

Mencius on Just War

A Comparison with Political Thought in Ancient India

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The most basic normative question in international relations, arguably, is the following: When, if ever, should the state engage in warfare? The Confucian tradition has long debated the question of just war and it still informs Chinese thinking on the morally justified use of state violence. Such thinking may hold valuable insights for the modern world. In this essay, I will discuss Mencius's influential ideas on morally justified warfare and I will argue that lessons from ancient political thinking in India can help to remedy the defects of a Mencian-inspired theory of just war.

WAR FOR PEACE¹

In the early days of the US-led invasion of Iraq, the Chinese-language internet was filled with references to ancient Confucian thinkers. Ming Yongqian's contribution is typical:

Mencius said, "A true king uses virtue and humanity, a hegemon uses force under the pretext of humanity and compassion." Let us first consider the idea of the hegemon. According to Mencius's saying, a hegemon uses force to attack others in the name of benevolent justice. This kind of war is an unjust war In ancient times as well as today, most rulers are very clear regarding political realities, they won't lightly abandon the cover of virtue to launch such wars The best contemporary example is Bush's war of invasion against Iraq! He used the excuses of weapons of mass destruction and terrorism in order to obtain oil resources and to consolidate his strategic position in the Middle East. This is the best example of "using force under the pretext of humanity and compassion." Bush is today's hegemonic king.²

The distinction between the aggressive "hegemon" and the peace-loving "true king" was first articulated by Mencius over two thousand years ago and it still

informs the moral language that Chinese intellectuals often use to evaluate foreign policy, especially regarding morally justified warfare (in contemporary parlance, “just war”). But what exactly did Mencius say about war and peace? And does it make sense to invoke his ideas in today’s vastly different political world? Why not simply stick to the language of human rights? And how can ideas from the *Mahabharata* help to remedy the defects of Mencius’s theory? Let us turn to these questions.

In the ideal world of *Tianxia*, an era of global peace without any territorial boundaries and ruled by one sage king, there would be no wars and pacifism would be the only justifiable moral stance. If no one is fighting for territory, then, as Mencius put it, “What need is there for war?” (7B.4). But Mencius was writing at the time of the Warring States period (ca. 500–221 BCE), a time of ruthless competition for territorial advantage between small walled states, and it shouldn’t be too surprising that he also provided practical, morally informed guidance for this context.³ Mencius argued that rulers have an obligation to promote the peaceful unification of the world (1A.6, 2B12). Ideally, the ruler should rely on noncoercive means to do so: “There is a way to gain the whole world. It is to gain the people, and having gained them one gains the whole world. There is a way to gain the people. Gain their hearts and minds, and then you gain them” (4A.10). As a consequence, he was critical of rulers who launched bloody wars of conquest simply in order to increase their territory and engage in economic plunder. Seemingly fearless, Mencius goes to see King Hui of Liang and scolds him for being “overly fond of war” (1A.3). Mencius suggests that wars of conquest cannot even lead to short-term victories, and that they are disastrous for all parties concerned, including the conqueror’s loved ones:

Mencius said, “King Hui of Liang is the antithesis of humanity and compassion. The man of humanity and compassion brings upon the things he does not love the things he loves. But the man who is not humane and compassionate brings upon the things he loves, the things he does not love.” Gongsun Chou said, “What does that mean?” Mencius said, “King Hui of Liang ravished his own people for the sake of territory and went to war. When defeated, he tried again and fearing that he might not succeed he drove the son he loved to fight and his son was sacrificed. That is what I meant by ‘bringing upon the things he loves, the things he does not love.’” (7B.1; see also 1A.7)

