

To Obey or Not to Obey? Mencius' Discourse on the Political Duties of Officials

Fang Xudong (方旭东)

Professor of Philosophy, Department of Philosophy, East China Normal University, China

xdfang@philو.ecnu.edu.cn

Translated by Kathryn Henderson

Abstract

Mencius' discourse on officials who could not be summoned by the king reveals that, according to him, no universal definition of a subject's political duties existed toward his ruler. On the contrary, duties were determined by the subject's status (i.e., whether he was an official in the bureaucracy) as well as by concrete circumstances (i.e., whether he was on active service or whether the king wanted to see him in order to inquire about the Way). Indeed, from Mencius' standpoint, context mattered considerably when it came to the question of political duties and in fact, Confucian etiquette always reflected the same spirit of differentiation among status and circumstances. Furthermore, the ministers' ethics as understood by Mencius appear to be founded on contract, the spirit of which compelled and also conferred the right to any minister with dignity to unilaterally terminate the contract and resign from his post if he found himself unable to carry out successfully his duty or realized that his ruler had no need for his advice.

Keywords

Mencius – political duties – political philosophy

In ancient China, the question of political duties was generally approached through discussions on righteousness, as one of the principles presiding over the relationship between a ruler and his ministers. Such was the political context under which Confucians, concerned with the Minister's Way [*chen dao*

臣道] pondered the question of political duties. Mencius' understanding of the officials' political duties presents distinctive Confucian characteristics, but another mentality permeating it also makes it easy for contemporary readers to associate his thought with freedom and democracy.

Academic research in the past revolved mostly around Mencius' theory on human nature, while his political philosophy was more often than not discussed in relation to his so-called people-oriented thought [*minbenzhuyi* 民本主義], a governance approach that insisted on the foremost importance of the people.¹ This article, for its part, investigates Mencius' discourse on the

-
- 1 Huang Junjie 黃俊傑 provided a systematic survey of the history of Mencius hermeneutics titled *Zhongguo Mengxue quanshi shilun* 中國孟學詮釋史論 [*On the History of Chinese Mencius Studies Hermeneutics*] (Beijing: Social Sciences Academic Press, 2004). He is also the author of a special article on the subject titled "Ershiyi shiji Mengzi xue yanjiu de xin zhanwang 二十一世紀孟子學研究的新展望 [New Research Prospects for Mencius Studies in the Twenty-First Century]," *Wen Shi Zhe* no. 5 (2006). Based on his survey, when it comes to research on Mencius, Chinese and foreign academic circles in the twentieth century can be separated in two main groups, each following a different approach: first, the intrinsic approach concerned with the history of philosophy or the history of ideas, as used in I. A. Richards, *Mencius on the Mind: Experiments in Multiple Definition* (Westport, CT.: Hyperion Press, 1930), Li Minghui 李明輝, *Mengzi zhongtan* 孟子重探 [*New Investigations in the Field of Mencius' Studies*] (Taipei: Linking, 2001), and Kwong-loi Shun, *Mencius and Early Chinese Thought* (Stanford: Stanford University Press, 1997), whose focus was directed on theories such as human nature's original goodness, the body and mind relationship as well as the power of words of wisdom in fostering moral character; second, the extrinsic approach of studying history or intellectual history, as applied in Xu Fuguan 徐復觀, *Zhongguo renxinglun shi: xian Qin pian* 中國人性論史·先秦篇 [*The History of Chinese Theories on Human Nature: The Pre-Qin Period*] (Taipei: Taiwan Commercial Press, 1969), as well as in Huang's survey of the intellectual history of Mencius Studies. This research paid special attention to historical and cultural contexts when deciphering the connotations at work behind the notions evoked in Mencius. They thus helped stimulate the field of Mencius studies by making a lot of its concepts and ideas appear more concrete, especially with regard to political thought. According to Huang, methodologically speaking, when researching Mencius' political thought, even when adopting an "intrinsic research method," one should also apply an "extrinsic research method" in order to take into account both internal and external variables, assessing the interactions between Mencius' political ideals and the political reality of every East Asian country. On this question, a few new trends have appeared. First, after new research on Mencius emerged in Japan and Korea, similar interests appeared in the development of East Asian Mencius studies. This brought some transformations in the field as well as new interpretations, thus contributing significantly to intellectual history. Second, at present interest is growing about the theory of the body and mind relationship and the theory on the art of self-cultivation. Third, the universal value of Mencius' thought and ideas in the age of globalization has been increasingly promoted, especially with regard to ideas revealing

Minister's Way by elaborating on the political duties. It also explores some of the subtler areas of Mencius' political philosophy, so as to offer conclusions that will certainly serve as a valuable reference for future discussions on contemporary political duties.

I

The second passage of the second chapter on "Gongsun Chou" shows Mencius avoided his meeting with the king of Qi. This story is quite representative of how Mencius' words and deeds reflected his unconventional understanding of the political duties assumed by ministers.

As Mencius was about to go to court to see the king, the king sent someone to him with this message: "I was wishing to come and see you. But I have got a cold and may not expose myself to the wind. In the morning I will hold my court. I do not know whether you will give me the opportunity of seeing you then." Mencius replied, "Unfortunately, I am unwell, and not able to go to court."

The next day, he went out to pay a condolence call on someone in the family of Dong Guo, when Gongsun Chou said to him, "Yesterday, you declined going to the court on the ground of being unwell, and today you are going to pay a condolence call. May this not be regarded as improper?" "Yesterday," said Mencius, "I was unwell; today, I am better—why should I not pay this visit?"

In the meantime, the king sent a messenger to inquire about his illness and also a physician. Meng Zhong replied to them, "Yesterday, when the king's order came, he was feeling a little unwell, and could not go to the court. Today he was a little better and hastened to go to court. I do not know whether he will have reached it by this time or not." Having said this, he sent several men to look for Mencius on the way, and say to him, "I beg that, before you return home, you will go to the court."

On this, Mencius felt himself compelled to go to Jing Chou's, and there stay the night. Mr. Jing said to him, "In the family, there is the relation of father and son; out of the home, there is the relation of prince and minister.

a concern for "human rights," as concealed in Mencius' people-oriented political thought. From an overall point of view, Mencius' ideas on the Minister's Way are seldom touched upon from the perspective of political duties. There is thus indeed both the need and the room for further research on this question.

These are the two great relations among men. Between father and son the ruling principle is kindness. Between prince and minister the ruling principle is respect. I have seen the respect of the king to you, Sir, but I have not seen in what way you show respect to him."

Mencius replied, "Oh! what words are these? Among the people of Qi there is no one who speaks to the king about benevolence and righteousness. Are they thus silent because they do not think that benevolence and righteousness are admirable? No, but in their hearts they say, 'This man is not fit to be spoken with about benevolence and righteousness.' Thus they manifest a disrespect than which there can be none greater. I do not dare to set forth before the king any but the ways of Yao and Shun. There is therefore no man of Qi who respects the king so much as I do."

Mr. Jing said, "Not so. That was not what I meant. The *Book of Rites* says, 'When a father calls, the answer must be without a moment's hesitation. When the prince's order calls, the carriage must not be waited for.' You were certainly going to the court, but when you heard the king's order, then you did not carry your purpose out. This does seem as if it were not in accordance with that rule of propriety."

