Book Review:

Confucian Sentimental Representation: A New Approach to Confucian Democracy

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In the last decade, the debate regarding the compatibility between Confucianism and democracy has focused on the contest between defenders of Confucian democracy and Confucian meritocracy. Proposals of Confucian meritocracy have included institutional models which have not dispensed with democratic elections. Representation is therefore an important part of contemporary Confucian politics for both camps but has not received any serious attention in the theorizing from either side until now. *Confucian Sentimental Representation* fills that theoretical gap in the current debate within Confucian political philosophy/theory; it also contributes a fresh perspective on representation and raises some thought-provoking questions for democratic politics beyond Confucian societies.

I. Against Western Rationalist Paradigms

Kwon constructs his Confucian theory of sentimental representation as "acting with the people" in contrast to the rationalist views of representation in Western political philosophy, shaped by the rational paradigms of Kantianism and Utilitarianism, which he criticizes for

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failing to provide normative criteria to address political realities, including in Western societies, wherein political leaders' moral virtues are valued. This failure stems from the neglect of the role of emotions in the process of representation, and any attention they have received tends to emphasize their pathological consequences. The dominant Western idea of political representation is rationalist in the sense that a representative should rely on her rational capacities instead of emotions in making decisions and fulfilling her responsibilities to those she represents. While he takes note of recent development in representation theories that might seem to pay some attention to emotions, such as Jane Mansbridge's suggestions of "a considered mixture of emotion and reason" in public reason and mutual trust between representatives and constituents as central to representation (24), Kwon considers Mansbridge's approach as nevertheless rationalist in paying insufficient attention to the affective role of political leaders. In Kwon's view, deliberative democrats miss an opportunity when their acceptance of the role of emotion and empathy in deliberative processes stops short of making emotions the moral source of political judgment as their primary concern remains with the inclusivity and rationality of deliberation.

Even though Mansbridge's model of gyroscopic representation acknowledges moral character as a legitimate consideration in voters' selection of representatives, Kwon criticizes its failure in specifying the moral grounds for recognition of moral character as a normative standard in voters' choice and in providing the normative criteria for judging representatives' moral character. To be fair to Mansbridge, I believe that, in the context of Western political systems that are the focus of her work, the fact of moral pluralism makes specification of such moral grounds a non-starter. Consensus on the moral grounds is not necessary for people to share a significant overlap in views about certain moral characteristics, for example, honesty, integrity, compassion, modesty, being important when choosing their leaders, which would already improve representation along Confucian lines. The lists of ethical characteristics desirable in political leaders could be different for different democratic communities. The problem with existing electoral systems is the almost total disregard of ethical issues

as they encourage voters to choose on the basis of whether candidates for office promise to advance their narrow and often short-term interests or along tribalistic lines of whether they consider a candidate "one of them."

II. Confucian Virtue Politics

The book examines political representation in terms of authorization, making sound political judgment, and accountability in the context a reconstructed Confucian virtue politics—realizing the people's well-being through political leaders' moral virtues. In the absence of the ideas of moral equality and endowment of every individual with moral authority for self-government, extended into a possessive conception of rights, authorization as the transfer of the rights of decision making and exercise of will seems incompatible with Confucianism. Kwon also acknowledges that accountability understood as enforcement, holding other actors to a set of standards and imposing sanctions when those standards are not met, could not work in a Confucian tradition that does not endorse the people imposing sanctions on rulers or making a collective decision. Kwon theorizes sentimental representation as being about making sound judgments and finds its constitutive elements in early Confucian discussions about the true interests of society and political responsibility for satisfying those interests in the *Analects* and the *Mencius*.

In Kwon's understanding of Confucian virtue politics, instead of authorization by the people, political authority is justified by enhancing the material well-being of the people as a pre-condition for moral well-being as well as promoting the moral well-being of the people. One might ask how sentimental representation is democratic if it dispenses with the authorization by the people and instead legitimizes representation by the representatives' performance assessed by the above Confucian criteria. Although "authorization by the people" is not a constitutive element of sentimental representation, I understand the book as endorsing democratic elections as a mechanism of sanction by which Confucian citizens can hold their leader accountable. What

it emphasizes is that periodic elections are not enough, and other democratic institutions, "on-going political processes such as face to face meetings with political leaders, calling elected representatives, making political donations, circulating petitions, participating in public forums, etc.," (113-4) must provide opportunities for the development of the ethical relationship between political leaders and ordinary citizens in contemporary society. This ethical relationship is supposed to overcome the tension between "by the people" and "for the people" in democracy with a new interpretation of democracy as governing "with the people."

