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RESEARCH ARTICLE

From Leuven to Beiping: European Educational Networks and the Founding of the National Beiping Higher Engineering School

Shuihuan WANG

(North China University of Technology)

Abstract

Benefiting from his overseas study of engineering technology in Europe and long-term teaching experience at Fu Jen Catholic University in Beiping, Chen Guangxi grew into a leading scientific and technological expert in Beiping after August 1945. He was firstly appreciated by Shen Jianshi, a returnee from Japanese science universities, and later trusted by Zhu Jiahua, Minister of Education who also studied in Europe. Recommended jointly by the two scholars, Chen Guangxi established the National Beiping Higher Engineering School in merely five months on the basis of the North China Higher Industrial School founded during the Japanese occupation of Beiping, and served as its president. Former teachers and graduates of Fu Jen Catholic University made crucial contributions to the school's founding. After 1952, Fu Jen Catholic University disappeared as an independent institution in mainland China. However, its faculty, students and educational concepts endured for decades in various Beijing universities via the restructuring and distribution of its academic specialties. The People's Republic of China required Fu Jen's scientific and educational legacy to be separated from religious affiliations, and such contributions have been fully recognized. Fundamentally, this recognition mirrors the modern Chinese admiration for Western modern scientific achievements and science and technology education systems.

Key Words: Chen Guangxi; Shen Jianshi; Fu Jen Catholic University; National Peiping Advanced Industrial Vocational School; European Educational Networks

Ⅰ The general historical background and Chen Guangxi's key role in the Founding of the National Beiping Higher Engineering School

Professor Chen Guangxi (1903–1992) was a distinguished expert in computer science in China. In 1920, he went to France to pursue further education, where he studied for more than one year at the Agricultural Machinery Specialty of the University of Toulouse, a prestigious university in southern France, and obtained the degree of Agricultural Engineer. Subsequently, he continued his studies in Belgium and graduated in 1930 from the renowned Catholic University of Leuven (Katholieke Universiteit Leuven), earning two degrees: Mining Engineer and Mechanical Engineer. Chen Guangxi returned to China in 1930 and initially taught at several private universities and secondary schools in Shanghai and Beijing. Starting in 1932, he joined the newly founded Fu Jen Catholic University in Beijing, and became a Professor in the Department of Mathematics in 1938, a position he held until the spring of 1946. During that period, he participated in the founding of the National Peiping Advanced Industrial Vocational School and served as its first president. In 1957, at the invitation of Li Chang (1914–2010), President of Harbin Institute of Technology, Professor Chen Guangxi moved his entire family from Beijing to Harbin. He then worked at Harbin Institute of Technology for a long time until his death in 1992.

Chen Guangxi obtained the opportunity to independently establish an engineering university primarily owing to the recommendation of Professor Shen Jianshi, his colleague at Fu Jen Catholic University. This inference is grounded on a telegram in which Shen Jianshi(1887—1947) recommended Chen Guangxi to Zhu Jiahua, (1893–1963) Minister of Education, for the position of university president. Among the existing archival materials concerning the founding of the National Beiping Advanced Industrial Vocational School, the earliest surviving document is a correspondence dated February 12, 1946, sent by Shen Jianshi to Zhu Jiahua, then Minister of Education of the Nationalist Government. The third clause of this letter explicitly refers to the takeover and restructuring of the industrial school originally established by the Japanese, and puts forward the recommendation of Chen Guangxi as president:

(3) The former Japanese-run Beiping Higher Industrial School shall be reorganized into a vocational industrial school per ministerial order. Lu Yuanren informed me that you, Lord Liu, instructed to recommend a candidate with a mechanical engineering background. After careful investigation, Chen Guangxi, a graduate engineer from the University of Leuven, Belgium, is deemed the most suitable candidate. I intend to consult his willingness and forward the recommendation via Lu Yuanren, and hereby inform you in advance. A detailed

curriculum vitae of Mr. Chen will be submitted separately, and I would appreciate your preliminary endorsement. Please also promptly advise Lu Yuanren's official position in the Ministry. (Ministry of Education, Republic of China ,1946)

In the telegram, "Lord Liu" is an honorific title for Zhu Jiahua. The correspondence records that Zhu Jiahua entrusted Shen Jianshi to recommend a scholar with a mechanical engineering background to lead the newly founded school. Shen subsequently recommended Chen Guangxi, noting his overseas education at the University of Leuven in Belgium and his qualification as a professional engineer.

II. Shen Jianshi's Understanding of the Japanese-Founded North China Higher Industrial School During His Tenure at Fu Jen Catholic University

Although Mr. Shen Jianshi was forced to remain in Beiping, he consistently refused to serve in cultural institutions controlled by the Japanese puppet regime. Instead, he took advantage of the special position of Fu Jen Catholic University, which as a church university was still able to operate independently in the early stages of the War of Resistance, to secretly organize the "Yan Society" and engage in underground anti-Japanese propaganda activities. According to materials from this period compiled by the editor of the Chronological Biography of Shen Jianshi, he was thoroughly familiar with the situation of various higher education institutions in Beiping during the occupation. The North China Higher Industrial School, founded by the Japanese invaders, was established in 1938. Its main campus was located at the Shuncheng Prince's Mansion at Beigouyan inside Fuchengmen (now the site of the CPPCC Auditorium), which was no more than eight li from Beijing Fu Jen Catholic University where Shen Jianshi had long served, and could be reached on foot within an hour. Although the teachers and students of this industrial school were all Japanese and it was not open to Chinese people, Shen Jianshi may still have been able to learn about the basic situation of the school through introductions by some scholar friends. An important set of corroborating evidence comes from Qian Xuantong's diary entries recording figures and events surrounding the interactions between the Qian and Shen families. As a fellow disciple of Zhang Taiyan, Qian Xuantong similarly remained in Beiping after the fall of Beiping due to reasons such as his long-standing illness and family burdens, and the Condorcet School was one of his main places of activity. In early 1938, Qian Xuantong had interactions with the Japanese scholar Lin Shengkui, who taught at the Dalian Industrial College:

(January 4, 1938) Tuesday. Morning, continued organizing Quan's books. Afternoon, went to Condorcet. At three o'clock, went to the dictionary office, met Wang and the Japanese Mr. Lin Shengkui. Mr. Lin is a teacher at the Dalian Industrial College; he gave me candy, discussed national pronunciation standards, and brought out an album asking me to write in it. Returned home at five o'clock; very cold. （Qian,2014,p.1305）

From this record, it appears that Qian Xuantong's conversation with this Japanese scholar was quite lengthy (at least over an hour). Although the content of their discussion was not explicitly recorded, the fact that they could discuss professional academic issues such as "national pronunciation standards" suggests that they had some common topics of conversation. The "Dalian Industrial College" here is suspected to refer to the "South Manchuria Industrial College" that operated during the Japanese occupation of Dalian. This college began operations as early as 1911 under the auspices of the South Manchuria Railway Company (Mantetsu), the Japanese colonial invasion agency in China. In 1922, it was renamed to the aforementioned name. After the victory in the War of Resistance, in March 1946, the college was received by the Nationalist Government and renamed "Dalian Industrial College," which later became part of the Dalian Institute of Technology and today's Dalian University of Technology. Whether this Japanese scholar's activities in Beiping were related to the founding of the North China Higher Industrial School in 1938 currently lacks direct documentary evidence. However, it can be inferred from the above account in Qian Xuantong's diary that Qian already knew of Japanese scholars teaching at an industrial school coming to Beiping to conduct activities, and may have revealed this news to his close friend Shen Jianshi through daily gatherings and interactions.

Qian Xuantong and Shen Jianshi maintained quite close interactions in Beiping after the occupation. This was due firstly to their aforementioned relationship as fellow disciples under the same master, and secondly because both had deep connections with the Condorcet School. According to the 1938 records in Qian Xuantong's Diary, he met with Shen Jianshi four times after May. However, a more direct connection came from Shen Lingyang, who then taught at the Condorcet School and later served as its principal. Shen Lingyang was the eldest son of Shen Yinmo. For a period, he met Qian Xuantong almost every day. For example, in Qian's diary entries from January 2 to 6, 1938, there is almost a daily record of "went to Condorcet, met Li, Shen, Chen". （**Qian,2014,pp.1304-1305**） Comparing this with Qian's later diary entries on gatherings where he recorded the full names of participants, it can be deduced that the Li here refers to Li Zhaoyi, Shen refers to Shen Lingyang, and Chen refers to Chen Binghua—all three were teaching at the Condorcet School at that time.

Within the Shen family, Shen Lingyang would have addressed Shen Jianshi as "Third Uncle." Since his father Shen Yinmo had already moved to Shanghai at that time (and after the Japanese occupation of Shanghai in 1938, he fled to Chongqing to avoid the conflict), and his eldest uncle Shen Shiyuan had also gone to serve in the Zhejiang Provincial Department of Education before the fall of Beiping(Shen C.Q. 2017,p105), the only senior member of the family remaining in Beiping was Shen Jianshi. According to Mr. Shen Changqing, the grandson of Shen Yinmo, citing the recollections of Qian Bingxing, Qian Xuantong's son, Shen Jianshi was one of the founders of the Condorcet School. (Shen C.Q. 2017, p249) Therefore, information about Japanese people coming to Beiping to establish an industrial school circulating among the teaching and administrative staff of the Condorcet School may have attracted considerable attention. Although Shen Jianshi at that time "did not inquire about anything related to foreign affairs," he could still have learned about the situation regarding Japan's establishment of industrial education institutions in Beiping and its implementation of cultural aggression by asking his nephew Shen Lingyang, who within the family was equally patriotic and opposed to the Japanese (Shen C.Q. 2017, p259).

As for whether Chen Guangxi, who taught in the Mathematics Department of Fu Jen Catholic University throughout the period from the fall of Beiping to its liberation, understood the basic situation of the North China Higher Industrial School, it is currently difficult to find direct evidence from the recollections of his students and relatives. However, according to the recollections of Lin Zhiyun, Chen Guangxi's grandniece: when Chen Guangxi returned from studying in Europe, he brought back a lathe, which he cherished greatly. However, on July 29, 1937, when Beiping fell and before the Japanese invading army entered the city, he worried that this lathe would be requisitioned by the Japanese army to repair weapons and used to kill Chinese compatriots, so he painfully dismantled and destroyed it himself.(Wang F.P. 2011,p46) Based on this experience, it can be roughly inferred: at that time, even if Chen Guangxi learned through channels such as casual conversations with colleagues at Fu Jen Catholic University that there was a higher industrial school in Beiping run by Japanese people, he would not have actively approached the teachers or students of that school. Rather, he would have been more likely to maintain his consistent patriotic original intention and proactively contact the patriotic anti-Japanese underground organization led by Shen Jianshi. The following section attempts to analyze the historical process through which Mr. Chen and Mr. Shen moved from acquaintance to mutual understanding, and finally joined hands to establish the National Higher Engineering School, combining relevant historical materials.

III. The Early Relationship Between Shen Jianshi and Zhu Jiahua, and Shen's Recommendation of Chen Guangxi as President of the Higher Engineering School

To trace why Mr. Shen Jianshi would recommend Chen Guangxi to serve as the first president of the National Beiping Higher Engineering School, the first consideration should be their colleague relationship at Fu Jen Catholic University. According to the brief biography of Chen Guangxi in the "Distinguished Teachers" section of the History of Beijing Fu Jen Catholic University, Chen Guangxi served as an associate professor at Fu Jen Catholic University starting from 1932(Fu Jen Catholic University Alumni Association of Beijing[1] Comp.2005, p329), and was promoted to professor in 1938. Meanwhile, in the "List of Faculty and Staff of Private Beiping Fu Jen Catholic University in the 35th Year of the Republic of China (1946)" table reproduced in

[1] This is the full name of the alumni organization; I would like to use FJCUAAB as its abbreviation in following paragraphs.

the same book, Chen Guangxi's date of arrival at the university is recorded as September of the 22nd Year of the Republic of China (1933)(FJCUAAB Comp.2005,p78), while in the same table, Shen Jianshi's date of arrival is recorded as "February of the 16th Year"—this counts Shen Jianshi's participation in the promotion of the establishment of Fu Jen Catholic University with Chen Yuan(1880—1971) and others in 1927 and his service as a member of the university's board of trustees as the starting point of his teaching career at the school. The Chronological Biography of Shen Jianshi compiled by Li Qianming also cites the History of Beijing Fu Jen Catholic University and determines Shen Jianshi's time teaching at Fu Jen as 1927(Li Q.M. 2022, pp244-245). From this, it can be inferred that Shen and Chen had at least ten years of working together at Fu Jen Catholic University (during which Shen Jianshi fled Beiping for Chongqing in early December 1942 to avoid arrest by the Japanese invaders and did not return to Beiping until late September 1945). In September 1935, when Chen Guangxi was an associate professor at Fu Jen Catholic University, Shen Jianshi was already a well-known figure in Beiping's higher education and cultural and artistic circles, frequently interacting with academic and cultural figures serving in institutions such as Peking University, the Palace Museum, and the Condorcet School, many of whom were scholars originally from Zhejiang. Since Chen Guangxi was a relatively young junior scholar at that time and did not have the habit of keeping a diary, before the compilation and publication of relatively detailed materials such as the "Chronological Biography of Chen Guangxi," the author can only make several possible conjectures about the network of personal relationships and intermediary channels through which he and Mr. Shen Jianshi became acquainted, based on clues provided by currently limited literature.

The first is the colleague relationship among Shen Jianshi, Li Jiashi, and Chen Guangxi at Fu Jen. According to the July 1941 edition of the Fu Jen Catholic University Annual published by Beiping Fu Jen Catholic University, Mr. Shen Jianshi appears on page 31 as "Dean of the College of Arts," Chen Guangxi appears on page 45 as a professor in the Mathematics Department, while the German professor Li Jiashi (Richards), who could have served as the "organizational intermediary" between Shen and Chen, served as head of the Mathematics Department and appears on page 42.(Fu Jen Catholic University Yearbook Press Eds.1941,p42) In the 1942 edition of the Fu Jen Catholic University Annual, Shen Jianshi, Li Shijia (that is, Li Jiashi—after 1942, the annual used the Chinese name "Li Shijia," but many relevant historical photographs still caption him as "Li Jiashi"), and Chen Guangxi appear on pages 26, 35, and 46 respectively. However, due to changes in the names of university institutions, the department where Li Shijia and Chen Guangxi served was renamed the "Department of Mathematics and Physics." Five years later, in the 1946 edition of the Fu Jen Catholic University Quarterly, the aforementioned three individuals appear on pages 10, 11, and 13 respectively;(Fu Jen Catholic University Eds.1946, p13) Shen Jianshi remained Dean of the College of Arts, while Li Shijia's identity was still marked as "Head of the Department of Mathematics and Physics," and Chen Guangxi was a professor in the Mathematics Group. According to the curriculum setup and management system of the Mathematics Department of Fu Jen Catholic University at that time, Chen Guangxi taught required courses including elementary calculus, advanced calculus, and theoretical mechanics for freshmen, sophomores, and juniors at Fu Jen, as well as elective courses such as infinite series. Li Shijia, who served as department head for a long time starting from 1939, should have been relatively familiar with Chen Guangxi's teaching work and performance as a teacher in his department (in the historical photograph of "Mathematics Department Faculty" from Fu Jen Catholic University, the person to the right of Li Shijia is Chen Guangxi).(FJCUAAB Comp.2005,pp178--180) Both Mr. Shen Jianshi and Mr. Li Shijia were members of the Board of Trustees of Fu Jen Catholic University(FJCUAAB Comp.2007,p12), and they had the opportunity to get to know each other during routine board meetings. They may have learned about Chen Guangxi's background and teaching situation through the university's "daily interaction circle among middle-level leadership."

The second is the interaction among Chinese scholars in Beiping outside of work relationships, especially those from the Jiangzhe region. Mr. Shen Jianshi's ancestral home was Huzhou, Zhejiang, and Professor Chen Guangxi's ancestral home was Shangyu, Zhejiang. Although they belonged to western Zhejiang and eastern Zhejiang respectively and their disciplines were different, both fell within the traditional "Jiangzhe cultural sphere." Mr. Shen Jianshi became famous early and had extensive interactions. Just between October 1933 and February 1934 (at which time Chen Guangxi had been teaching in the Mathematics Department at Fu Jen for just over a year), Yang Shuda, Qian Xuantong, Zhou Zuoren, Gu Jiegang and others mentioned scholar gatherings multiple times in their diaries. In addition to Mr. Shen Jianshi and the four diary keepers, the scholars who frequently appeared at these gatherings also included Ma Yuzao, Ma Heng, Liu Bannong, Shen Yinmo, Yu Pingbo, Xu Senyu, Xu Yaochen, Jiang Menglin, Wei Jiangong, and others. The ancestral origins of these scholars were mostly distributed in the traditional "core area of Jiangzhe literati" in northern Zhejiang and southern Jiangsu. Regarding the matter of Chen Guangxi, a promising young scholar from Zhejiang who had returned from studying in Europe, taking up a position at Fu Jen Catholic University, Shen Jianshi should have already heard about it through colleague relationships at the university, or learned about it through organizations such as the Zhejiang Fellow Countrymen's Association in Beiping.

According to alumni recollections in The Higher Engineering School Enters New China compiled by the Alumni Association of the National Higher Engineering School: the National Beiping Advanced Industrial Vocational School had a very strong faculty, and teachers with teaching experience at Fu Jen Catholic University or who had received their education there accounted for a very large proportion:

Among the 60 faculty and staff members, there were 7 who had graduated from foreign universities and had taught in domestic universities; 24 who had graduated from domestic universities or research institutes and had taught in universities; 10 who had graduated from domestic universities and had served as high school teachers; and 6 who had graduated from specialized schools or possessed specialized technical skills. Faculty members held full-time academic positions, and many had engaged in production and technical work, possessing practical experience. Among them, President Chen Guangxi also served as head of the Mechanical Engineering Department; he graduated from "Yale University in France" and the University of Leuven (Katholieke Universiteit Leuven) in Belgium. Dean of Academic Affairs Fei Xinming graduated from Fu Jen Catholic University. Dean of Student Affairs Hao Deyuan graduated from Fu Jen Catholic University. Director of General Affairs Bao Letong graduated from the Law and Business College of National Beiping University. Dang Tingmei served as head of the Electrical Engineering Department; he graduated from the Institut des Arts et Métiers de Pierrard in Virton, Belgium[2], graduated from the Department of Mechanical Engineering at the University of Nancy, France, and was a professor at Peiyang University. Wang Geng served as head of the Mining and Metallurgy Department; he graduated from the Department of Physics, College of Science at Fu Jen Catholic University and graduated from the Mining Department of the College of Engineering at the Imperial University of Japan. (Alumni Association of National Beiping Higher Engineering School Eds.2013, p12*)*

From the above introduction, it can be seen that in the composition of the school management at the time of the National Higher Engineering School's founding, teachers and students from Fu Jen Catholic University occupied an extremely high proportion. One of the important reasons for this was that Mr. Shen Jianshi had served as Dean of the College of Arts at Fu Jen Catholic University during the early to middle period of the War of Resistance, and had widely contacted patriotic teachers from various departments and colleges of Fu Jen Catholic University to form the secret cultural and educational underground anti-Japanese organization "Yan Society" (later renamed "North China Cultural and Educational Association").

