

Sacrifice remains a topic of interest for anthropologists, theologians, philosophers, and those engaged in comparative religion. In this essay I discuss the Confucius' understanding and practice of sacrifice not only to gain insight into the role that it plays in Confucian ethics, but also in order to further discussion regarding the viability of a Confucian way of life. In section one I discuss the historical evidence that gives us insight into the sacrifices performed by the ruling class of the Shang and Zhou dynasties and in the second and third sections I discuss the difficulty that this particularly violent tradition poses for Confucius' project and, more specifically, for his emphasis on social harmony. Ultimately, this problem is not fatal, however, in the final section I discuss a difficulty that must be addressed by those who hold that Confucianism presents a viable way of life for moderns, namely, the use of sacrifice—and ritual practice in general—to maintain a rigid social hierarchy.

I. Shang & Zhou Sacrifice

The purpose of this section is to paint a picture of sacrifice as it was practiced in the late Shang (1766-1122 BCE) and early Zhou (1122-256 BCE) dynasties. This is necessary since Confucius both inherited and advocated the practice of rituals (such as sacrifice, gift giving, funeral practices, and artistic performance) that were meticulously practiced in the royal courts of these and successive dynasties. The survey will not be complete since my purpose is not to study Shang and Zhou sacrifice per se, but to study Confucius' appropriation and modification of the tradition. Indeed, examining Shang and Zhou sacrifice in close detail would be redundant since much quality work has already been done on the matter.¹

There are two archaeological sources of Shang sacrifice, the pyromantic

inscriptions on cattle scapulas and turtle plastrons that were used in divination rituals and the remains of sacrificial victims found at Anyang (in modern northern Henan province). Taken together, these findings—along with information provided by historical documents—reveal much about Shang culture and the Shang conception of sacrifice.

Keightley has shown that divination played an essential role in the Shang elite's formation and maintenance of political power.² The king functioned as an intermediary between the secular and sacred realms and was seen as essential in ensuring the stability of the state. Divination through the use of animal bones provided knowledge of the will of deceased ancestors and gave the king insight into the unpredictable workings of the natural world. Further, sacrifice was linked with the divination process as sacrifices were often used—often in light of divinatory results—to influence the will of natural and supernatural spirits that could, to some degree, be controlled through the practice of ritual killing. The motivation behind divination and sacrifice was the same in that both were instrumental in imposing cultural order on the spiritual realm—divination giving insight into the future and providing access to the will of the ancestors and sacrifice providing a means for influencing their actions.

Sacrifices to the ancestors were essential for the king to perform since his power was seen as contingent upon their own. The Shang king could be held accountable by ancestors since he inherited and was ultimately responsible for the fate of their cultural legacy. Further, the relationship functioned reciprocally, for the ancestors relied on the king's sacrifices for their sustenance. Keightley notes that “the king depended upon his ancestors,” but “the ancestors depended for their strength upon the grain offerings, the flesh and blood of animal and human sacrifices, and the millet-wine libations that the

king offered to them.” Hence, “The more state wealth was devoted to sacrificial cult, the stronger the powers of the ancestral spirits and their descendents below appeared.”³ This relationship was enacted through a rigid sacrificial schedule that ensured that each ancestor receive a sacrifice on a specified day.⁴

The divination record also shows that the Shang sacrificed to the sun and wind, to mountains, rivers, and directional powers.⁵ The logic of the sacrifice remains the same in the sense that this practice is consistent with an economy that relied heavily on agriculture (largely the production of millet) and the domestication of animals. Here too, the sacrifice is used to establish a reciprocal relationship with spiritual powers, in this case, those that could determine the quantity and quality of crop yield.

Sacrifices to ancestors and natural spirits most often took three forms, *you* (酉彡) “splitting,” *liu* (劉) “cutting,” and *liao* (燎) burnt offering. In any case, a domesticated animal (usually a bovine, sheep, or pig) was killed in order to attract natural spirits to the place of sacrifice—either to the Shang capitol or to the place where the king happened to be—or to ensure that ancestors be nourished.⁶ Sacrifice entailed either splitting the animal so that the spirits could have access to the flesh blood or burning it so that the pleasing aroma may call the spirits from distance realms to the place of the sacrifice.⁷ The animals used in sacrifice were largely domestic varieties (the animals that the king caught on his hunting excursions were not used), a fact that some have taken as evidence for a symbolic connection between the human cultural realm and the animals that they had domesticated. More will be said on the matter in a moment.⁸

With regard to the occasions appropriate for sacrifice, it was mentioned that the Shang king followed a rigid sacrificial schedule that organized and structured the

sacrifice in a manner that allowed him to ensure that each ancestor be honored in a fashion that corresponded with his or her status. Further, sacrifices to natural spirits were performed especially when the king prepared for travel, for natural forces would determine the outcome of his journey.⁹ Sacrifices were also performed to influence the outcome of hunts and battles and were used to increase the significance of other cultural rituals including funerals and the dedication of buildings.¹⁰ Indeed, it can be seen that ritual killing was called for when there was any doubt concerning future events.