While "accountability as enforcement" is absent in early Confucian texts, a certain kind of responsiveness is expected of rulers, and virtuous ministers are expected to question the rulers. However, political agents' questions and answers in those texts mainly consist of exchanges of wisdom or moral enlightenment through clarification of moral emotions. These are qualitatively different from the exchanges of information or reasons aimed at achieving rational universal norms in rationalist representation. Therefore, the processes of demand for responses from political leaders in Confucian virtue politics do not fit the Western norm of accountability which "continues the Enlightenment's project of subjecting power not only to the rule of law but also to the rule of reason" (42). Kwon's constructed concept of "affective accountability" as a constituent of Confucian sentimental representation refers to a ruler's duty to properly respond to common people's questions, which may not be rationally formulated but reveal their emotions of suffering from socioeconomic hardships, and which demand from the ruler not only rational answers but affective responses based on the ruler's sharing emotions congruent with the suffering of the people that soothe their sorrow, anger, and resentment with sympathetic concern. While it could not totally replace democratic accountability that requires some means for the people to sanction non-performing representatives, Kwon's conceptual innovation helps us understand aspects of contemporary political discourses and brings to light a criterion for assessing democratic institutions and processes that may otherwise be overlooked in rationalist analyses of contemporary politics. The necessity for people to express their sentiments as part

of the process and acknowledging the intrinsic value of rulers sharing those sentiments provides an additional justification for popular participation that does not depend on people's rational capacities or knowledge.

Electorates' dissatisfaction with their governments in liberal democracies today stems largely from poor performance in governing. Making sound judgments is therefore critical to political representatives' role in contemporary politics. This aspect of representation is very much present in Confucian virtue politics, as rulers could not enhance their people's material and moral well-being without sound judgements. Political authority is allowed only to those who are morally cultivated, as the ruler's moral virtue would influence the common people to cultivate themselves. Virtuous rulers would also establish, revise, and maintain enduring ritual systems that support the people's moral cultivation. By drawing the people's willing submission, a ruler's moral virtue ensures governability of the polity. While moral virtues are not directly connected to the knowledge-based competence in making socioeconomic policies, Kwon finds plausible textual support from the *Mencius* for the insight that the ruler's moral virtue provides the moral basis for a government's treatment of the people in policy-making that would have positive impact on their material well-being.

According to Kwon, a Confucian ruler should form an ethical relationship with the people, in which sincere care for their emotions and moral cultivation is part of the process of making and implementing policies. Through sharing the people's emotions, a virtuous ruler gains their trust. Kwon maintains that this extended ethical relationship not only provides the moral source for sound political judgments but also constitutes an intrinsic political good, that is, it is not valued instrumentally only to serve some other goal, such as economic efficiency or political stability. He extends this moral conception of political authority to address the case of a morally virtuous political leader failing to bring about expected political outcomes by distinguishing two types of policy failures: those caused by a lack of technical knowledge or competence would erode trust, while those caused by contingencies beyond the rulers' control would not, as long as the people are assured of the ruler's moral virtue and sincere care for them. Kwon also dis-

cusses cases of rulers without moral virtues who deliver expected political outcomes in terms of the Mandate of Heaven being granted not only to individual virtuous rulers. The Mandate of heaven could also be granted to an entire dynasty founded by a morally virtuous founder. Besides the Mandate of Heaven being granted to virtuous rulers, there is a second-best way of restoring the Mandate of Heaven by curbing rulers deficient in moral virtues through the rule of virtuous ministers and other institutional mechanisms. Kwon's analysis of Mencius' discussion of hegemons (*ba* 霸) rejects interpretations influenced by contemporary political realism by emphasizing that Mencius never approved the hegemons' legitimacy, but instead always valued a ruler's competence in terms of its contribution to the ultimate aim of Confucian virtue politics, which is moral transformation for all.

Kwon's reconstructed Confucian virtue politics locates the moral sources of a Confucian ruler's political actions in *ren* 仁 and *shu* 恕. Kwon rejects the popular interpretation of *shu* as the moral ability of empathy that requires moral agents to read others' emotional states by perspective-taking. He argues that, in relation to moral virtues, *shu* requires a moral agent to rely on his/her morally cultivated emotions rather than perspective-taking based on a cognitive ability of reading others' minds. This dismissal of perspective-taking may have oversimplified a complex process; rather than reading others' minds or emotions, it is more likely a process that involves a range of different abilities combining reason, imagination, and emotion. Instead of perspective-taking, Kwon argues that a ruler's sympathetic response is made possible by "direct and interactive activities with common people" which narrow the discrepancy between the ruler's moral feelings and the people's actual feelings (62). Despite the emphasis on emotions, which is clearly intended to counter what Kwon sees as the rationalist bias in representation theories, emotions are not the only factor in political interactions that result in representatives' sympathetic responses to those they represent.