Mencius answered him, "How can you give that meaning to my conduct? The philosopher Zeng said, 'The wealth of Jin and Chu cannot be equaled. Let their rulers have their wealth—I have my benevolence. Let them have their nobility—I have my righteousness. Wherein should I be dissatisfied as inferior to them?' Now shall we say that these sentiments are not right? Seeing that the philosopher Zeng spoke them, there is in them, I apprehend, a real principle. In the kingdom there are three things universally acknowledged to be honorable. Nobility is one of them; age is one of them; virtue is one of them. In courts, nobility holds the first place of the three; in villages, age holds the first place; and for helping one's generation and presiding over the people, the other two are not equal to virtue. How can the possession of only one of these be presumed on to despise one who possesses the other two? Therefore a prince who is to accomplish great deeds will certainly have ministers whom he does not call to go to him. When he wishes to consult with them, he goes to them. The prince who does not honor the virtuous, and delight in their ways of doing, to this extent, is not worth having to do with. Accordingly, there was the behavior of Tang to Yi Yin: he first learned of him, and then employed him as his minister; and so without difficulty he became sovereign. There was the behavior of Duke Huan to Guan Zhong: he first learned of him, and then employed him as his minister; and so without difficulty he became chief of all the princes. Now throughout the kingdom,

the territories of the princes are of equal extent, and in their achievements they are on a level. Not one of them is able to exceed the others. This is for no other reason, but that they love to make ministers of those whom they teach, and do not love to make ministers of those by whom they might be taught. So did Tang behave to Yi Yin, and the Duke Huan to Guan Zhong, that they would not venture to call them to go to them. If Guan Zhong might not be called to him by his prince, how much less may he be called, who would not play the part of Guan Zhong!"²

At the beginning of the story, Mencius had been preparing himself to go to court and see the king of Qi, when a messenger arrived to inform him that since the king was ill, he could not visit Mencius personally and, therefore, that he hoped they would be able to meet at the court. It seems, by looking at Mencius' reaction, that this summoning was the exact opposite of what he had been expecting, since he then abandoned his plan to go to court. Nonetheless, the reason evoked by Mencius was diplomatic and, thus, could hardly be criticized: by claiming to be unwell, he resorted to the same excuse as the one used by the king.

It can be inferred that if the monarch had not sent an emissary to summon Mencius, Mencius would perhaps, at that moment, have already been on his way to court. In other words, it is the king asking for him that made him change his mind. Clearly, it is more precisely the king's way of requesting him that displeased Mencius. However, why did the latter feel this way? Zhao Qi's 趙岐 [d. 201] explanation is that "Mencius was displeased that the king requested him to come to court, so he feigned illness and refused to go."³ Zhao Qi thus thought that Mencius simply took offense at the king's summoning him to court. This interpretation is plausible, since it relies to a great extent on the fact that, because of his status at that time in the kingdom of Qi, Mencius' name was not on the list of officials who could be summoned by the king. Zhao Qi notes that "Although Mencius served the state of Qi, it was in the capacity of a guest-teacher, he was respected because of his knowledge of the Way. He would even claim illness and not make the trip to court to see the king."⁴ However, the dialogue reported later in this passage reveals that, at that time, for a minister to decline the ruler's invitation was deemed unacceptable by most people.

2 *Mencius*, book II, part B, 2.

3 孟子不悅王之欲使朝，故稱其有疾而拒之也 (Zhao Qi 趙岐 and Sun Shi 孫奭, *Mengzi zhushu* 孟子注疏 [Notes and Commentaries of Mencius] [Beijing: Peking University Press, 1999], 103).

4 孟子雖仕齊，處師賓之位，以道見敬，或稱以病，未嘗趨朝而拜也 (ibid.).

One could have been in the position of a minister and yet declined the king's call if he thought this invitation was not compulsory. However, if the demand was presented in a gentle way and the person summoned originally planned to go and see the king, this kind of refusal would then appear eccentric and unreasonable and may certainly have left people perplexed. In order to make Mencius' refusal seem less unusual, Zhu Xi 朱熹 [1130-1200] suggested that the offense felt by Mencius did not stem from the invitation itself but, rather, from the inappropriate way in which the king delivered it: "Mencius originally had intended on going to court, but the king did not know; the king himself claimed to be sick (and unable to leave the palace) and thus summoned Mencius to court to see him. Mencius then also claimed to be sick and declined."⁵

Zhu Xi's formulation implies that the illness mentioned by the king was merely an excuse.⁶ Since it was an excuse, the sincerity of the king's invitation was severely undermined, perhaps to the extent that it made Mencius feel insulted by the king's attempt to deceive him. Regardless of how Mencius personally looked upon the matter, what remains absolutely certain is that he was originally getting ready to go to court, but then, because of the king's intervention, he decided against that plan.

The next day, Mencius attended a funeral. His disciple was worried that, in doing so, he might not be able to justify himself, but Mencius paid no heed to his concern. In the end, the king sent a doctor to visit the patient, but evidently Mencius was not at home, let alone lying in bed acting sick. To smooth things over, Meng Zhong then told the doctor that Mencius' condition had already improved and that he consequently had just left for court. In order to conceal Mencius' lie, his disciple did not hesitate to fabricate a new one. In fact, it was unnecessary for him to concoct such a story, since he could easily have handled the king's messenger by simply repeating Mencius' words verbatim: "I was unwell; today, I am better." However, since he lied, he was left with no choice other than to make sure that Mencius would go to court. Meng Zhong's inappropriate answer put Mencius in a difficult spot: either go to court, thus acting against his own will, or not go, even though his disciple had given his word in his stead. For lack of a better option, Mencius thus ran to an acquaintance's home to spend the night. The original text's use of the expression "to feel compelled" precisely reveals the predicament in which Mencius found himself.

5 孟子本就將朝王，王不知而托疾以召孟子，故孟子亦以疾辭也 (Zhu, *Collected Commentaries on Sishu: Mencius*, 241).

6 Regardless of whether the king of Qi really was unwell from the cold weather, there is no way to know for certain, the literature on the subject being insufficient. However, it is obvious from Mencius' reaction that he had some doubts about the matter.

Zhao Qi thus explained: “Mencius felt compelled by Meng Zhong’s words. He felt he had little choice but truly did not want to go to court. Therefore he took refuge for the night at the residence of a Qi minister, Jing Chou.”⁷ On the one hand, Mencius was constrained by Meng Zhong’s words; on the other hand, he had no desire to go to court. Zhao Qi displayed an excellent grasp of Mencius’ state of mind at that time.

The question remains as to whether in the end Mencius went to court. Some believe that Mencius was forced to go in order to fulfill his disciple’s declaration. Jiao Xun 焦循 [1763-1820] presented an argument in support of this view:

In the chapter “Xiang Yin Jiu Li” of the *Classic of Rites*, Jia Gongyan’s commentary reads: “The king summoned Mencius, Mencius did not want to go, but feeling he had no other choice [*bu de yi* 不得已], he went. Then he spent the night at Jing Chou’s residence.” This way of understanding “had no choice” as “had no choice but to go” [*bu de yi er chao* 不得已而朝] is correct. Zhao Qi’s reading of the same phrase was that Mencius “could not stop,” as in: could not refrain from going to court. But at this time, even though Mencius himself physically went to the royal court, the king most likely was not there, either because he did not go at all or because he had already retired to his personal quarters. Either way, Mencius did not see the king, so he went to stay the night at Jing Chou’s residence, and used illness as an excuse for not having been able to see the king.⁸

Jiao Xun’s understanding of Zhao’s notes as “had no choice *but to go*” was certainly influenced to a great extent by Jia Gongyan’s 賈公彥 [Tang dynasty, dates unknown] thoughts on the matter. However, there is not a single word in the original text mentioning Mencius’ going to the court, and the evidence leading Jia Gongyan to such a claim remains unknown. In comparison, Sun Shi’s 孫奭 [962-1033] commentary offers a different account of the story:

7 孟子迫于仲子之言，不得已，而心不欲至朝，因之其所知齊大夫景丑之家而宿焉 (Zhao and Sun, *Notes and Commentaries of Mencius*, 104).

