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An Overlooked Dimension of Intergenerational Justice? A Note on Filial Piety in the Age of the Ecological Crisis

There is a picture by Klee called *Angelus Novus*.
It shows an angel who seems about to move away from something he stares at.
His eyes are wide, his mouth is open, his wings are spread.
This is how the angel of history must look. His face is turned toward the past.
Where a chain of events appears before *us*, *he* sees one single catastrophe,
which keeps piling wreckage upon wreckage and hurls it at his feet.
The angel would like to stay, awaken the dead, and make whole what has been smashed.
But a storm is blowing from Paradise and has got caught in his wings;
it is so strong that the angel can no longer close them.
This storm drives him irresistibly into the future to which his back is turned,
while the pile of debris before him grows toward the sky.
What we call progress is *this* storm.
Walter Benjamin¹

If written in German, the title of this essay would be Erinnerung und Innehalten. I had to choose a different heading, since the English language has no equivalents (neither has Chinese) for the German words Erinnerung — remembrance, commemoration — and innehalten — take pause, halt, stop — that would make the relation which will be my topic similarly audible and visible: the relation between remembering the dead and halting the ravaging of the earth, as a possible timely expression of the Chinese virtue of xiao — filial piety.

Immanuel Kant writes in his programmatic essay of 1784, “Answer to the question: What is Enlightenment?”, the following:

1 Benjamin 2006, 392 (“Es gibt ein Bild von Klee, das Angelus Novus heißt. Ein Engel ist darauf dargestellt, der aussieht, als wäre er im Begriff, sich von etwas zu entfernen, worauf er starrt. Seine Augen sind aufgerissen, sein Mund steht offen und seine Flügel sind ausgespannt. Der Engel der Geschichte muss so aussehen. Er hat das Antlitz der Vergangenheit zugewendet. Wo eine Kette von Begebenheiten vor uns erscheint, da sieht er eine einzige Katastrophe, die unablässig Trümmer auf Trümmer häuft und sie ihm vor die Füße schleudert. Er möchte wohl verweilen, die Toten wecken und das Zerschlagene zusammenfügen. Aber ein Sturm weht vom Paradiese her, der sich in seinen Flügeln verfangen hat und so stark ist, dass der Engel sie nicht mehr schließen kann. Dieser Sturm treibt ihn unaufhaltsam in die Zukunft, der er den Rücken kehrt, während der Trümmerhaufen vor ihm zum Himmel wächst. Das, was wir den Fortschritt nennen, ist dieser Sturm.”).

An age cannot conclude a pact and conspire to put the succeeding age in a state wherein it must become impossible for it to enlarge its knowledge (in particular the so very urgent one) and purge it of errors, and generally to progress in enlightenment. That would be a crime against human nature, the original destination of which consists exactly in this progressing; and thus the descendants are fully entitled to reject those decisions as taken in an unauthorized and outrageous manner. The touchstone of all that can be decided as a law over a people lies in the question whether a people itself could have imposed such a law on it.²

Kant's formulation is a classic expression of the self-understanding of a society that can count as "modern": It no longer takes its orientation from older models, because they would enjoy genealogical authority, but it develops its program out of itself. It does not necessarily dismiss transmitted knowledge and ancient wisdom, but, ideal-typically, submits them to "criticism," for Kant the mark of the age of enlightenment, in which "only that which has been able to withstand free and public examination" by reason will be granted "unfeigned respect."³ Hegel has called this feature of a modern society "subjectivity," something that he finds missing in China. China, for Hegel, is the eternal kingdom of the antipode of subjectivity — "substance," the unquestioned and unmoved massive power of the inherited ways of life and given social order.⁴ He relates this, among other things, to the patriarchal structure of China where the monarch rules as a father over his children who "do not leave the moral family circle."⁵

To my knowledge, the first Western author to highlight the family principle as the backbone of China and associate the "spirit of despotism" with it is Montesquieu. He sees the Chinese empire as based on the idea of parental rule, in which absolute authority as a numinous power does not tolerate any free action and insists on following the smallest regulations and respecting even the seem-

