

GOVERNANCE IDEAS IN KONG-ZI JIAYU AND THEIR CONTEMPORARY VALUES

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Abstract: *Kong-Zi Jia Yu* is a book that recorded many Confucius and his disciples' conversations and thoughts, making it an indispensable source to explore traditional Chinese culture and ideas. In particular, the governance ideas presented in the book are still highly relevant today. People-oriented thoughts were the core of governance wisdom, paradigmatic kingcraft and virtuous courtiers were a sensible part of governance, and the penological ideas further ensured the robust operations of it. In the new era, new ideas like "putting the people as the top priority", Xi Jinping's thoughts on building cadre teams and governing China by the rule of law have successively proposed as creative converts and innovative development of Chinese culture that has been carried forward over thousands of years. Inheriting and promoting these cultural "genes", refining their ideological essence, are of great reference value for cultivating the current political landscape, enriching the connotation of the construction of the cadre team in the new era, adhering to the rule of law and providing ideas for the formulation of current rural governance policies.

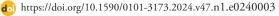
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Resumo: Kong-Zi Jia Yu é um livro que registrou muitas conversas e pensamentos de Confúcio e seus discípulos, tornando-se uma fonte indispensável para explorar a cultura e as ideias tradicionais chinesas. Em particular, as ideias de governança apresentadas no livro ainda são altamente relevantes, hoje. Os pensamentos orientados para as pessoas eram o núcleo da sabedoria da governança, a arte da realeza paradigmática e os cortesãos virtuosos eram uma parte sensata da governança, e as ideias da penologia asseguravam ainda mais suas operações robustas. Na nova era, novas ideias como "colocar as pessoas como prioridade máxima", os pensamentos de Xi Jinping sobre a construção de equipes de quadros e o governo da China pelo estado de direito foram propostos sucessivamente como conversões criativas e desenvolvimento inovador da cultura chinesa, que foi levado adiante, ao longo de milhares de anos. Herdar e promover esses "genes" culturais, apurar a sua essência ideológica, são de grande valor referencial para o cultivo do panorama político atual, enriquecendo a conotação da construção da equipe de quadros, na nova era, aderindo ao Estado de Direito e dando ideias para a formulação das atuais políticas de governança rural.

Palavras-chave: Kong-Zi Jia Yu. Governança. Virtude política. Estado de Direito.

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GOVERNANCE IDEAS IN KONG-ZI JIAYU AND THEIR CONTEMPORARY VALUES

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Introduction

In the welcome banquet of the Shanghai Cooperation Organization summit in Qingdao, General Secretary Xi Jinping stressed that Confucianism is an integral part of the Chinese civilization. Confucius is a well-known advocate of Confucianism. Having served governmental positions as a government official of a province, and Minister of the Judicial Branch and the Ministry of Foreign Affairs, Confucius was able to develop a vast and sophisticated ideological system when he dealt with governmental issues related to people's livelihood and laws. The wisdoms of Confucian governance are scattered in various chapters of Kong-Zi Jia Yu. For example, chapters like "Explanations of the Five Descriptions", "Zigong's Questions about the Summary of the Rites and Entering Office" mainly articulate people-oriented thoughts; "Words Concerning Kings Explained", "Duke Ai Asked about Governance", "Entering Office" and "Explanation to Discussions about Correctness" discuss about the thoughts on political virtue; and "First Punishment", "Giving Rein to Thoughts", Explanation of the Five Punishments, The Politics of Punishment and Explanation to "Discussions about Correctness" shine a light to penological ideas. A great wealth of governance-related thoughts can be found in Kong-Zi Jia Yu. With significant breadth and depth, these ideas are of great fullness and highly systematic, reflecting Confucius' sagacity and perspicacity as the saga master. From this point of view, this paper attempts to analyze the governance-related wisdoms hidden in Kong-Zi Jia Yu and trace the origin of governance ideas in the new era. By carrying forward the "genes" of traditional culture and distilling ideological essence, this paper aims to provide a reference for production and life today.