8 《儀禮鄉飲酒禮》賈氏疏云：齊王召，孟子不肯朝，後不得已而朝之。宿于大夫景丑氏之家。此解不得已為不得已而朝是也。趙氏言“迫于仲子之言不得已”，已，止也。不得止者，不得不往朝也。但身雖朝而心不欲至朝，蓋是時王未視朝，或已視朝而退，孟子雖造朝而未見王，故宿于景丑氏，而以所以辭疾之故告也 (Jiao Xun 焦循, *Mengzi zhengyi* 孟子正義 [Annotation on Mencius] [Beijing: Zhonghua Book Company, 1987], 257).

In the original text when it says “使數人要於路曰：請必無歸而造於朝”，this means Meng Zhongzi was afraid Mencius would return to his own home, thus not fulfilling the promise to go to court that Meng Zhongzi had made on his behalf, so he sent several people to intercept Mencius on the road and tell him: You mustn't go back; you must go to court to see the king. When the text says “不得已而之景丑氏宿焉” it means Mencius saw these people trying to bar his way, and felt pressure from the promise Meng Zhongzi had secretly made, thus he felt he had no other choice than to take refuge in the Qi minister Jing Chou's residence that night. It was because he truly did not want to go to court for the king that he went to Jing Chou's residence.⁹

Sun Shi's description of Mencius going to Jing Chou's residence means that Mencius did just that, and nothing else. If Mencius had really gone to see the king, the original text would not possibly have omitted such an important detail. Interestingly, even though Jiao Xun believed that Mencius went to court, he also claimed that Mencius had not actually seen the king. How could it be possible that Mencius had been to court, yet not succeeded in meeting the king? Jiao Xun's claim that “even though Mencius himself physically went to the royal court, the king most likely did not, either because he did not go at all or because he had already retired to his personal quarters” and so forth, are evidently mere conjunctures. Furthermore, providing that we accept that Mencius went to court but did not see the king, we would still have to speculate about the other possible reasons driving him to stay overnight at Jing Chou's home. It is written clearly that Mencius felt compelled to go directly to Jing Chou's home. Before going to spend the night at Jing Chou's residence, Mencius must not have been on his way to the court, not only because it does not match his conduct, which was usually consistent, but also because it would clearly deviate from the reasons explained by Mencius to Jing Chou later in the text. How could one imagine, by looking at Mencius' character, that he would have changed his position on the matter merely because of what Meng Zhong had said? Regarding his refusal to comply with the king's call, Mencius appeared confident in his decision. How then could he have gone against his original intention and instead acquiesced to his disciple's request?

9 “使數人要於路曰：請必無歸而造於朝”者，孟仲子恐孟子歸，以為失言，乃使數人而來告孟子于路，曰：請必無歸，而趨造于王朝。不得已而之景丑氏宿焉者，孟子見孟仲子使數人要于路，乃見迫于仲子之言，遂不得已而往齊大夫景丑氏之家宿焉。以其心不欲朝王，故往景丑氏家宿而已 (Zhao and Sun, *Notes and Commentaries of Mencius*, 106).

When it comes to this passage's main point, the question of whether or not Mencius actually attended the court is secondary, since the following fact remains the same: Mencius did not deem it right to answer the king's call. The crucial point at work behind Mencius' refusal to obey lies actually in the questions debated between him and Jing Chou later in the text.

In the story, Jing Chou ought to be an intimate friend of Mencius, otherwise Mencius would not have stayed the night at his house. According to Zhai Hao's 翟灝 [d. 1788] textual research, Jing Chou was probably a member of the Confucian school.¹⁰ That said, once Jing Chou found out what had happened, he did not mince his words but rather made clear his belief that Mencius had failed to show proper respect to the king. Mencius however refused to accept this judgment and proceeded to defend himself. The central issue debated by the two friends consisted in whether or not it was the unconditional duty of someone in an official position to answer the king's call. To a certain degree, the opinion expressed by Jing Chou represented that of the average Confucian scholar and even the general opinion—that is, that a minister had the obligation to accept the king's invitation and that to do otherwise would indeed be disrespectful. Mencius challenged this traditional view of the ministers' duties. His defense had two parts. First, he went back to the root of the question to offer a thorough revision of the point at issue. He acknowledged that officials should show respect for their ruler, but he also pointed out that this type of respect was far from tantamount to rigid obedience. Second, he attempted to cut the ground under Jing Chou's feet by resorting to classical instances of ministers that could not be summoned by the king. The essential idea behind those allusions to classical literature consisted of demonstrating that it would be inappropriate to summon certain officials in order to meet with them. In other words, those officials were not under any obligation to answer the king's call. Since Mencius and Jing Chou represent in this passage two different views—one old, one new—of the ministers' duties, their respective arguments both deserve a serious analysis.

Jing Chou's criticism stemmed from the notion of respect [*jing* 敬]. He put forward the opinion that, on the whole, the king's respect for Mencius was manifest, while Mencius' respect for his ruler remained to be seen. Obviously, this conclusion derived from Mencius' refusal to defer to the king's demand.

10 焦循《孟子正義》引翟灝《考異》云：《漢書·藝文志》有景子三篇，列儒家者流。此稱景丑為景子，其言父子主恩，君臣主敬，及引《禮》父召君召諸文，頗有見於儒家大意，景子似即著書之景子也。孟子宿於其家，蓋亦以氣誼稍合往焉 (Jiao, *Annotation on Mencius*, 257).

According to Jing Chou, the respect owed to the king by his ministers should indubitably have been reflected in their compliance to his commands.

Mencius paid no heed to the connection proposed by his friend between respect and obedience. His understanding of the respect owed by a minister to his ruler concerned whether a minister could offer his ruler some wisdom on the Way of benevolence and righteousness [*renyi zhi dao* 仁義之道]. For a minister to introduce the Way to the king would indeed mean that he believed the king could become a wise, talented, and virtuous monarch such as the legendary emperors Yao 堯 and Shun 舜. In accordance with the scale on which his notion of respect was based, Mencius believed that there was not a single person in the whole kingdom of Qi who respected the king more than he did. Even though all the people of Qi knew that benevolence and righteousness were good precepts, no one would remonstrate with the monarch on this subject. It can be deduced from this opinion that Mencius certainly considered the king of Qi unqualified to consult on the precepts of benevolence and righteousness. However, this would imply that Mencius regarded his ruler as being insufficiently sophisticated. For him to feel this way, does that not consist in a lack of respect for the king? Yet, he did say: "I do not dare to set forth before the king any but the ways of Yao and Shun," thus illustrating Mencius' belief that the current king did indeed embody the kind of promising sovereign who would be willing to follow the way paved by Emperors Yao and Shun. If this is not showing respect to the king, then what is?

Even if Jing Chou had shared his friend's point of view, it would still have been difficult for him to oppose it openly, for the simple reason that the precepts of benevolence and righteousness as well as the exemplars Yao and Shun evoked by Mencius all conveyed grand-sounding values. Zhu Xi thus believed that the notion of respect put forward by Mencius was actually of a higher level: "What Jing Chou was talking about was respect on a small scale; what Mencius was talking about was a much deeper kind of respect."¹¹

But Jing Chou was not left perplexed in the least, nor would he allow himself to be led by the nose by his friend. He pointed out to Mencius that he was not against that form of respect, yet that this was not the object of his criticism.¹² He reminded Mencius that he had to pay attention to the following passage from the *Book of Rites*: "When a father calls, the answer must be without a

11 景醜所言，敬之小者也；孟子所言，敬之大者也 (Zhu, *Collected Commentaries on Sishu: Mencius*, 242).

