

Chapter 2

Fair Development: Theoretical Evolution and Practical Orientation in China

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Abstract After examining and comparing the concepts of equality, justice, and fairness and their evolution in both the East and the West, I adopt a unique three-level perspective of philosophy, systems, and behaviors to develop a theoretical framework and practical direction for fair development in China. Confucian philosophy has had a dominant influence on the formation of the Chinese fairness ideology and related social practices. The social ideal that “the world community is equally shared by all,” the disparity structure maintained by the ritual system, and the conscious behavioral development of the elite class of scholars and officials are the primary driving forces of the continuous evolution of fairness in Chinese society. Traditionally, fairness in China was institutionalized through the “benevolence” and “rites” of Confucianism. Looking forward to the future, China needs to influence the theories and practices of fair development by: (a) embedding the concept of equality in the ideology of fair development, (b) enabling the development of fairness through institutional construction, and (c) promoting the construction of social norms as a civil movement to advance fair development.

2.1 Introduction

After more than a century of overlapping Eastern and Western influences in China, current definitions and behavioral perceptions of equality (公平 in Chinese), justice (正义 in Chinese), and fairness (公正 in Chinese) have become confusing and complicated in both academic circles and society at large. In this chapter, I briefly explore the basic concepts of equality, justice, and fairness, before examining their origins and evolution in Chinese culture. I then explore the core issues of fair development in China and suggest a better direction for fair development in China based on the transformation of concepts, systems, and behaviors.

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2.2 Some Basic Concepts: Equality, Justice, and Fairness

In politics, law, sociology, economics, and even the social sciences, equality, justice, and fairness, are generally considered to be fundamental concepts with definite connotations. In practice, however, individuals (whether they be scholars or members of the general public) have their own specific understandings of these concepts, especially when combined with other related concepts. Obviously, the expectation that this book will clarify these fundamental concepts is not realistic. Yet in order to create a common foundation and vocabulary for the discussions in the chapters that follow, it is necessary to provide some conventionalized definitions.

2.2.1 On “Equality”

In the West, equality is an ancient concept. The ancient Egyptians had a clear conceptualization of equality, and even a God of Equality to judge whether people were diligent in sowing and reaping. In ancient Greece, equality was honored as a virtue and viewed as the foundation of an ideal social system (Wan and Chen 2000). To a large extent, equality and justice were synonymous at that time. In his book, *The Republic*, Plato described justice (equality) as a general principle for the establishment of a country, in that “everyone must perform his/her duty corresponding most to his/her nature.” Aristotle further pointed out that “equality is the quality by which things are done,” while Epicurus divided equality into that of law and society, distinguishing between the concepts of equality and justice (Chen and Liu 2010). As a result of ideological emancipation during the seventeenth and eighteenth centuries, two general perspectives of equality emerged: first, from the perspective of individualism, equality was seen as “treating equally without discrimination,” which is a code of conduct for human interaction; second, from the perspective of social standards, equality was viewed as a component of justice, “the role of the principle of fair opportunity is to ensure that the system of cooperation is one of pure procedural justice” (Rawls 2009: 76).

Thus, the core of the concept of equality in the modern sense is equal treatment without discrimination and equal opportunities. Although there exists much ambiguity and many overlaps in the connotations of equality and justice, equality in this book is defined as a code of conduct and just procedures.

2.2.2 On “Justice”

Justice is also a very old concept, originating in human morality. The word justice comes from the name of Dike in ancient Greece, the goddess who judged good and evil in the mortal world. Likewise, in Latin, the word justice derives from the name

of Justitia, the goddess of justice in ancient Rome, and includes aspects of integrity, selflessness, equality, and justice in its meaning (Liao 2002). It can be seen that justice and equality at that time were, to a large extent, synonymous.

The ancient Greek philosopher Solon associated justice with the concept of one's due, making it a concept with clear social and moral significance (Liao 2002). This is actually the origin of justice in property distribution. But Plato held that Solon's concept of justice was more likely to link righteousness to evil, and he argued that justice should be associated with virtues in a holistic (vs. specific) way. Aristotle further expressed that of all the virtues, justice was the only one associated with the goodness of others.