I have been discussing the details of Shang sacrifice, however, in many respects the overthrow of the Shang by the Zhou did not result in dramatic cultural change as the Zhou continued to practice many of the rituals performed by the Shang elite. Indeed, the Zhou too stressed that the ancestors be honored through sacrifice and otherwise maintained and clarified structures of power by ritually articulating a strict social hierarchy. In *Before Confucius: Studies in the Creation of the Chinese Classics*, Shaughnessy discusses the *Li gui's* (利簋) inscription that describes king Wu's (1049/45-1043 BCE) conquest of the Shang. The new king was compelled to justify his overthrow by arguing that the Shang had lost their authority since they no longer piously served the ancients nor cared for the common people. But, more specifically, upon defeating the Shang, king Wu sacrificed many (possibly thousands) captives and, along with sheep, dogs, and pigs to his ancestors. The Zhou king sacrificed Shang captives and domestic animals to his ancestors and to "the hundred spirits, the water, & the earth" in order to symbolically express his domination of the defeated.¹¹ King Wu's rhetoric justified the overthrow of the Shang and his sacrifice simultaneously celebrated an important military victory and expressed domination of foreign peoples. Indeed, the new king performed a

Shang style sacrifice in order to justify the overthrow of the Shang.¹² This tension between preserving established cultural practices and justifying social or political change, we will see, also concerned Confucius.

The *Li Ji* (禮記), a text of classical documents compiled in the Han Dynasty (206 BCE-220 CE), also describes important aspects Zhou sacrifice. We find passages that detail the manner of the king's sacrifices, the objects used in the performance of the rituals, as well as passages that describe the use of sacrifice to instantiate a social hierarchy.¹³ After surveying these texts, Kleeman argues that the Zhou were like the Shang in that

One's place in society was defined by one's position within a clan, which was, in turn, ordered on the basis of the members' sacrificial relationships to the clan ancestors. A hierarchical network of clans culminated in that of the ruling family and its sacrificial priest, the king. The king was the sole legitimate link to his deceased, divinized forebears, who owed their divine position to their own previous service as chief officiants at the state sacrifices.¹⁴

Further, the sacrificial feast played an important role in manifesting this hierarchy as it was thought that the offerings were sanctified and imbued with the ability to confer health, fortune, longevity, and social status upon those who consumed them. Kleeman writes that during the Zhou dynasty, "Sacrificial meats were regularly distributed among members of the nobility and officers of the state, who would share them with their subordinates and retainers. The mere display of such a potent power implied social status."¹⁵ This practice illustrates the use of sacrifice (and ritual in general) to demarcate social difference, for only the nobles and their associates had access to the state sacrifices which dealt with the most powerful spiritual beings.

This section has shown that the Shang sacrificial tradition was intertwined with a segmentary state and a belief in the potency of the ancestors and the spirits of the natural world. Shang and Zhou sacrifice manifested a social hierarchy and was instrumental in expressing the political and religious power of the ruling family. Further, as Keightley has argued, sacrifice was an important component of the Shang “bureaucratic management of experience” in that the hierarchical, contractual, and routine nature of the sacrificial schedule ordered experience by rendering it, to some extent, predictable.¹⁶ It was also shown that the Zhou absorbed this tradition by continuing to see sacrifice as performing a legitimizing function and as necessary for the articulation of a clearly defined social hierarchy.

II.

I would like to begin this section by considering Mark Edward Lewis’ argument that the Shang and Zhou practice of sacrifice, hunting, and warfare were interrelated components of an elite state-building endeavor. He writes that “To take life and offer it up on the altars were the defining actions of the political realm, and the rulers of men were those who engaged in hunting and warfare, and then presented the fruits of their prowess to the ancestors and the gods.”¹⁷ The two points that support this observation are the necessity of “feeding” the honor of the ancestors through political and geographical expansion and the actions of a warrior aristocracy who sanctioned the forms of ritual killing that were seen as instrumental to this end. Since we have already discussed the former point, it is the latter that concerns us here.

Lewis argues that warfare and the hunt were intertwined in that they both utilized instruments that were produced by the Shang bronze industry, both entailed taking life

and expressing power, and both were used to procure subjects for human sacrifice—hunt and warfare both subdued individuals who were ultimately killed on the altars that anchored the Shang state to its geo-political center.¹⁸ He also observes that sanctioned killing functions generally as an objective marker of social significance and relations of power since dead bodies attest to the ability of the elite to subdue others. Indeed, the abundance of sacrificial victims buried in the royal tombs at Anyang attest to the social status of the deceased and simultaneously distinguishes him or her from those buried with few or no victims.

Further, Lewis observes that sanctioned violence is instrumental in creating and defining social groups. With regard to animals, even though the king hunted wild species on his hunting expeditions, the domesticated animal was most often used in sacrifices. The victim appropriate for state sacrifice must be domesticated since such status highlights a distinction between “wild” and “domestic.” Warfare and human sacrifice was also instrumental in delineating cultural identity by drawing a distinction Shang and non-Shang. These practices magnify social distinctions internally and externally by disclosing appropriate action within the context of the hierarchy and by magnifying biological and/or cultural difference. The subordination of the other solidifies one’s position in the social hierarchy and demarcates which groups fall outside of the hierarchy altogether. As others have argued, violence characteristically produces personal and cultural identity as it manifests a clear relationship of power of one over another.¹⁹

I discuss Lewis’ argument in this context since it poses a difficulty for Confucius’ project. This is because the relational ethic that Confucius advocates is contingent upon the diligent practice of ritual or *li* (禮) and since the end that ritual practice ideally brings

about—social harmony (*he*, 和)—is to be realized via an instantiation of a social hierarchy that allows individuals to clearly understand the roles that they play as well as the web of social relations that they participate in.²⁰ Of course, much historical violence—whether it take the form of sacrifice or warfare—has been justified by appealing to the peace and harmony that it will produce, however, as we will see, this justification is not available to Confucius since he rejects warfare and violence in general. In the next section I will examine the passages in the *Lunyu* (論語, the Confucian *Analects*) that demonstrate Confucius’ stance on sacrifice in order to preface a response to the problem.

