The Erosion of the Spirit of Primitive Federalism of Confucianism

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Article

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Abstract: This study examines the evolution and eventual decline of the spirit of primitive federalism within Confucianism, tracing its trajectory from the time of the Duke of Zhou and Confucius to the significant reinterpretations by Dong Zhongshu. The Duke of Zhou's establishment of a confederation-like system and the "Zhou ritual norms" laid the groundwork for a political structure that embraced diversity and distributed power among states, reflecting a proto-federalist concept. Confucius's teachings continued this legacy, advocating for a return to the systems of the Duke's era, where both the central government and local states shared responsibilities and rights. The crux of this study lies within its fourth section, which narrates a tale of transformation happened under Emperor Wu of Han, where Dong Zhongshu distorted the original Confucianism and reinterpreted it as a centralized ideology. In Confucian theory, the shift involved the suppression of alternative philosophies, the establishment of Confucianism as the state's dominant ideology, and a reinterpretation of Confucianism that supported an centralized framework and cultural assimilation. In political practice, he re-envisioned the role of feudal lords as administrative extensions of a centralized government, effectively eroding local autonomy and shifting towards a unified, centralized system. Under the auspices of political authority, Confucian theory was transformed from a federalist theory promoting diversity, inclusivity and advocating decentralization, to one that legitimized a centralized and unified system.

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1. Introduction

For nearly two millennia, Confucianism has been a dominant philosophy in ancient China, often perceived to support centralized rule (Huntington 2002; Møllgaard 2015; Shi and Lu 2010; Spina, Shin, and Cha 2011). Yet, this has not always been the complete narrative. Certain academics suggested that Confucian principles could be instrumental in fostering a collaborative and communal approach to contemporary political systems, as well as in promoting non-hierarchical structures and self-governance (Bruya 2024; Fingarette 1972; Fukuyama 1995; Kallio 2016). The emergence of this discrepancy and lack of uniformity could potentially stem from the misinterpretations or alterations that early adherents of Confucianism encountered. Indeed, in its nascent stages, as exemplified by the Duke of Zhou (Zhougong 周公), the architect of the Zhou Dynasty (from 1046 to 256 B.C.), and Confucius (Kongzi 孔子) during the Spring and Autumn Period (chunqiu 春秋, from 770 to 481 B.C.), Confucianism introduced a proto-federalist concept. This concept aimed to embrace diversity and enable power to the populace at large, thus creating a political framework distinct from the centralized statist political structures that emerged later on. Duke of Zhou's establishment of a confederation-like system provided a structural foundation where individual vassal states or federal lords (zhuhou 诸侯) were granted significant economic, social and cultural self-governance within local community on the one hand; on the other hand, this whole framework was predicated on an universal federal consensus called the "Zhou ritual norms (Zhouli 周礼)" (Pines 2000, p. 282). As federalism is a combination of self-governance and shared-governance institutional arrangements in which the autonomy of the constituent units is protected by the law and paired with distributed

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rights and responsibilities (Elazar 1987; 1994; Falleti 2013; Karmis 2020; Watts 1998; 2005; 2011), we find that early Confucianism in fact supported a primitive form of federalism. Federalism, not only was reflected in the structure of power distribution, but also corresponded to a more normative understanding of politics (Elazar 1987; Hueglin 2019; Watts 1998), for its ability to embrace diversity, as noted by Kincaid (1995), while early Confucian thought demonstrated a similar inclination in this respect.

After Duke of Zhou, during the reign of King Xuan of Zhou (Zhouxuanwang 周宣王), the merging of rights and obligations between civilian group and the lowly group (guoye yiti 国野一体) marked a reconfiguration of treats among the various entities within a confederative paradigm (Hu 1985; Zhang 1998; Zhou 2019), observing the emergence of an early, quasi-federal system shaped through agreements. About 600 years later, Confucius, confronting the turmoil of the early Spring and Autumn Period, which was essentially a consequence of the militaristic expansion of emerging centralized states leading to widespread conflict, advocated for a return to the systems of the Duke of Zhou's era. He envisioned a revival of the devastated states, a resurrection of oppressed civilization, and a reversion to its pristine condition—a time when both the federal government (the imperial court of the King of Zhou) and the constituent states (the feudal lords), shared and fulfilled their respective duties and rights. Afterwards, as the fourth generation disciple of Confucius, Mencius (2010) engaged in a nuanced discourse on the interplay between the size of a state and the welfare of its governed populace. He put forth the idea of a small "quasi-republic" within a federalist system, echoing the principles championed by the Federalists 2000 years later in the American Revolution. It is interesting to find the early Confucian concept underscored a quite flexible approach, and the importance of balancing state governance with local autonomy and the well-being of the citizenry (Bruya 2024), which significantly differs from the stereotype of being a rigid, centralized ideology.

However, during the reign of Emperor Wu of Han (Hanwudi汉武帝) in the early Western Han period (Xihan西汉, from 202 B.C. to 8 A.D.), the philosophical discourse between two factions of Confucianism led to a distortion of the efforts made by early Confucian scholars (Wan 2016). The phenomenon philosophical debate actually mirrored the shifts in the political landscape occurring concurrently. The New Confucianism, championed by Dong Zhongshu (2012), re-envisioned the Confucian feudal state-building theory, casting the feudal lords as administrative extensions of a centralized and unified imperial government. This reinterpretation progressively stripped local authorities of their autonomy as community entities, reducing their role to mere managerial functions and effectively transforming China's nascent federalism into a unified, centralized system. This transformation was complemented by an extensive reformation of Confucian ideology and philosophy, including the amalgamation of Confucian interpretation with ideas from other schools of thought, the establishment of Confucianism as the dominant ideology through coercive measures, and the suppression of other philosophies. Additionally, there was an effort to demystify Confucianism by linking it to certain supernatural elements and to make Confucian theories accessible to the general populace. Post Dong Zhongshu's influence, Confucianism shifted from a federalist theory that fostered diversity and advocated for local decentralization, to a framework that reinforced a centralized and unified state, thereby diminishing and diluting the rights of the people. Originally conceived as a normative political framework promoting negotiation and compromise between central and local governance, Confucianism has been misinterpreted into a form of what Bauböck (2008) describes as "dark politics," characterized by forceful tactics and zero-sum game dynamics. This transformation has resulted in the intricate and often contradictory nature of Confucianism, as noted by Kim (2009, p. 49), where it serves as a source of symbolic weaponry for both authoritarian and democratic factions. The multifaceted interplay between Confucianism and modern political systems has been a subject of frequent investigation, and a challenging field of study (Fukuyama 1995; Spina, Shin, and Cha 2011).

In this study, we seek to narrow the focus onto the federalist elements inherent in the early stages of Confucianism, aiming to investigate and clarify the significant ideological transition from the teachings of Confucius to the later developments under Dong Zhongshu, thereby highlighting the rise and fall of an embryonic form of federalism. While parallels to this decline in early federalist thought

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have been drawn in Western historical contexts in the discussion about Herodotus and Thucydides by Ward and MacDonald (2009), such a decline has yet to be thoroughly examined within the Eastern cultural and political landscape. By examining this transformation, we can gain insights into the evolution of Confucian thought and its impact on the political and social structures of ancient China. It allows us to appreciate the dynamic nature of philosophical ideas and their adaptation to the needs of the state, as well as to recognize the inherent tensions between centralized authority and the pursuit of a more decentralized and inclusive form of governance. After the introduction part, this paper will be structured as follows: In Section 2, we delve into the role of the Duke of Zhou in aiding the establishment of the Zhou Dynasty's political framework, which was centered around a quasi-feudal system, and explore how this framework exemplified early federalist thought. Section 3 will detail Confucius's efforts to revive the institutions originally established by Duke of Zhou, in response to the rising tensions of inter-state conflicts. Concurrently, we will present the discourse on primitive federalism by Mencius, a fellow Confucian sage of the same era. Section 4 stands as the heart of the study, presenting content of remarkable innovation, where we will examine the internal schisms within Confucianism during the reign of Emperor Wu of the Han Dynasty, reflecting the political and ideological choices of that time. Within this context, we will highlight how Dong Zhongshu's theories emerged dominant, leading to a complete reversal of the influence of Confucian theory on federalism and the shift towards a more centralist and statist political ideology. Section 5 will provide the conclusion of this treatise, summarizing the transformation of Confucian theory in the very nascent of Chinese civilization. From a federalist perspective that fostered diversity, advocated for local decentralization, and encouraged civic engagement in governance (Bruya 2024), the later Confucianism has evolved to the opposite extreme, legitimizing a centralized, unified framework.

