

# Social Responsibility and Health from a Confucian Perspective

Ruiping Fan



Professor of Philosophy, Department of Public Policy, City University of Hong Kong

I  
**A**rticle 14 of the UNESCO Declaration in Bioethics and Human Rights states in part that:

1. The promotion of health and social development for their people is a central purpose of governments that all sectors of society share.

2. Taking into account that the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being without distinction of race, religion, political belief, economic or social condition, progress in science and technology should advance:

(a) access to quality health care and essential medicines, especially for the health of women and children, because health is essential to life itself and must be considered to be a social and human good.

This paper offers a Confucian comment on these statements. In the second section I indicate that Confucian tradition is supportive of the view as stated in 14.1. Then I conduct a critical analysis of the ideas offered in 14.2 in the third section. I first point out that there can be two different interpretations of a right to health covered in 14.2, one radically egalitarian, and other decent minimum. Each of these two interpretations is apparently possible based on the literary expression that “the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being” stipulated in 14.2. The fourth section shows that Confucianism has strong moral considerations to reject the radical egalitarian interpretation and I summa-

rize such considerations in the section. Finally, I offer two specific suggestions about how to implement a global right to a decent minimum standard of health in the concluding section.

## II

Confucianism would support the view as expressed in 14.1. I will offer my Confucian account for this view by drawing on classical Confucian moral and intellectual resources, especially those resources provided in the *Mencius* by a most influential classical Confucian writer, Mencius (372-289 BCE)<sup>1</sup>. Basically, from Mencius’ view, it is from the Mandate/Dao of Heaven (*tianming, tiandao*) that there should be benevolent governments (*renzheng*) to rule human society. Such governments exist for the benefit of people and are justified by their ability to protect and promote the wellbeing of people. This view of political purpose has been termed the Confucian “service conception” of governments: Heaven did not create the people for the sake of government; Heaven established government for the sake of the people (cf., Chan 2013, p.30)<sup>2</sup>. Accordingly, given that from Confucianism, the purpose of governments is nothing but serving and promoting the interests of people, Confucianism would certainly support that “the promotion of health and social development for their people is a central purpose of governments that all sectors of society share” as stated in 14.1.

Moreover, in order for governments to promote their people’s health and development properly and effectively, Mencius discloses a

few fundamental metaphysical and moral considerations to direct the policy formulation and administration of governments. First, governments must recognize and appreciate the fundamental importance of the family for the wellbeing of the individual. “There is a common expression,” Mencius points out, “the world, the state, the family.” The world has its basis in the state, and the state in the family” (Mencius 4A.5)<sup>3</sup>. As humans are naturally born in, grown up, and cared for in families, Mencius, following Confucius (551-479 BCE), endorses a foundationally Confucian family-based and family-oriented virtue (*de*): *ren*. In particular, *ren* calls for individuals to practice universal but non-egalitarian love through learning and exercising familial and social rituals (*li*): while one is required to love every human being through appropriate ritual performance, one has metaphysically-grounded and ritually-distinguished moral obligations to look after one’s family members more than others (see next section for relevant issues about health-related concerns). Accordingly, Confucianism endorses differentiated and graded love (*chadengzhi*) rather than egalitarian love (*pingdezhi*). In short, from the perspective of this fundamental Confucian virtue of *ren*, it is impossible for governments to promote their people’s health and wellbeing without protecting the integrity, stability and prosperity of the families of their people<sup>4</sup>.

Mencius recognizes that the integrity, stability and prosperity of families will inevitably be destroyed if families do not have sufficient material means to take care of their family members:

“The people... will not have constant hearts if they are without constant [material] means. Lacking constant hearts, they will go astray and fall into excesses, stopping at nothing. To punish them after they have fallen foul of the law is to set a trap for the people. How can a benevolent man in authority allow himself to

set a trap for the people? Hence when determining what means of support the people should have, a clear-sighted ruler ensures that these are sufficient, on the one hand, for the care of parents, and, on the other, for the support of wife and children, so that the people always have sufficient food in good years and escape starvation in bad; only then does he drive them towards goodness; in this way the people find it easy to follow him (Mencius 1A.7).

