.” 有罪得以黜, 有能得以賞。On the other hand, feudalism:

governs society through (the institution of) inherited station. If you govern society through inherited station, will the most capable actually be assigned to the higher ranks? Will the less capable actually be assigned to the lower ranks? Thus there will be no way to guarantee the people's safety and prosperity. (Liu 1992: 248–9) 今夫封建者, 繼世而里。繼世而里者, 上果賢乎? 下果不肖乎? 則生人之理亂未可知也。

In late imperial times, when an officer abused his powers, the offense was described such that the officer had acted in his “private capacity,” rather than under the authority of office (Tan 2013: 120–2).²⁷ After all, where would an officer get the authority to commit an act not authorized by the office? If his actions didn’t fall under the job description, then he could only have acted as a private person. In that case the illegal nature of the act would be immediately apparent. This conception of authority made it easier to remove officers who abused authority, pushing back against the common human propensity for greed.

5 Public Opinion as a Check

Conceived as a substance, there is nothing to prevent an aristocrat from giving a scoop to his sons, daughters, or sons-in-law. This, in fact, would be the most natural thing to do. Since it belongs intrinsically to a nobleman in his very substance, he “owns it” and can give it to anyone he pleases. Competence or dedication to the public weal do not enter into the matter. Those wielding substance-authority therefore typically will not distinguish clearly between public and private spheres. Within his territory, a nobleman may do as he pleases. From the perspective of the aristocracy, of course, this is a virtue. From the perspective of the separation of powers, it poses serious obstacles.

The tally conception of authority naturally leads to a separation of powers, but needless to say, there were moments when the claim failed to match the reality. If we look closely at some of those moments, we find either or both of two processes at work. The first was the illogical conflation of court and state, or officer and office. The other was abandoning the requirement that *ming* and *shi* should tally.

In the late eleventh century, the brilliant statesman Wang Anshi 王安石 proposed sweeping New Policies that promised to fill state coffers and at the same time lighten taxes on the people. Arguably many of these policies were good ideas, but in actual execution they did not always work out as planned, leading to widespread misery in the countryside (Onge 2017: 226–31).²⁸ In other words, there was a critical need to adjust the claim to match the reality. At that point the Song feedback system swung into action, with criticisms coming from watchdog departments (Department of Investigation, Grievance Offices, etc.), the regular bureaucracy, and civil society, including commercially published essays and poems. Standard procedure in Song administration would have

been to appoint one or more expert committees to look into the objections and to write a report with recommendations to be discussed by the cabinet (Hartwell 1972: 33–5).²⁹

The architect of these reforms, who happened to be Chancellor,³⁰ did not follow these procedures. Instead, he went to the young, inexperienced emperor for support, arguing that the urgency of the times demanded immediate action. The emperor agreed and, against precedent, gave the Chancellor wide berth to pursue his policies (Egan 1994: 31–2).³¹ Note that the authority the Chancellor received on this occasion was the substance type, not the tally type.

The Chancellor set about firing career bureaucrats in watchdog departments, those who had been critical of his policies. Next, his followers accused prominent critics of slandering the emperor (Egan 1994: 98–107). In other words, they conflated criticism of state policy with personal libel against the emperor. That claim amounted to confusing the distinction between court and state that had been the foundation of Song checks and balances.

The most prominent statesman so accused, Su Shi (1037–1101), responded with a long policy document noting that, from the beginnings of the imperial period until the end of the Tang (618–907), hundreds of watchdog officers had been punished for opposing policies backed by the chancellor or emperor, but since the founding of the Song (960), there had been not a single case. In fact, criticisms from all income levels were accepted, with Grievance Officers being instructed not to consider a complainant's social background. He observed further that the watchdog officers in the Department of Investigation had long been regarded as defenders of public opinion, yet now, that opinion was being ignored (Egan 1994: 36–8).

By Song times public opinion already was regarded as a key check on the powers of government. There were multiple terms for the idea, with *gongyi* 公議 and *gonglun* 公論 being the most common. The Song political system, founded on Mencian theory, regarded the condition of the people as the objective register of political legitimacy. If the people were prospering, policy was good. If the people suffered, policy needed to be changed, so public opinion was in fact a reality check. Under the New Policies what we see is that the system began to permit a mismatch between claim and reality. Predictably, this led to the suppression of public opinion.

