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A Comparison Between the Confucianism's and Aristotle's View of Distributive Justice — The Thoughts Based on Contemporary Development

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Abstract: Throughout the over 2000 years of feudal rule in ancient China, the Confucianism's distributive justice has played an important role. The principles of Humanity, Differential Distribution and Equal Opportunity had a lasting impact on social development even in modern times. While in ancient Greece, Plato and Aristotle has specifically discussed the view of distributive justice, especially in the content of the distribution principle of "Equality of Values and Proportional Equality" and "Principle of Differential Distribution", whose content was later being developed and enriched continuously by various schools of thought. This paper has systematically introduced the contents and principles of the Confucianism's and Aristotle's view of distributive justice. Aimed at the historical background and the view of the theory of the comparison of existing value and its limitation, this paper reveals the value of the view of distributive justice. This paper reveals the value of distributive justice in different times, cultures and systems. By studying the view of distributive justice at all times and in all over the world, the paper is intended to seek solution to the increasing social disparities and injustices in modern states in their processes of building harmonious societies, so that the theory of distributive justice will display a new vitality.

Keywords: Distributive Justice, Aristotle, Confucianism, Modern Value

1. Introduction

Since ancient times, the issue of distributive justice has been concerned, and it has always been the core issue of society. Through combing the history, we can draw a conclusion that human resources are always limited, but their needs are diverse and their desires are endless. The contradiction between limited resources and unlimited desires will naturally trigger competition among people, which throws society into disorder and chaos. David Hume, a British philosopher, believes that justice is a kind of alert and defensive virtue. It means nothing when nature endows human beings with an abundance of goods and wealth. It fails when people are full of kindness and love for each other. [1] Therefore, how to take the interests of all parties into account in one form and to ensure the basic members of society receive their due resources, so as to avoid fighting over injustice is of great importance for society, which constitutes the theme of distributive justice. Among the various indicators of the modernization of today's national governance system and governance capacity, the importance of distribution capacity once again occupies an important position. If contemporary China wants to develop further, distribution justice is undoubtedly a part that needs attention from all parties. How to use ancient wisdom to realize the rational distribution of resources among different social groups or strata in contemporary society and to guarantee the interests and safety of the members of society and further narrow the gap of social inequality is the key to the development of distributive justice in contemporary China, which is also the value of this study.

2. The Theoretical Basis of the Confucianism's View of Distributive Justice

In the modern era, the relatively mainstream views adopted by the academic circles, when discussing the specific elements

of the view of distributive justice from different angles, are three elements, namely "equality", "needs" and "deserved". Comparing with the contemporary view of distributive justice, the Confucianism's view of distributive justice was established on the theory of justice that regarded "benevolence" and "rites" as the core, and in practice, the specific embodiments of such theory were the "policy of benevolence" and "rule by rites" in the feudal society. [2]

The "policy of benevolence" and the "rule by rites", as adopted by the Confucianism, have played an important role in Chinese feudal society. In the view of Confucian sages, in the feudal society, the relationship between monarch and his subjects, the monarch and the people, and among the people were rigidly stratified. Under the circumstances, the "policy of benevolence" was the basis of maintaining a hierarchical order, whlie the "rule by rites" was the means. The "policy of benevolence" and the "rule by rites" were not only the core concepts of the Confucian political theory, but also the best state for ideal governance by monarchy. Under this governance, "benevolence" was not only reflected by the benevolence of the monarchy, but the essential inner morality for the bureaucratic class and common people, on which "the rites" based. And the "rites" was the specific embodiment and enrichment of "benevolence". Without "benevolence", hardly there was any "rites". Besides, the "rites" was prone to reflect the exterior social ethics. [3] In the Confucian system of thought, "rites" played a greater role, particularly in the explanation of the connotation of justice. "The rites" was in close connection to the system and laws of any society or country, and was the "routes" through which the social justice was exteriorized and shown. More specifically, the connotation of "rites" has shown the "justice of social distribution" in the Confucian thought. As Xuncius put it, the sages intended to change the nature of evil and had made their efforts for that, and as a result of those efforts, the rites and justice were formed, thereafter the legal system was formulated. [4] Ancient Chinese laws mainly originated from the "rites" and were the implementation of the spirit of "rites". "Rites", as a distributive justice, played a significant role in feudal society.