An unjust war, in short, is a war that is launched for purposes other than peace and humanity. The problem, however, is the world is filled with ruthless men, including some who gained states (7B.13) and won’t be moved by moral concerns. Faced with cruel rulers of this sort, what are the morally informed practical responses? Mencius does not counsel nonviolent resistance against tyrants who only respond to the language of force. In domestic policy, Mencius is famous for sanctioning the killing of despotic rulers (1B.8). To prevent attacks from foreign tyrants and secure

the peace at home, Mencius suggests that state boundaries can be fortified: “The setting up of border posts in antiquity was to prevent violence. Today they are set up for the purpose of engaging in violence” (7B.8, see also 6B.9). So the first kind of just war approximates the modern idea of self-defense. For example, if a small territory is ruled by a capable and virtuous ruler who seeks to promote peace and humanity, and if that territory is attacked by an unjust would-be hegemon, then the ruler of that territory can justifiably mobilize the people for military action:

Duke Wen of Teng asked, “Teng is a small state, wedged between Qi and Chu. Should I be subservient to Qi or should I be subservient to Chu?” “This is a question that is beyond me,” answered Mencius. “If you insist, there is only one course of action I can suggest. Dig deeper moats and build higher walls and defend them shoulder to shoulder with the people. If they would rather die than desert you, then all is not lost” (1B.13).

This passage suggests that the people’s support is crucial for successful warfare (see also 2B.1). It also suggests the people can only be mobilized to fight if they are willing to fight, with the implication that conscription of a reluctant populace would not be effective (or morally desirable).

The second kind of just war approximates the modern idea of humanitarian intervention—Mencius labels these wars “punitive expeditions” (征), and they are meant to bring about global peace and humane government. Certain conditions, however, must be in place. First, the “conquerors” must try to liberate people who are being oppressed by tyrants: “Now the prince of Yen cruelly mistreated his own people and Your Majesty set out on a punitive expedition. Yen’s people thought you were saving them from ‘flood and fire’ [i.e., from tyranny]” (1B.11). Mencius suggests that wicked rulers are not likely to go down without a fight and that liberation of the people may require murdering the tyrant: “He killed the ruler and comforted the people, like the fall of timely rain, and the people greatly rejoiced” (1B.11). Second, the people must demonstrate, in concrete ways, the fact that they welcome their conquerors (7B.4, 1B.10, 1B.11, 3B.5). However, the welcome must be long-lasting, not just immediate. The real challenge is to maintain support for the invading forces after the initial enthusiasm: “The people welcomed your army [which had just carried out a punitive expedition] with baskets of rice and bottles of drink. If you [then] kill the old, bind the young, destroy the ancestral temples, and appropriate the ancestral vessels, how can you expect the people’s approval?” (1B.11). Third, punitive expeditions must be launched by rulers who are at least potentially virtuous. One can assume that Mencius bothered to talk to some flawed rulers only because he believed they contained the seeds of virtue within them, or at least that they had sufficient good sense to respond to practical, morally informed advice. Fourth, the leader of justified punitive expeditions must have some moral claim to have the world’s support: “The Book of History says, ‘In his punitive expeditions Tang began with Ge.’ The whole world was in sympathy with

his cause. When he marched on the east, the western tribes complained. When he marched to the south, the northern tribes complained. They said, ‘Why does he not come to us first?’” (1B.11).

Needless to say, this ancient world is far removed from our own, and one has to be careful about drawing implications for contemporary societies. But Ni Lexiong argues that the Warring States period shares five common characteristics with the contemporary international state system: (1) there is no real social authority higher than the state; (2) the higher social authorities exist in form rather than substance (the Zhou Son of Heaven in the Warring States period, the United Nations today); (3) national/state interest is the highest principle that trumps other considerations in cases of conflict; (4) the dominant principle in international relations is the “law of the jungle”; and (5) universal moral principles are invoked as pretexts for realizing state interests.⁴ Thus it should not be entirely surprising if at least some Confucian prescriptions on just and unjust war are held to be relevant for the contemporary world of sovereign states in an “anarchical” global system.