III.

The relevant passage can be divided into three categories. The first category is composed of passages in which Confucius stresses that sacrifice, when practiced correctly, has the capacity to establish a peaceful state. In 1.9 it is suggested that proper state sacrifice provides a standard of social harmony that the common people will naturally strive to emulate. 2.5 connects sacrifice with the virtue of “filial piety” (*xiao*, 孝) and reiterates the point that sacrifice—as a form of ritual propriety—is the proper method of relating to and supporting one’s parents after they die. 3.12 echoes a point made elsewhere in the *Lunyu* that rituals should not be performed mindlessly but should instead be performed with attention to detail and with a clear awareness of the social significance of the act. Confucius states that “If I myself do not participate in the sacrifice, it is as though I have not sacrificed at all.” One should not simply “go through the motions” when performing a ritual since doing so, on this account, undermines its social efficacy. Lastly, in 3.17 one of Confucius’ disciples—presumably in an attempt to demonstrate his thrift-

mindedness—suggests that the sacrifice of a sheep during the New Moon ceremony be dispensed with since it is a needless waste. Confucius however, replies: “You grudge the sheep—I, ritual propriety (*li*).” Here, the social significance of the New Moon Ceremony trumps the instrumental value of the sheep.

A subdivision of this category of passages is composed of passages in which Confucius engages in sacrifice himself, that is, they reveal Confucius putting his beliefs into practice. In 10.9 we learn that after participating in public sacrifices, he would not keep his portion of the meat for a second day, presumably because the meat would have lost its ability to bestow good fortune. In 10.11 we learn that before eating even a simple meal he would invariably make an offering and would do so solemnly. Similarly, in 10.18 we learn that “when his lord made a gift of raw meat, he would invariably cook it and make a display of it to his ancestors.” Lastly, in 10.23, it is noted that Confucius would not bow upon receiving gifts from friends *unless* it was a gift of sacrificial meat (*ji rou*, 祭肉). These passages demonstrate that Confucius took part in state sacrifices and sacrificed to his ancestors and, more generally, understood sacrifice as instantiating a social hierarchy. This is demonstrated as Confucius defers to his superiors by sacrificing, whether the superiors are his ancestors or the leaders of his state.

The second category is composed of passages in which Confucius explicitly criticizes the inappropriate performance or use of sacrifice. Again, this is grounded in the belief that sacrifice is a form of ritual and Confucius on many occasions criticizes improper ritual practice especially as enacted by members of Ji clan—the ruling family of his state of Lu. Confucius believed that seemingly minor mistakes were egregious errors not only because he believed that rituals weave the fabric of culture, but also because the

rituals performed by the ruling family functioned as the standard upon which all other rituals were modeled. He also criticizes the Ji clan for performing their sacrifices incorrectly, that is, for not paying enough attention to historical precedent.²¹ Finally, he criticizes those who sacrifice to ancestral spirits other than their own since to do so is an attempt to win the favor of others and to deny the connection between sacrifice and one's family.²²

Before considering the third category of passages I would like to again consider the problem that Confucius faced, namely, the seeming incompatibility of sacrifice as means to social harmony and the violence that characterizes the sacrifice. Now, the violence is not problematic in the sense that it entails the ritual killing of animals since Confucius was not concerned about animals (and the natural world, generally) but instead focused his attention primarily upon the human.²³ In other words, the violence implicit in the ritual killing of sheep, cattle, and pigs is not contrary to the social ends that the ritual serves since ritual is a human affair. However, the connection between sacrifice and the practices of hunting and warfare remains problematic, for Confucius appropriated and revered a tradition that construed sacrifice (and, more specifically, human sacrifice) as an appropriate form of ritual killing. Again, Shang and Zhou sacrifice was intertwined with warfare and the hunt since those activities provided humans victims for sacrifice and allowed them to symbolically express state power. The tradition that Confucius appropriated and advocated is one that measured success in terms of the destruction of both animal and human life. Further, it is the ancestors who demanded such destruction since they depended upon sacrifice and because "feeding" their honor entailed conquering other peoples, taking land, and so on. As Keightley argues, the belief that the

maintenance of the dynasty and the maintenance of the royal cult were inseparable provided the Shang with a strong motive to increase their material prosperity and military power.²⁴ One best honors the ancestors by taking life and, further, both quantity and quality of life taken is proportional to the amount of reward that will be received, that is, the greater the appropriation and sacrifice, the greater the reward and vice-versa. Shang and Zhou sacrifice is at odds with Confucius' relational ethic since it entails that violence be enacted so that the ancestors and the kingdom be sustained. It is at odds with an ethic that holds that violence is anathema to social harmony.²⁵ In a state that scrupulously practices the *li*, there will be no violence and, indeed, there will be no need for legal punishment since the people will, upon erring, correct themselves.

At this point, two elements of Confucius' ethic must be discussed, that is, his knowledge of Shang and Zhou sacrifice and his historical revisionism. There is a question regarding Confucius' understanding of Shang and Zhou sacrifice, for the historical record to which he had access was far from complete. Indeed, our understanding of sacrifice in early China is comparatively more complete since we have access to a growing amount of archaeological and zooarchaeological research.

