

Cambridge University Press

978-0-521-79217-2 — Confucian Ethics: A Comparative Study of Self, Autonomy, and Community

Edited by Kwong-Loi Shun , David B. Wong

Excerpt

[More Information](#)

Confucian Ethics

A Comparative Study of Self, Autonomy, and Community

Introduction

East–West comparative ethics has drawn increased attention in recent years, especially comparative discussion of Confucian ethics and Western thought. Such interest stems in part from a growing concern with the political systems of Asian countries, which are often viewed as informed by Confucian values. Critics of such systems accuse them of a form of authoritarianism that is at odds with Western democratic ideals. Defenders of such systems reject the imposition of Western political ideals. Some argue that such systems are characterized by a democracy of a distinctively Asian kind, and some even argue that Western notions of rights and democracy are inapplicable to Asian political structures. Underlying this rejection of Western political ideals is the view that values espoused by Asian ethical and political traditions, and more specifically the Confucian tradition, are radically different from and no less respectable than those of Western traditions, a view that has led to a growing interest in the “Asian values” debate.

The interest in comparative ethics also stems in part from a concern to understand Asian ethical traditions as a way to unravel philosophical presuppositions behind Western ethical traditions. Setting the different traditions alongside each other helps to put in sharper focus the presuppositions that shape the development of each, thereby preparing the ground for a comparative evaluation and possible synthesis. The Confucian tradition, with its long history, rich content, and extensive influence on Asian communities, has drawn much attention in such comparative discussions. The scope of discussion includes not just its political ideal but also the conception of the self that underlies such an ideal. As Alasdair MacIntyre observes in his reflection on these essays, Confucianism, more

than any other Asian standpoint, challenges some of the key assumptions of Western morality effectively, while providing a viable alternative to them.

A final reason for the growing interest in Confucianism in particular is that an increasing number of Westerners, not only philosophers and academics, have themselves challenged key assumptions of Western morality in ways that might naturally suggest the possibility of Confucianism as a viable alternative. According to one kind of challenge, the centrality accorded to individual rights and autonomy in Western morality has resulted in a stunted understanding of responsibilities the individual has to others. The United States in particular is often presented as the preeminent case in point: the world's most affluent country and yet one of the most unequal, failing to provide basic necessities in health and education for all its members. According to another related challenge, Western morality provides ineffective grounding for duties to others because it cannot show the individual how the performance of these duties is related to achieving a specific conception of the good and worthwhile life. MacIntyre has been among the most influential critics in this regard. By contrast, one of the strengths of Confucianism is frequently thought to lie in the way it conceives a fully human life in terms of relationship to others, structured by a set of duties to them that realize the self rather than constrain it. At the same time, critics of Confucianism often flip this apparent strength into a moral failing: that it neglects individual rights and autonomy in favor of a life of relationship. Moreover, the favored set of relationships is frequently criticized as patriarchal and oppressively hierarchical, reputedly stifling the self.

The first two sections of this anthology reflect the various reasons for increased attention to Confucianism and the ensuing controversies over rights and conceptions of the self's relation to others. The first section discusses the notion of rights and other related notions such as autonomy and respect in relation to Confucian ethics, while the second discusses the Confucian conception of the self and its moral development. Perhaps the order of these sections should be reversed, as Alasdair MacIntyre suggests in the final section, if one is to begin with what is foundational in Confucian ethics. Our decision to begin with the section on rights follows the more typical path of recent interest: the possibility that Confucianism offers an alternative perspective on rights and autonomy has motivated inquiry into the foundations of this perspective in a moral psychology of the self.

In the first section, Craig Ihara, David Wong, and Henry Rosemont argue that certain insights can be extracted from the Confucian tradition that bear on our understanding of rights and a range of related ideas. Chad Hansen's essay sets out certain methodological constraints on any attempt to appeal to the Confucian tradition in evaluating such ideas. In the second section, the essays by Joel Kupperman and Chung-ying Cheng discuss the Confucian conception of the self and of moral development. Kupperman discusses the role traditional and communal values play in shaping the self at a less reflective stage of moral development, while Cheng focuses on the more reflective role the self plays in the process of self-cultivation. On the other hand, Bryan Van Norden discusses the Confucian emphasis on the role of shame in self-cultivation, while Kwong-loi Shun provides a methodological discussion of the recent interest in the applicability of Western notions to Confucian thought.