12 Jing Chou's words: "Not so. That was not what I meant," have been interpreted by many as signifying that he was not talking about not setting forth the Way of Yao and Shun. See Jiao, *Annotation on Mencius*, 258.

moment's hesitation. When the prince calls, the carriage must not be waited for." He went a step further in affirming his opinion: what he was denouncing was precisely Mencius' refusal to comply to the king's invitation.

The rules of etiquette quoted by Jing Chou are well established among the Confucian classics. In the *Book of Rites*, it is written in the Qu Li chapter: "When his father calls, [a youth] should not [merely] answer 'yes,' nor when his teacher calls. He should, with [a respectful] 'yes,' immediately rise [and go to them]."¹³ Moreover, in the *Analects*, such is the manner by which Confucius is described: "When the prince called him, without waiting for his carriage to be yoked, he went at once."¹⁴ Finally, in his chapter on "The Great Compendium [Dalüe 大略]," Xunzi 荀子 [313-238 BCE] also cites the *Book of Odes* in order to expound on this precept:

When a feudal lord summons his ministers, they do not wait for their horses to be harnessed to the carriage, but, putting their clothes on upside down in the rush, they hurry out. This accords with ritual practice. An ode says:

he turns them, puts them on upside down,
from the court they have summoned him.

When the Son of Heaven summons the feudal lords, they drag the carriages to the horses. This accords with ritual practice. An ode says:

We bring out our carriage
to the pasture grounds.
From the place of the Son of Heaven
they tell us to come.¹⁵

Although the *Book of Rites* does not contain a passage about promptly responding to the monarch's call, it remains evident, reading through those relevant passages from the *Book of Odes* and the *Analects*, that the precept according to which the prince's call should be answered without any delay constituted, for the ancients, an unwritten rule. Considering Mencius' intimate knowledge of the Confucian classics, it is unlikely that he did not know the passages quoted by Jing. Moreover, it cannot be denied that Mencius did in fact decline the

13 父召無諾，先生召無諾，唯而起 (Qian Miaojin 潛苗金, "Qu li [曲禮]," in *Liji yizhu* 禮記譯注 [Commentary on Rite] [Hangzhou: Zhejiang Ancient Book Publishing House, 2007], 11).

14 *Analects* 10:13.

15 John Knoblock, *Xunzi: A Translation and Study of the Complete Works* (Stanford: Stanford University Press, 1988), 3:208.

king's invitation or that the *Rites* do indeed prescribe active compliance from the ministers when summoned. Hence, Jing's argument in favor of respect and obedience appears impossible to refute. Nevertheless, Mencius had yet to concede anything and he continued defending himself, by thoroughly analyzing the grounds on which the notion of respect could be established. As he summarized it, three circumstances prescribe respect: (1) when a person enjoyed a higher rank than oneself; (2) when a person was an elder; (3) when a person showed high moral integrity. It becomes clear from comparing those that the respect due to the king came from his rank.

For a given political subject to possess simultaneously rank, age, and virtue would also signify that he possesses three scales or comparative parameters for measurement. Compared to a system with only one comparative parameter, this system offers much more freedom to the subject involved in the comparison, since he had more opportunities to achieve a comparative advantage. For instance, assuming X enjoyed a higher status than Y, but Y was more virtuous than X, then, based on his nobility, X should have been the object of Y's deference and based on his moral integrity, Y should have been the object of X. The result of this is therefore that X and Y would have shown each other mutual respect. It is indeed to that type of situation that Mencius was referring when he quoted Zeng Zi, declaring, "Let their rulers have their wealth—I have my benevolence. Let them have their nobility—I have my righteousness. Wherein should I be dissatisfied as inferior to them?"¹⁶ It is precisely because respect is not merely acquired through the importance of one's rank that Zeng Zi did not feel inferior in the face of rich, powerful, and high-ranking officials.

The issue remains that, in some situations, people who achieved a comparative advantage based on different parameters may have refused to yield to one another. They would then have had to argue about one another's relative superiority or else, in certain situations, to establish a hierarchy for those three parameters. The response to this is that this kind of hierarchy could only be made in context but could not be applied universally. The proposition raised by Mencius to solve this goes as follows: "In courts, nobility holds the first place of the three; in villages, age holds the first place; and for helping one's generation and presiding over the people, the other two are not equal to virtue."¹⁷ This means that in situations in which officials are to follow specific rites and rules, hierarchy is to be determined in accordance with people's official position. By contrast, among the common people it should be in accordance with

16 *Mencius*, book II, part B, 2.

17 *Ibid.*

each person's age. However, when it came to governing the land under heaven, the person in charge should be determined based on the relative superiority of his moral conduct. This proposition from Mencius was consistent with his ideas on the difference between types of nobility that he advanced in the Gao Zi chapter:

There is a nobility of Heaven, and there is a nobility of man. Benevolence, righteousness, self-consecration, and fidelity, with unwearied joy in these virtues; these constitute the nobility of Heaven. To be a *gong* [公], a *qing* [卿], or a *dafu* [大夫]; this constitutes the nobility of man. The men of antiquity cultivated their nobility of Heaven, and the nobility of man came to them in its train. The men of the present day cultivate their nobility of Heaven in order to seek for the nobility of man, and when they have obtained that, they throw away the other—their delusion is extreme. The issue is simply this: that they must lose that nobility of man as well.¹⁸

When Mencius said, “For helping one's generation and presiding over the people, [nobility and age] are not equal to virtue,” this principle established an explicit relationship between political legitimacy and a ruler's virtue, as opposed to his personal power. Virtue and the power to rule as a monarch remained two separate things, moral integrity not being a resource monopolized by the king. Politically, this principle would also have legitimized the following: if, when assuming the position of the king, one's moral conduct was proven inferior to the virtue displayed by one of his subjects, then he would have had to condescend to seek that subject's counsel on the way to rule the country. For the king to consult his subject not only would not have constituted a transgression of decorum but, on the contrary, it would have been the manifestation of his successful application of etiquette. Because of this, such exceptional subjects would obtain certain privileges, such as being exempted from the obligation to answer the king's call. This was how those “ministers whom [the king] does not call to go to him” emerged. Mencius supplied two examples of those: Yi Yin 伊尹, who served as a minister for Cheng Tang 成湯 [1670–1587 BCE], the founder of the Shang dynasty [1600–1046 BCE], and Guan Zhong 管仲 [723 or 716–645 BCE] who served as a minister for the Duke Huan of Qi 齊桓公 [d. 643 BCE].

What needs to be heeded is that Mencius did not categorically reject the obligation to obey the king's call. If he objected to some extent to this rule of etiquette, it was merely by adding a limitation to it: ministers were required

18 Ibid., book VI, part A, 16.

to answer their ruler's call, if and only if the latter had the power to call them. Logically, this could appear to be a tautology; however, in practice it was not at all without meaning. By using this restriction, Mencius insisted on the following: it was not true that the king could summon all officials without exception. In the light of the criterion limiting the king's capacity to summon at will, Mencius actually distinguished between two classes of ministers: the first consisting of the ministers who can be summoned, the second of those who cannot. According to Mencius, who exactly would be the officials who can be summoned and who cannot?