Regardless, in 3.11 someone asks Confucius for an explanation of *Di* (禘) imperial ancestral sacrifice and he replies, "I don't have one. Anyone who did know how to explain it could rule the empire as easily as having it here" as he pointed to the palm of his hand. This lack of clarity is also expressed in 3.9 when the Master expresses his frustration about inadequate historical documentation and in 15.26 when he notes that one encounters places where "scribes have given us problematic text."²⁶

The second point for consideration is Confucius' idealization of the past that often

takes the form of extolling the actions of paradigmatic individuals. Not unlike the Daoists, Mohists, and Legalists, Confucius turned to the past to find historical exemplars that perfectly embodied the virtues that are essential for the practice of his ethic. The three sage-kings, Yao, Shun, and Yu were seen as the mythical founders of Chinese culture. Yao (堯) is credited with creating the calendar, developing rituals and music, and establishing the basic structure of government. He chose Shun (舜) as his successor because Shun remained unflinchingly pious to his parents even when they mistreated him and spoiled his worthless half-brother. Finally, Yu (禹) was traditionally considered to be the founder of the Xia dynasty (2205-1766 BCE), the predecessor of the Shang, and is credited with overseeing the first successful state efforts at flood control.²⁷ Lastly, Confucius also lauds the behavior of the brothers Bo Yi (伯夷) and Shu Qi (叔齊) who were royal princes in a state loyal to the Shang. Instead of serving the Zhou, who they saw as an illegitimate regime established through the use of brute force, the brothers decided to live in isolation—and ultimately to starve—at the foot of a mountain.²⁸

These two points lead me to conclude that Confucius did not see the violence of the sacrifice as problematic. It is doubtful that he saw the connection between his practice of sacrifice and the historical tradition from which it originated since the historical record to which he had access was largely incomplete and since he consistently idealized the past. With our current understanding of Shang and Zhou sacrifice in hand it is difficult to reconcile Confucius comment that “if I do praise people, you can be sure they have proven themselves to be worthy of it. It is because of such people that the Three Dynasties—Xia, Shang, and Zhou—steadfastly continued on the true path (*dao*, 道) (15.25).” This is not to say that the Three Dynasties lacked virtuous individuals, but it is

to say that Confucius did not know that the histories of the Three Dynasties were filled with much ritual killing and, more specifically, human sacrifice.²⁹ For these reasons Confucius can be defended on epistemic grounds.

This returns us, then, to the last collection of passages in the *Lunyu*, those in which Confucius expresses a concern about the performance of sacrifice. There are three related passages that concern us: 6.22, 7.21, and 11.12. In the first he states that “To devote yourself to what is appropriate for the people, and to show respect for the ghosts and spirits while keeping them at a distance can be called wisdom.” That is, it is wise to devote oneself to what is appropriate in one’s dealing with the living, where “appropriate” (*yi*, 義) means acting in accord with the dictates of ritual propriety. The connecting thread between the two clauses is “respect” (*zun*, 尊) since respect is enacted through ritual propriety. For example, acting appropriately towards one’s parents entails acting deferentially in a way that honors them not only for being one’s superiors but also for giving one the gift of life.

The key difference between the clauses is the notion of “distance” that should be characteristic of one’s interactions with the ghosts and spirits.³⁰ Why must one keep them at a distance? Taken together, 7.21 and 11.12 provide an answer. In the former, a disciple reports that “The Master had nothing to say about strange happenings, the use of force, disorder, or the spirits.” 11.12 clarifies the matter further. When a disciple asks how to best serve the ghosts and spirits the master replies “Not yet being able to serve other people, how would you be able to serve the spirits?” Again, we have the question of service framed in terms of spirits and other human beings however, priority is placed on the latter as Confucius encourages his disciple to first consider his treatment of the

living before he concerns himself with piously serving the spirits.

This marks Confucius' secular turn and is part of his more encompassing project of demonstrating the importance of ritual practice, not only for the ruling elite (although this remains important) but also for the common people. On this account, social harmony cannot be brought about unless *everyone* follows the dictates of ritual propriety. Hence, Confucius' comment that in a good state "The ruler must rule, the minister minister, the father father and the son son (12.11). This secularization not only broadens the scope of the *li*, but also shifts attention away from the supernatural and focuses it on the human or cultural realm. To be sure, there is a cloud of mystery that surrounds ghosts, natural spirits, and distant ancestors that does not characterize one's day-to-day interactions with others.

The question then becomes whether or not this secular turn mitigates the violence of the sacrifice. It does not, since Confucius consistently upholds the value of the ritual: we have seen him assert that state sacrifices must be performed and must follow traditional standards. Further, even though his ethic stresses the formation and development of social relationships, it would seem that sacrificing to one's ancestors is a way of remaining filial even after one's parents die. On a historical note, Confucius' emphasis on the secular aspects of sacrifice and his unwillingness to discourse about spirits and ghosts began a trend that was developed by the later Confucians—Mencius and Xunzi (Hsun-tzu). Mencius argues that if sacrifices to the spirits of land and grain have been performed correctly and appropriately and drought continues unabated, then those spirits should be changed and "others appointed in their place."³¹ Xunzi stresses that the function of sacrifice is not the ritual killing but the expression of the emotions that are

“stirred by remembrance and recollection of the dead” and encourages one to think of and long for the departed.”³² For Xunzi, this was why the ancient sage-kings developed the practice. However, with this said, it is clear that ritual killing of animals was important for Confucius since the practice was linked to the sacrifices of the idealized figures of the Three Dynasties, since sacrifice was seen as a method of enacting filial piety and, more generally, since sacrifice, like all ritual action, was necessary for maintaining a clear social hierarchy.