During the Middle Ages, the concept of justice became more influenced by the Christian world view. In Christianity, the concepts of justice in ancient Greece, including one's due, holistic virtues, and fair treatment of others, were all integrated into the concept of a righteous conscience when communicating with God. But with the development of modern enlightenment (i.e., liberalism) in the West, the concept of justice was extended. That is, justice lies in one's due, which, first and foremost, is the right of personal property. Hume believed that this form of justice emerged along with the formation of the property regime and was the basis for its rule system (Liao 2003), thereby incorporating connotations of procedural justice into the justice concept.

The master of the concept of justice in the modern era is John Rawls (2009), who introduced the concept of "fair justice" in his famous book, *A Theory of Justice*. Fair justice requires a sound, well-organized system of social cooperation in which each member shoulders his or her fair share of burdens and everyone enjoys full rights to the basic freedoms of society produced through cooperation. Moreover, the institutional arrangement of the system of cooperation guarantees that these rights will not be sacrificed to achieve a larger purpose, suffer from serious setbacks due to external contingencies, or be deprived as a result of cumulative consequences of specific actions (Liao 2003).

It can be seen that the concept of justice in the modern sense actually derives from system contracts based on moral virtues and related concepts. Seen from the perspective of system contracts, distributive and procedural justice are required operating conditions for an effective cooperation system. As a concept, justice remains connected with the upright moral virtues of goodness and conscience in values and religions; in this book, justice is defined in this sense.

2.2.3 On "Fairness"

Fairness is comprised of equality and justice. In the existing literature, most scholars (e.g., Wu 2007; Zhong and Qi 2008) equate the concept of fairness to justice. In China, a significant number of scholars discuss fairness from a Marxist perspective, defining the concept as equality and justice (e.g., Yuan 1992).

In Chinese, the meaning of the word fairness (pronounced *gong zheng*) is relatively obscure yet broad. *Gong* (the public) connotes the world, society, authority, disclosure, joint ownership, righteousness, etc., while *zheng* (the just) connotes integrity, impartiality, justice, the righteous path, etc. Therefore, the word fairness can take on different meanings based on the context. Fairness can be a synonym for justice, as a socialized understanding of the theoretical concept; it can also be a theoretical concept with a similar connotation to equality, which is guided by specific values. In this chapter, fairness is defined from the compound meaning of equality and justice, which focuses more on justice under the premise of righteousness, which is a higher order value.

2.3 Fairness in Chinese Culture: Origins and Evolution

As a country with a long history rooted in ancient civilizations, China has its own cultural traditions, political system, economic structure, and ideological sources. Prior to Westernization, China had its own vocabulary, interpretation, and thoughts about equality and justice. In the wake of this movement, a series of Western works were translated and introduced, and the Chinese people were exposed to political vocabularies in Western societies based largely on concepts such as equality and justice. After a series of enlightenment movements like the Hundred Days' Reform, the Revolution of 1911, and the New Culture Movement, these concepts gradually infiltrated China's politics, laws, economy, society, and culture and began to influence China's social development and cultural evolution.

2.3.1 Origins

Strictly speaking, in the earliest Chinese literature, few works included words like equality and justice; moreover, the words that were used differed semantically from those same words today. In the works of pre-Qin scholars, words associated with equality and justice include *gong* (公), *ping* (平), *zhong* (中), *zheng* (正), *dao* (道), *yi* (义), *jun* (均), *qi* (齐), and *de* (德) (Li 2004; Zhai 2010).

2.3.1.1 Equality

The Chinese concept of equality evolved from folk wisdom. Although “inequality, rather than want, is the cause of trouble” (*The Analects*) was the initial expression of this folk wisdom in ancient China, its impact on future generations is vital. For thousands of years, people had different understandings of the actual connotations of *gua* (scarcity) and *bujun* (unevenness). Despite these differences, all people cared greatly about unevenness, which influenced behaviors throughout history, even the

tradition of “egalitarian” distribution before China implemented reform and opened up its markets.

According to Li (2004), Xun Kuang was likely the first in ancient China to discuss the concept of equality in a detailed way. He said:

Therefore, justice is the guideline for handling government affairs; while moderation is the criterion for it. Those equipped with laws can manage things according to the laws, while those without laws to abide by manage things according to analogy, both of which are thorough measures for dealing with government affairs. It is a distorted way to handle those affairs by being partial and without routine. As a matter of fact, there once existed such a situation that a state, well equipped with a good legal system, was plagued with social unrest; while it was seldom the case that a state, ruled by a gentleman with both ability and political integrity, was in the trouble of social unrest. It is said that “a stable society makes gentlemen, while a chaotic one villains.” That is the rule.

