Abstract
In my paper I bring out two topics from the ancient Chinese political philosophy. (1) Non-action (wúwéi) that was required from the ruler in the Legalist and Huang-Lao tradition (e.g. Han Feizi, Huainanzi) and was incorporated into the mainstream of political philosophy (e.g. Confucian Dong Zhongshu); (2) care of the people and especially of the needy, that is also required from the ruler, and was stressed mainly in the Mohist and Confucian traditions. From these two ideas I hope to get some “refreshment” for our contemporary political philosophy, and I consider them as logical extensions of democracy. On the other hand, I argue also that the traditional conception of non-acting ruler in the Legalist context should be modified with the Western ideas of the separation of powers and transparency of government; and even that this modification would be more consequent and realistic also in terms of the original Chinese idea itself.

Keywords: wúwéi, democracy, care, Confucianism, Daoism, political thought

Introduction
In very powerful and beautiful terms, it is brought out in the treatise on music Yuèjì 樂記 in the Book of Rites Lǐjì 礼记 that the two basic principles at work in the society (and in fact, in universe in general) are differentiation yì 異 and integration tóng 同 that are associated in that text with, respectively, rituals and music: the rituals help to keep and mark the necessary social distinctions, and music helps to hold the society together, by unifying and harmonizing minds and aspirations (but without uniformisation!). They are obviously related: real differentiation is possible only in the context of cohesion (otherwise the differences fall apart), and cohesion can only be maintained through distinctions (otherwise it will become an amorphous mass). This defines the capacity or potential of a society or a community. Having this in mind, the following treatment could be stated in the following terms: how to make it so that the society would give the maximum of differentiation and integration, how to maintain and enhance its potential?
Non-action (*wúwéi*)

It might sound strange that the legalists, who are said to be the founders of totalitarian state ideology and autocracy, actually try to efface the ruler, i.e. efface the influence of his/her (actually, in that historical setting “his”) personal characteristics on the government, and to reduce him solely to the position of the ruler: he should be the only one to issue orders, as well as rewards and punishments; he should figure as the ultimate basis of social order – but he should not initiate anything by himself; he should only receive propositions from lower positions and manage these propositions. I.e. he should not produce, but select.

All this makes perfect sense in the theory of the legalist philosopher Han Fei (ca 280-233 BC): if the ruler would start to produce orders by himself, he would show off his preferences and ideas; in that case the ministers can accommodate themselves accordingly, win ruler’s confidence and start to issue orders. In this way they usurp the ruler’s power and will sooner or later overthrow him.

Hence the saying: “The ruler must not reveal his wants. For, if he reveals his wants, the ministers will polish their manners accordingly. The ruler must not reveal his views. For, if he reveals his views, the ministers will display their hues differently.” Hence another saying: “If the like and hate of the ruler be concealed, the true hearts of the ministers will be revealed. If the experience and wisdom of the ruler be discarded, the ministers will take precautions.” Accordingly, the ruler, wise as he is, should not bother but let everything find its proper place; worthy as he is, should not be self-assumed but observe closely the ministers’ motivating factors of conduct; and, courageous as he is, should not be enraged but let every minister display his prowess. So, leave the ruler’s wisdom, then you will find the minister’s intelligence; leave the ruler’s worthiness, then you will find the ministers’ merits; and leave the ruler’s courage, then you will find the ministers’ strength. In such cases, ministers will attend to their duties, magistrates will have definite work routine, and everybody will be employed according to his special ability. Such course of government is called “constant and immutable” (Han Fei, 1959, chapter 5).

故曰：君無見其所欲，君見其所欲，臣自將雕琢；君無見其意，君見其意，臣將自表異。
故曰：去好去惡，臣乃見素；去（舊）〔智〕去（智）舊，臣乃自備。故有智而不以慮，使萬物知其處；
有（行）〔賢〕而不以（賢）〔行〕，觀臣下之所因；有勇而不以怒，使群臣盡其武。是故去智而有明，去賢而有功，去勇而有強。群臣守職，百官有常，因能而使之，是謂習常。
So, at least in theory, government’s policies should not depend on the whims of the ruler or tyrant, as we are wont to imagine it in case of both distant and recent tyrannies – quite the contrary. The ruler should be the least whimsical and overbearing person in the state (and it is in his own best interest to be so, lest he will be threatened by a coup).