From a democratic perspective, one might expect that such interactions have to be sustained over time and with some frequency, but the discussion of textual evidence ends with the contrary conclusion that classical Confucian texts suggest maintaining "a proper distance

between the ruler and common people" (63). While the textual exegesis is plausible, such a distant relationship between the ruler and the people is inhospitable to democracy and raises questions for the claim that Confucian sentimental representation is acting "with the people." Most supporters of democracy would be skeptical that "imagination based on the paradigmatic case and properly guided by a virtuous minister" are enough to draw a ruler's moral response in political actions. King Hui's moral failure as a ruler despite Mencius's "guidance" only increases that skepticism. The distance between a ruler and the people advocated by Confucian texts requires more critical scrutiny even at this stage of the book's argument, otherwise readers may suspect acting "with the people" of bearing little relation to how the people feel, consisting of only bogus responses to their sufferings.

III. Critique of Confucian Meritocracy

Confucian Sentimental Representation not only fills a theoretical gap in contemporary Confucian political theory but also rigorously engages the works of Tongdong Bai, Daniel Bell, and Joseph Chan, which are critical of liberal democracy and advocate Confucian political institutional models mixing meritocracy with democracy. The book aims to show that "Confucian meritocracy can be better realized in a democratic society in which virtuous political leadership is cultivated by mutual moral transformation between a political leader and ordinary citizens, mediated by democratic principles and institutions" (91). Kwon criticizes Bai and Bell for their preoccupation with political leaders' competence and its impact on people's material well-being and for neglecting the intrinsic value of a ruler's moral virtues and their contribution to the ethical life of the political community, which is the Confucian criterion for political legitimacy. While Chan avoids that mistake, which renders the other two theories "not distinctively Confucian," his Confucian perfectionism is still unsatisfactory from the perspective of Kwon's Confucian virtue politics because the conflict between the expressive value of democracy and the ideal of meritocratic rule in Chan's institutional model obscures the actual process whereby

ordinary citizens and political leaders, particularly members of the elected chamber, can form and express mutual commitment.

Central to Confucian meritocrats' critique of liberal democracy is the rejection of popular sovereignty and political equality. Kwon insists rightly that whether Confucianism could accommodate the idea of popular sovereignty cannot be decided by whether it shares the political theological belief unique to the Western political tradition of thinkers, such as Hobbes, Locke, and Rousseau, which grounds the possessive conception of popular sovereignty as supreme, final, and unlimited authority, any more than one should reject the Confucian conception of political authority profoundly influenced by a belief in Heaven just because that belief is no longer accepted in modern society. However, it is unclear that Chan actually thinks that the concept of popular sovereignty cannot be adopted in East Asia because it has developed in a significantly different political tradition. Discussions of differences in political traditions could be more charitably understood as pointing out the historical roots of different conceptual frameworks that still distinguish Confucian philosophy from most Western political theories today. While different intellectual developments in the past would not preclude adoption of concepts (or institutions) that originate in the West in order to improve or modernize Confucianism or Confucian societies, such borrowing should be carried out with care. Chan explicitly rejects the idea of popular sovereignty understood as a dominium because he believes that conception of authority is incompatible with his under-standing of Confucian conception of authority and because of his doubts about whether the will of the people can be regarded as a true source of legitimate authority and law (Chan 2014, 35). The somewhat uncharitable reading of Chan's argument aside, Kwon challenges Chan's critique of the Western conception of popular sovereignty with some good arguments and substantial textual support. By setting out an alternative liberal tradition through the American Constitution and *The Federalists Papers*, Kwon offers a different understanding of popular sovereignty as realized in a system of checks and balances that maintains the distance between individual citizens' political right and collective political power to rebut Chan's critique of the totalitarian tendencies of popular sovereignty. Whether this is a promising strategy

for defending Confucian democracy depends on whether one sees "institutional wisdom" or a recipe for inefficient and ineffective government in Federalist thought.

