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Public Reason Confucianism: A Construction

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If perfectionism is understood as the state's non-neutral promotion of a valuable way of life, Confucian political theory, often pursued as a pluralist correction to global monism of liberal democracy, is ineluctably perfectionist. But how can Confucian perfectionism, committed to particular Confucian values, reconcile with the societal fact of value pluralism within *the putative Confucian polity? This article argues that a potential tension between Confucian perfectionism and value pluralism can be avoided by making Confucian perfectionist goods the core elements of public reason with which citizens can justify their arguments to one another and by which the state can justifiably exercise its public authority to reasonable citizens who otherwise subscribe to various comprehensive doctrines. By defining a mode of Confucian perfectionism working through Confucian public reason broadly shared by citizens as* public reason Confucianism*, this article attempts to balance the Confucian polity's internal societal pluralism and the people's collective self-determination.*

The recent interest in Confucian political theory among East Asian scholars (as well as Western scholars deeply concerned with East Asian cultures) is closely tied with three propositions broadly shared by many liberal nationalists: (1) each nation (or people) has a right to national self-determination; (2) national self-determination can be exercised meaningfully only in the context of "societal culture"(Kymlicka 1995, 76); and (3) global value monism of (Western-style) liberal democracy is critically at odds with the pluralist ways of life of self-governing peoples (MacCormick 1991; Miller 1995; Tamir 1993). What motivates Confucian political theory as a *normative* theory is similar convictions underlying these propositions—that the Confucian way of life, in which East Asian citizens are still deeply entrenched, is qualitatively different from the liberal way of life (even when it has incorporated some liberal or democratic elements) and East Asian peoples' collective self-determination can be exercised meaningfully in the societal context of a Confucian culture (Angle 2005; Bell 2008; Jiang 2012). In light of these related claims, contemporary normative Confucian political theory is inevitably *perfectionist*, if we understand the term as the state's non-neutral promotion of a particular, valuable way of life.

At the heart of recent Confucian political theory is how to make intelligible and express publicly the persistent faith among East Asian citizens in core Confucian values such as filial piety, respect for elders, ancestor worship, ritual propriety, and social harmony, in the face of the global hegemony of rights-based individualism. Interestingly, even those East Asians (Koreans or Taiwanese, among others) who have successfully consolidated a liberal form of democracy, at least in terms of its institutional structures, harbor no illusion that history has ended with the victory of liberal democracy. For them, unless the liberal democracy that they have achieved is simultaneously a *Confucian democracy* in which liberalism (institutions as well as rights and values) is accommodated to Confucian ends and goods that they still cherish, despite their increasing subscriptions to different moral values and/or religious faiths as private individuals (Angle 2012; Chan 2014; Kim 2014), *their* democracy has yet to be realized.

Here arises a dilemma: if recent Confucian political theory (Confucian democratic theory in particular) has emerged as a pluralist correction to the global monism of liberal democracy in terms of Confucian people's collective self-determination, and if the theory is essentially perfectionist, how can it align with the societal fact of value pluralism *within* the putative Confucian polity? This is not to imply that there is an inherent tension between perfectionism and value pluralism. For instance, liberal perfectionism avoids this potential tension even as it is committed to comprehensive liberal values by making personal autonomy the most important perfectionist value (Raz 1986; Wall 1998) or by decoupling perfectionism (in this case *political perfectionism*) from comprehensive moral values, including autonomy (Chan 2000; Sher 1997). However, can Confucian perfectionism, committed to particular comprehensive Confucian values, avoid such a tension? How can the state promote particular Confucian values, thereby imparting to it Confucian public character, without restricting the plurality of values in civil society?

In this article, I argue that the predicament Confucian perfectionism ineluctably faces with regard to value pluralism can be avoided by making Confucian perfectionist goods the constituents of public reason with which citizens can justify their public opinions and arguments to one another and by which the state can justifiably exercise its public authority to reasonable citizens who otherwise subscribe to various moral and religious doctrines. When Confucian perfectionism works through Confucian public reason broadly shared by citizens—let us call this type of Confucian democratic perfectionism *public reason Confucianism*—not only can it avoid elitism, to which many advocates

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of Confucian perfectionist meritocracy are susceptible (Bell 2006; Fan 2010), but it can also balance the Confucian polity's internal value pluralism and the people's collective self-determination (and by implication global pluralism). My central claim is that by providing citizens with shared reason through which they can render their constitutional democratic rights in ways relevant to their moral sentimentality as well as negotiate the tensions between different rights, public reason Confucianism makes the Confucian polity *more* democratic as well as *more* just.

This article consists of four main parts. In the following section I examine how public reason is understood (especially in relation to perfectionist good and values) in contemporary political theory by closely examining John Rawls's political liberalism (which first introduced the idea of public reason into contemporary liberal political theory), and critique public reason liberalism from the perfectionist perspective. Next, I attempt to construct the theory of *public reason perfectionism* by revisiting Rawls's idea of public reason, a democratic perfectionism that is deeply concerned with the coerciveness of political power while permitting the state to promote particular values generally cherished by democratic citizens. Then, finally, I introduce and discuss the core stipulations of public reason Confucianism which I present as a type of public reason perfectionism and as a mode of Confucian democratic perfectionism that is most suitable to contemporary East Asian societies.

LIBERALISM, PERFECTIONISM, AND PUBLIC REASON

In contemporary political theory, public reason is almost exclusively associated with the doctrine of liberal neutrality, especially John Rawls's political liberalism. Indeed, the idea of public reason is one of the most interesting (as well as controversial) aspects of political liberalism (Rawls 1993; 1999).[1] Central to political liberalism is the claim that the exercise of political power must be publicly justifiable to the citizens over whom the power is exercised and it is by relying on public reason that the exercise of the (democratic) state is publicly justified. Put differently, as the shared reason of democratic citizens, public reason enables "an equal share in the coercive political power that citizens exercise over one another" (Rawls 1993, 217). While political liberalism notes the coercive nature of state action and is deeply concerned with the publicly justifiable exercise of political power especially under the societal fact of pluralism in which reasonable citizens who are equally loaded with the "burdens of judgment"[2] subscribe to different comprehensive doctrines, it also upholds the *liberal principle of legitimacy*, according to which "our exercise of political power is proper and hence justifiable only when it is exercised in accordance with a constitution the essentials of which all citizens may reasonably be expected to endorse in the light of principles and ideals acceptable to them as reasonable and rational" (Rawls 1993, 54).[3] For Rawls, therefore, coerciveness of political power and reasonable pluralism conspire to make democratic citizens honor the "limits of public reason," which apply only to constitutional essentials and matters of basic structure, along with the "duty of civility," which stipulates that citizens and public officials ought to offer one another arguments that others can also endorse (Rawls 1993, 215–7).

Understood as an essential component of political liberalism, then, public reason ensures state neutrality in a liberal society that is marked by the fact of pluralism. Thus Steven Wall, a liberal perfectionist, says, "[public reason] requires citizens to appeal only to 'political values,' 'presently accepted general beliefs,' 'the forms of reasoning found in common sense' and 'the methods and conclusions of science when these are not controversial.' Thus, the values of public reason exclude appeal to non-public modes of reasoning in political argument. . . . The content of a political conception of justice, then, is fixed by respecting the principles of restraint" (Wall 1998, 49).