Again, whereas Daoism is usually associated with personal freedom, it might seem strange at the first glance that the daoist idea of non-action (wúwéi 無為) and the so-called “vacuity” of the person are incorporated into the theory of a totalitarian state – and not as an accidental addition, but as the essential and central piece of it.

Hence the saying: “So quiet, it rests without footing, so vacant, it cannot be located.” Thus, the intelligent ruler [míngjūn 明君] does nothing [wúwéi 無為], but his ministers tremble all the more. It is the Tao of the intelligent ruler that he makes the wise men exhaust their mental energy and makes his decisions thereby without being himself at the wits’ end, and that he makes the worthy men exert their talents and appoints them to office accordingly without being himself at the end of his ability, and that in case of merits the ruler gains the renown and in case of demerit the ministers face the blame so that the ruler is never at the end of his reputation. Therefore, the ruler, even though not worthy, becomes the master of the worthies; and, even though not wise, becomes the corrector of the wise men. It is the ministers who do the toil; it is the ruler who gets the spoil. This is the everlasting principle of the worthy sovereign (ibid).

故曰: 寂乎其無位而處,漻乎莫得其所。明君無為於上,群臣竦懼乎下。明君之道,使智者盡其慮,而君因以斷事,故君不窮於智;賢者勑其材,君因而任之,故君不窮於能; 有功則君有其賢,有過則臣任其罪,故君（子）不窮於名。是故不賢而為賢者師,不智而為（上）智者正。臣有其勞,君有其成功,此之謂賢主之經也。

Now the reason is clear: the ruler must be non-acting, because any action would induce ruse from the part of the ministers and as there are many of them, some of whom are surely more intelligent than the ruler in certain respects, then the ruler will inevitably succumb to them.

Of course, the non-action does not mean inaction, but only that the ruler does not act by himself, as is stated in “The Ruler’s Techniques” chapter of the Huainanzi:

Non-action does not mean [that the ruler] froze and was inert but that nothing any longer emanated from the ruler personally (The Huainanzi, 2010, p. 320).

無為者, 非謂其凝滯而不動也, 以其言莫從己出也。
So, at least in principle, this system is not conceived as a “top down” kind of governance, as any totalitarian regime is usually considered to be, but “bottom up”. Whereas for Han Fei this “bottom” is usually the ministers or at least officers, it is enlarged by Huainanzi to the whole people, where it is said that the ruler uses

the natural propensity of the people as his carriage and the wisdom of the people as his horse (The Huainanzi, 2010, p. 307).

Or again:

If one uses the knowledge of many people, there is nothing that cannot be undertaken.
If one employs the strength of many people, there is nothing that cannot be overcome (The Huainanzi, 2010, p. 309).

Yao, Shun, and Wu were not as capable as [their] nine, seven, and five assistants in any single task, and yet with hanging robes and folded hands, they achieved perfect merit because they excelled at availing themselves of the natural abilities of others (The Huainanzi, 2010, p. 447).

So the ideal ruler would be like a facilitator who only brings together different initiatives coming from the grass-roots level, and who pools from the collective force and intelligence, without himself being strong or wise (in the sense of a specialized knowledge). The ruler receives the initiatives, and gives them form and consistency by issuing orders.

As one man in physical strength cannot rival a multitude of people and in wisdom cannot comprehend everything, using one man’s strength and wisdom cannot be compared with using the strength and wisdom of the whole state. (Han Fei, 1959, chapter 48)

As refreshment for our contemporary political thinking, we could take from these sources the idea of a “bottom up” management, where the leader’s task is not to impose, but to respond to the propositions of the members of a community. Its practical implementation requires additional considerations to which we will come back below. But in general this line of thought could be linked to the growing importance of communitarian self-organizing movements (like the Occupy! movement, to mention just one) and open some new theoretical resources for them.
Care

The non-action of the “vacuous” leader brings us to the next point: this kind of facilitation is necessary also because otherwise it is as in the old days when

The strong oppressed the weak, the many violated the few, the clever deceived the ignorant and the brave dispossessed the timid, those who possess knowledge did not impart it; those who accumulated wealth did not distribute it. Thus the Son of Heaven was established in order to equalize them (The Huainanzi, 2010, p. 769).