IV. Extending Public Reason Confucianism

Kwon sees his own approach to Confucian democracy as complementing Sungmoon Kim's public reason Confucianism. To this end, he first defends Kim's theory by highlighting a "misunderstanding" of Kim's idea of Confucian citizens in criticisms of public reason Confucianism for failing to address the legitimacy and stability problems that arise from using political power to promote Confucian values. The book provides a clear and concise summary of the progress of the debate since the publication of Kim's *Public Reason Confucianism* (2016). Kwon notes that Kim's response to his critics shifts the focus from philosophical justification to an aspiration to improve democratic citizenship and Confucian habits of the heart through mutual accommodation. Kim neither defines "a Confucian citizen" in empirical terms nor seeks to demonstrate the existence of the legal and political reality of Confucian citizens (Kim 2019, 201). He does not deny the fact of pluralism in East Asia but he believes that, despite different moral, philosophical, and religious beliefs, citizens in East Asian societies can accept the state promotion of Confucian values and mores through democratic decision processes regulated by substantive basic freedom and public equality while abiding by Confucian normative standards and justifications. This acceptance is possible because of the accommodating character of Confucianism that enables Confucians to also hold other comprehensive doctrines, including Christianity and other religions. Furthermore, as an aspirational project, public reason Confucianism seeks to create Confucian citizens from East Asians who share an "unarticulated social identity" rooted in Confucian public culture, which "consists mainly of various sorts of rituals, social habits, civilities, mores, and moral sentiments, which together constitute a characteristically Confucian way of life" (Kim 2018, 73).

Kwon raises two questions for Kim's response to critics: whether Confucian public culture still remains in East Asia and how to motivate ordinary citizens to participate in the aspirational project of public reason Confucianism. Kwon does not assume that all East Asian citizens share "unarticulated social identity" rooted in Confucianism. He acknowledges the existence of citizens whose ways of life are completely incompatible with Confucian values and those for whom political legitimacy rests entirely in the performance of political leaders' satisfying their material interests. He suggests ceding the privileged status of public reason Confucianism viz-a-viz other comprehensive doctrines, thus allowing citizens to decide its fate. In this, he sees clearly the implication of public reason Confucianism as aspirational rather than justificatory, although he remains as committed as Kim to Confucian democracy in his search for a way to strengthen Confucian public culture and incorporate it in democratic politics in East Asia.

Surrendering the assumptions of Confucianism as a widely shared "unarticulated social identity" and of Confucianism having privileged status makes the question of how to motivate citizens to participate in the aspirational project of public Confucianism all the more pressing. Kwon finds Kim's attempts to reconcile Confucian values and democratic principles through analyses of political issues and judicial decisions in South Korea unsatisfactory because of inadequate handling of the relation between reason and emotion in making sound political judgment. By tracing the development of Kim's construction of Confucian public reason to provide legitimacy for Confucian democracy, Kwon finds that Kim's Confucian Democracy is maintained by two discrete political agents: Confucian democratic citizens who have critical affection and courts which specialize in highly abstract and sophisticated reasoning. He then offers the theory of Confucian sentimental representation to close the gap between these two constituents of Confucian public reason. He argues that the affective political interactions between political leaders and ordinary citizens can help to shape a more robust Confucian public culture and increase the acceptability of public reason Confucianism.

V. Political Participation in Sentimental Representation

Kwon elaborates on the affective political interaction between political leaders and ordinary citizens in his approach to Confucian democracy by borrowing Habermasian communication structure that sees the political arena as a series of networks constituted by flows of public opinion. By using only Habermas's idea of how streams of communication connect civil society and the political system via the public sphere, he avoids the theoretical problems the Kantian elements in Habermas's communication theory could pose to any attempt to construct a Confucian public sphere along Habermasian lines. Yet he notes that the Habermasian communication structure does not capture the ethico-political aspect of political participation in the political communication structures of East Asian societies. Kwon discusses the distinctive subject, aim, and effect of Confucian democratic political participation, which consists in the cooperative and affective interactions between political leaders and ordinary citizens in civil society and the public sphere. According to Kwon, while a virtuous political leader occupies the central position in Confucian political participation, citizens in democratic society engage in political activities to protect the space in which individual citizens can shape and realize their conceptions of the good life. The hierarchical relationship between the ruler and ruled in traditional Confucian society is to be replaced with one of "mutual moral transformation between a political leader who should fulfil affective accountability and empowered citizens who have the legitimate right to remonstrate with a political leader about his/her lack of moral ability" (111). Political participation in Kwon's Confucian democracy also aims to nurture that affective political relationship between political leaders and empowered ordinary citizens that contributes to the ethical life of the political community. Such political participation has the effect of allowing Confucian political leaders' virtues to exert moral influence on the entire society without violating any citizen's basic interests.