2 Kant 1968b, 8:57–58 (A 491) ("Ein Zeitalter kann sich nicht verbünden und darauf verschwören, das folgende in einen Zustand zu setzen, darin es ihm unmöglich werden muß, seine (vornehmlich so sehr angelegentliche) Erkenntnisse zu erweitern, von Irrtümern zu reinigen und überhaupt in der Aufklärung weiterzuschreiten. Das wäre ein Verbrechen wider die menschliche Natur, deren ursprüngliche Bestimmung gerade in diesem Fortschreiten besteht; und die Nachkommen sind also vollkommen dazu berechtigt, jene Beschlüsse, als unbefugter und frevelhafter Weise genommen, zu verwerfen. Der Probiertein alles dessen, was über ein Volk als Gesetz beschlossen werden kann, liegt in der Frage: ob ein Volk sich selbst wohl ein solches Gesetz auferlegen könnte?").

3 Kant 1968c, *Kritik der reinen Vernunft*, Vorrede zur ersten Auflage (1781), Kant 1968c, 3:13 (A XII) ("Unser Zeitalter ist das eigentliche Zeitalter der Kritik, der sich alles unterwerfen muss. Religion durch ihre Heiligkeit und Gesetzgebung durch ihre Majestät wollen sich gemeinlich derselben entziehen. Aber alsdann erregen sie gerechten Verdacht wider sich und können auf unverstellte Achtung nicht Anspruch machen, die die Vernunft nur demjenigen bewilligt, was ihre freie und öffentliche Prüfung hat aushalten können.").

4 Hegel, *Vorlesungen über die Philosophie der Geschichte (Philosophy of History)*, Hegel 1989, 12:147, and passim.

5 Hegel 1989, 12:156 ("Kinder, die aus dem moralischen Familienkreise nicht heraustreten").

ingly most trivial prescriptions, out-ruling any perspective for change.⁶ Montesquieu is echoed by Johann Gottfried Herder, for whom in China “everything is based on filial obedience” (“vom kindlichen Gehorsam geht dort Alles aus”),⁷ to the effect that innovation is impossible for all future times:

Does it come as a surprise that such a nation has remained as it was for thousands of years? Even their moral and law books always go around in circles and say the same of filial duties in a hundred ways, precisely and carefully, with regular hypocrisy. Astronomy and music, poetry and the art of war, painting and architecture are with them as they were centuries ago, children of their eternal laws and immutably childlike constitution. The empire is an embalmed mummy, painted with hieroglyphics and wrapped in silk; their inner cycle is like the life of the sleeping winter animals.⁸

Filial piety, *xiao* 孝, as the heaviest millstone of the Chinese civilization has remained a topic in later literature. Max Weber, for example, in his influential essay *Konfuzianismus und Taoismus* (English: *The Religion of China*), calls filial piety “the one basic social duty” and “absolutely primary virtue” which “in case of conflict preceded all other virtues.” As the “final ethical standard,” it again and again obliges to one and the same social order as the “best of the possible worlds.” The result is the “reckless canonization of the traditional.”⁹

A similar critique of filial piety, certainly the most condemned of all traditional Chinese values, has been brought forward by the radical iconoclasts of the May Fourth Movement. Wu Yu 吳虞, for one, attacked the Confucian family as a school of a general submissiveness to authority. According to Wu, the kinship system, supported by *xiao*, has served as the “basis of despotism.”¹⁰ The debate has recently been revived, when Liu Qingping 刘清平 criticized Confucianism as a “consanguinism” that puts kin first at all costs and is among other things responsible for chronic corruption in China.¹¹

For filial piety, then, as the breeding ground of submissiveness, traditionalism and nepotism, there would be no place in a Chinese society that deserved the

6 Montesquieu 1949, 1:303; cf. Roetz 1993, 9 and 283 n. 9.

7 Herder, *Adrastea*, Herder 1967, 24:7.

8 Herder, *Ideen zur Philosophie der Geschichte der Menschheit*, Herder 1967, 10:12–13 (“Kann man sich wundern, daß eine Nation dieser Art [...] Jahrtausende hindurch sich auf derselben Stelle erhalten habe? Selbst ihre Moral- und Gesetzbücher gehen immer im Kreise umher und sagen auf hundert Weisen, genau und sorgfältig, mit regelmäßiger Heuchelei von kindlichen Pflichten immer dasselbe. Astronomie und Musik, Poesie und Kriegskunst, Malerei und Architektur sind bei ihnen, wie sie vor Jahrhunderten waren, Kinder ihrer ewigen Gesetze und unabänderlich-kindlichen Einrichtung. Das Reich ist eine balsamierte Mumie, mit Hieroglyphen bemalt und mit Seide umwunden; ihr innerer Kreislauf ist wie das Leben der schlafenden Winterthiere.”)

