A Confucian Contribution to the Catholic Just War Tradition

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An examination of just war theory in Western Catholicism reveals a shortcoming, a shortcoming that can be resolved by an examination of Confucian just war theory. This essay posits that traditional just war theory's stipulation of legitimate authority is weak both in terms of jus ad bellum and jus post bellum. Instead of the legitimate authority only being so because of legislative processes, they should also possess qualities fitting of a rulership position. To show this, I first examine Confucian positions on "ren xing (human nature)" and the role it plays in the cultivation of the persons in the office. I then incorporate these views into the jus ad bellum cause of legitimacy and extend to the jus post bellum discourse. Finally, I share examples of the Confucian virtues to defend this new formulation that not only should the persons be legitimately eligible, but they should also exemplify certain moral qualities if they are to lead appropriately.

Keywords: just war, human nature, Confucianism, Catholicism, virtue, legitimate authority

As nations stand at the brink of war, their leaders should know what they are doing and why they are doing it. The longstanding Catholic just war tradition has asked them to question the justice of each intervention. For example, leaders should not authorize more violence than needed to accomplish just war objectives. They also should know why they sometimes authorize this or that target strike, or other coercive means such as sanctions and blockades that might protect civilians from suffering direct violence. Decision-makers therefore are required to use discernment and resolve to uphold the requirements of justice. However, as many ethicists and theologians have emphasized, those leaders who lack virtue may find this hard, even tricky. Leaders cannot lead a just war without being virtuous. Moral theologian E. Christian Brugger points out, "If this […] assessing is to be done with integrity, our leaders need virtue, for if they have mixed motives [such as gaining access to foreign oil reserves, humiliating the enemies], then respecting just war principles is less likely."[1] And so, how would the leaders distinguish and foster virtue from the current just war discourse? That is my question to begin this essay.

With this question in mind, I will look at classical Confucian conceptions on the ethics of war and how they may influence contemporary Catholic just war theory. I will pay particular attention to the concept of *ren xing,* translated as "human nature," which I believe is important to Confucian thinking on the ruler or political leader. I use this concept to refine the notion of the Catholic just war theory's principle of "legitimate authority." My central thesis is that traditional just war theory's stipulation of legitimate authority is fragmentary. Based on the present legitimate authority criterion, one can be legally designated to office regardless of the desirable or demanded qualities of the appointee such as practical knowledge and benevolence, hence the reformation of the principle should be considered. The Confucian view on *ren xing* and the role it plays in the cultivation of the leader's virtues is vital for this new formulation. Not only should leaders be legally appointed, but they should also exemplify virtuous qualities if they are to lead appropriately. In particular, the self-cultivation or reformation of the leader's virtues described by

[1] E. Christian Brugger, "What is Catholic just war doctrine and how does it apply today?" *National Catholic Register*, April 14, 2016, https://www.ncregister.com/blog/dmq-just-war-2-s3rijmxb. For a similar viewpoint, see Marie-des-Neiges Ruffo de Calabre, "In our obedience to *jus post bellum*, could respect for *jus in bello* require us to Machiavellian?" in *Jus Post Bellum: Restraint, Stabilization, and Peace*, ed. Patrick Mileham (Boston: Brill, 2020): 128–45.

the Confucians, especially Mengzi (also known as "Mencius") and Xunzi (also known as "Xun Qing" or "Minister Xun"), are key to this new conceptualization. The Confucians have attempted to strike a balance between virtue and political order while they have been sensitive to the power dynamics that shape the political structures around them.[2] My attention is drawn to aspects of both Mengzi and Xunzi, and the connections between their ideas on the cultivation of a leader's virtues, which many Catholic just war thinkers have overlooked in a clear and comprehensive manner when it comes to the discourse of the legitimate authority criterion.

My intent is to help deepen our understanding of the ethics of war from various religious thoughts and dialogues. Much attention is given to the Western approaches of war ethics, especially the Catholic just war tradition. No doubt by looking to interreligious studies approaches and methods, a more comprehensive and enriched ethics of war and peace can be developed. To be clear, however, my ultimate intention is not to directly compare Catholic just war theory and its Confucian counterpart but to enrich the dialogue between both political-religious thoughts and thus to seek to correct the *fragmentary* nature of the just war theory around legislative authority.

Most scholars in Chinese literature do not make an association between Confucianism and just war theory.[3] Be that as it may, Ping-cheung Lo and Summer B. Twiss's edited volume *Chinese Just War Ethics* offers a comprehensive analysis of just war ethics in early China and its subsequent development. Specifically, with unusual nuance and insight, Ping-cheung Lo's chapter, "The Art of War Corpus and Chinese Just War Ethics Past and Present," compares the Western just war tradition and its broad Chinese counterpart. However, as the title of the chapter suggests, his writing primarily serves as a historical overview of Chinese just war ethics, except the last section called "Conclusion and Comparison," where he briefly compares Augustine's Book XIX of *Civitas Dei* and Chinese just war thoughts, mostly grounded in the Mohist School of the Warring States period.[4] In this volume, the closest chapter to the stance of my essay here is Summer B. Twiss and Jonathan K. L. Chan's, "The Classical Confucian Position on the Legitimate Use of Military Force." Twiss and Chan argue that the legitimate authority criterion, or something closely analogous to it, is a central element of Confucian approaches to the morality of warfare.[5] However, Twiss and Chan do not directly compare Catholic just war theory with its Confucian counterpart. They also do not examine the Catholic tradition for the same purposes as presented in this essay. The main agenda of this essay is to

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[2] For an extended discussion of how the Confucian realism operates within a moral framework, see Sungmoon Kim, *Theorizing Confucian Virtue Politics: The Political Philosophy of Mencius and Xunzi* (Cambridge, Cambridge University Press, 2020).

[3] This paragraph introduces more literature review to show where my position is placed in the existing literature.

[4] Ping-cheung Lo and Summer B. Twiss, *Chinese Just War Ethics: Origin, Development, and Dissent* (London, Routledge, 2015), 52–54. Ping-cheung Lo gives examples of the Mohist School of the Warring States period but does not explicitly examine Confucianism. Only in the third to the last paragraph, he uses the term "virtue" when referring to a "virtuous leader," but that is neither a comparative analysis nor does it refer to work on the cultivation of a leader's virtues. Lo's argument is based on Samuel Griffith's work that emphasizes that military leaders should use "brain power" rather than "firepower" to win the war. Cf. Sun Tzu, *The Art of War,* trans. Samuel Griffith (Oxford: Oxford University Press, 1963), ix–xi.