MENCIUS FOR THE MODERN WORLD

This is not just a theoretical point. As mentioned, Mencius’s views serve as a normative reference point for contemporary Chinese social critics opposed to wars of conquest. They also serve to underpin judgments regarding just wars. For example, Gong Gang appeals to the distinction between wars of conquest and justified punitive expeditions to differentiate between recent wars in the Persian Gulf:

One can say that the First Gulf War is a just war authorized by the United Nations, similar to “a guilty duke corrected [punished] by the Son of Heaven” In this war [the 2003 invasion of Iraq], the United States says it is using force to exercise humanity and compassion, that it is acting as both a true king and a hegemon. But the Second Gulf War is not the same, because without the authorization of the United Nations . . . the United States is using force under the pretext of humanity and compassion, and it is also maintaining its geopolitical, national security, and economic interests in the name of promoting democracy in the Middle East; it is obviously acting as a global hegemon.⁵

Still, one may ask, why not use the modern language of human rights to make such judgments? Michael Walzer, the most influential Western theorist of just and unjust war, explicitly argues that human rights are at the foundation of wartime morality: “individual rights to (life and liberty) underlie the most important judgments we make about war.”⁶ The obvious response is that “we” does not typically include Chinese intellectuals and policymakers.

In the Chinese context, the language of human rights, when it has been deployed to justify military intervention abroad, has been tainted by its misuses in the international arena. Given the history of colonial subjugation by Western powers, as

well as the ongoing conflicts over economic resources and geopolitical interests, the language of human rights is often seen as an ideology designed to rationalize policies of exploitation and regime change. Even where military intervention in the name of human rights may have been justified—as, arguably, in the case of NATO’s war on behalf of the Kosovo Albanians—it is difficult, if not impossible, to overcome Chinese skepticism regarding the real motives underlying intervention.

This provides a practical reason for invoking Mencius’s theory of just and unjust war in the Chinese context. What ultimately matters is the practice rather than the theory of human rights. So long as people are protected from torture, genocide, starvation, and other such obvious harms, there is no need to worry about the particular political and philosophical justifications. That is, states and other collective agencies should do their best to respect our basic humanity, but whether such practices are backed by human rights morality is secondary. And if Mencius’s theory leads to the same judgments regarding the justice of particular wars as theories of wartime morality founded on human rights, then why not deploy his theory in the Chinese context? Having said that, Mencius’s theory will not always lead to the same judgments as theories founded on human rights—but this may speak in favor of Mencius’s theory. For Mencius, the government cannot secure the peace if its people are not well fed (1A.7). Hence, the first obligation of government is to secure the basic means of subsistence of the people. By extension, the worst thing a government can do—in contemporary parlance, the most serious violation of human rights—would be to deliberately deprive the people of the means of subsistence (by killing them, not feeding them, not dealing with a plague, etc.). A ruler who engages in such acts, for the Confucian, would non-controversially be viewed as an oppressive tyrant, and punitive expeditions against such rulers would be justified (assuming the other conditions for punitive expeditions have also been met). In contrast, the sorts of violations of civil and political rights that might be viewed as constituting tyranny by contemporary Western defenders of human rights, such as systematic denials of the right to free speech or the heavy-handed treatment of political dissidents in the name of social order, would not be viewed as violations sufficiently serious to justify humanitarian intervention by foreign powers.

Such differences in emphasis may influence judgments of just and unjust warfare in the contemporary world. For Western defenders of human rights, Saddam Hussein was non-controversially regarded as an oppressive tyrant because he engaged in the systematic violation of civil and political rights: liberal defenders of humanitarian intervention such as Michael Ignatieff and Thomas Friedman supported the invasion of Iraq largely on those grounds. The invasion of Iraq, in their view, could democratize that country and set a political model for the rest of the Middle East (after Iraq became synonymous with hell on earth, such dreams were set aside). For Confucians, however, so long as the Iraqi people were not being deliberately deprived of the means of subsistence, the intervention could not be justified.