Hence, even though Confucius refrains from talking about the spirits and stresses the secular function of sacrifice, it seems that the sacrifice is not inconsistent with his relational ethic since it is not at odds with the social ends that he espouses.

IV.

There are several theories of sacrifice that express concern about the violence characteristic of the ritual as well as the beliefs that contextualize and justify it.³³ This paper cannot do justice to that body of work, however, I would like to briefly consider an argument given by Nancy Jay in order to address a difficulty that must be addressed by those who argue that the Confucian tradition provides a viable way of life for moderns.

In *Throughout Your Generations Forever: Sacrifice, Religion, and Paternity*, Jay examines an array of sacrificial traditions in order to support her argument that sacrifice has been utilized by many cultures to ensure intergenerational continuity.³⁴ More specifically, this continuity is tied to particular forms of economic production since lineage organization ensures that control is maintained over inheritance and “productive property such as farmland and livestock herds, and also of gainful monopolized skills, including priestly skills and political office.”³⁵ Sacrifice is emphasized in pre-industrial

cultures in which rights and durable property are highly valued since the sacrifice symbolically unites the broader agricultural economy with a social hierarchy.

Jay continues by noting that the social hierarchy has most often been framed in terms of patrilineal descent, that is, the link that connects generations is construed as that between fathers and sons. Biology does not necessarily ensure the perception of this link by individuals however, and sacrifice, along with other religious rituals, manifests the intergenerational link by providing “clear evidence of social and religious paternity.”³⁶ The sacrifices performed by ancestor cults ritually index “patrilineage boundaries (keeps the difference between members and non-members) by distinguishing between those who have rights to participate and those who do not, and at the same time extends the temporal continuity of the lineage beyond its living members to include the dead.”³⁷ Indeed, this remark reminds one of the ancestor cult of the Shang as well as the Shang king’s expression of power through acting as intermediary between his people and his potent royal ancestors.

But is this analysis relevant for Confucius’ account of sacrifice? Of course, as a low-level minister of the state, Confucius would not have participated directly in sacrifices to the royal family, however, the sacrifices that he practiced and advocated remained framed in terms of patrilineal descent, for only men could perform them.³⁸ More generally, the social hierarchy rooted in a feudalistic economy and advocated by Confucius demands that appropriate sacrifice always refer to the relevant authority, whether the head of a household, representative of a clan, or the king. His comment about sacrificing to ancestors other than one’s own and his condemnation of the Ji clan’s inappropriate sacrifice on Mount Tai (*TaiShan*, 太山) illustrates this, for these sacrifices

were judged inappropriate not only because they are poorly disguised pursuits of personal gain, but also because the right to sacrifice is contingent upon one's place in the social hierarchy. The regulation of sacrifice consequently becomes important for the later Confucians since inappropriate sacrifices usurp sacrificial authority and the social hierarchy more generally.³⁹ Hence, Jay's argument is relevant since sacrifice is used in this tradition to exhibit social and religious paternity. The sacrifice is problematic since it is grounded in structures of power that strike moderns as unjust. This is especially problematic for those who argue that Confucius' approach is compatible with feminist ethics and, indeed, any who hold that the way of life outlined by Confucius remains relevant must take his stance on sacrifice fully into account.⁴⁰

There are two interrelated strategies for rendering Confucius compatible with contemporary feminist thought. They include detailed analysis of the virtues espoused by Confucius and downplaying his emphasis on the *li* and the social hierarchy that practicing them instantiates. With regard to the first, it is argued that the Confucian virtue of *ren* (仁) is compatible with a feminist ethics of care since it entails acting benevolently and kindly to all human beings and, similarly, it is argued that practice of the virtue of *shu* (恕) or "sympathetic understanding" fosters benevolent treatment of others since it entails developing one's moral imagination and/or learning how to put oneself in another's shoes.⁴¹ Humanitarian concern and sympathetic understanding are compatible with a feminist ethic since putting them into practice would entail extending equal moral concern to individuals regardless of their gender or socio-economic status.

The difficulty with such accounts is that they either downplay or ignore Confucius' adamant stance on the practice of ritual. For example, after noting that

servants and women were not educated on the intricacies of ritual action, Wawrytko goes on to argue that women were not prevented from entering Confucius' school "because of any innate deficiencies, but rather because of socially imposed restrictions."⁴² These included the inner/outer (*nei*, 内 /*wai*, 外) gender-based division of labor between women and men that determined that women were to work within the home and men to work in the public sphere. Further, Chengyang Li argues that the virtue of *ren* takes priority over ritual action and that being ethical is not a matter of following the actions prescribed by ritual action.⁴³

However, the socially imposed restrictions and the inner/outer division of labor described by Wawrytko were manifested through the performance of ritual. As discussed, the sacrifice was an affair of men as were all of the rituals that characterized public life and we have seen that Confucius stressed that ritual is necessary for the manifestation of social distinctions and ultimately the realization of social harmony. Indeed, there is only one questionable instance in which Confucius makes a negative remark about women, but there are countless instances in which he emphasizes the necessity of ritual practice and the instantiation of a clear social hierarchy.⁴⁴ Secondly, Li's point that *ren* and the other Confucian virtues take precedence over ritual action ignores the fact that the virtues are only realized once ritual has been mastered. That is, humanitarian concern (*ren*, 仁), sympathetic understanding (*shu*, 恕), loyalty (*zhong*, 忠), and filial piety (*xiao*, 孝) all originate in the diligent practice of ritual.⁴⁵ One's realization of them in adult life is only possible if one absorbs the *li* in early childhood.