At Mencius’ time, the lords of the states levied heavy taxations and corvees on their people for enhancing their own income to pamper themselves in luxury lives and strengthening their military forces to conquer other states. Mencius vociferously condemned such policies and took pains in attempting to persuade the lords to change to benevolent governance. He argues that benevolent governments must make their taxes and levies light. In particular, he followed Confucius again to contend that governments ought only to impose “a tax of one in ten and to abolish custom and market duties” (Mencius 3B.8). Only in this way, so he contends, can families be left free to pursue

*As humans are naturally  
born in, grown up,  
and cared for in families,  
Mencius, following Confucius  
endorses a foundationally  
Confucian family-based and  
family-oriented virtue*

their wealth through productive labor and exchanges in the market. Then the people in local communities can be taught and cultivated to “befriend one another both at home and abroad, help each other to keep watch, and succor each other in ill-

ness” (Mencius 3A.3). Consequently, “they will live in love and harmony” under benevolent governance (Mencius 3A.3).

This Menciusian quasi-libertarian view remains heuristic to contemporary governance. Although no powerful government today would confess that its tax policy is aimed at maintaining the enjoyments of its government-officials or enhancing the force of its military power to repress other countries, reality often tells a different story. A fashionable modern ideology emphasizes that govern-

ment offer welfare to its people, especially to its most unfortunate members. But the crucial issue lies in who are the most unfortunate members in society? Fitting in the cultural features of Confucian familism, Mencius answers this way: “Old men without wives, old women without husbands, old people without children, young children without fathers – these four types of people are the most destitute and have no one to turn to for help. Whenever King Wen put benevolent measures into effect, he always gave them first consideration” (Mencius 1B.5)<sup>5</sup>. This is to say, those individuals without complete families should be taken as the most unfortunate members of society to whom government should provide assistance. Accordingly, differing from the pure libertarian point that government should provide no welfare from public funds, Mencius supports establishing a safety net to ensure a decent minimum of health and wellbeing in society. Now the issue is how egalitarian this account of safety net should be, to which I turn now by discussing 14.2.

### III

Given the Confucian ideas explained above, it is aptly proper for Confucians to endorse that “progress in science and technology should advance: (a) access to quality health care and essential medicines, especially for the health of women and children” as stated in 14.2. This is not only because Confucianism would have no problem to agree that “health is essential to life itself and must be considered to be a social and human good”, but is also because the purposes of developing science and technology under a Confucian benevolent government would certainly include that of advancing its people’s “access to quality health care and essential medicines.” Finally, given Confucian family-based and family-oriented ethics, putting emphasis on “the health of women and children” is largely reasonable, because women and children are generally the weaker members both inside and outside of families. However, having said that, it is not clear if Confucians can readily accept the view of so-

cial justice as well as its stated right to health as contained in 14.2. Of course, it is clear that the statements covered in 14.2 adopt a global, rather than statist, theory of justice regarding human health – that is, a human right to health should be applied globally, not merely locally. Moreover, the entire Declaration recognizes that human wellbeing is comprehensive in nature. While health is by itself an essential dimension of human wellbeing, many other dimensions, such as nutrition and education, can significantly affect health. Thus, simply emphasizing health care is inadequate for protecting individual health. Accordingly, 14.2 focus on *a right to health*, rather than *a right to health care*. A right to health would imply a broader range of moral obligations to protect health than a mere right to health care. Both this point of stressing a right to health, as well as the emphasis placed on global rather than local justice, are considerably legitimate from a Confucian perspective.

