QIANFAN ZHANG

THE IDEA OF HUMAN DIGNITY IN CLASSICAL CHINESE PHILOSOPHY: A RECONSTRUCTION OF CONFUCIANISM*

All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.

—Universal Declaration of Human Rights (1948)

About fifty years ago, the United Nations appealed to the “recognition of the inherent dignity and of equal and inalienable rights of all members of human family” as “the foundation of freedom, justice and peace in the world”.¹ With the exception of the 1949 Basic Law of the Federal Republic of Germany which honored human dignity as its controlling norm,² however, the concept of human dignity did not seem to arouse much political attention among nations of the world. While many developing nations were beset by economic hardship and political repression, developed liberal democratic nations were confronted by the explosion of various movements demanding political, economic, and social rights. The United States, for example, was preoccupied with the Civil Rights movement in the 1960s, and with the welfare rights and rights for women in the 1970s. Despite the conservative turn, the world continued to be inundated with the “rights-talks” in the 1980s. Individual rights in different realms of human life—rights to free speech and free exercise of religion, rights against legal and political discrimination based on race and sex, rights to procedural fairness in welfare hearings, rights to the physical freedom of women versus potential rights of an unborn life, and so on—seemed to be the only ground that people in liberal democracies were willing to accept as the basis for a good life. Yet rights are not self-justifying, and “rights-talks” will remain groundless without some unifying conception of human beings. Although the postwar rights movements did contribute to improving the social, economic, and political status of disadvantaged sections of the population, they shifted the focus of political, legal, and philosophical debates away from the central question about the meaning of human dignity and, without even attempting to answer this question, many invented rights remained unjustified.³

¹ Journal of Chinese Philosophy 27:3 (September 2000) 299–330
² © 2000 Journal of Chinese Philosophy
Recently, however, there seems to be a renewed interest in the idea of human dignity among philosophers and legal scholars. Within the Western liberal tradition itself, some philosophers come to view dignity as the philosophical foundation for the existence of rights. A U.S. Supreme Court Justice even endeavored to found the new constitutional rights on the basis of human dignity. The concept of dignity is also used, though implicitly, as a device to reconcile Confucianism, primarily a duty-oriented ethics, with rights-based modern liberalism.

The recent rise in references to human dignity has hardly contributed to its conceptual clarity, however. The concept, which Ronald Dworkin notes rightly as broad and vague, has caused much confusion. It has been used by authors of different convictions to stand for different meanings and with different implicit assumptions, often never made explicit and articulated. It has been employed variously to convey, among other things, the Kantian imperative of treating human beings always as the end and never as a means only; the "intrinsic humanity divested of all socially imposed roles and norms"; the inherent worth belonging equally to all human beings; the actually developed and mutually recognized moral status of a person; the act and the capacity of claiming one's rights or the self-controlled expression of rights; the right to secure inviolable moral status against degradation and disgrace in the context of the due process and the equal protection clauses of the Fourteenth Amendment in the United States Constitution; self-respect implying respect for others as opposed to purely self-centered esteem; the quality or state of being worthy and esteemed, which requires respect for one's physical or psychological integrity; full realization of human power and rational existence; the existentialist "authentic dignity of man" as found in man's thrownness into the truth of Being; the universally shared human reality as given by God or the unique value of human being created in the image of God; and the all-embracing Confucian ideal of humanity (ren) composed of "concentric circles" of the self, the family, the state, human society, and the cosmos. Whereas some of the connotations are vague and unclear in themselves—what is meant by the end as opposed to mere means? what is full realization of human power? etc.—others conflict with one another, such as the notion of human dignity as an intrinsic quality universal to all versus the idea of extrinsic characters present only in some human beings. It is perhaps not far-fetched to say that the current discussions of human dignity are mired in the stage of conceptual chaos.

In this article I seek to clarify the concept of human dignity by introducing the contribution of classical Confucianism to this subject. As I indicate in the title, however, it is a reformulation of the Confucian view,
for the concept of human dignity was neither explicitly mentioned in classical Confucian texts nor systematically explained by traditional interpretations. I nevertheless argue that it is the most adequate concept for understanding and interpreting Confucianism, which discovered the dignity of man in the innate virtues (de) unique to mankind by which every man and woman is enabled to live a morally decent and materially self-sufficient life. The article is divided roughly into two parts. After a brief review of the conceptual development in the West, I explain, primarily in the words of Confucius and Mencius, the meaning of human dignity as exemplified by a Confucian gentleman. Next I shall discuss the connection between the Confucian concept of dignity and the Western concepts of rights and duties. Conceding that Confucianism failed to espouse the modern ideas of democracy and liberty, unlike some who might contend otherwise, I argue that the idea of human dignity, which is firmly rooted in Confucianism, does contain the potential of receiving new interpretations that can bring about basic compatibility between the Chinese cultural tradition and the prevailing Western notion of liberal democracy. While human dignity implies a universal demand for its protection and respect, and is thus primarily a duty-oriented concept, the universal duty imposed on the state and society does confer definable rights to the individual. I argue, indeed, that compared to the Hobbesian theory of natural right, on which the Western liberal tradition is founded, the Confucian concept of human dignity can accommodate a more balanced and consistent view of rights and duty.