9 Weber 1989, 352, 451, 360.

10 Wu 1985, 61–66.

11 See Liu 2003, 234–250, and 2007, 1–19. Cf. Roetz 2008, 41–44.

predicate “modern,” because this virtue would undermine the very essence of such a society — individual freedom and openness to the future. An additional reason would be a sociological one, at least if “richly textured” family structures are regarded as necessary to provide the environment for imparting moral values, among them *xiao*, as Tu Weiming has argued.¹² It is hard to see that such structures still exist after the social changes that have taken place in the course of the turn from an agrarian to an industrial and service economy and, of course, the one child policy of the People’s Republic and its lasting effects. A Confucianism that would ground its values on kin would be blind not only normatively, but also sociologically.

It seems that *xiao* is not a first rank candidate for Confucian input to the twenty-first century, then. In order to contribute to modernity, Confucianism would rather first of all have to build on those elements of its ethics that do not address the role bearer in a family but the human being in an open world, stress individual autonomy rather than parental authority and transcend the limits of tradition — in short: elements that belong, in Hegel’s terms, in the realm of “subjectivity” rather than “substance.” The *Book of Mengzi* in particular contains such elements that have in fact served as the starting point of a reconstruction of Confucianism by modern “New Confucian” philosophers, providing, among other things, a “logical link”¹³ between Mengzi’s anthropology and political philosophy on the one hand and the ideas of democracy and human rights on the other, if strengthened against the more conservative and hierarchical tenets of Mengzi’s thought.¹⁴

I do not want to repeat the corresponding arguments here but turn to the question, what happens to *xiao* in such a reconstruction. Is there something that could be called “new piety,” *xin xiao* 新孝, in analogy to the “new outer kingship,” *xin wai wang* 新外王, that Mou Zongsan 牟宗三 has reinterpreted as democracy, in contradistinction to the original monarchical rule? Is there something in *xiao* that does not fall prey to the legitimate criticism and deserves to be rescued?

The critique of *xiao* outlined above is certainly not unjustified. But if it becomes part of the ideology of a modernity that is “based on the destruction of all pre-given forms and contents,”¹⁵ it develops a problematic bias. As a matter of fact, filial piety had, at least in theory, a more complex architecture than is assumed in the critique, and this likewise applies to the Confucian relation to tradition in general with *xiao* as its central part. *Xiao* has not simply meant

12 Tu 2000, 205–206.

13 Deng 1995.

14 Cf. Roetz 2008, 202–214, and 2009, 359–375.

15 Negt 2007, 240 (a member of the “Frankfurt school,” in his reflections on the “European myth of modernity” after a travel to China in 1980).

unconditional submissiveness. It has rather implied a principled moral vigilance that could lead to opposition, albeit moderate and never aggressive, and to the clear rejection of following immoral, inhumane — literally: “animalish” — orders of the parents, as well as orders of the ruler.¹⁶ However, these critical — subjective¹⁷ — ingredients of filial piety, which become apparent most clearly in the *Zidao* chapter 子道 of the *Xunzi* 荀子, where “highest filial piety” 大孝 is identified with “following justice and not the father” 從義不從父, but are also to be found in passages of the *Xiaojing* 孝經,¹⁸ have not been foregrounded in the later propagation and practice of *xiao*. They are also absent from Zhu Xi’s 朱熹 *Xiaoxue* 小學, the most important Confucian pedagogical text book, which on the other hand does not refrain from collecting authoritarian statements of hidebound Song Confucians to the effect that parents are always right.¹⁹ Nevertheless, the ancient texts bear witness that *xiao*, though its overall impact was conservative, was not simply referred to as the epitome of “substantial” conditions which immerse the individual in tradition and unquestioned structures of power but could be subordinate to “subjective” concerns, thus becoming an element of subjectivity itself — its only possible modern mode.