2. Duke of Zhou and Early Federal Fengjian System

The distinction of Duke of Zhou as the inaugural figure of early Confucianism is attributed to the fact that Confucius (1993, p. 25), the formal progenitor of Confucianism, explicitly acknowledged his intellectual lineage to Duke of Zhou, aspiring to reinstate the political order of Duke of Zhou's era, as evidenced by his declaration in *Eight Rows* (Bayi八佾) in *The Analects of Confucius* (Lunyu论语): "The rituals of the Zhou dynasty...How complete and elegant its rituals are! I follow upon Zhou". Duke of Zhou was the younger brother of King Wu of Zhou (Zhouwuwang周武王), the founder of Zhou dynasty which marks the third sovereign dynasty in Chinese history after Xia夏 and Shang/Yin商/殷. After King Wu of Zhou's three-year reign, his son, King Cheng of Zhou (Zhouchengwang周成王), ascended to the throne at a young age, leading to Duke of Zhou effectively governing the empire as regent from 1042 to 1035 B.C. The Duke of Zhou's significant contributions to the political architecture of the Zhou Dynasty were manifold, encompassing the widespread enfeoffment of states and lords, the establishment of institution of a ritual and music system (liyue zhidu礼乐制度), and the formulation of various laws and governance structures. In the aftermath of a rebellion during the early days of the empire, the challenge of governing the conquered territories became a critical issue. Historical precedents, such as the downfall of the Xia Dynasty by the Shang Dynasty and subsequently the Shang Dynasty by the Zhou Dynasty, were both largely due to the collapse of the feudal states that were meant to protect their respective capitals. For instance, in the waning years of the Xia Dynasty, states like Wei, Gu, and Kunwu (韦, 顾, 昆吾), and in the declining period of the Shang Dynasty, states such as Li, Yu, and Chong (黎, 邘, 崇), were pivotal since their being conquered led to the eventual collapse of their respective dynasties. As stated in *Hymns of Shang: Eternities* (Shangsong: Changfa商颂:长发) in *Classic of Poetry* (Shijing诗经) (Confucius 2008, pp. 722-723): "With Wei and Gu brought to servitude, Kunwu was quelled and Jie of Xia the brute."

This situation indicates that when local institutions are disempowered, they are insufficient to protect the entire political framework during times of crisis. Consequently, there is a need to investigate a system that effectively empowers local governments, enabling them to harness local resources and offer support to the central authority. Therefore, Duke of Zhou, initiated the policy of establishing fengjian system composed of fiefdoms, confederation-like states. He sequentially set up an array of states, within which "fifteen were ruled by his brothers, and forty others were of his same

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family Ji姬," as illustrated in *Zuo Commentary on The Spring and Autumn Annals* (Zuozhuan左传) (Zuo Qiuming 1990, p. 2035), creating a protective barrier for the royal court. The enfeoffment was carried out in a hierarchical manner. The Zhou emperor, as the principal authority of the realm, granted lands, peoples, and governance authority to his relatives and deserving officials. Those who received these fiefs were designated as lords (zhuhou诸侯); the zhuhous then enfeoffed their own relatives and high-ranking ministers, who were termed ministers (qingdafu卿大夫) and high officials. These ministers would, in turn, delegate further enfeoffments. This process resulted in a structured hierarchy comprising the emperor, zhuhous, qingdafus, and other officials (Wang 2001). Most of time, the lowest officials do not have inherited land. All those who have land are also divided into multiple levels internally, which roughly correspond to the Duke, Marquis, Count, Viscount and Baron in Western history. Through this system, a multi-tiered governance model was established, where power and responsibilities were distributed among various levels of rulers. This not only fortified the central rule by creating a network of loyal vassals but also allowed for localized governance that was more attuned to the needs and contexts of different regions, by ensuring that local institutions were strong enough to operate autonomously yet remained aligned with the interests of the central government.

The early enfeoffment system embodies "a political structure characteristic of China's early class society, representing a 'federal' or 'confederal' style of governance that evolved from tribal alliances" (Zhang, 2007, p. 121). In contrast to the absolute central power that defined later unified Chinese empires, the Zhou Dynasty's state system resembled a contractual federation. Prior to the Zhou Dynasty, the Xia and Shang Dynasties operated more as loose alliances. The Zhou Dynasty institutionalized the legal centrality of the King of Zhou (Pines 2000), but this central status was contingent on the protection and recognition by each of the constituent states. In the context of federalism as it was later characterized by Western academics, a defining feature of all federal systems is the presence of structural mechanisms that facilitate interaction between the federal government and its constituent units, both in terms of horizontal coordination among the units themselves and vertical linkage with the central authority. These mechanisms are designed to support a system of governance that encompasses both shared sovereignty and autonomous self-administration (Benz and Broschek 2013; Elazar 1987). Echoing this structure, the Western Zhou Dynasty's analogous system of governance also featured a similar framework where the central government, unable to directly govern the vast and newly conquered territories, faced complexities in cultural and ethnic diversity beyond its capacity. As such, the Zhou Dynasty delegated extensive autonomy to local governments through the enfeoffment system, granting them rights to economic and social administration as well as the power to maintain their own armed forces, albeit within certain limits (Wang 2001). The federal authorization does not only rely on institutional linkages, but also distributes resources and rights in a variety of informal practices (Braun 2000). Institutionalized rules and non-institutionalized practices, in the Zhou Dynasty, were later summarized as the Rites of Zhou. The principle that "the king can have six armies, big lords three armies, minor lords two armies, and small lords one army" in *On military commander* (Xiaguan: Sima夏官:司马) in *Rites of Zhou* (Duke of Zhou, 2014, p. 588) signified that the military might of the fiefdoms was not to exceed certain bounds, failing which the king, leading other states, would quell any insurrection. Specifically, the king granted local fiefdoms the authority to conduct cultural education, which significantly contributed to the diversified development of early Chinese civilization. As Confucius said in his *Subsidiary Comments* (Xici系辞) in *Classic of Changes* (Zhouyi周易) (Confucius and Duke of Zhou 2011, p. 606): "The greatest benevolence of heaven is to provide an environment for survival and development to the universe and humanity, allowing all forms of life to thrive in their appropriate places."

