

# Confucian Theory of Justice and Criticisms of Meritocracy: *From the Perspective of Confucian Contributive Justice*

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## Abstract

In this paper, I elaborate on an alternative theory of justice to overcome the limitations of the theory of meritocratic justice that has become the leading theory of justice in today's Korea, through a reinterpretation of the Confucian philosophy of Great Unity (大同). In particular, I suggest that the liberal theory of justice (for example, Rawlsian), which does not consider meritocratic factors such as merit and achievement, is insufficient in criticizing meritocracy and attempt to find out within the traditions of Confucian philosophy the new possibilities of contributive justice considering merit and accomplishment comprehensively. Further, I also consider the fact that contributive justice alone is insufficient in resolving the issues of social justice. I therefore underline that the ideal society of Great Unity involves the notion of contributive justice that embraces the principles of need and equality as well.

**Keywords:** Great Unity democracy as K-democracy, meritocracy, Confucian contributive justice, Hegel's theory of contributive justice, ideal society of Great Unity, *tianxia weigong* (天下爲公), *gede qisuo* (各得其所)

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## I. Great Unity Democracy as K-Democracy and Its Basic Conceptions

For the past decade, I have looked at the history of the formation of Korean democracy by focusing on the qualitative transformation of the Confucian idea of “people-centeredness” (*minben* 民本, *minbon* in Korean) and its historical effect (*Wirkungsgeschichte* in H.G. Gadamer’s terms) in Joseon society, and have thought that its qualitative specificity can be articulated through the new concept of Great Unity democracy. In this article, based on these previous studies, I will outline the history of Korean democracy, so-called K-democracy, and the essential ideas related to it, focusing on the concept of Great Unity democracy, which attempts to articulate its qualitative specificity.

Of course, the concept of Great Unity democracy is not new. As it is well known, however, the concept of Great Unity (*datong* 大同, *daedong* in Korean) is not very common in Confucian texts. There are roughly two texts that mention this idea. Perhaps the most widely known reference to the idea of Great Unity in Confucian texts comes from the “Liyun 禮運” chapter of the *Book of Rites* (*Liji* 禮記). There, Confucius says that in the “practice of the grand course” (大道之行), the political power is not monopolized and hereditary by a particular individual or privileged group. In that sense, the Great Unity, which is a Confucian ideal world, is a common world where “the whole world belongs to everyone” (*tianxia weigong* 天下爲公). One of the specifics of this idea is how power is transferred: in the Great Unity society, the people of the world, or the common people, “elect the virtuous and the able to hold public offices” (See Lee 2003, 617–18).

In order to prevent the misuse and abuse of political power, nominating or selecting wise and virtuous people from among the common people and delegating power to such virtuous people was also a way to build a society of harmony and solidarity among the members of society, which is another aspect of the ideal of Great Unity. Simply put, the implementation of a public political system that would prevent the monopolization and privatization of power by a particular group of people, thereby undermining the public nature of power, is the path to the creation of a harmonious society through the establishment of

mutual solidarity and trust between different social spheres.

Another text in which the idea of Great Unity appears is the *Book of Documents* (*Shangshu* 尚書). The phrase *datong* 大同 appears in the “Great Law” (洪範) chapter of the *Book of Documents*. The Great Law is said to have been composed by the Count of Qi, who mentions Great Unity in the course of explaining the seventh rule that a king should follow while addressing the moral principles of a king.

When you have doubts about any great matter, consult with your own mind; consult with your high ministers and officers; consult with the common people; consult the tortoise-shell and divining stalks. If you, the shell, the stalks, the ministers and officers, and the common people, all agree about a course, this is what is called a great unity (大同), and the result will be the welfare of your person and good fortune to your descendants. (Modified from Legge n.d.)

It is very important that the idea of Great Unity in this text is emphasized in relation to consensus, especially the consensus of the common people in decision-making on all public matters. In fact, the conception of Great Unity that emphasizes consensus of the common people is actually consistent with the idea of governance based on popular will, which has always been emphasized in Confucian political thought. Confucius’ high valuation of Zichan (子產), one of the most famous statesmen among Confucius’ contemporaries, who actively advocated for people to freely discuss and criticize politics, not to mention Mencius’ assertion that the people are more valuable than the ruler, are all examples of the Confucian emphasis on a politics that reflects the will of the people.

It should be noted that Confucius emphasized the importance of public discussion or public deliberation repeatedly in the *Analects*. The importance of communication in Confucius’ political theory becomes even clearer when viewed through his relationship with Zichan, who was highly praised by Confucius in the *Analects* (5.15; 13.10).

Zichan stressed free discussion by the people and critical discussions of political issues as indispensable factors in politics. Furthermore, he understood school, a space of public discussion, as the

“teacher” of ministers in charge of politics in the country. According to the record of the *Zuo Zhuan*, Confucius admired him as a humane/benevolent (*ren*) person. When he heard Zichan’s claims, he maintained that “no matter how people say that Zichan is not benevolent, I do not believe it.” In other words, Confucius commented that politicians who carry out politics based on ensuring people’s freedom of speech and discussing public issues freely should be regarded as humane/benevolent (*ren*) persons.

Therefore, Zichan’s example shows that it is of fundamental importance for everyone to cultivate the capacity to discuss with others well and virtuously. It is not surprising that when Confucius heard of his death, he wept and admired that “in him, we could see the love passed down from the ancients” (Legge 1991, 684–85). In short, Confucius stresses that the process of public discussion and deliberation play a crucial role in the true politics, which aims to realize humanity (*ren*). The importance of communication in his political theory can also be found in his emphasis on “harmony in diversity” (和而不同). As Chenyang Li stresses correctly, the Confucian idea of harmony “lies in the very center of the Confucian notion of community” (2018, 3).

One of the most controversial issues with regard to the possibility of the Confucian democracy is the question of whether Mencius’ discussion of succession to the throne entails democratic tendencies or his recognition of popular sovereignty. The will of the people and the people’s consent in the *Mencius* is dealt with in the context the famous anecdote of the abdication succession on the contrary to hereditary succession (*Mencius* 5A.5–6). In the discussion of the anecdote of abdication to the virtuous and wise, the controversial issue is the question of whether Mencius claims that the will of Heaven can be identified with the will and consent of the common people.<sup>1</sup> In previous works, I have claimed that for Mencius, the will of Heaven is identified with the will and consent of the common people (See Na 2023, 93–96).

