Analysis of Political Legitimacy in Feudal China from Weber's theory

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Abstract. Traditional legitimacy reveals one of the features of Chinese politics: super politics. This is mainly reflected in Chinese politics as the system of "the same structure of the clan and country", and this structure led to the domination order in feudal China. This ruling order was also shaped and maintained by Confucianism through the cultivation of traditional morality. According to charisma legitimacy, the emperor had such a mandate, and this came from and led to his successful governance. Legal-rational authority uncovered the feature of political ethics. The most representative point of Chinese political ethics operating in the decision-making process is the feudal hierarchy, manifesting in various etiquette or laws. There were also rational and legal elements in the bureaucracy indirectly. Based on the tradition of feudal China, politics need to symbolize and mark the legitimacy and ensure the legitimacy of the imperial regime.

Keywords: Political Legitimacy, Feudal China, Weber, Confucianism.

1   Introduction

The paper applies Weber's framework of legitimacy as a springboard to analyze ancient China, where feudalism dominated social formation from 221 B.C., when the First Emperor of Qin built the authoritarian centralization, to A.D. 1912, when the Qing dynasty collapsed. The legitimacy of the governance comes from a combination of legal-rational, traditional, and charismatic grounds, with the traditional powers perhaps exercising a more stabilizing influence than others. Also, we may observe an alternating but ceaseless charismatic authority, and the legal-rational is more relevant to tool rationality hidden in the institutional mechanism. Besides, legitimacy is not distinct from power and is one of the vital sources of power [1]. The idea of power, following Dahl and others, while adopting a 'compulsory' view of power, was defined as the ability of A to get B to do what A wants [2], and B chooses to obey when B follows the rules or order because he thinks it is intrinsically correct. The ability to know what is right intrinsically needs particular moral judgment. To shape moral judgment, Confucianism played its role in feudal China. Confucius, in his writings, touched on the problem of legitimacy and became one of the most prominent figures who made significant contributions to developing the political legitimacy of the imperial system in China [3]. Under the dominant influence of Confucianism, legitimacy building is related to and interacts

with the features of traditional Chinese politics: super politics, politics of tenderness, and ethics in politics.

2   Traditional legitimacy and super politics

2.1   Traditional order

Traditional legitimacy tends to reveal one of the features in Chinese politics: super politics, which refers to the phenomenon that politics permeates social life through the pattern of differential sequence and even continues to influence modern-day Chinese politics. As defined by Weber, the person exercising authority is "a personal master", and personal loyalty "determines the relations of the administrative staff to the master" [4]. This is reflected in Chinese politics as the system of "the same structure of the clan and country", performed as the emperor-subject relationship, is like the parent-son relationship. What's more, personal loyalty (zhong) to the emperor (tanzi) is like, even equal to, the filial-piety (xiao) to the parent.

Besides, this kind of same-structure relationship quickly led to the obedience order in ancient China. Weber describes obedience under the traditional authority as owed to "the person who occupies a position of authority by tradition or who has been chosen for it by the traditional master" [4]. The former situation regards the traditional source of power. The emperor engrosses the position of authority given by Heaven (tian) according to the traditional legend in ancient China. This legend was accepted and convinced by the broad masses through successive generations. This kind of traditional belief was strengthened by the constant preaching of Confucianism.

2.2   Traditional morality

The traditional ruling order was shaped and maintained by Confucianism through the cultivation of traditional morality. In ancient China, traditional morality was closely associated with political domination and basically influenced political legitimacy. The traditional moralities, benevolence (ren), righteousness (yi), courtesy (li), wisdom (zhi), and credit (xin), play a role in terms of people's conduct. These traditional moralities are also recognized as "age-old rules" to legitimize governance relations. In traditional Chinese society, people were convinced of this origin of authority, that the emperor was chosen and got the power by tradition. The obedience to traditional moralities was so devout and pious that the traditional legitimacy formed smoothly and sustained stably.