In other cases, however, Confucians may be more likely to support humanitarian interventions compared to liberal defenders of humanitarian intervention. In cases of deliberately engineered famines, such as the Afghanistan government's total road blockade on Kabul in 1996, the Confucian just war theorist would argue for foreign intervention (assuming, as always, that the other conditions for foreign intervention have been met). In contrast, liberal human rights groups such as Amnesty International denounced the shooting and torture of a few victims as human rights violations and treated the manufactured starvation of thousands as background.⁷ Similarly, if it is true that the North Korean government deliberately promoted policies that resulted in the starvation of millions of people, the Confucian would have emphasized the need for foreign intervention in North Korea rather than such countries as Iraq.⁸ It is worth asking how much of this matters in practice. Even if Confucian views inform the judgments of critical intellectuals in China, do these judgments really affect the political practices of the Chinese state? Confucian theorists of just war may prove to be just as ineffective as moralizing theorists of human rights in the American context (perhaps even more so, if the society lacks a free press and other public forums for communicating criticisms; Chinese Confucian critics tend to reserve their criticisms for foreign hegemonies). It is obvious, for example, that war against Taiwan if it declares formal independence would not meet the Confucian criteria for justifiable punitive expeditions: so long as the Taiwanese government does not kill or starve its people, only moral power could be justifiably employed to bring Taiwan back into the Chinese orbit.⁹ But it seems just as obvious that Confucian objections are not likely to cause the Chinese government to hold back in such an eventuality. So what exactly is the point of Confucian theorizing on just warfare?

A historical perspective may provide some insight. One feature of imperial China was that it did not expand in ways comparable to Western imperial powers, even when it may have had the technical ability to do so. Instead, it established the tributary system, with the "Middle Kingdom" at the center and "peripheral" states on the outside. In this system, the tributary ruler or his representative had to go to China to pay homage in ritual acknowledgment of his vassal status. In return, China guaranteed security and provided economic benefits, while using moral power to spread Confucian norms and allowing traditional ways of life to flourish. Needless to say, the system often took different forms and the practice often deviated from the ideal.¹⁰ Still, the Confucian-Mencian discourse did help to stabilize the tributary system and curb the excesses of bloodthirsty warriors and greedy merchants.¹¹ There may be lessons for the future. As China once again establishes itself as an important global power, with the economic and military means to become a regional (or even global) hegemon, it will need to be constrained by more than *realpolitik*. More than any other discourse, Confucian theorizing on just and unjust war has the potential to play the role of constraining China's imperial ventures abroad, just as it did in the past. Confucian morality would cause

the leaders to think twice about collaborating with governments implicated in the mass killings of civilians. Put more positively, China would also have the power and the responsibility to carry out punitive expeditions in neighboring states (e.g., if an East Asian state began to carry out a Rwanda-style massacre of its population). Confucian discourse could provide moral guidance in such cases and the Chinese government wouldn't simply be reacting to international pressure.

Confucian theorizing can also have an impact below the highest levers of the state, particularly once the war is already under way. The torture of prisoners at Abu Ghraib in Iraq is a reminder that evil deeds in warfare are committed “unofficially,” by soldiers acting without the explicit authority of the top commanders. Nonetheless, these soldiers took implicit cues from the top, which set the tone for the cavalier approach to the protection of prisoners' well-being. Here the Confucian emphasis on the moral quality of political and military leaders may be particularly relevant. In Imperial China, the idea that those carrying out the war should be humane and compassionate informed the practice of appointing generals who were held to be exemplary persons with both moral character and military expertise. One important reason for emphasizing the moral quality of commanders is that they set the moral example for other ordinary soldiers, and their moral power radiates down to lower levels: as Confucius put it, “under the wind, the grass must bend” (12.19). If the aim is to sensitize soldiers to moral considerations, the leaders should not, as in Clausewitz's idea of the general, simply be concerned with the practical skills required for victory.