為天下強掩弱,眾暴寡,詐欺愚,勇侵怯,懷知而不以相教,積財而不以相分,故立天子以齊一之。

By these means, they clothed the cold and fed the hungry, nourished the old and infirm, and gave respite to those wearied from their labours (Ibid.).

所以衣寒食饑,養老弱而息勞倦也

So, in general, the facilitation by the ruler is necessary for care, and it is done by diminishing inequalities (in strength, wealth and knowledge) and providing the needy (widows, orphans, young, old, disabled and sick). The need for a generalized care or “love” is an old idea in the Chinese philosophy, being one of the central issues of Mozi who propagated the idea of “universal love” or “general care” (jiān’ài 兼愛). He originated the lists as the one cited from the Huainanzi. For example,

When nobody in the world loves any other, naturally the strong will overpower the weak, the many will oppress the few, the wealthy will mock the poor, the honoured will disdain the humble, the cunning will deceive the simple. (Mozi, 1929)

天下之人皆不相愛, 強必執弱, 富必侮貧, 爲必敖賤, 詐必欺愚。

This idea is very strong also in the Confucian tradition, where the ruler is made responsible for the well-being of the people. For instance, in the Lǐ Yùn 禮運 chapter of “The Book of Rites” (here obviously influenced by mohism, but rephrased in Confucian terms) we have:

When the Grand course was pursued, a public and common spirit ruled all under the sky; they chose men of talents, virtue, and ability; their words were sincere, and what they cultivated was harmony. Thus men did not love their parents only, nor treat as children only their own sons. A competent provision was secured for the aged till their death, employment for the able-bodied, and the means of growing up to the young. They showed kindness and compassion to widows, orphans, childless men, and those who were disabled by disease, so that they were all sufficiently maintained. Males had their proper work, and females had
their homes. (They accumulated) articles (of value), disliking that they should be thrown away upon the ground, but not wishing to keep them for their own gratification. (They laboured) with their strength, disliking that it should not be exerted, but not exerting it (only) with a view to their own advantage. In this way (selfish) scheming were repressed and found no development. Robbers, filchers, and rebellious traitors did not show themselves, and hence the outer doors remained open, and were not shut. This was (the period of) what we call the Grand Union (Li Ki, 1885).

大道之行也，天下為公。選賢與能，講信修睦，故人不獨親其親，不獨子其子，使老有所終，壯有所用，幼有所長，矜寡孤獨廢疾者，皆有所養。男有分，女有歸。貨惡其棄於地也，不必藏於己;力惡其不出於身也，不必為己。是故謀閉而不興，盜竊亂賊而不作，故外戶而不閉，是謂大同。

We see that some basic ideas of social welfare have been outlined here: pension system, child benefit, medical care, measures against unemployment and homelessness. One of the motivations for this was the theory of the “mandate of Heaven”, originally proposed by the Zhou rulers in order to justify and legitimize their overthrowing of the Shang dynasty that was said to have lost the “mandate”. But if it is given, as Mencius says, that “the Heaven does not speak, but shows itself through behaviour and actions, and nothing else” (天不言，以行與事示之而已矣 5A5, my translation), then how do we know who has the mandate? Mencius’ influential answer is that “The Heaven sees through the people, the Heaven hears through the people” (天視自我民視, 天聽自我民聽, ibid., my translation) – “Heaven” would be like an emergent property of the people. So after all, at least in principle, it is not so different from democracy, where it is also the people to decide whom to appoint as governors. And in historical perspective this theory was even more advanced than any form of democracy in the West before the 20th century, because the classical Greek democracy concerned only a small part of the population (financially independent free male non-foreigners), but in China no limitations were put to who the “people” were (of course, they were not considered individually, as in Greek polis, but collectively as “the people”). So, in China there was the possibility that if the ruler did not care about the common people, he faced a legitimate coup d’état. Rulers have been overthrown everywhere in the world, but what is specific about China in this respect, is that there was available this strong ideological backing for regicide – it would not be a crime, but a lawful punishment:

He who outrages benevolence is called a robber. He who outrages righteousness is called a ruffian. The robber and the ruffian we call a mere fellow. I have heard of the putting to death of the fellow Zhou1, but I have never heard that this was assassinating a ruler (Mencius 1895, 1B 8, translation modified).