The problem we confront is what kind of a right to health is precisely stipulated in the statement that “the enjoyment of the highest attainable standard of health is one of the fundamental rights of every human being” as stated in 14.2. This statement is open to two different interpretations, and each of them is apparently possible based on the literary expression of statement. The crucial issue consists in how “the highest attainable standard of health” should be understood. It could, first, be understood as “a decent minimum standard of health” that is attainable to all human beings in the world. Under this interpretation, the right endorsed in 14.2 is that everyone in the world, regardless of one’s national citizenship, has a fundamental right to enjoying the decent minimum standard of health. This right should be plausible and justifiable. On the one hand, it is evident that the world has been globalized in various respects. There should be certain moral obligations that extend across national borders to address international health problems. On the other hand, however, such obligations do not have to require that all humans in all national states have *equal* enjoyment of or equal

access to all services and goods contributive or beneficial to health that are ever available to any human being in any national state. For example, under this interpretation, we do not have to require that all frontier high-tech medical facilities available to Americans must also be provided to all Africans. As long as a decent minimum standard of health can be reasonably and legitimately established (by an international institution such as WHO), and certain relevant minimum goods and services beneficial to health (such as public health measures, sanitation, clean drinking water, and the like) can be ensured to all humans over the world, this right is satisfied, even if inequalities in health and health-relevant services exist across national states.

However, “the highest attainable standard of health” could also be interpreted to mean “the equally-applied highest possible standard of health,” rather than “a decent minimum standard of health.” Of course everyone understands that human resources are limited and that we cannot distribute all resources to health-relevant areas only. Even if we adopt a highest possible standard of health, it is impossible to meet all health needs for all human beings. These points are uncontroversial. Nevertheless, the equality requirement is different. It does not require meeting all health needs of all people, but only requires meeting health needs equally for all people. In particular, there is no conceptual contradiction to require that all available resources useful to health, regardless of their total amount that are determined by multiple factors, should be equally distributed according to health needs all over the world, no matter whose needs they are – this is an apparently possible way to pursue everyone’s enjoyment of health under the highest possible standard of health. Indeed, one can readily argue that for the concern of health, the criterion of national citizenship is as morally arbitrary as the criterion of race, class, or gender. Accordingly, based on this interpretation, if any

*Confucianism offers strong moral considerations to reject the radical egalitarian interpretation*

frontier high-tech medical facilities available to Americans are genuinely beneficial to health and should be incorporated into the scope of the highest possible standard of health, then they should also be provided to all Africans as well, regardless of expenses. As a result, under this interpretation, 14.2 stipulate that everyone in the world has a fundamental right to enjoying the equally-applied highest possible standard of health, rejecting inequalities existing across national states.

Many would argue that this idea of a right to the equal standard of health all over the world is practically unfeasible. “Unless the world’s economic systems are radically revised, this conception of a right is utopian”<sup>6</sup>. However, the feasibility problem aside, moral reasons for a right to health should first be considered. Do we have convincing moral reasons to support this radical global egalitarian idea? If we do, we should manage to revise the world’s economic systems according to the idea, and strive to apply a highest attainable standard of health equally to all the people in the world. No matter how hard this work is, we ought to do it because it is the morally right thing to do. On the other hand, however, if we have convincing moral reasons to object to this idea of a right, then we should reject this radical egalitarian interpretation and should instead advocate the “decent minimum standard” interpretation as mentioned above. If so, we should instead pursue a worldly health delivery system that allows the existence of inequalities across national states.

*IV*

I think Confucianism offers strong moral considerations to reject the radical egalitarian interpretation. As shown in section II, the central principle of the Confucian virtue of *ren* is differentiated and graded love, rather than radical egalitarian love. This Confucian virtue of love can be expressed in the three

following Confucian convictions on different moral obligations: in general situations,

1. One has more moral obligation to take care of one's family members than others in one's local or religious community (such as neighbors, friends, and acquaintances);
2. One has more moral obligation to take care of those in one's local or religious community than other citizens in the state;
3. One has more moral obligation to take care of one's fellow citizens in the same state than those people in other states.

This Confucian ethics of differentiated and graded moral obligations is not grounded in an assumption that different human individuals possess intrinsic value in different degrees. It rather embodies a relation-relevant morality – e.g., I have more moral obligation to take care of my parents than other people's parents simply because they are my parents, not because they possess more intrinsic value than other people's parents. Confucians hold that such differentiated and graded love and obligations reflect “the principle of Heaven and the equity of Earth” (*tianjing diyi*) that needs no justification. They simply manifest the Mandate/Dao of Heaven – it is the command of Heaven that humans should exercise their love, discharge their moral obligations, and conduct themselves in the world in such non-egalitarian ways. Nevertheless, Confucian resources contain some justificatory considerations that we can draw on to defend this non-egalitarian ethics for contemporary discussion.