Wall takes what Rawls calls "the limits of public reason" to be the restraint of unbridled pluralism, through which pluralism becomes *reasonable*. From a slightly different angle, Frank Michelman concurs with Wall's interpretation, that for Rawls "neutrality of aim is the only reasonable approach to adjusting the conflicting claims to liberty, all based on differing ethical convictions, and thus political legitimacy in a liberal democracy does not come without its price, namely, the constraint of public reason" (Michelman 2003, 414). Interpreting Rawls's idea of public reason more expansively, Stephen Macedo asserts that "diversity needs to be kept in its place; diversity is not always a value and it should not, any more than other ideals, be accepted uncritically" (Macedo 2000).[4] While not sharing Macedo's emphasis of the "the liberal educative project" of public reason that "shapes diversity for civic purposes" (Macedo 2000, 3),[5] Jonathan Quong echoes Rawls-inspired civic liberals by arguing for a much broader scope of public reason so that it can regulate all political decisions in a liberal democratic society (Quong 2011, 256–89).

Despite the many interpretations of Rawls's work, Rawls's own understanding of the "limits of public reason" seems to point in quite a different direction. He explicitly says, "the limits imposed by public reason

[1] According to Charles Larmore (2003, 368), for Rawls, though the idea of public reason has emerged as an explicit theme in his later writings on political liberalism (culminating in *Political Liberalism*), the concept itself has always been at the heart of his philosophy.

[2] Factors such as conflicting and complex evidence, disagreement about weighing shared considerations, different interpretations of moral and political concepts, different experiences all burden the free and equal citizens equally and force them to be epistemically charitable to each other (Rawls 1993, 54ff).

[3] Also see Quong (2011, 108–36).

[4] It is precisely on this more expansive interpretation of public reason that William Galston, a liberal pluralist, criticizes Rawls for being half tempted to "civic totalism" (Galston 2005, 38–40).

[5] For a similar civic interpretation of public reason, see Gutmann and Thompson (1996).

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do not apply to all political questions but only to those involving what we may call 'constitutional essentials' and questions of basic justice" (Rawls 1993, 214). Although religious critics of Rawls often complain that he has thereby made religious discussions off limits in public forum, as if they are purely *private* (Stout 2004; Wolterstorff 2012), for Rawls the scope of public reason ought to be limited only to constitutional essentials and matters of basic structure, leaving most other political questions as well as a vast number of issues in which citizens daily engage in civil society widely open for free deliberations relying on nonpublic reasons or comprehensive doctrines (Rawls 1993, 221–2). In this regard, Rawls clearly departs from Habermas, who advocates uninhibited use of public reason in civil society, and Rawls's political liberalism is more moderate than other forms of public reason liberalism championed by some Rawlsian civic liberals (Rawls 1993, 372–434).

Differing interpretations of the scope of Rawls's public reason notwithstanding, one thing that remains unchallenged is that for Rawls (and for other public reason liberals), public reason is categorically different from nonpublic reasons heavily informed by comprehensive doctrines, religious or nonreligious. It is only concerned with *political values* such as basic rights, liberties, and opportunities and "assigns a special priority to [political values] with respect to the claims of the general good and of perfectionist values" (Rawls 1993, 223). Neither grounding his normative position on some particular idea of what constitutes a good life nor permitting the state to promote or prohibit a particular way of life, Rawls's political liberalism turns out to be a kind of political liberal antiperfectionism, different from both comprehensive liberal perfectionism a la Raz and comprehensive liberal antiperfectionism a la Dworkin.[6]

Here, what drives Rawls's antiperfectionist argument is the fact that the state is a compulsory organization and political power is by nature coercive. No comprehensive doctrine or perfectionist ends or values should be promoted by the state because whatever it is, the exercise of political power or public policy aimed at it is unjustifiable to citizens who subscribe to different comprehensive doctrines. Not only can the perfectionist state suppress plurality in ways of life, the defining characteristic of a free society (Rosenblum 1998), but more seriously, it can wield political power without legitimacy because the fact that it may have or actually has a (good perfectionist) reason to do something does not lead to the claim that it has the right to do so. Since in a democratic society the state expresses collective self-determination of equal citizens who exercise political and coercive power over one another, its right to do something in the name of the entire citizenry must be publicly justifiable to and endorsed by citizens themselves who share public reason. Thus understood, for political liberals who believe that the issue of justice is categorically different from that of the good and that legitimate authority is a question of distribution of rights and duties, it is wrong to derive the right to command from a practical reason for better compliance.[7]

At the heart of political liberalism (or public reason liberalism) is the asymmetric treatment of disagreements over the good life and disagreements over the principles of justice. As noted, political liberals assert that disagreements over the good life are mainly reasonable yet fundamental (or incommensurable) disagreements and that the reasonableness of disagreements over the good life makes it illegitimate for the state to play an active role in promoting a particular conception of the good life. In contrast, disagreement over the principles of justice can be more politically tractable in that participants already share premises that serve as a mutually acceptable standard of justification and therefore it is legitimate for the state to act on reasons of justice (Quong 2011, 192–3). Perfectionists find the asymmetric treatment of these two different types of moral disagreements unacceptable on two grounds.

First, perfectionists argue that there is no grounds to believe that the issue of conceptions of the good life is the only public issue that arouses fundamental moral disagreements among citizens. In fact, even reasonable citizens in a liberal democracy disagree with one another, sometimes vehemently, over which conceptions (and principles) of justice they should live a common public life under. If the conception of justice is as contestable as that of the good life, why is the action of the state on reasons of the good life illegitimate? As we have seen, Rawls would respond to this objection by pointing to the supreme importance of political stability in a liberal democratic society which he believes can be achieved by categorically distinguishing constitutional essentials and questions of basic justice, to which the principles of justice (and public reason) are directly applied, from other political questions involving laws and public policies.[8] However, perfectionists rightly criticize Rawls's argument, first for the arbitrariness in distinguishing between "constitutional essentials" and other lower-level political matters in the nonideal situation, and second, for the high possibility of reasonable disagreement over constitutional essentials and questions of basic justice (Caney 1995; Chan 2000, 7; Wall 1998, 49–50).

The second reason that perfectionists (especially moderate perfectionists) object to the asymmetric treatment between disagreements over the good and disagreements over justice is closely related to the way political liberals understand the good life and the citizenry's moral disagreement over it. According to Joseph Chan, conceptions of the good life may involve judgments about (1) *agency goods* (virtues or dispositions that constitute the good life) and/or (2) *prudential goods* (goods or values that contribute to a person's good life), and/or (3) *ways of life* (a person's

[6] Rawls calls both positions "ethical liberalism" (Rawls 1993, 134–5).

[7] Based on this judgment, Quong (2011, 112–20) criticizes Joseph Raz's service conception of authority.

[8] On Rawls's supreme concern about the question of stability, see Barry (1995).

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overall pattern of living involving the above two goods). Even though (3) might be readily susceptible to moral debate, since judgments on it usually involve comprehensive doctrines, (1) and (2) are less controversial (certainly not incommensurable) across different moral communities (Chan 2000, 11–2).[9] The problem is that political liberals fail to differentiate the good life conceptually in this complex way and tend to attribute all kinds of moral disagreement, including somewhat malleable ones resulting from judgments on (1) and/or (2), singularly to the fundamental disagreement involving judgment on (3). Moderate perfectionism, while authorizing the state to promote a particular conception of the good life, restrains itself from making a comprehensive doctrine the only legitimate moral and political end, according to which the state ought to govern its citizens. As such, it is compatible with diverse conceptions of the good life in civil society or value pluralism.