賊仁者謂之賊, 賊義者謂之殘, 殘賊之人謂之一夫。聞誅一夫紂矣, 未聞弑君也。
The problem with the theory of the “change of mandate” (gémìng 革命) is that it prescribes the possibility of the change of dynasty, but does not specify the means how to do it. Therefore, in practice this has always involved violence – rebellion, war, assassination.

Generally speaking, human relations were supposed to be reciprocal (it became crystallized in the theory of “five human relations”). Ministers and people had to be loyal to their ruler, but on the other hand the ruler had also duties towards them. And if one does not fulfil one’s part in the relation, it puts into question both the relationship itself and the person’s position in it. Being a ruler and being a subject is a relationship and it must be maintained. It is not one-sided and it is not static, a once-and-for-all link (based on some irrevocable divine right), but in principle it requires active maintenance from both sides. Even the ruler can lose his name and place in this way, as we saw from the previous citation of Mencius.

So, benevolence and righteousness were supposed to be part of the ruler’s definition, so to say. As the leader of the whole community or of the “all under heaven”, he was responsible for the wellbeing of every member of it. As Michael Nylan puts it (2001, p. 185):

the scope of prescribed government is enormous by modern Euro-American standards, for the Zhouli depicts a state directly responsible for the physical, mental, and moral well-being of even the least of its subjects, and consequently for supplying their most basic needs, including security, employment, and education. For the very young, the aged, the infirm, and the incapacitated there was to be full welfare relief. In return, the state’s subjects must work hard for the community good or risk exclusion from important ritual activities.

Besides the Zhōuli 周禮 that we cited before, we can find illustrations to these words in a vast scope of literature; for instance in “Governing through Family Reverence” section of “The Classic of Family Reverence” (Xiàojīng 孝經):

Those who would bring proper order to the vassal states would not presume to ignore the most dispossessed, how much less so the lower officials and common people. Thus the various families all participated wholeheartedly in their service to these former lords (Rosemont and Ames, 2009, p. 109).

治國者，不敢侮於鰥寡，而況於士民乎？故得百姓之歡心，以事其先君。

Compare with the Huainanzì:

When the ruler levies taxes on the people, he must first calculate what the harvest will bring in, weigh what the people have in storage, and find out, [in anticipation of] abundance or dearth, the numbers of people who have a surplus or a shortage. Only after this should he use [tax revenues to pay for] chariots, carriages, clothing,
and foot to satisfy his desires (The Huainanzi 2010, p. 328).

人主租斂於民也。必先計歲收，量民積聚，知饑饉有餘不足之數，然後取車輿衣食供養其欲。

Or chapter 20 of the Guanzi:
Start with taking good care of your people (Guanzi, 2005, p. 517).

始於愛民

Be kind to the people and help the poor; relieve forced labour and respect the common people (Guanzi, 2005, p. 519).

慈於民，予無財，寬政役，敬百姓

These by no means exhaustive examples show the importance of the idea of social care in the Chinese political philosophy. This is a largely shared view of social organization shared by otherwise very different thinkers. This theme seems to be far better articulated in the Chinese tradition than in the Western philosophy, where ancient philosophers were more concerned with personal virtues and how they could enhance the community, than with the measures of social welfare, and where in the Middle Ages the question was more often seen through the religious perspective and handled by the Church, not civil authorities (reducing the comprehensiveness of social welfare due to limited resources and because it was not an aim in itself). Of course, the realities in ancient China might be very different from the theory, but we should also not underestimate the role of professed ideology in influencing behaviour, or the capacity of this theory to renew our modern ideas about society.