There are, in short, two main reasons for invoking Mencius's theory of just war. The first reason is psychological. If there is rough agreement on the aims of a theory of just war—that it should prohibit wars of conquest and justify certain kinds of wars of self-defense and humanitarian intervention—then one should invoke the theory that is most psychologically compelling to the people being addressed. In the Chinese context, the theory of Mencius is most likely to have causal power. The comparison here is not just theories of human rights, but with other Chinese thinkers such as Mozi who have also put forward theories functionally similar to modern theories of just war. Mencius is typically viewed as a “good guy” by contemporary Chinese, so there is no need to qualify or apologize for aspects of his theory.

The second reason is philosophical, and it speaks to the normative validity of Mencius's theory. Compared to alternative theories, Mencius's theory has several advantages, such as the focus on material well-being and the lack of emphasis on religion or ethnicity as justifications for going to war. Mencius's theory can and should be taught in military academies, both in China and elsewhere. And critical intellectuals should draw upon Mencius's views to evaluate the justice of wars in the contemporary world.

Can Mencius's theory come to be seen as part of China's soft power by the rest of the world? For that to happen, the theory has to come alive. Confucian

social critics should also direct their critical ammunition at the Chinese state (not just the United States), where such criticisms are more likely to be taken seriously. And the theory should be seen as influencing the foreign policy of the Chinese state.¹² Once the Chinese state acts morally abroad, then it can articulate and promote its theory to the rest of the world. Otherwise nobody will really listen. Confucian moral values should also be seen as influencing domestic policy. Harsh Legalist-style measures that lead to the incarceration of hundreds of thousands of Uighurs undermine China's soft power abroad, even if they help to reduce incidents of terrorism at home.

Even then, however, there is no guarantee that China's foreign policy will come to express Confucian moral values. Much depends on the rest of the world's actions. The United States bears special responsibility. So long as the US maintains global military dominance—with military bases in China's neighboring countries and claims to exclusive rights in what should be common areas, such as outer space—China is not likely to depend solely (or even mainly) on soft power in the international arena. In this context, China's rise may not be entirely peaceful. A more balanced world—with no country having the military capacity to exert its will in the face of global opinion—renders more likely the expression of Confucian moral values. It is also a matter of attitude. So long as Chinese influence is regarded as inherently malevolent and competitive unless it conforms to American values and practices, it will be hard for China to respond with anything but power politics. Yes, China's political opening will make its model more attractive to Americans and forces that seek to demonize the country may not be as successful. But there is no reason to expect that China will—or should—have the same set of moral and political priorities when it engages with other countries. There are areas of justifiable moral difference that need to be tolerated, if not respected.

LIMITATIONS OF MENCIUS'S THEORY OF JUST WAR: LESSONS FROM ANCIENT INDIA

Whatever the merits of Mencius's theory of just war, I do not want to imply that the theory is without faults. Professor Sinha's essay (chapter 9, this volume) shows that insights from ancient Indian theorizing about just war can help to address those worries. At first glance, ancient Indian theorizing may not seem appropriate for supplementing a Mencius-inspired theory of just war meant to be morally persuasive and politically realistic in the contemporary age. For one thing, the characters in the *Mahabharata* often flip-flop between the divine and human worlds, which seems odd in a modern secular age. In contrast, the Confucian tradition, no matter how rich and diverse, is resolutely this-worldly with hardly any discussion of the afterlife. More importantly, perhaps, Krishna's views are juxtaposed against two extreme views that do not exist in Mencius's thought—or Chinese thought as a whole. On the one hand, Krsna has to argue against pacifists who are opposed to

war and violence in principle. But Mencius is not against war in principle.¹³ On the other hand, Krishna also has to argue against those who celebrate war and heroism in war. Here too, there is an almost complete absence of a tradition in China of thinkers who “valorize militant aggression as heroism and war as a manly effort,” as opposed to an unfortunate necessity in terrible times. Even Legalists who affirm the importance of war deny that war is good for the people involved. So while Krishna has to defend a middle way between these two extremes, those extremes do not exist in Chinese thought.