In the early period after victory in the War of Resistance, the process by which various departments of the Nationalist Government received cultural and educational institutions in cities formerly occupied by the Japanese puppet regime did not proceed smoothly. Specifically, regarding the reception of Japanese puppet regime agencies, cultural and educational institutions, and industrial and commercial enterprises in Beiping, conflicts of interest often arose among various departments. Mr. Shen Jianshi played an important coordinating role in this process, and a group of new industrial schools, including the National Beiping Higher Engineering School, were established and opened for classes within just six months. Mr. Shen's multifaceted efforts and crucial contributions were indispensable to this achievement. Regarding the specific circumstances in this process, in addition to the firsthand recollections of Higher Engineering School alumni such as Sun Qiding and Tao Ranru, scholars such as the aforementioned Li Qianming have already conducted preliminary collation and research. This paper intends to focus on the two issues of the selection of the president and the sources of key teachers, examining how Mr. Shen Jianshi carefully deliberated, actively made contacts, and ultimately realized this educational feat of establishing the Higher Engineering School.

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[2] (originally transcribed as "Wei X Dun" in the Chinese source, likely a misreading of "Virton" [维尔通], whose pronunciation closely resembles "Weierdun" [维尔敦] in northern Chinese dialects)

IV. The Important Role of Zhu Jiahua's European Study Experience in the Founding of the National Beiping Higher Engineering School

When Shen Jianshi proposed to Zhu Jiahua in February 1946 to receive and reorganize the Japanese North China Higher Industrial School, the domestic cultural and educational situation had not yet completely stabilized. Although half a year had passed since victory in the War of Resistance, the universities in Beiping and Tianjin that had moved inland to Shaanxi, Sichuan, Yunnan, Guizhou and other regions to avoid the devastation of culture by the Japanese invaders had not all resumed operations and reopened. Many well-known scholars also remained in the rear areas and had not returned to Beiping. Some scholars, because they had actively supported the Chinese Communist Party's propositions on the War of Resistance and published speeches criticizing the Kuomintang's dictatorship, were viewed with suspicion or even detained and harmed by the authorities (such as Li Gongpu and Wen Yiduo). At a time when recommending someone to serve as president of the Beiping Higher Engineering School, it was necessary to consider not only the person's professional and technical capabilities, but also whether they could gain recognition from the middle and upper levels of various departments and agencies of the Nationalist Government. At this point, it was necessary to consider another identity of Chen Guangxi: as a Zhejiang-born scholar who had studied engineering science in Europe and resided in Beijing during the middle period of the Republic of China. He had experience in studying engineering technology practical disciplines in Europe for a long period, and during the War of Resistance against Japan he maintained national integrity and refused to serve the Japanese invaders and the puppet regime. Scholars who met these several conditions could potentially gain the support of Zhu Jiahua, who had recently become Minister of Education.

Zhu Jiahua's own experience studying geological science in Germany and Switzerland played an important foundational role for his later service as Minister of Education and his guidance in the creation of new universities. This official, who obtained a doctoral degree in Germany, believed that China urgently needed to establish a number of universities that would help with domestic industrial reconstruction and economic development after the victory in the War of Resistance against Japan. Because he is very familiar with engineering education in Europe in the first half of the 20th century, he knows that Chinese scholars who obtain a degree in mechanical engineering from European universities may have the ability to manage an emerging higher technical institution. Therefore, it can also be said that Professor Chen Guangxi received ten years of mechanical engineering education in Europe, and after returning to China, he taught for a long time at a university with European management involvement, which made it easier for him to gain the trust of the top officials of the Ministry of Education at that time.

V. New China Needed European Science, Not Its Religion: The Dissolution and Transformation of Fu Jen Catholic University after 1952 and Its Implications

Only six years after the "National Beiping Advanced Industrial Vocational School" was founded, Fu Jen Catholic University, which served as an important "parent body" for this emerging engineering school, began to face the severe challenge of survival and adaptation to a new environment. After 1952, Fu Jen Catholic University no longer existed as a whole in mainland China, but its teachers, students, and educational concepts continued to exist for several decades in multiple universities in Beijing through the "restructuring and distribution of its academic specialties." New China needed a "Fu Jen science education legacy" that had removed its religious background, and Fu Jen Catholic University's contributions in this regard have been fully recognized. In fact, this reflects the admiration for modern Western scientific achievements and science and technology education systems among Chinese people since modern times. In contrast, higher education management officials in New China had little interest in, and were even quite wary of, European religion. At that time, Karl Marx's famous dictum that "religion is the opium of the people" had already been translated into Chinese, and "opium" had brought painful and humiliating suffering to modern China.

Since the higher education of the new China no longer needed the religious education component provided by the church universities of the old society, the Fu Jen Catholic University as a whole could hardly continue to exist and could only be reorganized and recombined. The natural science departments and colleges that still had value were integrated into other socialist universities. After 1952, the official government did not prevent alumni of Fu Jen Catholic University from continuing to organize various liaison activities. Many former teachers of Fu Jen Catholic University who were transferred to teach at other universities still had a relatively strong sense of belonging to Fu Jen Catholic University. This has prompted them to guide their daily teaching and scientific research with relatively high academic standards, believing that only in this way can they restore the reputation and status of Fu Jen Catholic University as one of the "Four Great Universities" in Peiping in the past. In this sense, the concept of scientific education in modern Europe and some educational training systems still played a positive role in the construction of the new China. Church universities in the old system no longer exist, but their ghost has lingered for decades in those newly established technical universities.

It was not until China reopened its doors to the world after the reform and opening-up those debates over religious ideology gradually subsided, and those universities that inherited part of the spiritual legacy of church universities once again traced their history of scientific education back to their initial connections with modern European scientific education. This historical situation easily reminds people of the evolving relationship between religion and science in Europe. In fact, the Church once held considerable influence over European universities, but later, with the spread of scientific knowledge and the rise of humanism, more and more young students preferred to believe in a world explained by natural science. From the perspective of world history, the influence of the church on universities gradually waned, and religion came to be seen merely as a special cultural and spiritual heritage rather than the core of university ideals. The secularization of Chinese universities after 1952 is therefore quite normal; it is merely a Chinese version of the story of global modern higher education.

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RESEARCH ARTICLE

A Study on the Assertion of the "Laws of Beauty" in *Economic and Philosophic Manuscripts of 1844*

Jingchun Du[1*]

1. School of Marxism, Beijing Jiaotong University, Beijing, China

*Correspondence:2682045589@qq.com

Abstract

The "laws of beauty" in *Economic and Philosophic Manuscripts of 1844* constitutes the core principle of Marxist aesthetics.The key to understanding it lies in grasping the meanings of the two "standards". The "standard of the species" refers to the technical dimension in which humans can imitate the instincts of various organisms through cultural capabilities, while the "inherent standard" refers to the purposive aspect of human intention. Conscious, technical labour is the real process through which humans acquire the "universal" capacity transcending all other beings,enabling labourers to become a species-being and gaining the spiritual experience of "beauty" as their purposes are realized. Estranged labour stands as the antithesis of the "laws of beauty", only the realization of communism can bring the experience of beautiful labour.

Key words: The "laws of beauty" ;The standard of the species;The inherent standard;Estranged labour

Economic and Philosophic Manuscripts of 1844（hereinafter referred to as the *Manuscripts*）is the principal work in which Marx shifted toward economic issues during his development of historical materialism. As a work that integrates Marxist philosophy, political economy, and scientific socialism,it holds a unique and significant position among all of Marx's writings. By connecting economics and philosophy, Marx carried out a great revolution in these two fields, enabling us to view philosophy through economics and understand economics under the guidance of philosophy, while simultaneously revealing the secret of aesthetics. Since the Chinese translation by He Sijing was published in 1956, Chinese aesthetic circles have engaged in vigorous discussions on important issues on its key issues, including estranged labour, the objectification of essential powers of man, the essence of beauty,and so on.From the 1930s–40s through the 1990s, the *Manuscripts* sparked diverse debates in China's academic and aesthetic community, and many scholars have employed applying its viewpoints and methods to solve real-world aesthetic problems. Scholars' explorations of aesthetic thought have been diverse and multifacated, with the most controversial being the famous assertion of the "laws of beauty". Today, many scholars recognize that this assertion constitutes the core of Marxist aesthetic thought.Sorting out and deeply understanding the "laws of beauty" assertion is of great significance for researching Marxist aesthetics and building modern aesthetics.

I. Academic Debates on the "Laws of Beauty": Interpretations of the "Two Standards"

Marx did not explicitly define the "laws of beauty". There has been considerable controversy in Chinese aesthetic circles over the understanding of the "laws of beauty", mainly centered on the two standards: the "standard of the species" and the "inherent standard". This section introduces two distinct understandings of these two concepts.

(I) Object-Attribute Theory: Both Standards Belong to the Object

The debates over the "two standards" mainly lies in divergent understandings of the "inherent standard".The first view, represented by Cai Yi and Lu Meilin, ascribes both standards to object itself,attributes objective nature to the "laws of beauty", and holds that the "standard of the species" is the essential characteristic of the species, while the "inherent standard" refers to the intrinsic prescriptiveness of the thing.

In his *Explorations of the Aesthetic Thought in the Paris Manuscripts*, Lu Meilin retranslated Marx's account of the "laws of beauty" based on the original text, Russian, and English versions.His translation is as follows: "Animals only build in accordance with the standard and needs of the species to which they belong, whereas man knows how to produce according to the standard of any species, and everywhere applies to the object the measure inherent in the object itself; therefore man also builds in accordance with the laws of beauty" (Lu, 1997, pp. 3–9). It can be seen that Lu Meilin supports the first view. The "inherent standard" is the intrinsic essential prescriptiveness of the object, and humans transform the object according to its inherent essence.For example, if one were to apply the "laws of beauty" to transform a piece of wood,one could only make it into wooden products, but it is obviously impossible to turn it into a knitted sweater. This illustrates that humans can only transform objects based on their inherent attributes.

(II) Subject-Object Unity Theory: The Inherent Standard Belongs to the Subject

The second view, represented by Zhu Liyuan and Ying Bicheng, assigns the subjective standard of humans to the "laws of beauty". They argue that the "standard of the species" refers to the natural laws and survival modes of species instinct, while the "inherent standard" refers to the purposefulness that humans impose on the object. The "laws of beauty", they contend, is the unity of human subjective initiative and objective regularity.

In his paper *The Paris Manuscripts and Aesthetic Issues*, Ying Bicheng also analyzed the text from the German and Russian versions, arguing that the two standard mentioned by Marx each have their own distinct meanings. He contends that the first "standard of the species"refers to the standard of animals, the standard of animals as "subjects". The second "standard of the species" is introduced to compare humans with animals, so both should belong to the same meanings. Only in this way can the difference in productive capacity between humans and animals be reflected. Through German grammatical analysis, Ying Bicheng concludes that the sentence containing the "inherent standard" should mean: humans apply their own inherent standard to objects, that is, transform the objective world according to the humans standard (Ying, 1998, pp. 157–170). That is to say, humans actively transform the objective world based on their own subjective purposes and values, enabling the object to meet human needs.

As discussions on the two standards deepens, some scholars argue that we should not simply stay at the level of this passage on the "laws of beauty" to understand the logic of beauty but should delve further. Others contend that Marx's formulation of the "laws of beauty" deepens existing definitions of the essence of beauty in the history of aesthetics. In short, scholars from different perspectives have affirmed the significance of the "laws of beauty" assertion from various perspectives, establishing its important status within the principles of Marxist aesthetics.

II. An Analysis of the "Two Standards"

To help readers better understand the analysis of the "two standards", the original text is quoted below:

"In creating a world of objects by his personal activity, in his work upon inorganic nature, man proves himself a conscious species-being, i.e., as a being that treats the species as his own essential being, or that treats itself as a species-being. Admittedly animals also produce. They build themselves nests, dwellings, like the bees, beavers, ants, etc. But an animal only produces what it immediately needs for itself or its young. It produces one-sidedly, whilst man produces universally. It produces only under the dominion of immediate physical need, whilst man produces even when he is free from physical need and only truly produces in freedom therefrom. An animal produces only itself, whilst man reproduces the whole of nature. An animal's product belongs immediately to its physical body, whilst man freely confronts his product. An animal forms only in accordance with the standard and the need of the species to which it belongs, whilst man knows how to produce in accordance with the standard of every species, and knows how to apply everywhere the inherent standard to the object. Man therefore also forms objects in accordance with the laws of beauty" (Marx, 1974, pp. 68-69).

Through a comparison of animals and humans, Marx points out that animal production is instinctive, whereas human production not only produces what is necessary for their own instinctive needs but also produces what is not currently needed or does not belong to the human "standard of the species". In other words, human production is not limited to their instincts. It is in this context that Marx puts forward the assertion of the "laws of beauty”. Based on the above semantics,it can be inferred that the main intent of this passage is to express the human superiority over animals in productive skills. Animals cannot be aware that they are a certain kind of animal,nor can they be aware of the "species" to which they belong, but humans can—this demonstrates human technical superiority over animals. Only by grasping the central idea of this passage can we analyze the "standard of the species" and the "inherent standard"according to semantic logic.

(I) The "Standard of The Species" Is the Technical Prescriptiveness of Species Instinct

The "standard of the species" is the activity criterion externalized from species instinct, reflecting the natural technical determinacy of vital activity. For example, the spider produces by weaving webs, an instinctual activity; it can only weave webs in accordance with the standards and needs of its own species.Similarly, the bee can only produce—building honeycombs—according to the standard of its species. Yet both can only engage in production within their own natural limits:a bee cannot spin webs like a spider, and vice versa. Thus, the "standard of the species" here is the "subjective standard" relative to animals, referring to the technical dimension of animal instinct.The second sentence states, "whilst man knows how to produce in accordance with the standard of every species" (Marx, 1974, pp. 68-69), should be understood holistically: it refers to humans' ability, through culture ability, to imitate the technical instincts of all organisms, expressing human technical superiority over animals. Humans can imitate the standard of any species to produce, so this still refers to the animal's "subject standard". Each animal possesses its own instinctive "technique." For example, the swallow is an outstanding "architect" — it can build its nest airtight.It builds from the bottom up,crisscrossing twigs to expand space,uses fallen feathers and soft grass bound with saliva to fill gaps,and even collects wet mud from the riverbank and rolls it into pellets.Animal production is confined to the natural instincts of the species. It is the determination and constraint formed during the long-term evolution of organisms and governed by their natural nature. Thus, the natural instincts of the species shape the "standard of the species". Humans are different. Their superiority lies in their ability to combine and draw on the survival techniques of all species, produce across species boundaries, create things not limited by their own standards, and possess a "universal" ability that surpasses all beings. As Marx said: "Bees produce honeycombs that would put some human builders to shame.What separates the worst builder from the best bee is that before the builder creates a structure in wax, he creates it in his head" (2024, p. 154). It is precisely because of the advanced nature of humans that humans have become the only beings in nature producing the entire objective world without being restricted by species.

(II) The "Inherent Standard" Is the Conscious Purposiveness of the Human Subject

The "inherent standard" is the most controversial concept: some take it as the intrinsic standard of the object, others as the subjective standard. This paper argues that it refers to the latter. The original phrase is: "und überall das inhärente Maß dem Gegenstand anzulegen weiß". "Anzulegen" means "to place" or "to apply", referring to placing the "inhärente Maß (inherent standard) on the "Gegenstand (object)". The full sentence means: and knows how to apply the immanent measure to the object everywhere. It is logically incoherent to speak of applying the object's inherent standard on the object itself; It can only mean that the humans' inherent standard can be placed to the object. Marx states that Man's species-being is free, conscious activity. Human practice is precisely the transformation of the external world according to human needs and purposes, the imposition of human essential powers to objects, making the object a humanized nature,while at the same time objectifying human essential powers—a process of the subjectification of the object and the objectification of the subject. Marx put forward the objectification and estranged labour, thereby moving closer historical materialism. In the subsequent text of the "laws of beauty" assertion, Marx argued: "This production is his active species-life. Through this production, nature appears as his work and his reality. The object of labor is, therefore, the objectification of man's species-life: for he duplicates himself not only, as in consciousness, intellectually, but also actively, in reality, and therefore he sees himself in a world that he has created" (1974, p. 69). Therefore, if humans did not apply their own inherent standard to objects, how could the objective world become what Marx calls "his work" as ? How could humans "see himself in a world that he has created" ?

III. Estranged Labour as the Fundamental Negation of The "Laws of Beauty”

The question running through the *Manuscripts* is always the question of humans: the question of what humans ought to be and what they actually are, how humans become inhuman, and how they can return to being human. Thus, studying the aesthetic thought in the *Manuscripts* is essentially to reflect the humanistic values behind it. Marx's aesthetic thought is grounded in labour, yet labour in capitalist society has both creative and dehumanizing dimensions. Although it generates "beauty", it also negates it. Estranged Labour means that the subject's labour and its products do not belong to the labourer but stand opposed to him. Marx defines estranged labor in four aspects :

1. The estrangement of the product of labour from the worker. Marx writes: "it is clear that the more the worker spends himself, the more powerful becomes the alien world of objects which he creates over and against himself, the poorer he himself – his inner world – becomes, the less belongs to him as his own" (1974, p. 64).

2. The estrangement of labour from the worker. Under capitalist private ownership, the worker's labour is involuntary and uncontrolled, becoming a coerced activity.

3. The estrangement of humans from their species-essence. Human species-life is human labour; Estranged labour reduces labour to a mere means of survival, opposing the worker to his own essence.

4. The estrangement of humans from one another. Under capitalist private ownership, human relations are alienated into those of exploitation and being exploited.

Marx holds: "Communism as the positive transcendence of private property as human self-estrangement, and therefore as the real appropriation of the human essence by and for man...This communism, as fully developed naturalism, equals humanism, and as fully developed humanism equals naturalism" (1974, p. 90). Only in communist society can the individual's essence and creativity be liberated. In a capital-centered society, Man's species-being and sensuous powers are alienated by capital, and workers' labor is no longer free and conscious activity. Only through the transcendence of private property can human essence be returned and humans become whole beings. "beautiful" activity is the result of the objectification of human essential powers, and the advancement of human society toward greater beauty also necessarily relies on full expression of individual subjectivity (Qiu, 1987, pp. 25–26). Since the emergence of the capitalist mode of production, human sensibility and activity have lost their human nature and become thing-oriented instead. This is a necessary outcome of the limitations of bourgeois economics and the bourgeois class. As Lukács said: "the constant expansion and intention of the division of labor, which subjects the process of production to an abstract rational analysis without regard to the human potentialities and abilities of the immediate producer" (1971, p. 6), the rapid development of science and technology has led to finer divisions of labour, confining humans to prescribed roles. The standardized society produces individuals who have lost their individuality, which is detrimental to the all-round development of the individual. Thus, the "one-dimensional man" described by Marcuse has emerged (Ye, 1988, p. 336). Marx notes: "In a communist society there are no painters but only people who engage in painting among other activities" (1998, p. 418). Only the realization of communism can eliminate such defects. Furthermore, the aesthetic value of the object for the laborer becomes the labourer's pursuit. Humans gain aesthetic experience in productive practice and objectify their sensuous understanding of beauty into the object, achieving the unity of subject and object. Their labor is no longer merely for subsistence, nor is it coercive or utilitarian. All human activity belongs to free individuals, and in the liberation of creative capacity for labor beauty, the labor process becomes a process of aesthetic experience and creation.