From the historical accounts, we observe a wide distribution of various states across the Chinese landmass. The northernmost State of Yan (Yanguo燕国) was still an undeveloped and barren area in what is now Beijing. The southernmost State of Chu (Chuguo楚国) was near present-day Wuhan, which at the time was considered an uninhabitable region teeming with primitive tribes and marshlands. The nascent civilization of Wu (吴) near present-day Shanghai in the east was not yet a

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state but merely a tribe, while the seemingly insignificant State of Qin (Qinguo秦国) in the west would go on to unify all of states and establish the first unified centralist empire in 800 years. This vast territory corresponded to a rich tapestry of cultural diversity. Each region developed unique forms of attire, cuisine, lifestyle, and even political organization. For instance, the southern State of Chu developed a system akin to an aristocratic oligarchy, while the western State of Qin fostered an extreme centralist and militaristic regime. This primitive form of federalism undoubtedly played a role in accommodating and fostering such cultural and political plurality. It also provided robust institutional support for the consolidation and, under complex circumstances, the continued expansion of the empire's territory. Under this system, each state could adopt a governance model suited to its regional characteristics, thereby consolidating border territories, developing wastelands, and assimilating foreign populations within the Zhou Dynasty framework. In fact, statistical evidence indicates that during the early days of the Zhou Dynasty's enfeoffment system, the Zhou Dynasty's territory (including all feudal states) spanned approximately 1 million square kilometers. By the end of Zhou Dynasty, this figure had grown to 3.4 million square kilometers, with the adaptive construction and development efforts of each local autonomous unit making significant contributions to the empire's security, economic prosperity, and territorial growth. On the other hand, the Zhou Dynasty endured for 800 years, making it the longest-lasting dynasty in Chinese history. In stark contrast, the Qin Dynasty established by State of Qin, a centralist unified empire that brought an end to Zhou rule, lasted a mere 15 years. This comparison underscores the enduring stability and flexibility of the Zhou Dynasty's federal-like system, which allowed for a diversity of governance models and cultural expressions, contributing to its long prosperity in Chinese history.

While being granted fiefs, local governors also bore certain duties towards the central government. These obligations included heeding the central government's military directives, regularly paying tributes, attending periodic imperial assemblies, and taking charge of various specific local governance tasks. However, if the boundaries of this responsibility and accountability are weakened, the stability and coherence of the federation will be diminished (Thorlakson 2013). In the waning years of the Zhou Dynasty, the relative decline in economic and military prowess compared to the vassal states weakened the King of Zhou's capacity to act as the central administrator of the federal system. "The growing disparity between the name and the actuality demanded a readjustment of the extant order" (Pines 2000, pp. 283-284). Consequently, as some vassal states amassed greater power, they sought validation from their peers and aimed to assert dominance. The presence of conflicting structures serves as a catalyst for dynamic change, and compels individuals and entities to navigate through systems of rules that are at odds with one another, while also providing them with the opportunity to strategically adapt and broker new guidelines (Sheingate 2009). This process of adaptation is regarded as a form of self-regulation for the participants across various tiers within a federal system (Bolleyer 2013, p. 325). A prime example of this is the emergence of "the first and the most powerful of the Chunqiu 'hegemons' (ba霸)", Duke Huan of Qi (Qihuangong齐桓公). The claim for hegemony effectively necessitated the pursuit of acknowledgment and coronation by the King of Zhou who acting as the overarching federal governor (Cheng 2022). In a way, the political structure of the late Zhou Dynasty bore resemblance to the Holy Roman Empire. In the Holy Roman Empire, the election of the imperial emperor was determined by a college of electors, with the papal authority playing a crucial role in validating the chosen candidate. Similarly, but in a different context, the late Zhou Dynasty saw the states convening periodically to determine the contemporary hegemon, a figure who required the endorsement of the King of Zhou to legitimize their dominance. As for Duke Huan of Qi, despite his status as a hegemon, to secure and sustain his hegemonic position, he continued to pay nominal deference to the King of Zhou, and adhere to the established rituals and protocols instituted by the Duke of Zhou as the embodiment of legitimate authority. Such rituals (li礼) "prohibited...the annihilation of weak states", and advocated for "preserving ruined states, continuing interrupted sacrifices". Within a federation, the legitimacy of authority largely hinges on the voluntary adherence that stems from what is termed as "contingent consent" (Levi 1997), thus at that time, "Lord Huan's prestige relied on two major factors, namely the support of the Son of Heaven, who remained the main source of legitimacy in the Zhou world, and

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the explicit commitment to preserve weak states" (Pines 2000, pp. 283-28). All of this exemplifies the achievement of the persistence and stability of the federal structure initially by Duke of Zhou in sustaining plurality.

This arrangement, in fact, corresponds to a form of community tolerance, allowing the various princely states to cultivate a diverse range of civilizations at that time. The central government offered a political and military structure to mediate disputes among the vassal states, while these states were granted the autonomy to preserve their cultural and ethnic identities. Within this framework, local communities flourished, giving rise to various sub-civilizations under the broader Chinese cultural umbrella, such as those of Wu (吴) and Yue (越). "The Confucian approach accepts autonomous rights...it is this idea of one harmonious community that stipulates that all small cultural and ethnic communities should live harmoniously and intermingle with each other and with the majority community" (He 2004, p. 114). Within community, Duke of Zhou also effectively proposed framework norms in *Suggestions by Five Fellows* (Wuzi Zhige五子之歌) (Confucius 2012, p. 369): "Rulers should be close to the people, not above them." This provided a universal protection framework offering a minimum level of safeguarding within the context of different community-specific settings. Furthermore, various communities, namely the vassal states with their distinct cultures and local traits, were obliged to respect the fundamental rights of their populace. Despite the fall of the Shang dynasty, the rulers were asked to "understand the needs of Shang's people, to understand the morality of the previous Xia people" (*Announcement about Kang*. Kanggao康诰) (Confucius 2012, pp. 182-183), and as tyranny would incite not only popular uprisings but also the disapproval of the Zhou central government. As stated in *Announcement about Drunkenness* (Jiugao酒诰) (Confucius 2012, pp. 205-207): "Lords should not use water as a mirror, but use the opinions of the people as a mirror...If anyone doesn't comply...and if they don't fulfill their management responsibilities, then I kill them all." However, "ironically, contemporary Confucian scholars have said very little about the...minority rights" (He 2004, p. 103). This is because Confucianism, which underwent centralization in later eras, even still continued to emphasize the harmonious coexistence of diverse communities, this harmony was predicated on assimilation and a deficiency in minority rights protection. For instance, a giant of Confucianism in the Ming Dynasty (Ming明, from 1368 to 1644), Fang Xiaoru (方孝儒) once remarked, "to elevate them [barbarians] to a position above the Chinese people would be to lead the world to animaldom. If a dog or a horse were to occupy a human's seat, even small boys would be angry...Why? Because the general order would be confused" (Fincher 1972, p. 59). The later Confucianism had devolved into an ethnocentric and exclusionary philosophy. Will Kymlicka (Kymlicka 1995, pp. 194-195) argues that modern democratic systems should encompass the rights of minorities, particularly the right of ethnic minorities to remain unassimilated into the larger community, which fundamentally challenges the traditional Confucian approach to minority issues.