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1 People-oriented thoughts reflected by "knowing facts, being just, clarifying interests and supporting the vulnerable"

Over the long history of China, Confucianism has long emphasized the notion that popular support of a regime concerns the survival of a state by advocating "political virtue". *Kong-Zi Jia Yu*, as one of the most important carriers of Confucian thoughts, also contains content about similar notions. A systematic text review of the book informed us that people-oriented thoughts can be largely divided into three categories.

First, people in charge of the government should foster the awareness of valuing and loving people. As the founder of Confucianism, Confucius employed the concept of ren (humaneness) in the political arena and attached great importance to people's livelihood. For example, in the chapter of "Explanations of the Five Descriptions", Confucius responded to Duke Ai of Lu's question about how to ensure a state's ability to defend itself when it is weak and to attack other states when it is strong by stressing the importance of popular sentiments (Yoo et al., 2012, p. 321). He pointed out that if all people throughout a state were united as if they were different threads twisted in a rope, then all people under the heaven were the king's subjects and there would be no danger of occupation to speak of it. Therefore, only when the awareness of valuing public opinion is truly implemented can the people perceive that their superiors love the subjects as if they were their own children, and thus can the concern of state and home destruction be eliminated. Further, the "Words Concerning Kings Explained" also highlights the importance of valuing and loving people: with a harmonious relationship between "upper and lower" social hierarchies, then the people will voluntarily obey the decrees and follow guidance, leading to nationwide harmony and submission of neighboring countries as vassals. Therefore, it is imperative for people in charge of the government to pay attention to the people's will. In ideological terms, the awareness of loving the people should be enhanced.

Second, bringing prosperity and education to the people. Specifically, people's basic livelihood should be first ensured. In this regard, specific policies include:

[...] tax levies should not exceed one tenth of people's total income; the duration of conscripted labor services should not exceed three days per year; ordinary people should be allowed to enter rivers and mountains to fish and hunt without being taxed in certain seasons; and the peoples should only be subject to inspections rather than tax levies at passes and markets (Jia et al., 2019, p. 13).

In other words, these measures were reducing tax rates to one tenth of income and shortening corvee to ensure the time for production and life. These provisions were closely relevant to the people's realistic problems while helping provide basic protection for their production and life. However, just "bringing prosperity" to people's lives is far from enough,

as they should also be educated to progressively normalize their behaviors and construct and maintain good social morality. That is why Confucius proposed "seven lessons for inner cultivation" to stress that the masses should be educated to allow them to have a sense of propriety and follow ethics and morality. The above "seven lessons" include: respecting the elderly, caring for children, being charitable, staying close to sage persons, developing a preference for good virtues, adhering to greediness and being uncorrupted and humble. Confucius believed that if superiors could have all the above qualities, then the people would undoubtedly be affected by them and align their behaviors to these qualities, which eventually led to a stable state and content citizens.

Third, giving preferential treatment to special groups, that is, showing solicitude to them. As it was shown explicitly in the chapters "Words Concerning Kings Explained" and "The Conveyance of Rites", "compassion should be given to helpless widows and widowers; support should be provided for fatherless or sonless persons; and aids should be offered to poverty-stricken and helpless person" (Angles, 2008, p. 155) ("Words Concerning Kings Explained"), and "basic support and provision should be given to older widows or widowers, as well as orphans and disabled ones" (Pang-White, 2021, p. 1) ("The Conveyance of Rites"). As can be seen, the scope of special groups covered older people, who had no one around to depend upon, disabled ones and orphans. When providing specific support and aids, it required people not only to love their own families, but more importantly, they should also assume the responsibility for the whole society as a much "bigger family". The common people were no longer seen as the ones carrying out social interactions based on blood ties in respective families, but they should break through the kinship boundaries and strive to fulfill great harmony of the whole society. With the guidance of a shared ideal and correct ways of directing people, the ordinary folks were able to truly gain senses of gain, well-being and security.