Craig Ihara's essay argues that the absence of a conception of individual rights from Confucian thought does not render the Confucian tradition problematic, as the range of ideas associated with the notion of rights and to which we attach significance are still instantiated in Confucian thought. Such ideas include those of wrongdoing and of one's having a legitimate claim against others that should be protected, as well as the ideas of respect and equality. What is distinctive of Confucian thought is that it regards the legitimate claims one has against others as generated by social norms that bind a community together, and human beings as equally deserving of respect in virtue of their capability of membership in community. Indeed, according to Ihara, the idea of individual rights is itself a construct that serves a role only under certain specific circumstances, such as in a dysfunctional society in which one has to be protected against those who refuse to fulfill their responsibilities.

In contrast to Ihara's essay, David Wong's employs a notion of rights more broadly construed and distinguishes between two kinds of grounding for rights. Rights can be defended on autonomy grounds and viewed as constraints on the extent to which individual interest may be sacrificed for the public good, or on communal grounds and viewed as something necessary for promoting the common good. According to Wong, Confucian thought contains the germs of viable arguments for rights of certain kinds, such as the right to speak, on communal grounds. Starting with the observation that even some Confucian texts regard an official's duty to speak up as promoting the common good, Wong argues that there can be communal grounds for the right to speak because instituting and

protecting such rights helps to resolve disagreements about the common good, thereby enabling the peaceful transformation of communities. Indeed, there is a mutual interdependence between rights and community: just as community-centered traditions should take into account the point that instituting and protecting certain rights help to promote the common good, right-centered traditions should acknowledge that we need viable communities to nurture effective moral agency and to make effective use of the democratic machinery.

Henry Rosemont's essay argues that while Confucian thought does not have a conception of individual rights grounded in a view of human beings as free autonomous individuals, it does have room for a conception of rights that is grounded in a view of the self as relational rather than autonomous, a view that emphasizes social interactions and regards human excellences as something realized in such interactions. Furthermore, according to Rosemont, there are certain values central to Western intellectual traditions that the majority of liberals also endorse, on the basis of which one can show the superiority of classical Confucian thought to modern Western liberalism. Indeed, according to Rosemont, Asian countries like Malaysia and Singapore have accomplished more and in a shorter time than the United States in promoting such values, such as by doing more in nourishing those qualities of character that enable citizens to be self-governing and by sustaining those institutions necessary for self-government to be effective.

While these three chapters are all sympathetic to the Confucian tradition and argue that something of value can be extracted from it, Chad Hansen's paper raises questions about the normative relevance of a study of comparative ethics and, more specifically, of an appeal to Confucian ethics. The mere fact that certain ideas can be extracted from Confucian thought cannot by itself give normative significance to such ideas; indeed, grounding normative claims on an appeal to tradition itself goes against an aspect of Confucian thought that seeks to establish Confucian values on grounds independent of tradition. On the other hand, if the normative significance of the relevant ideas is independent of their being espoused in Confucian thought, it remains unclear what significance there is to an appeal to the Confucian tradition. In the end, Hansen suggests that the ideas that can be extracted from the Confucian tradition must stand on their own merits and bear normative relevance to one's own moral philosophizing to the extent that they present a sufficiently different but credible alternative to the ideas in one's home tradition.

In their chapters, Ihara, Wong, and Rosemont consider how the distinctive Confucian conception of the self emphasizes membership in community rather than individual autonomy and how this conception bears on a discussion of the notion of rights in relation to Confucian ethics. Recent interest in the Confucian conception of the self also stems from the revival of interest in virtue-centered theories as a major theoretical alternative to consequentialist and deontological theories. Since character development is a major focus of the Confucian tradition, a study of the Confucian conception of the self and of self-cultivation also contributes to this recent development by providing an example of how an emphasis on character may shape the development of an ethical tradition.

In the second section, Kupperman's essay discusses how traditional and communal values play a role in the development of the self at a less reflective stage, through the influences of parents, of role models conveyed through stories, and of ritual and music. Such influences play not just a causal but also a constitutive role in that the styles of behavior and feeling of one's parents and of the past are made part of oneself through such influences. Such influences do not undermine the creativity of the self, as creativity itself is possible only against the background of traditional and communal values that one has acquired.

Chung-ying Cheng's essay focuses on the creativity and freedom of the self in shaping its own development. It begins with a distinction between two aspects of the self – the active self, which is engaged in actual activities, and the transcendent self, which is capable of reflecting on and reshaping the active self. It considers how interplay between these two aspects of the self makes possible the process of reshaping oneself on the basis of one's own self-reflection and discusses the sense in which the self is capable of free choice in this process.