IV. Practical Implications of the Assertion of the "Laws of Beauty"

The assertion of the "laws of beauty" is not only a classic aesthetic proposition revealing the essence of beauty and the relation between labour and humans but also a practical guideline for solving real-world problems. Against the background of deepening the construction of the human-nature relationship and the development of aesthetic education in contemporary times, it is of great value to expand the theoretical vitality of this thesis and transform it from classical textual interpretation into a guide for action. Based on the core logic of the unity of the "standard of the species" and the "inherent standard" and the objectification of man's essential powers, the "laws of beauty" can provide a profound philosophical foundation and practical direction for promoting the harmonious coexistence of humans and nature and achieving high-quality development of aesthetic education.

(I) Guiding Ecological Practice for the Harmonious Coexistence of Humans and Nature

Marx's assertion of the "laws of beauty" confirms that labour is human essence, emancipating humans from instinctual existence identical to animals and becoming the only way to eliminate antagonisms between humans and nature and between humans themselves. Meanwhile, human production does not merely follow the external forms of things grasped through sensuous activity as animals do; it can also proceed according to the measure of every species and embody subjective, immanent essential powers in the object through labor to satisfy certain material and spiritual needs. Animals are merely objects in nature, whereas humans can actively intervene in nature and adapt to its changes. Human free, conscious activity accords with the "laws of beauty" and forms the basis for the co-evolution of humans and nature. When humans are unfree and unconscious, they can only imitate nature simply and mechanically, unable to engage in active, complex creation—let alone possess aesthetic consciousness or conduct aesthetic activity. Marx holds that humans as social subjects are a unity of social and natural attributes. In contrast to capitalism's ruthless plunder of nature, humanized production aims to preserve the vitality and aesthetic character of nature, and humanized nature in turn promotes the fulfillment of contemporary society. Human perception of the objective world emerges and develops only in the "humanization of nature". Likewise, objects valuable to human society can only arise in humanized nature. The ecological and natural aesthetics in Marx's law of beauty enable us to re-understand the human-nature relationship in the new era of ecological civilization construction, build an ecological outlook coordinating humans and nature, continuously enrich the value connotation of contemporary laws of human-nature harmony, and thus provide a new theoretical basis for building a socialist ecological power.

(II) Leading the Positive Development of Contemporary Aesthetic Education

Aesthetic education refers to the cultivation of human abilities to recognize, experience, sense, appreciate, and create beauty through education. The "laws of beauty” provides theoretical resources for the positive development of aesthetic education.

Uphold the subjectivity of aesthetic education. The creation of beauty is the process of objectifying human essential powers, which requires free, conscious subjective activity. Aesthetic education must therefore first stimulate students' subjectivity and cultivate them as conscious beings with clear life purposes.

Cultivate students' correct value needs. Aesthetic education must guide students with positive values, directing their purposes in transforming objects when creating beauty.

Foster students' awareness and capacity for free creation. Aesthetic experience has no standard answers. Practice in aesthetic education is free, and expressive forms vary from person to person. Marx states: "all objects become for him the objectification of himself, become objects which confirm and realise his individuality" (1974, p. 95). Different essential powers imposed on the same object yield different final forms. Schools should therefore not restrict students' imagination and creativity or deprive them of opportunities to express their individuality.

Develop students' practical ability. The key to "forming in accordance with the law of beauty" lies in "forming". Objectification means the realization of labour, which must be embodied in the objective thing. Without practice, there is no objectified object and thus no aesthetic education. More importantly, students' practical activities must not violate their autonomy; otherwise, they contradict human essence and deviate from the value goals of aesthetic education.

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RESEARCH ARTICLE

Digital Communication and Economic Interdependence between China and the European Union

Ilona Aleksejeva

University of Latvia

Abstract

This paper examines the impact of digital communication technologies on economic interdependence between China and the European Union. Drawing on a global communication theoretical framework, the study argues that information flows, digital platforms, and communication infrastructures play a crucial role in facilitating cross-border economic activities. By reducing transaction costs, improving market accessibility, and accelerating the exchange of information, digital communication technologies contribute to the expansion of trade and investment relations between the two economies.

At the same time, the study recognizes that economic integration in the digital era is influenced not only by technological developments but also by institutional and regulatory factors. Differences in data governance frameworks, privacy regulations, and digital policies between China and the European Union may create barriers to information exchange and limit the potential benefits of digital connectivity. Accordingly, the research hypothesizes that increased digital communication connectivity strengthens economic interdependence, while greater regulatory divergence constrains the growth of digital economic cooperation.

Using a mixed-method approach that combines quantitative trade indicators with qualitative analysis of digital governance frameworks, this study seeks to explore the relationship between technological integration and institutional constraints. The findings are expected to demonstrate that digital communication technologies have become an important driver of China–EU economic interdependence, but their impact remains conditioned by differences in regulatory and governance structures.

Keywords: Digital Communication; Economic Interdependence; China–EU Relations; Global Communication Theory; Digital Governance; International Political Economy

1. Introduction

The accelerating pace of digital transformation has fundamentally reshaped the structure of the global economy, redefining how governments, firms, and consumers interact across national borders. Advances in digital communication technologies—including broadband networks, cloud computing, artificial intelligence (AI), big data analytics, and digital platforms—have significantly reduced communication costs and increased the speed, efficiency, and scale of international economic activities. Unlike previous stages of globalization that relied primarily on the movement of physical goods and capital, contemporary globalization increasingly depends upon the rapid circulation of digital information and cross-border data flows, making digital communication a strategic driver of international economic integration (Baldwin, 2016; Castells, 2010). Consequently, digital communication has evolved beyond a supporting technological infrastructure to become an essential component of global production networks, digital services, and international trade.

The rapid growth of the digital economy has also transformed the nature of economic interdependence. Traditional theories of international political economy emphasize trade, foreign direct investment, and financial integration as the principal sources of interdependence among states (Keohane & Nye, 2001). However, the emergence of digital platforms and global communication networks has introduced new forms of connectivity in which data, digital services, and information have become critical economic resources. Cross-border e-commerce, online financial services, digital logistics, and cloud-based business operations increasingly rely on uninterrupted data transmission and integrated communication infrastructures. As a result, digital communication technologies have become indispensable for coordinating global value chains and supporting international economic cooperation in the twenty-first century (OECD, 2024; World Bank, 2021).

2. Literature Review

Despite the economic opportunities created by digital communication technologies, the expansion of digital economic cooperation has also generated new governance challenges. As digital information becomes a strategic economic resource, governments have increasingly adopted regulatory frameworks to address concerns related to data privacy, cybersecurity, digital sovereignty, and platform governance. Consequently, international economic integration is no longer determined solely by technological innovation but also by the compatibility of national regulatory systems. Divergent approaches to digital governance may facilitate or constrain cross-border economic activities by influencing the movement of data, the operation of digital platforms, and the regulatory environment faced by multinational enterprises (Farrell & Newman, 2019; UNCTAD, 2021). These developments suggest that digital communication should be understood not merely as a technological phenomenon but as an institutional process shaped by legal, political, and regulatory considerations.

The relationship between China and the European Union provides an important context for examining these issues. As two of the world's largest economies, China and the EU have developed extensive economic ties through trade, investment, and technological cooperation. Bilateral economic relations have increasingly expanded into the digital domain, encompassing cross-border e-commerce, cloud services, digital finance, artificial intelligence, and smart manufacturing. Nevertheless, both parties have adopted significantly different approaches to digital governance. The European Union has established a regulatory framework emphasizing data privacy, consumer protection, market competition, and platform accountability through legislation such as the General Data Protection Regulation (GDPR), the Digital Services Act (DSA), and the Digital Markets Act (DMA). In contrast, China's regulatory framework—including the Cybersecurity Law, the Data Security Law, and the Personal Information Protection Law (PIPL)—places greater emphasis on data sovereignty, national security, and state supervision of digital infrastructure. These institutional differences have become increasingly important determinants of China–EU digital economic relations (European Commission, 2020; European Parliament & Council of the European Union, 2016).

3. Mechanisms of Digital Interdependence

Digital interdependence is constructed through a combination of technological infrastructure, economic networks, institutional arrangements, and cross-border information flows. Unlike traditional economic interdependence, which primarily relies on trade in physical goods and financial investment, digital interdependence is increasingly shaped by intangible assets, including data, algorithms, digital platforms, cloud computing capacity, and artificial intelligence technologies. These digital resources have become essential components of contemporary globalization because they enable firms, governments, and individuals to coordinate activities across geographical boundaries with unprecedented speed and efficiency. Digital platforms such as e-commerce marketplaces, cloud infrastructure providers, online payment systems, and real-time communication networks have significantly reduced barriers to international transactions by improving information accessibility, lowering coordination costs, and increasing market connectivity. As a result, digital technologies have transformed the structure of global economic relationships and created new forms of interdependence among countries and regions.

One important mechanism of digital interdependence is the integration of global value chains through digital technologies. Modern supply chains increasingly depend on real-time data exchange, automated production systems, and digital management platforms to coordinate manufacturing, transportation, and distribution processes. Companies operating across multiple countries rely on digital networks to monitor inventory levels, predict consumer demand, manage logistics, and optimize production decisions. This digital coordination allows firms to improve efficiency and respond rapidly to changes in global markets. For example, multinational enterprises increasingly utilize cloud-based systems and artificial intelligence tools to integrate operations across different regions, demonstrating how digital infrastructure has become a critical foundation of international economic cooperation. Therefore, digital connectivity does not simply facilitate communication; it actively reshapes the organization of production and trade by linking economic actors through interconnected technological systems.

Another significant mechanism involves the expansion of cross-border data flows. Data has become a strategic resource in the digital economy, often described as a fundamental input for innovation, business development, and technological competition. The collection and analysis of large-scale data enable companies to improve products, personalize services, and develop new business models. At the international level, the movement of data across borders supports digital trade and strengthens economic relationships between countries. However, differences in data governance frameworks, privacy regulations, and cybersecurity standards can create obstacles to digital cooperation. Countries may adopt different approaches toward data sovereignty, national security, and personal information protection, resulting in regulatory fragmentation. These differences demonstrate that digital interdependence is not solely determined by technological capability but is also influenced by political institutions and governance structures.

Furthermore, digital interdependence depends heavily on the compatibility of international regulations and technological standards. Effective digital cooperation requires shared rules regarding cybersecurity protection, intellectual property rights, digital taxation, artificial intelligence governance, and online consumer protection. When countries establish compatible regulatory environments, businesses can operate more efficiently across borders and reduce uncertainty in international digital transactions. Conversely, regulatory conflicts may increase barriers to digital integration and create strategic competition between major economies. Farrell and Newman (2019) argue that global networks can become sources of both cooperation and vulnerability because countries that control key technological infrastructures may gain significant influence over others. This perspective highlights the importance of digital infrastructure as a component of geopolitical power.

At the same time, digital interdependence creates new challenges related to security and dependency. Although digital networks promote economic cooperation, they may also generate risks when critical technologies, platforms, or infrastructure are concentrated in a limited number of countries or companies. Dependence on foreign providers for cloud computing services, semiconductor technologies, or digital platforms may expose countries to external disruptions, technological restrictions, or political pressure. Recent debates surrounding digital sovereignty and technological competition reflect growing concerns that economic openness in the digital era must be balanced with security considerations. Therefore, governments increasingly attempt to develop domestic technological capabilities while maintaining international digital cooperation.

4. Case Discussion: China and the European Union

China and the European Union (EU) represent two of the world's largest economic actors and provide an important case for examining the opportunities and challenges of digital interdependence. Both sides have experienced rapid digital transformation and have become increasingly connected through trade, investment, technological exchange, and digital infrastructure development. China has developed one of the world's largest digital economies, supported by extensive e-commerce platforms, mobile payment systems, artificial intelligence development, and large-scale digital infrastructure projects. Meanwhile, the European Union has emphasized digital innovation, data governance, cybersecurity, and the creation of a unified digital market through regulatory frameworks. The interaction between China and the EU demonstrates how digital interdependence can simultaneously promote economic cooperation while generating tensions related to regulation, technological competition, and strategic autonomy.

The economic relationship between China and the EU has historically been characterized by strong trade and investment connections. Digital technologies have further strengthened this relationship by enabling more efficient cross-border commerce and expanding opportunities for cooperation in areas such as electronic payments, smart manufacturing, logistics, and artificial intelligence applications. Chinese companies have increasingly participated in European digital markets, while European firms have benefited from access to China's large consumer market and advanced digital infrastructure. E-commerce platforms and digital supply chain systems have facilitated the exchange of goods and services, allowing businesses from both regions to reach international consumers more effectively. In this sense, digital connectivity has become an important driver of economic integration between China and the EU.

However, the development of digital interdependence between China and the EU is also shaped by significant institutional and political differences. One major area of divergence concerns data governance and digital regulation. The European Union has adopted a rights-based approach that emphasizes individual privacy protection, transparency, and strict control over personal data. The implementation of regulations such as the General Data Protection Regulation (GDPR) reflects the EU's attempt to establish global standards for digital governance. In contrast, China has developed a digital governance model that places greater emphasis on state coordination, cybersecurity, and data sovereignty. These different approaches have created challenges for cross-border data flows and digital cooperation because companies operating between the two markets must navigate different regulatory expectations.

The issue of technological dependence has also become increasingly important in China–EU digital relations. While digital interdependence creates economic benefits, it may also produce vulnerabilities when critical technologies and infrastructure depend heavily on external actors. Areas such as telecommunications equipment, semiconductor supply chains, cloud computing, and artificial intelligence have become central to debates about technological security. The EU has increasingly promoted the concept of "strategic autonomy," seeking to reduce excessive dependence on external technology providers while maintaining international cooperation. Similarly, China has emphasized technological self-reliance and domestic innovation in response to external restrictions and geopolitical competition. These developments illustrate how digital interdependence can shift from a purely economic relationship toward a broader issue of national security and geopolitical strategy.

The role of digital infrastructure provides another important perspective for understanding China–EU relations. China's international digital expansion, including investments in telecommunications networks and digital connectivity projects, has increased its influence in global technology ecosystems. At the same time, European policymakers have expressed concerns regarding cybersecurity, data protection, and the potential political implications of foreign-controlled digital infrastructure. These concerns have encouraged the EU to strengthen regulatory oversight and promote secure digital networks. The debate demonstrates that digital infrastructure is not only an economic resource but also a strategic asset that influences power relations among states.

Despite these challenges, China and the EU continue to maintain significant opportunities for digital cooperation. Areas such as green technology, artificial intelligence research, digital trade, and industrial digitalization provide potential fields for collaboration. Both sides share interests in improving technological innovation, enhancing economic efficiency, and addressing global challenges through digital solutions. However, sustainable cooperation requires greater efforts to establish mutual trust, improve regulatory communication, and develop compatible governance mechanisms. Rather than eliminating interdependence, China and the EU need to manage their digital relationship through balanced policies that protect security interests while preserving the economic benefits of technological connectivity.

Overall, the China–EU case illustrates the complex nature of digital interdependence in the twenty-first century. Digital networks have created deep economic connections that encourage cooperation, but they have also introduced new forms of competition and strategic uncertainty. The relationship between China and the EU demonstrates that digital interdependence is neither purely beneficial nor inherently risky; instead, its outcomes depend on how governments, companies, and international institutions manage technological integration. Effective governance, regulatory coordination, and trust-building mechanisms will therefore be essential for ensuring that digital interdependence contributes to stable and sustainable global development (Farrell & Newman, 2019; Goldfarb & Tucker, 2019).

5. Digital Governance and Strategic Competition

The development of digital interdependence has transformed the nature of international economic competition and cooperation. While digital technologies create new opportunities for connectivity and economic growth, they have also introduced complex governance challenges. In the traditional global economy, power was often associated with control over physical resources, industrial capacity, and financial institutions. However, in the digital era, influence increasingly depends on the ability to control critical technologies, digital infrastructures, data resources, and technological standards. As a result, digital governance has become a central issue in international relations, shaping not only economic interactions but also geopolitical competition among major powers.

Digital governance refers to the development of rules, institutions, and policies that regulate the use of digital technologies and the movement of digital resources across borders. These governance mechanisms include regulations concerning data protection, cybersecurity, artificial intelligence, digital trade, online platforms, and technological standards. Because digital networks operate across national boundaries, effective governance requires international coordination. However, countries often have different political systems, economic interests, and security priorities, resulting in competing approaches toward digital regulation. The lack of universally accepted digital governance principles has created tensions among major economies and contributed to the emergence of competing digital models.

The competition between China, the European Union, and the United States demonstrates the growing importance of digital governance in global affairs. Each actor has developed a distinct approach based on its institutional environment and strategic objectives. The United States has traditionally emphasized market-driven innovation and the global expansion of technology companies, particularly in areas such as cloud computing, artificial intelligence, and digital platforms. American technology firms have played a dominant role in shaping global digital ecosystems, giving the United States significant influence over international technological development. However, concerns regarding data privacy, platform regulation, and the concentration of technological power have encouraged other actors to develop alternative governance frameworks.

The European Union has positioned itself as a regulatory leader in the digital economy. Rather than competing primarily through technological dominance, the EU has sought to influence global digital governance through regulatory standards. Policies such as the General Data Protection Regulation (GDPR) demonstrate the EU's emphasis on privacy protection, individual rights, and responsible technology development. Through what is sometimes described as the "Brussels effect," European regulations can influence international companies because firms seeking access to the European market must often comply with EU standards. This regulatory approach allows the EU to exercise influence in global digital governance despite having fewer dominant technology companies compared with the United States or China.

China, meanwhile, has developed a distinctive digital governance model characterized by strong state involvement, technological development strategies, and emphasis on cybersecurity and digital sovereignty. Through substantial investment in digital infrastructure, artificial intelligence, telecommunications, and e-commerce ecosystems, China has rapidly expanded its digital capabilities. Chinese technology companies have become major global actors in areas such as mobile payment systems, online platforms, and telecommunications equipment. At the same time, China's approach places significant importance on state oversight of data and digital networks, reflecting broader national strategies concerning economic development and security.

These different governance models have contributed to strategic competition over digital standards and technological influence. Control over technical standards is particularly important because standards determine how technologies are developed, implemented, and interconnected across countries. Countries that successfully promote their technological standards can gain economic advantages and shape the future direction of global digital development. For example, competition in areas such as fifth-generation telecommunications networks, artificial intelligence systems, and semiconductor technologies reflects broader struggles over technological leadership. Digital competition is therefore not only about commercial success but also about political influence and international power.

Furthermore, digital governance has become closely connected with national security concerns. As economies become increasingly dependent on digital infrastructure, vulnerabilities in cyberspace can affect economic stability, public services, and strategic industries. Governments have therefore increased attention toward cybersecurity, supply chain security, and protection of critical technologies. However, security-based restrictions may also limit international cooperation and contribute to technological fragmentation. The challenge for policymakers is to balance the need for security protection with the economic benefits of global digital connectivity.

6. Conclusion: Digital Communication Technologies and the Future of China–EU Economic Interdependence

This study has examined the role of digital communication technologies in shaping economic interdependence between China and the European Union. By applying a global communication perspective, the analysis demonstrates that digital technologies have become a fundamental factor influencing contemporary international economic relations. Unlike traditional forms of economic integration that were primarily based on the exchange of physical goods, capital investment, and industrial cooperation, digital interdependence is increasingly driven by the movement of information, data, technological knowledge, and digital services. Digital communication infrastructures have transformed the speed, scale, and structure of cross-border economic activities, creating new possibilities for cooperation while simultaneously generating new forms of dependence and competition.