In the context of Western thought, Elazar (1987) posited that the core concept of a federation is derived from "foedus," a divinely witnessed covenant between a state and its constituent parts (Karmis 2020), and concerned with the political sources from which the federal system derives its origin (Aroney 2007; 2009; Moots 2009). Echoing this idea, the establishment of the Zhou Dynasty was founded on a comparable covenantal framework, with "the Heaven" (Tian天) serving as the divine witness. In fact, "the terms federalism and covenantal are virtually interchangeable, and it is the academic specialization in the fields of theology and politics that has contributed to the separation" (de Freitas and Raath 2009, p. 49). In contrast to the religions of Christianity and Islam, Confucianism does not espouse the tangible existence of a supreme deity. Instead, it employs the term "the Heaven" to broadly denote the ultimate, sacred will. The individual who serves as the supreme delegate, acting on behalf of the Heaven to conduct its affairs among humanity, is known as the "Son of Heaven" (Tianzi天子). This titleholder is not permanent and is subject to replacement; their legitimacy is established through a collective endorsement, which encompasses the consent of both the populace and the divine will of Heaven. Similar to its interpretation in the Western context, the notion of federalism fundamentally signifies the interconnectedness between the divine and the individual, as well as among individuals themselves, characterized as a reciprocal and conditional

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bond (McCoy and Baker 1991). Therefore, according to Confucian principles, the "Son of Heaven", the King of Zhou's rule maintains his legitimacy partially from a pact between the Emperor and the feudal lords. The duties of the lords have been previously detailed, while the Emperor's obligations include offering military and economic assistance to the lords and embodying a sacred and ethical paradigm for the conduct of the states. The adage "the Heaven is fair and unselfish, and only helps those who are virtuous" is articulated in *An Order for Caizhong* (Caizhong zhiming蔡仲之命) from the *Book of Documents* (Shangshu尚书) (Confucius 2012, pp. 459-464). The righteous and moral way of governing is called the Way (Tiandao天道). Although the "Son of Heaven" is divinely ordained, if he fails to uphold the heavenly path, the Way, shows disregard for virtue, and cannot fulfill his duties, then the Heaven may instruct the people and lords to seek alternative governance, such as the subsequent hegemon (ba霸), to provide similar federal order, as we have already mentioned in the case of Duke Huan of Qi.

In instances where the lords defaulted on their responsibilities, the Emperor would mete out punishments and censure, with minor infractions resulting in mild reprimands and severe cases leading to political and military consequences, or even the replacement of the fiefdom rulers. The relationship between the vassal states and the Emperor was predicated on a mutual contract founded on equitable negotiation, as federal process reflects a political bargain (Riker 1964). As stated in the *Fundamental Doctrine* (Hongfan洪范) from the *Book of Documents* (Shangshu尚书) (Confucius 2012, p. 149):" With just and unprejudice, the governance will be boundless, orderly, and unoverturned." Politically, the Emperor could manipulate the titles of the vassal states, elevating or demoting them in exchange for increased commitments, such as political and military backing, and support for specific policies within the imperial court. For instance, the State of Qin was rewarded with a noble title for its prompt response to the Emperor's call during a military campaign protecting King Ping of Zhou (pingwang dongqian平王东迁). Militarily, the Emperor might grant certain northern states the privilege to breed horses or utilize specific chariots in return for their defense against the barbarians (Guifang鬼方) on the northern frontier—a nomadic group in northern China predating the Xiongnu (匈奴). In essence, the Emperor Zhou's authority was not absolute; it was predicated on negotiations and treaties with the federated entities. The legitimacy, corroborated by the Heaven's testimony, is inherent in the process of federation formation, rather than in the Zhou Dynasty itself. As said in *An order for Caizhong* (Caizhong Zhiming蔡仲之命) in *Book of Documents* (Shangshu尚书) (Confucius 2012,pp. 459-464): "Popular support is not immutable and is only vested in those monarchs who have done themselves favors". The year 841 B.C. witnessed a popular uprising against the tyrannical rule of King Li of Zhou (Zhouliwang周厉王). The citizens of the capital, armed and defiant, besieged the palace, compelling King Li of Zhou's exile from the capital Haojing (镐京). During the interregnum, when the realm lacked a supreme ruler, the lords elected "Count He of Gong (Gongbohe共伯和)" to assume imperial responsibilities. It wasn't until 14 years later, with King Li of Zhou's death due to illness, that the mantle of power was restored to his son, King Xuan of Zhou (Zhouxuanwang周宣王). In this light, Confucianism is not merely a doctrine advocating non-violence but also one with a citizen-centric ethos, bearing striking resemblances to contemporary Western democratic principles.

King Xuan of Zhou further developed the federal system of the Zhou Dynasty, introducing the renowned policy of Guoye Yiti (国野一体), which translates to the Convergence of rights and obligations for peoples. The terms "Guo" and "Ye" were traditionally used to differentiate between two distinct groups of people with separate identities. The "Guo" (国) referred to the military strongholds established during the Zhou Dynasty's conquests or the political centers created following the enfeoffment of the princes. The inhabitants of these areas were known as "citizen (guoren国人)," which included both the nobility and those who assisted the Zhou Dynasty in its conquests, as well as the stationed soldiers. On the other hand, "Ye" (野) denoted the regions outside the Guo area within the territories of the various vassal states. The local inhabitants were termed "hillbilly (yeren野人)", encompassing the local populace conquered by the Zhou military, ordinary civilians engaged in agriculture, or those who integrated into the Zhou Dynasty from surrounding tribes. Essentially, they constituted a lower-status, ruled class (Zhang 1998; Zhou 2019). In the works

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of other academics, exemplified by Hu (1985), the term "Ye" is often linked with tribal groups, thereby being imbued with a connotation of "barbarism." This perspective casts the relationship between the structured state and the untamed wilderness in a light that suggests a contractual renegotiation process aimed at addressing the challenges of ethnic diversity. It is worth noting that in modern Chinese language, the term "Ye (野)" is just commonly associated with the idea of "barbarism." The rights and obligations of residents of "Guo" and "Ye" were markedly different. The resident in "Guo" had the right to education but were also obligated to perform military service. In contrast, the resident in "Ye" lacked the rights to participate in politics, join the military, or receive education, primarily contributing through agricultural labor. Initially, the establishment of the "Guo" and "Ye" system aimed to facilitate the vassal states in managing and controlling their people. However, as the hillbilly sought increased rights, the vassal states and the Zhou Emperor anticipated greater military and economic duties from them. Renegotiating the "Guo" and "Ye" treaty thus became a viable option. Upon his ascension, King Xuan of Zhou abolished the Ye's compulsory labor on public lands, permitting them to own land while requiring them to pay taxes and perform military service. This transformation can be interpreted as a re-engagement in the agreement with the "Ye" groups, which is similar to the concept of treaty federalism described by Hueglin (1994). This concept involves the federal government and indigenous communities engaging in dialogue and forming compacts, with the belief that these agreements serve as a solution for maintaining and increasing the communities' self-governance and rights. In this treaty, the rights and obligations of the "Ye" and the "Guo" were asymmetrical. This asymmetry was not merely a product of disadvantage or discrimination but stemmed from a foundation of negotiable rights and obligations. When the "Ye" groups were prepared to assume more obligations, they entered into a new treaty with the Emperor, acquiring a new identity under the revised federal treaty. Scholars like He (2004, p. 118) have suggested that "the Confucian doctrine sees states' provisions for minorities as 'sweets,' while Kymlicka's liberalism sees them as rights." This perspective aligns with later interpretations of Confucian thought. However, it diverges from the early Confucian philosophy prevalent during the Duke of Zhou era. The evolution from the "Guo" to the "Ye" illustrates that the "countryman's" identity was not a condescending favor bestowed upon the "Ye" people but rather a negotiated contract grounded in rights and obligations. This contract legitimized the quasi-federal system's justice within the Zhou Dynasty. Early Confucianism and the later modified centralist Confucian ideology can be mapped onto two distinct conceptions of politics and justice, applicable for comparing statism and federalism. One form of political justice is distributive justice, which emphasizes a state-centered approach. While this viewpoint may occasionally demonstrate concern for individual and minority rights and interests, it fundamentally relies on paternalistic favor-giving (Elazar 1987; Requejo 2001a; 2001b; Watts 1998). The alternative form, communicative justice, aligns more closely with the federal perspective (Nelson 1975; Simon and Kuic 1973). It emphasizes the interdependent relationship between the state and its constituent entities, rather than assuming an a priori centralized state. This type of justice underscores the importance of mutual obligations and rights in shaping a just and equitable political system.