3. Specific Content of the Confucianism's View of Distributive Justice

3.1. Principle of Humanity

In the Confucian thought, it was stressed that the life and dignity of each person should be valued, which was an expression of common human value. In other words, the moral dignity of each person should be treated equally. It is stated in *The theory of good or bad nature*, as held by Xuncius, that though people are distinguished by nature as good or bad, it is absolutely true that the person of evil nature can be corrected via rites, justice and legal system, thus to get rid of their evil nature, and to become the one with good nature. This also demonstrates that the personality of people is equal. Therefore, irrespective of being good or bad in the future, the moral dignity of each person is equal. This requires that each person in the society, in face of the need for survival, should be treated equally in terms of the distribution of material resources by the ruler and the country and basic need can be satisfied. In fact, the performers of the distributive justice are also the ruling class or the rulers, whose implementation of the benevolent government is considered as the survival need for common people and the necessary stage to discover true human nature. As Mencius held that, for the ruling under this circumstance, it should be given priority to ensure the right to live for common people, and then, the indoctrination. That is to say, through indoctrination of rites and laws, the evil persons were able to shake off their brutish nature (evil) and found the humanity (goodness). In general, what to be stressed by the "policy of benevolence" and the "benevolent government", as claimed by Mencius, was in fact that the ruler (or the country) had the responsibility and obligation to create basic objective condition for people, rather than regarding any other judgment as the prerequisite.

3.2. Principle of Differential Distribution

The second major content of the Confucianism's view of distributive justice was about "benevolence" and "rite", on which the principle of differential distribution was based, whose major manifestation was that "the wise the capable were at the positions". Given this, it can be understood that in ancient times, the positions and official salaries had to be distributed in a reasonable manner with their magnitudes of capabilities and contributions taken into account, and their positions and treatment were determined by their accomplishment and moral cultivation. Therefore, the inequality among people caused as a result was considered as a matter of course. In the view of the Confucians, though people were equal to each other essentially, they could endeavor to be a good or bad, to cultivate moralities, or to make contributions to the society at their own choice. Also, the Confucians admitted that there were indeed differences between people in such aspects including physical conditions, intelligence, capabilities, etc., and that people were born in different classes and living states. Therefore, the Confucians admitted hierarchical differences and held that such differences should be established through social or monarchical distribution. More specifically, a differential pattern was thus formed by formulating the rites and establishing justice and grades, as well as by a division of social hierarchy on social status.

3.3. Principle of Equal Opportunity

The third major content of the Confucianism's view of distributive justice was the "principle of equal opportunity", that in order to avoid the monopoly by aristocracies, the state should open up a range of positions, for which every civilian have the chance to compete by improving their virtue, knowledge and capabilities through self-learning. This would not increase social inequality, instead, it could remove evilness and promote goodness, encourage people to seek a

better life, which made the society a competitive one, where the wise and the capable could serve the monarch and people wholeheartedly, while common people also had the desire to pursue their own dreams. This principle of equal opportunity still acts the same way even till this day.

4. The Basic Principle of Aristotle's View of Distributive Justice

Aristotle's view of distributive justice developed on the basis of Plato's thoughts and propositions. Aristotle was the first scholar to systematically explain the principle of distributive justice to the public. He regarded the "justice" as the "aggregate of virtue" and the "essence of justice" as "equality". The characteristic of his thoughts and propositions was the emphasis on the distribution of justice, in particular, "proportional equality" would be taken as the standard, "good laws" as means, and absolute equality and equalitarianism would be opposed. [5]

4.1. "Equality of Values" and "Proportional Equality"