It is clear from Mencius' statement "they love to make ministers of those whom they teach and do not love to make ministers of those who teach them" that he considered the existence of two distinct classes of ministers: those who received their ruler's teachings and those who may offer him some guidance. For a king to instruct his ministers implies that he would listen only to himself and that he alone was in command, while for a ruler to learn from his ministers would mean that he was the one following instructions and learning. Zhu Xi explains: "Those [ministers] whom they teach' means that the ministers only listen to the king's instructions, and are put to work by him; 'ministers who teach them' means they [the kings] learn from them."¹⁹ Zhu Xi interprets "to teach" as signifying "to have the capacity to put others to work." Some evidence supports this definition. According to Jiao Xun in *Annotations on Mencius*:

It is said in the *Guang Ya Encyclopedia's Transcription into Modern Chinese* [*Guang Ya shigu* 廣雅釋詁] that "the character 'jiao' [教] for teaching was also used to mean issuing an imperial edict." Hence, "to teach" and "to issue an imperial edict" had a similar meaning. Liu Xi 劉熙 in his *Shiming shi shu qi* [釋名釋書契] wrote: "The character *chi* 敕 [to issue an imperial edict] was used as a substitute for the character *chi* 飭, which means 'to put in order.' Exhorted by the king to keep things in order, one would not dare abandon his task or do it perfunctorily." To not dare perform one's master's commands perfunctorily also means one is being used accordingly with his abilities.²⁰

Yang Bojun 杨伯峻 [1909-1992] translates the ancient Chinese "those whom they teach" (in the original text, *suo-jiao* [所教], as "the people who would

19 所教，謂聽從於己，可役使者也。所受教，謂己之所從學者也 (Zhu, *Collected Commentaries on Sishu: Mencius*, 243).

20 Jiao, *Annotation on Mencius*, 261.

listen and obey [to the king]" and he translates "those by whom they might be taught" [*suo shou jiao* 所受教] as "those who are capable of offering [him] guidance."²¹ This makes the original's meaning even more apparent.

Someone capable of offering guidance to the king could indeed have been considered his teacher. A person belonging to this class would not possibly have been summoned by the king, since it is the latter who would have been seeking advice, which means that it would indeed have been the king who would personally have made the effort to meet his minister. From this angle, if such a minister happened to be in a situation in which his ruler had required to see him in order to be counseled, he would have been under no obligation to go and should instead have waited for the monarch to come to him. Then and only then would his conduct have conformed to etiquette and propriety. Mencius, in another passage, explained in even more detail why it should have been this way:

Mencius replied, "It is right to go and perform the service; it would not be right to go and see the prince. And," added Mencius, "on what account is it that the prince wishes to see the scholar?"

"Because of his extensive information, or because of his talents and virtue," was the reply.

"If because of his extensive information," said Mencius, "such a person is a teacher, and the sovereign would not call him—how much less may any of the princes do so? If because of his talents and virtue, then I have not heard of anyone wishing to see a person with those qualities, and calling him to his presence. During the frequent interviews of Duke Mu with Zi Si, one day the duke said to him, 'In the past, princes of a thousand chariots have yet been on terms of friendship with scholars—what do you think of such an intercourse?' Zi Si was displeased, and said, 'The ancients have said, The scholar should be served. How should they have merely said that he should be made a friend of?' When Zi Si was thus displeased, did he not say within himself, 'With regard to our stations, you are sovereign, and I am subject. How can I presume to be on terms of friendship with my sovereign! With regard to our virtue, you ought to make me your master. How can you be on terms of friendship with me?' Thus, when a ruler of a thousand chariots sought to be on terms of friendship with a scholar, he could not obtain his wish—how much less could he call him to his presence! Duke Ching of Qi, once, when he was hunting,

21 Yang Bojun 楊伯峻, *Mengzi yizhu* 孟子譯注 [Translation and Annotation of Mencius] (Beijing: Zhonghua Book Company, 2005), 91.

called his forester to him by a flag. The forester would not come, and the duke was going to kill him. With reference to this incident, Confucius said, "The determined officer never forgets that his end may be in a ditch or a stream; the brave officer never forgets that he may lose his head." What was it in the forester that Confucius thus approved? He approved his not going to the duke, when summoned by the article which was not appropriate to him."

Zhang said, "May I ask with what a forester should be summoned?"

Mencius replied, "With a skin cap. A common man should be summoned with a plain banner; a scholar who has taken office, with one having dragons embroidered on it; and a great officer, with one having feathers suspended from the top of the staff. When the forester was summoned with the article appropriate to the summoning of a great officer, he would have died rather than presume to go. If a common man were summoned with the article appropriate to the summoning of a scholar, how could he presume to go? How much more may we expect this refusal to go, when a man of talents and virtue is summoned in a way which is inappropriate to his character! When a prince wishes to see a man of talents and virtue, and does not take the proper course to get his wish, it is as if he wished him to enter his palace, and shut the door against him. Now, righteousness is the way, and propriety is the door, but it is only the superior man who can follow this way, and go out and in by this door. It is said in the *Book of Poetry*, 'The way to Zhou is level like a whetstone, And straight as an arrow. The officers tread it, And the lower people see it.'"

Wan Zhang said, "When Confucius received the prince's message calling him, he went without waiting for his carriage. Doing so, did Confucius do wrong?"

Mencius replied, "Confucius was in office, and had to observe its appropriate duties. And moreover, he was summoned on the business of his office."²²

Mencius pointed out that the reason for which the king wished to see a certain minister was undoubtedly because this minister either enjoyed a lot of fame or happened to be very virtuous. However, in both instances, no feudal lords would have had any reason to summon him. In order to illustrate this point, Mencius cited Zi Si's example. Zi Si corrected Duke Mu when he mentioned the possibility for a ruler and his officials to be friends. Indeed, Zi Si thought that feudal lords had to treat a talented and virtuous scholar with the respect

²² Mencius, book v, part B, 7.

due to a master. Mencius explained that this was because in terms of status, deference was owed by officials to their rulers, while in terms of moral conduct, if a minister was more virtuous than his ruler, then he had to be treated as his ruler's teacher. Both cases did not allow for friendship. Mencius logically deduced from Zi Si's story that since it was impossible for a ruler to befriend a virtuous scholar, then it would have also been impossible for a ruler to summon such an individual.

What needs to be kept in mind is that Mencius' reference to the king not summoning his minister has a very specific meaning: he is actually referring to the fact that the king is not allowed to have a virtuous scholar summoned in order for him to inquire about the Way. In other words, only under circumstances where one had happened to be a distinguished virtuous scholar would one then have had the right to not go see the king. Mencius had no intention to negate the monarch's privilege to summon his ministers, or to advocate for the ministers' right to ignore their ruler's call. Rather, it was his opinion that when a ruler demanded his minister to come see him promptly, the minister should hurry as soon as hearing the call, lest he arrive late. This would indeed have been considered by Mencius as entirely justified and proper, considering the fact that Confucius' story of not even waiting for his carriage before going to see the king had already long been told as a deed worthy of praise. In a sense, in doing so, Confucius set an example for the subsequent generations of ministers, urging them to actively answer a ruler's call. Nonetheless, when Mencius interpreted Confucius' behavior in this particular instance, he concluded that it was dictated by Confucius' official position: "[He] was in office, and had to observe its appropriate duties. And moreover, he was summoned on the business of his office." According to this reasoning, if one did not have a post in the bureaucracy, he was under no obligation to answer any feudal lord's call. In fact, the other situation approved by Mencius as a justifiable reason for not going to see one's feudal lord was when the individual in question had not acknowledged his allegiance to that lord specifically.