In this connection, Lee Ming-huei’s 李明輝 analysis of Confucius’s understanding of mourning is particularly revealing. As he shows, Confucius’s defense of the three-year mourning period, a cornerstone of *xiao*, in *Lunyu* 17:21 is not a mere expression of ritualism, but is based on an idea of *justice* — one gives back to the parents what one has received from them in the early years of life.²⁰ Similarly, we can read Confucius’s call for “returning to the rites” (*fu li* 復禮) in *Lunyu* 12:1, which presupposes to “overcome oneself” (*ke ji* 克己), thus a subjective decision, as a plea for solidarity with the endangered tradition that has not prevented the crisis of the Zhou society and yet, in spite of its failure, has for a long time enabled our existence.²¹ The human being, uprooted in the crisis, is no longer under the umbrella of tradition but, out of duty, rather takes the tradition into his or her own care. Seen in this light, in Confucian thought — as distinguished from the conventional historical practice — a line of reasoning, though probably not representing the mainstream, can be detected where the commitment to tradition including the commitment to filial piety is an element of an ethics of principles like justice and solidarity which is itself non-traditional.

16 *Xunzi* 29, 347, Roetz 1993, p. 65.

17 Disobedience is for Hegel an indication of “leaving substance,” thus of subjectivity (Hegel 12, 152: “Gehorcht er nicht, tritt er somit aus der Substanz heraus [...]”).

18 *Xiaojing* 15, 26, see the translation in Yu 2015, 159. Cf. for this topic, Roetz 1993, 63–65.

19 Cf. Roetz 1993, 57–58.

20 Lee 2016.

21 Cf. the analysis in Roetz 2023.

There has been an understanding of filial piety, then, which does not render the ethics that support it hopelessly outdated from a modern point of view. But is it conceivable that *xiao* could on this basis also make a positive contribution to modernity, going beyond the mere possibility of not outrightly standing in its way? And would not such a contribution be desirable, since not only would the patronizing of the new by the old have to be forestalled, as in Kant's still valid quoted defense of enlightenment, but so would the total dismissal of the old by the new, in view of the fact that the ecological crisis has made preservation a task of equal importance as innovation?

It is often argued that such a contribution of *xiao* to the future lies in upholding intact family relationships needed to shoulder the social burden of modern economies in view of non-existent or dismantled public welfare systems. There may be some truth in this. But it would neither be fair to nor bearable for families to heal the wounds inflicted by an economic liberalism that dissolves grown social structures on the one hand and tries to impose on them its costs on the other. What would be necessary is to restrict rather than compensate the destructive productivity of the modern system itself. Does *xiao* have something to say in this respect? Could the preserving function which it has always fulfilled still play a role today, beyond falling back into an anti-modern bondage to the old? As I see it, such an option suggests itself due to the fact that in the early Chinese texts, *xiao* is already brought together with the demand for a careful use of resources. It would thus allow for a more complex understanding of *inter-generational justice*, an idea with which environmental ethics has reacted to the ecological crisis,²² in order to ensure a sustained preservation of the means needed for future human beings to survive — today the central concern of the “Fridays for Future” movement. This is the most straightforward approach in terms of argument to stop the plundering of the earth, and if taken seriously, the plundering would stop immediately.

To my knowledge, in the corresponding ethical discussion, “intergenerational” exclusively refers to the present and future generations. A responsibility is demanded of the older for the younger, whose capital should not be absorbed by a thriftless way of life (above all the “first world” way of life, to be sure). In contrast to this, the earlier perspective saw the future at an advantage over the present, as in Kant's statement that “the older generations seem to do their cumbersome business only for the sake of the younger to prepare a platform from which they can go one step further.”²³ How could he have imagined that a