Two important points can be gleaned from the perfectionist critique of political liberalism: First, if public reasons are purely political values—whether strictly limited to constitutional essentials or expanded to general political debates in the political public forum—there is no meaningful connection between perfectionism, concerned with a particular conception of the good life, and public reason, focused on liberal legitimacy and public justification. Understandably, perfectionists have yet to attempt to make public reason, so understood, an integral part of their normative political theory. Second, if the asymmetric treatment between the two types of moral disagreements is indeed not sustainable, that is, if there are as many serious disagreements over justice as there are over the good life,[10] we are down to one of the following possibilities. First, we should abandon the very idea of public reason (as a neutralist constraint) because it is impossible to posit such a thing in a free society where there can be no foundational consensus on matters of justice among citizens who are radically different from one another—the agonistic path (Mouffe 1993; Wenman 2013). Second, even when there is broad social agreement among the citizens on what constitutes the basic elements of public reason (i.e., rights, liberties, opportunities, and duties), there can be multiple, even competing, accounts of public reason—the plurality path. Or third, following perfectionists, we can reject state neutrality implicated with public reason liberalism and allow the state to promote a particular conception of the good life—the perfectionist path.

Later, I will explore a way to make public reason relevant to perfectionism in the Confucian societal context by reconstructing the idea of public reason with regard to the perfectionist ends to which Confucian East Asian citizens are generally committed. I do so without relying on differentiation of the perfectionist goods as moderate perfectionists suggest who decouple comprehensive doctrines from perfectionism, thus making it political and moderate. That is, I explore *public reason Confucianism* by embracing and combining the perfectionist and plurality paths. But why is the pluralist path important for our Confucian constructive project? I now turn to this question by again engaging with Rawls's public reason liberalism. By doing so we will find a new mode of normative theory in which public reason is entwined with perfectionist concerns.

THE PLURALIST PATH AND PUBLIC REASON PERFECTIONISM

In a sense, the perfectionists' asymmetry objection to Rawls's political liberalism is misguided because Rawls does not deny the possibility of serious disagreement over justice. In fact, Rawls reminds us that political liberalism has many forms, "depending on the substantive principles used and how the guidelines of inquiry are set out." That is, for Rawls the idea of public reason is not affiliated with any particular conception of justice or any substantive moral content of public reason, not to mention any particular conception of a valuable life. Rawls says,

> Accepting the idea of public reason and its principle of legitimacy emphatically does not mean, then, accepting a particular liberal conception of justice down to the last details of the principles defining its content. We may differ about these principles and still agree in accepting a conception's more general features. We agree that citizens share in political power as free and equal, and that as reasonable and rational they have a duty of civility to appeal to public reason, yet we differ as to which principles are the most reasonable basis of public justification (Rawls 1993, 226).

Rawls's statement tracks the plurality path remarkably well. Citizens can have reasonable agreement on society's core political values as the shared premise of mutual justification and reciprocity, while at the same time reasonably disagreeing with one another on substantive moral content. Unlike agonistic liberals, Rawls does not believe that disagreements over justice in a well-ordered society go "all the way down" because practically that means the fragmentation of the basis of mutual cooperation among citizens, or, worse, the disintegration of a democratic-constitutional society, a situation that a social-contractrian like him cannot allow. Here disagreements are often deep but they are not fundamental in the way that disagreements over the good life are. The nature of disagreements over justice is (and ought to be) politically tractable (cf. Quong 2011, 192–220).

I share Rawls's core premises regarding public reason that first, given the coerciveness of political power and the compulsory nature of the state, public reason as the shared premise of mutual cooperation is of supreme significance, and second, given the fact of pluralism, public reason is the only plausible way to stabilize political society in a noncoercive way. I also agree with Rawls that disagreements over justice are more politically tractable than disagreements over

[9] Also see Mang (2013).

[10] Strong democrats' long struggle with neutralist liberals revolves around the fundamental disagreement among citizens about the conception and principles of justice (Barber 1984; Waldron 1999).

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the good and that there can be multiple interpretations of what constitutes public reason. What I find unconvincing is Rawls's effort to affiliate his neutralist commitment with public reason understood in this pluralist way. Even if it is granted that a certain political agreement about justice can be attained by means of public reason(ing) and ought to be attained given the coerciveness of political power, the following questions still are unavoidable: Why do citizens subscribe to different conceptions of justice even within the boundary of public reason, that is, even if they generally agree on the core political values of their society? And what can be the source of this difference if not one's comprehensive doctrine, which guides his or her ethical (religious or nonreligious) life?

By acknowledging the possibility of plural interpretations of public reason, Rawls seems to open a backdoor allowing comprehensive doctrines to sneak into the domains of public reason. In a sense, this is an inevitable consequence of Rawls's conceptualization of public reason in a non-Hobbesian way, despite his profound concern with coerciveness of public power. Unlike Hobbes for whom public reason's normativity as *restraint* derives solely from coerciveness of political power (Ridge 1998), in *Political Liberalism*, Rawls aims to achieve simultaneously restraint of and respect for diversity. Though for Rawls public reason *ought* to be a ground of mutual reciprocity and foundational consensus, his commitment to democratic pluralism prevents him from taking the Hobbesian path and allows him to respect value pluralism in civil society. The result is acknowledgment of the possibility of competing interpretations of public reason. Rawls's un-Hobbesian path, therefore, renders the line between comprehensive doctrines and public reason far more porous than is usually believed to be or even intended to be by Rawls himself.

Political liberals may find this unintended consequence of Rawls's respect of pluralism, namely, the intertwinement between public reason with some perfectionist concerns, regrettable or unacceptable because it undermines political liberalism's core commitment to state neutrality (Quong 2011, 200). In my view, however, the overlap between public reason and comprehensive doctrines enables us to explore a new mode of normative theory, which can be called *public reason perfectionism*. Like political liberalism, and far more so than the existing theories of perfectionism (particularly ones subscribing to Raz's service conception of authority), public reason perfectionism takes the coerciveness of political power seriously and thus requires disagreements over justice to be resolved, even if not perfectly, for the sake of political stability.[11] However, unlike political liberalism which formally rejects interactions between public reason and comprehensive doctrine,[12] public reason perfectionism allows such interactions without denying the important distinction between the two, both conceptually and practically, in consideration of the indispensable connection between *public* reason and democratic citizenship.

From the perspective of public reason perfectionism, there is nothing wrong with involving controversial ideas about the good life in public deliberation and political decision-making process if they can contribute to a more robust democratic citizenship and democratic justice. Public reason perfectionism is especially relevant for non-Western societies that aspire to become democratic (or more democratic) while struggling with balancing new democratic institutions and practices with their nonliberal values and ways of life. Public reason perfectionism can provide the nonliberal but democratic peoples with a powerful normative theory that allows them collective self-determination as well as democratic self-government undergirded on common citizenship and mutual reciprocity without suppressing ever-increasing internal plurality in civil society and also without denying the democratic value of public equality.[13] Public reason Confucianism is one variation of public reason perfectionism that enables as well as expresses the collective self-determination of the Confucian people, despite their internal diversity.

PUBLIC REASON CONFUCIANISM

Public reason Confucianism has two core premises: (1) there is a valuable Confucian way of life that is distinct from (if not starkly opposed to) a liberal way of life and (2) it is permissible for a state to promote or discourage some activities, ideas, or ways of life on the grounds of key Confucian values such as filial piety, respect for elders, ancestor worship, ritual propriety, and social harmony. These premises are supplemented by six propositions that together render public reason Confucianism a kind of democratic perfectionism.

P1: The valuable Confucian way of life refers to the collective way of living widely shared and cherished by citizens in a Confucian society.