3. Confucius's Confucianism: An Attempt to Resist Centralism with Early Federalism

Confucius, officially known as the founder of Confucianism, is the namesake of the philosophical system. In modern Chinese, he is referred to as Kong Qiu (孔丘). The more widely recognized title, Confucius, is actually a direct English translation of Teacher Kong (Kongfuzi孔夫子). Born into a declining aristocratic family in the State of Lu (Luguo鲁国) during the Spring and Autumn Period, Confucius lived from approximately 551 BC to 479 BC. Despite not leading a life of wealth, his noble lineage afforded him the opportunity for a quality education, enabling him to acquire skills such as ritual performance, horseback riding, calligraphy, and chariot driving, which were typically reserved for the nobility. When he became an adult, Confucius opened his doors to a wide range of students, disseminating his teachings far and wide (Tu 1998). At the age of 51, he took up the post of mayor of Zhongdu (zhongduzai中都宰), and later served as the supreme enforcement officer (dasikou大司寇), in his native State of Lu. During his tenure, he implemented a series of reforms designed to rectify the errant political behaviors of the ruling lords and his vassals, aligning them with the proper Zhou

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Dynasty etiquette. One notable instance of his reform efforts was the demolition of three city walls, known as Huisandu (隳三都), in the territories of the Lu State's subordinate vassals. The walls had been constructed higher than the stipulated standards, thus violating the original quasi-federal contract that had been established between the vassals and the lords. Despite facing opposition from powerful adversaries and the Duke's envy, Confucius persisted in his efforts to uphold righteousness. Ultimately, the political resistance he encountered led him to relinquish his official post. Following this, Confucius embarked on a journey that took him throughout various regions, where he continued to spread his philosophical ideas and teachings, leaving a lasting impact on Chinese culture, politics, and education for centuries to come (Chin 2009).

Confucianism, as founded by Confucius, clearly drew significant inspiration from the Duke of Zhou. Confucius (1993, p. 25) is recorded in *The Analects* at *Eight Rows* (Bayi八佾) saying, "the rituals of the Zhou...How complete and elegant its rituals are! I follow upon Zhou." Confucius (1993, p. 130) also advocated for "restraining one's desires and returning to the rituals of Zhou" (*For Yanyuan*颜渊 in *The Analects*). It is evident that Confucius held the Duke of Zhou in high esteem as a political and scholarly role model and sought to reestablish the social order of the era under the Duke's influence amidst the tumultuous times (Hall and Ames 1987). The period during which Confucius lived was characterized by states abandoning the old order of rites and music, centralizing power through absolutism, expanding military forces, and engaging in invasions and expansion into neighboring territories. "Lacking a common understanding of even the political good...to serve as a principle of moderation limiting and directing the activities of the league, the basis of rule quickly deteriorates to the subjective decisions of whoever is able to gain sufficient power," stated by Ward and MacDonald (2009, pp. 22-23) to refer to the Greek confederation/union of city-states. In the East, at almost the same period, the quasi-federation of Zhou Empire encountered the same situation. As noted by Pines (2000, p. 282), "the old rules of interstate hierarchy based on the overlord's rank and proximity to the Zhou house were gradually replaced by new ones, which reflected primarily an actual balance of power among rival states." The decline of the Zhou royal house further weakened the federal government's capacity to coordinate local military and political forces, resulting in the vassal states growing increasingly powerful. In this climate, previously stable pacts were discarded, and courtesy and morality fell into disrepute, while deceit and ruthlessness became the means for states and classes to achieve their ends by any and all methods. The era witnessed a departure from the war contract's stipulations, such as the unwillingness to launch an attack when an enemy was en route across a river. The Duke Xiang of Song (Songxianggong宋襄公), who was unwilling to initiate an unjust attack, was later criticized for being overly pedantic (Huang and Yao 2014).

While Confucius's restoration of Zhou rites aimed to reestablish the dynamic balance between the central government and the local states. As stated in the *Eight Rows* in *The Analects*: "A prince should employ his ministers according to the rules of propriety; ministers should serve their prince with loyalty" (Confucius 1993, p. 27). Additionally, it was necessary to resolve the inevitable conflicts between the vassal states due to their diverse systems and cultures, utilizing the federal government's authority and military deterrence to curb attempts to disrupt order as acts of annexing other feudal states. He proposed to "revive states that had beendestroyed, re-establish lines of succestion that had been broken, and call to office those who had been neglected" (*Opinion of Yao*, Yaoyue尧曰, in *The Analects*) (Confucius 1993, p. 243). This reflects his support for decentralization and multicultural autonomy (Wan 2016). In the context of annexed countries, it was not only the potential enslavement of the indigenous people by the larger power that concerned Confucius, but also the eradication of their unique customs and culture. Federalism, as a societal integration principle, is designed to embrace the diversity of interests within society and to safeguard the rights and well-being of minority groups (Benz 2013). Similarly, Confucius was firmly against the use of violence to alter the political order and suppress minority groups (Hao 2023). His efforts were indicative of a broader commitment to preserving the integrity of the federal system and the diversity it encompasses, as expressed in the *For Zilu* (Zilu子路, in *The Analects*): "The gentleman is united but not uniform; the villain is uniform but not united" (Confucius 1993, p. 156). Federalism inherently provides a protective legal framework that accommodates the diversity and freedoms of its constituent entities,

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making it an essentially free system. In contrast, a centralist system that conquers other nations through military might, enforces the migration of people, and imposes cultural assimilation is inherently oppressive. As Confucius (1993, p. 14) warned in *On Governance* (Weizheng为政, in *The Analects*), "attacking the heterodox can harm oneself". An oppressive kingdom may temporarily sustain itself by expanding and seizing more resources, but a free federation, whose legitimacy is derived from the recognition and contracts of its constituent bodies, possesses more stable and enduring characteristics. Confucius (1993, p. 9) eloquently stated, "he who rules by means of his virtue is like the north polar star, which remains in its place and all the other stars turn towards it" (*On Governance*, in *The Analects*).

Mencius, a later Confucian philosopher, also proposed that a kingdom's strength depends on benevolence and righteousness, not merely on its size or military might. It is idea, not force, that plays a key role in the construction of norms of interaction between the federal government and constituents (Béland 2009; Blyth 2002). Therefore, Mencius (2010, p. 56) stated in *For Gongsunchou I* (Gongsunchoushan公孙丑上, in *Mencius*), "he who rely on strength to conquer the world can dominate a fiefdom, but he who rely on morality to implement benevolence and righteousness can dominate the whole world. Tang of Shang Dynasty (Shangtang商汤) and King Wen of Zhou (Zhouwenwang周文王) all became the emperor with limited land." Mencius's philosophy suggests that the essence of a state lies in the collective interests of the people, not in territorial expansion or military conquest. Mencius envisioned a system combining small quasi-republics with larger ones, akin to Montesquieu's or the later federalists' models. The reason why I say that Mencius conceived of polities as quasi-republics is because, as we will see later, Mencius thought that rulers were replaceable if the advice of the governed is not heeded. A large federal government would maintain stability and authority, while also allowing for the independent operation and development of each state under the overarching framework of Emperor Zhou. He described his ideal of a small city-state, saying in *For King Hui of Wei II* (Lianghuiwangxia梁惠王下, in *Mencius*): "I have heard that Tang of Shang became the king of the world with 70 square li ([one li equals approximately 0.5 kilometers]) of land, but I have never heard of a present-day vassal using 1,000 square li of land to gain people's respect" (Mencius 2010, p. 36). And small local government measures must be sensibly paired under a unified federal government. Thus, Confucius (2008, pp. 430-431) also suggested in *Minor Odes: The Northern Hill* (Xiaoya: Beishan小雅：北山, in *Classic of Poetry*) that "everywhere within the land, all obey the king's command," and Mencius (2010, p. 179) in *For Wanzhang I* (Wanzhangshang万章上) that "there is no such thing as two suns in heaven and two kings in the world." Whereas, within the framework of a federation, under the control of the Zhou Emperor, each independent state operates and develops independently what is conducive to the well-being of its people. The tolerant nature of the federal structure greatly fostered the development of Chinese culture and philosophy, leaving enough for philosophy and cultural prosperity in the middle and late Zhou Dynasty. "The contending 'one hundred schools' (baijia百家) suggested diverse, and sometimes mutually exclusive visions of the proper mode of rule, social systems, ruler-minister relations, human nature, social mobility, warfare, human relations with the transcendental, and almost all other aspects of political, social, economic, military, and religious life" (Pines 2000, p. 280). On the contrary, as history has shown, even a powerful and centralized empire like the Roman Empire could not escape collapse once it became trapped in a self-reinforcing cycle of expansionism.