[5] Furthermore, their work is slightly updated from their previous work: Sumner B. Twiss and Jonathan Chan, "The Classical Confucian Position on the Legitimate Use of Military Force," *Journal of Religious Ethics* 40, No. 3 (2007), 447–72.

establish that the Confucian understanding of human nature contributes to one of the just war principles in the Catholic tradition, namely, legislative authority.

Catholic Just War Tradition: A Thomistic View of Just War

A tradition is a living thing as it is an ongoing discourse not only with one's contemporaries but also with those theologians, philosophers, and other interlocutors who have gone before us. The Catholic just war tradition traces back to Augustine, who built on the thinking of Cicero, Aristotle, and Ambrose. Cicero specified that war could be waged only by a legitimate authority while both Aristotle and Ambrose formulated the idea that war requires a just cause. To these objective conditions, Augustine added another foundational criterion: a war is only a just war if it is waged from a right intention, which aims at a just and lasting peace.[6] His account was developed by Thomas Aquinas, whose rendering became normative for Christian thinkers and theologians from the Middle Ages. The Second Vatican Council represents the classical account placing much greater emphasis on the avoidance of war and offering a strong condemnation of the use of contemporary weapons of mass destruction (*Gaudium et spes*).[7] And the Catechism of the Catholic Church (CCC) develops the classical account by identifying war as a means of legitimate self-defense.[8] Christianity has had a significant influence on Western just war theories, but other religious and secular political philosophies play a part as well. The literature of the different strands of the Catholic just war thought have developed to encompass certain similar key principles, to the extent that while calling it a monolithic Catholic just war theory might be an oversimplification, it is nonetheless sufficient for a comparative analysis with Confucian just war thoughts.[9]

Catholic just war tradition can be divided into two main parts: *jus ad bellum* (right to go to war) and *jus in bello* (right conduct in war). In recent years, the category of *jus post bellum* (postwar justice and peace) has been added, although a majority of just war studies remain attentive to the first two categories. *Jus ad bellum* governs the necessary criteria that must be met before a war that is declared can be considered just. Such criteria include (i) legitimate authority, or the need for legitimate authority to declare war; (ii) just cause, or the need for a proper reason to go to war; (iii) right intention, or the need for intention oriented toward peace with justice; (iv) likelihood of success; or the need for good grounds for concluding that aims of the just war are achievable; and (v) macro-proportionality, or the need to protect non-combatants from the onset of unlawful conflicts (vi) and last resort, or the declaration of war only after all other means of resolving the problem have been tried. *Jus in bello* refers to the criteria necessary for a just conduct of war and

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[6] Brian Orend, *The Morality of War* (Peterborough: Broadview Press, 2013), 10–12.

[7] *Gaudium et spes*, 80

[8] CCC, n. 2307–17.

[9] This quick revisit to the Catholic just war tradition will provide a segway into the next section, as it will assist in situating Confucian thought on warfare. Like any tradition, that of the just war, admits of a variety of theories. Too often people speak of a specific just war theory as if it is the sum and substance of the entire tradition. One of the common mistakes when discussing the just war tradition is to reduce it to a set of norms. First, these criteria can be differentiated in different ways even within the Christian traditions. For details, see Lisa Sowel Cahill, *Blessed Are the Peacemakers* (Minneapolis: Fortress Press, 2019), 9. Second, the norms are treated as clear, yet their application can be rather mechanical, employed as a checklist to determine the rightness of a conflict. Policymakers and some public officials in recent decades have slipped into this mode of employing just war ideas. People may disagree over exactly how many norms there are, which are primary, and which are secondary, as well as how rigid or elastic the application should be; but the focus is always on norms.

governs the appropriate actions taken by armies in war. Such criteria include (i) discrimination, or the need to distinguish between combatants and non-combatants; and (ii) proportionality, or the need to prevent excessive harms and humiliating treatments which often govern the treatment of a prisoner of war (POW) and related issues such as torture, rape, murder.[10]

Although these criteria can be differentiated and enumerated in various ways even within the Christian tradition, most Catholic thinkers agree that the just war tradition has been heavily influenced by Aquinas's just war thought. Aquinas develops the just war theory with three key principles—legitimate authority, just cause, and right intention—in order to recover the just order of society for the common good. A just war is one that should be waged with these conditions.[11] I will not go into detail about how Aquinas understands each of these principles. However, what is important for us here is that he proposes them in order to protect the common good. To be brief, legitimate authority is a proper authority legitimated by those who are responsible for the common good. It is the right authority of the sovereign to prevent individuals from declaring war on one another. The principle of just cause prompts the legitimate authority, the sovereign, to think about what they are doing and why. The principle of right intention motivates the sovereign to examine their motivations, keeping them honest and tethered to a just cause and peace. According to Aquinas, this intention should be understood within the framework of his own religious thought as it refers to "the object of our will," which is God—finding out what it involves in itself as "we are in a sense obliged to conform our will to God's and in a sense we are not."[12] For Aquinas, God is "the ultimate good," which "we" seek as an end since humans seek to mirror God's goodness.[13] Just war, then, demands we reflect on the object of our will when we respond to a threat in order to secure the common good. In these ways, Aquinas's just war theory provides a framework with key touchstones that enhance ethical reflection on the common good.

As emphasized in Aquinas's just war theory, the principle of legitimate authority is key to the Catholic just war tradition as it closely ties with the other *jus ad bellum* criteria of just cause and right intention. Legitimate authority may make more sense in a medieval setting in the West where one feudal lord or prince might attempt to wage war against another without seeking the authorization of the king, the emperor, or the supreme ruler, but it still has relevance today since such legitimate authority is also rooted in the notion of state sovereignty and derived from popular consent, including democratic regimes.[14] Even if their cause is just and their intention is right, certain individuals or groups whose authority is not sanctioned by citizens or members of society cannot justifiably initiate war. Plainly, the role of the principle of legitimate authority is to

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[10] For my further explanation on just war principles, see my *Justice After War: Jus Post Bellum in the 21st Century* (Washington, DC: The Catholic University of America Press, 2023), Chapter 1. Thomas Aquinas, *Summa Theologica*, trans. Fathers of the English Dominican Province (New York: Benziger Brothers, 1984), II–-II, q.40, a.1. For details, see Thomas Aquinas, "Whether it is Always a Sin to Wage War?" in *St. Thomas Aquinas Political Writings*, ed. R.W. Dyson (Cambridge: Cambridge University Press, 2002), 241. Gregory M. Reichberg presents various aspects of the religious foundation of the Catholic just war theory using Thomas Aquinas. For details, see Gregory M. Reichberg, *Thomas Aquinas on War and Peace* (Cambridge: Cambridge University Press, 2019).