P2: Citizens in a Confucian society are still saturated with Confucian habits, mores, and moral sentiments, despite their subscriptions to various comprehensive doctrines, and even though they may not hold Confucianism as their self-consciously chosen personal value system.

[11] By "coerciveness of political power" I (and Rawls) mean that the laws and public policies made in the name of the people are binding for all citizens, whether they personally agree or not. However, I do not preclude the possibility that meritorious democratic governance can render the exercise of political power more agreeable to citizens—one example being the terms of service claimed by Joseph Chan (2014).

[12] It is worth noting that while "formally" rejecting an interaction between public reason and comprehensive doctrines, Rawls endorses what he calls the "inclusive view" of public reason, which "allow[s] citizens, in certain situations [where there is a serious dispute with regard to principles of justice], to present what they regard as the basis of political values rooted in their comprehensive doctrine, provided they do this in ways that strengthen the ideal of public reason itself" (Rawls 1993, 247). Also see what Rawls calls *the proviso* (Rawls 1999, 143–4).

[13] For an excellent philosophical justification of public equality as the intrinsic value of democracy, see Christiano (2008).

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P3: In a Confucian society, all citizens are equal to one another qua public citizens and together they exercise popular sovereignty.

P4: The Confucian (democratic) state respects constitutional rights held by its citizens, among others, the rights to religious freedom, freedom of conscience, freedom of expression, and freedom of association; thus the state has no desire either to suppress value plurality in civil society or to elevate Confucianism as the state religion.

P5: Confucian public reason refers to the reason of the democratic citizens in a Confucian society and it is rooted in Confucian mores, habits, and moral sentiments such as, but not limited to, filial piety and ritual propriety; it delineates the legitimate boundary of state action and provides moral content (which is open for public contestation) for basic rights, duties, and liberties.

P6: A subscription to Confucian public reason (as stipulated in P5) on the part of voluntary immigrants and cultural associations formed by them is the inevitable price for the fair terms of integration into the Confucian society (such as the equal right to freedom of association). While Confucian public reason must be justifiable to *all* citizens in a Confucian society, including immigrants, immigrated citizens must strive to negotiate their religious or nonreligious comprehensive doctrines with Confucian public reason in order to fully exercise their constitutional rights and liberties.

In the remainder of this article, I will expound upon each of these key propositions of public reason Confucianism.

P1: The Valuable Confucian Way of Life

P1 stipulates that a collective way of life among the citizens in East Asian societies of the Confucian heritage (*Confucian citizens* hereafter) is distinctly different from a characteristically liberal way of life, and Confucian citizens value their own way of living even when their formal political institutions are more or less liberal democratic. Consider the following statement made by a Korean political scientist a decade after South Korea's democratization.

> [L]iberal democracy has been the ideal for the majority of South Koreans in name only. Very few Koreans understand either the theoretical assumptions or the normative standards which undergird liberal democracy and its institutions. Moreover, once they are explained to them, few would espouse liberal democracy with as much ardor and enthusiasm (Hahm 1997, 66).

When non-Western people are trying to transform authoritarian regimes into democratic ones, they rarely reflect upon the *kind* of democracy that they would have after their painstaking struggles. In most cases, their future is unpredictable and almost everything depends on political contingency. In such circumstances, all they can hope for is that their struggles succeed, culminating in regime change. This is true not only of mass ascendant democratization of the kind South Koreans and Taiwanese experienced, in which citizens themselves were major agents to the regime change, but also of other forms of democratic transitions in which political elites play more substantial roles. The question of "what kind of democracy?" becomes important only *after* a successful regime change which political scientists call "democratization" and it is at this "consolidation" stage that scholars and citizens begin to wrestle with the new mode of collective life that they want to have under democratic institutions (Diamond and Plattner 2001).

Since democratic institutions that have been (fully) introduced are characteristically liberal and the liberal rights discourse is almost unfailingly affiliated with democratic institutions and practices that now ought to be "the only game in town" (Linz and Stepan 1996, 5), the question generally revolves around whether democratization should be a *liberal democratization* in which there should be a congruence between liberal democratic institutions and liberal public reasons and civilities, or if it is possible (or even desirable) to develop an indigenous mode of democracy whose democratic institutional structures operate on public reason and civilities informed by local culture. The statement quoted above reveals that the latter path was the case with South Koreans, and I argue that it is the most desirable way to conceive of democracy in a nonliberal context. For only then can there be congruence between the people's collective self-identity (as Confucian) and their democratic self-government so that people can be democratic without transforming themselves into (Western-style) *liberals*, which they never anticipated during their democratic struggles. As Chaibong Hahm observes, "[a]lthough the vocabulary used by all sides in Korean politics today are couched in liberal democratic concepts and theories, the logic which undergirds the actual practice of politics derives from the traditional Confucian political discourse" (Hahm 1997, 66). I call this type of democracy a *Confucian democracy*.

Now, if we revisit the philosophical debate between political liberals (particularly political liberal antiperfectionists like Rawls) and comprehensive liberals (particularly comprehensive liberal perfectionists like Raz) from the standpoint of the actual political experience of democratizing East Asia, it is clear that both forms of liberalism are *substantively* liberal, which have little cultural resonance with ordinary East Asian citizens—"Confucian citizens" as I call them. Even the efforts to implement political liberalism a la Rawls or Habermas (usually made by local political theorists trained in the West) are perceived as futile attempts to achieve congruence between democratic institutions and liberal culture. For Confucian citizens, the public reason that gets emphasized is hardly neutral because it is always *liberal* public reason that they are encouraged to embrace and embody.

Thus understood, the perfectionist values of the Confucian way of life are most intelligible and

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self-consciously recognized when Confucian citizens are under staggering pressure to transform themselves into liberals. The normative vision of public reason Confucianism is enacted when citizens of East Asia reclaim, albeit with considerable modification under democratic institutions, *their* valued way of life, and try to be reasonable with one another, those with whom they share political power.

P2: The Confucian Habits of the Heart in a Pluralist Society

As noted, recent Confucian political theory has been sought as a pluralist correction to the global hegemony of Western-style liberal democracy. Yet, when Confucian political theorists construct their normative political theories, they tend to assume that the East Asian society of their interest is *the* Confucian society in a culturally monistic sense. Most notably, Jiang Qing (2012) presents a political theory of Confucian constitutionalism which can make sense only if the contemporary Chinese state has Confucianism as its state religion and its citizens are all comprehensively committed to religious Confucianism.

By terms like "Confucian citizens" or "the Confucian way of life" I do not mean that contemporary East Asian societies are Confucian in an institutionally guided, culturally monolithic, or philosophically monistic sense. Contemporary East Asian societies, especially those that have been democratized, are characterized by vibrant civil societies that are internally diverse. People there are increasingly pluralist and multicultural, subscribing to different moral and religious doctrines. For instance, even among South Koreans, the most Confucian historically (Deuchler 1992) as well as to this day (Tu 1991, 761), albeit arguably, only a negligible number of people are self-consciously identifying Confucianism (i.e., religious Confucianism) as their personal value system.[14]

Given increasing value pluralization in East Asia's historically Confucian societies, what is truly remarkable is that they still remain deeply *Confucian* in terms of their ways of thinking and living especially when others, particularly family members, are involved. According to survey research on the value orientation of the liberal-minded middle class, mostly Western-style educated, Korean citizens, approximately 80% responded that South Korea's rapid economic development, democratization, and liberal individualization notwithstanding, their value system has been helplessly impoverished. In addition, over 90% agreed that the reinvigoration of Confucian values such as filial piety (*xiao* 孝), respect for elders (*jinglao* 敬老), the principle of the mean (*zhongyong* 中庸), and people-centrism (*minben* 民本) is critical to restoring the Koreans' collective value system and social norms (Han and Eun 1999). Various statistical research conducted more recently (Bae and Park 2013; Ryu 2007; Shin 2012;) consistently attest to the fact that Koreans (and other East Asians), despite their liberal individualization and diversification in terms of moral and/or religious value, are simultaneously committed to core Confucian values, most notably filial piety, respect for elders, and ritual propriety (*li* 禮). All the more surprising, social scientists in the East Asian region and beyond are increasingly persuaded that the cultural locomotive underlying Korean and Taiwanese democratization is Confucian values, with which the democratic activists there rarely, if ever, self-consciously associate their political actions (Fetzer and Soper 2013; Hahm 2004; Helgesen 1998; Lee 2007; Na 2014).