Su Shi's document made it clear that the Chancellor's actions represented a sharp departure from standard procedure. Later generations were even more critical. Writing about this period more than a century later, Zhen Dexiu (1178–1235) described that moment in China's history as follows: "Since the beginning of time, there have been historical moments without reason, when men shattered all laws and standards of human conduct. Although at such times men dared to perform any evil deed, even the suppression of public opinion, they were unable to extinguish public opinion within people's hearts" (Zhen 2003: 745).³² 自有天地以來，雖甚無道之世，破裂天常，隳壞人紀，敢為而弗顧者，能使公議不行於天下，不能使公議不存於人心善乎先正。

Still later, Wang Fuzhi (1619–1692), in his *Comments on Song History*, devoted a chapter to the period when the New Policies were implemented. The chapter opens with Wang's characterization of the Chancellor:

Sometimes people talk big, but their words lack substance (facts); words lacking in substance are a bad sign for the monarch. A wise monarch will note this, and will recognize that man's bombast and thus become alarmed [...] I speak of those whose knowledge is limited but whose plans are big, whose ambition is base and who wish only to sugar coat their incompetence, and who delight in exercising their meanness so as to lock up the mouths of the entire world, thereby flattering their own lies! (Wang 1964: 114)³³ 言有大而無實，無實者，不祥之言也。明主知之，... 維知小而圖大，志陋而欲飾其短者，樂引取之，以鉗天下之口，而遂其非。

Apparently, the suppression of public opinion was not regarded as normative even five centuries after the event.

Note the reference to the reality standard in the first line. The reality standard requires facts and details. If someone with big ideas doesn't have either, he is compelled to suppress public opinion, which would otherwise expose his lies. This may be why Zhen Dexiu's concluding advice was to "found government primarily on society's public opinion rather than the private ideas of one man who may be driven by self-interest." His summary is worth quoting:

Public opinion is the lifeblood of a nation. When a person's lifeblood is blocked, he cannot function as a person. When public opinion is suppressed and frustrated, a nation cannot function as a nation [...] The expansion and contraction of public opinion is what determines the difference between political order and disorder, or between the survival and the demise of the state. (Chen 1977: *juan* 86)³⁴ 公論，國之元氣也。元氣痞隔，不可以爲人。公論堙鬱，不可以爲國 ... 夫公論伸屈乃治亂存亡之所由分。

Underlying all this was the idea that the authority conferred upon offices comes from the people of the empire, i.e., the multitude, not from the emperor as a substance. This was because the reality of the people's *condition* was the other half of the tally, with an officer's attention to his charge determining whether the tallies matched. This principle had been standard in bureaucratic theory from Han times onward. In response to the Chancellor's authoritarian policies, Sima Guang (1019–1086) sought to limit the emperor's influence on the state administration (Onge 2017: 234–5). In pursuit of that goal, he added the concept of public opinion to the tally model of merit-based appointment:

For every monarch, the key principle in governing is to promote those who are capable and to dismiss those who are not. When someone is given an official salary, it is the entire empire that gives it; it is not the case that the monarch grants it as a favor [...] From this it is evident that the monarch does not dare to make such determinations on the basis of his own, personal feelings, thereby suppressing the public opinion of the empire! (Sima 2003: 1418, 228–30)
凡人君之要道在於進賢退不肖賞善罰惡而已。爵祿者天下之爵祿，非以厚人君之所善也 ... 明不敢以己之私心蓋天下公議也。

Like countless statesmen before him, Sima Guang identified the government's chief task as the appointment of qualified officers to appropriate offices. Sima stressed that public opinion might well contradict the views of the monarch or the administration in regard to government. In doing so he attributed two kinds of authority to the people. The first was the Mencian idea that the people's condition is the standard against which the legitimacy of government should be tested. The second, more innovative view was that the people themselves are empowered to declare the nature of their condition. What made that possible was the complex feedback system through which the people could make themselves heard. This included the Grievance Offices, the circuit inspectors, and the judicial system.

The Grievance Offices offered the most direct channel for complaint. Serious cases would go to the Department of Investigation (*yushitai* 御史台), the nation's most powerful watchdog, which is why Su Shi regarded that department as the defender of public opinion. There were checks on the legislative body as well, such as the Document Review Office: According to E.A. Kracke, "If an action seemed unwise or unjust, the Office would return it [to the cabinet] for reconsideration." The *Hanlin*

Academy, a kind of government think tank, also commented on policy, and The Bureau of Policy Criticism had broad jurisdiction to expose either bad policy or corruption (Kracke 1968: 29–37).

Informal channels also were available, including print media and works of art, such as fan paintings, which could convey political sentiments in public spaces like tea houses (Liu 2009: 13–21).³⁵ Underlying the entire system was the idea that the government is fallible, so that ultimately its claims must match the facts, with the officer's performance meant to “serve the people.” These multiple and sometimes overlapping checks, however imperfectly enforced, can be understood as the natural consequence of a tally conception of authority.