The findings of this study indicate that digital communication technologies contribute to China–EU economic interdependence through several interconnected mechanisms. First, digital platforms and communication networks reduce transaction costs by enabling faster information exchange and more efficient coordination among businesses, governments, and consumers. Second, digital technologies enhance the operation of global value chains by allowing companies to manage production, logistics, and distribution processes across different regions. Third, cross-border data flows support innovation, digital trade, and the development of new economic models. Through these mechanisms, digital communication technologies have strengthened economic connections between China and the European Union and have become an essential foundation of contemporary globalization.

However, this study also highlights that digital interdependence is not a purely economic phenomenon. The increasing importance of data, digital infrastructure, and technological standards has transformed digital networks into strategic resources that influence international power relations. The relationship between China and the European Union demonstrates that digital connectivity can produce both cooperation and tension. While both sides benefit from technological exchange, trade integration, and digital innovation, differences in regulatory systems, data governance approaches, and security concerns create challenges for deeper cooperation. Therefore, digital interdependence should be understood as a complex process involving economic interests, institutional arrangements, and geopolitical considerations.

The case of China and the European Union also reveals the importance of digital governance in managing the future development of the global digital economy. Effective governance requires cooperation in areas such as data protection, cybersecurity, artificial intelligence regulation, and technological standards. Without appropriate governance mechanisms, digital interdependence may increase vulnerabilities and contribute to technological fragmentation. Conversely, through greater regulatory dialogue and institutional cooperation, digital technologies can serve as a platform for sustainable economic development and international collaboration. From a theoretical perspective, this research contributes to the understanding of globalization by demonstrating that contemporary economic interdependence is increasingly shaped by communication networks and digital infrastructures. Traditional theories of international political economy often emphasize trade, finance, and production systems as the primary sources of interdependence. However, the digital transformation of the global economy suggests that information flows and communication technologies have become equally important sources of international connectivity. Digital communication technologies do not merely support existing economic relationships; they actively reshape the organization of markets, production systems, and international cooperation.

Future research could further explore the long-term effects of digital interdependence by examining additional cases across different regions and economic systems. Comparative studies involving emerging economies, multinational technology companies, and international digital institutions could provide deeper insights into how digital networks reshape global economic structures. Moreover, future research should investigate how emerging technologies, including artificial intelligence, blockchain, and quantum computing, may influence patterns of international cooperation and competition.

In conclusion, digital communication technologies have become a central force shaping the economic relationship between China and the European Union. They have expanded opportunities for trade, innovation, and cooperation while also creating new challenges related to governance, security, and strategic competition. The future of China–EU economic interdependence will depend not only on technological development but also on the ability of international actors to establish effective governance frameworks that balance openness, security, and mutual benefit. In an increasingly digitalized world, managing digital interdependence will be essential for achieving stable and sustainable global economic relations.

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RESEARCH ARTICLE

Learning from the European Union: A Functionalist Perspective on the Formation of a Hypothetical Chinese Regional Union

Alex Chang

School of Government, Peking University, P.R.C.

Abstract

The European Union provides a compelling model for regional integration that can inform the idea of a hypothetical "Chinese Union." In Europe, repeated conflicts, religious divisions, and the devastation of two world wars created a strong incentive to cooperate for peace and stability. Jean Monnet's approach, grounded in functionalist theory, emphasized practical cooperation in economic and technical sectors as the foundation for deeper political integration.

Applying these insights to China, a regional alliance could adopt a similar step-by-step functional strategy. Initially, cooperation could focus on trade, infrastructure, and technological projects, building trust and mutual benefits among diverse regions. Subsequently, collaborations could expand to education, cultural exchanges, and coordinated governance, gradually fostering a shared sense of identity and interdependence.

While China's historical, political, and cultural contexts differ greatly from Europe, the core principle remains: practical, functional cooperation can reduce conflict, build trust, and lay the groundwork for a more integrated regional system. In this sense, the European experience offers both a theoretical and strategic framework for imagining regional alliances in China.

Keywords: Functionalism; EU; Chinese Union; possibility

Motivation

The idea for this study originates from my earlier research conducted during my doctoral studies at Peking University in 2015. At that time, I explored the historical and theoretical foundations of European integration and attempted to apply these insights to a hypothetical model of regional cooperation in China. However, due to the sensitive political context, the work could not be published. Over the years, my interest in the dynamics of regional integration and the role of functionalism approaches has only deepened, and the lessons from the European Union (EU) continue to offer valuable frameworks for understanding cooperation among diverse regions.

The primary motivation of this research is to investigate how the EU achieved unprecedented levels of regional integration despite a long history of cultural, linguistic, religious, and political diversity. The EU's formation, particularly after the devastation of two World Wars, highlights the importance of practical cooperation as a mechanism to maintain peace and stability. Jean Monnet, often regarded as the "Father of Europe," implemented strategies grounded in functionalist theory, focusing on step-by-step integration through economic, technical, and institutional cooperation before pursuing political unification. This pragmatic, incremental approach enabled trust-building among states and minimized potential conflicts, laying the foundation for a long-term and sustainable union.

By revisiting these historical and theoretical insights, I aim to explore the potential applicability of such functionalist strategies to a hypothetical Chinese regional alliance. Although the historical, political, and cultural contexts of China differ significantly from Europe, certain principles—such as gradual integration, trust-building through practical cooperation, and multi-level collaboration—can provide a theoretical lens for imagining regional coordination in China. For instance, cooperation could initially focus on trade, infrastructure, and technological development, followed by cultural, educational, and administrative exchanges, ultimately fostering a shared sense of identity and interdependence among regions.

This research also seeks to contribute to the broader field of regional integration studies by examining the universality and adaptability of functionalist approaches. While most literature focuses on the EU or other Western regional organizations, less attention has been given to applying these theories to Asian contexts, where political centralization and diverse local interests present unique challenges. By positioning the EU experience as a comparative framework, this study emphasizes both the theoretical value of functionalism and its practical implications for promoting cooperation, peace, and stability in a different geopolitical environment.

Moreover, reflecting on my 2015 work, this study allows me to revisit unresolved questions with the benefit of temporal perspective and additional scholarship. The earlier research laid the groundwork in terms of historical analysis and conceptual framing, while the current approach strengthens the methodological rigor, theoretical clarity, and contextual sensitivity required for publication. In doing so, the research not only revisits a personal intellectual trajectory but also addresses an enduring scholarly question: how regional integration can be achieved across diverse, historically fragmented territories.

Ultimately, the motivation behind this study is to bridge historical understanding, theoretical analysis, and hypothetical application. By drawing lessons from the EU, examining the functionalist principles underlying its success, and carefully considering their adaptation to the Chinese context, the study aspires to advance knowledge in the fields of international relations, regional integration, and comparative political studies, while also contributing to discussions on peace, cooperation, and strategic planning in complex multi-level systems.

Introduction

In 1988, French President François Mitterrand authorized the transfer of the ashes of Jean Monnet to the Panthéon in Paris, a site reserved for the most distinguished figures in French and human history, including Jean-Jacques Rousseau and Victor Hugo. This symbolic act raises an important question: why can Jean Monnet be placed alongside such eminent intellectual and cultural figures?

The answer lies not only in philosophical thought, but in Monnet's transformative contribution to modern political organization—particularly through the development of European integration after the Second World War. His approach reflects the principles of functionalism, a theory developed by David Mitrany, which argues that international peace can be achieved through practical cooperation in technical and economic fields rather than immediate political unification (Mitrany, 1966).

Following the devastation of World War II, Europe faced deep economic collapse and political hostility, particularly between France and Germany. In response, Monnet proposed a pragmatic strategy: instead of pursuing grand political unity, states should begin with limited but concrete cooperation in key sectors. This idea led to the establishment of the European Coal and Steel Community, integrating industries essential for warfare under a shared authority. Such integration made future conflict materially difficult, embodying the functionalist logic of peace through interdependence (Haas, 1958).

At the political level, Robert Schuman played a decisive role in advancing Monnet's vision, particularly by mediating Franco-German relations. The Schuman Declaration of 1950 translated functionalist ideas into political action, marking the beginning of European institutional integration (Schuman, 2010).

From a functionalist perspective, European integration demonstrates how cooperation in limited sectors can gradually expand into broader political coordination. This process, often referred to as the "Monnet Method," emphasizes incremental progress, mutual benefit, and trust-building among states (Monnet, 1978). Over time, these functional linkages create interdependence, reducing incentives for conflict and fostering regional stability.

This study examines the historical development of the European Union through the lens of functionalism, focusing on the contributions of Jean Monnet and other key actors. It argues that European integration represents a successful application of functionalist theory in practice. Furthermore, by analyzing the European experience, this research aims to explore how such a model may inform discussions of regional cooperation in other geopolitical contexts. In an era of increasing regional interdependence, functionalism remains a relevant and valuable framework for understanding the mechanisms of peace and integration.

China can derive multiple lessons from the historical experience of European integration when promoting regional cooperation. First, functionalism demonstrates that peace and cooperation often begin in practical, concrete domains rather than by pursuing immediate political unity (Mitrany, 1966; Rosamond, 2000). For China, regional collaboration could start with mutually beneficial projects in areas such as economy, infrastructure, energy, and technology, gradually building trust and interdependence between regions. For example, transportation networks, energy distribution systems, and technological research collaborations among Chinese provinces or urban clusters could serve as pilot areas for functional cooperation, helping to reduce regional friction and foster a sense of shared interests.

Second, the European experience emphasizes the importance of institutionalization. Functional cooperation requires supporting institutions to ensure continuity and effectiveness (Monnet, 1978; Sandholtz & Stone Sweet, 1998). For China, establishing cross-regional coordination mechanisms, unified regulatory frameworks, and dispute-resolution systems would enhance credibility and stability in regional collaboration.

Moreover, gradually developing shared policies and standards—such as in environmental protection, energy management, or urban planning—can promote policy alignment and prevent major conflicts or resource inefficiencies during cooperation.

Finally, European integration illustrates that the ultimate goal of functional cooperation is not merely material benefits, but also the cultivation of shared political and cultural identity (Haas, 1958; Dinan, 2014). For China, educational exchanges, cultural programs, technological cooperation, and governance experience sharing can gradually build mutual trust and regional identity, laying the foundation for deeper policy coordination and regional integration in the future. This gradual, step-by-step approach aligns with functionalist logic and provides a practical pathway for China to promote cross-provincial or cross-regional cooperation.

Functionalism, Spillover, and the Dynamics of Regional Integration

The development of European integration cannot be fully understood through functional cooperation alone; rather, it also involves a dynamic process in which cooperation in one area generates pressures and incentives for further integration in other areas. This mechanism is commonly described as the concept of "spillover," a central idea within neofunctionalist theory. Haas (1958) argued that integration in technical and economic sectors can create new demands for coordination, encouraging political actors and institutions to expand cooperation beyond the original functional areas. In this sense, regional integration is not a single political decision but an evolutionary process shaped by increasing interdependence, institutional development, and continuous interaction among participating actors.

The concept of spillover provides an important theoretical explanation for the gradual expansion of European integration. The establishment of the European Coal and Steel Community initially focused on controlling strategic industrial resources, but cooperation gradually expanded into broader economic and political domains. Over time, institutions developed greater authority, and member states increasingly relied on shared decision-making mechanisms. This process demonstrates how limited functional cooperation can create institutional momentum and generate deeper forms of regional governance (Haas, 1958; Rosamond, 2000). Therefore, the European experience suggests that successful integration may emerge not through the immediate creation of a unified political system, but through the gradual accumulation of cooperative practices.

Furthermore, regional integration requires not only economic interdependence but also the development of social and political communities. Deutsch et al. (1957) introduced the concept of a "security community," arguing that sustained communication, shared expectations, and peaceful interaction can transform relationships among previously conflicting societies. From this perspective, integration is strengthened when actors begin to perceive cooperation as a normal and beneficial process rather than merely a strategic choice. This insight complements functionalist theory by emphasizing the importance of communication, identity formation, and social learning in maintaining long-term regional stability.

Institutional development represents another critical dimension of functional integration. While functional cooperation may begin with specific technical issues, durable integration requires institutions capable of managing complexity, enforcing agreements, and coordinating policies. Sandholtz and Stone Sweet (1998) emphasize that supranational institutions can gradually reshape the behavior and preferences of participating actors by creating new rules and patterns of interaction. Similarly, Hooghe and Marks (2001) highlight the importance of multi-level governance, in which decision-making authority is distributed across different levels of government and institutions. These perspectives demonstrate that regional integration is not simply a process of state cooperation but also a transformation of governance structures.

However, contemporary integration theories also recognize the limitations of functionalist assumptions. Postfunctionalist scholars argue that integration may encounter resistance when it affects issues related to identity, sovereignty, and political legitimacy (Hooghe & Marks, 2009). The European experience demonstrates that while functional cooperation can promote integration, deeper political coordination requires social acceptance and public support. Therefore, any attempt to apply functionalist principles to other regional contexts must carefully consider historical conditions, political institutions, and societal factors.

For the Chinese context, these theoretical debates suggest that functional cooperation should be examined as a gradual and adaptive process rather than a direct replication of the European model. The relevance of functionalism lies not in copying European institutions, but in understanding how practical cooperation, institutional learning, and increasing interdependence may contribute to regional coordination. By applying the insights of functionalism and related integration theories, this study provides a framework for analyzing the possibilities and limitations of hypothetical regional integration in China.

The Concept of "ONE"

The concept of "One Europe," developed by Jean Monnet, represents one of the most influential approaches to post-war European reconstruction. Rather than pursuing immediate political unification, Monnet advocated a gradual process of integration grounded in practical cooperation, particularly in economic sectors. This approach reflects the broader theoretical framework of functionalism, which emphasizes that cooperation in technical and economic domains can generate trust and eventually lead to deeper political integration (Mitrany, 1966).

Monnet's primary concern was that the re-establishment of European states based solely on national sovereignty would reproduce the structural conditions that had led to conflict, including economic protectionism and political rivalry. Without a new model of cooperation, Europe risked returning to instability. Therefore, together with Robert Schuman, Monnet promoted sectoral integration as a means to gradually eliminate distrust among European countries. The establishment of the European Coal and Steel Community (ECSC) marked the first practical implementation of this idea, demonstrating how economic interdependence could reduce the likelihood of conflict (Haas, 1958; Monnet, 1978).

From a functionalist perspective, several key principles can be identified in Monnet's strategy, each of which offers potential insights for regional governance in China.

First, economic interdependence serves as the foundation of integration. Monnet's observations of North American trade relations highlighted the inefficiencies of fragmented European markets. By promoting a common market, European states were able to enhance cross-border exchange and mutual dependence. This principle suggests that, in the Chinese context, reducing regional administrative barriers and strengthening inter-provincial economic cooperation could foster greater cohesion and balanced development (Mitrany, 1966).

Second, integration enhances collective strength in a multipolar international system. Monnet recognized that individual European states were relatively weak compared to major powers. Through integration, Europe could maintain a strategic balance. While China is already a major global actor, internal regional disparities remain significant. A coordinated regional framework could therefore enhance overall national competitiveness and reduce internal inequalities (Haas, 1958).

Third, integration transforms conflict into cooperation. Europe's history of prolonged warfare demonstrated the necessity of a new model of peaceful coexistence. By shifting focus from territorial competition to shared economic interests, integration reduced incentives for conflict. In China, although inter-state war is not an issue, regional competition for resources and investment may create structural tensions. Functional cooperation can help mitigate these risks by aligning regional interests (Monnet, 1978).

Fourth, integration requires the gradual transformation of political and economic priorities. Monnet emphasized that states must move beyond narrow national interests toward common goals. This transformation was achieved through institutional mechanisms that encouraged cooperation and shared benefits. In China, this could be reflected in coordinated regional development strategies that prioritize collective growth over local competition (Haas, 1958).

Fifth, institutionalization is essential for sustaining integration. Functional cooperation alone is insufficient without stable governance structures. The creation of supranational institutions in Europe ensured the implementation of agreements and reduced uncertainty among member states. While a supranational model may not be directly applicable to China, strengthened inter-regional governance mechanisms could perform a similar function in coordinating policies and maintaining stability (Mitrany, 1966; Monnet, 1978).

In conclusion, Monnet's concept of "One Europe" demonstrates that regional integration is a dynamic and incremental process, driven by practical cooperation and institutional development rather than immediate political unification. Although the political and historical contexts of Europe and China differ significantly, the functionalist logic underlying European integration provides valuable theoretical insights. A gradual, sector-based approach to regional cooperation may offer a feasible pathway for enhancing internal cohesion and long-term stability in China.

Implications for a Chinese Regional Union

European integration can be systematically understood through the theoretical lens of functionalism. The origins of this process can be traced to the 1950 declaration jointly advanced by Jean Monnet and Robert Schuman, which led to the establishment of the European Coal and Steel Community (ECSC). This initiative introduced supranational regulation over key war-related industries—coal and steel—thereby reducing the capacity of individual states, particularly France and Germany, to engage in future military conflict (Haas, 1958; Dinan, 2014).

The reconciliation between Germany and France constituted the cornerstone of European integration. Germany, as the largest economic contributor, and France, as a major political actor, represented both the central tension and the potential for cooperation within Europe. Functionalist logic suggested that rather than confronting nationalism directly, integration should gradually reduce exclusive national loyalties by encouraging participation in cross-border economic cooperation. In the early stages, Germany assumed the role of a “paymaster,” supporting integration as a pathway to re-enter the European community after World War II (Moravcsik, 1998).

The Schuman Plan, largely designed by Monnet, exemplified a functionalist approach by prioritizing practical cooperation over coercive political arrangements. The ECSC required member states to pool sovereignty in strategic sectors, effectively transforming resources historically associated with warfare into instruments of cooperation. This model was subsequently extended to other sectors, including the European Atomic Energy Community (Euratom) and the European Economic Community (EEC), ultimately leading to the formation of the European Community (EC) (Rosamond, 2000; Dinan, 2014).

From a theoretical perspective, David Mitrany identified two core principles of functionalism: first, that economic integration serves as a foundation for international peace; and second, that integration should begin at a regional level (Mitrany, 1966). These principles are clearly reflected in the trajectory of European integration, where economic cooperation preceded and facilitated broader political coordination. The European Community thus evolved into a form of supranational governance, in which states voluntarily transferred certain competences to common institutions in order to enhance efficiency and stability (Pollack, 2005).

Importantly, functionalist integration does not require universal participation from all actors at the outset. Instead, it operates through incremental expansion, where successful cooperation in one sector generates incentives for further integration. This pragmatic approach stands in contrast to attempts at immediate political or military unification, which are often constrained by sovereignty concerns and political resistance. As such, functionalism offers a more feasible pathway for regional cooperation by prioritizing tangible benefits and gradual trust-building (Haas, 1958; Schimmelfennig, 2018).

From a comparative perspective, these insights provide a useful framework for examining the potential for a hypothetical Chinese regional union. While China differs fundamentally from Europe in terms of political structure and state organization, the functionalist logic remains relevant. Rather than pursuing comprehensive institutional integration, a Chinese regional framework could emerge through sectoral cooperation, particularly in areas such as infrastructure development, regional trade, and technological innovation.