Aristotle put forward that the essence and core of justice should be equality, [6] so equality should be based and relied on for any discussion and study aimed at the issue of justice. In this sense, he proposed to divide the equality into two types, namely the equality of values and proportional equality. The equality of values can be also referred to as "arithmetic equality", that what each person obtained was equal in quantities or values after the distribution and there would be no disparity. Proportional equality is in correspondence to distributive justice, requiring that in principle, social wealth, reputation and power among social members should be distributed in a certain proportion in accordance with standards such as the value and capability. Thus it can be seen that the demonstration of the principle of distributive justice by Aristotle is established on the basis of the axiology. When equality was taken as justice, Aristotle held that the one that had the relatively decisive effect was not the numerically computable equality, but the geometric equality based on relative proportion. The view of "corrective justice", as put forward by Aristotle, was the necessary supplement to his view of distributive justice. The purpose of it was to overcome other undesirable social problems, such as the disparity between the rich and the poor, so as to maintain the "golden mean" approved by him. Aristotle proposed that the "corrective justice" was formed in the exchange…. and it was not based on geometric proportion (specific value), but on arithmetic proportion. [7] That is, equality is achieved not through "mechanical calculation", but a relatively accurate measuring standard to correct this relative value. Briefly speaking, the "relatively standard mode" of justice is the measurement of the majority among a group of people. Therefore, distributive justice will be deemed as "equality with fair relation", establishing the right and obligation according to the capability, relative value and requirement criteria. This can be viewed as the most primitive and most original form of justice. Thus it can be seen that in terms of the principle of distribution, Aristotle held the principle that the two views – "proportional equality" and "equality of values" should be combined. And he referred to the former, the "proportional equality", as the "true justice" principle among the distribution principles. The more fundamental thing is the "equal ratio" principle, that based on the inequality among people, a relatively unequal distribution should be adopted for certain individual.

4.2. Principle of Differential Distribution

Another important principle for Aristotle's view of distributive justice was the principle of differential distribution. Psychologically, Aristotle had very serious prejudice against citizens. Also, this was a common phenomenon in ancient Greece. Aristotle claimed that any sensible and far-sighted person more often could be the ruler, while anyone who had the physical strength and could provide labor service as arranged by the far-sighted, naturally became the ruled, in a subordinate and slavery position. [8] It is obvious that from the bottom of his heart, Aristotle quite recognized the existence of natural order that people were doomed to be noble or lowly from birth. If there was a ruler, there must be slaves, and they were property, especially the component of family property. Also they were the tools of the ruling class or the ruler. From birth, slaves should essentially be ruled, which was the very justice he believed. In ancient Greece, city-state wars were frequent, and the defeated were doomed to be slaves, whom he named "forced slaves". According to the relevant theories of Aristotle on "natural slave", the principle of differential distribution cannot and should not be applied to "forced slaves", because he believed that those people were not born to be slaves. "Indeed, there were distinctions between natural slaves and naturally free people. The former were slaves while the latter were masters, who respectively would become the ruled and the rulers as arranged by nature. This was beneficial and in line with the justice. However, it was quite on the contrary for the forced slavery caused by power and laws." [9] That is why the act of forcing non-natural slaves to be slaves was against the justice.

4.3. The Route to Realize Distributive Justice

Despite Aristotle did not specifically discuss the route to realize distributive justice, it is indicated that golden mean took a positive role in "Aristotle's view of distributive justice" since it acted as a hub in Aristotelian ethics. In ancient Greece, there was always an emphasis on golden mean. After concluding this traditional thought, Aristotle proposed that the "morality" was the "golden mean", believing that "golden mean" was a normative concept with ethical significance, a correction of "excessiveness" and "inadequacy" – it was a proper state under a specific circumstance. Overall, Aristotle referred to justice as the sum of "morality", but the essence of justice is equality, which is to cognize at a proportional, geometrical or relational level. In this sense, equality is a kind of "golden mean", which is between too much and too little.

To realize the social value in a real sense, we have to rely on a social system which is reasonably designed and arranged. Aristotle claimed that the middle class should be the most secured and stable in a state, to put it another way, the middle class was the embodiment and carrier of the golden mean. Therefore, the middle class should be counted on to realize distributive justice with proportional equality, and only the laws formulated by an excellent regime ruled by them can be called good laws. The most obvious social structure of this regime is in a shape of olive — with two small ends and a large middle part, in which the middle class are majority, between the extremely poor and extremely rich. The laws formulated by such regime have crystallized the wisdom of the masses and freed from the affection of all passion. It can be called a kind of wisdom and relatively speaking, there is no passion involved. The law in this form suits the justice best and can be really impartial as golden mean advocates. In fact, the most essential part of this law is that it is formed on the basis of distributive justice and proportional equality. [10] Therefore, the enforcement of the law contributes to the realization of distributive justice, thus people can live a better life.