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<sup>1</sup> Mencius claims also that the people is more important than Heaven and Earth (*Mencius* 2B.1).

In short, securing legitimacy through a politics that emphasizes the people's will is one of the key elements of Confucian people-centered (民本) politics. The long tradition of Confucian people-centered politics, which emphasizes the common people's will and their public opinion, extends to the Song dynasty with Zhu Xi's Neo-Confucianism, which emphasized a kind of Confucian deliberative politics (公論政治). In the Joseon dynasty, which was influenced by Zhu Xi's Neo-Confucianism, Confucian deliberative politics was taken as a very important institutional system for realizing the idea of people-centeredness.

Furthermore, it is a fact that if power is exclusively monopolized by the king or a few privileged people and makes the lives of the people difficult, which is largely contrary to the idea of Great Unity people-centered politics, the Confucian Great Unity theory allows the people the right of resistance as a last resort. This is what the theory of reverse revolution shows.<sup>2</sup>

However, I seek to understand the conception of Great Unity democracy as a historical construct that has been formed through a process of hybridization between traditional Confucian people-centered thought and Western modern democracy that allowed Korean society to respond to the shocks and influences of modern Western culture in a subjective way.

My approach to the new conception of Great Unity democracy then understands the history of the movement toward Great Unity democracy as a decisive key concept that can explain the core and characteristic elements of Korea's modern and contemporary history, from late Joseon society, through colonization by Japanese imperialism, the division into South and North Korea, and dictatorship, to the democratized Korean society of the present. In this respect, my conception of Great Unity democracy is distinctly different from approaches that study the conceptual history of Great Unity democracy in order to examine and ensure the compatibility the traditional Confucian thought with Western modern democracy.

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<sup>2</sup> For a more detailed explanation of the nature of Confucius' and Mencius' Great Unity theory, see Na (2023).

In other words, the Great Unity democracy I propose is not just a new interpretation of traditional Confucian thought. It can also be seen as an important idea and a hermeneutical method that elucidates the underlying spirit of the historical dynamics that have been at work in the development of democracy continually developed in Korea from late Joseon society, through the independence movement against the violent Japanese imperialism, to the division era into a divided Korea.

The task of interpreting Korean history from this new perspective emerged from a desire to critically examine the problems in Korean society caused by the dualistic approach of “Confucian pre-modern tradition and Western modernity.” I believe that Koreans have been unable to theoretically articulate the flow of Great Unity democracy or Confucian people-centered democracy in the history of Korean society because we have been captured overwhelmingly by the Eurocentric way of thinking and schema.

The conception of Great Unity democracy which has been realized in the modern history of Korean society can be further explained in two aspects. On the one hand, it is a concept that shows how the Confucian worldview of Great Unity is transformed by Western democracy. In other words, it emphasizes the aspect in which the Confucian utopian Great Unity thought meets the Western democratic idea and interprets it creatively into democratic Great Unity thought. On the other hand, it shows the continual process of the historical effect (*Wirkungsgeschichte*) of the Confucian Great Unity ideal of Joseon society, which enabled the unique acceptance and transformation of Western modernity. In other words, my concept of Great Unity democracy seeks to emphasize the aspect of inheriting the Great Unity ideals by subjectively reconstructing Western democracy through the Great Unity thought.

More specifically, although it emerged based on the historical experiences of pre-eighteenth-century Joseon, the generalized trend of Confucianism’s orientation toward the world and equality that began in earnest in eighteenth-century Joseon continued in a modified form through the crisis and dissolution of the Joseon dynasty. The people’s aspirations for a Confucian Great Unity world and an egalitarian society that accumulated in the late Joseon dynasty not only manifested in the form of political resistance, such as the many people’s uprisings

in the nineteenth century, the zenith of which was marked by the Donghak Peasant Revolution of 1894. They were also manifested in the Righteous Army (*uibyeong* 義兵) Resistance Movement in the face of Japanese imperialist aggression.

Thus, my concept of Great Unity democracy is an attempt to recognize as a coherent history the entire process from the orientation toward a peaceful and equal society of Confucian Great Unity that began in earnest in the eighteenth century, through the Righteous Army Resistance Movement in the late nineteenth century and the independence movement during the Japanese colonial period, to the realization of democracy in the Republic of Korea. My key argument is that the most basic paradigm of thought in redefining the history of Korea's modern and contemporary history from the eighteenth century to today can be summarized as the dual process of democratic transformation of Confucian tradition and Confucian transformation of democracy. The term Great Unity democracy is an attempt to conceptually grasp the core of this dual process.

The preamble of the Constitution of the Republic of Korea (ROK), which was enacted on July 17, 1948, is the most important document for understanding what Great Unity democracy is. The spirit of this constitution, which inherits the idea and spirit of Korea's independence movement, is not the result of a foreign transplant, especially from the United States, as some have claimed; rather, it is a democratization of the East Asian Confucian tradition and a product of the East Asian turn or Confucian transformation of democracy.

According to this framework, it becomes clear why we need to look at the history of the birth of the ROK constitution in a new way. This constitution was not unilaterally transplanted by the United States. Unless Eurocentric ways of thinking are not left behind, Koreans cannot grasp the characteristic aspect of the constitution in particular and the Korean modernity in general. We must develop the ability to think beyond the dualism of so-called premodern East-Asian tradition and Western modernity and look at the traditions and history of East Asian societies, including Joseon society, in a new light.

A proper understanding of the ROK constitution will not be possible without a critical reflection on the violence of European

universalism and a shift in the way Koreans view the history of our society. It should also be clear, then, that the accurate understanding of the historical path of Korean democracy and its specificity, an unsolved problem in East Asian thought, can never be resolved without considering the process of the Confucian tradition's self-renovation and continuity in its transformations.