**Refreshment**

In what precedes, I brought out two important topics of ancient Chinese political philosophy, namely non-action and care. In the recent couple of decades the latter aspect has been strongly eroded in Western societies due to the neoliberal ideology: it has been a general tendency globally, and especially pronounced in ex-communist countries like Estonia. Henry Rosemont, among others, has argued for the importance of the aspect of care that cannot be reduced to laws and regulations (2012, see also Rosemont and Ames 2009, p. 30-31). If it is not for the sake of its people – and every one of its members – then for what would a government exist? For the good functioning of democracy it is vital that the members of a society should be able to develop their different capacities as much as possible and relate to each other in
many different ways, and the first goal is to prevent the most basic material limitations from impeding this diversification (so, it could be argued that basic food, clothing and dwelling should be guaranteed to everyone). It is necessary to bring the topic of care back to the foreground of political discussions. The idea of care as essential takes our common conceptions of democracy one step further: by showing that we must take care of the basic needs of the members of our society, in order to make the society more diversified, it indicates the way how to make democracy ever more meaningful. And more fundamentally, if mutual trust and solidarity become too scarce, then democracy will degenerate into strife and violence. This solidarity can have no a priori limits, and must concern each member of a society, and extend even further to other creatures, as much as possible. In this sense care could be conceived as an ontological demand for human societies.

What concerns the first aspect, non-action, then our common Western ideas of governing are imbued with the ideas of activity and giving orders; the modern prime ministers and presidents continue the sovereign power of kings and queens in a diluted and divided manner, of course, but there are continuities in background assumptions and in the use of metaphors. According to one influential metaphor, the government commands, gives orders and directs like a shepherd that drives his “herd”; and the people are expected to follow like sheep. These ideas and metaphors are not very democratic. Democracy would be closer to the situation where the initiatives (at least in the most important matters) come from the level of common citizens, and where these initiatives take form with the help of politicians-facilitators rather than where they are imposed from the top by politicians-shepherds. Democracy should be, as the name says, the “rule of the people”; and not merely delegating this power to “representatives” (deputies and ministers) who then can decide and act like modern diminished versions of monarchs, kings, emperors and tsars, with the difference that (1) there exists a plurality of mini-monarchs; that (2) their rule is subjected to time-limit, after which new pluralized “monarchs” are elected (or the same ones reinstated), and that (3) there exist more, and more regular, measures to end this mandate prematurely than in the case of traditional monarchs.

Perhaps we could conceive of the government, at least as an experiment, not so much in “animal” terms of directing, commanding and acting, but more in “vegetative” terms of natural growth and harmony with environment, and “non-acting”. So that the politicians would be understood not so much as agents and actors of the political scene, but rather as non-agents practicing non-action in the sense of wúwéi (like plants growing and regulating their life-processes). That they would not impose commands, but rather receive initiatives from others, and mediating different groups of society (and not just representing one part of it, as is the case with parties, that tend to take a partial view of society, as the etymology implies) and help to formulate their
ideas. Politician not as a shepherd of the community, but as a mediator, with no “self-being” other than the supreme capacity not to impose him/herself, but to “withdraw” one’s self, in order not to distort the reality that one meets constantly. If one is selfish and partial (sī 私), “acting” from one’s own mind, then this person’s view of reality is one-sided, lopsided, and restricted. Instead, if one is communal-minded (gōng 公), and “non-acting”, then his or her view of reality is more comprehensive, global, and less distorted.

Even if we consider it utopian to be actualized fully, it might still be helpful to be aware of this alternative understanding of doing politics or acting in general.

**Separation of powers**

Of course, also the traditional ideas of wúwéi and care as presented above require updating to the modern context. First of all, there is the problem of monarchical setting. It was argued that the ruler should be void and non-acting. But what guarantees that he will comply? What if the ruler was unwilling to be “non-acting” and “void”? If he initiates actions by himself, without paying heed to ministers or people? Of course, the theory predicts that he will be overthrown. But what if he resisted, however desperately, by violent means? Even if he eventually is overthrown, it would still have cost many lives, especially those who first opposed him; and it is not evident that the opponents would succeed in the end.

For this reason the legalists devised the laws (fǎ 法), from which that school derives its name (Fǎjiā 法家). The laws should be fixed, strict and common to all subjects.