The key is that Confucianism in contemporary East Asia is "hardly visible on the surface and rarely manifests itself in any organization or institution. It survives only at the most basic level of the popular consciousness and in the routines of daily life" (Koh 1996, 194). I believe the following statement by Byung-ik Koh is generally true for East Asians who still adhere to Confucianism as their *habits of the heart*:

> Even those who identified themselves as Christians and adhered to Christian values and practices were very much inclined to Confucian values and practices as well, and when measured against the itemized scale, a substantial majority of Korean Christians were found in fact to be at least "marginal" members of Confucianism.... This confirms the statement of a well-known Christian theologian, who said, "Our Christians are Confucians dressed in Christian robes" (Koh 1996, 199).

As a normative political theory, public reason Confucianism finds nothing regrettable about the reality of pluralism in East Asia in which Confucianism no longer enjoys the status of state ideology or doctrinal orthodoxy. In this regard, it is not analogous to religious or philosophical Confucianism; nor is it a comprehensive doctrine in any strong sense if we define comprehensive doctrine in terms of mutual incommensurability. Nevertheless, the Confucianism in public reason Confucianism holds substantively Confucian perfectionist values that give the East Asian people a Confucian public character. And this publicly intelligible Confucianism binds citizens horizontally as equal members of one political community, notwithstanding their internal differences and moral disagreements. Public reason Confucianism recognizes the East Asian people as *Confucian citizens* only in this sense. Since Confucianism here is a publicly intelligible ethical value, even though it is not tightly rooted in philosophical or religious Confucian doctrines, it is still a set of comprehensive ideas and values (in a weak sense). Thus understood, public reason Confucianism is a type of comprehensive Confucian perfectionism.

P3: Public Equality

Public reason Confucianism is qualitatively different from the traditional Confucianism practiced by East

[14] According the statistical data culled in 2005, only 0.004% (104,575/24,970,766) of those who said that they have religion declared themselves Confucian (Korean Ministry of Culture, Sports, and Tourism, 2011).

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Asians in premodern periods and from the version some traditionalists in the region still cling to, a Confucianism that is heavily patriarchal, androcentric, and hierarchical.[15] Though public reason Confucianism has no ambition of transforming traditionalist Confucians into so-called "modern citizens," it is a modern normative political theory and a vision that treats every member of the political community as equal citizens.

This feature of public reason Confucianism is directly related to qualified endorsement of state paternalism in the societal context of value pluralism. Though traditional Confucianism endorses state paternalism, I differentiate between two kinds of state paternalism—state paternalism aimed at protecting the physical well-being of citizens (e.g., preventing and treating drug addiction) and state value paternalism that aspires to harmonize different, often conflicting, moral interests of citizens. While embracing the former kind of state paternalism with some caution, public reason Confucianism completely rejects state value paternalism and its pretense to have the transcendental eyes of a sage. Under the fact of value pluralism, every citizen is loaded with the burdens of judgment, which means that no one, including political elites, can claim to know one's moral interest better than he or she does. For instance, it is question-begging, nearly nonsensical, for a group of political elites to claim that a particular moral position in the abortion debate should be preferred because it serves the putative common good better. Since plurality in opinions and the resulting moral disagreement give rise to so-called the *circumstances of modern (democratic) politics* (Barber 1984; Waldron 1999), it is extremely difficult to identify an independent moral and epistemic standard to adjudicate, let alone harmonize, moral disagreements among the citizens, each of whom demands to be seen and treated by others as rational and wants his/her moral judgment to be respected, even when some find it objectionable. Therefore, public reason Confucianism derives the moral value of public equality from equal public standing of the people qua citizens under the societal condition of value pluralism.

The value of public equality can be vindicated from another angle. One of the distinctive features of Confucianism as a political tradition is that it never envisioned an alternative mode of political regime other than a one-man monarchy. Even Mencius, who had strong faith in moral equality in terms of the good human nature and a person's capacity for moral development, never considered the possibility of any other form of government. In short, he was never a champion of political equality, not to mention democratic government; for him the only legitimate political relationship was that between the ruler and the ministers. Mencius argued that the monarch is given by Heaven a moral right to rule the people who vicariously reveal the will of Heaven. The ruler has immense moral responsibility to take care of the moral and material well-being of the people, but Mencius did not fail to note, it is only to Heaven that he is ultimately accountable because Heaven (or its delegates) alone can rightfully depose him from the throne (Tiwald 2008).

None of the contemporary East Asian societies have a one-man monarchy, on which traditional Confucian political theory and practice were predicated, and the complete abolition of it drives us to rethink the relationship between the ruler and the ruled, and more importantly, the relationship among ordinary people who are now citizens. In our "republican" age where there is no "son of Heaven" or other delegates of Heaven, the right to rule should ultimately go to the people whose dis/content with the incumbent ruler or government represents the will of Heaven, according to traditional Confucian political discourse.[16] That is, in our politically post-Heaven era, the most important political institution is *citizenship*, making the relationship between the ruler and the ruled of secondary importance and into that of (democratic) political accountability.

Under pluralistic societal conditions, citizenship understood as an equal share of political power can be exercised meaningfully only if each citizen's moral interest is equally respected. Equal share of political power and equal respect of moral interest together establish the moral value of public equality. One of the central values integral to public reason Confucianism is gender equality because it tracks perhaps the most important feature of both public equality and common citizenship.

P4: Democratic Pluralism

P3 establishes public equality as a value intrinsic to public reason Confucianism. It is important to note that although public reason Confucianism is qualitatively different from traditional Confucianism, which rejects, among others, the moral value of gender equality, it does not aim to transform traditional Confucians or those who belong to particular cultural or religious groups into what social scientists call "modern individuals" (Gellner 1996; Inkeles 1969). Not only is public reason Confucianism compatible with a plurality of lifestyles in civil society but it further protects various freedoms—religious freedom, freedom of conscience, freedom of expression, and freedom of association, to name just a few—which are indispensable to the survival and flourishing of various groups and associations, by making them constitutional rights. In this regard, public reason Confucianism is starkly opposed to Jiang Qing's Confucian constitutionalism. Consider the following statement by Jiang:

> In Confucian understanding, the main purpose of sovereignty is to implement religious and moral values,

[15] Indigenous inhabitants in New Territories (新界) of Hong Kong is one of the best examples of the continued practice of traditional Confucianism in contemporary East Asia.

[16] What is interesting about Jiang Qing's political theory is that while acknowledging the republican condition of modern China, he still adheres to Heavenly political sanction as necessary and attempts to reinstate Confucian monarchy coached by a group of Confucian scholars.