6 Clash of Metaphors

As Professor Xiang showed in her essay, Aristotle's *Politics*, or at least its master narrative, was widely influential throughout the late medieval and early modern periods. However, during the seventeenth and eighteenth centuries, Aristotle's substance conception of authority clashed head-on with the tally model introduced from China. The following is a brief sketch of how this clash played out in Enlightenment England.

Recall that, in China's classical tradition, legitimate authority was tied to the people's condition. What about ancient Greece? Danielle Allen noted that the Greeks distinguished between two senses of “people.” There was the aspirational sense, which included the entire citizenry, and the factionalist sense, meaning simply the poor masses. As patricians, Plato and Aristotle generally used the term in the latter sense, and this was the normative meaning in medieval and early modern Europe (Allen 2004: 70).³⁶

This classical conception of the people informed Sir Thomas Smith's (1513–1577) essay on *The Commonwealth of England*. Smith's work offers a textbook instance of a privilege system that divides society into hereditary groups and distributes privileges according to group ranking. In this case English society was divided into four major groups, with the aristocracy at the top. The fourth group, which constituted the bulk of the population, consisted of “day labourers, poor husbandmen, yea merchants or retailers which have no free land, copyholders and all artificers [...] These have no voice nor authority in our commonwealth, and no account is made of them, but only to be ruled” (Hill 1969: 68).³⁷ In other words, the actions of government on behalf of “the Commonwealth” did not take into account the needs of the multitude.

In 1559, the Queen's charge to Parliament summarized the chief purposes of government and so provides insight into the Tudor conception of authority vis-à-vis the multitude:

Now the matters and causes whereupon you are to consult are chiefly and principally three points. Of those the first is of well-making of laws, for the according and uniting of these people of the realm into an uniform order of religion, to the honour and glory of God, the establishing of the Church, and tranquility of the realm. (Stephenson & Marcham 1937, 358)³⁸

The other two points were punishing “mischief” and enriching the treasury. It is no accident that religious uniformity came first. In a privilege system, privilege is not itself a law; the exercise of privilege depends upon the respect and esteem that commoners internalize and deliver to their betters on demand. That is what makes the system work, and that is why it was essential that the laws enforce not only objective uniformity in behavior, but subjective uniformity in thought. The master knows he is master, but the slave must also know that he is a slave.

As late as the late seventeenth century, we find traces of this Aristotelian legacy in Samuel Pufendorf's (1630–1694) essay entitled *That All Men are to be Accounted by Nature Equal*. The passage cited begins with a paraphrase of Aristotle's opening statement in *Politics*:

This much indeed is most evident, that some Men are endowed with such a happiness of wit and parts, as enables them not only to provide for themselves and their own affairs, but to direct and govern others. And that some again are so extremely stupid and heavy, as to be unfit to govern themselves, so that they either do mischief, or do nothing, unless others guide and compel them. And further, that these last being commonly furnish'd by nature with strong and hardy bodies, are capable of bringing many notable advantages to others by their labour and service. (Pufendorf 1729, III: ii, 230)³⁹

As with the *Politics*, scholars might read this as an argument for meritocracy. If that were truly the case, however, Pufendorf would have had little difficulty understanding China's merit-based system. As it happens, he could not begin to grasp its most basic principles.

Pufendorf was familiar with Johann Nieuhof's (1618–1672) book on China, citing the latter in his footnotes. His summary of Nieuhof's account of China's merit-based administration illustrates nicely the epistemological clash between substance and tally metaphors:

“Neither do the Chinese express any Honour for Antiquity of Descent, the poorest and meanest Person in the Empire is capable by his Learning only of preferring himself to the highest Places of Honour.” He concluded then, that “Nobility ought not to depend *only* upon the blood, but should much rather be rais'd and establish'd upon Virtue.” (Pufendorf 1729, VIII, IV, 31)

The first “Honour” in this passage refers to social rank; the second refers to bureaucratic rank. Notably, Pufendorf did not distinguish between the two. This confusion serves as a warning for any who might interpret the passage as evidence for meritocratic aspirations. Our suspicions are confirmed when Pufendorf describes the authority conferred upon an officer as “nobility,” an equivocation that conflates social rank with administrative rank. Moreover, it soon becomes evident that, in Pufendorf's view, such authority most certainly *does* reside in the substance of the blood, though he suggests that, in addition, the monarch might consider other qualities as well, such as “virtue.”

Pufendorf refers here to the practice whereby the monarch could grant special honors and ranks to members of the aristocracy depending upon differences in “virtue,” understood as service to the king. According to Hamish Scott: “All noble families were engaged in a permanent competition not merely to maintain their own standing, but if possible to rise in the hierarchy and to secure more status than their aristocratic rivals” (Scott 2008: 36).⁴⁰ What Professor Scott describes here is competition for status, not office. Nonetheless it is understandable that Pufendorf would try to map “virtue” onto a foreign concept of merit. “Virtue,” like merit, is something that people can possess in different degrees. In Chinese bureaucratic theory, however, merit is opposed to aristocratic rank, not conflated with it (Powers 2006: 146–8, 204–8).