The pursuit of a new history will allow Koreans to better recognize the principles of structural change in Korean society and its historical constraints. In particular, if we look at it from the framework of the democratic transformation and development of a Great Unity-perspective through the historical process from the late Joseon dynasty to today, we will be able to reconstruct a "reason in history" that can inherently criticize Korean society. In this case, I embrace Gadamer's hermeneutic dialogical reason, which focuses on the rational approval of the influence of historical tradition in the concept of "reason in history." In that sense, although the term is derived from Hegel, I do not accept Hegel's absolute reason that dominates history and realizes itself through its practice.

Moreover, if we bear in mind the stark reality that the historical task of securing a permanent peace regime on the Korean Peninsula and overcoming the division of the country through an autonomous peaceful reunification remains unfinished, as well the deepening of the structure of extreme inequality and the resulting crisis of democracy caused by the ongoing globalization of capitalism, we can see that the history of Korean society's pursuit of a democratic world of mutual equality and peace, an aspiration of Great Unity, is far from over. Therefore, my conceptualization of the Confucian- and Great Unity -oriented realistic utopianism existing within the experience of Korean history is both a theory of modernity that conducts reflection on Korean modernity and a critical theory of that inherently criticizes Korean society. I have expressed this as follows:

My theory of Great Unity democracy is a critical Confucian theory of modernity in that the unrealized potential of Great Unity democracy, which has been a shaping force in the history of Korea's recent modernity but is still marginalized due to various structural



constraints, is the hope we can still rely on when we criticize the problems of Korean society and try to overcome them. In other words, I believe that the modernity of Korean society aims to embody the spirit of Great Unity, and that the character of political actors who put this into practice is based on the spirit of the literati (*seonbi*), who is responsible for the Heavens, the country, the people, and all life. In this context, Korean modernity can be seen as both Great Unity modernity and literati modernity, and my theory of Confucian modernity, which is a philosophical discourse on such modernity, can be conceptualized as a theory of literati modernity. And, since the critical potential of the Great Unity idea and the literati spirit that characterizes Korean modernity should still be inherited in the era of ecological crisis in the twenty-first century, it can be called a theory of critical Confucian modernity or a theory of critical literati modernity. (Na 2024, 589–90)

## II. The Basic Principles of the Confucian Theory of Justice

In order to clarify the issues mentioned above, I will explicate upon the principle of social justice in Great Unity democracy, basing this on claims found in the idea of Great Unity democracy mentioned in the “Liyun 禮運” chapter of the *Book of Rites* or in claims related to Confucius’ and Mencius’ ideas of the Great Unity. In order to explain the principle of social justice pursued by Great Unity democracy, we need to take a look at John Rawls’ theory of social justice which represents egalitarian liberalism today. Between the two principles of justice, Rawls describes the principle related to distributive justice, or social justice, as follows:

Social and economic inequalities are to satisfy two conditions: first, they are to be attached to offices and positions open to all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least-advantaged members of society (the difference principle). (Rawls 2001, 42–43)

Great Unity democracy accepts the principle of fair equality of opportunity, which Rawls puts forth as a condition in which social and

economic inequality can be allowed. In other words, first, Great Unity democracy acknowledges the general openness towards social positions. Most socially important positions—for example, positions of high-earning jobs or high-ranking government officials, even the position of the presidency or of the prime minister—should be, in principle, equally open to everyone. In the sense of ensuring the possibility of accessing social positions to everyone, Great Unity democracy supports equality of opportunity. Whether or not this interpretation of mine fits well to the original ideal of the Confucian Great Unity society will not be discussed here. However, if we consider the fact that kings Yao and Shun had been ordinary people, the fact that King Shun had been a farmer before being selected as a king, as well as the fact that only those with competence and virtue are allowed to rule, and if we look at the Neo-Confucian arguments later conceptualized in the idea that everyone can become a sage through learning (*shengren ke xue lun* 聖人可學論), it is my opinion that we can infer that there is a lot of evidence that supports the idea that the concept of Confucian Great Unity acknowledges the equality of opportunity for all people in undertaking socially important positions.

Moreover, Great Unity democracy acknowledges the need for and importance of the existence of a basic social security system that allows individuals to discover their individuality and talents, nurture them, and lead successful or flourishing lives. Thus, this democracy acknowledges and argues that access to some social basic goods like sufficient education, good health, and appropriate shelter should be recognized as social rights. This is in line with the principles of Western Europe's social states or social welfare states whose influence and power have diminished significantly nowadays due to the influence and power of neo-liberalism. Proponents of the social state argue that constituents must be guaranteed medical care and shelter as well as a minimum level of income and education. Indeed, the state's responsibility for caring for these is concerned with realizing the social preconditions that make possible one of the most basic human rights, i.e., freedom, and has little to do with paternalist benefits. Therefore, Great Unity democracy's commitment to a basic social security system should be seen as involving the claims to the social rights

that individuals must rightly retain. In other words, helping socially underprivileged people, or people in need, is not a matter of charity but a matter of rights.

In this sense, the principle of Great Unity democracy that society should guarantee the most basic level of social security can be justified from the perspective of need, which sees guaranteeing the resources necessary for people's successful lives as part of society's responsibility. In this line of thought, David Miller states that when considering social justice, we should accept the equal liberty and equality of opportunity that Rawls talks about, but the difference principle should be replaced with another. Here, the two principles with which he replaces the Rawlsian difference principle are the principle of need and the principle of merit. The argument that justifies the principle of minimum social security follows the principle of need that Miller had put forth (2003, 90).

As we can see from Mencius' words, Confucian philosophy traditionally emphasizes that the meeting of the basic conditions of the material needs of all people marks but the start of a king's people-oriented rule. Mencius did not view meeting the people's material needs as the fundamental and final goal of politics. The ultimate goal of a people-oriented politics lies in the self-realization of all people by nurturing one's own moral nature. Therefore, Mencius emphasized the need for education in order to realize the equal moral potential that lies in each person. Confucius had also emphasized, before Mencius, the importance of politics in taking responsibility for the people's well-being and had also explained how much attention should be placed not only on the people's livelihood but also on education as well.