2 CONTEMPORARY VALUES OF KONG-ZI JIA YU

2.1 Political virtues reflected by "governing by and based on morality"

The purpose and meaning of state governance are ultimately fulfilled through the governance process. Thus, the monarch and courtiers' qualities are associated with the effectiveness of governance, which was why the specific requirements on the superiors were set. In the long process of history, it can be found that there is a certain correlation between the destruction of the country and the family and the rulers' moral cultivation. Basically, "governance" can be understood as governing a state, which not only involves formulating macroscopic policies but also microscopic aspects like the individual citizens' interests. Comparatively, "morality" can be understood as the ideologies voluntarily observed by leaders and cadres when dealing with state affairs and constraints imposed on their behaviors.

The key to governing a state lies in whether attention has been paid to the key minority of leaders and cadres, especially their political virtues. Only by ensuring that political virtues are followed by leaders and cadres, can we further advance governance using the "internet + political virtual education" model. Whether leaders and cadres identify themselves with overall morality, observe social ethics and tighten up private virtues, they concern about the destination of the country and the people's well-being.

Overall morality is an ideological reserve for governance. For people in charge of the government, identifying themselves with overall morality means establishing great ideals and unshrinking governance faith. The examples of sages, like Yao, Shun, Yu, Tang, Wen, Wu and Duke of Zhou, who governed the country, were deemed as ideal political and governance models advocated by Confucianism. For example, in the chapter of "Loving Life", King Wen of Zhou implemented the principle of benevolence in governing the country, with superior actions and subordinate effects. The people got along well with each other and handled territorial issues properly. Seeing this picture, the two neighboring countries of the territorial dispute felt ashamed and consciously emulated the people's handling methods to solve the territorial dispute. From this story, it can be seen that King Wen of Zhou's benevolence in governing the country infected the people, and their words and actions unconsciously approached King Wen of Zhou. This is truly an ultimate level of governance. In present-day scenarios, overall morality serves as the foundation for the leader's beliefs and the ones of the cadre team. Only by reinforcing the foundation and strengthening political stance can practical problems, such as how to serve the people better, be discussed. In recent years, the Communist Party of China (CPC) has carried out a series of ideological education activities such as "Three Stricts and Three Realities". The purpose of all these political learning programs is to continuously reinforce the ideological foundation of cadres.

Overall morality functions as the prior reserve for governance, as well as the moral codes to be followed when dealing with government affairs, such as the people-oriented mindset, fair and just courage and the wisdom of selecting and using talents. Observing overall molarity means reinforcing the awareness of our mission, that is, to serve the people wholeheartedly and voluntarily strive to fulfill the people's aspirations to live a better life. Although people in charge of the government in ancient times may maintain different advocates from today's being a servant of the people, the group that they cared about were still the ordinary masses, which is reflected in a large multitude of pre-Qin literature. Specifically, there are also many places in *Kong-Zi Jia Yu* discussing people-oriented thoughts. For example, there is a broadly-known quote in "Explanations of the Five Descriptions": a ruler is like a boat and common people are like water. While water can carry a boat, it can also overturn it. By thinking about danger from this point of view, a king can truly understand what danger really is. Another example is a suggestion in "Entering Office": a noble man who rules the people must understand the factual conditions of the masses and understand what advantages and disadvantages an

issue has for the people. As can be seen, people in charge of the government must pay close attention to regime popularity when dealing with government affairs. A well-aligned ideological compass, coupled with the talented people's practical work, is the guarantee of good governance outcomes. Attaching importance to the people is a general direction for good governance. In specific implementation processes, the wisdom of selecting sagely talents is also one of the most important aspects that cannot be overlooked.