**THE CONCEPT OF HUMAN DIGNITY IN THE WEST: AN OVERVIEW**

Like the notion of individual rights, human dignity is surely a Western concept. But in the prevalent rights-oriented ethical discussions today, "human dignity" is not among the terms that are often talked about. And in those academic works that do mention the phrase (even in their titles), it is often left undefined and is used to express moral convictions the authors take for granted to be self-evident. Yet the concept of human dignity is anything but self-evident. Having comprehensively surveyed the conceptual development in the history of Western philosophy, Spiegelberg finds it compelling to conclude that the meaning of "human dignity" remains vague and inconsistent, and the clarification of the concept still poses a "genuine challenge" to contemporary philosophers. To facilitate comparison with the Confucian idea of human dignity discussed below, I provide here a brief account of the conceptual development in the West.
Since the time of the Greek philosophers, the concept of human dignity has evolved in both the secular and religious traditions of the West. From the beginning, human dignity was implicitly associated with freedom and reason. In the Platonic anatomy of the soul, reason is the best and the highest part: it is the divine substance, the partaking of which elevates the soul and makes it immortal. For Aristotle, men are dignified by virtue of reason because it brings order to their individual and social lives.26 When it came to the Christian scale of value, however, human reason was relegated to a minor place. For Augustine, human beings are knowing animals, yet reason is not the end in itself, but only the means to a higher end.27 Fundamentally, faith is the precondition to right reasoning, and the faith in God, the perfect and highest good, is to be chosen freely by human will.28 Free will, then, seems to be the ultimate locus of human dignity.29 In the same vein, Descartes elaborates further that mankind can be said to partake a part of its Creator, not in its limited capacity for reason, but in the unlimited free will.30 In a sense, man has dignity because he is created in the image of God, and carries within him a portion of divine substance.31 Under the influence of the humanist movement since the Renaissance, the Christian view of human nature took further positive development. Indeed, one of the earliest clear expressions of the “dignity of man” came from a young Medieval priest.32 Yet the Christian notion of human dignity seems to be necessarily limited in certain aspects. After all, it is precisely the free will that makes men consciously abandon their belief in God and deviate from his commands, thus falling into sin and evil.33 Consistent with the Christian theological belief, it seems, human dignity could not possibly originate within human beings, but must come from some external source.34

With the Enlightenment, “the dignity of man” became a general ideal independent of particular religious doctrines, and acquired its modern meaning. Most prominently, Kant combines freedom and reason to derive a unique notion of human dignity. For Kant, one’s dignity (würde) comes exclusively from the inner, unconditional worth of moral law and the capacity for autonomous law-making.35 Everyone is in essence a free and rational being, capable of making for him or herself the moral laws that apply universally.36 By virtue of the self-legislatiting capacity, man is able to live in the kingdom of ends, where he treats others as beings of intrinsic, irreplaceable worth (as opposed to goods replaceable at certain prices), and can expect in turn that he is treated by others in the same manner.37 The universal, categorical imperative would command everyone to treat others as well as him or herself as ends in themselves and never merely as means to some other ends.38 Yet, as several authors have contended, the Kantian notion of dignity is difficult to conceive because it is associated with moral freedom, which
exists not in the observable phenomenal world (which Kant, under the influence of the Newtonian and Laplacian view of the cosmos prevailing at his time, believed to be mechanically determined), but only in the non-observable and incomprehensible noumenal world ("the thing in itself").