[11] Ibid., II–II, q.40, a.1.

[12] Ibid., II–II, q.23, a.8.

[13] See Brian Davies, *Thomas Aquinas on God and Evil* (Oxford: Oxford University Press, 2011), Chapters 6 and 8.

[14] Don Hubert and Thomas G. Weiss et al., *The Responsibility to Protect: Supplementary Volume to the Report of the International Commission on Intervention and State Sovereignty* (Canada: International Development Research Centre, 2001), 139.

isolate those wars to which the more permissive norms of just war theory apply. Gregory M. Reichberg, the author of *Thomas Aquinas on War and Peace*, makes a similar point, noting that within the Catholic just war tradition, individuals who use armed force on behalf of a legitimate war-making authority are subject to a more extensive set of permissions to cause harm, whereas those who use force privately are "bounded by a norm that has little applicability."[15] One of the most prominent contemporary just war thinkers, James Turner Johnson, writes, "There is a fundamental moral difference between the use of the sword by one in sovereign authority or on his behalf and the use of the sword by a private individual. The former may wage *bellum*, which is the use of the sword on behalf of the common good; the latter may not."[16] These scholarly views cohere nicely with the argument that I have offered for a traditional conception of the authority criterion within the Catholic just war theory.

However, as many just war scholars demonstrate, both failed states and corrupt regimes that rule unjustly may not warrant the allegiance of the populace. For example, a challenge occasionally relates to revolutionary or unjustly oppressed groups that initiate armed struggles against an unjust regime such as colonial influences and dictatorships.[17] It is important to note, therefore, that in these cases, state sovereignty disintegrates, and individuals may have a right to declare war in order to defend themselves from an illegitimate regime.[18] Although it is unlikely that any particular individuals or groups might try to wage war without some authorization from their superiors, but what we should consider is who those superiors are. The fundamental problem with this principle of legitimate authority lies in identifying who, if anyone, qualifies as the *legitimate authority*. Is it sufficient for a nation's sovereign(s) to approve war even if those superiors lack certain virtues to discern their proper roles?

Three things require clarification. First, one should not interpret legitimate authority so crudely. To be clear, in the Catholic just war tradition, legitimate authority is not merely legal authority; legitimate authority is *legitimate* only insofar as it serves the common good. As such, both failed states and corrupt regimes certainly do not preserve the common good, broadly understood to include protection of the rights of people and the preservation of sovereign borders.[19] For Aquinas, laws must always be determined according to the common good of the entire community, not merely the individual good of any specific part to the exclusion of the

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[15] Gregory M. Reichberg, "The Moral Equality of Combatants: A Doctrine in Classical Just War Theory? A Response to Graham Parsons," *Journal of Military Ethics* 12, no.2 (2013): 189.

[16] James Turner Johnson, "Aquinas and Luther on Sovereign Authority," *Journal of Religious Ethics* 31, no. 1 (2003): 9–10.

[17] For the case studies of just revolutionary warfare, see Anna Floerke Scheid, *Just Revolution: A Christian Ethic of Political Resistance and Social Transformation* (New York, Lexington Books, 2015).

[18] Alex Moseley, "Just War Theory," in *The Internet Encyclopedia of Philosophy: A Peer-reviewed Academic Resource* (2009, accessed June 3, 2022). Likewise, philosopher and religious studies scholar Jan Edward Garrett challenges this principle: "What does it take to constitute a competent authority to launch a revolutionary war? If, as in South Africa until very recently, any Africans attempting to organize to express the wishes of the African majority are jailed or beaten or, in some cases, killed, the very possibility of organizing fully representative political procedures is ruled out; the initiation of armed struggle, even as a last resort, must be done by a minority of the oppressed." Jan David Garrett, "Just War Theory and Self-Determination," Kentucky Philosophical Association, Fall 2001 Meeting at Western Kentucky University, October 18, 2001. Also, Michael Walzer shares a similar point; struggles for independence by oppressed yet just and competent communities that are ready and able to determine the conditions of their own existence may sometimes be justified. Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 2nd Edition. (New York: Basic Books, 1997), 93.

[19] Aquinas, *ST*, II–II, q.40, a.1.

whole. Furthermore, the promulgation of law by the lawmakers would play a critical function as the members of a society need awareness of the laws in order to abide by them. Legitimate authority should continue to secure the peace that comes only with a justly ordered community. Moreover, for Aquinas, it is also important that legislative practices must be accompanied by virtues—justice in particular—in order to foster the common good. Aquinas argues that justice is a general virtue because it directs the rest of the virtues toward the good of others. Yet, justice can be called general in another sense, in that it directs all actions toward the common good of society.[20] For this reason, general justice is also referenced as legal justice due to its role in ordaining individual humans toward the greater whole.[21]

Second, and related to the first, there is an important place for virtue in Catholic social thought, including its articulation of political authority. For Aquinas, a certain amount of earthly goods is necessary to develop a virtuous life. Therefore, encouraging prosperity and just distribution are ways for societies to become more virtuous. In this sense, legitimate authority should aim to secure a society from potential threats. Consequently, maintaining order is an important goal that extends to people fulfilling their prescribed role in society, so Aquinas further believes that just rulers, enforcing social order more generally, contributed to virtue. Nonetheless, his application of virtue ethics to the authority criterion is limited to the discourse of the virtue of justice. More crucially, the central motivating principle of legitimate authority is political order; hence, rulers who are able to achieve a minimum level of order can be authorized to declare war, even if they are not virtuous. This facet is distinguished from the Confucian counterpart in that the Confucian view on *ren xing* and the role it plays in the leader's virtue formation is critical.

Third, one may want to clarify what these just war criteria would mean to Christians. Of course, the Christian life, whether at peace, war, or *post bellum*, is not about keeping a set of rules and norms, but about engaging a lifelong process to become a disciple of Christ—namely, living in the world in a way that strives to represent Christ to others. To be clear, norms are necessary and useful for refining just war ethics, but without discipleship, those norms lead to nothing but legalism—or at its best, metaphysical speculation. The mission of the Church even in the time of war and afterwar is to be people of God by working on behalf of God's plans and purposes for the (re)establishment of a just peace on earth. The Catholic just war tradition provides an overarching framework with key touchstones that enhance ethical reflection on the common good. In practice, the Church has responded to the reality of war in tandem with international legal treaties and agreements—all of which seek to bind states to appropriate behavior during war.