In recent years there has been some discussion of “virtue” in early modern Europe and whether its use signals the emergence of a nascent meritocratic ethos. James Hankins speaks of a “virtue ethics” among early modern humanists which, “by analogy with virtue ethics, focuses on improving the character and wisdom of the ruling class with a view to bringing about a happy and flourishing commonwealth. It sees the political legitimacy of the state as tightly linked with the virtue

of rulers and especially their sense of justice, defined as a preference for the common good over their own private goods—their ‘other-directedness,’ as a modern might put it” (Hankins 2019: 97).⁴¹

The language here, especially “a happy and flourishing commonwealth,” sounds very much like Chinese sources such as the *Mencius* or the *Great Learning*. Hankins notes the resemblance to Confucian philosophy, but he believes that the humanist tradition represents a novel discovery on the part of Europeans (Hankins 2019: 99, 105–6). Seeing as authority often is imagined either as privilege or as merit, arguments for merit-based authority should be expected to appear in many times and places. In that case, it is not surprising that some notion of merit should emerge in early modern Europe (Powers 2019: 8–9, 36–7).

It is sometimes said that, within the European tradition, there were ancient or medieval thinkers who departed from the aristocratic model. This seems likely true, but it is significant that Pufendorf does not refer to them. If those thinkers had left a mark on the European tradition, surely a man as intelligent and as educated as Baron Pufendorf would have absorbed their thought and applied it to his understanding of China’s political theory. Likewise, he must have been familiar with the humanist tradition, yet he was unable to comprehend even the most basic principles of a merit-based system, especially the meritocratic concept of “equality” (see below). This would suggest that “virtue” at that time, along with its synonym “nobility” (Hankins 2019: 97–8), functioned as an equivocation.

There is no doubt that Europeans were grappling with Chinese notions of authority during that time. Arthur Lovejoy noted that, as early as 1615, a “stereotyped list of points in which the Chinese political institutions and practice were superior to those of the West was repeated again and again,” including: a meritocratic standard for assigning political authority “without any respect of degree or parentage”; “exacting educational qualifications, tested by examinations, and evidence of personal character and competence”, which is to say, a definition of “merit” that incorporated service to the public as well as learning and ability; systemic checks, including “constant insistence, through periodic visitations of inspectors, upon efficiency and a regard for the public interest in the operation of the entire political mechanism” (Lovejoy 1948: 103–4).⁴²

This system, theorized in detail in classical China (Powers 2006: ch. 9), corresponds roughly to what Charles Tilly calls “sorting systems” (Tilly 2003: 31–3), and what English speakers have called “meritocracy” since the nineteenth century. “Merit,” in this sense, is structurally distinct from Pufendorf’s “virtue” and “nobility.” At a minimum, it required dissociating political authority from social status, not conflating the two. Dissociating authority and status meant abandoning the substance metaphor in favor of a tally model. As we shall see, this was not an easy cognitive task for Europeans, which is why “nobility” remained the primary translation for *zhi* 職, the authority of office, up until the late eighteenth century (Powers 2019: 128–36).

Another structural difference between imperial China’s understanding of merit and the European tradition is its corresponding concept of equality. The notion of “equality” informing China’s civil service examination system differed from Aristotle’s in that it was not proportionate. Song period terms for “equal” (公、一、齊、均) implied uniform treatment of individuals irrespective of social grouping. *Bianhu qimin* 編戶齊民, for instance, meant “all taxpayers are equal under the law” (Powers 2019: 153). During the period we call the Tang/Song transition, Bai Juyi (772–846) articulated this principle unambiguously in his policy document on law:

According to the *Annals*, “People’s minds are all different, just like their faces.” Therefore: one person, one point of view; a thousand persons, a thousand points of view. If you don’t unite them with law, then each person’s mind will differ entirely from every other [with respect to

the law]... (Bai 1996: 1010–1)⁴³ 《傳》曰：“人心不同，如其面焉。‘故一人一心，萬人萬心，若不以令一之，則人人之心各異矣。

The term for mind, which here implies “point of view,” is *xin*, the same *xin* that Mencius used in the phrase *minxin*, or hearts and minds of the people. One might expect Bai would recommend that people should be unified through laws requiring universal adherence to certain teachings. As it turns out, that was not the case:

For example, if laws are carried out strictly at first, but in a lax manner as time goes on, then they are not uniform [...] If laws are applied strictly to the poor but loosely to the noble, then they are not uniform. If laws are enforced for people who are distant from power, but are not enforced for those near to power, then they are not uniform (equal). 概謹於始，慢於終，則不一也 ... 急於賤，寬於貴，則不一也。行於疏，廢於親，則不一也。

While *min* refers to taxpayers, emphasizing their role as a collective within the polity, Bai preferred to use *ren*. That term picks out members of the multitude as individuals, presumably because Bai recognized that each person, as an object of law, possesses a unique point of view. Like Hobbes (Allen 2004: 78), he understood that this disparity could pose a problem for government, but he did not propose unifying these multiple subjectivities by subordinating them to the ruler’s will, much less to his religion. The solution, rather, was institutional: apply the laws equally to everyone irrespective of social rank.