Sagely talents are the key to dealing with government affairs. Governmental decrees can be smoothly passed down from the upper level and effectively implemented with such a group of people. Therefore, they act as an important link in state governance. In the latest version of Regulations on the Work of Selecting and Appointing Party and Government Cadres, the criterion of evaluating officials in terms of both political integrity and professional capability, with priority given to integrity is put in a more important position by identifying the crucial effect of political integrity in talent selection and appointment. Tracing back to its origin, it can be found that the thoughts on talent selection and appointment already existed during the pre-Qin period. Relevant records existed in literature like the Book of History, the Book of Songs, the Analects of Confucius, Mo Tzu and Tsinghua Bamboo Slips. There are also multiple places where such a topic is addressed in Kong-Zi Jia Yu. For example, "Zilu asked Confucius, 'what is the priority for a sagely king in terms of state governance?' Confucius said, 'the priority is respecting sagely persons and disrespecting the otherwise.'" ("Worthies and Rulers"). Even in dire situations, where the king turns his back to morality and the state is in jeopardy, he still can preserve his own life by staying close to sagely persons (Judgments, 2020, p. 243). As can be seen, appointing sagely talents is highly important in state governance.

Private virtues serve as the reserved quality for self-cultivation. Specifically, it requires strict constraint over personal behaviors, constant self-discipline and reflection, and stringent self-cultivation. As compared to "public virtues", "private virtues" explicitly require that the main actors of political virtues are personal moral bottom lines, moral personality, and moral determination. In the Symposium of Exploring Good Traditional Cultures and Advancing New Models of Political Virtual Construction, held by the Nishan World Center for Confucian Studies in February 2021, Professor Wang Xuedian pointed out that "the essence of political virtue construction is that leaders and cadres should be upright noblemen, maintain relevant personalities and foster the sense of mission to be noblemen." CPC members should, first and foremost, be good learners of communist ideology and have firm aspirations and beliefs (Chen, 2018, p. 298). As stressed by *Kong-Zi Jia Yu*, people in charge of the government should have correct personal conduct so that their decrees and orders can be effectively implemented. Similarly, in the context of the new era, only by strictly cultivating personal ethics, clarifying their inner beliefs and ways of behaving can leading cadres wholeheartedly solve problems for the people and become people's competent

public servants. The most important element in the man's way is politics. "Politics" means bringing the governance of a state into the "right" track. The superiors are the bellwether of people's conduct. If the former fails to correct their own stances, there would be no righteous governance to speak of. Being "correct" requires self-cultivation (FANG, 2017, p.248). The chapter of "Entering Office" includes a detailed account of how Zizhang asks Confucius about the way of being an official. Confucius responded that if a king wants his words to be listened to, then he must be humble; if he wants his decrees to be swiftly implemented, then he must lead by example; if he wants his subjects to be obedient, then he must guide them in a correct way as forceful ways do no work. All these principles apply not only to self-cultivation but also to state governance.

The notion that "the foundation of the domination lies in families" points to the fact that the construction of family virtues is also an important manifestation of private virtues. Self-cultivation, a well-managed family, the ability to administer the state and to bring peace to the nation are concepts unique to Confucianism. On top of self-cultivation, family virtues are also highly important for governance. Confucius believes that one of the reasons why King Wen of Zhou was able to maintain good self-cultivation and state governance is that he managed to create good family virtue. That is, he had Wangji as father, Tairen as mother, Taisi as concubine, and the King Wu and Lord of Zhou as sons. Good family virtues helped Wen's and Wu's stories of the rule be passed down over thousands of years. In the new era, General Secretary Xi Jinping stresses that good family virtues contribute to prosperity, harmony, and well-being of families; while bad family virtues inevitably bring negative outcomes to the offspring and the society. Private virtues are well connected to social ethics. As members of the "key minority", leaders' private virtues and the ones of cadres are directly associated with overall morality and social ethics. The three elements arguably constitute an organic whole. Enabling CPC members to cultivate their "inner" selves will be of significant implications for the construction of a leader and cadre team in the new era.

2.2 Penological ideas that emphasize the "supplementary role of punishment and careful consideration of factual conditions": innovatively developing the concept of the rule of law through scientific legislation and just judicial practices

Leaders and cadres are subject to high-standard requirements when administering governance, that is, political virtues. However, when it comes to the majority of citizens living in a state, a definitive rewards and penalty system is a necessary part of institutions in order to normalize their behaviors. If the "superiors" are sensible existents in the governance process, then definitive laws and regulations forcibly ensure the outcomes of governance (ZHANG et al., 2017, p.1191). Confucius asserts that the goal of an ideal society can

only be achieved through morality and rites, complemented by the politics of punishment. Specifically, the formulation of "punishment" is to compensate for the deficiency of "rites". Leaders and cadres should be aware of not only the rule of law but also the rule of virtues. While the law represents heteronomy, virtues are autonomy. Both ones work collaboratively to deliver real outcomes. Autonomy can be understood as the thoughts of political virtues, while heteronomy can be understood as the thoughts of punishment. *Kong-Zi Jia Yu* includes systematic discussions on the thoughts of punishment.