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> using transcendent and sacred goodness to regulate sovereignty and guide it toward the good. Consequently, the fundamental purpose of Confucian constitutionalism is to regulate and educate the holders of supreme power in the state so that they will realize the transcendent values of China's Confucian culture. A state order in conformity with Confucian ideas encourages the political authorities to implement the goodness of the Way of heaven (Jiang 2012, 52).

As Joseph Chan (2012) rightly notes, Jiang's Confucian perfectionism is extreme. Given the compulsory nature of the state, it is difficult to understand how Jiang's ideal Confucian regime can accommodate, as it wishes (Jiang 2012, 41), values, ideas, and lifestyles that do not perfectly cohere with the hierarchical superiority of Confucianism which he now wants to make the state religion. Public reason Confucianism has no desire to reinstate Confucianism as official state ideology. That said, public reason Confucianism also does not pretend to be neutral to all kinds of ideals, values, lifestyles. In fact, insomuch as public reason Confucianism is recognized by Confucian citizens as "Confucian," it is not completely severed from traditional Confucianism. It is for this reason that public reason Confucianism is a kind of comprehensive doctrine, if we understand the term somewhat loosely.

What differentiates public reason Confucianism from traditional Confucianism is its ambition to have, maintain, and reproduce one political community with a distinctive public culture that can accommodate different moral interests as far as possible within the constitutional limits set by Confucian public reason. Thus, public reason Confucianism aims to promote certain Confucian values such as filial piety and ritual propriety but it does not embrace other Confucian values cherished by traditionalist or religious Confucians as public values applicable to all members of the political community because such values are only relevant to a small number of self-claimed Confucians who still adhere to their traditional Confucian way of life. At the same time, under public reason Confucianism, traditional Confucians (for instance, members of the clan organizations in Korea) can continue their traditional way of life by resorting to their constitutional right to freedom of association.

Even if the conceptual distinction between public reason Confucianism, which is primarily concerned with the democratic citizens' public way of life, and traditional Confucianism, as practiced in East Asia in accordance with a certain doctrinal line, is accepted, a practical difficulty remains: what if a community of Confucian traditionalists persists in the kind of gender inequality that is part of their comprehensive doctrine? Is there a principled position that public reason Confucianism can take with regard to such a community? A recent legal case in Korea may be helpful here. A group of married-daughters (i.e., daughters married to other clans), belonging to two different clan organizations, which operate strictly on the traditional (Neo-) Confucian ritual precepts and moral principles (particularly those articulated in Zhu Xi's *Family Ritual* [*Jiali* 家禮]),[17] appealed to the Korean Supreme Court, when after sale of the clans' land, the organizations offered the plaintiffs, who they considered belonging to their husbands' clans upon marriage, a relatively small amount of money, not in terms of dividends which are only given to "formal members" (i.e., the clans' sons) but in terms of "inheritance." Initially, the clan organizations refused to offer the plaintiffs any compensation because they were not considered formal members. In the lawsuit regarding membership of the clan organizations, the Court sided with the married daughters, declaring equal membership between men (sons) and women (daughters) within the Confucian clan organizations.

Although public reason Confucianism agrees with the Court's decision, which while based on typical liberal jurisprudence promoting human dignity and gender equality also recognizes and leaves unchallenged the basic structure of traditional Confucian clan organization, it supports a different legal reasoning. First, from the perspective of public reason Confucianism, unequal clan membership ought to be rectified because it discriminates against women with no compelling *Confucian* justification. Originally, the reason for the Korean people to form clan organizations was to worship their ancestors by expressing their filial piety to them in a ritually proper manner. Therefore if male descendants automatically gain clan membership, there should be no barrier for the female descendants, married or unmarried, to become members simply by virtue of their filial piety to their ancestors. Moreover, unequal membership fundamentally deprives female descendants of the right to participate in Confucian rites and ceremonies, all associated with the supreme universal virtue of filial piety, thereby preventing them from enjoying the same property as well as legal and social rights that male members have. Here the point is not so much whether or not archaic Confucian precepts and values should be replaced by modern progressive liberal values but how to negotiate rites with rights by working out Confucian values and norms. We can call this type of moral reasoning exercised in various public arenas—in courts, legislatures, assemblies as well as in civil societies—in a Confucian society *Confucian public reasoning*.

That said, however, public reason Confucianism does not find problematic all gendered roles and ritual practices performed by both male and female members of the clan organizations in the capacities of sons and daughters, as long as they are conducted voluntarily and without serious injury to the female members' public standing as equal citizens. Deferential relationships and moderate inequalities between senior and junior members and between male and female members within Confucian organizations and (extended) families are largely compatible with public reason

[17] Zhu Xi (1130–1200) is one of the most authoritative Confucian scholars during the Song dynasty whose philosophical system, called the Learning of the Way (*Daoxue* 道學), dominated both the intellectual and the political worlds in China as well as in other East Asian countries (especially, Korea) since the thirteenth-century.

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Confucianism, which is concerned with the citizenry's public equality. In this regard, public reason Confucianism has no ambition to democratize all social relationships, nor does it desire to regulate the internal affairs of private associations as long as they are legitimately formed and operate on a voluntary basis.

Back to our question: what would public reason Confucianism do with regard to a community persisting in gender inequality in accordance with its comprehensive doctrine? The answer is that public reason Confucianism would only attempt to regulate and rectify gender inequality that degrades women's public standing and rights but leaves the other inequalities to be resolved by members themselves. In any event, what constitutes injury to women's "public" standing should be determined not by some putative universal liberal principle but in light of Confucian public reason.

P5: Confucian Public Reason

Confucian public reason refers to the reason of Confucian democratic citizens. It is what citizens in a Confucian democratic society share and appeal to when they are participating in public deliberation and making public judgments. It is a concept as well as a practice that is conceivable only if the idea of Confucian citizens as a self-governing people in a Confucian society is possible. As P1 and P2 stipulate, as a normative political theory public reason Confucianism is founded on the existence of self-governing Confucian citizens. Again, an example can be helpful in understanding what Confucian public reason means practically.

Since the establishment of the Civil Code in 1958, Korean liberal feminists have struggled to abolish the family-head system stipulated in it, which was also justified with reference to Zhu Xi's ritual theory, because it has systematically discriminated against women by, among other things, legally placing them merely as a member of the family headed typically by a father or a husband (if married), banning them from becoming the head of the family, even when they were the eldest members within the family, and preventing the child of a divorced woman remarrying another man, who is under the mother's custody, from adopting his or her stepfather's surname, thereby making him or her the target of social stigma (Yang 2006). In their earlier struggles with conservative Confucian traditionalists who valorized the Confucian-style family-head system as the backbone of Korean moral culture, Korean feminists largely failed to persuade either the justices in the Constitutional Court or the general Korean public, who were saturated with Confucian mores and norms, with their strong liberal cause. However, as Hee-Kang Kim powerfully shows, the feminists were finally able to garner overwhelming public support by the time of the abolition of the family-head system by the Korean Constitutional Court in 2005, when they abandoned the "liberal versus Confucian" framework and began to argue that "gender equality in the family would not deny other Confucian family values and that the family rearrangement achieved by the abolition of the family-head system would, indeed, help to preserve the family, a core institution of Confucianism" (Kim 2007, 268). In this important case which dramatically transformed Korean society, the type of moral reasoning and public rhetoric employed by the Korean feminists was characteristically Confucian and it is this sort of moral reasoning that Confucian public reason is modeled after and aims to articulate. One of the best ways to understand the distinctive characteristics of Confucian public reason is by comparing it to liberal public reason, which we have investigated extensively earlier.