But what about the substance of the “philosophical middle grounds”? What can we learn from ancient Indian thought that can allow us to enrich Mencius’s theory? I do not wholeheartedly agree with Professor Sinha’s view that Mencius’s views about just cause for war are too restrictive (along with the implicit view that ancient Indian theories can provide more expansive justifications for going to war). Sinha criticizes Mencius’s views on punitive expeditions because they are justified only when “people’s life and subsistence are at stake. Thus, Mencius would not approve of military intervention in case of the violation of freedom of speech or religious rights” and he notes that “Mengzi would raise controversial but relevant questions about Chinese control over Tibet or India’s handling of Kashmir.” But I think Mencius is right to restrict invasion of another country only if foreign rulers engage in systematic and purposeful killing that deprives large groups of people of the right to life. Let us assume that China and India place restrictions on forms of speech and religious worship in Tibet and Kashmir. Would other countries be justified in invading China and India to liberate oppressed minorities? Mencius would answer quite clearly: punitive expeditions would not be justified in the absence of systemic killing (or genocide, to use modern language). If ancient Indian theories, or any other theories of just war, allow for invasion of countries simply on the grounds that those countries restrict the freedoms of speech and worship, those theories should be rejected. That’s not to say the freedoms of speech and religious worship are not important—of course they are—but now, unlike, say, the time of the crusades, we no longer think we should go to war for those reasons. War involves killing and it is justified only to prevent more killing. Put differently: the right to life is the mother of all rights and should trump other rights in cases of conflict.

So why should we turn to ancient Indian theories of morally justified warfare? The key reason, perhaps, is that both theories were developed in times of constant warfare—the Warring States period in China, and in ancient India, war and aggression were part and parcel of the Rgvedic world (ca. 1500–1000 BCE)—and thinkers similarly tried to develop views that allowed for morally informed thinking about violence in terrible, war-filled eras of this sort. But Mencius, arguably, is handicapped by his view that human nature tends to goodness and it’s just a matter of getting people to follow their naturally good instincts. He doesn’t seem to allow for the possibility that some people can be born bad and are

impossible to change, and that the people as a whole can be misguided and in favor of war, to the point of being bloodthirsty and fundamentally immoral. In contrast, Krishna doesn't always appeal to the good sense of warmakers and he tries to argue against their natural inclinations. And the text points to large numbers of people, from warmongering mothers to members of the *ksatriya* class, who favor war. For Mencius, it's important for rulers to gain the hearts of the people because the assumption seems to be that the people's hearts are fundamentally in the right place (or orientation). In the *Mahabharata*, by contrast, it seems the people themselves can be, at times, wrong and immoral, so moral rulers sometimes need to go against the immoral people. If we think of support in Germany for the Nazis and in Japan for imperial aggression in China, it's hard to take Mencius's side that the people are always right. It's a sad fact of human nature that otherwise good people can become fundamentally immoral and bloodthirsty in times of war and there is no shortage of political leaders who are prepared to demonize opponents so as to allow this horrible part of human nature to manifest itself.

The contrast is perhaps most glaring with respect to views about just conduct in war. Besides arguing against the large-scale slaughter of civilians (7B.3), Mencius does not offer any detailed prescriptions for *jus in bello*. Perhaps Mencius thought that war is so distasteful and so incompatible with his view that human nature is fundamentally good that he was unwilling to think through in great detail the implications of going to war (not surprisingly, Xunzi, with his more pessimistic account of human nature, spelled out more detailed prescriptions for just conduct in war). In contrast, Sinha shows that the *Mahabharata* put forward detailed prescriptions for morality in warfare: "Only equals should fight equals, one should fight one on one, non-combatants should remain unharmed, and the fatigued and frightened should be spared. Ambassadors and *brahmanas* were declared unslayable, so were the spectators." The reality of warfare often differed from the ideal, but a good deal of the norms "were followed, and the aberrations were criticized and debated indicating an age of transition from a period of unrestrained violence to the period when non-violence would be valued." In the face of horrible violence, rather than bury one's head in the sand *à la* Mencius, it is sometimes best to devise rules of combat designed to minimize the amount of suffering and cruelty, with the hope that such rules can also help to bring about a more humane age. Some of the rules in the *Mahabharata* seem out of date in our high-tech age (e.g., the rule that soldiers should fight one on one), but others, such as the rule against killing noncombatants and ambassadors, seem eminently sensible today as well.