5. The Comparison Between the Confucianism's and Aristotle's View of Distributive Justice

5.1. The Era When Formed

The Confucianism's view of distributive justice was formed in the Spring and Autumn Period and the Warring States Period, also a period that the ancient east transformed from slave society to feudal society, when the Zhou Dynasty existed in name only and the society had been in a state of division for a long time, which provided the soil of freedom for the birth of "Hundred Schools of Thought". Aristotle's View of Distributive Justice was formed in ancient Greece, when all citizens were the "rulers" and participated in politics, they were collectively in control of the supreme power of the State. Relative equality was among citizens and was the principle of the supremacy of law. The most important features of the Athens democracy were the essence and limitations. Nothing else, but maintaining the dominant position and interests of slave-owning aristocrats were the Athens democracy. Relatively speaking, this essence was on the basis of slavery and this was just in a relative sense the democracy for the few.

5.2. Distribution Method

In the Confucianism's view of distributive justice, power and relevant interests were distributed mainly in accordance with one's competence. As for the principle of the distribution of material wealth, the important representatives of the Confucianism usually disdained to care about it. Though the wealth in the form of material and money was always in connection with the ruling political system, for the people who were quite competent, they should not lack the awards and affirmation which were not contained in the main system. This was the distribution method that regarded the theory of "benevolence and justice" as the main basis and the "rite and righteous levels" as justice. This is quite different from the view of equal distributive justice, in other words, it is not acknowledged that all social members can enjoy their rights and freedom equally. Also, it can not guarantee that the power in a society is available for each independent social member. In order to resolve the conflicts of the view on relative justice among states and political camps, Aristotle put forward that based on the high and low relative value of each individual, corresponding proportional distribution method may be adopted to distribute the basic interests of society. The value herein could include the gift, property, status, family background, etc, which were much more abundant compared with the content put forward by the Confucianism. Aristotle said, "The distributive justice is to distribute the public property in accordance with the said proportional relation. The stipulation of distributive justice is realistic. What it explores is "codes of justice" in real life, in particular, it studies the relationship between human behavior, morality and politics and economy, making it show a strong sense of reality. The purpose of the formation of human society is for certain welfare, and the distributive justice is about the welfare and affecting their lives." [7]

5.3. Sense of Hierarchy

Though periods and political environments are different, Confucianism, Aristotle and his master Plato all appreciated the hierarchical and orderly distributive justice under the aristocracy. In their view, the inherent hierarchical differences among ruler, aristocrat, civilian and slave were just, which was thought to be a natural order. The difference was that in the view of Confucianism, the family background noble or low did not mean eternity, the subsequent indoctrination (the teaching of benevolence and rites) could improve one's hierarchy. A person born in poverty still could be in high position through hard working. In the view of the sages in ancient Greece, people were born to be hierarchically different. The equality among aristocrats, civilians and slaves were separate. The hierarchical differences among identities were the content of justice.

Apparently, the democracy in Athens would be a political system, under which the adult male citizens became masters. As for women, metics or a large number of slaves, it was impossible that democracy was in substantial connection with them. That means this kind of democracy has a large difference if compared with the democracy in modern times. This has truly limited the ability to develop of some social members, in other words, it had great limitation.

6. The Realistic Thinking of the Value of Distributive Justice

The theory of distributive justice has still played a very important role in the development of current society, and it is

in close connection with people's lives, social construction and national prosperity. In this sense, it is of great practical significance for us to study distributive justice. In contemporary society, the most important thing is to ensure the basic lives of all social members, [11] thus to promote the all-round development of people, which is the origin and essence of contemporary social security. There are plenty of values to be guaranteed in contemporary society, including the adjustment of income, the promotion of employment, the stabilization of economy and society, the protection of basic human rights, etc. Therefore, it is of great importance to regard social justice as ethical object to pursued in contemporary society. [12]