It can be seen that Xunzi’s thinking had extended beyond the conceptual and he had shifted his attention to the practice of equality by way of systems and codes of conduct.

Generally, the concept of equality in modern times has at least two connotations: righteousness and parity. Righteousness is an expression of values, while parity is both the process and the objective. It means that by virtue of enjoying the same rights and fulfilling the same obligations, equal access to economic, political, cultural, social, and ecological rights is pursued. Compared to the connotations of equality in modern times, the concept of equality in traditional China more clearly reflected values such as righteousness and emphasized ethical guidelines. However, the pursuit of equality, especially in relationships between individuals in the modern sense, was largely neglected. This should be one of the most important tasks in the development of equality in modern China.

2.3.1.2 Justice

Words like *zhong* (中), *zheng* (正), *dao* (道), and *yi* (义) relate more to the modern concept of justice. Justice is a higher level concept that incorporates a specific ethical standard into equality. As a concept, justice includes moral equality (the kingly way and natural laws, meaning the goal of values) and moral values; as a system, justice is the equality of *zhong* (the kingly way, integrity and moderation); as a set of behaviors, justice is the equality of *zheng* (in accordance with social norms).

Compared with equality, justice should be the more accepted concept from a historical perspective, but in most cases they are interpreted as being synonymous and used interchangeably. From the pre-Qin period to the May 4th Movement, Confucian philosophy dominated nearly all social processes in China, from cultivating moral character and regulating family interactions, to ruling the state and making the world peaceful. How can equality be pursued justly? From a Confucian perspective, pursuing a goal justly is seemingly more important than the end results. This remains one aspect of Chinese culture in which ethical standards are prioritized.

Thus, as far back as the pre-Qin era, the Chinese had clearly thought about the concepts of equality and justice, systems, and behaviors. However, they basically only explored the moral principles of equality and justice; the work of constructing a system and formulating codes of conduct for equality and justice was left to later thinkers and rulers.

As mentioned previously, there are significant overlaps between the concepts of equality and justice. The Chinese are more focused on equality under the premise of justice, which is a higher level of equality in the sense of values. This is particularly prominent in the ideological system of Confucianism. Therefore, in the sections that follow, I integrate equality and justice into the concept of fairness in order to explore the evolution of some related thoughts in the context of Chinese culture.

2.3.2 *Evolution*

Although dynasties changed constantly from the Qin and Han to the Ming and Qing, Confucian philosophy was the consistent foundation for the government and development of Chinese society throughout its long history. Therefore, I explain the concept of fairness in Chinese society using the lens of Confucianism.

2.3.2.1 **Confucian Ideas About Fairness**

In Confucianism, fairness relates primarily to the values and social ideals under its influence. The ideological achievements in fairness made by pre-Qin philosophers are mostly embodied in the values and ethical standards. In the ensuing 2000 years, Confucian thoughts on fairness were constantly improved to form an ideological system. In the *Book of Rites* in Confucian literature, Li Yun referred to a society whose lofty values and ideals were to seek benefits for all the people in the world: “When the great way prevails, the world community is equally shared by all.” This requires individuals to be subordinate to the whole, which ensures that individuals receive “just” and “fair” treatment within the group (Shao 2012).

In Confucianism, fairness is ritualized within a system that has a correspondingly different structure. After 2000 years of developing a feudal society, a clear connotation of fairness had developed in Chinese society, and a corresponding system based on Confucian philosophy was constructed in order to solidify it. Overall, strict egalitarian thoughts were eliminated from the connotation of fairness, in favor of relative equality and justice based on the pattern of hierarchical disparities. Confucius said: “Do not worry about the scant amount, but equal distribution, and do not worry about poverty, but social unrest.” Likewise, Dong Zhongshu said: “Do not worry about poverty, but equal distribution.” The aim being to “enable the rich to show their wealth without being arrogant, and the poor to support themselves without worry.” In *Luxuriant Dew of the Spring and Autumn Annals*, Dong described how these principles are used to adjust the average distribution “so that there is no

lack of wealth and the rulers and the ruled rest assured. As a matter of fact, it is easy to govern.” Confucianism emphasizes that disparities exist in everything of this world, and they should stay in their proper place, which is the natural order (Shao 2012). This order was the foundation of the “ritual system,” which defined and maintained the disparity structure of ancient Chinese society (that is, the inequality between people) and ensured equality among people of the same group or class (e.g., those who excelled in learning had equal opportunity to become officials under the civil service examination system).