Next, when reinterpreting of the principle of social justice within the spirit of Confucian Great Unity, we must focus on Confucius' and Mencius' emphasis of *gede qisuo* 各得其所 ("people abide in their proper place")—that a proper society is one in which self-realization is possible through each individual's acquisition of a social position suitable to their talents or aptitude, and that the politics should endeavor to realize such a society. Confucius said that "comforting the aged, being trustworthy to friends, and caring for the young" ("*Gongyechang* 公治長" in *Lunyu jizhu*, ch. 25, 102) is the ultimate goal that he hopes to achieve in the type of life he pursues. A society in which this is actualized

can be said to be the Great Unity society of “a world for all” (*tianxia weigong* 天下爲公). Similarly, in relation to Mencius’ claim that the key point of politics lies in the king also sharing joy with the people (*yumin tongle* 與民同樂), Zhu Xi explains that finding joy alongside the people is to understand the love for music and to extend compassion, and to motivate the people to find a proper place where they can live well (*gede qisuo* 各得其所) (“Lianghuiwang xia 梁惠王下” in *Mengzi jizhu*, ch. 1, 46).

Thus, in order to actualize the ideal society pursued by the concept of “a world for all,” the opportunity and conditions in which each individual can discover and perform their talents and capabilities must be provided and met. However, in order to guarantee this, various socially meaningful choices must exist and be given.

### III. Liberal Criticism of Meritocracy and Its Limitations

The word “meritocracy,” translated into Korean as “capability-ism” (*neungnyeok juui* 能力主義, *nengli zhuyi* in Chinese), is a concept that has become widely used in Korean society today. The first scholar to use the word “meritocracy” was the British sociologist Michael Young (1915–2002), having satirically described the dangers that a meritocratic system holds in his book *The Rise of Meritocracy*, published in 1958. Although Young describes meritocracy’s double-sided nature and considers arguments both for and against a society formed based on the principle of meritocracy, *The Rise of Meritocracy* can be essentially understood as a piece of work that warns against the deadly side effects that can be caused by a meritocratic society (see Young 1958).

Today, meritocracy has become the subject of criticism. Recently, questions have been repeatedly raised as to whether or not meritocracy is a relevant theory of justice and whether it is compatible with democratic ideas of equality. However, despite the existence of such strong arguments, meritocracy is a principle that is not only accepted in Korean society but is also widely accepted in Western democratic societies as well. However, despite the possibility that a meritocratic society can progress into a distinctly polarized society, a meritocratic theory of justice is being internalized by many people, with a meri-

tocratic society generally progressing alongside a democratic society. According to David Miller, an English political theorist, the idea of meritocracy “has been the cornerstone of liberal and social-democratic thought for the last two centuries” (2001, 177).

Likewise, John Rawls, who emphasizes the difference between a meritocratic society and a democratic interpretation of freedom and equality, states that a meritocratic society “follows the principle of careers open to talents and uses quality of opportunity as a way of releasing men’s energies in the pursuit of economic prosperity and political dominion” (1971, 106). According to Rawls, it is taken to be reasonable and common sense in American society that not only income and wealth, but all values in human life, that is, the good things in life, should be distributed according to “moral desert” (310).

Then, let us look into why Rawls is so critical of meritocracy and what the difference principle is, which is suggested as an alternative to meritocracy. Through the difference principle, Rawls suggests that we need to eliminate the influence of two factors that might unfairly bring about an inequality that is morally arbitrary to the citizens within a society. The two unfair factors that Rawls viewed as morally arbitrary and which should not have any effect on society were the naturally arbitrary factors and socially arbitrary factors. According to Rawls, it is unfair that some people experience disadvantages due to chance social circumstances—such as being born poor, or a woman, or black—while others enjoy social benefits due to coincidental innate factors or natural talents—such as being born with healthy bodies or quick minds. In other words, it is unjust that one’s life prospects are determined by such morally arbitrary factors. Thus, Rawls rejects the underlying condition of a meritocratic society, i.e. the meritocratic principle of justice itself—that anyone, if they have the abilities or the talent, can succeed in life, and that social wealth, assets, and power should be distributed accordingly.

A meritocratic society promises, at least on a superficial level, that anyone with the abilities and talents to do so can climb the social ladder. In other words, a meritocratic society argues that it ensures fairness and equality of opportunity to those who try and that their efforts will be paid off, regardless of who they are.

Rawls does not seek the appropriate foundation of distributive justice in natural abilities, merit, or moral desert. However, he does not eliminate the chance for individuals to be compensated for the hard work that they've done in a just society. So, while he rejects the rights of moral desert in relation to the distribution of income and wealth or the influence of morally arbitrary factors, he does acknowledge the legitimate rights that might be expected from following proper processes after the rules of the game had been decided. In other words, if a consensus is reached on the principles of justice and if a fair social cooperation system, one that is in compliance with the principles, is set up afterwards, then the constituents of this society, according to the principles, will naturally be guaranteed the right to acquire income or wealth (Rawls 1971, 410). Such reasonable expectations allow for some people to get more compensation than others, meaning that if an individual freely makes a choice under fair conditions, he or she would have to accept the inequality of income that might result. In this sense, Rawls' theory of justice allows for inequality related to income and wealth, yet also distinguishes between acceptable and unacceptable kinds of inequality—with the only acceptable inequality being the kind that allows advantages to be given to society's most disadvantaged.

In particular, luck egalitarianism, which had been elaborately developed by Ronald Dworkin, accepts Rawls' critical awareness and key intuition—that making natural talent the basis for distribution of goods, in other words using arbitrary factors as the standard for justice, is unfair from a moral perspective. However, ironically, it is also criticized for aggravating the inequality problem or being insufficient in solving society's existing inequality problem. As Michael Sandel emphasizes, although Rawls and other liberal egalitarian theorists defend an anti-meritocratic way of thinking, arguing that all abilities and qualifications are not the correct foundation for justice, one can draw the conclusion that because such thinking also emphasizes the individual's choice and responsibility, it is no different from a meritocratic way of thinking (Sandel 2020, 236). For example, luck egalitarian theorists argue that society is only responsible for and should compensate for irrational bad luck, or in other words, the bad "brute luck" that one has not voluntarily chosen, such as being hit by

lightning while walking down the street. They argue that it is unfair if society has to take responsibility and rectify the inequality risen from actions voluntarily chosen by individuals. So, if someone had gambled away all of their wealth, without anyone forcing them to do so, he or she should take responsibility for their actions, and it is wrong to have society take responsibility for these types of people too. Such bad luck, one which has been brought on by themselves, is called “option luck.”<sup>3</sup> Like this, luck egalitarianists consider the inequality brought about through one’s own individual action as natural.