6.1. The Distributive Justice Issue Faced by China During Its Development

Since the reform and opening up, the economy of China has been developed at a high speed and the government continuously strives to promote social equality and justice. As the largest developing country, with the increased resource input into the poor areas, China has achieved overall poverty alleviation, basically implemented a social security system covering both the urban and rural areas, improved the living standards of common people and solved the problem of inadequate food and clothing. However, in the process of building a moderately prosperous society in all aspects, there is still an issue of imbalanced and inadequate development among different regions. As a result, the issue of realizing social equality and justice constantly appears in the mainstream media. At present, the issue in redistribution is in fact the side effect of development, which is mainly manifested in the widening gap between the rich and the poor. According to the data provided by the National Bureau of Statistics, in recent years, the Gini coefficient for China is continuously running at high levels - 0.491 at the highest, bringing risks and challenges to the stable operation of social economy. As is pointed in the *Blue Book of Social Administration – Reports on Innovations of China's Social Administration*, released by the Chinese Academy of Social Sciences in 2012, the gap between the rich and the poor in China is approaching to the "line of tolerance of the society", generating a lot of social instability factors. The gap has also initiated a psychological change to the social members. According to the *China's Online Social Mentality (2014)* released by Fudan University, "the feeling of unfair" and "the sense of insecurity" have become negative social emotions with wide spread influence on the internet. Therefore, how to relieve the pressure of wealth gap that comes along with the development has become a challenge to the government. There is no doubt that it is a fundamental task for a modern nation to grow to improve the ability to redistribute and further to realize the distributive justice. It can be said that the promotion of fairness and justice in the field of redistribution is critical to solve the major contradictory issues faced by China during its reform and development and to promote the national governance system and the modernization of its governance capabilities.

6.2. The Distributive Justice Under the Socialist Market Economy

Formally established in 1980s, the socialist market economy has played an irreplaceable role in the development and prosperity of China over the 30 years of development. The socialist market economy is integrated with the basic social system of socialism and reflects the fundamental nature of socialism. The socialist market economy is the kind of system of economy where the very market plays a decisive role in the allocation of resource under the macro-control of socialist countries, where the economic activities follow the law of value and adapt to the changes in supply-demand relation, where the resource is allocated to the aspects with best benefit via price leverage and competitive mechanism. [13] The development of the socialist market economy is the process that requires constant verification and exploration in practice. What remains fundamentally unchanged is that the development must always observe the basic law of value, and while in such a process, core factors, including freedom, equality, justice must be absorbed. The starting point for the implementation of market economy must be fairness, but the market cannot make sure that the development under such system is in line with fairness and justice. In other words, the market economy may not contribute to an ideal world at one go. Actually, it is uncertain. Therefore, in order to ensure equal income, rights and obligations, and access to opportunity under this economic system, it is inevitable to implement redistribution. It should be noted that this is not the difference between socialism and capitalism. Throughout capitalist market economy, redistribution exists through its entire history, because under the ideal background of capitalization, the capitalists are only getting richer and richer, while the working class after initial allocation will never acquire rewards corresponding to their increased labor. For this, Rawls has made main discussion in *Theory of Justice* from the perspective of justice on how to adjust the relation of distribution under the capitalism market, with no further discussion made here. [11] The socialist market economy started relatively late in China. In this context, the country and the government should pay more attention to how to adjust the relation of distribution, so that the economy of high quality can be developed, collective prosperity can be achieved, and the ideal goal of communism can be realized. Specifically, the view of distributive justice has its very important value. There is no doubt that relatively speaking, as the largest developing country in the world, China has steadily improved its comprehensive national strength and has basically achieved the goal of national prosperity. However, the prosperity is not common for all, for example, there are wide gaps in economic development between east and west China and between urban and rural areas in the same region, which is quite a challenge to the country's capability of redistribution. After all, a high GDP does not mean a lot, a high per capita GDP can better reflect people's living standards. For quite a long time, the distribution system in China has been based mainly on work with the coexistence of multiple distribution methods, which

requires us to understand its objective extension. Undoubtedly, the government has played a dominated role in such process of distribution, which is also where its function lies in. To be specific, the government could perform macro-regulation on the market in a more effective way. The central government could formulate policies, guidelines and documents to direct the operation of local governments. Also the government could perform macro-regulation in accordance with different situations. As for the rights citizens are equally entitled to, like medical security, educational resources, legal service, governments at all levels could take actions with subjective initiative to adapt to different circumstances. In this case, the coexistence of multiple distribution methods is a crucial guarantee for distributive justice to function well in modern society.