With this said, there remain two interrelated alternatives that the advocate of compatibility may put forth, that is, it can be suggested that Confucius' revisionism sets a

precedent for the modification of ritual or it may be suggested that ritual need not manifest a social hierarchy. With regard to the former, Li Yu-ning suggests that Confucius' belief that the rules of ritual propriety should be adjusted to changing times and circumstances sets a precedent for changes concerning the traditional roles of men and women.⁴⁶ Perhaps then, the rules of proper sacrifice could be adjusted so that they do not so blatantly manifest patriarchal power. With regard to the latter, in his essay "Feminism as Radical Confucianism: Self and Tradition," Joel J. Kupperman suggests that "there is no clear reason to suppose that a deferential society is required for there to be a sense of ritual" and goes on to argue that the hierarchical roles and gender relations characteristic of classical Confucianism can be disposed of without disregarding the essential ethical insights of the tradition.⁴⁷ If this is the case, then sacrifice would retain its social value even if it were purged of its emphasis on deference and a social hierarchy of roles. Hence, the first reply agrees that ritual is essential for Confucianism, but suggests that a justification for modification can be grounded upon Confucius' revisionism and the latter holds that ritual itself is not necessarily paternalistic in nature and that a sense of ritual could remain even specific rituals manifested egalitarian values.⁴⁸

Confucius emphasized that one should not blindly follow rules, but must actively consider how they should be applied in different contexts. He held that certain rituals may be modified just as long as the social meaning of the ritual is not lost in the process. In 9.3 he observes that frugality may be taken into consideration when observing ritual propriety, however, he goes on to point out that the tradition of bowing before ascending the stairs that lead to a hall and bowing before entering had been changed so that one

only need bow before one ascends. He concludes, “Although it goes contrary to accepted practice, I still kowtow on entering the hall.” One is also reminded here of his reply to his disciple (“You grudge the sheep—I, ritual propriety”) concerning the sacrifice needed to complete the New Moon Ceremony since he holds that the essence of the sacrifice must be preserved. This raises the question of whether or not the sacrifice could be preserved if it were modified in the sense that it was disconnected from any gender-based division of labor or “inner”/“outer” division of social space. The answer is “no” for the reason that the presentation, renunciation, and destruction of a sacrificial object need not be framed in terms of such divisions. Such a modification would not undermine the social value of the sacrifice since there is no inherent connection between the elements of the ritual and gender.⁴⁹ That is, the social value of the sacrifice would not be undermined since anyone, regardless of gender, is capable of feelings of respect and gratitude and cultivating the virtue of filial piety. This leads us to the second alternative.

Kupperman is correct in observing that there are many rituals of daily etiquette that are egalitarian in nature in that they are not contingent upon hard and fast distinctions between men and women or, more generally, superiors and inferiors. However, sacrifice stands out from these rituals since it is grounded upon disparate relationships such as those between the divine and the human, parent and child, and old and young. Of course, it could be argued that since sacrifice is a particularly archaic and un-egalitarian ritual it should be dismissed however, the difficulty with this is the subsequent dismissal of the hierarchical relationships that the sacrifice (and other deferential rituals such as gift giving and funerals) manifests. Again, this raises the question of whether or not ritual can be divorced from its un-egalitarian elements while still retaining its social value.

Confucius (and the tradition that he adopted) held that ritual propriety is necessary for enacting deferential relationships and that such relationships are necessary for the realization of social harmony. We have seen that the sacrifice acknowledges the dependence of the performer on ancestors or natural spirits and this acknowledgment is seen as necessary for clarifying their respective roles. Confucius emphasized proper sacrifice not only because performing the ritual instilled important sentiments such as respect but also because the performance demonstrated social authority to the surrounding community. Internally, sacrifice is essential for developing a sense of respect and gratitude for the debts that one owes one's ancestors, parents, and cultural traditions. Externally, sacrifice clarifies one's place within a social hierarchy and demonstrates one's filial piety to others.⁵⁰

This leads me to conclude that sacrifice cannot be separated from a hierarchy of social roles since it is intimately connected with sentiments and virtues that correspond to those roles. It also leads me to conclude, against Kupperman, that one cannot dismiss un-egalitarian rituals since they are tied to the virtues that are essential for a Confucian way of life. Again, this is clear with filial piety since, on the Confucian account, one's relationship with one's parents can never be egalitarian in nature. However, the same can be said of other key virtues including sympathetic understanding (*shu*), loyalty (*zhong*), and wisdom (*zhi*, 智).⁵¹ Hence, sacrifice and ritual propriety need not favor a particular gender however, they cannot be divorced from a hierarchy of social roles that entails distinctions between superiors and inferiors since doing so would undermine virtues central to Confucian ethics. Those who argue for the compatibility of feminist and Confucian ethics must consequently investigate whether or not the Confucian emphasis

on deference and social roles meshes with a feminist approach and, more generally, those who advocate a Confucian way of life must consider what role deference will play in cultures that champion egalitarianism.