Confucius's another contribution is to democratize education by championing private instruction. While his efforts might seem to support a system based on aristocracy and monarchical power, it is essential to recognize that this system was predicated on the aristocracy fulfilling its obligations and responsibilities. As the existing order did not afford commoners the right to education, Confucius (1993) innovatively introduced the concept of "education without distinction (youjiaowulei有教无类)" in *For Duke Ling of Wey* (Weilinggong卫灵公, in *The Analects*), endeavoring to bring learning opportunities to the masses. This move challenges the perception that Confucius was merely a defender of a conservative old order. Instead, it is more fitting to view Confucius as a proponent of a federal order underpinned by negotiable and adaptable treaties. The education of civilians represents one such negotiation. Confucius himself, born into a noble family, received an

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exceptional education that allowed him to study in the palace and engage with Laozi (老子) at the National Library of the Zhou Dynasty, while concerned the inability of the common people to contribute to the politics and administration due to their lack of education. Thus, extending educational rights to commoners could be seen as a trade-off for increased obligations and loyalty from the commoners to their respective lords, not merely to preserve the status quo. Wan (2016) argued: "the original Confucianism, as represented by Confucius and Mencius, emphasized order but within a society that was founded on extensive feudal freedoms; they valued hierarchy, but one that was based on a high degree of local autonomy. They stressed obedience, but this was within a contractual framework where superiors and subordinates had mutual obligations, and where subordinates had the capacity to resist if necessary." As Mencius (2010, p. 151) stated in *For Lilou II* (Lilouxia离娄下, in *Mencius*), "if the king regards his subordinates as brothers and sisters, then the subordinates will regard the king as the center. If a ruler treats his subordinates like dogs, then his subordinates will regard him as a stranger. If the king treats his subordinates as dust, then his subordinates will regard the king as their enemy." This fully illustrates that, in early Confucian theory, the obligations and contracts between the monarch and the ruled were reciprocal (Wan 2016). In *On Taibo* (Taibo泰伯, in *The Analects*), Confucius (1993, p. 85) himself was clear on the conditions under which one should engage with the political sphere: "When the Way prevails in the world, come out and take office; when it does not prevail, keep concealed." Confucius lived by this principle, leaving the state of Lu in 499 BC after facing unfair suspicion from the monarch in implementing his reforms, despite holding the esteemed position of supreme enforcement officer. Mencius (2010, p. 210), on the other hand, proposed a more radical stance in *For Wanzhang II* (Wanzhangxia万章下, in *Mencius*), advocating a revolutionary approach: "If the ruler has serious faults, we will remonstrate with him. If the advice is not heeded despite repeated attempts, then change him."

Confucius' endeavors to standardize the federation are evident in his emphasis on the maintenance of rites. Rites, as understood in the context of the Zhou Dynasty, constituted a comprehensive and intricate set of behavioral norms and practices that governed various aspects of life, including travel, attire, and the use of resources. The king, for instance, was entitled to enjoy a dance performed by 64 people in a matrix of eight rows (bayi八佾), while a lord was permitted to enjoy a dance with 36 participants in a matrix of six (liuyi六佾). When the practice of etiquette and rite exceeded these established norms, it was seen as a breach of protocol. A notable example is the Head of the Ji family (jishi季氏), who had eight rows of eight dancers and singers performing in his courtyard. Confucius (1993, p. 19) critiqued this transgression in *Eight Rows* (Bayi八佾, in *The Analects*), stating: "If he can endure to do this, what else may he not endure to do?" Individuals enjoying certain privileges were expected to exhibit a corresponding level of moral character, behavior, and capability. In *For Yanyuan* (Yanyuan颜渊, in *The Analects*), Confucius (1993, p. 137) encapsulated this idea with the principle: "Let the ruler be a ruler, the lord a lord", emphasizing that each individual should act according to their role and station. When the lord does not behave like a lord, then, punish (zhengfa征伐) him. In the context of the ancient Chinese, concept of "zhengfa" referred to a military action that carried a sense of justice, akin to a punitive expedition. The violation of contracts and rules was not to be tolerated. During the Spring and Autumn Period, disrespect towards the rules made by Zhou king could warrant a punitive expedition against the offender (Pines 2000). Confucius' stance on these matters is further illuminated in the *Spring and Autumn Annals* (Chunqiu春秋), which he authored and Zuo Qiuming annotated. The text records, "in the spring of the tenth year of Duke Zhuang of Lu, the Qi army 'zhengfa' us" (Zuo Qiuming 1990, p. 213). By using the word "zhengfa", Confucius and Zuo Qiuming implicitly positioned their own country, Lu that was being invaded, as the morally deficient party. Despite both Zuo Qiuming and Confucius being from State of Lu, they recognized the justice in the empire's punitive action against their own state. This situation arose from a breach of federal treaty between the emperor and Lu, where the violation of the treaty placed them at a moral disadvantage. At the time, State of Lu was punished by State of Qi for attempting to support potential contenders for the succession of the Qi throne. Confucius (1993, p. 199) articulates this principle in *On Ji Family* (Jishi季氏, in *The Analects*): "When the Way prevails

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under Heaven, all orders concerning ceremonies, music, and punitive expeditions are issued by the Son of Heaven; when the Way does not prevail, such orders are issued by the lords."

4. Dong Zhongshu's Centralist Transformation of Confucianism

The original federalist ideas of early Confucianism underwent a transformation in the hands of Dong Zhongshu, a Western Han Dynasty Confucian scholar. Dong Zhongshu, living from 179 B.C. to 104 B.C. during the Western Han Empire's reign, adapted these ideas to suit the centralized political needs of Emperor Han Wu (Wan 2016). In his early years, Dong Zhongshu gained prominence for his expertise in the *Gongyang Commentary on the Spring and Autumn Annals* (Gongyang Zhuan公羊传), written by Gongyang Gao (2010), which was one of the annotated version of the *Spring and Autumn Annals* authored by Confucius. In contrast, other versions of Confucius' *Spring and Autumn Annals* existed, such as the *Guliang Commentary* (Guliang Zhuan谷梁传) written by Guliang Chi (2018) and the *Zuo Commentary* (Zuo Zhuan左传) written by Zuo Qiuming (1990) as we mentioned, leading to the formation of different schools of thought in the interpretation of Confucian teachings. The *Gongyang Commentary* is notably known for its assertiveness towards other interpretations and its efforts to establish singular authority with mysticism. Zheng Xuan (150AD) (Zheng Xuan郑玄, from 127 to 200), in his work *The Theory of Six Arts* (Liuyilun六艺论), critiqued: "*Zuo Commentary* is good at ritual (li礼), *Guliang Commentary* is good at examining proto-theory (jing经), *Gongyang Commentary* is good at prophecy and mysticism (chen谶)." Dong Zhongshu, inheriting the legacy of the Gongyang school, endeavored to employ mysticism to fortify Confucian teachings and establish his own legitimacy, and to tailor Confucianism to the political climate of his time to ensure its continued influence within the centralized framework.