Gong Sun Chou asked Mencius, "Where is the righteousness in not going to see the princes?" Mencius replied, "Among the ancients, if one had not been a minister in a State, he did not go to see the sovereign."²³

Zhu Xi explains: "'Not being a minister' signifies never having taken an office in the state."²⁴ In the broadest sense, it would have sufficed for an official to find

²³ *Mencius*, book III, part B, 7.

²⁴ 不為臣，謂未仕于其國者也 (Zhu, *Collected Commentaries on Sishu: Mencius*, 270).

himself within the same state borders of a certain feudal lord for their relation to become the equivalent a ruler and his ministers. However, the state of not being a minister here mentioned by Mencius was meant in the stricter sense of the word “minister,” minister indeed referring to the one filling an official position at court. From Mencius’ point of view, there was a significant difference between those serving as officials in the bureaucracy and those who were not, and part of the difference was in how accountable to their ruler they were supposed to be. For those not serving at court or in government to pay a visit to their feudal lord would have constituted a failure to observe the rites.

Wan Zhang said, “I venture to ask what principle of righteousness is involved in a scholar’s not going to see the princes?”

Mencius replied, “A scholar residing in the city is called a ‘minister of the market-place and well,’ and one residing in the country is called a ‘minister of the grass and plants.’ In both cases he is a common man, and it is the rule of propriety that common men, who have not presented the introductory present and become ministers, should not presume to have interviews with the prince.”²⁵

In accordance with the rules prescribed by ancient rites, as long as they had not offered an introductory present and were not appointed to a minister position, commoners (i.e., those not serving as officials) could not meet with the king.

Nonetheless, this did not in any way mean that they were not under obligation to serve the king, since they were dictated by law to either serve in the army or do *corvée*. In passage quoted above, Mencius affirmed, “It is right to go and perform the service; it would not be right to go and see the prince.” Perform one’s service means following the law, while abstaining from seeking an audience with the king refers to a rule of propriety. Thus, the significance of those two types of obedience was substantially different.

From Mencius’ distinction between different types of subjects, it is obvious that in his understanding no single universal and unified description of a subject’s political duties toward his ruler existed. Rather, one subject’s political duties were determined by his status (i.e., whether he was an official in the bureaucracy or not) as well as by the concrete circumstances in which he found himself (i.e., whether he was on active service or whether the king wanted to see him in order to inquire about the Way). Therefore, it can be said that, on the question of political duties, Mencius’ position was to emphasize

²⁵ Mencius, book v, part B, 7.

differentiation between contexts. This “contextualism” put forward by Mencius can be traced directly to Confucian etiquette, which reflected the same spirit of differentiating between status and circumstances. Rules concerned with Confucian rites demonstrate that in communities where the Confucian school was prevalent, members were far from having equal privileges and obligations. If commoners were excluded from the rights endowed by etiquette, based on the notion that “rites do not extend to the common people” as stipulated in the *Book of Rites*, then Mencius’ revision regarding the rule embodied by Confucius’ promptness to answer the prince’s invitation similarly exempted people of outstanding virtue from the duties prescribed by rites.

Perhaps to the average Confucian scholar it would seem that the rule according to which “rites do not extend to the common people”²⁶ remained relatively easy to understand, while the question of censuring Mencius on account of his violating propriety by not replicating Confucius’ behavior would remain perplexing. In fact, these are two different aspects of the same question. The spirit of the Confucian rites resided in its doctrine of differentiating among situations: this was so when it came to the question of privileges, and there was no reason for it to have been any different when discussing the question of political duties. Mencius might appear to have significantly revised the subjects’ duties with regard to their rulers, but in reality he did not go against the spirit of Confucian rites at all. On the contrary, he carried out their requirements by implementing them in the realm of duties.

II

In the fourth passage of the second chapter on “Gongsun Chou,” Mencius successfully led the king to realize that the king himself was the one to blame for having failed to spare civilians from privation. This story discussing the question of accountability reflects yet another aspect of Mencius’ understanding of the political duties assumed by officials.

Mencius went to Ping Lu and addressed its governor, saying, “If one of your spearmen should lose his place in the ranks three times in one day, would you, Sir, put him to death or not?”

“I would not wait for three times to do so,” was the reply.

Mencius said, “Well then, you, Sir, have likewise lost your place in the ranks many times. In bad calamitous years, and years of famine, the old

26 禮不下庶人 (Qian, “Qu Li,” 23).

and feeble among your people, who have been found lying in the ditches and water channels, and the able-bodied, who have been scattered about to the four quarters, have amounted to several thousand.”

The governor replied, “That is a state of things in which it does not belong to me Juxin to act.”

“Here,” said Mencius, “is a man who receives charge of the cattle and sheep of another, and undertakes to feed them for him—of course. he must search for pasture and grass for them. If, after searching for those, he cannot find them, will he return his charge to the owner? or will he stand by and see them die?”

“Herein,” said the officer, “I am guilty.”

Another day, Mencius had an audience with the king and said to him, “Of the governors of your Majesty’s cities I am acquainted with five, but the only one of them who knows his faults is Kong Juxin.” He then recounted this conversation to the king, who said, “In this matter, I am the guilty one.”²⁷

Ping Lu was a minor town in the kingdom of Qi,²⁸ of which Mencius depicted a miserable and dreary picture during the years when it suffered a famine due to crop failures: ditches were filled with the corpses of the old and the weak, while those who were strong fled by the thousands. Mencius believed that the town’s highest-standing official, Kong Juxin 孔距心, could hardly be absolved of any blame. Before condemning Kong, Mencius first laid the groundwork for the censure to come, by putting forward a fictitious example. He then solicited Kong’s opinion on how to handle this hypothetical situation. Kong apparently did not need to think the matter over and quickly answered, his answer being what Mencius had been anticipating and what he also needed to pursue. Mencius thus nimbly changed the direction of the conversation and directed it instead toward his interlocutor’s own behavior. It appears, from its result, that this was quite a clever strategy, since by answering it, Kong allowed himself to fall into the trap set by Mencius. At this stage, he perhaps had come to realize that the questions raised by Mencius were in reality a snare laid for him to fall into, but then it was already too late. However, he would not yet resign himself to surrender without a fight and he attempted to defend himself. Mencius had not directly criticized him yet, but had only drawn an analogy, when Kong Juxin, understanding very well the allusion behind this analogy, finally agreed

27 *Mencius*, book II, part B, 4.

28 This is based on Yan Ruoku 閻若璩, *Sishu shi di* 四書釋地 [*Interpretation of Places in the Four Books*], cited in Jiao Xun, *Annotation on Mencius*, 264.

to admit his error. The process of having the king admit his mistake was then rendered considerably simpler: Mencius simply needed to narrate how Kong had acknowledged his error for the king to accept what was implied and to let go of his own accord any kind of defense.