Therefore, the intelligent sovereign makes the law select men and makes no arbitrary promotion himself. He makes the law measure merits and makes no arbitrary regulation himself (Han Fei, 1959, chapter 6).

If the ruler neglects laws and prohibitions, indulges in plans and ideas, disregards the defence, works within the boundaries and relies on foreign friendship and support, then ruin is possible (Han Fei, 1959, chapter 15).

A sage sovereign will unify the regulations to build up the guidelines and then he will stick to them firmly, so all orders he issues will be carried out. The law should be a fixed rule for the world and also serve as guidelines for everything (Guanzi, 2005, p. 1311).
But laws are not sufficient in checking the power of the ruler, if there is no independent institution that keeps an eye on whether and how the laws are being followed. And this judicial institution would be senseless, if there would not be a yet another independent institution that makes these laws. So we would end up with the tripartite division of power as in the Western political philosophy.

This kind of solution would also be better suited to achieve the goals that the legalists themselves set for themselves (rule by law, eschewing chaos). It would be better if the place of the monarch is literally empty, with no single person covering it completely, and if different aspects of power are separated and distributed, as in the classical tripartite division between democratic branches of power – legislative, executive and judiciary – and its further ramifications. These fragments of power are supposed to balance each other and although this balancing is often represented in the European tradition through agonistic metaphors of strife (“political struggle”), it could be said that in this manner the power would be more perfectly “vacuous”, “non-acting” and even “harmonious” than the monarchic version. If the different actors in this fragmented field would be non-acting and engaged in facilitation, then the strife and struggle would not mean laceration of the society.

So we could say that the Western idea of the separation of powers helps to take the traditional Chinese idea of non-acting government one step further and make it even more realistic and coherent. In the monarchic setting the politics of non-action does not work as well as in the democratic setting. Monarchy was just the only political system those old Chinese philosophers were familiar with.

Transparency

Secondly, we saw that the idea of a non-acting ruler for Han Fei was tightly connected with secrecy. Secrecy is one of his “eight canons” (1959, chapter 48). The ruler must keep his preferences and ideas secret, because if the ministers find them out, they would inevitably start to usurp his power.

If the ruler reveals his hate, ministers will conceal their motives; if the ruler reveals his likes, ministers will pretend to talent, and if the ruler reveals his wants, ministers will have the opportunity to disguise their feelings and attitudes (Han Fei, 1959, chapter 7 “Two Handles”).

In a natural way this secrecy develops into secret police and the system
of mistrust and spying on each other. This is what inaugurates a totalitarian, oppressive and non-tolerant state system.

How to get rid of delicate villainy? By making the people watch one another in their hidden affairs (Han Fei, 1959, chapter 55, “Regulations and Distinctions”).

然則去微姦之〔道〕奈何？其務令之相規其情者也。

But if we have pluralized the position of the ruler and divided it between different branches and institutions (in fact, the separation is not limited to only three famous branches of democracy, but naturally prolongs into and is sustained by a great number of other institutions and also unofficial groups), then we need not be so preoccupied with the necessity of keeping the rigidly hierarchical system with the ruler on top, who is always preoccupied by the possibility of others usurping his position. If secrecy was devised for the ruler to preserve his unique position and if we have no such unique position any more, then the secrecy becomes superfluous. In fact, the contrary would be warranted, i.e. maximum transparency for the operation of the most vital political institutions – to keep them from eroding on each other, to readjust imbalances and enhance mutual communication.

Of course, transparency by itself is not sufficient, because it is not possible for the political agents to know the functioning of their own psyche, or it requires greater effort than most of them are willing to perform. The consequence is that they are not able to choose adequately between different sources of information and are liable to all kinds of PR or other manipulations that operate on the affects and emotions. There has to be some internalized morality from the part of the “facilitators”, some real vacuity. Transparency enhances non-action, and vice-versa, non-action gives “groundless grounding” for orienting oneself in the transparent world.

**Strength and wisdom of the people**

It is a common ideological stance that the “rulers” (ministers, deputies, experts) are those who know how things are and how they should be, and also that only they have the force and energy to initiate reforms, changes, projects etc. In other words, that those on top are intelligent and strong. This establishes an elitist idea of society, which is more close to aristocratic and monarchic governments than to democracy in the true sense of the word.