It should be evident that this concept of authority is informed by a tally metaphor. The law cannot simply be imposed on men’s minds, seeing as minds are individual. The laws, therefore, do not become legitimate simply because the king issues them. They become legitimate when the people accept them, but that cannot happen if the laws are enforced differently according to ranked, hereditary groups. When the law is exercised equably, the two halves of the tally match, and the law becomes legitimate.

Pufendorf’s difficulty with merit-based standards makes sense once we recall that the Aristotelian conception of equality was geometrical, based on ratios. The distribution of equality was predicated on such things as “honor” and “property,” substances which some groups possess in greater abundance than others (Allen 2000: 284–5). This was clearly the sense of the term “equality” in sixteenth-century England, when Thomas Starkey described the earthly world as “so knytte by dewe proportion in a certain equalitie” (Collins 1989: 17).⁴⁴ Likewise, when Pufendorf claimed that all men are created “equal,” he used the term proportionately, which is to say, he equivocated.

7 Equal Rights and the People’s Happiness

So how did Europeans find their way around to equal rights and the people’s happiness? That process has been examined elsewhere (Powers 2019: 87–102). The task here is to inquire how a substance metaphor gave way to a tally metaphor in preindustrial England and America.

Ever since the early seventeenth century, the idea of “merit” as an alternative to privilege had been exciting lively discussion all across Europe, but most failed to grasp the tally logic. Pufendorf, following Aristotle, misunderstood the nature of a merit-based system. Louis Le Comte (1655–1728), writing at about the same time, understood that learning and ability were the criteria for “Honours” in China. He also grasped that noble blood was not necessary for appointment, but still he imagined

that such authority could be dispensed only at the king's pleasure (Powers 2019: 41–2). In other words, the power to rule was portioned out from the king's pile of authority-substance.

As late as 1732, an author signing his essay as “A.D.” reiterated this understanding in terms that reveal more fully the substance metaphor informing it:

No Government ought to hinder the meanest member of the community from advancing himself by his own merit. And surely, [all things being equal], that society must be the happiest, where honours and places of trust are only given to the deserving; where the royal Image is not stamped upon metal of base alloy. (A.D., 1731, 4)⁴⁵

As in Aristotle (and in Plato's *Republic*), political authority here appears in the guise of the nobler metals. In A.D.'s case, these substances would be disbursed as favors from the monarch. At roughly the same time, however, more detailed information about Chinese administration became available through Jesuit translations trickling into gentlemen's magazines and short booklets. One of these, translated from B. Le Stourgeon's French study, must be among the earliest accounts of systemic checks and balances in English.

In that work, published some fifteen years before Montesquieu's comments on checks, Le Stourgeon noted that the various ministries in China were designed so as to “check” one another. The Ministry of Military Affairs could not start a war, for instance, unless the Minister of Finance was willing to provide the funding. Le Stourgeon also noted that the system of checks operated down-up as well as top-down (Le Stourgeon 1732–38: 39–40).⁴⁶ What gave lower offices the authority to check higher offices? The facts. Le Stourgeon did not refer explicitly to a tally metaphor of course, but it is inherent in his description of checks because the authority for checks depended upon the facts, independently of the king's will.

Something of this understanding found its way into Samuel Johnson's review of *The Imperial Collection* of edicts and policy documents published in the 1738 Cave edition of J.B. Du Halde's *Description* of China:

But [the reader] will enjoy all the pleasure that novelty can afford, when he becomes acquainted with the Chinese government and constitution; he will be amazed to find that there is a country where nobility and knowledge are the same, where men advance in rank as they advance in learning, and promotion is the effect of virtuous industry, where no man thinks ignorance a mark of greatness, or laziness the privilege of high birth. (Johnson 1738: 553–4)⁴⁷

Note first that Johnson recognized the utter novelty of these egalitarian ideals. “Knowledge,” “learning,” and performance (“virtuous industry”) in fact correspond closely to Chinese criteria for bureaucratic appointment. At that time, there was no other term than “nobility” for official appointment and its powers, so Johnson used the same term as did Pufendorf. Nonetheless, in Johnson's iteration, the merit component was distinguished by being posited as an alternative to “the privilege of high birth.”