Specifically in the context of fiefdom systems within Confucian theory, two primary distinctions can be identified at that time. The first is the classical interpretation, which views fiefdoms as feudal lords akin to the system of the Zhou Dynasty. These lords were seen as possessing relatively autonomous economic and military functions and were responsible for local moral education within their domains. The second is a more centralist interpretation, which posits that the feudal lords who established their realms were, in fact, a derivative or an extension of the central authority, signifying a shift from early federalism to a unified state. In later Western discussions of federalism, there have also been debates in terms of its constituents being as "coming together" of previously separate entities, or a "coming apart " of previously associated entities (Stepan 2001), two models that correspond to different degrees of autonomy and sources of legitimacy for the constituents. Dong Zhongshu is a key proponent of this latter perspective, with his ideas encapsulated in his work *The Luxuriant Dew of the Spring and Autumn Annals* (Chunqiu Fanlu春秋繁露). According to the first classical theory in *Zuo Commentary on The Spring and Autumn Annals*, the lords are described as "serving as buffer protecting the Zhou Dynasty" (Zuo Qiuming 1990, p. 473). From this viewpoint, the viability of feudalism extends beyond merely safeguarding the king's territory; it also encompasses the asymmetrical duties based on their own speciality and traditions. In the *Xiaguan Sima* (夏官司马, in *Rites of Zhou*), Duke of Zhou (2014, p. 704) states: "Kingdoms and vassal states, large and small, maintain each other. The king establishes a system of officials, according to the characteristics and differences of each vassal state. Collecting taxes, according to the abundance and level of specialties of each vassal state" This reflects the early Confucian acceptance of diversity and the recognition of distinct cultural practices. To the extent that it is able to find ways of recognizing the legitimacy and worth of its minorities, the polity is, in a federal way, able to find a way of accommodating loyalties and identities for both minorities and majorities (Simeon 2006, p. 20). In contrast, the second theory, as articulated by Dong Zhongshu (2012, p. 392), offers a new definition of the term "lord" (zhuhou诸侯): they are "thousands of miles away with people and a piece of land. They see those things which the Son of Heaven can not see, and hear the news which the Son of Heaven can not hear. The central government summoned them into the court to hear their reports. We call them lords (Zhuhou), since the 'lords (zhuhóu诸侯)' are 'waiting to be summoned (zhuhòu诸候)'." *Here, Dong Zhongshu used the similar pronunciation of the ancient Chinese word "lord" and "waiting to be summoned" to argue that the "lords" were just bureaucrats waiting to report news to the*

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emperor, not autonomous bodies. This interpretation reflects a move away from the concept of quasi-federalism towards a more centralized form of governance.

Emperor Wu of the Han Dynasty embraced the theories of Dong Zhongshu, facilitating a significant transition in Confucianism from concepts akin to federalism to a unified centralist system. This ideological shift marked a departure from the previous guiding principles of Huang-Lao (黄老之术), which advocated for politicians to curb their power, minimize intervention in public affairs, and allow individual vassal states a greater degree of autonomy. Instead, the later ideology of Han Empire emphasized "the Great Unity", as Dong Zhongshu said in *The Book of Han* (Ban Gu 82AD): "The idea of the Great Unity reflected in *Spring and Autumn Annuls* is the eternal truth of heaven and earth, and is a universal principle in ancient and modern times."

"While Confucian communitarianism rejects the right to secede, it supports the right of annexation and the enterprise of expanding Confucianism" (He 2004, p. 120). Dong Zhongshu built upon and expanded the theories of the *Gongyang Commentary*, asserting that what distinguished China from the southern barbarians (Yi夷) and the northern barbarians (Di狄) was the ability to implement Confucian ethics. Furthermore, through the dissemination of Confucianism, these groups could be integrated into Chinese society. In 134 B.C., Dong Zhongshu, in his *Three Strategies of Heaven and Man* (Tianren Sance天人三策, in *The Book of Han*), advised Emperor Wu to extend his influence over the distant regions of Yelang (夜郎) and Kangju (康居). He stated, "today, Your Majesty already has the world, and there is no one within the universe who does not submit to you. You have the broadest knowledge, gathered the virtues of the world and spread it beyond the civilized world. Though Yelang and Kangju, are very far from us... But if you do not extend the favor of civilization to them as well, then you have not fulfilled your duty as a qualified king." He persuaded Emperor Wu to extend "favor" to the people in these southwestern regions. However, how exactly they gave "favor" to local people? "When the favor was not accepted, then they resorted to war" (Zhu and Li 2021, p. 88). This "favor" was extended through a rigorous assimilation policy, and overlooked the fundamental premise that the Confucius's *The Spring and Autumn Annals* should have been about using morality and law to preserve diversity within the federal system. The federal arrangement should have been understood as a model of positive interaction between the government and the Aboriginal people (Singer 2019; C. Taylor 1991; 1993), which maintains the unity of the nation while preserving cultural diversity. However, in Dong Zhongshu's theory, federalization meant Confucianization, and "becoming a federal states" meant making you "wait to be summoned" as an administrative unit. Thus, the federalization of the southwest was shifted to a centralized approach that sought to unify and standardize the people under a single set of ethical and cultural norms.

Dong Zhongshu also advocated for the policy of "exclusively respecting Confucianism (duzun rushu独尊儒术)," which established Confucianism as the official state ideology and sought to suppress the dissemination of alternative philosophies through legislative and administrative measures. As Dong Zhongshu (2012, p. 436) articulated in *The Changes and Signs of Heaven Connected with People* (Tianbian Zairen天辨在人, in *The Luxuriant Dew of the Spring and Autumn Annals*), "law is the complement of virtue; Yin (阴) is the complement of Yang (阳)." He further stated, as record by Ban Gu (82AD) in *Dong Zhongshu Zhuan*, in *The Book of Han* (Hanshu汉书): "any ideas that do not fall within the Six Arts, or any subject that does not belong to Confucius, are prohibited from being disseminated." Consequently, the inheritors of other schools of thought were compelled to reinterpret their views through a Confucian narrative framework to align with the state ideology, if they still wished to at least survive their idea. Therefore, Confucianism as a normative political theory which allows for argumentation and sharing of common values has been distorted into what Bauböck (2008) calls a dark politics which emphasizes coercion and zero-sum rules. This distortion and obfuscation led later researchers, such as Pines (2000, p. 280), to the belief that Chinese philosophy during that time including Confucianism, shared a commonality, which was "the unanimous rejection of the Eastern Zhou multi-state system, and the consequent advocacy of the ideal of unified rule." Moreover, it is important to note that "there are many beliefs that are neither advocated by Confucius nor found in his quotations but are still included in Dong Zhongshu revision of Confucianism" (Huang, 1997, p. 44). Following Dong Zhongshu's influence, the early Confucian ideas of

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decentralization and federalism were distorted and obscured, and Confucianism was reshaped to fit the centralized national concept (Wan, 2016). This transformation was not merely a shift in Chinese political philosophy and the practice of Confucianism; it represented a fundamental change in China's political system, and supported a centralist system that would persist for approximately 2000 years.