The more tragic view of human nature in the *Mahabharata* can also help to avoid self-deception. How many wars in the contemporary era are fought by leaders who think they are doing good/God's work? Mencius's positive view of human nature more easily lends itself to misuses and justifications for horrible deeds committed by otherwise compassionate rulers. But there are no such whitewashes in the *Mahabharata*. As Sinha explains, "The message that the *Mahabharata*

eventually leaves is, probably, that just war is impossible. Circumstances may make war unavoidable. One may have to engage in warfare when all possible alternatives fail. One must also try to limit the casualties or suffering of the civilians to the greatest possible extent. Yet, there is something problematic in warfare which can make it only a necessary and avoidable evil at best.” In other words, war is an unconditional evil, even when it’s necessary to stop even worse evil. The language of “just war” is problematic because it seems to imply that war can be good and such views easily lend themselves to justifying horrible acts all in the name of good intentions. At best, war is necessary. Perhaps we can replace the debate about “just war” with the debate about “necessary war,” which doesn’t lend itself so readily to self-deception about the horrible nature of war.

That’s not to deny morality has a place in war. Here the *Mahabharata* puts forward the value of non-cruelty (*Anrishamsya*) which, once again, seems superior to Mencian language of “humanity and compassion” (仁) that lends itself so easily to gross misuses in times of war. The ideal was put forward by the soldier Yudhisthira, who “never accepted that violence could ever be righteous, though he could be persuaded to fight a war for the safe of his rightful claim when all attempts at peace failed.”¹⁴ The idea that necessary war involves minimizing cruelty rather than promoting humanity and compassion is perhaps the least problematic way to think about justifications for killing people. Does this turn of language really matter in practice? It may. The idea that morally justified war should still be viewed as an evil deed meant to prevent even greater cruelty helps us to draw the moral line between “necessary war” and “unjust war” in relatively clear ways. On the one hand, the value of minimizing cruelty reduces the risk that Mencian-style language of “humanity and compassion” can justify horrible acts all in the name of good intentions: think of the Vietnam War, or what the Vietnamese call the “American War,” which killed an estimated two million Vietnamese civilians all in the name of an anti-communist moral crusade. It’s highly unlikely that a modernized Yudhisthira could fall into such traps. On the other hand, the value of minimizing cruelty may indeed help to minimize cruelty in ways that would be difficult, if not impossible, within a Mencian moral framework. Consider the dropping of the atomic bomb on Hiroshima that helped to bring about the end of World War II. For Mencius, this act would be impossible to justify because it killed hundreds of thousands of civilians and American soldiers were not (initially) regarded as liberators. But the value of minimizing cruelty might help to justify this horrible act if it indeed prevented even worse killing, though without any attempt to minimize that fact that use of an atomic weapon is an evil act.¹⁵

In short, Mencius’s theory of just war can and should help us think about morally justified war in a modern context, but it should be complemented, and in some parts replaced, by insights from the *Mahabharata*. Most important, the *Mahabharata* reminds us that war, no matter what kind of war, is always evil. At the very least, we can start by replacing the language of “just war” with

the more sober and tragic reminder that war can never be more than a necessary evil.