“Virtuous industry” would appear to be Johnson's gloss on a Chinese term typically translated as “virtue” in the essays from the *Imperial Collection*. The Chinese term was 德 *de*, and in the context of Han and Song policy documents it typically referred not so much to chastity or piety as to dedication to the public welfare. A good example is this summary of a passage from the *Doctrine of the Mean*, 17.4: “If he who has attained to the perfection of true virtue, be possessed of the sovereign power, he can

establish no laws but what are wise, and for the good of the people” (Du Halde 1738, I: 421).⁴⁸ 嘉乐君子, 宪宪令德, 宜民宜人, 受禄于天, 保佑命之, 自天申之, 故大德者, 必受命。

In Chinese policy documents, *de* often appears in a compound together with terms for talent or ability, such as *xiande* 贤德 or *caide* 才德. Rendered into English, these compound words appear as set phrases such as “genius and virtue,” “merit and virtue,” or “capacity and virtue.” Johnson’s gloss suggests he understood that these phrases did not measure personal saintliness so much as qualification for office: talent/ability, plus dedication to the public interest. These two terms separate, rather than conflate, merit and “virtue.” That understanding is apparent from context in both the translations and in the original text.

By way of illustration, I earlier cited a passage from one of Sima Guang’s policy documents in which he situated the source of an officer’s authority in the people of the empire. If one reads further, one finds the following passage where “virtue and capacity” specify the key criterion for assignment to office:

Lay yourself out to know those thoroughly, whose virtue and capacity are greater than ordinary, and who are thereby most capable to answer the hopes of the public. Such as you know to be men of this kind, draw immediately out of the crowd, advancing them to the first posts... All your people will feel its effects, and you will build their happiness upon your wisdom. And reciprocally making their own happiness yours, by their loyalty and submission, your illustrious posterity will, in order to reign in peace, have no more to do but imitate you. (Sima 2003, 1418: 228–30; Du Halde 1738: 543–5). 顧階下少留聰明, 詳擇其間苟有才德高茂合於人望者進之... 上下悅服朝廷大治, 百姓蒙福, 社稷永安。

Notice that virtue and capacity (*caide*) designate the proper qualifications for officials who can “answer the hopes of the public.” That refers to the other half of the tally. The original text mentions prosperity as well, a standard Mencian requirement for legitimate government, but this term was not translated. I would have rendered it as follows: “and so both officials and the people will happily support your government; the people will enjoy prosperity, and the state will enjoy long-lasting peace.” Even so, the eighteenth-century translation manages to suggest both halves of the tally: qualified officers who attend to their charge, and a population sufficiently happy to support the government.

Reading further into Johnson’s review, it appears that he understood the tally logic informing these terms:

[The reader’s] surprise will be still heightened by the relations he will there meet with of honest ministers, who... have adventured to admonish the emperors of any deviation from the laws of their country, or any error in their conduct, that has endangered either their own safety, or the happiness of their people. He will read of emperors who (have)... brought their actions willingly to the test of reason, law, and morality, and scorned to exert their power in defense of that which they could not support by argument. (Johnson 1738: 553–4)

In this passage Johnson recognized the principle of fallibility. Something like public opinion also enters into the mix, namely, outspoken ministers who oppose the monarch on behalf of the nation and its people. To the degree that Johnson understood the necessity of checks and the people’s happiness as the standard for good government, he had grasped the tally metaphor of political authority.

8 Mainstreaming Mencius

The Mencian idea that a legitimate government should serve the productive laboring people was early on introduced in Johann Nieuhof's book on China, available in English from 1669 onward, but it emerged as a leitmotif in the *Morals of Confucius* (1691), Louis Le Comte's *Memoires* (1697), and J.B. Du Halde's *Description of China* (1736–38) (Powers 2019: 92–7).

Both the principle of fallibility and the tally metaphor are easy to find in translations from the *Imperial Collection*, where *de* as “virtue” appears more than twenty times in compounds linked with terms for talent, intelligence, or ability. “Happiness of the people” is but one example from a cluster that includes other translations from Mencius, such as “the hearts and minds of the people” and its cognates. Such phrases never appear in Du Halde's two tomes outside of translations from the Chinese. This would suggest that they were in fact “loan phrases” that entered into French and English via translation.

In Du Halde's *Description*, apart from the *Imperial Collection*, loan phrases appear in redacted translations of *The Great Learning* and the *Mencius*. Variations include “the hearts and minds of the people,” “gain the hearts of his people,” “renders his people happy,” and so on, but one also finds negative examples, such as “sympathizes in the grief of his subjects.” In all cases, both the Chinese text and the translation make it clear that good government consists in promoting the people's welfare and happiness, while illegitimate government compounds the people's “miseries.”