Finally, Confucian-based social norms and codes of conduct related to fairness aligned the behaviors of scholars and officials with the ideal of the “Great Unity under Heaven” espoused in Confucian philosophy. Confucian ideas about fairness were incorporated into rulers’ governing principles and designs of economic systems (Shao 2012). Confucian codes of conduct for the elite class of scholars and officials aligned actions “for oneself” and “for private purposes” with the Great Unity under Heaven ideal of fairness to ensure that the external manifestations of everyone’s behaviors were ultimately beneficial “for the public” and “for public purposes” (Qian 2012).

2.3.2.2 The Institutionalization of Confucian Ideas About Fairness

Overall, the value goal of Confucian ideas about fairness is the Great Unity under Heaven, which is a very idealistic goal of social development. As mentioned previously, in the *Book of Rites*, Li Yun referred to an ideal society with the lofty goal of creating benefits for all people on earth. Implementing this kind of ideal in state governance is the “benevolence” of Confucianism. Advocating self-improvement for scholars and officials was insufficient for achieving this goal; a formal system had to be established: the “rites” of Confucianism. The rites comprise a code of conduct consisting of feudal codes of ethics, moral standards, etiquettes, and customs. The benevolence and rites of Confucianism can be seen as early attempts to institutionalize fairness in China.

2.4 Promoting Fair Development: Ideology, Systems, and Behaviors

During the late nineteenth and early twentieth centuries, China’s traditional fairness ideology was being influenced by both traditional and modern Western ideologies as a result of the Westernization Movement, the Hundred Days’ Reform, and the New Culture Movement. But in mainland China, discussions about fairness and equality were truly revived in the 1980s after a protracted era of war, upheaval, and turmoil. With in-depth cross-cultural exchanges in the fields of economics, management science, political science, and sociology, as well as the introduction of massive bodies of Western academic literature, mainland Chinese began to reflect on fair

social practices. As a result, many endeavored to reconstruct the theoretical system for fair development and to explore the possibility of establishing a social system, institutions, and norms to support its implementation in China.

2.4.1 Philosophical and Institutional Weaknesses of Traditional Chinese Fairness Ideology

I noted several problems associated with traditional Chinese fairness ideology in the previous sections. In the sections that follow, I focus on two specific weaknesses of traditional Chinese fairness ideology that are most relevant to the implementation of fair development in China.

2.4.1.1 A Focus on Equalization Rather than Equality

Theoretically, equalization is not the same as egalitarianism (Li 2004); yet in actual practice, equalization has been simplified as equal division or equal distribution in Chinese society (Zhai 2010). Hence, equalization is seen as egalitarianism under certain conditions, which is quite different from the connotation of equality embodied in Western ideology. Traditionally, equalization meant justice or equality within a specific social rank in the ancient Chinese hierarchical society. This maintained and consolidated the social hierarchy, which directly contradicts the modern human rights value that all men are born equal. Therefore, reconstructing traditional Chinese ideology based on modern philosophy is fundamental for the implementation of fair development in China.

2.4.1.2 A Focus on Personal Values and Morality Rather than Societal Norms

It was hard to embed the fairness ideology into the system, let alone incorporate it into social structures and operations. First, traditional fairness ideology only prevailed within a certain social class in the ancient feudal monarchy whose leader enjoyed God-given power. In China's feudal times, there only existed a few bottom-up cross-strata mechanisms for identifying talents, namely the talent promotion system based on one's filial piety and moral record, and the imperial examination system. China has long been in want of democratic institutions for the discussion of civil affairs like those in European city states (see Gu 1982), which explains why fairness ideology did not penetrate social institutions. Second, traditional Chinese fairness ideology was applicable only in a few fields such as law, economic distribution, and mediation of social conflicts. Moreover, even in those limited areas, ethical norms (etiquette) and laws played a dominant role, while fairness was a complementary element.

2.4.2 Reconstructing Ideological and Institutional Norms

The implementation of fair development in China requires the reconstruction of fairness ideology and institutional norms.

2.4.2.1 Embed the Concept of Equality in the Ideology of Fair Development

As an organic part of China's socialist core values, the philosophy of "liberty, equality, justice and the rule of law" will surely lay a solid foundation for fair development in contemporary China. It will also be beneficial, in both the short and long term, to embed the modern conceptualization of equality into China's traditional fairness ideology so as to promote fair development in China.