In ancient China, politics and morality were not one unity, and politics has never been kidnapped by morality, for the traditional morality of Confucianism was not doctrine. In other words, Confucianism was not a religion at all. However, some western political liberals mistakenly believed that "their cherished value of separation of church and state was also found in Confucianism" [5]. In Confucianism, "the supreme morality internalized as cultivation" (neisheng) should be divorced from "the supreme morality externalized as governance of virtue" (waiwang) [5]. On this view, Confucianism introduced a boundary between morality and politics. And also, as for the situation in feudal

China, the governance practice could offer a perspective to manifest and affirm Machiavelli's idea of politics being fundamental to morality. Chinese feudal politics was guided by Confucianism, which highlighted exercising governance through moralities.

However, even the representative of Confucianism, Confucius, still commended the death of an official called Shao Zhengmao to maintain the political order. This was not an isolated or extreme case, and for the emperor, using torture was a ceaseless thing. These facts proved that political responsibility sometimes required transgressing morality. However, to maintain the legitimacy of politics and the super politics based on such a massive net of relationship, the authority not only made the Confucian morality taught in people's minds but also needed to use rules and force in some situations, and these methods are becoming legal step by step.

3   Charisma Legitimacy and Politics of Tenderness

Like many emperors, charisma was not surprisingly a competent quality for an emperor. In pre-revolutionary China, the emperor's legitimacy was said to derive from the mandate of heaven (tianming). The concept of heaven was recorded in texts and bronze inscriptions, and the emperor was linked to heaven, which was some moral power of the cosmos [6]. On the one hand, proof that the emperor had such a mandate came from his successful governance. And this usually meant that charisma which was placed high expectations and turned out to be politics of tenderness. The son of heaven (tianzi), i.e., the emperor, was endowed with the divine power from heaven to coordinate human feeling (qing), rationality (li), and rule (fa) successfully. This is why the emperor was considered extraordinary and not accessible to ordinary people [4]. In other words, charisma was how well a particular emperor managed all the difficulties.

On the other hand, if the emperor were unsuccessful, that would be evidence that he did not have a mandate from heaven, in which case rebellion against him was justifiable [7]. As Weber pointed out, "in traditionalist periods, charisma is the great revolutionary force" [4]. It could be observed that there was a wise and enlightened emperor along with a fatuous and self-indulgent emperor, and this distinguishment was always strongly associated with "personal qualification and effectiveness" [4].

A reverse logic could also be presented here. When the Chinese analyze why another replaces one dynasty, people tend to blame the incompetence of the last emperor, thus leading to revolution. Further, those misfortunes, like defeats in war, droughts, floods, or astronomical phenomena, which would easily question and challenge his legitimacy and might even force his abdication, are supposed to be "the sign that he did not possess the requisite charismatic virtue" and thus illegitimate [4].

However, in the event of natural disasters in the dynasty governed by a wise emperor, the feudal regime relied on the mandate of heaven (tianming), and its legitimacy was doubted and challenged. Therefore, in addition to taking relief measures, the ruler would also have to maintain and strengthen the legitimacy of his rule through a series of political rituals such as issuing a decree, changing the reign title (nianhao), and offering sacrifices to the state. In other extreme situations, what is more, when the

governors lack legitimacy, they are overthrown in a revolution or must use brutal violence to put down popular uprisings [8].

As for the usual reign, an essential and valuable governing demand was that the emperor was required to be able to distinguish gentlemen (junzi) and villains (xiaoren), and treat them differently. This is similar to the way that Machiavelli stressed – the need to combine the beast and the man. Therefore, it was legitimate for the governor to do something like torture in certain situations, which was politically necessary but morally wrong [9].

The underlying logic is that morality is used to realize political legitimacy and projects. However, politics cannot be a means to fulfill morality. Meanwhile, deciding whether to use immoral ways requires the governors' capacity for observation and judgment. Thus, the emperor is strictly selected and educated. In the same way, he is needed to become the one who is legitimized with the most potent knowledge.

4   Legal-rational authority and political ethics

If charisma corresponds with value rationality, then legal rationality in ancient China matches with instrumental rationality, for there have been debates between Dao (rule of morality) and Qi (rule of punishment). It is widely believed that the rule of discipline according to law is underappreciated, which is usually considered an auxiliary tool for achieving the goal of domination. Thus legal-rational received less visibility implicit in the bureaucracy.