Moreover, functionalist integration may help address internal regional disparities within China by fostering interdependence and coordinated development. By shifting the focus from competition among regions toward shared economic objectives, such an approach could enhance both efficiency and stability. However, it is essential to recognize that, unlike the European case, the Chinese context does not involve sovereign states but subnational regions. Therefore, any form of “regional union” would likely take the form of enhanced multi-level governance rather than supranational integration.

In conclusion, European integration demonstrates that functional cooperation can transform historically conflict-prone relationships into stable and institutionalized forms of collaboration. While the direct transplantation of the European model to China is neither feasible nor appropriate, the functionalist approach offers valuable theoretical insights into how gradual, sector-based cooperation may contribute to deeper regional coordination and long-term stability.

European Integration and the Possibilities and Limitations of Regional Integration in Comparative Perspective

Despite a long history marked by religious and ethnic conflicts, Europe has played a pioneering role in shaping modern civilization. Major intellectual and socio-economic transformations—including the Renaissance, the French Revolution, and the Industrial Revolution—contributed significantly to the development of modern science, political thought, and economic systems. These transformations not only restructured European societies but also generated global impacts, accelerating processes of modernization worldwide. As demonstrated by Angus Maddison, global economic and population growth experienced a dramatic increase after the eighteenth century, reflecting the far-reaching influence of European innovation and institutional development (Maddison, 2001).

This study emphasizes the historical transformation of Europe from reluctant coexistence to institutionalized cooperation. The development of legal and political frameworks for stability provided a foundation for regional integration, inspired in part by the pragmatic vision of Jean Monnet. The European Union, now comprising 27 member states, is built upon shared principles such as liberal democracy, the rule of law, human rights, and market integration. These institutional arrangements have enabled not only economic cooperation but also political coordination and social integration (Dinan, 2014; Rosamond, 2000).

In contrast, regional integration in other parts of the world has followed different trajectories. For example, the Association of Southeast Asian Nations emphasizes state sovereignty and non-interference, which limits deeper political integration. Similarly, agreements such as the North American Free Trade Agreement primarily focus on trade liberalization rather than supranational governance. While these arrangements facilitate economic exchange—through the reduction of tariffs, quotas, and barriers to trade—they generally lack the institutional depth necessary for comprehensive political integration (Acharya, 2009; Moravcsik, 1998).

From a theoretical perspective, regional integration varies along a continuum between market-based cooperation and hierarchical governance. The European model is distinctive in that it combines both dimensions: market integration and supranational institutional authority. In contrast, many regional organizations remain confined to market mechanisms without developing strong governance structures. As a result, their integration remains limited in scope and depth (Schimmelfennig, 2018; Pollack, 2005).

From this comparative perspective, the possibility of a "Chinese regional union" must be approached with caution. On the one hand, functionalist theory suggests that regional integration can emerge through gradual cooperation in economic and technical sectors. China's ongoing development in infrastructure, digital economy, and regional coordination could provide a foundation for enhanced inter-regional integration. Mechanisms such as coordinated development strategies and cross-regional economic zones may foster interdependence and reduce regional disparities.

On the other hand, significant structural limitations constrain the applicability of the European model to China. Unlike Europe, where integration occurred among sovereign states, China is a unitary state with a centralized political system. Regional governance operates within a hierarchical administrative framework rather than through voluntary cooperation among independent actors. Furthermore, issues of sovereignty, political authority, and territorial integrity limit the feasibility of any supranational or quasi-federal arrangement.

Therefore, rather than envisioning a direct replication of the European Union, a more realistic scenario would involve the strengthening of multi-level governance within China. This could include enhanced coordination between central and local governments, increased regional policy integration, and functional cooperation across provinces. In this sense, the concept of a "Chinese regional union" should be understood not as political unification among separate entities, but as a reconfiguration of governance structures aimed at improving efficiency, stability, and long-term development.

In conclusion, the European experience demonstrates that regional integration is a complex and historically contingent process, shaped by both structural conditions and institutional innovation. While functionalist mechanisms provide useful analytical tools, their applicability depends on the specific political and institutional context. For China, the challenge lies not in replicating the European model, but in adapting its underlying logic to a fundamentally different system of governance.

Conclusion

This article has emphasized the importance of inclusiveness and non-discrimination in the process of regional integration, particularly in the context of the European Union. European history demonstrates that peace was not an inherent condition, but rather the result of a long and difficult transformation. Centuries of warfare—especially between Germany and France—were driven not by universal principles of justice or equality, but by competing sovereign interests, religious conflicts, and ethnic divisions. Although Europe is often regarded as the birthplace of modern ideas such as freedom and human rights, these ideals alone were insufficient to resolve its internal contradictions.

The process of European integration was therefore neither inevitable nor straightforward. It required a gradual and pragmatic approach, largely shaped by the vision of Jean Monnet. Through functional cooperation, particularly in strategic sectors such as coal and steel, former adversaries were encouraged to share resources and build mutual trust. Despite initial resistance—such as the reluctance of the United Kingdom to participate in early integration efforts—and the complexities of institutional development, Europe progressively established a legal and political framework that culminated in the signing of the Maastricht Treaty in 1993. This step marked the formal creation of the European Union and reflected a broader consensus among European states and citizens (Dinan, 2014).

This study does not aim to attribute the success of European integration to a single individual, but rather to highlight the broader structural and institutional achievements of the European Community and the European Union. Member states actively participated in this process through domestic democratic systems and gradually transferred certain competences to supranational institutions. This evolution aligns closely with the principles of functionalism, whereby cooperation in specific sectors generates broader integration over time (Mitrany, 1966; Haas, 1958).

The European experience has also stimulated debates on regional integration in other parts of the world, particularly in Asia. However, the conditions for integration in Asia differ significantly from those in Europe. Variations in political systems, levels of economic development, and the absence of a strong shared regional identity have often been identified as major obstacles. Unlike Europe, where integration was driven in part by a collective response to war, many Asian countries continue to prioritize national sovereignty and non-interference, limiting the depth of regional cooperation.

In this context, the idea of a potential “Chinese regional union” must be approached with both analytical openness and caution. On the one hand, China possesses significant structural advantages, including strong state capacity, extensive infrastructure development, and increasing regional economic interdependence. These factors may provide a foundation for enhanced regional coordination and functional cooperation, particularly in areas such as trade, technology, and regional development strategies.

On the other hand, current political and institutional conditions impose clear limitations. China’s centralized governance structure, combined with the importance attached to sovereignty and territorial integrity, constrains the emergence of any supranational or quasi-federal arrangement. Moreover, regional governance in China operates within a hierarchical administrative system rather than through voluntary cooperation among autonomous political entities. As a result, the formation of a “union” comparable to the European model remains unlikely under present conditions.

Therefore, a more realistic interpretation of a “Chinese regional union” lies not in political restructuring, but in the gradual strengthening of multi-level governance and functional cooperation across regions. Such an approach may enhance policy coordination, reduce regional disparities, and contribute to long-term stability without challenging existing political structures.

In conclusion, the European Union illustrates that regional integration is a complex and historically contingent process, requiring both institutional innovation and sustained political commitment. While the European model cannot be directly replicated, its underlying functionalist logic offers valuable insights. The future of regional cooperation in China will depend not on institutional imitation, but on the adaptive application of these principles within its own political and historical context.

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RESEARCH ARTICLE

A Critique of Contemporary European Liberalism: Why Does Rawls Fail Twice to Justify Legitimacy?

Peining Gao
Peking University

Abstract

This essay aims to criticize contemporary European liberalism in terms of Rawls's hypothetical contractualism. It argues that contractualism is unable to justify legitimacy due to the irreconcilable contradiction between the individuals' plural wills and the sovereign single will. This contradiction lies in Rawls's hypothetical contractualism and turns his view from a Kantian comprehensive conception into an overlapping consensus. In his earlier works Rawls fails to justify legitimacy for the reason of holding a moral dualist view, but later Rawls fails again by ignoring the fragility of an overlapping consensus when the constitutional essentials are at stake. In fact, Rawls's failures are rooted in the idea of contractualism that he shares with Hobbes and Rousseau who also entangle themselves in the same contradiction.

Keywords: Rawls; hypothetical contractualism; legitimacy; priority of right; sovereignty

1 Introduction Since 17th century *contractualism* has been widely believed to be the foundation of *political legitimacy*. But in its critics' view, contractualism overemphasizes individualism and neglects the common value of the state or society. In late 20th century the legacy of contractualism was passed on to John Rawls who endeavored to revive contractualism by developing his hypothetical contractualism to respond to this criticism. Through his work, in particular his dramatic transition, the idea of contractualism reveals its inner tension more clearly than ever before.

For most commentators who are primarily concerned with Rawls's notion of justice, his transition from his earlier works to his later ones often causes a lot of confusions. This transition is sometimes seen as being from Enlightenmentalism to Historicism (Rorty 1991, p. 262), or from Neo-Kantianism to Anglo-American Provincialism (Ackerman 1994, p. 376). In this article I shall try to demonstrate that justifying legitimacy is the invariable mission that runs through Rawls's earlier and later thought and argue that, nevertheless, he fails to fulfill his mission. Then I shall point out how Rawls's failure is actually rooted in the irreconcilable contradiction between the individuals' plural wills and the sovereign single will within the idea of contractualism.

In the introduction of *Lectures on the History of Political Philosophy*, Rawls plainly describes his understanding of legitimacy:

> "A legitimate regime is such that its political and social institutions are justifiable to all citizens—to each and every one—by addressing their reason, theoretical and practical. …… This requirement of a justification to each citizen's reason connects with the tradition of the social contract and the idea that a legitimate political order rests on unanimous consent." (Rawls 2008, p. 13)

Rawls relates legitimacy to two ideas: unanimity and contractualism. Unanimity is the essential requirement of legitimacy that demands every citizen, not only the majority[1], to recognize the political regime. Contractualism plays an instrumental role in reaching such unanimous consent. Comparing the two ideas, we can say unanimity is the end and the agreement of contractualism is just the means to reaching it. Rawls never thinks about splitting up the two ideas, whether in his earlier works or in the later ones. This article will follow Rawls's definition of legitimacy as unanimous consent regarding the political regime.[2] Nevertheless I shall try to argue that it's impossible to reach legitimacy through contractualism. Rawls claims himself to be a successor to the tradition of social contract. In the *Preface* of *A Theory of Justice* (*TJ* hereinafter), he tells readers he hopes to develop a theory that "is no longer open to the more obvious objections often thought fatal to it" (Rawls 1999a, p. xviii). These fatal objections are not explained in *TJ* but are made clear later in *Political Liberalism* (*PL* hereinafter) when Rawls responds to Hegel's criticism of social contract (See *PL* Lecture Ⅶ §10, "Reply to Hegel's Criticism"). According to Rawls, Hegel opposes traditional contractualism primarily because it confuses the state as a general being with the society as a compound of the contingent and private interests. Hegel's point of view may be revealed more explicitly by his criticism of Rousseau's general will:

> "The misunderstanding as to the universal will proceeds from this, that the notion of freedom must not be taken in the sense of the arbitrary caprice of an individual, but in the sense of the rational will, of the will in and for itself. The universal will is not to be looked on as compounded of definitively individual wills, so that

> these remain absolute……The universal will must really be the rational will, even if we are not conscious of the fact; the state is therefore not an association which is decreed by the arbitrary will of individuals." (Hegel 1974 [1840], p. 402)

Rousseau has contended that a legitimate state is supposed to be established based on the general will (universal will), which is agreed to by all the people from the state of nature that is regarded as the Archimedean point in his theory of social contract. For Rousseau both the state of nature and the social contract specify an actual moment in history, albeit we probably shall never be sure of when they happened or will happen. Thus the people participating into the social contract should be historical beings whose interests, needs and inclinations are subject to historical contingencies. A social contract agreement reached in this way will become invalid whenever people's contingent and private interests change. Therefore a state created by an original contract is in danger of breaking up all the time.[3] Rawls totally agrees with Hegel's rejection of the "historical process doctrines" (Rawls 1996, p. 286) and endeavors to rectify the theory of social contract into a hypothetical one, which he asserts would secure the general form of the state. To avoid the effect of historical contingencies, Rawls no longer presumes the initial situation as one in history but as one in a hypothetical situation, the original position, in which every actual person is represented by a hypothetical party who is free and equal with the other parties. Accordingly, the aim of Rawls's hypothetical contractualism is not to deal with any actual issues but to set up a series of moral principles as the criterion to judge social institutions. These moral principles are called *the principles of justice*. Thus Rawls expects the principles of justice to have two aims at the outset: generality and agreement. Generality represents the moral constraints imposed upon the particular interests, needs and inclinations that are subject to historical contingencies. On the other hand, since two statuses of subject have been stipulated, the principles of justice are supposed to be agreed to not only by the hypothetical parties but also by the actual persons who, however, are not engaged in the original position. Affirming the principles of justice requires the actual persons to willingly accept the constraints imposed upon their goods. This requirement, which is not included in the traditional theory of social contractualism, is particularly called by Rawls the issue of *stability*. Thus both of these two aims must be reached if Rawls wants to justify legitimacy by means of his hypothetical contractualism. But I shall argue that Rawls fails to reach them in his earlier and later works. His failure in *TJ* results from a Kantian moral dualism, while his failure in *PL* is due to a Hegelian conception of institutions.

2 Rawls and Kant

2.1 Is Priority of Right a Kantian View?

Rawls says, particularly in *TJ*, that the idea of the priority of right is extracted from Kant's ethics and claims that his hypothetical contractualism represents a Kantian doctrine, but his relation to Kant is interpreted differently by commentators. Michael Sandel considers the priority of right to be of a Kantian "deontological liberalism" (Sander 1982, p. 1). Samuel Freeman denies characterizing the priority of right by deontology but still tags it as a Kantian view (Freeman 1994). Allan Bloom charges that Rawls misuses Kant's morality as a tool for satisfying men's desires (Bloom 1975, p.656). Priority of right is one of the key ideas that Rawls insists on throughout his earlier and later works. Whether it is a Kantian view concerns how to understand Rawls's final goal. In this Section, I focus on explaining its distinction from Kant's doctrine and why Rawls still calls his hypothetical contractualism a Kantian view.

Although Rawls always states that this idea derives from Kant, in his major books *TJ* and *PL* he doesn't exposit clearly how he gets the idea. This puzzle is solved in *Lectures on the History of Moral Philosophy*. Thus in the first subsection, my discussion will concentrate on his relevant lectures on Kant. I have to say that, since they drift far from Kant's text, I shall take them less as a literal interpretation of Kant's moral philosophy than as a Kantian moral philosophy revised by Rawls. So Rawls's interpretative deviation will not be treated as misunderstandings but as his distinctions from Kant.[4]

Rawls defines the principles of justice as an idea that corresponds to categorical imperatives (Rawls 1999a, p. 222). However, we will be misled if we regard the categorical imperative precisely according to Kant's terminology. In fact, Rawls presents a special interpretation of categorical imperative, which is subtly and significantly different from Kant's own definition. I shall describe Rawls's interpretation first and then explain why it deviates from Kant's definition.

Rawls introduces into Kant's moral philosophy a new idea, the categorical imperative procedure (the CI-procedure), "by which that imperative is applied to us as human beings situated in social world" (Rawls 2000, p. 162). Rawls thinks that Kant never denies the fact that we are beings with needs and desires. So the categorical imperative should not be viewed as a pure form without any contents. Rather, it is supposed to fit in our happiness. Rawls elaborates four steps of his CI-procedure about how to construct our actual needs and a priori constraints into the categorical imperatives. The standard form of the four steps is as follows.

> "(1) I am to do X in circumstances C in order to bring about Y unless Z. (Here X is an action and Y is an end, a state of affairs.) (2) Every one is to do X in circumstances C in order to bring about Y unless Z. (3) Everyone always does X in circumstances C in order to bring about Y, as if by a law of nature (as if such a law was implanted in us by natural instinct). (4) We are to adjoin the as-if law of nature at step (3) to the existing laws of nature (as the se are understood by us) and then think through as best we can what the order of nature would be once the effects of the newly adjoined law of nature have had sufficient time to work themselves out." (Rawls 2000, pp. 168-169)

Unlike what Kant says, the CI-procedure suggests the categorical imperative is not absolutely free from the hypothetical imperative. Instead, it starts with the hypothetical imperative. Rawls maintains that our natural needs should not be excluded from moral laws like something amoral. Rather, they are both the starting point and the end of the CI-procedure. Satisfying the needs is by itself moral as long as it stays within the constraints imposed by the procedure. Hence one can see that our empirical being situated in the social world is taken for granted by Rawls (see Rawls 2000, p. 151; p. 162; p. 167). Nevertheless, by the CI-procedure Rawls also implies that the natural needs should not be recognized as moral principles by themselves. They are merely materials or contents to be given forms. These forms are viewed by Rawls as external constraints that are completely independent of the natural needs. In other words, "(t)hese constraints are synthetic a priori" (Rawls 2000, p. 250). As moral subjects, we ought to willingly accept these a priori constraints upon our empirical being regardless of what the consequences are. Thus the CI-procedure also affirms us as a priori being, what is called by Rawls the concept of a person as reasonable and rational (Rawls 2000, p. 250).

In Rawls's eyes, the empirical being and the a priori being constitute Kant's concept of a complete moral subject. Perhaps we can conversely say that the complete moral subject is split into two subjects. Kant's ethics also involves two subjects, but Rawls uses the concept of a priori differently from Kant. For Kant the a priori is completely independent of the empirical, while for Rawls their relationship has two aspects. First, the a priori constraints are independent of the empirical needs; second, the constraints are no more than pure forms, thus making no sense if they don't satisfy the needs. This is not actually Kant's view, but let me continue to account for Rawls's interpretation first. According to Rawls, the two subjects are situated in a very tricky situation. On the one hand, they have to depend on each other because neither of them is able to construct the categorical imperative alone. On the other hand, they both retain their independent statuses because neither of them is deduced from the other. However, given their independence Rawls cannot further explain why the a priori subject is at the same time superior to the empirical subject so that the former could impose constraints upon the latter. In the subsequent analysis we will see more clearly that this contradiction runs throughout Rawls's earlier and later works and becomes the most fatal difficulty in his hypothetical contractualism. Based on the CI-procedure, Rawls tries to take the following step to reach the idea of the priority of right over the goods. He briefly exposits it like this: the right draws the limit; the goods show the points (Rawls 2000, p. 231). Corresponding to the relationship between the two subjects, the right and the goods are complementary, meanwhile, the right constrains the goods. These two features characterize the priority as a lexical one which recognizes the values of the goods but only within the limit the right draws prior to them (Rawls 2000, p. 156; see also Rawls 1996, pp. 173-174). Still the superiority of the right is unanswered. Then Rawls advances what he calls Kant's moral constructivism. Rawls views the CI-procedure as a moral constructivist procedure by which all the requirements of practical reason, both the pure and the empirical, are represented (Rawls 2000, p. 237). The empirical needs and the a priori moral constrains are both incorporated into the procedure and together work out the categorical imperatives as their outcome. Rawls reaches a conclusion that is obviously contrary to Kant's: the categorical imperatives are not a priori and the pure practical reason cannot produce its object out of itself, because the CI-procedure has to take the empirical materials into account (Rawls 2000, pp. 250-252). Looking back upon Kant's text, we will find that not only this constructivist conclusion but also moral constructivism itself is incompatible with Kant's moral philosophy. Moral constructivism stands for a method that constructs the moral principles out of the empirical needs, however, it unfortunately falls into "the paradox of method" to which Kant strongly objects.

