Derech Eretz and the Confucian Way

A study of roots and inextricable links

Without the Confucian Way there would be no fundamentals of Chinese ethics, and without Derech Eretz, there would be no Torah.
Long before China turned to Confucianism (2nd century BCE) and long before the Oral Law/halacha (3rd century BCE) became the standard in Judaism, both cultures drew inspiration from ancient oral traditions. Those traditions were the cornerstone of China and Judaism and were known as the Confucian Way and Derech Eretz respectively.

What was the Confucian Way? What was Derech Eretz (The Way of the Land)? Semantically, both terms meant the same: conduct, customs and behavior. They both served the same purpose: to preserve the traditional ways and realign them with contemporary times. They were both similar in general terms but differed in particulars. The Way of the Land acted in tandem with Divine command, while the Chinese Way followed the yin and yang pattern.

The Chinese started to reexamine the ideals of Confucius (c.a. 551-479 BCE) after a rather brutal unification in 221 BCE. Frightened by the possibility of a future recurrence of such atrocities, the Chinese leaned towards a more humane way of dealing with social and political issues. These ideas eventually became so entrenched in the society that they became known as the Confucian Way of the Yin (Chinese) culture. In principle, they were very simple; in rites, they were very complex, and in application, they were widely practiced. Despite its broad appeal, the tenets of Confucian Way were not binding; they were merely considered advice and suggestions.

Not so in Judaism. The tenets of the Torah bound the entire Jewish world. No matter where a community was located physically, the Torah bound them to Judaism. Even if strict adherence was not possible, the local community had to conform to the local customs and follow a flexible and somewhat broad interpretation of the tenets of the Torah. The Talmudic sages reinforced this principle and ruled that Derech Eretz (local customs) took precedence over the Jewish customs (hallacha). “When you come to a town, follow its customs...” (Baba Metzia 86b). Inadvertently, the Jewish sages gave their blessing to a practice that at the time seemed quite unique, yet in the historical context of Judaism and China they ruled on a subject that emerged as the yang to the Chinese yin.

The Yin (Chinese) culture followed the Confucian Way without ever asking a kushia. Kushia was the Talmudic way of saying “let’s make it more difficult and ask further questions.” It was absent from the Confucian Way. Confucius had rarely, if ever, explained the reasons behind his teachings. He never asked the question “why”, nor had he explained “how”. He only stated his principles in broad terms never going into details. When asked for details he said that he was just a transmitter and not the originator. In other words, he discouraged opposing arguments. Only his followers provided general commentaries to the Chinese Way, but they too, stayed away from detailed explanations. Historically, the yin culture developed unique customs burdened with human connections (guanxi), while the relations with heaven were completely ignored. They were relegated to a yang culture. The yang culture in the Chinese mind was a culture that contained detailed commentaries and interpretations, in addition to the affairs of heaven. In essence, it fitted the Talmudic method of inquiry called pilpul.

Pilpul, (heated debates as “hot peppers”) a Hebrew word that derived from the root for “pepper”, became a synonym to hairsplitting arguments on issues in matters of Judaism. Its analytical depth and rigor often bordered the absurd. Yet, Talmud sages felt that it was their responsibility to interpret the Torah to conform to the local Derech Eretz. To this end, they debated, argued, analyzed and then reviewed again every sentence, every phrase, every word, and every punctuation mark to apply the laws in the context of local Jewish customs. No stone was left unturned. The Derech Eretz was so important in Judaism that the sages determined that “it preceded the Torah” and “without Derech Eretz there would be no Torah.”
Yet if we look at the origins of the Chinese Way and Derech Eretz we find that they stemmed from same principle. When Confucius was asked: “Is there one sentence that may serve as a rule of practice for one’s life?” He answered: “What you do not want done to yourself, do not do to others.” Five hundred years later Rabbi Hillel (1st century CE) faced the same question. His answer was very similar: “Do not do to others what you would not have them do to you. This is the Torah. The rest is commentary... “ Later this also became known as the Golden Rule.

The obvious question is whether there was a cross-cultural influence or was this pure coincidence? Historically there is no evidence to indicate that Rabbi Hillel knew anything about Confucius or the Confucian Way. From a Jewish perspective, we may say that the Golden Rule was universal in nature, and therefore the similarity with the Chinese Way was either coincidence or perhaps Divine intervention. It simply matched the local customs to the words of the Divine. The Chinese would say that the Golden Rule followed the natural course of yin and yang, and the Confucian Way was an extension of it. It was rooted in common sense in the same way, as the yin was in tandem with the yang.

Let’s ask a kushia in the Talmudic tradition: Does it mean that the Golden Rule of Judaism and China had developed independently of each other? Apparently it did. We can find its roots in almost identical ancient traditions called the Five Human Relationships.

In China it was called wulun and consisted of the interaction between the following 5 categories: Ruler and subject, Father and son, Elder brother and younger brother, Husband and wife, and Friend and friend. The first four relations established the correct social conduct between people of higher and lower ranks, between elders and youngsters, between husband and wife. In each of these cases, the primary emphasis was on respect for superiors, respect for the elders, and respect for husbands. Only the relationship between friend and friend was on an equal footing. But this relation was relegated to second in importance. Intentionally omitted from these relations was the relationship with God.

Significantly, the relationship with God was paramount in the yang culture. It was of primary importance in Judaism and dealt with the relationship between man and his surroundings. According to Rambam (1135-1204 CE) the Five Human Relationships in Judaism were: Love your neighbor as thyself, Hate not your brother, Avenge not, Bear no grudge, and Love the stranger. Essentially, the Derech Eretz touched on every aspect of human life, from birth to the end of life. It guided the relationship between husband and wife, friend and friend, between Jews and non-Jews and between Jews and the local environment.

Why did the Chinese Way omit the relationship with God? Evidently Confucius understood that the relationship with God was outside the realm of human understanding and he refused to address the issue. He explicitly said that he did not deal with the affairs of heaven. “Heaven is far from us and we should deal with the affairs on earth.” Thus the Confucian Way evolved into a pragmatic approach to daily issues while the affairs of Heaven were left to a yang culture with a primary focus on the relationship with Shangdi, the Chinese Elohim. Derech Eretz on the other hand focused primarily on the affairs of Heaven, and accordingly it matched the percepts of the Torah with the local customs. Whether by Divine intervention or coincidence, The Way of the Land became the yang to the Confucian Way of yin. 

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