Firstly, clarifying the conditions to administer punishment is the foundation for implementation. Why was punishment created and what is its ultimate goal? The root cause of the creation of punishment can be clearly identified in *Kong-Zi Jia Yu*: it is people's unlimited indulgence and desire. Rites and laws are implemented to control people's indulgence and desires. That is, the root cause for the emergence of punishment lies in the need to limit people's desires and teach them to tell the difference between good and evil, follow the way of nature and guide them to be good. The ultimate goal of administering punishment is to guide the people to be good. In "Explanation of the Five Punishments", Confucius explicitly points out that sages developed punishments not to put citizens into jails but to discourage them to do wrong things and to better guide them to be good, that is, to reach the ultimate level of being good citizens. Similar records can also be found in "The Politics of Punishment":

[...] sages who govern their states and enlighten their people must combine punishment with politics. The best solution is to educate people with morality and correct them with rites; what follows is to guide them with politics and forbid them with punishment" (Adams, 2019, p. 11).

That is, the most preferred solution for sages who govern states is to educate the people with moral conducts; if their evil-doing thoughts are not eliminated through education, then forceful measures like punishment can be adopted to improve their conducts.

Secondly, observing the principles of administering "punishment" is the key to the implementation process. Specifically, there are four points to be noted: "administering punishment only after education", "pardoning the suspect in case of suspicion (of the case)", "incorporating senses into consideration", and "discussing the sentence in a collective manner". There are five step-wise scenarios relating to the principle of "administering punishment only after education": first, the implementer should lead by example; second, sagely talents should be appointed to educate the people; third, incompetent people should be dismissed; fourth, strict decrees should be issued to deter wrongdoings; fifth, punishment can only be administered if the public refuse to comply with education. The rule of "pardoning the suspect in case of suspicion (of the case)" explicitly indicates that collective discussions and trials are needed in case of suspicious cases, and if the case is in question for all, then people involved should be acquitted of the charge. Even if there is definitive evidence in a trial,

the rule of "incorporating senses into consideration" requires the judge to measure the case from perspectives of parental-son or monarch-minister relationship instead of making an arbitrary judgment. For example, "First Punishment" records that when Confucius served as Sikou in Lu state, he ordered the father and son who were litigant and defendant in the trial not to "separate for three months", eventually causing the father to drop the lawsuit after considering the kinship of the family. In the chapter of "Giving Rein to Thoughts", Jigao enforced the law impartially and did not cause resentment even though harsh punishment was administered in the face of the great duty between the monarch and the subject and his own merciful thoughts. In general, all these cases revolve around the essential point of exploring the "original senses" (Park, 2018, p. 2). In the chapter of "Loving Life", Confucius maintained a highly cautious attitude to discuss with others about the potential sentences when he served as Sikou, reflecting the idea of being cautious in administering punishment. As can be seen from the above four examples, Confucius had developed a rather sophisticated system of thoughts on punishment, and the principle of "pardoning the suspect in case of suspicion (of the case)" is still implemented in the present-day Criminal Procedure Law.

2.3 STRENGTHENING THE LITERACY CONSTRUCTION OF RURAL GRASSROOTS CADRES

Therefore, the greatest benevolent person depends on his or her lover, the greatest wise person depends on his or her knowledge of the wise, and the greatest virtuous politician depends on his or her official abilities. In The Analects of Confucius, Confucius argues that when monarchs make selections of officials, they should know people well and select the wise and capable. In the governance of the country, it is very important to carry out the construction of official literacy. In modern rural areas, relevant policies and regulations formulated by the state need to be implemented by rural grassroots cadres. Leading farmers to common prosperity is also an important work of rural grassroots cadres. Therefore, improving the quality of grassroots cadres in rural areas is of great practical significance for rural governance.