However, this also needs to include the feature of political ethics. Ethics is usually defined as moral principles that direct behavior and determine what is considered correct and wrong. Similarly, political ethics refers to moral judgments to guide action and decision-making methods for the public good. The feudal hierarchy is the most representative point of Chinese political ethics operating in the decision-making process (lizhi). Chinese feudal society is strictly hierarchical, and its hierarchy is marked by political status and power. That is to say, whoever has a higher official position will have a higher level. As the master of the state, the emperor was at the top of the feudal hierarchy, and the imperial power he owned was the core of this power. According to the principle by legalists, which is a virtuoso of legal thought, it is the legal position of the ruler rather than the ruler himself who holds the authority and power. From this view, the ruler should respect and follow institutional factors and is required to be able to practice nonintervention, non-action, and surrender to be able to allow for the institutional order in their rule.

To consolidate the hierarchy of the feudal society, the rulers proactively formulated various sets of etiquette or laws. For example, every feudal dynasty in China had to develop its written law code. Besides, etiquette can sometimes be more influential than the law because feudal China was a moral society. The feudal etiquette system, mainly used to distinguish the superior from the inferior, formed the norms of human relations. This system of etiquette eventually developed into a feudal bureaucracy system, partially based on the coincidence of social and political ties in feudal China.

However, there are rational and legal elements in the bureaucracy indirectly too. A stark example of legal-rationality authority is the hypothetically meritocratic element in the Imperial Examination System which refers to the procedure that a better score leads to a higher position. Another instance is the hierarchical administrative institution embedded in the Three Departments and Six Ministries System (SanShengLiuBuZhi). The Three Departments and Six Ministries System was initiated during the Sui Dynasty (581-618). Subject to some adjustments at different times, the system was employed by subsequent dynasties right up to and including the Qing (1644-1911). During the Sui Dynasty, the three departments were known as the Shangshu, Menxia and Neishi. The Shangshu Department was in charge of the administrative affairs of the country. The Neishi Department dealt with the issue of imperial orders. The Menxia Department handled the verification of orders and policies. The three boards restricted and oversaw each other. The senior official of each department was equivalent to Zaixiang, namely prime minister. Six Ministries referred to the six branches of the Shangshu Department. This could demonstrate the Three Departments and Six Ministries System used institutional mechanisms to restrict the exercise of political power and also provided an opportunity to balance the political power.

Regarding the code of written law, under the political and cultural tradition of the Mandate of Heaven revolution, coupled with the political and cultural factors such as the Five Virtues of the End of the beginning (WuDeZhongShiShuo), the three unification and three orthodoxies (SanTongSanZhengLun). For every new dynasty at the beginning of its establishment, the most critical problem to be solved is to prove the legitimacy of its regime. To verify the legitimacy and legitimacy of his regime, he had to try his best to declare to the people that the regime was given by heaven, in line with heaven's virtue and the country's integrity. As the Chunqiu Interpretation of the Gongyang Commentary on The Spring and Autumn Annals (Gongyangzhuan Zhushu) said: the emperor is ordered to move, transform the political system, change the "wear" and "color" of the dynasty, differentiate the instruments from the previous dynasty, and also make it clear to the heaven, not by people [10]. Since it is given by heaven, heaven sees the people and listens to them. The ruler should punish on behalf of heaven and formulate corresponding laws according to politics and society. It can be seen that, based on the tradition of ancient China, politics needed to symbolize and mark the legitimacy and ensure the legitimacy of the imperial regime. These are the reasons Chinese feudal dynasties thoughtfully formulated their written law code.

5   Conclusion

The combination form of traditional and charismatic legitimacy dominates legal-rationality legitimacy, which Confucianism influences. Under Confucianism constructing and maintaining political legitimacy, feudal China featured super politics, politics of tenderness, and ethics in politics. Tianzi (the emperor) is the heart of the Chinese feudal political power system, not only based on the traditional legend but also the need for political reality and the support of the ruling thought. Moral ideas will become vulnerable when facing an emperor with absolute power. The emperor ruled over tens of

thousands of his subjects, and his moral responsibility was undoubtedly massive. Although endowed with unparalleled charm, he still needs a firm grip on traditional authority. And Chinese feudal dynasties thoughtfully formulated their code of written law, even though there still needed more legal-rational authority. Feudal China has lasted for thousands of years. Those political features still influence the construction of politics in modern China.

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