First, in terms of content and character, Confucian public reason is clearly distinguished from liberal public reason. As we have seen, at the heart of liberal public reason, as far as the *idea* of public reason is concerned, is its complete detachment from any kind of perfectionist ends or comprehensive values. As purely political values, public reason is only formally concerned with certain rights, duties, or liberties. In contrast, Confucian public reason, as shown in the cases above, is grounded in substantive Confucian moral values such as filial piety, respect for elders (including ancestors), harmony in family, and ritual propriety and these values inform the contents of otherwise liberal political rights, duties, and liberties. For instance, in a Confucian democratic society where citizens generally cherish filial piety as one of the most important moral virtues, and thus the state is permitted (by its citizens) to promote it publicly, both the moral contents of core democratic rights and liberties such as freedom of expression and right to the pursuit of happiness and the public understanding of to what extent such rights and liberties can enjoy public protection, are qualitatively different from a society where filial piety has no salient public value. Likewise, in a society where values like filial piety and ritual propriety are socially cherished and publicly promoted, the very conception of the state becomes radically different than that which we find in a liberal society—the state is deemed not so much as the outcome of (hypothetical) social contract but as kind of a family writ large in which citizens see (and feel) themselves as related through familial ties.

A more concrete case would be useful here. Freedom of expression is one of the essential liberal values and most East Asian societies hold it in their constitutions as an important civil right. There are a variety of reasons why freedom of expression is held sacred in Western liberal societies, constitutionally as well as socially, but one important reason has to do with the fact that it underlies both liberal individualism, concerned with *who I am* or personhood, and liberal pluralism, concerned with individual diversity and associational freedom (Galston 2002; Kateb 1998; Rosenblum 1998). However, in a society where "I" is understood in relational terms, family values and ritual propriety are publicly promoted, the society as a whole is deemed (or idealized) as a nationally extended family, and therefore social harmony and familial citizenship are valued, the value of freedom of expression is appreciated and exercised differently than it is in a liberal society. While liberal people embrace the "costs" accompanying their

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expressive liberty such as reputational injury and emotional distress (Cohen 1993) and make it a virtue to tolerate someone's free expression, though the expressed values may not be agreeable, Confucian people make every effort to avoid incurring even such mild harms to others, with whom they are indirectly and more distantly related, by constraining the way they exercise this freedom by means of ritual propriety and making the expression agreeable to communal norms and moral sentiments. The practical consequence of this difference is rather dramatic: whereas liberal people, by bearing certain costs of the freedom of expression and thus putting up with the "vicissitudes of pluralism" (Rosenblum 1996, 40), try to keep the state at bay from civil and private conflicts, Confucian people are more worried about uneasy social relationships than what liberals would consider "intervention" of the state, which they conceive of in terms of the image of the family. Thus understood, in a Confucian democratic society, freedom of expression is still valued as a citizen's constitutional right but its moral content and social scope is always balanced with Confucian mores, values, and moral sentiments. Confucian public reasoning involves this complex balancing process.

This, however, is not to say that grounded in certain perfectionist values, Confucian public reason is insulated from different, even contending, interpretations. Quite the contrary, public reason Confucianism allows citizens to negotiate their comprehensive moral values with *Confucian* public reason, *then* with particular rights, duties, and liberties. As long as citizens are willing to do so, public reason Confucianism further allows them to contest the dominant understanding of public reason in the public space of civil society as well as in more formal public forums (such as parliament and the court) so that it can be more inclusive and accommodating without forfeiting its Confucian character.

Second, Confucian public reason is also different from its liberal counterpart in terms of structure. Unlike liberal public reason, which is in principle concerned solely with matters of constitutional essentials and basic structure, Confucian public reason is open to all kinds of public political debates among democratic citizens. I would even argue that the home of Confucian public reason is not so much the court and parliament but civil society where Confucian citizens are struggling with various kinds of rights, duties, and liberties, that is, with what these political values mean to them both conceptually and practically, values with which they are culturally unfamiliar. For Confucian citizens (as well as their political representatives and other public officials including judges and justices), Confucian public reason mediates their habits of the heart—Confucian mores, moral sentiments, and civilities—with rights and liberties, which are of Western provenance, thereby helping them exercise such rights and liberties *in their own terms*.

Finally, the defining characteristic of Confucian public reason is that it is constituted by familial moral sentiments. Recently, inspired by David Hume, Sharon Krause has challenged the rationalist understanding of public reason (of the kind advanced by Joshua Cohen) by claiming that "public reasons are constituted by the things we *all* care about—not by things that 'reason itself' tells us we *should* care about" (Krause 2008, 151). I argue that Confucian public reason has much in common with Humean public reason in that they are both nonrationalist: they are motivated not by the faculty of reason as such but by moral sentiment and they are equally concerned with what citizens care about with regard to collective self-government and the public good. What distinguishes Confucian public reason from its Humean counterpart is that it consists of sentiments and emotions that are characteristically *familial*. When the state is envisioned as an extended family and values such as filial piety and ritual propriety are socially cherished and publicly promoted, public reason is deeply fused with or mainly composed of familial affectionate sentiments. Put differently, Confucian public reason is the reason of citizens who see themselves as members of "one family," which is now institutionally housed in a democratic civil society.[18] And it is by sharing Confucian public reasons that citizens in a Confucian society continue to cherish the values of filial piety and ritual propriety, values/virtues inculcated first in (extended) family settings, especially through the interaction with parents and other senior members. The two Korean court cases introduced earlier and our discussion of freedom of expression clearly demonstrate this familial affective dimension of Confucian public reason.

In a Confucian democratic society, therefore, public reason consists of concerns that citizens have in common, who despite their awareness of the value of individual identity, individual rights, and value pluralism, nevertheless see themselves related *as* family members. On the other hand, Confucian democratic society is a society where citizens are committed to sustain their shared familial public norms and values. Then, it can be concluded that public promotion of some core Confucian values in a Confucian society is a natural corollary of the familial nature of Confucian public reasons.

P6: Confucian Legitimacy

It may be objected that the public promotion of certain Confucian values, which I admit cannot be perfectly severed from traditional Confucianism, may do injustice to those who do not share Confucianism as their cultural value. Given the increasing number of immigrants in East Asian societies (particularly from the South and South Asian countries) and the resulting multiculturalization of those societies, this is a valid concern. In fact, one of the major differences between public reason Confucianism and public reason liberalism a la Rawls is that public reason Confucianism only embraces the external conception when it comes to the scope of public reason. That is, public reason Confucianism assumes that the fact of pluralism in East Asia is not a consequence of liberalism but a fact about the

[18] For a fuller elaboration on the familial nature of Confucian public reason, see Kim (2014, 128–53).

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world East Asians find themselves in, to which political theory, liberal or Confucian, must accommodate itself. Therefore, public reason Confucianism stipulates that in a Confucian democratic society public reason must be justifiable to those who are not Confucian in any strong moral or religious sense. At the same time, P3 and P4 clearly commit public reason Confucianism to the principle of nondiscrimination, especially regarding immigrants, on the basis of race, ethnicity, religion, or culture. As equal citizens they are entitled to enjoy the same set of political rights and are expected to fulfill duties that accompany their rights and liberties.