In elucidating the effect of political participation, Kwon makes further efforts to clarify the role of emotions in representation. "In civil society, political leaders' proper conduct, which is based on their sympathetic care toward ordinary citizens, creates the effect of mutual

moral transformation by sharing and refining the emotions and feelings of all participants, including the political leaders themselves toward more refined states," and "political leaders' sympathetic narratives based on his/her Confucian moral emotions can exert more active moral influence upon ordinary citizens" (112), "leading ordinary citizen's uncultivated and unmediated emotional responses potentially to the point where all citizens can commonly share and empathize" (114). The rest of the time, the role of emotions is encapsulated in the adjective of "affective," which qualifies various aspects of senti-mental representation in the discussion of Confucian sentimental representation in democratic society. While the earlier section (59-64) on *ren* 仁 and *shu* 恕 as moral sources of political action also contributes to our understanding of the role of emotions in sentimental representation, the discussion there is mostly from the perspective of the virtuous leader. More could have been done to elucidate how emotions affect political participation from both the leaders' and citizens' perspectives descriptively as well as normatively. Moreover, the consideration of emotions in democratic political interactions could be expanded beyond just *ren* and *shu*. Given Kwon's affirmation of the connection between ethics and politics in Confucianism, his theory could have benefitted and certainly could draw support from a wider range of works in Confucian ethics (he did cite quite a few), which have been resisting the rationalism of Western paradigms for some time and have made considerable progress in exploring the important role of emotions in ethical life.

While Kwon is right that Stephen Angle and I do not emphasize the role of political leaders in our discussions of political participation and moral transformation—my own understanding of democratic participation favors non-hierarchical and de-centered interactions—both of us among others have explored the role of rituals in Confucian politics, in which emotions and communication play a crucial role in the moral transformation of participants (Angle 2012). I have discussed the role of ritual in a "communicative democracy" in which democratic political participation involves a form of communication that requires appropriate emotions and virtues to yield beneficial political outcomes as well as nurture cooperative political relations (Tan 2005b). Despite

bringing in Habermas's idea of communication structure, the discussion about political participation in *Confucian Sentimental Representation* is too brief and does not offer enough to enlighten readers of its own distinctive understanding of Confucian communication, and what kind of roles emotions and Confucian virtues play in such communication. Given the weight of the fact of pluralism in the book, it would be worthwhile also to consider how Confucian virtues might be understood as communicative virtues conducive to cross-cultural interactions (Tan 2005a). Notwithstanding the existing literature Kwon overlooked, there is still much more to be said on these issues, and the theory of sentimental representation could advance our understanding of these issues from its own perspective.

VI. Further Development and Limitation

Confucian Sentimental Representation succeeds in opening up a new avenue of inquiry into the possibility and characteristics of Confucian democracy, beyond the preoccupation with popular sovereignty and political equality, by theorizing political representation from the perspective of Confucian virtue politics. Given that countries that are considered liberal democracies today are all electoral democracies, reconciling Confucian virtue politics with liberal democracy within this alternative theoretical framework is certainly pertinent. However, Kwon seems too willing to take for granted that existing democratic institutions borrowed from the liberal West could establish the ethical relationship between political leaders and citizens based on Confucian normative criteria. This is a problematic assumption as most current electoral institutions and processes, including those in East Asia, encourage the very opposite of an ethical relationship, Confucian or otherwise, between citizens and leaders. This is not an objection to the theory itself but rather an anticipation of more work that could be done. Until we get a clearer picture of what such reforms involve, the jury is out as to whether the new approach to Confucian democracy is more viable than others.

This new approach will not satisfy those who see representation not as an integral part of democracy but as a retreat from empowering the people, based on a belief that the *demos* cannot govern itself because citizens cannot act collectively as a single political agent, and majority opinions do not provide sound bases for political actions because the majority of citizens have neither the knowledge nor virtue required for good political outcomes. This may seem to be an incontrovertible fact. However, is it an inevitable fact? Whether people have the capacities for self-government or sound judgements is not an all-or-nothing fact. Everyone can become better at it. Political systems could either facilitate or obstruct that improvement. Social and political institutions and practices could either encourage collaboration and cooperation in various domains and situations where collective decisions and actions are possible, or they could promote divisive and alienating interactions in which people enhances one another's follies and prejudices. I share Kwon's view that division of labor and cooperation is the key to efficacious politics since no one (including political leaders, however superior) can perfectly understand every problem that confronts society and individuals (123). However, I disagree with the emphasis on political leaders, not because I object to giving political power to capable individuals (and even better, more virtuous people if we can get them), but because I believe that for democracy to work, it is more important to improve the ordinary citizen's ability to make sound judgments, so they could play a more active role in their interactions with political leaders. Such improvement is necessary if Confucian political leaders are to gain political authority through democratic elections. Furthermore, many ordinary citizens are already capable of much more than expressing their feelings about socioeconomic hardships, but the mechanisms of current "democratic" systems do not enable their views as well as feelings to have sufficient impact on how problems affecting them are handled.

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