Just War Implications in Confucian Thought: Ren Xing and Legitimate Authority

While the long tradition of the Catholic just war theory cannot be simplified to the concepts of *jus ad bellum* and *jus in bello* criteria, for the purposes of comparative analysis, it is these criteria that this essay will focus on, in order to show how Confucian thought provides distinct perspectives on these concepts, especially legitimate authority. On no account, though, the Confucian concepts

[20] *ST*, II–II, q.58, a.1, 11.

[21] Ibid., II–II, q.58, a.6; and II–-II, q.58, a.7, 8. There are two types of justice: general and particular. General justice indicates that all virtues are directed by justice inasmuch as justice directs the other virtues to the common good. Particular justice has to do with directing one in relation to another and in relation to particular goods.

do not perfectly fit into the categories of the Catholic side, which has been developed in the West. The most closely related concept within Confucian, especially early Chinese philosophy, is that of *yibing* (義兵) translated as "righteous or just warfare," "righteous or just arms," or "righteous or just army").[22] It is important not to conflate Confucian and Catholic conceptions of "justice." The term *bing* can be translated as "warfare." The term *yi* is translated as "righteousness" or "justice." While *yi* seems to have deeper meaning and further implications than the Catholic concept of justice, the translation for *yibing* as righteous war will suffice for this study.[23]

In this essay, I take an approach that Confucianism highlights the central features of virtue ethics, education, and statesmanship manifesting through public affairs including warfare. In other words, this understanding of Confucianism affirms that human persons are believed to practice social norms in every day's life, and they must display proper character that comes from substantial self-cultivation. Similar to Catholic virtue ethics, by implementing proper character development and virtue formation, human persons begin striving for the good and shunning the evil.[24] This proper virtue formation is required for every human person to contribute to a just and peacefully ordered society.[25]

Before moving on, relevant terms need to be clarified. The four virtues of *ren, yi, li,* and *zhi* are central to the Confucian principle of human nature and to the ethical discourse of war and peace.[26] The virtue of *ren* (仁), translated as "benevolence," "consideration of others," or "compassion" is viewed as the ideological core of Confucianism. If humans had a profound concern for humanity when they interact, human relations would be formed without hatred, malice, and other hostile attitudes toward others. As such, it is vital to educate people to treat benevolence as something precious. Mengzi believes that having the intention to be benevolent is more important than the act of benevolence itself.[27] *Ren* is a process of developing virtue gradually, acquiring it through self-correction by observing and being in harmony with *tian* (天) and other neighbors.[28] On a Confucian paradigm, a person is defined by their relationship to society. *Yi* (義)'s direct translation carries with it a sense of justice, which is not only an element of the virtuous heart inside a human person but also means proactively practicing "righteousness"

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[22] Strictly speaking, *yibing*'s direct translation is "just or righteous army" or "mobilizing righteous arms and initiating a just war." *Yi-zhan* (義戰) is another term meaning "righteous war." Both terms are used interchangeably to justify war. However, the term *yibing* appears more frequently in the ancient Chinese literature. For example, Chapter 15 of Xunzi is entitled "Debate on the Principles of Warfare (*yibing*)." Lo explains, "Hence the language of 'just war,' which appeared in [Mengzi] only once, was not picked up subsequently. Rather, it was the language of 'just solider' or 'just army' that was developed." See Lo and Twiss, 11.

[23] Mark E. Lewis, *The Just War in Early China* (New York: Routledge, 2005).

[24] Joel Kupperman, "Tradition and Community in the Formation of Character and Self," in *Confucian Ethics: A Comparative Study of Self, Autonomy, and Community*, ed. Kwongloi Shun and David Wong (New York: Cambridge, 2004), 113. Furthermore, human-heartedness is regarded as one of the highest virtues an individual can attain through education.

[25] Lewis, 181–86.

[26] To be clear, the order of the four cardinal virtues in Confucianism is typically *ren*, *yi*, *li*, and *zhi*. Mengzi was the first Confucian thinker who came up with this numbered system of virtue ethics in conjunction with his thought of four incipient moral sprouts (四端).

[27] Mengzi, *Mengzi: With Selections from Traditional Commentaries,* trans. Bryan W. Van Norden (Indianapolis: Hackett Publisher, 2008), 1A7.4, 2A6, 4A10. Also, for further understanding of benevolence, see 2A2.9–10, 6A6.7, 7A33, 7B37.

[28] P. J. Ivanhoe, *Confucian Moral Self-Cultivation* (Indianapolis: Hackett Publisher, 2000), 17

according to the needs of society. This virtue implies an ability of discernment in certain moral situations as it is understood as a notion of behaving in a virtuous manner: "*yi* is best described as appropriate conduct in all affairs, most importantly appropriate conduct toward others."[29] This virtue of *yi* will be considered in the discussion of *yibing (righteous war)* and legitimate authority.

The remaining virtues are equally important. *Li* (禮), translated as "sacred rite" or "ritual propriety," is most distinct from Catholic ethics as it plays a key role in bringing about moral nourishment; it provides the leader a means to bring structure to the state. It is important to note that rites are not simply rituals that are held in religious ceremonies. Rather, they are "everyday activities" carried out by human persons.[30] Rites may be understood as a set of demands that dictate an individual's "conduct, actions, and demeanor."[31] The capacity of people to act in accordance with *li* is viewed as being essential to the proper formation of and adherence to human virtue.[32] While *ren* represents ideologies and moral concepts, *li* is the outward manifestation of *ren*, representing institutions and behavioral norms. *Ren* and *li* share a complementary relationship like a pair of wings for a bird and two sides of wheels for a car.[33] Confucian studies scholar Herbert Fingarette emphasizes that "having considered holy ceremony in itself, we are now prepared to turn to more everyday aspect of life. This is in effect what Confucius invites us to do; it is the foundation for his perspective on [hu]man."[34] In order to act according to *li,* apart from having *ren* and *yi*, one also needs to develop the quality of *zhi* (智), which refers to "(practical) wisdom" or "knowledge." This has to do with the proper discernment between moral categories, such as "right" and "wrong." Mengzi suggests that it is this quality of *zhi* which allows an individual to determine what action is appropriate under different circumstances.[35]

The term *ren xing* (人性)*,* translated as "human nature," was central to a debate during the formation of the Confucian tradition. While the term *xing*, meaning "nature," appears only twice in *Analects*, the author hints at human nature in a discussion of *ren xing*.[36] The author of *Analects* writes that "by nature [human persons] are alike. It is through practice that they have become far apart."[37] That is to say, for in Confucian tradition, human nature is fundamentally the same; however, there is no further clue as to how this nature is to be understood. Another problem often found in Confucian tradition is that there is no claim as to whether or not human persons are born with this nature. These different readings are a point of contention in scholarship.