Does P6 contradict the core stipulations of P3 and P4? I think not. Public reason Confucianism is not a *liberal* political theory precisely because unlike (many) liberal theories (Abizadeh 2008; Carens 1995), it is not concerned with the *boundary question*. For instance, public reason Confucianism conceived of as a political theory for the self-governing Confucian people would not embrace the following statement—"democratic theory either rejects the unilateral right to close borders, or would permit such a right only derivatively and only if it has already been successfully and democratically justified to foreigners. This is because the demos of democratic theory is in principle unbounded, and the regime of boundary control must consequently be democratically justified to foreigners as well as to citizens" (Abizadeh 2008, 38). Here "democratic theory" refers to liberal democratic theory and as long as we understand the boundary question as *internal* to liberal democratic theory, the statement above has some force, for the internal conception in principle does not allow democratic citizens, insomuch as they are liberal, to draw the boundary unilaterally, that is, without a process of justification to foreigners. If we only embrace this liberal notion of democratic theory, then we may rightfully start to quibble about whether *current* democratic citizens have the right to control their borders as well as the right to national self-determination, and whether they have no prima facie right to integrate immigrants into the existing social, economic, and political order.

Public reason Confucianism as nonliberal democratic theory is not pre-committed to liberalism's background cosmopolitan assumptions as some liberal political democratic theories are (especially when they are conceived of as pure philosophical arguments instead of rooted in the concrete political experiences of particular liberal societies). It understands national self-determination as one of the most important political rights of the Confucian people, especially in the face of the global hegemony of liberalism. Grounded in Confucian public reason, the reason of the self-governing Confucian democratic citizens, public reason Confucianism has no preconceived philosophical burden to prove or disprove that the Confucian demos owes justification to foreigners when it comes to its border policy and other domestic policies that may affect them.[19] Without embroiling itself with the boundary question, therefore, public reason Confucianism agrees with what Will Kymlicka says about immigrant multiculturalism—that is, what is at issue is not so much whether integration (including naturalization) as such is just but whether the societal integration of immigrants takes place *on fair terms* so that immigrant groups are able to equally participate within the mainstream (academic, economic, and political) institutions of the existing society (Kymlicka 2001, 162–171). Such fair terms include the right to basic freedoms, including freedom of association, based on which immigrant cultural groups can claim "polyethnic rights" (Kymlicka 1995, 31).

Confucian public reason is the inevitable price for a fair integration of immigrants who have joined a new political community voluntarily, with full awareness that they are entering a Confucian society, a society that cherishes and publicly promotes certain Confucian values and in which citizens give justification to one another in light of Confucian public reason. As stipulated in P4 and P5, new citizens have the right to contest the currently dominant understanding of Confucian public reason first by negotiating it with their religious or nonreligious comprehensive doctrines and then by offering an alternative notion of public reason that is intelligible to other citizens. In no case, however, are the fair terms of social integration meant to embrace unreasonable pluralism that is likely to erode the society's Confucian public character and undermine the people's right to collective self-government based upon it. Thus understood, the criterion by which to judge whether or not Confucian democratic citizens treat immigrants fairly is not so much whether they expect immigrant groups to appeal to Confucian public reason in public deliberation processes, but whether they respect the minority groups' right to basic freedoms (for instance, freedom of association) as equally as other cultural groups, especially Confucian groups and associations who may be under the wrong impression that they have a privileged connection with Confucian public reason.

CONCLUSION

Public reason Confucianism, which I present in this essay as the most plausible mode of Confucian democratic perfectionism, mediates between comprehensive Confucian perfectionism and public reason, which is typically associated with political liberalism. In this article, I first constructed the idea of public reason perfectionism by closely examining John Rawls's political liberalism, in which he makes public reason, understood as a set of pure political values, an integral part of his political theory, with special interest in how the idea of public reason invites perfectionist reinterpretations of public reason liberalism, and then presented public reason Confucianism as a species of the genus public reason perfectionism that is most relevant in East Asia societies, the public culture of which is still characteristically Confucian. But how is public reason Confucianism properly called "Confucianism"? What if the public moral consensus on which I draw heavily in theorizing public reason Confucianism changes,

[19] For a powerful refutation of liberal cosmopolitanism by a liberal democrat, see Miller (2010).

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leaning more toward Western liberalism? I conclude this essay by answering this important set of questions.

First, one may wonder whether public reason Confucianism is too diluted or deracinated a version of Confucianism to be recognizable to self-identified Confucians. But for a political theory to be properly labeled "Confucian," in what sense must it be intelligible as such to self-identified Confucians? The problem is that "self-identified Confucians" is a vague category including vastly different conceptions and without clear border. Do we mean by this term (mainly West-educated) Confucian academics who want to make the Confucian ethical and/or philosophical system safe within modern society, traditionalist Confucians scholars (called *yurim* 儒林 in Korea) still rigorously persisting in the traditional Confucian way of life, Confucian classicists devoted to the exposition and (re)interpretation of Confucian classics and commentaries, or members of Confucian associations or clans? From the traditionalist Confucians' standpoint, the very attempt to modernize Confucianism—be it a philosophical system, ethical tradition, or a way of life—would be considered less authentically Confucian, even un-Confucian, because it compromises and thereby corrupts Confucianism with non-Confucian values and principles, mostly liberal democratic ones.

This is not to say that public reason Confucianism would disregard how self-identified Confucians evaluate its theory and arguments. The point is that there can be a variety of Confucian political theories, and public reason Confucianism is a special kind of contemporary Confucian political theory whose primary addressees are "Confucian citizens," as stipulated in P1 and P2, rather than self-identified Confucians whose political significance in the region is quite negligible. The Confucian dimension of public reason Confucianism may seem controversial as it does not derive its concepts and philosophical postulates directly from Confucianism, as several self-identified Confucians understand the tradition, but it is still importantly Confucian in the *normative* sense, in that it aims to promote Confucian values in ways compatible with East Asia's increasingly democratic and pluralist societal context.[20]

Seen in this way, public reason Confucianism is qualitatively different, both structurally and argumentatively, from other conservative or traditionalist political movements, such as the Christian nation movement in the U.S., which also calls for "traditional family values." While the Christian nation movement is inspired by values and/or a way of living acceptable only to those who comprehensively subscribe to Christianity, public reason Confucianism aims to build a robust democracy on Confucian soil, which still deeply forms the habits of the heart of most East Asian citizens, despite their subscriptions to various religious or moral doctrines. Also, as the Korean cases introduced earlier indicate, public reason Confucianism advocates more progressive politics in East Asia in a way justifiable to East Asians' Confucian moral sentiments and public reasoning.

Finally, can public reason Confucianism remain socially relevant even if the public moral consensus, on which it is premised, has become more Western liberal? Though public reason Confucianism is inspired by the empirical evidence that East Asians (even those who have undergone liberal democratization for the past three decades) are still saturated with Confucian values, it does not build its normative theory merely on the evidence of the *current* public consensus. As a normative political theory public reason Confucianism is predicated on the philosophical conviction that Confucian values such as filial piety, respect for elders, ancestor worship, and ritual propriety are objectively good and thus its primary political aim is to find a philosophically justifiable way to permit the state to promote such perfectionist values without violating the intrinsic values of democracy such as popular sovereignty and political equality in the pluralist societal context. In this regard, public reason Confucianism can offer a distinctive (i.e., neither Western-liberal nor Confucian in the traditionalist sense) normative standard against which the current East Asian political practices are to be evaluated and prevent the East Asian polities from becoming too Western. The claim that there is a strong empirical basis for constructing public reason Confucianism only makes the theory more socially relevant and political urgent.

[20] We can raise essentially the same question to liberal theorists. How "liberal" is Rawls's political liberalism vis-a-vis Raz's liberal perfectionism, or Nozick's libertarianism, or Galston's liberal pluralism? And whose liberalism (Locke's, Mill's, or Tocqueville's) should be embraced as the classic standard against which to evaluate whether or not someone's liberalism is authentically liberal?

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