> "Now, this is the place to explain the paradox of method in a critique of practical reason: viz., that the concept of good and evil must be determined not prior to the moral law (it would, so it seems, even have to be laid at the basis of this law) but only after it and by means of it (as is indeed being done here)." (Kant 2002 [1788], p. 84)

For Kant the moral law is unconditionally independent of all hypothetical imperatives and should not take any consequences into account. Rawls has always been suspicious of this. Instead, Rawls asserts that the CI-procedure must take account of the consequences and that any moral conceptions putting aside the consequences are simply mad (Rawls 2000, p. 251; see also Rawls 1999a, p. 26). Their divergence on this point leads to all their other disagreements on the categorical imperative. So an examination of the reason for the divergence will be the key to making clear the relationship between Rawls and Kant. In my view, Rawls's suspicion stems from his misunderstanding of Kant's concept of autonomy. Rawls conceives of Kant's autonomy, or the a priori being, as the concept of a person as reasonable and rational. But Rawls neglects the relationship between autonomy and causality, which plays a significant role in Kant's moral philosophy. Kant argues in *Critique of Pure Reason* that everything in the phenomenal world exists in a relation of causality, which is characterized by the fact that every event taking place at a point of time is determined by what happened at a preceding time. Since nothing or nobody at this moment is capable of changing the past, Kant says everything in the phenomenal world is completely controlled by causality (Kant 2002 [1788], pp. 120-121). The hypothetical imperative is an exemplification of the causal control, because it is under the hypothetical condition. This is why Kant asserts that it's impossible to look for the moral law through the goods in the phenomenal world. Along the causal chain, what we can find is still in this chain. If so, it would also be impossible for a person to be a moral subject because as phenomenal beings we are merely animals driven by physical desires and impulses. This leads to an unacceptable consequence that the laws of the jungle would finally replace the moral law as a result of the absence of *duty*. To enable the moral subject, a person must have autonomy, which should be beyond the control of causality and absolutely independent of the influences from the phenomenal world. It is the categorical imperative that represents such autonomy. Unlike Rawls's interpretation, Kant's concept of autonomy, first of all, indicates our relationship with the phenomenal world. It has nothing to do with rationality or irrationality, what Rawls is concerned with, since it is supposed to go beyond causality. Kant says the categorical imperative may never be found through the hypothetical imperatives (Kant 1988 [1785], p. 29). The only way to rescue the moral law and at the same time still keep the phenomenal world is to postulate the autonomy to be a free cause of a causal chain. That means the subsequent events in the causal chain will be the effects determined by my autonomy, while my autonomy is not restrained by the necessity of causality. The postulation of autonomy breaks the physical law of the phenomenal world, but Kant has a good reason for it. The reason is found in *The Critique of Pure Reason*. In the first *Critique*, Kant explicates his epistemological dualism which distinguishes the noumenal world from the phenomenal world. According to his epistemological dualism, the nature is not something alien to us. Rather, it is synthesized by our faculties of sensibility and understanding. So the necessity of causality is unreal to our noumenal self. Kant asserts that one will find that the contradiction between autonomy and nature is merely an illusion as long as he realizes they must be "necessarily united in the same subject" (Kant 2002 [1788], p. 60), i.e. the noumenal self. On the other hand, the unity implies a possible connection between the moral laws and our happiness. Like Rawls's interpretation, Kant indeed admits the fact that we are surely phenomenal beings with natural needs and even have a mandate to meet them. Nevertheless this connection is not a direct one conceivable in the phenomenal world, but an indirect one that may be pursued only in an infinite process assured by another two postulations, the immortality of the soul and the existence of the God (Kant 2002 [1788], p. 146). The two postulations indicate that even if the connection exists in the noumenal world it is still inconceivable in the phenomenal world. So Kant leaves no leeway for Rawls's CI-procedure on this point. It is time to give a brief conclusion to the comparison between Kant and Rawls. Both of them discuss two subjects, the a priori subject and the empirical subject. In accordance with Kant's epistemological dualism, the contradiction between the two subjects is an illusion merely existing in the phenomenal world and the empirical subject will finally show its inauthenticity in the noumenal world. So there is only one subject truly affirmed by Kant. In contrast, putting aside the epistemological dualism, Rawls cannot unite the two subjects only by means of what he calls the moral constructivism, or the CI-procedure. The split of a moral subject brings about the incompatibility between the two features of the priority of right, the moral constraints and the complementarity. Also, it leads Rawls's hypothetical contractualism into an inextricable dilemma: holding on to the constraints from the right at the cost of the complementarity with the goods, or maintaining the complementarity regardless of the constraints. We will subsequently see that Rawls has tried twice to fix the dilemma but the both times failed. Now let us return to the remarks of the commentators. Sandel's view of the priority of right as a Kantian deontology is partly correct in terms of emphasizing the constraints, but it neglects the other feature of the complementarity. Freeman's disapproval of taking the priority of right as an ontological view is correct for taking the complementarity into account, but he doesn't distinguish this idea from a Kantian view. Bloom's criticism of

Rawls's misuse of Kant's morality is sound in the sense that Rawls affirms the independence of the empirical being, but on the other hand improper as Rawls still thinks the moral constraints stem from another world that is independent of the needs. Rawls follows Kant's moral dualist view. Moral constructivism doesn't doubt that the moral constraints, if they make sense, must be given from a world outside the one filled only with natural needs and desires. So Rawls's separation between the hypothetical situation and the actual situation is exactly what he inherits from Kant.

2.2 Rawls's Moral Dualism

In the revised version of *TJ*, in order to distinguish his hypothetical contractualism from Kant's transcendentalism, Rawls adds a new paragraph at the end of §40 "The Kantian Interpretation".

> "Kant's view is marked by a number of deep dualisms, in particular, the dualism between the necessary and the contingent, form and content, reason and desire, and noumena and phenomena.…His moral conception has a characteristic structure that is more clearly discernible when these dualisms are not taken in the sense he gave them but recast and their moral force reformulated within the scope of an empirical theory. What I have called the Kantian interpretation indicates how this can be done." (Rawls 1999a, pp. 226-227)

In this paragraph Rawls implicitly admits that he borrows Kant's dualist view but separates it from the transcendental aspect. As is well known, Kant's dualism is characterized by the antithesis between the noumenal and the phenomenal worlds. A denial of the transcendental aspect will necessarily lead to a refusal of Kant's dualism. So we should, first of all, figure out what Rawls means by the dualism in an empirical scope. Rawls agrees with Hegel's criticism of the traditional theory of social contractualism that the general form of a social agreement cannot be brought about singly from people's particular interests. But he doesn't want to abandon contractualism as the means to reaching legitimacy, so the original position is put forward for the purpose of revising the traditional social contractualism. In term of being only a revision, Rawls's hypothetical contractualism doesn't intend to remove its very premise that the people's particular interests constitute the foundation of the social agreement. Therefore he postulates the condition of the circumstances of justice only under which the actual persons are possible to enter the original position. The circumstances of justice are featured by the fact that the individuals have "conflicting claims to the division of social advantages" (Rawls 1999a, p. 110). Rawls's circumstances of justice function like a revisionist version of the state of nature. [5] Nevertheless his revisionist mission requires him to rule out all the contingent factors so as to work out an agreement with the general form. Thus Rawls advances the original position as a supplement to the traditional social contractualism. In the original position, every actual person is expected to be represented by a hypothetical party who is deprived by the veil of ignorance of all the information about people's advantages and disadvantages in the actual society. Only the public knowledge of people's goods and the societal facts is available to the parties. Rawls claims the constraints upon information are reasonable with respect to situating the parties on equal positions, although the parties are rational and disinterested in each other. By virtue of the rational deliberations between the parties, or what Rawls calls reflective equilibrium, the final agreement will be specified as the principles of justice. Since the contingent information has been blocked, the same principles are always chosen upon the public knowledge available (Rawls 1999a, p. 120). And then Rawls's mission will be finished once the actual persons in the circumstances of justice also accept the principles of justice agreed to by the parities. As we shall see later, he encounters great difficulties in his last step. But for now let us keep our eyes on the original position. Rawls says the original position follows Kant's moral constructivism in setting up the distinction between the reasonable and the rational (Rawls 1996, p. 25), which derives from the distinction between the categorical imperative and the hypothetical imperative (Rawls 1996, pp. 48-49). As was mentioned, Rawls doesn't regard the categorical imperative as an a priori idea. The only a priori element in the CI-procedure is the moral constraints. When Rawls distinguishes his hypothetical contractualism from Kant's transcendentalism I believe he means two things. First, the idea of the principles of justice is empirical; second, the veil of ignorance stems from another empirical realm which is distinct from the one of the circumstances of justice. Although the two realms are both empirical, they belong to completely different worlds. By drawing down the veil of ignorance, the inside and the outside worlds of the original position are set apart. The antithesis between the two empirical realms is analogous to the one between Kant's noumenal and phenomenal worlds, in term of splitting the moral constraints from the actual persons. The split doesn't depend on whether the realms are transcendental or not but on whether the moral constraints are independent from the actual world we are living in. When Rawls sets out to pursue a general form of justice by means of blocking all the contingent information, he has in fact affirmed the independence of the moral world. So both Rawls's hypothetical contractualism and Kant's ethics may be called moral dualism in that they recognize the independence of morality. Accordingly, the two realms involve two corresponding subjects, the actual persons outside the original position (or in the circumstances of justice) and the parties inside the original position. Rawls may decline to conceive of the parties as a sort of subject, because they are merely defined to be the representatives of the actual persons. However, I want to point out that “representative” is a misleading word for describing the parties’ role.

Normally, a representative is supposed to weigh interests in the same way as the actual person authorizes him. In the circumstances of justice, each actual person is presumed to be only concerned with his personal interests. However, once a party is authorized by an actual person, the veil of ignorance will immediately alter the party’s perspective. According to Rawls’s account, the parties have no idea of any actual person’s favorable good and hate to take any risks, so the parties must take all alternative goods into account and treat them equally. In other words, a party has to alter a personal perspective into the public perspective.

Rawls may disagree with attributing any personality that the actual persons don’t have to the parties, because he defines the parties as merely rational beings and disinterested in each other. Nonetheless, the veil of ignorance has changed the parties’ way of weighing interests. An actual person weighs the interests by maximizing his own good no matter how much it would cost other people, while a party should do it by guaranteeing each good an equal opportunity regardless of whether any personal good would be maximized. With the alteration of perspective, we should no longer call the parties the representatives of the actual persons, because they are chasing essentially different interests. So I argue that the alteration forms the parties into a type of subject distinct from the actual persons.

In addition, I also intend to argue that the antithesis between the two subjects is an inescapable consequence of hypothetical contractualism. As we have seen, to avoid the effect from historical contingencies, Rawls’s hypothetical contractualism aims to let each individual recognize the general form of an agreement reached in a hypothetical situation. The hypothetical situation necessarily refers to a corresponding hypothetical subject in contrast to the actual subject. With regard to this antithesis, it is an insignificant issue whether the hypothetical subject has a moral motivation. What really matters is whether the hypothetical subject holds an independent perspective from the actual subject. I maintain that it does, because otherwise the hypothetical agreement would be corrupted by the contingent interests.

In fact, the antithesis is also involved in T. M. Scanlon’s version of hypothetical contractualism which I take as another illustration. Scanlon maintains that since all actual agreements unavoidably involve substantial judgments morality as an ideal is supposed to stem from the hypothetical realm (Scanlon 1998, p. 155). Nonetheless he takes one step back from Rawls’s point of view. His purpose is not to work out any substantial moral principles but to provide an ideal framework of boundary for moral claims. So in Scanlon’s hypothetical contractualism, the veil of ignorance is not adopted because which information is available to all the parties is not his main concern. What he aims to figure out is the reason for reasonable rejections instead of how to reach a reasonable agreement. For him a claim is morally wrong if there is someone who would reject it in accordance with some reasonable principles (Scanlon 2003a).

Like Rawls, Scanlon conceives of a person’s relatively advantaged status as a challenge to morality. He refers to the reasons on the ground of a particular position as personal reasons or “what we owe to each other”, and asserts that the personal reasons cannot provide justifications for reasonable principles. On the contrary, only interpersonal reasons which are produced by “changing places” may offer a basis for reasonable principles (Scanlon 1998, pp. 218-220).

Changing places requires each person to look into the claims from all the other persons’ standpoints rather than to merely hold on to his particular standpoint. Thus we might say the requirement raises an antithesis between the actual subject with personal perspective and the hypothetical subject with interpersonal perspective. As the reasonable rejection stands for an ideal moral notion, morality must keep away from the actual subject. So for Scanlon these two perspectives constitute an antithesis that is similar to Rawls’s.

Many critics like Donald Dworkin (1977, pp. 150-159), Jürgen Habermas (1995, p. 113) and Sandel (1982, pp. 105-110) among others, charge that a hypothetical agreement is invalid because it brings in no interpersonal sanctions. Their charges are not on point due to the neglect of Rawls’s wide and general reflective equilibrium, which has taken the intersubjective views into account.[6] In fact, Rawls will be misunderstood if one conceives of the original position as a self-conscious situation. The primary characteristic of hypothetical contractualism is the affirmation of the independence of morality.

In order to pursue the general form of morality, moral dualism separates two realms as well as two subjects. However, Rawls’s initial question is how to let the actual persons recognize the general form of the hypothetical agreement. Scanlon’s reasonable rejection is also expected to be finally applied to the imperfect world (Scanlon 2003a, p. 133). Thus hypothetical contractualism cannot leave these separations as they are. It has to undertake the last task of reuniting the two subjects. In my view, this is the biggest difficulty in hypothetical contractualism and is in fact impossible to resolve.[7]

The difficulty of reunion is called by Rawls the issue of stability, which indicates a sense of justice that "is stronger and more likely to override disruptive inclinations" (Rawls 1999a, p. 398). Since this issue is the last step for justifying legitimacy, it should be consistent with the two aims of legitimacy: generality and agreement. The two aims correspond to the priority of right's two requirements, the constraints and the complementarity. How to let the reunion meet both the two requirements turns out to be Rawls's impossible mission. In *TJ*, he tries to build the reunion on the ground of the constraints, whereas the complementarity is dropped. In *PL*, he turns to satisfy the complementarity but, as we will see, leaves the constraints behind.

In accordance with the constraints of justice upon the goods, Rawls argues in the third part of *TJ* that everyone's personal rational plan is supposed to be inferior to "the larger comprehensive plan that regulates the community as a social union of social unions" (Rawls 1999a, p. 493). The larger comprehensive plan offers the moral constraints but rules out the complementarity. That means the persons in the circumstances of justice are not allowed to make free choices for their goods. Rather, their choices must be circumscribed by the border that justice has drawn in advance.

Sandel is acutely aware of Rawls's tendency in *TJ* to build a Kantian moral subject (Sandel 1982, p. 49). Rawls commits himself to justifying the unity of the self. However, from the standpoint inside the original position the unity can only be based on a hypothetical subject who is independent of the actual persons' desires. So even if the desires are recognized, they have to be conceived of merely as subordinate to the hypothetical subject.[8] In this respect, the larger comprehensive view coincides with Kant's noumenal self; and the original position, although still empirical, turns out to be equal with Kant's noumenal world. For the last step, Rawls returns to Kant in the sense of denying the phenomenal self. The Kantian unity of self finally leads to a consequence beyond Rawls's expectation: we are not allowed to step out of the original position if morality makes sense.

However, this consequence collides with the prerequisite of Rawls's hypothetical contractualism, the circumstances of justice. Legitimacy requires the general form of justice to be affirmed by each individual under his free will. In case the affirmation can only be maintained by the constraints externally imposed, legitimacy will definitely be unattainable. This assumption of the circumstances of justice, in which everybody holds different comprehensive views, provides the condition for individuals' freedom. Therefore legitimacy demands the affirmations from both inside and outside the original position.

Rawls then realizes the stability provided by the third part of *TJ* cannot meet the demand. In his later works, he further asserts that any comprehensive doctrine, not only Kant's philosophy, is unacceptable to the conception of justice. This assertion may seem confusing at first sight but corresponds with Kant's remarks on political right. In *The Metaphysics of Morals*, Kant contends that the people have an unconditional duty to submit to the legislative head of a state, even in the case when the supreme authority has been unbearably abused, because the head represents the general legislative will.[9] Kant has denied the possibility of finding the categorical imperative in the phenomenal world. Why does he regard the legislative will of a state as stemming from the pure practical will? Whatever his reason is, Kant's political view exemplifies that the constraints from moral dualism tend to result in tyranny once it is applied phenomenally. This result is undoubtedly opposite to Rawls's intention.

Although later Rawls knows that the stability is impossible to be justified inside the original position, he thinks it is only a sectional problem for the framework of his hypothetical contractualism. So in his later works, especially in *PL*, Rawls tries to reunite the two subjects from the standpoint outside the original position and treat the issue of stability more or less independently. What he never realizes is that the difficulty he faces in stability actually arises from the contradiction within the idea of contractualism.