References:

- 1 – For example, see David N. Keightley, *The Ancestral Landscape: Time, Space, and Community in Late Shang China*. Berkeley: University of California, 2000, Mark Edward Lewis, *Sanctioned Violence in Early China*. Albany: State University of New York Press, 1990, Terry F. Kleeman, “Licentious Cults and Bloody Victuals: Sacrifice, Reciprocity, and Violence in Traditional China,” *Asia Major* 7, no. 1 (1994), pp. 191-197, “Some Sacrifices in Chou China,” *Bulletin of the Museum of Far Eastern Antiquities* 40 (1968), pp. 1-32, and Yuan Jing and Rowan Flad, “New Zooarchaeological evidence for changes in Shang Dynasty Animal Sacrifice,” *Journal of Anthropological Archaeology* 24 (2005), pp. 252-270.
- 2 – See *Sources of Shang History: The Oracle-Bone Inscriptions of Bronze Age China* (*Campus*, No 335). University of California Press, 1985.
- 3 – Keightley (2000), p. 213.
- 4 – For more on the Shang sacrificial calendar see David N. Keightley, “The Religious Commitment: Shang Theology and the Genesis of Chinese Political Culture,” *History of Religions* 17, no. 3/4 (Feb.-May, 1978), pp. 211-225. Also see Keightley (2000), pp. 37-54. I stress reciprocity here since it underlies the logic of ritual action in general, whether sacrifice, gift exchange, or daily etiquette. More will be said on the matter in a forthcoming essay.
- 5 – Sun, wind, mountains, directional powers.
- 6 – Inscription 31 has “This Evening we make burnt offering (*liao*)” and inscription 36 has “On the coming *yihai* (day 12), we will *you*-cut to Xia Yi fifteen dismembered victims and will split open (*liu*) ten penned sheep.” See Keightley

(2000), p. 30, 32 and xiii, xiv for a methodological note pertaining to the translation of the record.

- 7 – Zooarchaeological evidence also demonstrates that the Shang would bind domesticated animals and bury them alive. Such sacrifices were often used to consecrate the foundations of buildings. For more on this practice see Yuan Jing and Rowan Flad (2005).
- 8 – For more on the hunt and the relationship between the hunt and sacrifice see Magnus Fiskesjo, “Rising From Blood-Stained Fields: Royal Hunting and State Formation in Shang China,” *Bulletin of the Museum of Far Eastern Antiquities* 73 (2001), pp. 48-191. Also see Valerio Valeri, “Wild Victims: Hunting as Sacrifice and Sacrifice as Hunting in Huauhuacau,” *History of Religions* 34, no. 2 (1991), pp. 101-130.
- 9 – See Mark Edward Lewis (1990), pp. 23, 187-194 and Keightley (2000), pp. 86-91
- 10 – See Mark Edward Lewis (1990), pp. 15-28.
- 11 – Albany: State University of New York Press, 1997, pp. 31-68.
- 12 – For archaeological evidence regarding human sacrifice see Yuan Jing and Rowan Flad (2005), pp. 255-264. For more on Zhou sacrifice and the connection between Shang and Zhou sacrifice see Bernhard Karlgren, “Some Sacrifices in Chou China” in the *Bulletin of the Museum of Far Eastern Antiquities*, 40:1968, 1-31.
- 13 – F. Maxmuller (ed.), *Sacred Books of the East The Sacred Books Of China: The Texts of Confucianism, The Li Ki* (two volumes), translated by James Legge. Delhi: Motilal Banarsidass, 1966. Regarding the instantiation of a social hierarchy see pp. 203-208, 245. Regarding the symbolic value of the objects used in the sacrifice see pp. 217-218, 434. For an excellent summary of the account of sacrifice

given in the *Li Ji* see Thomas A. Wilson “Sacrifice and the Imperial Cult of Confucius” *History of Religions* 41, no. 3 (Feb., 2002), pp. 253-259.

14 – Kleeman (1994), p. 187.

15 – Kleeman (1994), pp. 189-90.

16 – Keightley (1978), 214-216.

17 – Mark Edward Lewis (1990), p. 28.

18 – Mark Edward Lewis (1990), p. 21 and Fiskesjo (2001), pp. 143-145.

19 – See Mark Edward Lewis (1990), pp. 1-7. Also see Walter Burkert, Rene Girard, and Jonathan Z. Smith, *Violent Origins: Ritual Killing and Cultural Formation*, Robert G. Hamerton-Kelly (ed.). Stanford: Stanford University Press, 1987.

20 – See *Analects* 1.12, 1.13, 1.15, 2.5, 2.23, 3.4, 3.15, 3.19, 3.22, and 4.13 for more on ritual action. For more on social harmony see Li Chenyang, “The Confucian Ideal of Harmony” in *Philosophy East and West*, 56:4 (2006), pp. 583-603. I should say that in this essay I will be referring to *The Analects of Confucius: A Philosophical Translation*, translated by Roger T. Ames and Henry Rosemont, Jr. New York: Ballantine Books, 1998.

21 – See *Analects* 3.6, 3.10.

22 – See *Analects* 2.24.

23 – For a discussion of this issue see Ruiping Fan, “A Reconstructionist Confucian Account of Environmentalism: Toward a Human Sagely Dominion Over Nature,” *Journal of Chinese Philosophy*, Volume 32, no. 1 (March 2005), pp. 105-122.

24 – Keightley (1978), p.213.

25 – See *Analects* 7.13, 7.21, and 15.1.