Despite this problem, the Kantian conception of man as a morally autonomous and self-legislating creature, who must be treated as the end in itself and not merely as a means, remains unsurpassed as the basis for the Western concept of human dignity. Indeed, it became all the more appealing in light of the traumatic human experience in the twentieth century, especially during and after the two World Wars, in which the dignity and basic rights of millions of men and women were systematically trampled by totalitarian dictatorships. To permanently prevent the recurrence of atrocities committed by the Nazi regime, the Federal Republic of Germany absorbed the elements of Kantian moral philosophy in its postwar constitutional practice. Most notably, the German Basic Law declares in its unalterable opening article that "The dignity of man shall be inviolable. To respect and protect it shall be the duty of all state authority." The clause of human dignity has led to an admirable body of jurisprudence developed by the German Constitutional Court and is treated as the controlling norm by which all individual rights are interpreted. The philosophical cornerstone of the German constitutional jurisprudence remains the Kantian tradition, infused with Christian natural law and social democratic concepts.

On the other hand, the moral idealism in Kant's philosophy took a radical subjective turn in the existentialist development during the war period. In searching for a secure place for human freedom and dignity in a hostile human environment, the existentialists turned to the inner world of human consciousness, and identified the dignity of man with the freedom of choosing and making oneself. Radical and unfettered freedom now becomes the sole foundation of all values. In a representative work, for example, Sartre underscores the famous existentialist theme: "Man is nothing else but that which he makes of himself," "Man makes himself; he is not found ready-made; he makes himself by the choice of his morality, and he cannot but choose a morality." Through free choice a man becomes responsible for his actions. Indeed, Sartre goes beyond Kant's universality of moral laws when he declares that man not only legislates for himself, but is also "a legislator deciding for the whole of mankind," and thus becomes "responsible for myself and for all men." Still, although Sartre seems to agree with Kant that certain forms of morality are universal, he rejects any notion of a priori moral laws, and insists that "One can choose anything," as long as the choice is made freely. He further rejects the Kantian version of human-
ism, which takes man as the end in itself and as the ultimate value. To the contrary, the existentialists would “never take man as the end, since man is still to be determined.” Of course, at the same time, the existentialists reject Christian theology as the proper account of human morality. There is neither a God who created mankind with fixed human nature nor the Ten Commandments which inexcusably order human beings to refrain from doing certain things; every man is completely free and responsible for every action he takes, even though it is taken without any rational justification. As existentialism treats individual choices as fundamentally groundless, irrational, and absurd, it has often been attacked for advancing moral nihilism. For our purposes, the radically subjective orientation of existentialism seems to have undermined its chance of success in searching for human dignity. After all, it is difficult to make sense of human responsibility without any guiding principle, or to see the dignity in human beings as moral agents whose value choices are entirely without rational ground. A solid basis for human dignity and freedom is yet to be established.

In seeking to provide the philosophical foundation for the respect and protection of individual rights, several attempts have been made recently to reinvestigate the meaning of human dignity. While authors in the Judeo-Christian tradition continue to maintain that human dignity is to be ultimately based upon the theological premise that God created man in his own image, there are also encouraging developments within the secular tradition. The concept is explicitly discussed in a recent volume edited by Michael Meyer and William Parent, which explores the essential relationship between human dignity, constitutional rights, and American liberal values. Perhaps the most systematic and consistent treatment is provided by Alan Gewirth, who seeks to use his “dialectically necessary method” to derive the existence of human dignity. For Gewirth, the concept of human dignity contains both empirical and inherent aspects. Whereas the contingent features of acquired desirable characteristics (such as gravity, composure, confidence, and self-respect) belong only to certain human beings and to different degrees, intrinsic worth is shared by all human beings to an equal degree. Questions persist, however, regarding the relationship between the intrinsic and extrinsic aspects of dignity and its moral implications. In what sense is inherent dignity shared by all men, making a criminal on the par with a saint? Should individual differences in extrinsic dignity make any difference to one’s political and social rights? Should the notion of inherent dignity impose any duty on the person to acquire extrinsic dignity, besides giving him the right to demand respect from others—an aspect on which almost all relevant discourses so far have focused? Since these questions have not been satisfactorily answered in the existing lit-
erature primarily interested in finding justifications for individual rights, I now turn to classical teachings of Confucianism for additional insight.

THE CONFUCIAN CONCEPT OF HUMAN DIGNITY

Although human dignity is explicitly a Western concept, it has a close Chinese correlate. Its literal translation today is zunyan, a word often used in conjunction with a familiar Confucian term, renge, which is sometimes translated as “moral personality.” The latter compound word has a rather tortuous history. It was first used in Japanese to express “persona,” a psychology term. When it was introduced to China, however, it became associated with the ideal Confucian personality and acquired moral and ethical connotations. In expressing the idea of human dignity, it is perhaps better that the two Chinese terms be used jointly, so that renge expresses, in R. M. Hare’s scheme, the descriptive element, and zunyan the prescriptive element, of the normative concept. Although neither term appears systematically in the classical Confucian texts, as I argue below, this concept (denoted as human dignity from now on) best captures the moral teachings of Confucius and Mencius.