3 The Difficulty in Rawls's Practical Turn[10]

3.1 Overlapping Consensus and Reconciliation

Later Rawls asserts that the justification for his conception of justice has become a practical task (Rawls 1999b, p. 289). "Practical" is a multivocal word. People use it sometimes in contrast with the word theoretical, and sometimes as a synonymy of realistic. So we should first of all clarify what "practical" indicates in Rawls's usage. In Rawls's terminology the practical is put in contrast with the metaphysical. He argues that the conception of justice is supposed to avoid the "claims to universal truth, or claims about the essential nature and identity of persons." (Rawls 1999b, p. 288) Rawls's moral dualism distinguishes the perspective of the actual persons in the circumstances of justice from that of the parties in the original position. In *TJ*, in order to reunite the two subjects Rawls contends that the latter perspective stands for a larger comprehensive view of self that constrains the actual persons' comprehensive views. However, this contention prevents the parties from stepping out of the original position and contradicts the assumption of the circumstances of justice. The circumstances of justice, in which people are considered to hold different and independent comprehensive views, provide the necessary prerequisite for hypothetical contractualism. Justifying legitimacy demands preserving the necessary prerequisite first. So I argue that the practical turn is not caused by anything beyond *TJ*. Rather, Rawls merely switches his standpoint to the circumstances of justice in order to pursue stability. If my interpretation is correct, it would be better to see the practical turn from the view of moral dualism. Although the circumstances of justice, what later Rawls calls *the fact of reasonable pluralism*,[11] are defined to be the environment of the actual persons, they still represent a theoretical assumption. It will be a misunderstanding of Rawls's intention to regard reasonable pluralism as a model of any particular societies existing in history. So the concept of reasonable pluralism is not exposed to criticism from the empirical studies of Americans' attitudes.[12] Neither does it allude to an inclination for Anglo-American Provincialism as Ackerman says. Furthermore, it is another misunderstanding to view political liberalism as a sort of historicism. Later Rawls doesn't abandon the antithesis of the two subjects. The parties still remain in political liberalism. Thus Rorty exaggerates the practical turn when he describes later Rawls as a postmodernist philosopher like Martin Heidegger and Jacques Deridda (cf. Fortier 2010). Rawls's new strategy for stability resorts to the idea of overlapping consensus, in which the conception of justice is viewed as a module in each of the various comprehensive doctrines and separately endorsed from their particular points of view. As a module, the conception of justice plays a very unusual role among the comprehensive doctrines. On the one hand, it is not a comprehensive doctrine itself, but only one part incorporated into them. The comprehensive doctrines are expected to justify the same conception of justice by their own particular reasons as it stems from each of them. By this way, the particular justifications might secure the affirmation of the conception of justice under the independence of the comprehensive doctrines. On the other hand, the contents of justice are formulated independently. That means the doctrines are not allowed to change these contents. The doctrines' freedom is limited within how to make themselves consistent with justice. In other words, although the affirmation of justice is available through the idea of overlapping consensus, the two subjects still keep their independence. Thus the affirmation of the conception of justice, or stability, has to be maintained in an indirect and conditional way. Given the pluralistic character of the circumstances of justice, the various comprehensive doctrines should not have any agreement, let alone commonly affirm the conception of justice. To justify overlapping consensus, Rawls has to bring in an additional condition that makes the affirmation possible: the enduring free institutions. Rawls claims political liberalism is premised on a closed society whose members "enter it only by birth and leave it only by death" (Rawls 1996, p. 12). He says the people are not assumed to be abstract persons but those who are living in the social world and are going to spend their whole life in it (Rawls 1996, p. 136). According to the four-stage sequence described in *TJ*, after the parties have adopted the principles of justice the actual persons will move to a constitutional convention to work out a just constitution (see Rawls 1999a, pp. 172-173). Although the information about the particular advantages is still unknown in the constitutional convention, the persons are allowed to learn the public knowledge about their society as the rational ground for achieving the most favorable free institutions. Rawls assumes the free institutions used to run compatibly with the other parts of people's comprehensive (or partial) views over time in history, and then the conception of justice was extracted from the institutions and incorporated into their views as a module.[13] It consists of the political values that these comprehensive views commonly recognize. These political values and the public knowledge compose the idea of public reason that each individual is supposed to accept during the debate in a public forum. Rawls argues that when basic justice and constitutional essentials are at stake the public reason would provide a basis for reaching a constitutional agreement and thus ensure the legitimacy of a democratic society. Therefore Rawls attains legitimacy by reconciling the two subjects through the institutions. He postulates that the conception of justice was first materialized in the free institutions a long time ago; then by means of a historical process, it is assimilated into the various comprehensive doctrines and obtains their endorsement. The conception of justice involves two independent justifications: reflective equilibrium and overlapping consensus (cf. Scanlon 2003b). The two justifications correspond to the two independent subjects. [14] In *TJ*, Rawls fails to reunite them while keeping their independence. In *PL*, he changes his strategy by building an indirect unity under the historical condition of the free institutions.

What needs to be noticed is that Rawls seems never to doubt the availability of public knowledge in working out the institutions. Whether in the wide reflective equilibrium or in public reason, public knowledge is merely regarded as a constant in pursuing unanimity. Although the disagreement on public knowledge is briefly mentioned by the burdens of judgment, Rawls admits he doesn't intend to seriously discuss it (Rawls 1996, p. 487). But as we will see in the next subsection, the reconciliation of the two subjects may fail as a result of the disagreement on public knowledge.

I think it's necessary to clarify the reconciliation now. Rawls describes it as an idea by which the individuals may realize their free essence through accepting the political and social institutions (Rawls 2000, p. 331). He claims that it is obtained from Hegel's *Philosophy of Right* (see Rawls 2001, p. 3).[15] However, political liberalism is supposed to keep its distance from any kind of metaphysics. So making clear Rawls's relation to Hegel will be helpful in interpreting political liberalism.

In *Philosophy of Right*, Hegel describes the development of the ideas from abstract right, to morality, to ethical life. At the moment of abstract right the institutions enforce the external negative prohibitions on the individuals. Abstract right aims to define personality and has the form of a commandment: *be a person and respect others as persons* (Hegel 1991 [1820], p. 69). But the personality lacks the support from the individuals' subjective will. Another important aspect of abstract right is that only by the right to things is personality able to be realized in institutions (Hegel 1991 [1820], pp. 70-72).

From Hegel's point of view, the right to things stands for a human's supremacy over things. On the one hand, the things are defined to be "something unfree, impersonal, and without rights" (Hegel 1991 [1820], pp. 73-74). On the other hand, the things resist my possession in a sensuous way to manifest their independence. Nevertheless Hegel conceives of its independence merely as something untrue that is sooner or later to be overcome by my will. After overcoming its independence, my will would be infused into the things and turn them into my property. According to Hegel, anything that is external to my will has no end within itself. Thus the idea of property manifests the supremacy of my will over the things (Hegel 1991 [1820], pp.

75-76) and, meanwhile, provides the basis for abstract right.

Hegel specifies morality to be the general right of subjective will. Subjectivity represents the arbitrary aspect of will. The absolute form of subjectivity is conscience that disregards all the external limitations. Hegel asserts that conscience may lead to the good as well as to the evil. The good intends to claim that what it takes as good should be good for everybody. But at the moment of morality, this claim lacks verification from others. So subjectivity disables the good to gain universality. On the contrary, the evil has no intention of going beyond subjectivity at all. It is satisfied with its own particular interests and holds any attempts to pursuing universality in contempt. Particular interests are considered by Hegel as evil because, he thinks, individuals are destined to lead a universal life (Hegel 1991 [1820], p. 327).

Abstract right and morality are finally unified into the idea of ethical life, especially in the state. Ethical life replaces the previous two incomplete moments and becomes the concept of freedom. In the state, abstract right views conscience as its contents; and the subjective good is affirmed objectively by abstract right. Thus Hegel calls the state the actuality of the substantial will which indicates the accomplishment of the two incomplete moments. Accordingly, those antitheses like subjectivity and objectivity, particularity and universality, are both dissolved in the state. Individuals finally realize that only in the institutions, the specific form of the state, they can get rid of their subjectivity and possess their actual essence (Hegel 1991 [1820], p. 196).

In light of the brief description above, we may see that overlapping consensus apparently doesn't fit the idea of reconciliation in Hegel's sense, because there exist no two subjects in Hegel's picture of the state. Abstract right is merely an objective form without any subjective contents, and morality cannot reach universality if it lacks affirmation from the institutions. Neither of them is an independent moment. The genuine subject cannot realize itself until arriving at the stage of the state.

In contrast, Rawls's conception of justice involves both objective moral constraints and subjective support from the parties. And the reasonable comprehensive doctrines are not analogous to Hegel's concept of the good because they don't aim at universality. According to Rawls's account, each comprehensive doctrine is supposed to justify the conception of justice only from its own point of view, having no interest in looking into others' justifications (Rawls 1996, p. 387). On the contrary, Hegel's concept of the good demands the intention of pursuing universality, so when an individual in the moment of morality claims a good he ought to deem his personal reason to be generalized even though its generality cannot be verified for now. However, each reasonable comprehensive doctrine doesn't care about whether its own reason would be accepted by others. In fact, Rawls's reasonable comprehensive doctrines correspond to Hegel's concept of the evil.

Although Hegel and Rawls both emphasize the institutions' influence on the individuals, the institutions play quite different roles in their doctrines. For Hegel, the institutions cultivate an individual from a subject being into a truly free being. For Rawls, the institutions resemble a bridge that spans the gap between the conception of justice and the comprehensive doctrines but doesn't harm their independence. Hegel's individual accomplishes its actuality in the social world and stay there, while Rawls's individual will still face the task of stepping into the original position.

Rawls expects the idea of overlapping consensus to resolve the issue of stability. Nevertheless stability not only asks for a sense of justice but also requires justice to override the disruptive inclinations. Once historical contingencies upset the balance between justice and the goods, the actual persons must return to the original position to reimpose moral constraints upon the goods. Rawls doesn't, in fact, take this question into account, but it is inescapable if he still wants to justify legitimacy by means of his hypothetical contractualism. We shall discuss this question in the next subsection.

Additionally, it is important to notice that despite the divergence on the role of institutions, Rawls and Hegel share the same basis for institutions: confidence in the availability of knowledge. As was mentioned, whether in the wide reflective equilibrium or in public reason, Rawls always holds on to the agreement on public knowledge. I don't intend to say Rawls maintains that the agreement should be obtained in reality. In fact, he says it is supposed to be pursued in an infinite process (Rawls 1996, p. 385).[16] Rather, I want to point out that the agreement has to presuppose the availability of knowledge.

Similarly, Hegel contends that the institutions are premised on a human's supremacy over things. This contention comes from his famous proposition: *Substance is subject.* With this proposition, Hegel tries to justify how knowledge actualizes itself. Knowledge begins from our immediate consciousness, and then is aliened by objects. At the final stage of self-consciousness, consciousness realizes that objects are no more than its own representation and objects eventually become a moment of self-consciousness. Thus unlike Kant's thing-in-itself, Hegel doesn't think things have any inalienable independence. Even if they are still alien to us temporarily, their independence will finally be dissolved by our knowledge.

Rawls and Hegel both treat knowledge as only a means to actualizing the institutions. However, in my view they are overconfident in knowledge. Once our knowledge and the institutions fail, both Rawls's overlapping consensus and Hegel's idea of the state will be in great danger.

3.2 The Exception

In Hegel's picture, the state represents the free spirit and all the antitheses are supposed to be dissolved in it. No conflictions or contradictions should still remain at this final stage. However, his remarks on the state's relation to religion seem very confusing. He says that since religion belongs to conscience the Church will undermine objectivity if it tries to interfere with the state in the name of truth. Hegel insists the state should disregard any interference from the nonpolitical domains, like religion and science, for the sake of defending its own objective rationality (see Hegel 1991 [1820], pp. 290-304).

The confusion arises from why religion and science are still in potential collision with the state. Subjectivity should have been incorporated into ethical life and realized itself as merely an incomplete moment. It should not bear any disruptive inclinations against the state. If it does, that would only imply the state is split into abstract right and morality again. In that case, what religion collides with is not the state, but rather abstract right. However, Hegel doesn't give a further explanation about how the extraordinary situation takes place.

A similar extraordinary situation also shows up in Rawls's political liberalism. Rawls says that public reason aims to provide the basis for legitimacy once the constitutional essentials and basic justice are at stake. It is a very unusual moment. On the one hand, the constitution cannot function well to support the existing political order and so people's agreement on the constitution begins to break down. On the other hand, the state has not entirely fallen into a disorder and people still have the opportunity to assemble in the constitutional convention to reach a new agreement. This extraordinary situation approximates to what Carl Schmitt calls *the exception*.

Schmitt's concept of the exception is helpful to understanding the extraordinary situation here. Schmitt specifies the exception to be a situation that stays on the borderline between routine and disorder. The exception occurs beyond the prediction of rationality, so it cannot be incorporated into the legal system. It appears as an absolute contingency and "confounds the unity and order of the rationalist scheme". But the exception is different from anarchy, because the sovereign is still holding the sovereignty in hand. In Schmitt's view, the exception is brought about by a great and unpredictable crisis, and it is the time for the sovereign to create a new order to deal with the crisis (see Schmitt 1985 [1922], pp. 5-15). However, Schmitt doesn't think the people may act as a sovereign as a single person does since the people lack the personalistic feature. Although I disagree with Schmitt on this point I shall leave this question aside in this article.

Neither Hegel nor Rawls has taken the issue of the exception seriously. In principle, Hegel denies any kinds of contingency. At the final stage of the state, all contingencies are supposed to be incorporated into the idea of ethical life to be its moments. So Hegel has to either ignore contingencies in reality or hold a conflicting opinion with his whole picture, like his remarks on religion. In contrast, Rawls could not beg the question of the exception since it is the very moment when the constitution obtains legitimacy. Rawls asserts that when the constitutional essentials are at stake the legitimacy will be justified as long as our exercise of political power is endorsed by each individual (Rawls 1996, p. 217). It is necessary to emphasize that the constitutional essentials that are at stake should indicate the old constitutional contents, while the constitutional essentials to be commonly endorsed refer to the new ones. This distinction could be supported by Rawls's argument in "Reply to Habermas" on citizens' political autonomy to adjust and revise the constitution as the social environment changes (Rawls 1996, p. 402). Rawls resorts to public reason to rebuild people's agreement on the new constitutional essentials, whereas without a further examination of the cause for the exception. If public reason is still the same, why are the old constitutional essentials replaced? The old constitutional essentials must have been endorsed in accordance with public reason in the past. Putting the cause for the exception aside, public reason cannot suffice to justify legitimacy alone. So I shall analyze the cause along with Rawls's route and then point out that overlapping consensus will inevitably break down during the exception. Rawls specifies two parts of public reason: substantive principles of justice and guidelines of inquiry. The first part is included in the conception of justice and the second part is of public knowledge. Let us look into which one may be the direct cause for the failure of the constitutional essentials. According to overlapping consensus, the conception of justice is endorsed by the reasonable comprehensive doctrines in their own points of view. Thus these doctrines' support for substantive principles of justice is not supposed to be open to the empirical contingencies. The second part, guidelines of inquiry, is described as "presently accepted general beliefs and forms of reasoning found in common sense, and the methods and conclusions of science when these are not controversial" (Rawls 1996, p. 224). In explaining the four-stage sequence, Rawls mentions more details of the public knowledge that the people in the constitutional convention are expected to have.

> "But in addition to an understanding of the principles of social theory, they now know the relevant general facts about their society, that is, its natural circumstances and resources, its level of economic advance and political culture, and so on." (Rawls 1999a, pp. 172-173)

Rawls supposes the persons should take the public knowledge for granted before they reach a constitutional agreement. Nevertheless, the public knowledge is obtained from the empirical world and subject to empirical changes. Not only the divergence on justice but also the disagreement on public knowledge may lead to crisis for human society.

Recall the Great Depression that took place during 1930s and the debate between the New Deal and traditional liberalism. Did people, while being trapped in the crisis, have any agreement on the principles of social theory? Recalling the argument between pro-gun and anti-gun groups, do the two parties share the same relevant general facts about the society?

In fact, whether the people could agree on the public knowledge never depends on their intentions, but on the natural or social environments that are not in their control. As the empirical contingencies stir up the environmental changes, people's previous knowledge has to be replaced accordingly. A further explanation for the impact of the contingencies on knowledge inevitably involves a broad epistemological discussion that I cannot pursue here. In this article I can only say that the instances in history and reality remind us that the failure of knowledge should be taken into account when the exception is discussed.

If the analysis above is correct, it is the failure of our knowledge that makes the constitutional essentials at stake. In terms of overlapping consensus, since the substantive principles of justice are endorsed separately from public knowledge, the reasonable comprehensive doctrines' support for the first part of public reason would persist during the exception. However, in terms of reflective equilibrium, public knowledge is still an indispensable element in working out the conception of justice in the original position. The veil of ignorance blocks the information about people's particular advantages but still leaves the parties the knowledge about "political affairs and the principles of economic theory" and "the basis of social organization and the laws of human psychology" (Rawls 1999a, p. 119). The parties are presumed to choose the conception of justice based on the relevant knowledge.

Given the replacement of the previous knowledge, the conception of justice should be renewed by another reflective equilibrium. In other words, when the constitutional essentials are at stake it is time for the actual persons to step into the original position.

Habermas criticizes Rawls for his ambiguity on the justification for the conception of justice. Habermas maintains that in contrast to the original position overlapping consensus merely plays a functional role in the justification because it can only provide acceptance, instead of validity, to the conception of justice (Habermas 1995, pp. 121-122). Under overlapping consensus, although justice is endorsed by each reasonable comprehensive doctrine, none of them is concerned with the reasons provided by others. As a consequence, none of these reasons is valid from the perspective of the others. On the contrary, justice is justified in the original position by reflective equilibrium which provides reasons to all the parties. In fact, Habermas' criticism of overlapping consensus focuses on the contradiction between particular reasons and public reasons. Nonetheless Rawls doesn't seem to catch Habermas' point. In his reply to Habermas, Rawls repeats the conformity between the two justifications but begs the question of their contradiction.

The contradiction won't show up until the exception occurs. In fact, whether overlapping consensus successfully justifies stability depends on whether it allows the actual persons to step into the original position when the constitutional essentials are at stake. Like the priority of right, stability requires not only the complementarity of the goods and the right, but also the moral constraints upon the goods. In political liberalism, Rawls still insists on the priority of right and holds that the comprehensive doctrines should be tailored to meet the restrictions imposed by the conception of justice once they collide with it. Is the priority of right compatible with overlapping consensus when the constitutional essentials are at stake?

Assuming the comprehensive doctrines allow their adherents to step into the original position, the new conception of justice would be surly different from the old one because of the replacement of the old knowledge. Subsequently the previous reasonable comprehensive doctrines would be announced to be unreasonable. All the contents that are in collision with the new conception of justice would then be tailored to fit into it. In fact, the new conception of justice should no longer be treated as a subordinate module. Rather, it becomes the supreme idea of all the comprehensive doctrines. All the other nonpolitical values could survive only if they are recognized by it. As a result, the comprehensive doctrines would lose their independence like in the third part of *TJ*.

Apparently, the comprehensive doctrines should not let their adherents step into the original position. Then it is impossible for the actual persons to genuinely recognize the independence of the parties. That means the conception of justice has to remain as a subordinate module during the exception. Once the crisis puts the constitution in danger, the comprehensive doctrines will never hesitate to sacrifice the conception of justice to preserve themselves. In other words, they would rather let the constitution and the state collapse as the crisis deepens.

Can the constitution and the state be saved on the basis of the old conception of justice? Can the actual persons lay the original position aside and deliberate with the new knowledge to renew the constitutional essentials? If they can, let us ask another question: How is the new knowledge available during the exception? According to Hegel, knowledge stands for human being's supremacy over things. So knowledge is not completely attainable until the independence of things is overcome. But during the exception, things begin running out of control although people still have opportunity to overcome them (like during the Great Depression, the American economic system was on the brink of collapse but the federal government still had resources to implement the New Deal). This is a special moment when people have only incomplete knowledge. Part of our knowledge is lost because of the exception, but the remaining is still reliable for us to take actions to deal with the crisis. Complete knowledge belongs to the time before crisis when the things are still in control; ignorance indicates the conquest by crisis. Incomplete knowledge stands between complete knowledge and ignorance. It is characterized by our struggle with crisis.[17]

Hegel's state is established based on the availability of complete knowledge at the end of history. However, it is impossible for the people who are involved in the exception to jump out of their present circumstances into the end of history. Rawls also ideally expects the agreement to be reached by public debate in an infinitely long run. But dealing with the crisis calls for a decision to be made in a limited time. That means people have to enter the constitutional convention with divergent opinions. Rawls knows unanimity is unrealistic to expect and takes majority rule as an imperfect procedural justice to pursue a just outcome (Rawls 1996, pp. 421-422), but the minority opinions are inevitably sacrificed no matter how just the outcome is. As a matter of fact, legitimacy can never be satisfied without the affirmation from the minorities. Furthermore, if the minorities strongly insist on their own opinions against the majority, the constitution and the state would still be put in the danger of collapse.

The failure of overlapping consensus implies that political liberalism returns to the way that Rawls initially attempted to avert. Rawls intended to keep away from historical contingencies by rectifying the traditional theory of social contract into hypothetical contractualism. However, his reliance on the institutions renders an overlapping consensus as fragile as the actual contractualism when facing historical contingencies.