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[29] Timothy Havens, "Confucianism as Humanism," *CLA Journal* 1 (2013): 37.
[30] It ranges from the lowly peasant to the military general, and the government official including the sage king.
[31] Zehou Li, *The Chinese Aesthetic Tradition* (Honolulu: University of Hawai'i, 2010), 11.
[32] Herbert Fingarette, *Confucius: The Secular as Sacred* (New York: Harper and Row Publishers, 1972), 6-7.
[33] Bo Hu et al., "Research on the Evolution of 'Ren' and 'Li' in SikuQuanshu Confucian Classics," *Frontiers in Psychology* 12 (April, 2021): 2.
[34] Fingarette, 9.
[35] Mengzi, *Mengzi,* 4A27, 5A9, 5B1.6–7, 6A6. On wisdom, see also Van Norden, *Virtue Ethics and Consequentialism in Early Chinese Philosophy* (Cambridge: Cambridge University Press, 2007), 273–77.
[36] *Analects*, 5.12 and 17.2. Sungmoon Kim emphasizes that like many other Chinese classic writings, the authorship of the *Analects* has been questioned, *Theorizing Confucian Virtue Politics.*
[37] Ibid., 17.2. For details, see Wingtsit Chan, A *Sourcebook in Chinese Philosophy* (Princeton: Princeton University Press, 1963), 45.

Central to Confucian thought considering the ethics of *yibing* and legitimate authority is the consideration of proper governance through a virtuous leader. The ideal leader was one who had secured the four virtues of *ren, yi, li,* and *zhi*. As we will discuss in the following sections, for Mengzi, as a human person, the leader is expected to cultivate these four virtues. For Xunzi, the development of one's nature is through to self-reformation. The notion in Confusion tradition that the leader should retain certain virtues will play into my new definition of legitimate authority.

Confucian tradition emphasizes the autonomy of the king, the sage one, in the declaration of war. This position highlights that the use of the military is to be corrective or punitive.[38] In other words, the leader mobilizes the military campaign in order to punish and quell uprising against the throne or any significant opposition to the state.[39] This is one of the key features of the *yibing* doctrine: only the virtuous leader could appropriately wage a *yibing* by bringing peace to the people and order to the world.[40] Hence, a sage leader reserves the ability to correctly "complete things," meaning that one can manage persons or resources in a proper and virtuous manner. Canadian philosopher Barry Allen emphasizes that the true leader should be able to complete themselves by developing their capacity lead others more virtuously.[41]

In the remainder of this essay, I will examine the precept of legitimate authority in Confusion tradition. The concept of human nature in the Confusion philosophers Mengzi and Xunzi is key to understanding their view on the ideal and virtuous leader. Their work on *yibing* cannot be understood apart from their teachings concerning human nature.

Mengzi

Mengzi has a high anthropology: he believes that human nature is fundamentally good.[42] For Mengzi, humans are born with innate tendencies of *si duan* (四端) or "four sprouts," which refer to the four virtues of Confucianism. He explains, "The heart of compassion is *the sprout of benevolence*. The heart of disdain is *the sprout of righteousness*. The heart of deference is *the sprout of propriety*. The heart of approval and disapproval is *the sprout of wisdom*."[43] These *duan* must be

[38] See Mengzi, *Mencius,* trans. D.C. Lau (Harmondsworth, England: Penguin, 1970), 7B; and Xunzi, *Xunzi: The Complete Text,* trans. Eric Hutton (Princeton: Princeton University Press, 2014), Chapter 15.
[39] See Mengzi, *Mencius,* 7B2; and Xunzi, *Xunzi,* Chapters 15, 31.
[40] Lewis, 185.
[41] Barry Allen, "War as a Problem of Knowledge: Theory of Knowledge in China's Military Philosophy," *Philosophy East and West* 65, no.1 (2015): 3.
[42] Mengzi, *Mengzi,* 2A6 and 6A6. According to Mengzi, human beings are born with four sprouts: concern for others, sense of shame, sense of humility, and sense of right and wrong. They will develop into the four virtues of *ren, yi, li,* and *zhi*. Also see 6A2–6A6 when Mengzi portrays his position by introducing a debate with fellow philosopher Gaozi. Gaozi argues that human nature is neither good nor bad; he presents two metaphors for its moral neutrality: wood and water. In particular, using an analogy to a pool of water, Gaozi states: "Human nature resembles the rapid flow of river water. When a breach occurs on the eastern bank of a river, the water flows toward east. When a breach occurs on the western bank of the river, the water flows toward west. Just as flowing water cannot determine where it goes, human nature cannot be characterized as good or evil." Mengzi responds to Gaozi by arguing that water going east and west are not natural inclination. Instead, he highlights that water distinguishes between up and down as it tends to flow downwards. Just like flowing water, which has a natural tendency to flow downwards, he contends that human beings are naturally inclined toward goodness and thus that one's moral cultivation involves in developing these incipient tendences universally reflected in the nature.
[43] Ibid., 46.

cultivated.[44] This cultivation should be done through self-reflection; in doing so, the sage can recognize the individual nature that has been inscribed upon their heart by *Tian* (天) and embrace the "heavenly heart" called *Tian Xin* (天 心).[45] Plainly, self-cultivation is essential; and reflection is key to this self-cultivation. In other words, reflection is necessary for the process of one's self-cultivation: nourishing the *duan* and facilitating proper self-development. Therefore, the sage leader engaged in consistent and thorough self-reflection can extend their shared life of virtue to the whole of the military , thusly bringing a just order to the entire military where every individual can see the bonds that link all of their hearts together in accordance with the heavenly heart and recognize the obligations and responsibilities those bond create..[46]

While the capacity to self-reflect may be seen as a prerequisite, the sprouts are brought to fruition through proper moral education.[47] This cultivation is not what one can accomplish on their own; it must be done cooperatively. That is, humans ought to build up one another in order to fully actualize themselves. In particular, they help each other cultivate *ren*, which is the recurring task of achieving *hé* (和), or "harmony."[48]

Keeping in mind of the importance of one's character development and virtue formation in accordance with *Tian Xin* and *hé*, moral education is of upmost importance for the cultivation of oneself.[49] This education supports the growth of the whole person's flourishing ethical life. Mengzi emphasizes that the sage needs "skills" to develop the four virtues of *ren*, *yi*, *li*, and *zhi*; unlike the four sprouts, these virtues are not inborn, but have to be achieved and learned.[50] Here, according to Katarzyna Pejda, the sage must master these skills, especially one to appreciate *shizhong* (詩中), meaning prudence or sagacious judgment skills:

> Another skill required to be a sage was the understanding that every situation is unique, and that there is a right time to apply different norms—*shizhong* (詩中). Mengzi' thought is not simply an ethics of virtue, but it is also influenced by situational factors. [Mengzi's understanding of] moral behavior is complex; not only does it require a deep understanding of oneself and the other, but also the use of all senses, sensitivity and creativity to deal with every situation in a different way. A sage, or a person who wants to become one, has to watch, listen, feel and understand every person and every situation. Moral cultivation in Mengzi's thought is also a cultivation of the body's *qi.*[51]

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[44] Ibid. For example, he draws an analogy to stalks of wheat, claiming that while there may be differences in varying stalks of wheat, the differences are due to the quality of the soil, the availability of nourishment, and the commitment of the farmer.