22 Cf. Tremmel 2006.

23 Kant 1968a, *Idee zu einer allgemeinen Geschichte in weltbürgerlicher Absicht*, A 391: “It is still strange that the older generations seem to do their cumbersome business only for the sake of the younger generation to prepare a platform from which they can go one step further, towards the target aimed for by nature, and that only the last generations will be lucky enough

time was in the making where the optimistic assumption that the future humans are better off would be replaced by a totally “pessimistic paradigm.”²⁴ This, too, is part of the ambivalent history of subjectivity — it leads not only to moral and political freedom, but also to the freedom of *homo faber* and *homo oeconomicus*, with a destructive drive towards a total objectification of nature as well as of the other subjects. In order to be checked and counterbalanced, it would have to understand itself as an element of *co-subjectivity* with the fellow human beings not only of the present but also of the future. And what *xiao* gives us to consider is that the community of human beings would be incomplete without the members of a further generation — the *older* one, adding to intergenerational justice a third party and a second dimension.

How does taking the elder and deceased into account as co-subjects relate to a careful rather than reckless use of resources and a less ravaging form of modernity? A first indication for the nexus in question can be found in *Mengzi* 1A/3, where we read that if “close-meshed nets are not allowed in ponds” 數罟不入洿池 and “axes enter woods only at the proper time” 斧斤以時入山林, it will be possible for the people “to care for the living and mourn for the dead without having to grieve” 是使民養生喪死無憾也. *Mengzi* contrasts this with the gloomy reality of the Warring States era where the most disastrous wars go together with first signs of an early environmental crisis.²⁵

A short sentence in the *Book of Rites* (*Liji* 禮記) makes the connection between *xiao* and ecology more visible:

To fell a single tree and kill a single animal unless at the proper time contradicts filial piety. 斷一樹，殺一獸，不以其時，非孝也。²⁶

In my book of 1993, *Confucian Ethics of the Axial Age*, I commented on this passage as follows:

Unlike the Daoists and afterwards the Buddhists, the Confucians do not regard an animal as a being deserving special respect. On the contrary, respect is the *differencia specifica* which separates the treatment of animals from that of men. The treatment of

to dwell in this abode built by a long row of their predecessors (albeit not deliberately), who were not able to have their share in the joy they were preparing.” (Kant 1968, vol. 9, 37, translation Tremmel 2006, 2) (“Befremdend bleibt es immer hierbei: daß die ältern Generationen nur scheinen um der späteren willen ihr mühseliges Geschäft zu treiben, um nämlich diesen eine Stufe zu bereiten, von der diese das Bauwerk, welches die Natur zur Absicht hat, höher bringen könnten; und daß doch nur die spätesten das Glück haben sollen, in dem Gebäude zu wohnen, woran eine lange Reihe ihrer Vorfahren (zwar freilich ohne ihre Absicht) gearbeitet hatten, ohne doch selbst an dem Glück, das sie vorbereiteten, Anteil nehmen zu können.”)

24 Birnbacher 2006, 27.

25 Cf. Roetz 2013.

26 *Liji* 24, 621; cf. also, *Dadai Liji* 52, 181.

animals is, basically, merely subject to the charge of moderation applying to the use of natural resources in general. One should not “fell a single tree and kill a single animal” if the “proper time” has not come. The violation of this rule is not criticized as a lack of respect for nature, but as “unfilial.” The definition of the offence is anthropocentric and refers to the harm done to the interests of the parents. Animals not only are no object of special moral commitment, but they are the counterpart of morality as such. Morality is the “little bit” which separates man from the brute, and he who does not possess the “four beginnings” of morals, says Mengzi, “is no human being.”²⁷ The devaluation of non-human nature is the reverse side of Confucian humanism.²⁸

In principle, I would still subscribe to this assessment. But it does not exhaust the possible meaning of the sentence from the *Liji* with regard to an effect of filial piety for another treatment of nature and for another, more endurable future than the one which is looming. What I have in mind is not the extension of *xiao* to the non-human world, which is, indeed, frequently claimed for Confucianism in the contemporary discussion.²⁹ The early Confucian texts may not deliver a unitary picture, and such positions can be found in later Confucianism.³⁰ But nevertheless, the extension argument is at odds with passages in the ancient literature which clearly bespeak an instrumental and sometimes even inimical attitude towards nature and are all too conveniently played down or swept under the table in the currently abundant lyrical presentations of Confucianism as inherently cosmo-ecological.³¹ And the argument does also not fit in with the main content of the *Liji* chapter, which is sacrifice — commemoration of deceased human beings. The context is anthropocentric. But how does this go together with protecting natural resources?