The Chinese refreshment from wúwéi and the imperative of care would reverse this ideology, maintaining that it is the people who have the force and intelligence. The “rulers” are, and are allowed to be, stupid and weak, because their wisdom and strength should be situated on another level: on organizing and regulating flows of force and wisdom, not on that of the contents
of those flows (although, of course, it would not be possible to manage the 
flows without any knowledge about their contents). The politicians should 
stop pretending to be powerful and wise; they should receive their power 
and wisdom from others, and they should recognize it.

I leave open the question, whether the government and other institutions 
should act only in the mode of non-action, or use it as one of their main 
modalities of functioning. It is possible that they have both to act and to 
non-act – but again, this should perhaps better be done in the mode of non-
action.

Conclusion

We saw how two ideas from old Chinese political philosophy, non-action 
(wúwéi) and care can be used to take our common ideas on democracy one 
step further. Non-actions means that the main initiatives continually come 
forth from the people or the "grassroots level", and care means that the 
members of given community are able or more qualified to do so. These 
ideas could provide social movements and self-organized communities with 
an additional source for theoretical knowledge in order to understand and 
structure their activity. How these ideas could be related to the notions of 
"inoperativity" or "dissensus" and other ideas of some modern philosophers 
like Jean-Luc Nancy, Giorgio Agamben or Jacques Rancière, is a topic for 
further research.

On the other hand, the ideas of separation of powers and transparency 
can take the traditional Chinese political ideas one step further, according 
to the inner logic of those ideas themselves. Non-action is better maintained 
if the position of the ruler is not occupied completely by a single person, 
but when it is fragmented between different institutions and organizations. 
In that case transparency would be warranted instead of secrecy (as was the 
original Legalist idea) to maintain this situation of mutual balancing. This 
could contribute to our understanding of some aspects of ancient Chinese 
political philosophy, by showing that the Legalism actually need not end up 
in authoritarianism, but would actually lead into a democratic idea of the 
society, if we would change one critical variable, namely the monarchical 
setting; and this change itself could be seen as consistent with some basic 
Legalist assumptions (how to avoid the bad influence of the personal qualities 
of a ruler).

To conclude with, if we come back to the introduction, it could be said 
that by bringing more care into our societies we would reduce the gaps inside 
the society and by doing this we would enhance its cohesion and integration. 
And this integration would foster even greater differentiations, because people 
who are liberated from the greatest misery and poverty can actualize their
potentials and contribute to the society in a more diversified manner. This inner plurality, i.e. multiplicity of different relations between members of the society, would in turn integrate the society in a more strong and complex way, which again gives room to new differentiations, in a virtuous circle of the growth of power or enhancement of potentiality.

References

Notes

1. Especially if the population is big – an argument found both in HFZ § 49 and HNZ 8.3. The influence of the numbers on social organization is also discussed in modern anthropological literature, see for instance Clastres 1974.

2. Literally: “If nobody in the world would love each other”.

3. “Public and common” = gōng 公 (as opposed to “partial” sī 私). About these terms, see Liu, 2006.

4. The last ruler of Shang dynasty, overthrown by the Zhou (a different sinogram) dynasty. He was accused of utmost immoralism and inhumanity.

5. In contemporary Chinese this word has been adopted for translating the word “revolution”.

6. I prefer these translations to those of Rickett who has “Begin with demonstrating your love for the people” and “Be merciful to the people and give to those without resources. Liberalize your government conscription and respect the hundred surnames” (Guanzi 1985, pp. 328 and 329).

7. Plato gave form to this metaphor in his Statesman (1997, pp. 294-358). Later it was strengthened with religious “pastoral” connotations.

8. I am not arguing against political parties; rather I propose that political parties – especially if they form the government – should not take a partial “the winner takes it all” attitude, but work for the common good, consulting with other parties, and hearkening to the initiatives from the people.

9. See supra, note 3.

10. The same metaphor of “balance” is used in the Legalist context, but in that case the ruler himself should be like an ideal balance, perfectly unbiased and capable of giving the correct and objective response in every situation. It is doubtful whether any real person could achieve this.

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