Bryan Van Norden's essay takes up the role of shame in self-cultivation, a theme consistently highlighted in different branches of Confucian thought. It discusses the way Confucian thought emphasizes the significance of shame in moral development, criticizes various attempts to characterize Chinese culture as a shame-based rather than guilt-based culture, and argues that shame is indispensable to moral development as it is presupposed in one's having some ideal conception of one's own character. Furthermore, it argues that the Confucian emphasis on shame can be separated from the larger cosmological framework within which it is embedded, and that an understanding of the role of shame shows how moral development can be given a naturalistic basis.

Kwong-loi Shun's essay, the last of this section, considers a claim often found in comparative discussions of Confucian ethics, to the effect that certain Western notions are inapplicable to Confucian thought. It discusses the claim in connection with the notions of rights and autonomy, the idea of a mind-body distinction, and the relation between the self and the social order. In the process of the discussion, it makes the methodological proposal that the substantive issues involved can be better addressed by focusing less on the applicability of such notions or distinctions and more on the extent to which the range of phenomena associated with such notions are instantiated in Confucian thought.

Questions about the applicability of key Western notions to Chinese traditions arise frequently throughout the essays in this volume. One lesson to draw from the varying results of these discussions is that such notions are highly elastic, especially when put into the service of comparison across traditions. Those intent on emphasizing differences (such as "this tradition makes individual rights central while that tradition lacks any comparable notion" or "this tradition conceives the self as autonomous while that tradition has no comparable notion of autonomy") tend to employ more specific, thick conceptions of the relevant notions. Those intent on emphasizing similarities tend to employ broader, thinner conceptions capable of spanning certain differences in more specific content. More productive comparative discussions might take place with the recognition that both differences and similarities have normative relevance.

The anthology concludes with an essay by Alasdair MacIntyre that reflects on the preceding essays. A number of the essays in this volume attest to MacIntyre's influence in arguing first that moral notions must be understood in the context of the traditions giving them substantive meaning and second that one can identify the theoretical and moral resources of one's own tradition for defense against rival traditions only when one formulates the best case against that tradition from rival traditions. MacIntyre begins his discussion of the Confucian tradition with its foundations in moral psychology. He observes that Confucians take human nature to be developed most fully when it is guided and self-guided into the practice of the virtues, understood in distinctly Confucian terms, and into social relationships governed by distinctively Confucian norms. He observes that Confucianism implies not only a rejection of Western deontology and utilitarianism, but also a rejection of most Western versions of an ethics of virtue.

MacIntyre raises as a problem for Confucians the tension, and frequently stark contradiction, between the assumption in Mencius and

Introduction

7

Xunzi that all people have the potential for goodness and the traditional hierarchical structures of Confucian society that have practically denied this potential for the great numbers who have sustained that society. In asking how Confucians might envision a social, political, and economic form that was not oppressive and exploitative, MacIntyre suggests that a notion of rights might have fruitful application, though the content and justification of rights will again be distinctively Confucian. MacIntyre concludes with a twist, however. At a time when individuals everywhere must live within a modern state and deal with the powerful impact of multinational corporations, Confucians might find it necessary to develop not only a distinctive notion of rights that is compatible with a Confucian vision of harmonious community, but also a Western notion of rights as protections against unwanted interventions into their affairs by governmental and other corporate bureaucracies. In MacIntyre's view, modern states cannot be governed by shared inquiry into the nature of the common good. Confucians within such states may therefore be forced to live double lives with a different conception of rights in each life.

It is appropriate that the volume should end on such a note of moral complexity. Comparative ethics has drawn increased attention partly because powerful forces draw all of us closer in a common condition, but our traditions continue to shape responses to that common condition that are at once profoundly similar and profoundly different.

Cambridge University Press

978-0-521-79217-2 — Confucian Ethics: A Comparative Study of Self, Autonomy, and Community

Edited by Kwong-Loi Shun , David B. Wong

Excerpt

[More Information](#)

I

RIGHTS AND COMMUNITY

1

Are Individual Rights Necessary?

A Confucian Perspective

Craig K. Ihara

I. WHERE INDIVIDUAL RIGHTS ARE OUT OF PLACE

I would like to begin by considering some familiar contexts in which talk of rights, especially those one person might claim against another, seems quite out of place.

1. On sports teams, say basketball, people have assigned roles appropriate to their various talents. A point guard is, among other things, in charge of running the offense, doing most of the ball handling, setting up plays, and getting the ball to people in scoring position. A center, usually the tallest player on the team, is responsible for dominating the area under the basket, rebounding, blocking shots, and scoring from inside. Suppose that on a specific occasion, the point guard fails to pass the ball to the center who is wide open under the opposing team's basket. What might one say? That the point guard made a mistake, did something wrong or incorrect, did not do what she was supposed to, failed to do her job, messed up, or fouled up. If, for whatever reason, she regularly misses such opportunities, she can be regarded as a poor or bad point guard and is likely to lose her position. Other members of the team can legitimately complain about her incompetence, lack of court sense, or selfishness, although in the name of team spirit they should not be too quick to criticize.