The use of such phrases provides a clear criterion for determining when tally conceptions of authority begin to overtake substance metaphors. It can hardly be accidental that, apart from translations from the Chinese, these phrases occur in abundance most notably in the writings of Abbé Raynal (1749), Jean Jacques Rousseau (1761), and Thomas Jefferson, who gave the people's happiness a place in *The Declaration of Independence*.

Abbé Raynal's book on the Dutch Republic may mark the watershed. In Europe, a “republic” often implied an aristocracy with a parliamentary body representing its interests. James Hankins identifies a more modern notion of “republic” with “a political movement to base all government on the will of the people, exclusivist republicanism eo ipso denies legitimacy to non-elective monarchy and, more generally, to any sort of hereditary political privileges.” Identifying that concept with late Enlightenment thinkers, he examines an earlier notion of a republic which was non-monarchical but not incompatible with hereditary political privilege (Hankins 2010: 453).⁴⁹

So, where did the dichotomy between hereditary rule and a “republic” come from? European humanists early on associated China's merit-based system with Plato's Republic. According to Jonathan Israel, “The reason for [China's] unmatched success, [Vossius (1577–1649)] urged, was that they had approached closer to achieving a ‘Platonic republic’ than others, entrusting the most vital questions to ‘philosophers and lovers of philosophy’ so that ‘were the rulers to err, the philosophers enjoy such great freedom to admonish those things as formerly was scarcely even found among the Israelite prophets’” (Israel 2006: 640–1).

Of course, it isn't that Plato's *Republic* was merit-based. His philosophers would have been members of an aristocracy, in keeping with the substance model, whereas in post-Tang China the selection of ranking officials was not hereditary (Bol 1991: 33).⁵⁰ It is simply that Europeans did not yet understand the tally model, so they looked for the closest analogue they could find.

Raynal, apparently familiar with the Du Halde translations, introduced the people's happiness, their “hearts and minds,” and other loan phrases into his analysis of the Dutch republic. These ideals, for him, would determine the success or failure of a state, just as in standard Confucian theory. In this

way he radically altered the meaning of a “republic” (Powers 2019: 96–7), substituting a tally metaphor for the old substance metaphor.

In the following decade Rousseau would embrace the tally model of the republic, speaking repeatedly of the people’s happiness in the context of merit-based appointment (Rousseau 1761: xxiv–v, xxxix, xlii, xlii, 152, 161, 162–3, 173).⁵¹ In these instances, “happiness” is paired either with the citizens of the state, or with “virtue” which, in context, refers to the people’s welfare.

A decade later, in the opening pages of *Common Sense*, Thomas Paine identified the happiness of the people as the standard of good government. Like Liu Zongyuan, he called for an end to hereditary rank, and demanded institutionalized checks on government (Paine 1776: 1–2).⁵² All three policies appear more than half a century earlier in English language descriptions of Chinese policy and practice (Powers 2019: 129–39). All three were informed by the tally metaphor.

In the writings of Thomas Jefferson, we find the closest analogue to Sima Guang’s policy document cited above. In his *Bill for the More General Diffusion of Knowledge*, Jefferson identified “genius and virtue” as the most important criteria for the office of maintaining the citizens’ natural rights:

And whereas it is generally true that the people will be happiest whose laws are best, and are best administered, and that laws will be wisely formed, and honestly administered, in proportion as those who form and administer them are wise and honest; whence it becomes expedient for promoting the publick happiness that those persons, whom nature hath endowed with genius and virtue, should be rendered by liberal education worthy to receive, and able to guard the sacred deposit of the rights and liberties of their fellow citizens, and that they should be called to that charge without regard to wealth, birth or other accidental condition or circumstance. (Jefferson 1984: 365)⁵³

This passage explains why a merit-based system is necessary for promoting the “equal rights of man, and the happiness of every individual.” Remember that, for Aristotle, public functionaries could be chosen indifferently by election, or by lot. It was all the same because authority was understood as a substance. Jefferson embraced a tally model, stressing the necessity of merit in candidates for office “without regard to wealth, birth or other accidental condition or circumstance.” This clearly separates “genius and virtue” from “nobility.” In that view, the people confer authority, not as a substance, but as a *condition*. A candidate is elected, which is to say, selected, but it is performance in the people’s interest that activates the authority of office.

Beyond that, Jefferson’s essay agrees with Sima Guang’s essay in three major respects:

1. Both regard the people’s happiness as the standard of good government.
2. Both believe that the best way to promote the people’s happiness is to recruit into office men who are capable, public-spirited, and aware of the people’s needs.
3. Both arguments are founded on a tally conception of authority.