Another sign of Dong Zhongshu's diminishing spirit of early Confucian federalism was the disintermediation of Confucianism, extending its principles directly to individuals. Previously, Confucianism underscored a hierarchical contractual relationship, where the Zhou emperor would enter into contracts with local lords, and these lords would, in turn, contract with their subordinate entities. Each tier within the federal structure had corresponding rights and obligations. Dong Zhongshu's promotion of Confucianism aimed to encompass all individuals. His theory posited that the monarch's legitimacy derived from "Heaven" and as such, the monarch was Heaven's representative on earth. "The king who is entrusted by Heaven is someone beyond the reach of ordinary humans. This is the symbol of the mandate (from Heaven)" (Ban Gu 82AD). This concept gave rise to the influential notion of "Destiny" (Tianming天命) within Confucianism, where destiny is seen as Heaven's instruction or arrangement. The transmutation of dynasties adhered to a metaphysical cycle of the five elements—metal, wood, water, fire, and earth (*Fundamental Doctrine* in *Book of Documents*) (Confucius, 2012), which ancient thinkers believed constituted matter. Upon the ascension of a new king, the monarch was expected to adopt certain rectifications and change of attire correspondence to elements to signify acceptance of the new mandate, as said in *Three Dynasties Reorganization Zhiwen* (Sandai Gaizhi Zhiwen三代改制质文, in *The Luxuriant Dew of the Spring and Autumn Annals*) (Dong Zhongshu, 2012, no. 23). On the one hand, the change of dynasties was considered an act of divine will, imbued with a mysticism that rendered it unquestionable and divinely authoritative. On the other hand, the monarch indeed had obligations to the people, but these were directed towards the people in a collective, vague sense, rather than as individuals. The emperor's pursuit of benevolent governance was perceived as a divinely ordained political mission. If the monarch fulfilled his obligations well, then "the whole world will surround him, just as he surrounds his parents," and thus, heavenly favor would genuinely manifest. Conversely, if the monarch failed in his duties, some form of divine revelation would be sent as a sign, which Dong Zhongshu termed "the interaction between Heaven and man" (tianren ganying天人感应) encompassing both metaphysical and physical elements (Zhang, 2015, p. 231). The people, too, had certain obligations, such as obeying the emperor's authority, performing military service, and paying taxes. After Dong Zhongshu's reform, the intermediary role of the vassal states was effectively eliminated, stripping them of their negotiable rights and obligations to the emperor and their moral and cultural responsibilities towards their people. They were transformed into mere administrative agencies dispatched by the central authority, as extensions of the central will. This approach bears resemblance to the efforts of the Federalists in the early days of the United States' founding, as they sought to transition from a confederacy that linked the federation and states into a federal system that directly affected individuals, such as through taxation (Q. Taylor 2009). This measure was criticized by Anti-Federalists as a form of effort of nationalism and centralization (Hampsher-Monk 2010; Schaefer 2009), and Dong Zhongshu's reforms had similar implications. Both instances utilized a universal theory to standardize the relationship between individuals and the state, bypassing the intermediary community that had previously played a crucial role (Zhang, 2015, p. 243). While this lost federal and intermediary structure is the key to curbing the tyranny of state centralism (Banting 2006).

Dong Zhongshu's efforts to promote universalist principles ultimately transformed into a unilateral oppression and exploitation of the populace by the central government. He even proposed the notion in *Jade Cup* (Yubei玉杯, in *The Luxuriant Dew of the Spring and Autumn Annals*) that "the subjects must be absolutely obedient to the monarch, and the monarch must be absolutely obedient to the will of Heaven, which is the main meaning of Confucius's *The Spring and Autumn Annals*" (Dong Zhongshu, 2012, p. 20). *However, this was absolutely not the main meaning of Confucius.* When the populace was referred to in vague, collective terms rather than as individuals, it created the illusion

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that the emperor was responsible for the people. However, in reality, no independent individual held enough power to hold the emperor accountable for his actions. With the removal of the lords as intermediaries who could provide organic organizational capabilities, Chinese society devolved into a mere aggregation of atomized, isolated individuals. The public space that once facilitated the sharing of public issues and common interests was eliminated, leaving these weakened individuals confronting formidable central institutions. Formerly distinct moral and cultural communities were outlawed and transformed into mere extensions of the central will, turned against the people they were meant to serve. Consequently, the populace lost their sense of public consciousness and connection to their community and state, becoming an unthinking mass. As Qian (2001, pp. 30-31) noted, Chinese politics lacked the concept of Western-style political subjects and focused solely on management responsibilities. Xu (2012, p. 56) more pointedly observed that in Chinese history, "there was only bureaucratic management (lizhi吏治), no politics (zhengzhi政治)." Under the guise of "the whole people," individual people were neglected. Diversity and local autonomy were compromised, and the constituents had no bargaining power or leverage to reverse this process. The once negotiable contracts between the Zhou emperor and the lords were abolished, replaced by unilateral obligations assigned by the emperor to the people. Although in theory, the emperor could be admonished by Heaven for failing in his duties, during Dong Zhongshu's era, the central government monopolized Confucian education and the pathways to promotion, compelling Confucian scholars to align their interpretations of the Heaven in favor of the emperor. As a result, within the original federal framework, the last vestiges of obligations and restrictions on the central authority, such as divine condemnation for failing to fulfill one's duties, vanished. Proto-federalism, based on mutual commitment, degenerated into a centralized system. This shift ultimately led to a situation where, as He (2004, p. 118) observed, "Confucian paternalism tended to support political authority," marking a significant departure from the early Confucian emphasis on mutual obligations and the balance of power between the federal government and local entities.

5. Conclusion

This study does not aim to recount the intricate evolution of Confucian theory or the ideological disparities among the myriad schools of thought that emerged over the subsequent two millennia. Nor does it delve into the theoretical and empirical analyses by modern Chinese scholars on the potential for federalization in China. Instead, the focus is solely on the early theoretical foundations of Confucianism, which contain elements pertinent to state-building, touching upon possibilities of federalism and unitary state formation. Our exploration has successfully uncovered a connection between the trajectory of Confucian philosophy and the political currents of early China, revealing a transformation that obscured an exceedingly valuable federalist theory. Resurrecting this theory stands to enrich the spectrum of Confucianism and expand our vision of the diverse potentialities of political reality. It would be hasty and arbitrary to assert that China's cultural landscape is ill-suited to a federal system capable of embracing cultural diversity and decentralization, simply due to the entrenched dominance of Confucianism throughout its history.

Beginning with an examination of China's indigenous philosophy, particularly the prevalent strain of Confucianism itself, to identify the federalist elements present in early Confucian thought, we have discovered that the Duke of Zhou, Confucius who held the Duke of Zhou as his political and philosophical paragon, and Mencius, the inheritor of Confucius' teachings, all endeavored to construct a rudimentary form of federalism. In their vision, the monarch, as the central government's figurehead, did not wield absolute divine power and authority; rather, their legitimacy stemmed from the acknowledgment of local powers. The local governments possessed a relatively autonomous economic and social jurisdiction and were part of the early cultural and moral communities within Chinese civilization, showcasing its rich diversity. However, these theories were later distorted by a faction of the Confucian school represented by Dong Zhongshu during the Han Dynasty. Dong Zhongshu's philosophy inherited the assertiveness and mysticism of the Gongyang Confucian School. He not only attacked other schools academically, but also tried to transform his theory into a political ideology. Under the political needs of official institutions, this school's interpretation of

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Confucianism became the official ideology of the Han Empire, sanctifying the distorted version of Confucianism and profoundly influencing subsequent Chinese dynasties. Confucian theory was transformed from a federalist theory promoting diversity and advocating decentralization, to one that legitimized a centralized and unified system. From the Duke of Zhou to Confucius, and ultimately to Dong Zhongshu, we observe that Confucianism underwent a significant transformation, no longer resembling the original vision conceived by the Duke of Zhou and Confucius. Within this evolution, the original federalism was once a nascent part of early Confucian thought. However, after being reshaped by Dong Zhongshu, any notion of decentralization or local autonomy came to be regarded as heretical. In contrast, in the West, the idea of federalism was preserved and, with the development of Christianity, provided fertile ground for the growth of local autonomy and humanism. At this juncture, it appeared that the seeds of divergence had been sown in the political and societal trajectories of China and the West.

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