Rawls's two failures in *TJ* and *PL* show that the task to reunite the two subjects is unavoidably undertaken by subjecting one to the other. Accordingly the state would be finally led to either tyranny or anarchy. In my view, Rawls's two failures in justifying legitimacy are due to the idea of contractualism which he has taken for granted at the outset. In Section III I shall analyze why legitimacy cannot be provided by contractualism.

4 Plural Wills Vs. Single Will

In spite of being dissatisfied with traditional contractualism, Rawls never doubts that contractualism is a reliable means to legitimacy. I shall argue that Rawls and some other contractualists, like Thomas Hobbles and Jean-Jacques Rousseau, all misunderstand contractualism. Hegel describes three elements with reference to the concept of contract:

> "Since the two contracting parties relate to each other as immediate self-sufficient persons, it follows that (α) the contract is the product of the arbitrary will; (β) the identical will which comes into existence through the contract is only *a will posited by the contracting parties*, hence only a *common* will, not a will which is universal in and for itself; (γ) the object of the contract is an *individual external* thing, for only things of this kind are subject to the purely arbitrary will of the contracting parties to alienate them." (Hegel 1991 [1820], p. 105)

The first element states that any kind of contractualism ought to start with the condition of particular (arbitrary) wills, which indicate the state of nature or the circumstances of justice. Although hypothetical contractualism endeavors to replace the particular wills, it still has to take them as its starting point. With regard to the latter two elements, contractualism is, however, divided into two types according to whether or not it is aiming at a general object. The first type is represented by Locke-Nozick contractualism. John Locke denies giving the legislative any power that may transgress individuals' natural liberties (see *Two Treatises of Government*, Book Ⅱ, Chapter XI, §135.). Robert Nozick attempts to justify that the state should be a minimum state whose functions are limited to protection against force, theft, fraud, and so on (Nozick 1974, p. ix). For both Locke and Nozick, the state, if the association can be so called, has no absolute power. Rather, its power derives from the individuals' natural liberties and is supposed to be circumscribed by them. Hence the state has no right to impose external constraints on the individuals' goods, like demanding them to tailor their comprehensive views. The individuals constitute the only subject in Locke-Nozick contractualism. In this case, legitimacy merely depends on the convergence of individuals' particular interests. In Locke's point of view, once the convergence breaks up the people even have a legitimate right to rebel to dissolve the state. Since this type of contractualism doesn't intend to pursue a general object, it is not our major concern. The second type is represented by Hobbes-Rousseau-Rawls contractualism. In contrast to the previous one, the second type attempts to create a sovereign state through a social contract. This intention is obvious in Hobbes and Rousseau's doctrines, while relatively obscure in Rawls's hypothetical contractualism. Although Rawls doesn't intend to justify the origin of the state like the other two contractualists, this topic could still be inferred from his hypothetical contractualism. In *PL*, Rawls says that the concept of legitimacy he tries to justify concerns the proper exercise of the ultimate political power. The ultimate power is not made clear until he asserts, in "Reply to Habermas", that his doctrine is consistent with popular sovereignty (Rawls 1996. p. 407). Thus we could get a more explicit idea about Rawls's legitimacy. What he is most concerned with never relates to the power of a limited association, like Nozick's minimum state. Rather, he commits himself to a mission that aims to accommodate the exercise of the sovereignty to the individuals' particular wills.

Once the mission is fulfilled, it is also able to serve the purpose of creating a sovereign state because it has presupposed a non-state (or a non-justice) situation as its prerequisite, no matter if the situation is called the state of nature or the circumstances of justice. It will be feasible for the individuals in the circumstances of justice to alienate their entire individual liberties to a sovereign power provided they are convinced that the sovereignty would be exercised in accordance with a conception of justice that is always acceptable to each of them. Is not Hobbes's *Leviathan* created by the sovereign's promise of preserving each individual's physical life which is considered to be the utmost interest of everybody? In this sense, what Rawls does is no more than replace Hobbes's primary natural laws of preserving physical life with the conception of justice. Of course, one of his distinctions from Hobbes is his defense for democracy. But in terms of absoluteness, the popular sovereignty in Rawls's democratic state is equal with the sovereignty in Hobbes's monarchic state. So Rawls's hypothetical contractualism could also serve to create the absolute power.

Additionally, I don't mean to say that Rawls's hypothetical contractualism may be anticipated to explain the only origin of the sovereign state; instead, it may only justify one of the possible origins if it succeeds. Likewise, Hobbes admits natural force is another way of creating a sovereign state (see *Leviathan,* Chapter 17).

Distinct from the vulnerability of the first type of contractualism, the second one aims to create a sovereign power that is featured by its absoluteness and unlimitedness. A sovereign state is supposed to be in a general form and capable of keeping its own existence away from historical contingencies. However, as the source of the sovereignty, the state of nature or the circumstances of justice are regarded as being exposed to these contingencies. Thus the second contractualism is brought to an intractable question: How to enforce the social contract?

In the civil society, a contract is undoubtedly enforced by the civil law in case any of the contracting parties refuse to or fail to fulfill their duties. As a matter of fact, all civil laws derive from the sovereignty. In other words, it is the sovereignty that enforces all civil contracts. Then can the sovereignty enforce the social contract in the same way? This is the question that most puzzles Hobbes, Rousseau and Rawls.

Hobbes claims that the subjects should abdicate all their individual rights to the sovereign in order to preserve their lives but have the right to defy the sovereign in case their lives are threatened. Rousseau asserts that the general will guarantees everyone will remain as free as before, but it ought to compel whoever behaves disobediently. In *TJ*, Rawls resorts to a larger comprehensive view for imposing the moral constraints upon the goods but then finds it contradicts the circumstances of justice. Later Rawls tries to maintain the independence of the comprehensive views through overlapping consensus but sacrifices the moral constraints.

My answer to this question is negative. Sovereignty cannot be taken as the product of the social contract and, at the same time, as a third party to enforce the social contract. On the one hand, the sovereignty represents the supreme power, so that any attempts at tracing its origin will inevitably subject it to other kinds of power and then conflict with this concept. On the other hand, the idea of contractualism has presupposed the individuals to be the only subject, so any constraints on their particular wills would be inconsistent with this idea. The two notions compose an irreconcilable contradiction.

However, Hobbes, Rousseau and Rawls all endeavor to settle the contradiction by reconciling the two corresponding subjects: the individuals and the sovereign. As the holder of the absolute power, the sovereign is supposed to exercise the sovereignty according to nobody's will other than his own. Any attempts to tracing the sovereign's will are bound to deny his absolute independence. To put it plainly: the sovereign must be treated as an independent person. I should emphasize that a person here is essentially characterized by an independent single will. It doesn't only indicate a single person but also a collective person, like the people in the constitutional convention. Only the collective person is taken into account in this article.

Under the context of contractualism the individuals are supposed to have plural wills that serve for plural goods, while the sovereign has merely a single will in correspondence with the single sovereign power. Finally, all the antitheses facing Hobbes-Rousseau-Rawls contractualism are reduced to the contradiction between the individuals' plural wills and the sovereign single will. If the former override the latter, the state would end up with anarchy; in the contrary case, the state may be led to tyranny. If the individuals hold on to plural wills, any efforts to unite the two subjects are destined to be in vain. This is why Rousseau brings in the concept of *legislator* to change the particular wills.

Rousseau entangles himself in the vacillation between contractualism and the homogeneity of a people. He distinguishes the state of nature from the civil state, and the particular wills from the general will. He says that once the individuals enter the civil state through the social contract their arbitrary particular wills would be soon defined by the general will (*The Social Contract*, Book Ⅰ, Chapter viii). However, the individuals are supposed to endorse the social contract according to the agreement by their particular wills. How could the effect conversely constrain its cause? Rousseau clearly realizes this paradox and then argues that in order to create a new constitution the effect must become the cause (*The Social Contract*, Book Ⅱ, Chapter vii). That means the individuals should have accepted the general will even before they agreed to the social contract.

Rousseau hopes the legislator to utilize civil religion to induce the people to accept the general will. Civil religion approximates to Rawls's overlapping consensus, so I don't think it works as far as Rousseau expects.[18] But the legislator is a crucial figure in creating a new constitution and forming a new people. According to Rousseau, in order to avoid the particular wills the legislator should be an alien rather than one of the individuals. The legislator's mission is to replace the individuals' particular wills with the general will. As long as the general will is commonly accepted, the individuals would give up their arbitrariness and make up a homogeneous people. In Rousseau's words, this process produces an outstanding change from a natural person to a moral person, i.e. a citizen.

It is the legislator, not the individuals, who actually ends up the state of nature and creates a sovereign state. Contractualism ought to be abandoned accordingly since it is incapable of getting rid of the influence from plural wills. In fact Rousseau's argument for the legislator alludes to another justification for legitimacy which is based on the homogeneity of a people. A homogeneous people are supposed to pursue a good that is not subject to historical contingencies. Thus the homogeneity of a people needs to be taken into account in rebuilding legitimacy because it is helpful to securing the general form of the state. Nevertheless, under Rousseau's context it is too ambiguous to be understood properly.[19] I shall conclude this article with a specification of two basic aspects of the homogeneity of a people.

First, all the individuals should aim at the same good, or the same comprehensive view in Rawls's words. This aspect will necessarily arouse concern about the common good, which later Rawls and the other liberalist critics have explicitly expressed. I need to point out that this concern is, in fact, caused by moral dualism that imposes independent moral constraints upon the goods. On the contrary, the new comprehensive view I suggest aims to fit morality into the goods. That implies redefinitions of both morality and the goods. Morality should be regarded as the necessary condition for the goods, and the individuals should be cultivated into citizens who desire only the reasonable goods. Thus the unreasonable goods would be rejected by citizens willingly rather than tailored by any external constraints. At the same time, preserving morality would coincide with preserving the reasonable goods. If the new comprehensive view succeeds in making the two redefinitions, morality and the goods are no longer independent of each other, and the only aim of exercising the sovereignty would be to enable each individual to pursue only the reasonable goods.

But moral dualism puts an obstacle to advancing the new comprehensive view. From the perspective of moral dualism, our actual world is merely under the law of the jungle so that any attempts at looking for morality from the goods will finally turn out to be futile. If so, the necessary conditions for the goods are nothing else other than the immoral. Hence the justification for the first aspect of the homogeneity of a people requires a thorough critique of moral dualism, especially Kant's.

Second, all the individuals should affirm the same judgment in the constitutional convention even with incomplete knowledge. The current deliberative democratic theories mainly focus on dealing with the issue of the preferences for goods. Nonetheless, an individual's will depends not only on what goods he wants to chase but also on how he decides to chase them. Even if the people share a common good, it still may be impossible for them to reach a constitutional agreement if the relevant knowledge is lacked. The unavailability of complete knowledge is not seriously taken into account by Rawls and Habermas. Rawls never doubts about the availability of public knowledge even when the constitutional essentials are at stake. Habermas, who blames Rawls for his normative view, argues that the normative content of human right could only be identified in rational discourses, "in which the only thing that counts is the compelling forces of the better argument based on the relevant information" (Habermas 1996 [1992], p. 103). What if no relevant information is compelling enough to convince all?

Rawls and Hegel think the institutions are established based on our knowledge. However, the failure of the institutions during the exception indicates that our knowledge may break down. That means the people have to enter the constitutional convention with their rational disagreement on how to deal with the current crisis. If deliberation is unable to clear the rational disagreement, how is a legitimate decision possible?

Rawls turns to majority rule for help. He views majority rule as an imperfect procedural justice that is expected to lead to the correct result but may also yield an unjust outcome (Rawls 1999a, pp. 74-75). Although Rawls admits the possible injustice, what he is concerned about is still the outcome rather than the procedure itself (Rawls 1996, p. 427). That implies that the minority opinions don't matter at all if a favorable outcome is reachable. The Rawlsian majority rule merely serves as a means to the substantial justice. However, Rawls may not have expected that the democratic procedure could be abandoned once the just outcome or knowledge[20] is able to be identified in a non-democratic way. The intellectual elites who claim to or are believed to monopolize the knowledge are bound to take a dominant advantage to the others. Schmitt even points out that dictatorship may be compatible with democracy in case the dictator claims to educate the people to recognize and express their own will correctly (Schmitt 1988 [1926], p. 28).

Legitimacy should require each individual, whether belonging to the majority or minorities, to listen to others and be open to change his personal opinion in order to reach a final agreement. Thus legitimacy must be premised on a denial of the availability of complete knowledge during the exception. As nobody takes a more advantageous position, everybody's opinion is supposed to be taken into consideration by others.

Thus the second aspect of the homogeneity of a people calls for a critique of the conception of knowledge-dependent institutions that Rawls shares with Hegel. As was mentioned, Hegel's confidence in knowledge comes from his epistemology that is centered on the proposition "Substance is Subject". Likewise, Kant's moral dualism is rooted in his epistemological dualism. A critique of both Kant and Hegel's epistemology should precede the rebuilding of legitimacy.

Notes

1. Rawls's understanding of majority rule as an imperfect procedural justice collides with his definition of legitimacy. I shall explain this point in Section Ⅲ.

2. It should be noted that the idea of legitimacy in question here is distinct from that in Rawls's article "Reply to Habermas", in which legitimacy is referred to as the imperfect procedural justice of majority rule. Legitimacy requires the affirmation from everybody. In fact a regime that is justifiable only to the majority is still illegitimate to the minorities.

3. Hegel underestimates the complexity of Rousseau's thought. As a matter of fact, Rousseau clearly realizes this difficulty in the general will and attempts to bring in the legislator to fix it. We will return to Rousseau in Section III.

4. I think Rawls is quite aware of his deviation from Kant's text but doesn't want to amend it. He says: "I believe that it is Kant's intention that the CI-procedure represents all such requirements, as far as this can be done. In characterizing his constructivism, I suppose that it does so, but whether it actually does is of course another matter." (Rawls 2000, p. 237).

5. Sandel criticizes the circumstances of justice as an incompatible prerequisite and claims this assumption simply comes from Rawls's common sense about human society (See Sandel 1982, pp. 28-47). In my view, it is indeed incompatible with the justification for the priority of right provided in the third part of TJ, but it doesn't arise from a non-theoretical view. If my interpretation of Rawls is correct, Sandel mistakes the prime question in Rawls's whole scheme. Rawls's biggest concern is not the ultimate foundation for justice but how to let each individual agree with the general form of justice. In case the two questions collide, the former one must give way to the latter. So it is impossible for Rawls to give up the prerequisite if he still holds a contractualist view. I think that is why later Rawls would rather abandon the third part of TJ than sacrifice the recognition of justice from the actual persons.

6. Rawls distinguishes two sorts of reflective equilibrium. The first one involves merely the personal existing judgments, while the second one aims to make a person's judgments conform to all relevant philosophical arguments (Rawls 1999a, p. 43). Rawls contends the fairness of justice is only concerned with the second sort. It asks a citizen to try his best to learn every alternative view that he didn't take into account and then to work out a consistent conception of justice that may be affirmed by all citizens. So Rawls calls the second sort wide and general reflective equilibrium (Rawls 1996, pp. 384-385). Scanlon's hypothetical contractualism adopts this notion as well (see Scanlon 2003, p. 128, fn 3).

7. With regard to this difficulty, Scanlon implies moral education may play a role in helping the actual persons acquire the interpersonal perspective (Scanlon 2003, p. 139). He maintains that moral education is supposed to teach a person in a particular position changing places to learn what justifications other people accept. But this process will result in a paradox that once the interpersonal perspective is adopted it will become the actual perspective. According to Scanlon's postulation, the actual perspective is defined by personal perspective that only relates to a person's particular position. Thus the consequence of moral education would contradict this postulation. I have no disagreement with moral education and changing places. What I want to emphasize is the irreconcilable contradiction between the personal and the interpersonal perspectives. This point will be explained in more detail in Section Ⅲ.

8. "Thus in drawing up our plan of life we do not start de novo; we are not required to choose from countless possibilities without given structure or fixed contours. So while there is no algorithm for settling upon our good, no first-person procedure of choice, the priority of right and justice securely constrains these deliberations so that they become more manageable." (Rawls 1999a, p. 494)

9. "A law that is so holy (inviolable) that it is already a crime even to call it in doubt in a practical way, and so to suspend its effect for a moment, is thought as if it must have arisen not from men but from some highest, flawless lawgiver; and that is what the saying 'All authority is from God' means. This saying is not an assertion about the historical basis of the civil constitution; it instead sets forth an Idea as a practical principle of reason: the principle that the presently existing legislative authority ought to be obeyed, whatever its origin." (Kant 1991 [1800], p. 130)

10. I borrowed the phrase "practical turn" from Patrick Neal (1994).

11. With respect to the connection between the circumstances of justice and reasonable pluralism, the following text is illuminating: "Since we want the idea of such a society to be suitably realistic, we assume it to exist under circumstances of justice. These circumstances are of two kinds: first, there are the objective circumstances of moderate scarcity, and second, the subjective circumstances of justice. These latter circumstances are, in general, the fact of pluralism as such; although in a well-ordered society of justice as fairness, they include the fact of reasonable pluralism." (Rawls 1996, p. 66).

12. George Klosko opposes the concept of reasonable pluralism by showing the empirical studies which manifests that tolerance is not widely accepted among American people (see Klosko 1993).

13. See the process from constitutional consensus to an overlapping consensus (PL, Lecture IV, § §6-7).

14. The independent status of comprehensive doctrines is favored by a number of liberalists because it avoids the idea of common good. For these liberalists, a common good would be bound to bring about the suppression of the other goods, thus public reason preserves pluralism that is considered to be the essential value of liberalism. Among others, see Galston 1995; Larmore 1999; Gutmann 1995.

15. Joshua Cohen contends that political liberalism does have some important similarities with Hegel's philosophy but should not be viewed as based on the latter (see Cohen 1994).

16. On this point I was indebted to Scanlon's article "Rawls on Justification" (Scanlon 2003b).

17. A full explanation for incomplete knowledge in fact asks for a new understanding of the concept of knowledge that is distinguished from the epistemological tradition since Descartes. But a discussion on it is far beyond the scope of this article.

18. Rousseau asserts tolerance is the only limit that is supposed to be imposed on the various religions (The Social Contract, Book IV, Chapter viii). However, if religious tolerance, along with the general will, has to be supported by these religions, then it will be impossible to be considered as a limit to them.

19. As one of the misunderstandings, Schmitt's criticism of democracy focuses on that the Rousseauian people lack the decisionistic and personalistic elements (Schmitt, 1985 [1922]). But I cannot pursue the defense of these elements in this article.

20. Rawls refuses to equal justice with truth in the original position, but in the constitutional convention justice corresponds with truth in terms of correctness. The original position represents a pure procedural justice that doesn't take any outcome for granted (see Rawls 1999a, p. 104, p. 118). Nevertheless, at the stage of constitutional convention justice has been given specific and substantial contents, so people are actually pursuing a definite outcome in working out the constitutional essentials. Rawls conceives of the democratic procedure in the constitutional convention merely as a means that "is more likely to arrive at the correct conclusion" (Rawls, 1999a, p. 315). Apparently, those people who hold more knowledge are closer to the just outcome than others. Rawls's justice is not so far from truth as he believes.

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