What we have in basketball or any similar game is a practice – to use Alasdair MacIntyre's term¹ – in which participants have roles and responsibilities, criteria of good and bad performances within the context of the game, and an array of critical responses. In such practices people have

duties in the sense of role responsibilities, but they do not, I maintain, have individual rights.

What supports this claim? First of all it is a straightforward fact that the language of rights is not used within the game of basketball, although it is used outside of the game during professional contract negotiations or in other legal or quasi-legal situations. It would at least be unusual to say when the point guard failed to pass the ball to the center that she had failed to respect the center's rights or infringed or violated the center's right to the ball.

Suppose that we were to attribute rights to the center in this situation, what more would we be saying than we have already, namely that the point guard had failed to do her job, did the wrong thing, et cetera? We would be saying that in this situation the center had something, a right to the ball, which the other players on the team did not have, and that in failing to do what she was supposed to do, the point guard injured the center by denying her what was rightfully hers. The point guard not only did the wrong thing, she wronged the center, violated her rights, and deprived her of her due. Consequently the center is not only more justified than her other teammates in being angry and indignant, but she is also justified in demanding some sort of compensation. I maintain that talking this way about basketball or any sport is odd to say the least, and, if taken seriously, changes the game in a fundamental way. It reconceptualizes the activity in a way that makes basic the individual, and not the team.

Now it is certainly true that players get mad at each other, even if they are on the same team. In the play described, it would not be surprising if the center were even more upset with the point guard than the other players were. After all, because of the point guard's mistake, the center missed an easy opportunity to score and help the team win. But though this is understandable, it does not follow that the center's rights had been violated by the point guard. Indeed if she were to chastise the point guard for what she had done *to her*, as opposed to what she had done to injure the team's chances to win, she would be condemned for lack of team spirit.

Other rather different kinds of examples can be drawn from sports in which the use of rights language is at least unusual and unnecessary. These concern rule infractions, rather than failures to fulfill role responsibilities. As with most sports, basketball has a number of rules about what players can and cannot do in the course of a game. When players violate a rule, they are penalized, and this is not typically articulated or conceptualized in terms of rights violations. For example, traveling (sometimes

called taking steps) is a rule violation resulting in turning the ball over to the opposing team. Many infractions – stepping over the line when shooting a free throw, or substitution violations – are like this; they do not directly involve an opposing player, and it would be difficult to translate or conceptualize them in terms of a violation of rights.

There are other kinds of examples of rule violations in basketball where rights-talk would not be so difficult or awkward but would still be unusual and unnecessary. Consider instances when a player is fouled by a member of the opposite team. In such cases players frequently complain to the referee in words that say in effect, “Did you see what she did (to me)?” There is nothing inappropriate in saying this insofar as the player is pointing out behavior that violates the rules. Anyone, including the fans, can do this. The key question is whether it *must* be conceptualized in terms of a violation of rights.

So for example, a defensive player who holds an opponent in order to prevent her from driving to the basket is committing a foul; we might even say that she is fouling that player, breaking the rules, doing what is not allowed, doing what she shouldn’t do, or not playing fairly. But we don’t normally say that she is violating the player’s rights. It isn’t that we couldn’t conceptualize it in this way, but there would not be a point in doing so. Clearly, if the defensive player has committed an infraction, there should be a penalty. If no penalty is called, anyone, including the fans, has grounds to protest. But what they will cry is “Foul,” or even “She was fouled,” not “Her rights were violated.” Note that even “She was fouled” need not be conceptualized as a violation of rights. “She was fouled” can be construed as comparable to “She was injured,” something that can be perfectly well understood without invoking or even understanding the concept of rights. All that is necessary is the understanding that the offending player did something she should not have done according to the rules. Introducing the notion of rights here takes the focus away from the team and is unnecessary for playing the game.

2. Consider another context – dance. In a ballet people have their parts to play, they each have sequences of movements that they should perform. But even though the dancers in *Swan Lake* each have their individual roles and responsibilities, it is, I maintain, conceptually wrongheaded to think of dancers as having rights against each other within the context of the dance.

For one thing, there are no rules in ballet on which to base individual rights or duties. For another, dancers would not claim that their rights are