- 26 – Confucius references such classics as the *Odes* (*Shi-Jing*, 詩經) in 1.15, 3.2, 3.20 and 17.10, the *Book of Documents* (*Shu-Jing*, 書經) in 14.40 and the *Book Changes* (*Yi-Jing*, 易經) in 13.22. The *Odes* is a collection of rhymed verse derived from early folk songs and ceremonial incantations. The *Book of Documents* is generally thought to include genuine Zhou dynasty writings that include pronouncements given by important political figures. Lastly, the *Book of Changes* is thought to have originated in the early divinatory record and has been appended by the sages who could penetrate its depths. With regard to the *Di* sacrifice, Keightley (2000, p. 70, note 43) observes that the ritual was used in requests for rain, for pacifying wind and locusts, and for fruitful harvests. The “lesser *di* ritual” entailed sacrificing to directional powers or “Wu.” For instance, #95 has: “On *guihai* (day 60), divined: ‘Today (we) will perform the lesser *di* ritual to the Wu, (with) boars—one, dogs—one (*ibid.*, p. 73).”
- 27 – Yao and Shun are referred to in *Analects* 6.30, 8.18, and 15.5. Yu is mentioned in 8.21.
- 28 – The brothers are mentioned in *Analects* 7.15 and 16.12.
- 29 – Mark Edward Lewis (1990) discusses human sacrifice and cannibalism on pages 26-28, 206-209 and 148, 173-174, respectively.
- 30 – In the *Analects*, the term for “ghosts” is *gui* (鬼) while that used for “spirits” is *shen* (神). Taking the *Analects* alone, the distinction is not clear. As will be discussed in a moment, *gui* is more than likely associated with human beings while *shen* is associated with those beings with a high degree of power, e.g. the spirits of the natural world and those of long dead ancestors. See Legge, *Confucius: Confucian*

- Analects, The Great Learning and The Doctrine of the Mean*. New York: Dover, 1977, pp. 240-241, footnote 11.
- 31 – James Legge (trans.), *The Works of Mencius*. New York: Dover, 1970, 4B2:25, pp. 330-331.
- 32 – John Knoblock and Zhang Jue (trans.), *Xunzi*. Foreign Language Press, 1999, 19.22.
- 33 – I refer the reader again to Burkert et al. (1987). See Walter Burkert, *Homo Necans: The Anthropology of Ancient Greek Sacrificial Ritual and Myth*. Peter Bing (trans.), Berkeley: University of California Press, 1983. Also see George Bataille, *Theory of Religion*. Robert Hurley (trans.), New York: Zone Books, 1992, 17-64.
- 34 – Chicago: University of Chicago Press, 1992.
- 35 – *Ibid.*, p. 34.
- 36 – For more on this see Meyers Fortre, “The Structure of Unilineal Descent Groups,” *American Anthropologist* 55 (1953), pp. 17-41.
- 37 – Jay (1992), p. 34.
- 38 – See Fangin Du, “The Rise and Fall of the Zhou Rites: A Rational Foundation for the Gender Relationship Model,” chapter 4 of *The Chalice and the Blade in Chinese Culture*. Beijing: China Social Sciences Publishing House, 1995, pp. 178-180. Also see David L. Hall and Roger T. Ames, *Thinking From the Han: Self, Truth, and Transcendence in Chinese and Western Culture*. Albany: State University of New York Press, 1998, pp. 79-102.
- 39 – See Kleeman (1994) p. 193-196.
- 40 – For example see Sandra A. Wawrytko, “Kongzi as Feminist: Confucian Self-Cultivation in a Contemporary Context,” *Journal of Chinese Philosophy*, 27:2

(June, 2000), pp. 171-186 and Chenyang Li, “The Confucian Concept of Jen and the Feminist Ethics of Care: A Comparative Study,” *Hypatia* 9, no. 1 (Winter 1994), pp. 70-89.

41 – See Wawrytko (2000), pp. 179-183 and Li (1994), pp. 71-75.

42 – Wawrytko (2000), p. 176.

43 – Li (1994), p. 76.

44 – See Wawrytko (2000), pp. 174-175 and Li (1994), p. 83.

45 – For more on this point see Karyn Lai “*Li* in the *Analects*: Training in Moral Competence and the Question of Flexibility,” *Philosophy East and West* 56, no. 1 (January, 2006), pp. 69-83. Also see her “Confucian Moral Cultivation: Some Parallels with Musical Training” in King-chong Chong, Sor-hoon Tan, and C.L. Ten ed., *The Moral Circle and the Self*. Chicago and Las Salle: Open Court, 2003, pp. 107-139.

46 – ed., *Chinese Women Through Chinese Eyes*. Armonk: M.E. Sharpe, Inc., pp. 102-122.

47 – in Chenyang Li ed., *The Sage and the Second Sex*. Chicago and La Salle: Open Court, 2000, p. 50, 51-55.

48 – Kupperman suggests that this would entail emphasizing rituals that do not manifest deference (such as door-holding) and goes on to argue that “the persistence of rituals in our society is evidence to the contrary (p. 50).”

49 – One could also point out that there are (albeit few) instances in the historical record in which we find women participating in divination and sacrifice. See Keightley (2000), p. 104.

50 – I am not going to address the question of whether or not distinct social roles are necessary for the realization of social harmony, but will remain satisfied with the moral argument that they are necessary for the embodiment of Confucian virtues. Of course, the Confucian position is that clear social roles are necessary for the development of a socialized self. For more on this see David L. Hall and Roger T. Ames, *Thinking Through Confucius*. Albany: State University of New York Press, 1987, pp. 71-89. Also see, Hall and Ames (1998), pp. 23-43.

51 – For a discussion of the relationship between *li*, *shu*, and *zhong* see Phillip J. Ivanhoe, “Reweaving the ‘One Thread’ of the Analects” in *Philosophy East and West* 40, no. 1 (January, 1990), pp. 17-33. It can be argued that wisdom (or *zhi*) is a product of the deferential relationship between teacher and student and/or student and tradition. For more see Eric C. Mullis, “The Ethics of Confucian Artistry” forthcoming in the *Journal of Aesthetics and Art Criticism* (Winter 2006).