First, Heaven has invested into the human heart/mind rudimentary moral emotions, especially the feelings of commiseration, shame and dislike, deference and compliance, and right and wrong (Mencius 2A.6). These inherent feelings are already relation-relevant. For example, as Mencius points out, a man naturally loves his brother's newborn baby more than his neighbor's newborn baby (Mencius 3A.5). These innate moral potentials can be cultivated and developed into full-blown moral virtues to treat other people in properly differentiated ways. It is precisely for

this purpose of virtue cultivation that the Confucian sages established the Confucian rituals (*li*), a series of familial and social behavior patterns, ceremonies and conventions, to inform appropriate human relations and guide suitable human interactions. In short, the Confucian life world of performing differentiated and graded moral obligations is in part justifiable through the legitimacy of a Confucian ritual system, because the latter system has a natural and spontaneous root in everyone's inborn moral emotional beginnings invested by Heaven and recognized by the sages to guide and cultivate human virtues in non-egalitarian ways.

Another relevant justificatory reason can be teased out from Confucius' insight into the “rectification of names” (*zhengming*). For Confucius, role names, such as “father”, “son”, “ruler” and “minister”, do not only refer to something in reality, they are operative as well. For example, “father” does not only report mere biological or social facts such as “he is a father”, it is also associated with the obligatory norms of being the father, such as “he ought to be kind to his children.” That is, showing special love and taking good care of his young children are the essential obligations of a father that are already implicit in the name of “father.” If a father fails to do so, he is not genuinely qualified to be called a father<sup>7</sup>. Similarly, names such as “neighbors,” “friends,” “fellows,” “citizens,” “aliens,” and “strangers” are all connected with relevant obligations and rituals. Although actual moralities operated in all places of the world can be understood as historically-, culturally- and conventionally-formed particular moral norms which differ from one to another in certain moral content, they commonly manifest such name-relevant and non-egalitarian features. Taken together, they indicate a moral system of differentiated and graded obligations like Confucianism rather than radical egalitarianism. Thus, burden is on radical egalitarians to show why all such non-egalitarian moral systems are simply wrong. Moreover, a Confucian non-egalitarian view of justice or fairness in treating others can be worked out based on the Confucian concep-

tion of righteousness (*yi*) to justify unequal love and obligations. For Confucians, righteousness is appropriateness. Is it appropriate that one's moral obligations to other people should be all equal? This requirement would be incongruous with the requirements of basic human relations that Confucianism argues people are naturally falling on: there should be "love between father and son, righteousness between ruler and subject, different functions between husband and wife, precedence of the old over the young, and trustworthiness between friends" (Mencius 3A.4). These different relations embody different moral sentiments and require different rituals in treating each other, which necessarily generate moral obligations that are unequal in treating different individuals. For example, from the Confucian view, given the child-parent relationship between my parents and myself, it would be squarely unfair for me to hold no more moral obligation to take care of my parents than anyone else's parents.

Finally, a justification may be found in the consideration of economic, political and cultural consequences generated by the egalitarian view of justice and rights. Egalitarian national welfare systems are now in crisis in numerous national states all over the world, let alone attempting to build egalitarian international welfare systems. Politicians intend to gain more votes by maintaining or enhancing welfare for more people, which inevitably generate disastrous long-term consequences. Rocket-rising broken families and ever run-up single-parent families are evidently harmful to the healthy development of children. The Confucian moral view of differentiated and graded love is a suitable view to adopt to prevent such disastrous long-term consequences.