Such a limitation can be understood in relation to the problem of a liberal emphasis on the freedom of choice. Liberal theorists today argue for the multiplicity of values and that countries should not adopt a politics that show a preference for specific values, but this lacks persuasiveness. They argue that it is up to the individual to decide on what kind of lives they should live but they also say that it is dangerous and goes against individual freedom if the government is to decide on a specific purpose of life or value. However, it is hard to view this as a correct understanding of the intention of the words “freedom of choice.” Of course, freedom of choice is very important. However, if we emphasize the freedom of choice in an individualistic manner, we can fall into a paradox and the meaning of freedom can be left out.

When we say that our lives depend on our individual choices, it makes it appear as if all choices have the same values. In other words, an attitude that supports the freedom of choice may lead to the idea that each option, value, or goal has equal meaning. This is because it is easy to view the meaning of the chosen values as being derived from the act of free choice itself (Taylor 1991, 55). This thought—that any choice made from among various options, because it is a choice, has equal value—is the result of a distorted understanding of the freedom of self-determination. This kind of thinking is oblivious to the fact that the freedom of self-determination can only have substantial meaning within social relationships. It is important for individuals to choose their own lives but if the social preconditions of life values that give

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<sup>3</sup> The distinction between the two types of luck originates from Ronald Dworkin (See Dworkin 2002).

such choices meaning are not provided beforehand, then such freedom of choice will be practically meaningless or rendered trivial.

Charles Taylor makes an important point that understanding the freedom of self-determination as being confined to the freedom of choice distorts the meaning of freedom and ultimately renders the freedom of choice itself meaningless. My revisiting of the issue of social justice in a Great Unity society is not unrelated to this problem. There exists no human being who will lead a meaningful life alone. Humans live with the acceptance or praise or inspiration or encouragement of others through which they experience their value and self-esteem, within successful social relations. Without such things, a person by themselves cannot consider who or what they are, i.e. form their own identity. In this sense, in relation to the meaning of life or the freedom of choice, social relations cannot be viewed as something derivative, auxiliary, or additional. However, a choice-centered or individual-centered attitude to freedom will make one forget that a meaningful life can ultimately only be possible within the formation of socially recognized relations.

Therefore, the individual-centered attitude, which prioritizes individual self-realization in life, can be generalized an egoistic and self-centered, i.e. narcissistic, way of life. As a result, forming relationships with others becomes a secondary tool. The ideal of self-realization is what becomes important to us, and as the attitude of viewing one's choice as the important thing in the realization of this ideal becomes stronger and stronger, it is inevitable that the intrinsic value of relations with others will be lost. For example, a relation with a partner or spouse, if it is no longer helpful for one's self-realization, becomes a relation that can be terminated at any time. In other words, a distorted individualistic, or narcissistic, perception of the ideal of self-authenticity in which one has to realize oneself, makes one think that the realization of life is an issue relevant only to oneself. This attitude, which allows people to cut relations with partners and spouses at any point according to their own sexual desires or tastes without a sense of hurt or regret—essentially trying to be “cool” about such partings—is seen as an attitude that respects the others' freedom in a manner suitable to our current times. Now, any relationship considered to be



cumbersome in the realization of one's life can be summarized as: "A relation with you means nothing to me and we are now better off as strangers."

As such, all human relations are loosening, weakening, and thinning, and the moment social relations are considered meaningless to one's self-realization, it will inevitably disintegrate. Solidarity is not easily formed—not only in continuous love, marital relations, or familial relations, but also between citizens. All relations will become something that can always be broken according to the choices that one makes. The reality that love for one's country or affection for one's people has now become a subject of ridicule and treated as an addictive nationalism that oppresses freedom is the result of the victory of this kind of shallow, individualistic theory of liberty.

However, the problems resulting from an individual-centered and choice-centered understanding of freedom are not unrelated to the limitations of a meritocratic society, which has emerged as a major problem today. The reason why even progressive liberals have not been able to solve the problem of meritocracy is because they have been unable to abandon an individualistic approach when dealing with freedom. For example, though Rawls emphasized the social aspect of freedom, he failed to alleviate the tension between the priority of freedom of individual choice and the social aspect of freedom. As he had emphasized himself, "*A Theory of Justice* follows Hegel in this respect when it takes the basic structure of society as the first subject of justice" (Rawls 2000, 366). His liberalism, along with Hegel's ethical philosophy, aims to overcome the limitations of liberalism, where people do not realize that they are socially rooted in a system of political and social policies (549). However, it is questionable whether his idea of "justice as fairness" justifies the social solidarity that his second principle of justice, the difference principle, needs. In short, my claim is that although social solidarity is needed for his difference principle to be properly realized, yet his theory of justice fails to successfully show how this sense of solidarity is to be born from his two principles of justice.

Thus, although luck egalitarianism emerged in an effort to emphasize the equality of conditions—aiming not only to eliminate the

inequality that arbitrarily arises from social backgrounds, but also that which arises by chance at birth from natural assets or talent—, it has failed to solve the problem of inequality that has been continuously passed down in meritocratic society.<sup>4</sup> Rather, the Rawlsian egalitarian liberalism and luck egalitarianism are said to have intensified the self-detrimental trap of meritocratic society.

Of course, we cannot come to the conclusion that it is a mistake to strive for a theory of justice that eliminates the influence of the luck of natural abilities or social or historical chance. However, we need to question why even theorists like Rawls have not been able to reflect on the various implications carried by the moral arbitrariness argument they themselves have put forth.