6.3. The Distributive Justice in the Context of Deepening the Reform Comprehensively

The top-level design of the national macro-political framework is of vital importance to the realization of distributive justice. But further more, the formulation and implementation of specific public policies are also of equal importance. In the Third Plenary Session of the 18th Central Committee of the CPC, China explored this in a positive way and tried to facilitate positive development through this. [14] Also the people's well-being can be set as the starting point and objective of the reform, which is consistent with the direction of top-level design. It can be concluded that this marks a significant change in the idea of the Communist Party of China on the governance and administration of state affairs - from encouraging efficiency at the very beginning to laying more stress on social justice and the achievements of reform shared by the people, in other words, more stress on adjusting the conflict of interests among social classes, and likewise, the realization of distributive justice can not be separated from the support of the most specific and relevant public policies. Redistribution, a public policy, is in fact on the basis of promoting social fairness and justice, maintaining the legitimate interests of various interest groups, strengthening the interaction among various policies, making comprehensive use of various policies and facilitating the coordination of interests and relative balance.

6.4. The Equalization of Public Service Based on the Theory of Distributive Justice

In recent years, the economic strength, scientific and technological strength and comprehensive national strength of China have been developed into a new stage and the achievements in poverty alleviation have drawn the attention of the world. China has successfully completed the 13th Five-year Plan, made major breakthroughs in deepening the reform comprehensively, made great progress in comprehensively advancing the rule of law, accelerated the promotion of the modernization of national governance system and governance capabilities, which further manifest the advantages of being under the leadership of the Communist Party of China and the socialist system.

Compared with other developing countries, the development of China's economy is rapid, so that the living standard of common people is improved significantly and they live a happy life upon the completion of the building of a moderately prosperous society. Even so, we should realize clearly that people have put forward higher requirements for material and cultural life, which is mainly constrained by the unbalanced and inadequate development among different regions and urban and rural areas. [15]

According to the Outline of the 14th Five-Year Plan (2021-2025) for National Economic and Social Development and Vision 2035 of the People's Republic of China, "Boosting the well-being of people" has be regarded as the major target for the economic and social development. As the Opinion of the Central Committee of the Communist Party of China and the State Council on the Comprehensive Advancement of Rural revitalization and Speeding up the Modernization of Agriculture and Rural Areas put forward, by 2025, there will be a significant improvement in the equalization of the basic public service in urban and rural areas. In terms of the rule of law, in the basic public service, the public legal service system takes a very important position and equalization is a reflection of the idea of fairness and justice through all legal documents in social governance. The basic starting point and the objective of the construction of the public legal service system should be the guarantee of the basic rights of citizens.

To judge the level of civilization in a society, it is important to see if the "value criteria at bottom line" – fairness and justice have been put into practice. A socialist society, more than anything else, should be a social formation basically featuring fairness and justice. At present stage in China, the degree of polarization is getting more and more serious, and the gap between urban and rural areas in terms of public legal service is still quite evident. The construction of an equalized public legal service system across urban and rural areas is a reflection of the guarantee of the basic rights of all citizens, and also a necessary step to improve the citizens' sense of gain, happiness and security. In the Opinions on Accelerating the Construction of the Public Legal Service System Issued by the General Office of the CPC Central Committee and the General Office of the State Council in July 2019, it was particularly stressed that the country should advance the balanced development of the basic public legal service, requiring that the construction of the public legal service at grassroots level be strengthened. The equalization of the basic public legal service means that all citizens are able to enjoy basic public service no less than the minimum level and the rights and opportunities by and large the same in the basic public service field.

7. Conclusion

Researching the ideas of distributive justice adopted in China and the West is in close connection to the harmonious social development in modern countries. Over a long historical process, the growth of a country has a corresponding

value selection and guidance. In the system of socialism with Chinese characteristics, fairness and justice are in fact very crucial internal requirements, also the important features for the creation of a harmonious society and the standard of value for the evaluation of a modern state. As a country with socialist system, China's course to its modernization and to a stronger country shows the superiorities of system of socialism with Chinese characteristics at first, and then achieves the distributive justice, which will be observed as a basic value and also be used to promote the sustained and dynamic development of the country, as well as its security and stability.

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