With this Confucian moral system of differentiated and graded moral obligations, we must object to the radical egalitarian interpretation of 14.2. If everyone in the world has a fundamental right to enjoying the equally-applied highest possible standard of health all over the world, then (1) we must enforce a one-tier system of health on every country to ensure equality, without allowing any coun-

try to provide any better tier of health (than the universally attainable highest standard of health) to its people. This would violate the Confucian conviction that one has more moral obligation to take care of one's fellow citizens in the same state than those in other countries. Secondly, following this right, (2) we must require every government to enforce this standard inside the state, without allowing any religious or other communities to offer a better health standard to its members. This would violate the Confucian conviction that one has more moral obligation to take care of those within one's local or religious community than other citizens in the state. Finally, (3) this right requires that everyone equally get access to or enjoys similar health services or goods within any community. This would violate the Confucian conviction that one has more moral obligation to take care of one's family members than others within one's local or religious community. Confucians would go for the non-egalitarian interpretation of 14.2. The result will inevitably be a multitier system of health both domestically inside a state and internationally among states. Families, communities and states will each have to be allowed to offer or purchase a better basic tier of health for their respective members<sup>8</sup>. Meanwhile, the support of a multitier system does not preclude, much less deny, a fundamental right that everyone in the contemporary world should have to enjoy the decent minimum standard of health as explained in the non-egalitarian interpretation of 14.2. Although Confucians do not endorse egalitarian love, they do endorse universal love – that is, every human being in the world should be loved and cared in proper ways. This universal love requires the support of establishing a minimum safety net about health for all human beings in the contemporary world, although it rejects the robust idea of equality.

✓

It is not controversial that progress in science and technology should advance access to quality health care and essential medicines.

What is important is to clarify and justify what is a proper right to health in the contemporary world. This essay shows that Confucianism supports that everyone should have a fundamental right to a decent minimum standard of health. This standard should be established internationally, although it is beyond the scope of this essay to define what its specific content should be. However, drawing on the Confucian considerations laid out in the previous sections, I will make two suggestions to conclude this essay. First, this decent minimum standard for global health should not be internationally ambitious. It may primarily include only public and preventive health measures, including sanitation, vaccination, clean drinking water, basic nutrition and education, and the like. Of course, this standard can gradually be enhanced as science and technology advance. But it should not be set high at this point. Second, major international concerns and efforts should be given to prominent health problems existing in some places of the world, rather than to any egalitarian projects. For example, at the present time, shouldn't the affluent countries in the world be more morally obliged to offer assistance to deal with the largest ever Ebola outbreak that is currently underway in several countries in West Africa?

#### NOTE

<sup>1</sup> The *Mencius* is selected for the sake of offering this account not only because the *Mencius* has been taken

as one of the four basic Confucian books ever since the Song dynasty of China in the 11<sup>th</sup> century, but also because it provides a detailed account of the central Confucian principles directing the policy formulation and operation of Confucian benevolent governance, as I will show in the text. Presumably, at least regarding moral issues around health and health-relevant services, this account of Confucian benevolent governance is largely uncontroversial among different Confucian classics, schools, and figures.

<sup>2</sup> This service conception "is clearly in opposition to the ownership interpretation of *tianming*, namely, that *tianming* grants the ruler an ownership right to the land and people" See J. CHAN, *Confucian Perfectionism: A Political Philosophy for Modern Times*, Princeton University Press, Princeton, 2014, 31.

<sup>3</sup> All my citations of the *Mencius* in this essay are adapted from *Mencius: A Bilingual Edition*, trans. D. C. LAU, The Chinese University Press, Hong Kong, 2003.

<sup>4</sup> For more detailed argument for this line of consideration, see R. FAN, *Reconstructionist Confucianism: Rethinking Morality after the West*, Springer, Dordrecht, 2010.

<sup>5</sup> King Wen was a sage king living in the early Zhou Dynasty (c. 1000BCE), whom both Confucius and Mencius highly admired.

<sup>6</sup> T. BEAUCHAMP - J. CHILDRESS, *Principles of Biomedical Ethics*, Oxford University Press, New York, 2013, 272.

<sup>7</sup> For similar justificatory considerations, see Wang in which he provides a relevant defense of the Confucian duty of filial piety. Q. WANG, "The Confucian filial obligation and care for aged parents", in R. FAN (ed.), *Confucian Bioethics*, Kluwer Academic Publishers, Dordrecht, 1999, 235-256.

<sup>8</sup> For a powerful argument for the moral inevitability of a multitier system, see H.T. ENGELHARDT, Jr., *The Foundations of Bioethics*, Oxford University Press, New York. 1996<sup>2</sup>, 398-404.