27 Mengzi 4B/19, 2A/6.

28 Roetz 1993, 211.

29 Blakeley, for one, has argued, referring to *Liji* 24, that in Confucianism animals and trees are, “in some extended but significant way, beings that deserve moral consideration as kin. They are extended members of the family.” (Blakeley 2003, 142). Qiao 2012, 70, agrees with this reading. For similar interpretations of the passage as an expression of a moralized cosmic holism see e.g. Yao 2014, 581, and Zhuang 2015, 145. That in Confucianism filial piety is a “meta-ethical principle underlying the anthropocosmic worldview” is prominently argued in Tu 1989, 106.

30 Cf., e.g., the philosophy of Kaibara Ekken as described in Tucker 1989, 55.

31 To give an example, “setting fire to mountains and marshes and burning them off, so that the wild animals flee and hide” 烈山澤而焚之 禽獸逃匿, solemnized by Mengzi as the great achievement of the early rulers and cultural heroes that made the world habitable for humans in the first place (*Mengzi* 3A/4), does not appear all too eco-minded. The “harmonious ordering of the world” which Ivanhoe finds realized here (Ivanhoe 1998, 68) does not sound very pleasant for the animals and is certainly not to their advantage. Passages like this one (cf. also Roetz 2013, 35) make it difficult to see what the “great harmony of the biotic community” (Nuyen 2011, 564, with Tu Weiming), to which the Confucians are allegedly committed, actually consists in. If I had had to live as an animal in ancient China, I would definitely have preferred to do so under the Daoists rather than the Confucians.

A concrete answer would be that resources have to be protected for the proper sacrifice itself, as a means to establish the link to the dead. But read symbolically, a wider intergenerational commitment ensues which does not exclusively address those to come, though it is them for whom it will be beneficial in the end. Intergenerational justice would then forbid consuming for oneself what belongs not only to posterity but also to the still living old and even to those whom we have to commemorate.³² As the only place of remembrance of the previous generations, the earth is also theirs, and we do not have the right to waste it on our own authority. Empathy with the fate of the old and the dead, above all the victims of the wreckful logic that culminates in the catastrophes of our era, means to ward off the destructive power of an all-devouring modernity oblivious to everything that has been. In pre-modern China under the influence of filial piety, nothing epitomizes the unity of *erinnern*, remember, and *innehalten*, stop, more than the rite of the three-year mourning, with a total halt of all other activities. For Elias Canetti, it was, for all civilizations, the only serious attempt ever “to wipe out the lust for survival”³³ — the same lust which is the driving force behind the exercise of power and the will to dominate, other humans as well as nature.

Seen in this light, the perspective of filial piety has something in common with the one of Benjamin’s angel who, driven into the future, looks back into the past, and, terrified, wants to *stay* in view of the fate of the dead. Might *xiao*, freed from all bondage to the old, but holding fast to giving them their due, help to avert that progress continues to be the all-devastating storm caught in the angel’s wings? In view of the fact that in China itself filial piety has not prevented severe damage to the environment already in historical times, long before the intrusion of the West,³⁴ this might just be a faint hope. The way outlined in this paper as theoretically conceivable has up to now not actually been taken. Still, a modernity that does not put itself in a mediating, remembering — as it were “pious” or “Benjaminian” — rather than only a negating relation to the past will have no future.

32 One might speculate whether *xiao* could in principle also work bi-directionally as a common basis for responsibility for the older *and* the younger generation. Knapp (2019, 71, 77) mentions an account from the 5th Century AD where a mother macaque’s concern for her baby counts as filial behaviour. This contradicts the normal understanding of *xiao*, but it would be interesting to explore this issue further. I owe this idea to Marion Eggert who has analyzed Korean accounts of “humane” animal behavior (Eggert 2015).

33 Canetti 1979, 176.

34 Cf. for this topic, Elvin 2004 and Roetz 2013.

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