NOTES

1. This essay draws on my book *China's New Confucianism* (Princeton, NJ: Princeton University Press, 2008), 28–37. I am grateful to Princeton University Press for permission to do so.
2. Ming Yongquan, “Youmeiyou zhengyi de zhanzheng? Yilun Rujia (wang ba zhi bian)” [Are there just wars? A Confucian debate on true kings and hegemony], <http://www.arts.cuhk.hk/~hkshp>, accessed October 11, 2003; site has been discontinued.
3. Mencius did say that a sage-king, who would conquer the world by means of moral power, was long overdue, but he noted that sage-kings come in five-hundred-year cycles and rarely last more than a generation or two (2B.13, 5A.5). According to Mencius’s own theory, the nonideal world of competing states delimited by territorial boundaries is the reality for roughly 90 percent of the time.
4. Ni Lexiong, “Zhongguo gudai junshi wenhua guannian dui shijie heping de yiyi” [The implications of ancient Chinese *Military Culture for World Peace*], *Junshi lishi yanjiu* [Military History Research], vol. 2 (2001). An English translation of this article appears in *Confucian Political Ethics*, ed. Daniel A. Bell (Princeton, NJ: Princeton University Press, 2008), chap. 10.
5. Gong Gang, “Shei shi quanqiu lunli de daidao shiwei” [Who is the armed guard of global Ethics?], *Nanfang chuang*, September 2003, <http://www.nfcmag.com/news/newsdisp.php3?NewsId=296&mod=>, accessed November 10, 2001; site has been discontinued.
6. Michael Walzer, *Just and Unjust Wars: A Moral Argument with Historical Illustrations*, 5th ed. (New York: Basic Books, 2015), 54.
7. In response to such cases of apparently misguided priorities, Amnesty has expanded its mission to include economic and social rights (see my *Beyond Liberal Democracy* [Princeton, NJ: Princeton University Press, 2007], 94).
8. Given the likely civilian casualties, however, Confucian critics would likely emphasize other means of opposition, such as remonstrance or targeted killing of the North Korean leaders responsible for the famine.
9. But would Taiwan be justified in defending itself if attacked by the mainland? For the Confucian, the judgment would depend partly on the moral character of the Taiwanese ruler, the degree of popular support in Taiwan for that leader, and the likely consequences of other options such as surrender (not so bad if the Chinese army withdraws soon after invasion and the Chinese government restores the *status quo ante*) or exile (Mencius holds that the humane ruler faced with certain defeat will leave his kingdom rather than expose his people to harm, and he will eventually be followed by his people [IB.15]).
10. It may be more historically accurate to refer to different tributary systems that worked differently in different times and places and even to question its reality in certain contexts: see the discussion in my book (co-authored with Wang Pei), *Just Hierarchy: Why Social Hierarchies Matter in China and the Rest of the World* (Princeton, NJ: Princeton University Press, 2020), 126–29.
11. See David C. Kang, *East Asia before the West: Five Centuries of Trade and Tribute* (New York: Columbia University Press, 2012).
12. China has become a consistent advocate of the Responsibility to Protect (R2P), endorsing its application in many countries while urging a constrained, multilateral use of force (see <https://www.usip.org/publications/2016/06/china-and-responsibility-protect-opposition-advocacy>). The R2P is comparable to Mengzi’s idea of punitive expeditions, although as far as I know, the Chinese government has not invoked Mengzi in contemporary discussions of R2P.
13. Edmund Ryden, *Just War and Pacifism: Chinese and Christian Perspectives in Dialogue* (Taipei: Taipei Ricci Institute, 2001), 46.

14. It is worth noting that Yudhisthira was strongly influenced by his mother and his wife: in Mencius, and the Confucian tradition more generally, female voices are almost totally absent in the debates on peace and warfare.

15. Use of the second atomic bomb in Nagasaki would be much harder to justify if the aim was to end the war and thus even worse levels of cruelty. If there is any reason to believe that use of the first atomic bomb in Hiroshima was sufficient for this purpose, then use of the second bomb should be seen as a criminal, unjustifiable act of cruelty that murdered tens of thousands of civilians.