Concerning the military unit's leader who had been found unworthy of the functions he was invested with (by losing his place in the ranks many times), Kong considered, without any hesitation, that he should have received severe punishment. Indeed, the governor affirmed that he would not have waited for the official to neglect his duty three consecutive times before condemning him to a death sentence. However, regarding the question raised by Mencius as to how he, as governor, similarly failed to do his duty, it is made clear from his answer that his opinion differed on this matter. The meaning of this sentence uttered by Kong was, according to Yang Bojun's interpretation, that the power with which he was endowed did not enable him to act on such matters.²⁹ However, Zhao Qi and Zhu Xi shared the opinion that Kong was in fact hinting that the king might be the person who had brought about these misfortunes. Zhao Qi notes: "The overall governance of the state belongs to the king, he is the one who did not save his people from hardship, this is not something I myself can dictate."³⁰ Zhu Xi's notes offer a similar explanation: "The king's political failure's made it so, this is not a situation I can control."³¹

This statement indicates that Kong was far from considering himself bestowed with the kind of responsibility similar to that of a military unit's leader who must protect the troops under his command, the kind of responsibility that would have him spare his subjects from suffering from privation and being forced to leave their home and wander as refugees. In other words, he refused Mencius' accusations of his having deserted his troops. Kong's main defense lay in the fact that he was merely governing this city on behalf of the king of Qi. Therefore, he was acting as the one representing and executing the king's orders and did not have the power to implement his own plans. To have him take the blame for the entire affair thus would have hardly been fair.

From what follows in the story, it seems that Mencius in reality approved of Kong's point of view with respect to the king's responsibility in this calamity: by going to see him, Mencius wanted him to admit his guilt, and in the end, the king truly did so. However, Mencius did not believe that because of this, Ping Lu's governor did not have to be held accountable. Kong's answer touched

29 Yang, *Translation and Annotation of Mencius*, 95.

30 乃齊王之大政，不肯賑窮，非我所得專為也 (Zhao and Sun, *Notes and Commentaries of Mencius*, 109).

31 言此乃王之失政使然，非我所得專為也 (Zhu, *Collected Commentaries on Sishu: Mencius*, 244).

upon the question of a representative's responsibility. On this matter, Mencius did not share Kong's view. Could a representative be blamed in the event of such a disaster? If he could, what kind of responsibility would he be accountable for? It is through an analogy that Mencius expounded his position on that matter.

This analogy concerned the role taken by someone replacing a herder. The herder's role could indeed be considered extremely similar to Kong's position as a county magistrate: they were both at the service of somebody else. Mencius pointed out that the herder's replacement would certainly have sought to ensure good living conditions for the cattle and sheep for which he was caring. Mencius then continued by raising another question: if the herder's replacement had found himself unable to do so, how then should he have behaved? Should he have taken the animals back to their owner of his own accord? Or should he have sat back and watched the herds slowly die off a little every day?

The fact that a person replacing a herder would certainly have striven to ensure good living conditions for the animals (because he had the obligation to do so) was an empirical example frequently observed by Mencius, and it was also his own understanding of the duty assumed by a herder's replacement. It can be assumed that if the replacement indeed did everything he could, but still failed in the end, this perhaps would have been because what was required of him was beyond his abilities (for example, he did not have the necessary experience), or perhaps it would have been because the objective conditions were irremediably poor (for instance, encountering an exceptionally severe drought).

Among the two options provided by Mencius, only one is in keeping either with morality or with intelligence, and it is to willingly give back the animals to their owner. To do otherwise would indeed be a mistake and would also be considered immoral. This analogy was no different from telling Kong: Since things were not solely under your control, why then did you not extricate yourself from this situation before it was too late? Though it is true that you could in no way exercise any influence on the situation, still you could decide to stay or not. This suggestion had already been noticed by both Sun Shi and Zhu Xi. These were Sun Shi's remarks on the question: "This section is arguing that a minister adheres to the Way in service to his lord; if he cannot, he retires. In the *Book of Odes* it is said, 'A gentleman does not accept an empty salary.' This means he does not collect his salary without having provided proper service."³²

32 此章指言人臣以道事君，否則奉身以退，《詩》云彼君子兮，不素餐兮，言不尸其祿也 (Zhao and Sun, *Notes and Commentaries of Mencius*, 109). *Sucan* 素餐 and *shilu* 尸祿 here both refer to the acts of eating the bread of idleness.

Zhu Xi similarly notes that: "Mencius states, if a minister cannot enact his service, why not leave?"³³

Kong understood the moral allusion drawn by Mencius, and, at this moment, he certainly was led to feel ashamed for not having behaved properly. In Zhao Qi's words: "Kong Juxin considered it a transgression that he did not leave his post."³⁴ It is possible that Kong had indeed nothing to be blamed for. Perhaps this was precisely why he opposed Mencius' accusations at first. Like most bureaucrats, Kong Juxin understood that, regardless of whether one was serving on behalf of a superior or the person implementing a superior's orders, what remained central was to do one's duty conscientiously. For one to be found competent at his post and to have a clear conscience, it sufficed to execute the king's orders and to implement his policies. But Mencius reminded him that it was not because he was acting as a proxy or an executor that he was a mere tool in the hands of the king and had only to obey: he still had his own conscience to lead him, and this conscience required him not to remain unconcerned when confronted with the misery of others. Indeed, one's conscience cannot tolerate self-deceit: if one cannot persist in what one considers the right way, then to stay in one's post is the attitude of either a coward or of someone coveting reputation and wealth. In any case, from the point of view of a man of noble character [*junzi* 君子], this attitude would be regarded as shameful and immoral.

Hence, it could be said that Mencius aroused a sense of shame and guilt in Kong. It may be precisely because of those feelings that the governor did not persist in considering himself innocent. Shame and guilt also motivated him in detaching himself from his fellow officials who remained cold and disinterested. Mencius thus reported to the king that among the five county magistrates he knew, Kong was the only one who had come to realize his accountability: "Of the governors of your Majesty's cities I am acquainted with five, but the only one of them who knows his faults is Kong Juxin."³⁵

The average bureaucrat would not aspire so much to great achievements and would prefer to seek to stay out of trouble by avoiding mistakes. Mencius, however, set a higher moral standard. According to this standard, for one to show no merit or result in carrying out his duty constituted committing a fault. To hold one's office and to enjoy the privileges that come with it without doing a stroke of work was regarded as both morally disgraceful and condemnable,

33 孟子言，若不得自專，何不致其事而去 (Zhu, *Collected Commentaries on Sishu: Mencius*, 244).

34 距心自知以不去位為罪者也 (Zhao and Sun, *Notes and Commentaries of Mencius*, 109).

35 *Mencius*, book II, part B, 4.

and it was also a behavior with which no man of noble character could feel at ease.

Mencius' conception of the personal integrity of high officials had also been a persistent concern in the Confucian school, with regard to the officials' ethics with respect to the principle of righteousness. In the *Analects*, Confucius is recorded as saying: "What is called a great minister, is one who serves his prince according to what is right, and when he finds he cannot do so, retires."³⁶

When he was on the road traveling from one kingdom to the next advocating the Confucian ideals of benevolence and righteousness, Mencius often cornered officials who enjoyed their position without lifting a finger by referring to the Confucian ethics. Among those who have been prompted by Mencius were also some who were stirred to action from hearing him, Kong being one example, Qi Wa 蚺蛙 being another. In Kong's case, he admitted his guilt, but in the end there is no way to ascertain whether or not he resigned, while in contrast the official Qi Wa was depicted as having really done so.

Mencius said to Qi Wa, "There seemed to be reason in your declining the governorship of Ling Qiu and requesting to be appointed chief criminal judge, because the latter office would afford you the opportunity to express your views. Now that several months have elapsed, have you found nothing to speak about?"

On this, Qi Wa remonstrated on some matter with the king, and, his counsel not being taken, resigned his office and went away. The people of Qi said, "On the course that he marked out for Qi Wa, he did well, but we do not know which course he pursues for himself."