But was Jefferson aware of Sima Guang’s essays? Presumably, seeing as he owned a copy of J.B. Du Halde’s *Description* with its translations from the *Imperial Collection*. In addition, his library contained Francois Quesnay’s (1694–1774) physiocratic writings. Quesnay, who once served as Jefferson’s emissary to Napoleon, wrote extensively on Chinese economic theory and practice. It may have been from Quesnay that he learned of two Chinese policies for promoting a more equitable distribution of wealth, namely, progressive taxes and banning primogeniture. Jefferson recommended both (Jefferson 1984: 841).

9 Concluding Thoughts

The evidence reviewed above helps us to appreciate how master narratives, and their underlying metaphors, can silently empower or impede unequal social relations over long periods of time, and across disparate social regimes. Examining political thought at that level of abstraction can be useful. When historians concentrate on doctrinal nuances among, say, proto-fascists, neo-fascists, and white nationalists, debates over definitions may prevent them from properly assessing the threat from extremist groups. By focusing on the metaphorical grounding of social doctrine, which may shape multiple “isms” in much the same way, it can be easier to get a sense of where a movement is headed.

At the same time, one should beware of oversimplification. The English system Edmund Burke admired, being founded on primogeniture, normatively reduced social mobility (Beckett 1984: 2),⁵⁴ but could not eliminate it. Charles Tilly stressed that “in general, rank orders remain inconsistent, apparent strata contain considerable heterogeneity, and mobility blurs lines. Stratification is therefore a matter of degree” (Tilly 1998: 29).

Likewise, Song period reformers never thought they could eliminate inequality. They did hope to reduce its impact through institutional practices such as anonymous, merit-based criteria for office, or channels for anonymous whistleblowing (Qu 2003: 16–7). What bears emphasis is that the master narratives informing these two conceptions of authority persisted in dialectical tension for thousands of years, in both feudal and post-feudal societies. In every case there was some admixture of the two models, but the normative model determined the direction of change.

What about today? Daniel Bell famously argued that China’s meritocratic tradition provides a viable, if imperfect model enabling China to improve the lives of hundreds of millions of citizens. As Tilly might have predicted, the results are far from perfect, but Bell argues that, in time, meritocracy could accommodate progress in currently neglected areas such as freedom of speech (Bell 2015: xi–xix).⁵⁵ In his discussion of modern China’s meritocracy, he emphasized the importance of intelligence, ability, and “virtue” in the recruitment of China’s higher officers, standards with deep roots in the Chinese tradition. Nor did he fail to note that Jefferson and others of his generation accepted the need for demonstrated merit in public servants (Bell 2015: 66, 79–105).

The evidence reviewed in this essay overall supports Bell’s argument, while showing that the Enlightenment view shares deeper roots with the Chinese tradition than had been suspected. Currently, much of US and European China policy rhetoric posits stark contrasts between East and West, Despotism and Democracy, white and black, good and evil. As I read it, the evidence just reviewed, together with Bell’s argument, argue for replacing stark binaries with a graded scale. Along that scale, both the US and China share an appreciation for meritocratic standards, but to different degrees and in different ways. Within that framework, which is fact-based rather than race-based, both sides share more in common than current political dogma would allow. Acknowledging common ground should allow for more nuanced negotiations between the US and China.

Loubna El Amine also has articulated the need to rethink current political binaries. Having examined China’s non-feudal imperial system, she concluded that “[t]he problems of China today, which include authoritarianism, rapid industrialization, severe inequality, and environmental degradation, are not distinctive to it: they are shared to varying degrees, and in various forms, around the world, spanning east and west [...]” (El Amine 2019: 98).⁵⁶

Since that essay was published, a global pandemic has revealed all too vividly the substance of her argument. Some governments responded effectively to the pandemic, saving hundreds of thousands of lives, while others failed miserably, at a human cost exceeding that of several major wars. Surprisingly, the two sets of nations do not remotely correspond to the traditional “democratic vs.

authoritarian” model of political analysis. Instead, it is evident that, when unqualified people are assigned to key offices, even democracies fail to protect the people’s lives. On the other hand, should “authoritarian” states assign competent officers to key posts, they may do so quite effectively.

The crucial factor, it would appear, is the ability to assign office and determine policy on the basis of proven expertise, with public benefit as the guiding principle: in other words, “genius and virtue,” and the rectification of names.

China and the US share not only a present; they share a past as well. Clearly, a sense of justice is not the unique heritage of “the West.” That knowledge empowers us to think outside the democratic/despotism box; let us search for more flexible categories to accommodate productively the best ideas history has to offer, no matter where they first saw the light of day.

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