Firstly, the improvement of the moral level of rural grassroots cadres must be promoted. In the "Confucius Family Language", it is believed that, in selecting political talents, the moral quality of the other party is the first element to be examined, followed by their intelligence. Rural grassroots cadres should strictly demand themselves, improve their moral standards and play a leading role for the villagers. A cadre with high moral character has high credibility. At present, some cadres, based on their own interests, spend a lot of time on "attracting investment" and fail to consider the villagers' actual needs, which is a manifestation of the low moral level of rural grassroots cadres. Rural grassroots cadres should actively improve their professional ethics, do practical work and not slack off. In specific affairs, it is necessary to be good at listening to the villagers' opinions and suggestions, understanding their actual needs, in order to gain villagers' trust.

Secondly, the improvement of professional abilities of rural grassroots cadres must be done. Its capabilities include multiple aspects, including developing the collective economy and formulating policies. Rural grassroots cadres should be committed to public management and ensure that villagers receive good social and public services. The professional abilities of grassroots cadres have a significant impact on the construction of rural areas. At present, some cadres are unable to handle the practical contradictions in rural construction and are unable to take action in the face of the villagers' relevant demands. In management and service work, grassroots cadres also need to understand the people's situation in order to formulate policies and systems suitable for local development, solve historical problems, meet the villagers' needs and usher in better market development opportunities.

Finally, a scientific performance evaluation mechanism for grassroots cadres should be constructed. There are currently two main criteria for assessment, namely gross domestic product and social stability. Under the influence of this assessment standard, grassroots cadres may exhibit some short-sighted behaviors in the specific work process. This phenomenon is not only detrimental to the long-term development of new rural construction, but also has a negative impact on the construction of new rural areas. Therefore, it is necessary to improve the standards for performance evaluation of grassroots cadres, incorporating ethics, service capabilities, etc. Periodic assessments have a positive promoting effect on the improvement of the quality of grassroots cadres and are also conducive to cadre supervision. Fu Jidong's orthodox method, Meng Chun's discussion of officials, is the key to governing the country.

CONCLUSION

In his work *History of Chinese Political Thought*, Xiao Gongquan categorized Confucius's teachings as "governance and statecraft". As one of the carriers of Confucian thoughts, *Kong-Zi Jia Yu* also includes plenty of wisdoms about "governance and statecraft". Although these thoughts inevitably have certain drawbacks in the present-day context, the "way of governance", advocated by Confucius, still bears great vitality. For example, Confucius's emphasis on the importance of the people has been systematically and creatively developed today. In his meeting with the Italian House Speaker Roberto Fico, General Secretary Xi Jinping promised to "give up the self to serve the people". The people serve as the most crucial foundation for the governance of the CPC party. CPC members have always made the people's stance its fundamental one, and the idea of people-first is the core of the value and the essential principle of the theoretical achievement of Marxism in China. Additionally, General Secretary Xi Jinping repeatedly cited the famous line that "what matters is not the dignity of your position but inequality of distribution" to stress the special implications of political virtues. The above examples both indicate the important reference value of advancing the political construction of the party. Further, when presiding over the collective learning

of 18th CPC Central Committee Political Bureau, General Secretary Xi Jinping stressed that "under new historical conditions, it is imperative to combine the rule of law with the rule of virtues to implement the rule of law construction in China. So that we can ensure the mutually complementary, promotive effects of the rule of law and the rule of virtues in state governance". This nicely echoes to the solutions of the morality of rites and politics of punishment proposed by Confucius, providing a new route and ideas for the adherence to the governance by the rule of law. In the actual process of rural construction, we should strengthen the quality construction of rural grassroots cadres, improve their moral level and professional ability, and improve the performance evaluation mechanism for grassroots cadres. The "Confucius Family Language" provides some ideas for current rural governance.

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