[45] Ivanhoe, *Confucian Moral Self-Cultivation*, 17. For Mengzi, the task of self-cultivation goes together with the development of one's nature, inscribed upon their heart by "Heaven"; one must accept Heaven's will while striving for the good, making the world a better place. See Mengzi, 7A1.

[46] Ibid., 20.

[47] Mengzi, *Mengzi*, xxix, 2A6, 6A10.

[48] See Roger T. Ames, "*Li* and the A-theistic Religiousness of Classical Confucianism," in *Readings in Philosophy of Religion*, ed. Andrew Eshleman (Malden: Blackwell, 2008): 479–88.

[49] *Mengzi*, 3A4.

[50] Ibid., 186.

[51] Katarzyna Pejda, "Constructing a Moral Person in the Analects and Mengzi", *Roczniki Humanistyczne* 68, no 9 (2020), 101.

Accordingly, these skills must come from self-reflection. As Peida points out, they result in developing a "flood-like *qi*."[52] This *qi* (氣) is translated as "vigor," "energy," or "vital life force", and it is often understood as an "energy of moral courage," or the motivation that provides the sage person with a capable and practical means to cope with challenging moral dilemmatic situations presented by warfare.[53] On that account, with help of *qi*, the sage leader is expected to have cultivated the four sprouts and retain virtues accordingly. As a result, the leader's proper virtuous cultivation itself prevents warfare, and even nullifies the need to engage in any form of armed force. This is not only because the whole nation with the sage leader would be strong enough to deter any hostile action against their community but also and more fundamentally because their adversaries would readily submit themselves to that truly virtuous leader. Mengzi firmly holds this stance and makes a proposition, "if the ruler of a state is fond of benevolence, he will have no enemies in the world."[54] To repeat, the true leader, having this deep love for humanity, would therefore avoid outward aggression if possible.

While justified warfare was generally viewed as punitive in nature, Mengzi did clearly acknowledge the need for self-defense against foreign aggressors because he suggests digging moats, building walls, and protecting these defensive measures "side-by-side with the people."[55] This was a decision that was left completely up to the true, sage king. This is a parallel to the Catholic just war theory. In Catholic tradition, it was the responsibility of the leader to calculate the overall benefit that would be gained against the harms that may be endured by the people of the state when making the decision to engage in a war on the grounds of self-defense.[56] Catholic tradition calls this process as a calculation of proportionality. War may be justified if the benefits outweigh the harms to the people, whose well-being is the highest priority of the true leader.[57] Mengzi shares a similar idea when he describes the decision to make war based on virtue ethics; though, his argument is not simply based on a utilitarian view of just war ethics. Plainly, with this point in Mengzi's thought, the true and ideal leaders may expand their decision-making measurements from simply doing a calculation of proportionality to handling affairs with virtues.

Xunzi

While Mengzi claims that human nature is fundamentally good, Xunzi argues that human nature is evil.[58] There is disagreement among scholars on the nature of Xunzi's anthropology. Some scholars posit that he was indeed arguing that human nature is bad. Another common view is that he was claiming that human nature is pre-moral. That is, humans are born with

[52] Ibid., 38.
[53] Ivanhoe, *Confucian Moral Self-Cultivation*, 20.
[54] Ibid., 186.
[55] Ibid., 30.
[56] Sumner Twiss and Jonathan Chan, "The Classical Confucian Position on the Legitimate Use of Military Force," *Journal of Religious Ethics* 40, no. 3 (2012): 458.
[57] Ibid.
[58] The title of his chapter on this subject is simply, "Human Nature is Bad," which is occasionally translated as "Evil Nature."

amoral desires will naturally evolve into vices.[59] In any case, Xunzi is not arguing that humans enjoy committing atrocities such as war crimes,[60] but rather that because human nature is bad or pre-moral, humans must exert deliberate effort in order to become good.[61] This concept is found in Xunzi's notion of *wei* (爲), meaning "deliberate effort."[62] The effort on humans' part to rectify themselves is a long and difficult process.[63] Small increments of progress must be taken toward moral perfection.[64]

Similar to Mengzi, Xunzi believes that people ought to study the Confucian literature and incorporate those teachings into their daily lives.[65] Accordingly, proper learning involves a reverence for and the practice of ritual propriety.[66] In particular, Xunzi argues that the exemplary person's attainment of *ren* is due ultimately to ritual practice.[67] In order for one to maintain a strong sense of benevolence, one must uphold righteousness through ritual propriety. *Li* instills in people a sense of regulation and rectitude.[68]

For Xunzi, *li*, or ritual propriety, is key to correctly ordering society.[69] Apart from the Mengzi's claims that the true king must cultivate the four sprouts of virtue, Xunzi's position posits that the leader must create social order.[70] Because his view on *ren xing* asserts that humans lack an innate guide to moral act, it is the true leader that ought to contribute to creating a just and harmonious order to the society by enforcing an adherence to ritual propriety.[71] It is critical