First, there are two groups of people who should be viewed as equals: those who need fair treatment and justice (object), and those who actively formulate equality institutions and are involved in administering equality (subject). In other words, all men are born equal. Everyone enjoys naturally bestowed (rather than [philanthropically](#) given) human rights. Only in this way does the basic principle of fair development make sense.

Second, the principle of equality will transform China's fairness ideology, system, and regulation to truly respect individual freedom. For a long time, China's ancient culture attached more importance to collectivism than individualism and tended to give an abstract rather than concrete description of individuals. Vaguely labeled as "subjects of a feudal ruler," individuals were not given due attention in Chinese culture. Even in Mencius's seemingly democratic people-oriented thought, people were not entitled to be treated with integrity, let alone given individual freedom. Hence, it is next to impossible to discuss equality or equal rights in the context of personal integrity. It is definitely a flaw in Chinese fairness ideology and an obstacle to modernization. In Western history, the rise of liberalism marked the beginning of modernization, while individual freedom constituted the cornerstone of ideas about modern equality and justice.

Today, equality is being introduced into the fair development system, further expanding its connotation. Equality goes beyond traditional aspects such as interpersonal relationships, human rights, and resource ownership. It is important to remember that human beings, other creatures, and the entire world are equal, too. Only by introducing this kind of equality philosophy into traditional Chinese fairness ideology can fair development truly be promoted in China.

2.4.2.2 Enable the Development of Fairness with Institutional Construction

Based on the previous analysis, it can be concluded that due to institutional weaknesses and flaws in traditional Chinese fairness ideology, moral fairness (benevolence) cannot truly be incorporated into behavioral justice to establish social norms

that ensure the effective functioning of the whole system. So, how can institutional improvement be promoted? Based on historical experience, it is more practical to start by implementing an operational instrumental system and move towards constructing a social or organizational system before attempting to revolutionize fundamental institutions.

The good news is, the instrumental fairness system in China already has a solid foundation. For example, since the reform was implemented and China opened up its markets, there has been a systematic transition from egalitarian to performance-based distribution, from single-element to multi-element allocation, and from primary to secondary distribution. Although China's Gini coefficient remains high, people's sense of satisfaction and happiness are increasing. In terms of sustainable development, China has formulated a series of regulations to save energy and reduce emissions. For example, China has established carbon exchanges to restore fair development (Ding 2013) and strengthen the operational system. It is hoped that in the future, government departments, non-profit organizations, and related agencies can work together to improve the instrumental system.

The next step involves enhancing system development and institutional efficiency to ensure fair development. Efforts should be made to formulate and improve institutions where necessary. Institutions should play a big role in coordinating different entities such as the government, enterprises, and relevant social organizations. If institutions fail to function, it is important to find ways to improve them and develop methods to effectively implement them. In addition, resource mobilization strategies, organizational structures, and functional mechanisms must be transformed to ensure high efficiency for the whole system.

Moreover, fair development requires systematic transformation of the existing legal and political frameworks. It is predictably difficult to make progress in equality and fairness within China's current legal and political framework. Against the backdrop of sustainable development and the modernization movement, it is more appropriate and effective to seek breakthroughs in economic zones and then to promote institutional reconstruction in other areas in a gradual and stable manner.

2.4.2.3 Promote the Construction of Social Norms

Historically speaking, by emphasizing the integration of social norms and individual self-cultivation, Confucianism has successfully regulated people's behavior through Confucian ethics and rites to achieve the goal of supreme harmony. However, its actual achievement in terms of institutional construction is negligible. Under the strict rule of emperors in ancient China, people were deprived of the opportunity to participate in civil movements. As bystanders, they definitely did not feel a sense of achievement. To promote fair development in contemporary China, people must be fully engaged in the movement and cultivate their responsibilities as modern citizens.

The core value of social norms is to develop self-conscious behavioral standards within every citizen and to form a common social contract that regulates everyone's

behavior. But historically speaking, China has never witnessed the birth of a civil society in which people have actively participated in the equality and justice system and cultivated a deeply rooted equality ideology. It is fair to say that the foundation for constructing China's social norms is quite weak. But it is time to make up for this deficiency. A lasting civil movement is urgently needed to enhance fair development in China. In addition to a uniform ideology, fully engaged citizens are vital. Qualified citizens make a well-functioning society, which further enhances sustainable development at large.

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