#### **IV. Key Insights of Hegel’s Theory of Contributive Justice**

In order to overcome the limitations of a meritocratic society, we need to go beyond the individualistic framework of thinking that prioritizes the freedom of choice and put forward a new, alternative theory of justice concerning merit and accomplishment. Here, let us take a look at “contributive justice,” put forth by Michael Sandel based on theories developed by Hegel and contemporary philosophers, such as Axel Honneth (See Sandel 2020, ch. 7). A theory of contributive justice starts from the idea that one cannot completely ignore merit, accomplishment, and social contribution when contemplating the issue of justice. However, the meaning of such accomplishment or contribution is essentially different from the meritocratic perspective that one should be morally compensated for individual efforts with due reward, as contributive justice focuses on the social context regarding

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<sup>4</sup> For more about luck egalitarianism’s basic arguments and the possibility of objections against them, see White (2007, ch. 4). The term “luck egalitarianism” is what Elizabeth Anderson used. Luck egalitarianism eliminates natural and social and arbitrary conditions that brings about inequality and by doing so, while it shares a sense of awareness with Rawls’ difference principle, which tries to solve unjust inequality, it allows inequality resulting from voluntary choices but is only focused on eliminating involuntary inequality, that is inequality resulting from bad luck and the name is derived from this fact. See Kymlicka (2002, 94, 100n17).

freedom and places emphasis on the social prosperity of values that have various meanings.

According to Hegel, an individual's freedom can only be realized through an intersubjective process of recognition that is carried through ethical relations. He uses the concept "being-with-oneself-in-the-other" (*das Beisichselbstsein im anderen*) in order to illustrate the point that such freedom relies on social recognition relations (Hegel 1986, 84). By this, Hegel means that while being in others, one experiences a sense of comfortableness and feels at home, and that one experiences self-realization rather than self-alienation. This shows that the relation with others exceeds being just an instrumental relation or an external relation between completed and self-sufficient atoms; in the sense that it is a site of one's free realization, it shows that a relation with others is playing an essential, inherent, or constitutive role for the successful lives of relation constituents. Throughout his theory of social freedom, Hegel emphasizes the importance of the roles that basic social systems are responsible for. Specific ethical systems allow for individuals to continuously and stably support the process of recognizing each other as free subjects while carrying out intersubjective communications.

In his theory of civil society, Hegel also develops the perspective that considers contributive justice and labor or vocational activities to be distinct areas of life where social recognition is achieved. However, as there is no room here to go into the details of Hegel's theory of civil society, I will only mention what is needed for the discussion of contributive justice. In Hegel's view, this point where humans, through labor and work, can be recognized as a being who positively contributes toward society, is the base of the normative justification that the modern market system, that is, the modern bourgeois society sets forth. In other words, unlike market liberals or libertarians who emphasize that the market is precisely where the freedom of humans can be realized or that the act of free exchange in the market is the essence of freedom, Hegel acknowledges the market as just one distinctive area of the realization of freedom. Further, he views it as a very dangerous area of social life where it is highly likely that human's self-alienation and extreme inequality occur, and freedom is made entirely impossible. In

any case, according to Hegel, the particular way of social recognition in the ethical institution of the market has characteristics distinctive from the way one is recognized as a constituent of a political community or an intimate member within the family.

Underlying Hegel's emphasis on the modern bourgeois society's role in the liberation of humanity is the idea that one can live a life filled with pride only when being recognized as a socially valuable being through labor. Indeed, people of a bourgeois civil society can attain the specific content of a meaningful, autonomous life through labor they have chosen for themselves and the diversity of jobs. This is because it is here that, through the division of various jobs, the specific purpose and content can be rationally realized. People who actually participate in the market society, on one hand, can learn the skills and enhance the capacity of mutual cooperation by being incorporated into the acts of exchanging service or the varied division of labor. On the other hand, they can experience self-realization by contributing to the common good of society and be recognized for their social contributions by expertly showing off their skills through jobs and labor they have chosen for themselves. In this sense, Hegel perceives civil society as an essential area of a free and ethical world and as a social system that guarantees individual freedom and self-realization.

If we are to have a society in which one can be recognized according to one's social contribution through labor and jobs, considerable reforms of our market-centered societies are needed. This is because the exchange value that occurs in the market cannot properly measure a job's level of social contribution or contribution to the common good of society. Since the values decided in the market depends on the efficiency level of the market and the level of customer satisfaction, the value within the market may not necessarily align with the level of contribution to the common good of society.

However, while meritocratic societies today accept the compensation successful people receive from the market as something that naturally comes from their efforts and abilities, they also ignore the fact that a market society standardizes values according to commodity logic and renders other values as meaningless and inefficient. Not only that, but a capitalistic meritocracy neglects the problems of

unemployment and poverty that arise from the restructuring caused by the advance of globalization or the relocation of factories to foreign countries. Furthermore, egalitarian liberalism, which criticizes the meritocratic ideal, only emphasizes freedom of choice and the issue of responsibility. It neglects the problem of social insults, disregarding the loss in confidence experienced by people in poverty. In short, egalitarian liberalists have a tendency to overlook the fact that the problem of social inequality not only pertains to material poverty, such as a lack of wealth or services, but to social recognition and reputation.

If the poverty problem is not only a matter of material poverty, such as a lack of wealth and services, but of social recognition or reputation, we are compelled to find a way to recover the dignity of labor or work. Such awareness of the problem places us face-to-face with “moral and political questions” such as what are the meaningful ways in which we can contribute to the common good and what it is that we owe other fellow citizens as citizens ourselves (Sandel 2020, 310–12, 318). So, in today’s neo-liberal society, when attempting to understand the rage against society and depth of resistance felt by people in unfavorable situations and endeavor to find an appropriate solution, we need to understand the meaning of recognition and respect that work and jobs can bring to society members. In short, Michael Sandel, resting on Hegel’s theory, suggests a theory of justice that ignores the contributive aspect is insufficient. Contributive justice does not accept a neutral attitude towards a good life or the best way of life. According to the contributive justice theory, “we are most fully human when we contribute to the common good and earn the esteem of our fellow citizens for the contributions we make” (Sandel 2020, 324–28).