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[59] Some scholars have argued that understanding the chapter translated as "Human Nature is Bad" (Chapter 23 of the book *Xunzi*) was used to catch the reader's attention.
[60] Ivanhoe, *Confucian Moral Self-Cultivation*, 29–42.
[61] Xunzi, *Xunzi*, 248.
[62] Ivanhoe and Norden, 281; cf. Xunzi, *Xunzi*, Chapter 19. Xunzi notes, "Human nature and deliberate effort must unite, and then the reputation of the sage and the work of unifying all under heaven is thereupon brought to completion […] When human nature and deliberate effort unite, then all under Tian is ordered."
[63] Ibid., 257. Xunzi writes, "If you do not accumulate little steps, you will have no way to go a thousand *li* (里). If you do not accumulate small streams, you will have no way to form a river or sea." In Xunzi's view, self-transformation is slow and requires constant effort.
[64] Ibid., 298. He also uses the analogy of crooked wood to explain this idea. Humans are like crooked wood, which must "await steaming and straightening on the shaping frame, and only then does it become straight."
[65] Ibid., 258.
[66] Ibid., 299. He writes that "ritual and the standards of righteousness are what the sage produces. They are things that people become capable of through learning, things that are achieved through working at them."
[67] Ibid., 306; cf. Xunzi, *Xunzi*, Chapter 27. He notes: "The gentleman dwells in benevolence by means of righteousness, and only then is it benevolence. He carries out righteousness by means of ritual, and only then is it righteousness. In conducting ritual, he returns to the roots of things and completes the branches of things, and only then is it ritual. When all three are thoroughly mastered, only then is it the Way."
[68] A true ruler (legitimate authority) implemented *li* correctly, and by doing so ordered his realm in accordance with proper virtue. By the external practice of ritual, humans could help bring order to their inner selves, and without it, neither morality nor humanity could be perfected.
[69] Ivanhoe and Norden, 275–76. This *li* has three components: (i) Heaven and earth are viewed as bringing about life in a general sense; (ii) ancestors are responsible for bringing about particular instances of life; and (iii) kings and teachers are credited with maintaining order throughout society.
[70] Ibid., 189.
[71] "The state is the most efficacious instrument in the world, and to be ruler of men is the most efficacious power in the world. If you take the *dao* to hold on to these, then you will have great security and great honor—they will be a wellspring of accumulated goods." Here there is a shift from holding the "old martial elite" in high regard to recognizing that the military was a state power "which was proper only if guided by a single (sage and virtuous) ruler" who encourages and practices *li* and knows the principle of the *dao* (the way humans ought to behave in society), leading to "a wellspring of accumulated goods." Xunzi, *Xunzi*, 99.

that the *son of Tian,* namely the leader, retain the Confucian virtues of benevolence and righteousness. As a result, there would be no need for warfare, as the people would flock to a principled leader. This idea can be extended to the principle of legitimate authority in the Catholic just war theory.

Xunzi carefully contrasts the leader who uses *li* with the leader who seeks to achieve their objectives by means of commands, punishments, and force. The force of coercion, whether by law or armed force, is manifest and tangible, whereas the vast and sacred forces at work (including in the office of the legitimate authority) in *li* are invisible and intangible.[72] This virtue of "*li* works through spontaneous coordination" grounded in "reverent dignity," or a result of *ren*.[73] Further, the virtue *li* serves a ritual practice of virtue formation, guiding in forming and maintaining qualities fitting of one's proper leadership position. Therefore, if leaders act on the principle of legitimate authority, that means not only serving as the exclusive outcome of a legislative process but also through the virtue of *li*, which helps foster their qualities of benevolence and righteousness. Hence, a more comprehensive and robust understanding of that principle can be applied in practice. As such, these Confucian virtues, especially, *li* here, can complement one's understanding of legitimate authority defined in the Catholic just war tradition.

Xunzi presents a parallel to the Catholic notion of proportionality, writing that a "true king does not commit his army to the field for more than a single season."[74] There are several reasons for this teaching. Many soldiers had familial responsibilities and the need to harvest crops. If the soldiers were constantly away on military campaigns, the family structure would suffer. Furthermore, civilians would be responsible for maintaining the season's crop yield. By placing limits on the amount of time that soldiers were away from home, the sage leader must seek to retain order and minimize disruption to the lives of both soldiers and civilians.

Moreover, Xunzi gives some autonomy to military generals in deliberations regarding when to engage in battle. It is permissible for a general to refuse submission to a ruler's order if the command is illogical or presents too much risk to soldiers and civilians, including high costs of rebuilding *society after war.* In the case of a corrupt ruler, decisions of this capacity fall to the generals. Therefore, skill in proportionality calculations must be honed not only by the king, but by the generals as well. A true king, however, having reformed his nature in accordance with *li, ren, yi*, and *zhi* would prevent this challenge. As the sage king is "trustworthy," his commands are informed. The sage leader does not proceed with commands that may be dubious, but only acts when he possesses deep understanding of the enemy and situation.[75]

Further Comparative Reflection

As discussed, the two different visions of Confucian governance driven by different views on *ren xing* are found in Mengzi and Xunzi. Mengzi is known for his belief that human nature is good,

[72] See Fingarette, 6.
[73] Ibid. There is also an underlying idea of *ren* behind this *yi* implications. For example, there are those people in the world, those who are truly kindhearted. It may look like the strong leaders move the world around, but such kindhearted leaders are the ones who push it forward.
[74] Twiss and Chan, 460.
[75] Xunzi, *Xunzi*, 152-153.

maintaining that humans have four *si duan* that, if properly formed, can grow into the full-fledged virtues of *ren*, *yi*, *li*, and *zhi*. Xunzi believes that human nature is bad or pre-moral; he weighs the significance of correcting oneself thorough *li*. Xunzi points out:

> Mengzi says: people's nature is good. I say: this is not so. In every case, both in ancient times and in the present, what everyone under Heaven calls good is being correct, ordered, peaceful, and controlled. What they call bad is being deviant, dangerous, unruly, and chaotic. This is the division between good and bad. Now does he really think that people's nature is originally correct, ordered, peaceful, and controlled?[76]

Both Mengzi and Xunzi restrain the leader's use of force while enabling the use of force that provides for the common good or the well-being of the people. While Mengzi focuses on the former (through ethical education, cultivating the *duan,* retaining key virtues, and nullifying the need to engage in battle), and Xunzi on the latter (through *li*), these two approaches are not mutually exclusive.[77]

It is worth noting that both Mengzi and Xunzi agree that the ultimate purpose for *yibing* is to be corrective in nature. Adherents to this Confucian way of thinking, therefore, would submit that *yibing* can be understood as a punitive action, wherein a virtuous leader utilizes penal force against another sovereign or nation state, which has committed grave wrongs against them. One may find that this stance can be similarly reflected on the primary *jus ad bellum* for the Catholic just war thought: disorderly conduct within the society justifies the leader to wage a war campaign of punishment. To be clear, although not all just war thinkers agree to the idea that just war is a corrective or punitive enterprise, a wide range of scholars across disciplines endorse this stance.[78]Admittedly, however, it is also important to remind that unlike the emphasis on the punitive nature of war in the Catholic just tradition, the Confucian *yibing* thought clarifies that

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[76] Eric L. Hutton, trans. *Xunzi: The Complete Text* (Princeton: Princeton University Press, 2014), 252.