His disciple Gong Du told him these remarks. Mencius said, "I have heard that he who is in charge of an office, when he is prevented from fulfilling its duties, ought to take his departure, and that he on whom is the responsibility of giving his opinion, when he finds his words unattended to, ought to do the same. But I am in charge of no office; on me involves no duty of speaking out my opinion—may not I therefore act freely and without any constraint, either in going forward or in retiring?"³⁷

At the beginning of the story, Mencius asked Qi Wa whether, in his capacity as chief criminal judge, he had fulfilled the intentions he had originally expressed when he had asked to be transferred to that post—that is, whether he had been able to remonstrate directly with the monarch. This was Mencius' way

36 所謂大臣者，以道事君，不可則止 (*Analects* 11:24).

37 *Mencius*, book II, part B, 5.

of urging Qi Wa to perform his duty and advise his ruler. Qi Wa did in fact go to the ruler and attempt to do so, but the ruler did not adopt any of his ideas, and consequently, Qi Wa resigned from his post. He put into practice the ethics that Mencius had been promoting, and this was precisely what the latter had been expecting of him. The story did not end here, however, since Mencius was consequently self-critical and had to provide some self-defense.

His critics claimed that while Mencius' opinion on Qi Wa could not be objected to, and that indeed the official was better leaving his post if there were no use for his doing his work, Mencius' self-evaluation was perhaps not as accurate as the one he had given of Qi Wa. This criticism was meant to ridicule Mencius by insinuating that he did not realize that he should quit when his own remonstrations were not heeded. Mencius was resented for being strict toward others but lenient toward himself.

The main argument raised by Mencius to defend himself was that the principle stating that one should resign if his advice were not considered did not apply to him. Mencius also implied that the whole set of officials' ethics did not apply to him. This is because he was simply not an official proper. As Mencius stated above, "He who is in charge of an office, when he is prevented from fulfilling its duties, ought to take his departure, and . . . he on whom is the responsibility of giving his opinion, when he finds his words unattended to, ought to do the same." Among those two principles, the first one was used by Mencius to advise Kong, the second one to advise Qi Wa. When it came to his own decision as to remain in his position, he was not bound by those, because neither was he in charge of an office nor did he have the responsibility of speaking his mind to the king. Compared to those officials, he considered himself to enjoy more freedom.

The crux of the question here lies in how Mencius avoided pointing out that this was in fact a question of remuneration. Regardless of whether one was assuming public office (as Kong was) or had the responsibility to counsel the king (as Qi Wa did), they both received a salary. The reason such an official would have had to leave, if he had found himself unable to accomplish his duty, was that to do otherwise would have been a far greater example of taking advantage of his positions without fulfilling its responsibilities. Yet the status occupied by Mencius in the kingdom of Qi was the status of a guest who was also looked upon as a teacher—that is, someone who was not holding a public post yet was highly respected. According to ancient rites, a teacher is not equal to an official and, therefore, he cannot be remunerated. Zhu Xi mentions that: "Mencius was a guest-teacher [to the court]; he received no fixed salary."³⁸

38 孟子居賓師之位，未嘗受祿 (Zhu, *Collected Commentaries on Sishu: Mencius*, 270).

As a result, the ministers' ethics as understood by Mencius happened to be founded on a contract. Since any contract would explicitly stipulate specific rights and responsibilities to be respected, moral principles to be followed by officials that were established in this contract were no exception. This signifies that, once one had agreed to be remunerated, then a contract between minister and ruler instantly became effective. In other words, the official obtaining a salary from the king had the duty to work for the king. For someone to serve as an official and to be unable to perform successfully would mean that he had no reason to enjoy any kind of reward. Likewise, if a ruler had no need of a minister to work for him (for instance, when the imperial censors' advice was not made use of), then a minister with dignity should have refused to accept any remuneration. In both situations, the official had to and was entitled to unilaterally terminate the contract, that is, to resign from his post.

III

This article presented an examination of Mencius' discourse on the Minister's Way by attempting to explicate his conception of the ministers' ethics, a concept that was grounded in a principle of contextualism. This analysis provided us with a new understanding of Mencius' politics by focusing on his detailed and rich reflections on the subject of ethics. From this, we can see that Mencius' politics, ultimately linked to his ethics, could not be generalized under a unified and abstract principle, such as what has traditionally been called his people-oriented thought. Perhaps it is impossible to reduce Mencius' thought to any essentialist scheme since Mencius was more inclined to judge according to context and to differentiate between situations. By posing this as a fundamental principle, when handling situations that were politically and ethically complex, Mencius advocated solutions that were flexible and, at the same time, persuasive. Since the advent of modernity, civil disobedience has become one of the most provocative topics in Western political philosophy.³⁹ This specific topic not only leads directly to the sensitive question of human rights but also simultaneously concerns the foundations of political

39 On this subject, a great number of Western publications has appeared, the most comprehensive and accessible of which probably is Hugo Adam Bedau, ed., *Civil Disobedience in Focus* (London: Routledge, 1991). Among relevant publications in Chinese, there is He Huaihong 何懷宏, *Xifang gongmin bu fucong de chuantong* 西方公民不服從的傳統 [*Western Citizens' Tradition of Disobedience*] (Changchun: Jilin People's Publishing House, 2011).

philosophy: how can political duty be performed by officials? Must they always obey? Western scholars have contributed greatly to debates on that matter, and those debates have yet to be solved. To apprehend Mencius' wisdom as embodied in his use of contextualism in regard to the Minister's Way may undoubtedly lead us to more enlightening conclusions and is therefore certainly of much benefit. In the end, we hope this research can spark the interests of contemporary political philosophers concerning Mencius and other classical texts of ancient Chinese thought.

Works Cited

- Bedau, Hugo Adam, ed. *Civil Disobedience in Focus*. London: Routledge, 1991.
- He Huaihong 何懷宏, ed. *Xifang gongmin bu fucong de chuantong* 西方公民不服從的傳統 [*Western Citizens' Tradition of Disobedience*]. Changchun: Jilin People's Publishing House, 2001.
- Huang Junjie 黃俊傑. *Zhongguo Mengxue quanshi shilun* 中國孟學詮釋史論 [*On the History of Chinese Mencius Studies Hermeneutics*]. Beijing: Social Sciences Academic Press, 2004.
- . "Ershiyi shiji Mengzi xue yanjiu de xin zhanwang 二十一世紀孟子學研究的新展望 [New Research Prospects for Mencius Studies in the Twenty-First Century]." *Wen Shi Zhe* no. 5 (2006): 20-27.
- Jiao Xun 焦循. *Mengzi zhengyi* 孟子正義 [*Annotation on Mencius*]. Beijing: Zhonghua Book Company, 1987.
- Legge, James. *Han-ying duizhao si shu* 漢英對照四書 [*The Four Books: A Chinese-English Bilingual Edition*] (rev. ed.). Changsha: Hunan Publishing House, 1996.
- Qian Miaojin 潛苗金. *Liji yizhu* 禮記譯注 [*Commentary on the Book of Rites*]. Hangzhou: Zhejiang Ancient Book Publishing House, 2007.
- Yang Bojun 楊伯峻. *Mengzi yizhu* 孟子譯注 [*Translation and Annotation of Mencius*]. Beijing: Zhonghua Book Company, 2005.
- Zhao Qi 趙岐 and Sun Shi 孫奭. *Mengzi zhushu* 孟子注疏 [*Notes and Commentaries of Mencius*]. Beijing: Peking University Press, 1999.
- Zhu Xi 朱熹. *Si shu zhangju jizhu* 四書章句集注 [*Collected Commentaries on Sishu*]. Beijing: Zhonghua Book Company, 1983.