## V. Contributive Justice in Confucian Philosophy

Now let us analyze the Confucian explanation of the ideal society of Great Unity in relation to the issue of merit. But first, let us return to the meaning of “abiding in one’s proper place” (*gede qisuo* 各得其所), emphasized earlier. This concept refers to how a true sense of humanity is realized by faithfully fulfilling the social position best suited to one’s

aptitude or talent, and also to how cooperative relations with fellow society members allows each person to contribute to the prosperity of society. Zhu Xi and Lü Zuqian explain “abiding in one’s proper place” as follows:

As there are things, there are their specific principles. As a father, one should abide in deep love. As a son, one should abide in filial piety. As a minister, one should abide in reverence. All things and affairs have their own abiding points. When people succeed in abiding in their proper abiding points, they will be contented and happy. If they fail to do so, they will be rebellious. The reason why a sage-ruler can smoothly govern the world is not that he can invent the principles for them. He only enables them to abide in their proper abiding points. (Zhu and Lü 1967, 209)

According to Zhu Xi and Lü Zuqian, it is only when the unique reason that resides in all things is well manifested and connects with that of other things, and only when this process of communication properly happens in succession, that the society or universe as a whole can prosper harmoniously. Thus, the ideal society sought in “abiding in one’s proper place” is one in which an individual acquires a position that suits their talents and participates in the prosperity of the whole society by devoting themselves to this life. It is only when the specific values and common goods appearing in different ways according to social positions are realized in a harmonious and balanced manner within a cooperative relation, that we can attain the ideal society that Confucianism strives for.

Likewise, according to Mencius, it is only through the Five Relationships (*wu lun* 五倫) that the moral nature that all humans equally assigned from Heaven, that is, the idea that “human nature is good” (*xing shan* 性善), can be realized. The part that we must especially focus on, in relation to contributive justice, is the idea that living a life fit for a human being depends on successfully leading a life of the Five Relationships, just as much as on securing the materialistic conditions (“Tengwengong shang 騰文公上” in *Mengzi jizhu*, ch. 4, 158). Mencius argues that humans would be no different from beasts if the people were to be merely fed well and dressed warmly. The point I am focusing

on here is the argument that humans mature in a humane way through “teachings” (*jiao* 教). In other words, just as certain material conditions need to be met for humans to eat well and grow healthily, education (*jiaoyu* 教育) is needed for humans to learn and develop their moral and mental aspects.

According to Mencius, the development and successful growth of such mental and moral potential is done through the Five Relationships. This means that the relationships between a ruler and subject, father and son, husband and wife, elder brother and younger brother, and friends are the foundation upon which human moral nature develops and prospers. It is only when such human relationships are well made that humans can lead successful and flourishing lives by which they can realize and enjoy their humanity. Therefore, from a Confucian perspective, human relationships do not merely have an instrumental character of fulfilling selfish desires. Rather, leading a social life through the Five Relationships itself is a means of self-realization. Moreover, the specific social contribution that one can achieve by doing one’s best in society naturally differs. A society can prosper more harmoniously when a soldier through “soldier-ness,” a teacher through “teacher-ness,” a ruler through “ruler-ness,” dutifully fulfills the task and role they have been assigned with in society. Thus, when the Five Relationships are well formed, that which makes a society prosper is not blindly obeying others or doing work unrelated to oneself in a self-alienated state or against one’s will, but through the very work of making one’s own life prosper.

The Confucian thinking that explores the possibility of realizing human’s moral nature through the Five Relationships is in the same vein as Hegel’s social theory of freedom, which views that it is within an ethical life that humans can be recognized as a truly free being. Hegel’s concept of “ethical life” (*Sittlichkeit*) is expressed in Korean as *innyun* 人倫. According to the Standard Korean Language Dictionary, *innyun* is lexically defined as: 1) the duties that must be kept between the ruler and ruled, father and son, elder sibling and younger sibling, and husband and wife; 2) in Hegel’s philosophy, a word that refers to the objectified rational will, of which the substances are family, civil society, and the state (National Institute for the Korean Language

n.d.). In this way, *innyun* is understood in two different currents in Korean society. However, had there not been an affinity between the two usages, it would not have been possible to translate *Sittlichkeit* as *innyun*. It is a historical irony that the insights of the political philosophy of Hegel, a representative figure in the philosophical justification of Eurocentrism—which criticized Asian society and the Confucian tradition as something uncivilized and worth despising—share deep similarities to East Asia’s Confucian tradition of thinking. In any case, in Hegel’s eyes, a human within an ethical life or ethical relations can experience the highest realization of freedom and, at the same time, understand the content of one’s true specific duty. Likewise, as we can see in the explanation of Mencius’ Five Relationships, according to Confucian thinking, it is within specific human relations that humans can realize “human-ness.”

The specific moral duties within various human relations that Confucianism requires are each different. For example, in a relation between the ruler and the ruled, including his ministers, the ruled should be loyal to their ruler and the ruler should also not fail to show signs of respect to the ruled. Here, if both properly abide by the moral norms that are expected from each other, a just relation between the ruler and the ruled can be formed. Between the parent and the child, there must be a sense of closeness. The common misconception that children alone are required to fulfill their filial duties is not a desirable parent-child relation in the eyes of Confucianism. As emphasized before, in Confucian philosophy, all individuals are understood as beings who can be acknowledged by carrying out the specific duties that they must do and contributing to society, within their places in society, that is, in a place that suits their duties and virtues. Sons and daughters who do their duties well as children are acknowledged as excellent and good sons and daughters, and rulers who carry out the role of a ruler exceptionally well are acknowledged as true and good rulers. By realizing different specific duties and values within various relations, humans each contribute to society in unique ways and, importantly, it is through such contributions that an individual’s existence and social meaning is acknowledged. Through such social mutual recognition, a harmonious and balanced ideal society can also



be realized.