[77] Although Sungmoon Kim's work does not directly discuss the case of war, his devotion to a reconstruction of the different visions of Confucian virtue politics found in Mengzi and Xunzi shares a similar viewpoint. In particular, he refers to the former as "negative Confucianism" and to the latter as "positive Confucianism." He notes, "they are two sides of the same coin of Confucian virtue politics and they combine to give rise to an interesting political dynamic that at once enables and constrains the ruler's political power." Sungmoon Kim, *Theorizing Confucian Virtue Politics,* 59.

[78] Contemporary just war thinkers Jean Bethke Elshtain, Oliver O'Donovan, and Nigel Biggar share this viewpoint as they rely on the writings of Aquinas, Francisco de Vitoria, and Francisco Suarez. Jean Bethke Elshtain, *Just War Against Terror* (New York: Basic Books, 2004), 50–52; Oliver O'Donovan, *The Just War Revisited* (Cambridge: Cambridge University Press, 2003), 14; and Nigel Biggar, *In Defense of War* (Oxford: Oxford University, 2013), 161, 167. Also see Aquinas, II-II, q.40. Francisco de Vitoria, "On the Law of War", eds. Lawrence Pagden et al., *Victoria: Political Writings* (Cambridge: Cambridge University Press, 1991), 304. Francisco Suarez, *Selections from Three Works*, ed. Thomas Pink (Indianapolis: Liberty Fund, 2015), 932. Furthermore, Biggar relies on Augustine's theology of love and claims that just war should be based on punishing injustice, which can be regarded as correcting the enemy in love, See Biggar, 10–13, 190–199, 212. However, Catholic moral theologian Lisa Sowle Cahill understands the Catholic just war theory is primarily based on defending the common good, not punishing evildoers. She criticizes Biggar's approach that is not founded in Christian tradition. She presents three points: (i) "violence and killing are not works of Christian love properly speaking;" (ii) "Christians should not characterize war as loving punishment, but as just defense of the common good;" and (iii) "a Christian evaluation of war should always pay attention to the priority of peace and peacebuilding, for both theological and practical reasons." For details, see Lisa Sowle Cahill, "How Should War Be Related to Christian Love?" *Soundings* 97, no. 2 (2014): 187.

the true leader do not rely on punishments. Instead, the leader should implement virtues, even when attempting to correct and rectifying the wrongdoers.[79] Hence, it is evident that the Confucian understanding of what constitutes the legitimate authority is different from that of the Catholic just war tradition in which a war should be waged only by the legal leader or the office of their authority—at least in order for the warfare to be considered a just war. For Confucian, the true leader also ought to demonstrate virtuous qualities to fit of a leadership position. This understanding of the Confucian view is critical. For example, according to the current principle of legitimate authority characterized in the Catholic just war tradition, one may argue that Vladmir Putin would be a legitimate authority to wage a war against Ukraine (considering that the remaining just war criteria are met) primarily because this strong man seized power and declared the war through legal means. Therefore, my proposal is that the principle of legitimate authority should not be limited only to its current thesis that the legislative process plays an important role; but also, and more crucially, the thesis should incorporate Confucian ideas into the principle of legitimate authority.

As emphasized throughout the essay, both Mengzi and Xunzi distinguishes the central role of *li,* or ritual propriety, in ordering the state in practice. Just like Xunzi purports the importance of the virtue, Mengzi equally stresses that "if the rites [*li*] and rightness are absent, the distinction between superior and inferior will not be observed; if government is not properly regulated, the state will not have enough resources to meet expenditure."[80] The leader's adherence to *li* contributes to a well-ordered state. Plainly, *li* is viewed as being key to proper governance. The ideal leader, having not only truly understood the essence of *li* but also practiced it in every day's life, would be able to extend this knowledge to society. This society with the proper implementation of *li* cannot be disordered but should be governed in a just and harmonious order. Hence, *li* means a proper order established and carried out by a benevolent and sage leader. The legal legitimacy of ruler does not equate to a virtuous leader. Likewise, for Xunzi, if the leader is an individual worthy of respect, then the society ought to be well-ordered and stable in peace. This is primarily because the leader "exalts ritual and values righteousness."[81] As the virtuous leader instill *li* throughout the state, this leader's exemplifying *yi* itself should facilitate to spread *li* even to the entire armed force. Xunzi adds, "when a *ren* person is in charge of those below, the hundred generals share one heart, and the three armies merge their strengths […] Ritual, righteousness, and transformation through education – these make one's forces coordinated."[82]

Finally, this *li*-oriented *jus ad bellum* approach can be extended to *jus post bellum* practices. Just actors must declare how they intend to prosecute a war from start to finish before the first shot is fired. The implication for applying Confucian principles here is that *jus post bellum* must be fully considered in the *ad bellum* phase. This application produces a more comprehensive and complete just war theory. The criterion of *jus ad bellum* legitimate authority does not reduce the other just war criteria to subservient roles. I am not trying to put a heavy emphasis on the *jus ad bellum* criterion on legitimate authority

[79] Fingarette, 8.
[80] Mengzi, *Mencius*, 196.
[81] Xunzi, *Xunzi*, 148.
[82] Ibid., 146–50.

that does not allow for any exceptional cases. Rather, the criteria of all the phases of legitimate authority (*jus ad bellum, jus in bello,* and *jus post bellum*) are equally important and relevant. More precisely, despite the fact that Menzi and Xunzi argue for the legitimate authority principle of *jus ad bellum* as the first criterion to consider, I believe that they affirm the equal importance of all the criteria to make the just war theory complete.

Conclusion

Mengzi and Xunzi's conceptions of *ren xing* are central to their teachings – specifically regarding *yibing*. Although these thinkers differ on their understanding of human nature, they agree upon the ability of human persons to perfect themselves, especially through proper education.[83] Furthermore, both Confucian thinkers stressed the importance of virtue formation and character development, such as benevolence, righteousness, and (ritual) propriety in everyone from the common people to the wise leader. The ideal leader's retention of these virtues is vital to building, defending, and maintaining an ordered society as well as their overall tenets on *yibing*. With this guidance, the Catholic just war thinkers and the leaders upon the just war teaching should reconsider their understanding of the principle of legitimate authority. Their understanding of legitimate authority should not be limited to a minimalist view, namely being whomever is legitimately designated to play that role in the office. Instead, this understanding of legitimate authority should be expanded to a maximalist view that includes being able to handle public and international political affairs with benevolence, competency, and propriety. This comprehensive understanding of legitimate authority in turn contributes to the common good, as it serves to do the overall justness of the *jus ad bellum* category of the Catholic just war tradition.

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[83] Wingtsit Chan, 115.