In relation to this, the emphasis on the concept of “responding” (*gan ying* 感應) is very important. This concept was put forth by Cheng Yi 程頤, a philosopher who greatly influenced Zhu Xi. According to Cheng Yi, the prosperity of all things is possible only through a mutual responding. Thus, he emphasizes that not only for the relation between males and females, but also between the ruler and the ruled or parent and child, it is when a mutual responding is formed between the relationship’s constituents that the relation can prosper. Cheng Yi explains this in more detail as follows:

The ruler and the ruled, above and below, and reaching all things, they each have duties that respond to each other, and when things respond to each other, there is a right way to prosper. If the ruler and the ruled can respond to each other, the ruler’s and the ruled’s *dao* connects, for father and son, husband and wife, relations with relatives and friends, if all *qing* 情 and *yi* 意 respond to each other, they can be harmonious and prosper by obeying. As it is like this for all things, in responding, there is a right way in which we can prosper. (Cheng 2015, 633)

This can be interpreted to mean that such a responding relation starts when both recognize the positive contribution towards each other’s roles. Cheng Yi explains that an unsuccessful relation, such as one in which both parties are unable to keep to the behavioral norms that suit their social positions and are not able to properly realize their own “good” (善), occurs because the relation is unable to keep to the pertinent “right way” (正道). For example, a responding relation formed when a husband and his wife act excessively and viciously toward each other or when a ruler delights at the flatteries of the ruled, is a “distorted” responding relation, formed by lies and biases (Cheng 2015, 633).

As we have seen before, Confucian philosophy shares the same basic line of thought as the theory of contributive justice, that is, that people, through labor/work, are connected together within a framework of contribution and mutual recognition. Of course, by labor, we cannot only consider the economic vocational activity happening in today’s market. Rather, we can say that terms like “social duty” or

“social position” are more suitable in this context. Then, it might be a good idea to conclude that Hegelian contributive justice, in which the most complete human-ness can be achieved when we contribute to the common good and earn the respect of fellow citizens for such contribution, and the Confucian ethical theory essentially share mutual ground. In short, an ideal Confucian society is a divided society and is the sort of society in which social recognition is obtained by contributing to the growth and prosperity of society by finding a suitable job and forming social cooperative relations.

Moreover, in an ideal society of Great Unity, a certain level of inequality can be allowed if the possibility of becoming the highest ruler is, in principle, open to everyone and if many social conditions to actually ensure such openness exist (such as the equality of opportunity for education or the securement of policies for the realization of social justice to maintain a certain quality of life). Even in the “Liyun” chapter of the *Book of Rites*, it is emphasized that a Great Unity society is a society that considers the realization of “trust and harmony” between society members to be important and which places the utmost priority on the requests of those who are in socially disadvantaged positions, namely “widowers, widows, orphans, and the childless, or people suffering from diseases.” What is then emphasized is that we should not only ensure that socially produced “wealth” is not wasted in vain but also that individuals cannot privately monopolize such social products. Here, the term “selfishness” or “self-centeredness” (*si 私*) is practically synonymous to the term “exclusive monopoly” in contrast to the term “public-orientedness” (*gong 公*). In other words, in Confucianism, the perspective that considers products or achievements as one’s own doing and that this is something one has accomplished all by oneself, is understood as a selfish (self-centered) attitude and criticized as unethical.

As one’s own efforts and achievements ultimately depend on the social community, the suggestion that one shares social products together with others merely emphasizes the need to share equally in some degree and enjoy that together with society members. Therefore, though the “Liyun” chapter depicts a Great Unity society as a place where society’s various wealth is something that “cannot not come out

from the strength (effort)” of each individual but where one did not always use such results or accomplishments only “with a view to one’s own self-interest,” such thoughts have little to do with totally doing away with social inequality itself.

Moreover, together with the rejection of exclusive private ownership rights to wealth, the idea that the production of social wealth is fundamentally based on an individual’s autonomous effort and willingness shares commonalities with the theory of contributive justice as well. This is because the Great Unity is considered a space where members work together and cooperate to form a harmonious and peaceful society and contribute to society’s prosperity via social positions suitable to their personalities and talents, and where the just obtainment of reputation and income is guaranteed.

Even though one’s own effort might have made a contribution, one cannot monopolize the wealth as long as it is a social output. Yet it is also not wise for society to divide all products equally and share them, as this would excessively ignore individual willingness. A Great Unity society would be one where a farmer, as a farmer, an educator, as an educator, could devote oneself to the social position for which one is responsible and be recognized with social respect suitable to that position. This shows that one’s own hard work is not separate from the prosperity of the whole society, but rather that they are interdependent upon each other.

## VI. Conclusion

If Confucius’ and Mencius’ social theory of justice can be reconstructed as I have discussed so far, we would be able to summarize the its significance as follows: Firstly, because Confucius and Mencius argue that kings Yao and Shun are the same as ordinary people and that social mobility, that is, social position, should go to those who have the proper talent for that position, they guarantee equality of opportunity. Secondly, they do not strive for a standardized equality where inequality of income or wealth is totally eliminated, but if we take a look at their thoughts on the harmonious (*junping* 均平) society, not to mention

Mencius' "well-field system" (*jingtian zhi* 井田制) argument, we can understand their argument to mean that society must provide equal conditions to everyone. Thirdly, as we can see in their argument that we should first be considerate of those who are at the most disadvantaged positions in society, represented by "widowers, widows, orphans, and the childless" (*guan gua gu du* 鰥寡孤獨), we can see that Confucius' and Mencius' ideal society argues for the equality of conditions and, moreover, acknowledges the principle that social wealth (such as the basic necessities of life like food, clothing, shelter, and appropriate services needed for health) must be first distributed to those who need them.

Lastly, the Confucian social theory of justice includes not only principles of equality or need but also a sort of theory of contributive justice that states that social wealth, especially income or assets, should be distributed in proportion to merit or contribution. This would mean that while guaranteeing the equality of opportunity and equality of conditions, we would also be able to justify a certain level of inequality of social wealth in proportion to the degree of meaningful contribution to society that individual social activities have. However, even such contributive justice has validity only when it does not harm the framework of prosperity of a diversified harmonious society.

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