In Confucianism, human dignity is a composite normative concept and as such, implies conceptual elements on three related but distinct dimensions: descriptive, prescriptive, and emotive. In the descriptive (or cognitive) dimension, the concept contains the belief in the basic facts about human life or more accurately, about the possibilities of human life, based on empirical observations of social interactions among human beings. This is the relatively objective realm of “is” or “can.” The prescriptive (or evaluative) dimension, on the other hand, presupposes the subjective valuation of these facts by human individuals or groups, from which the prescriptive notion of “ought” is derived. In this dimension, the concept implies evaluative determination of what types of human life, actions, or dispositions to act are to be regarded as “good,” noble, and praiseworthy, and positively prescribes a duty to develop, maintain, and preserve—at least refrain from harming—the conceived good. Thus, the first two dimensions define the normative meaning of a value concept. Finally, the emotive dimension entails the behavioral manifestations that naturally ensue from believing in and subscribing to the norm. It can include, for example, the exhibited psychological satisfaction and confidence derived from continuous moral practice prescribed by the norm, or the natural sentiments it arouses in common people, such as approbation for what they perceive as conforming (thus desirable) behaviors and antipathy to deviant practices. In this way, the
emotive dimension furnishes a partial empirical "proof" for the universal presence of the norm within normally developed human beings. I shall seek to explain below the term "human dignity" in terms of these three dimensions.

*The Meaning of Dignity as Exemplified in the Confucian Gentleman*

Descriptively, human dignity stands for a set of beliefs about human life or the kind of life that human beings are capable of living. Here the concept contains two aspects about human nature: potential and actual (which roughly corresponds to Gewirth's notion of "inherent" and "empirical" dignity, or Stetson's notion of "intrinsic" and "extrinsic" dignity). The vision of unique human potentials sets the framework for a good life, and requires active pursuit to actualize these potentials. The Confucian idea of human dignity is thus closely related to its central concepts of innate virtues, the characters of the gentleman (*junzi*), and the Principle of the Mean (*ZhongYong*). It should be noted that, unlike virtues in the Greek sense, which stand for acquired moral habits, "virtues" used here to translate the Chinese word *de* means potentials in a human being, and is sometimes translated as potency, power, or capacities. In other words, the Chinese "virtues" are not primary faculties ready to carry out certain types of actions (e.g., the quality of justice as propensity to act justly), but only secondary faculties that enable a person to acquire the primary faculties (e.g., the ability to become a just person through some effort).

The Confucians believe that men are endowed by Heaven (*tian*, equivalent in meaning to Nature) with a set of innate virtues. On one occasion, Confucius makes a remark about himself that "Heaven produced virtue in me." Mencius further develops this assumption of human nature into an ontological doctrine. Everyone is endowed by Heaven, he says, with four beginnings (*si duan*) of "heart-mind" (*xin*); they are the seats of the four cardinal virtues: humanity (*ren*), righteousness (*yi*), propriety (*li*), and wisdom (*zhi*). While the heart-mind for shame and distaste (for one's own bad behavior) is the seat of feeling for justice, the heart-mind for compassion is the origin of humanity. Humanity and justice are the inborn moral qualities that define the essential character of a human being, and without which a man would be reduced to a mere animal. With adequate education, learning, and self-cultivation, these innate capacities will be actualized in a person, making him a mature gentleman. It should be noted that, already in early Confucianism, "gentleman" had become respectful title for anyone who acquired high moral status. As Liang Qichao pointed out, "Junzi is not a word denoting one's social status; it is a word that
denotes one’s moral status. In other words, junzi represents a person who has perfected his renge.”

To Confucius, one becomes a gentleman when he has succeeded in cultivating balanced virtues based on the central Principle of the Mean. Confucius makes it unambiguous that a gentleman is one who consciously follows the Principle of the Mean, by which he unites himself with Heaven. The ability to act according to the Mean becomes the definitive criterion for distinguishing a gentleman from a mean-spirited “littleman” (xiaoren), a “small person” with low moral status. Thus, “a gentleman acts according to the Mean; a littleman acts contrary to the Mean. Because a gentleman maintains the Mean, he always acts to a perfect degree.” As a result, in a gentleman, we find several primary virtues in a harmonious proportion: “Benevolent, he is free from worries; wise, he is free from perplexities; courageous, he is free from fear.” The best example is Confucius himself, who is praised for being “gentle but serious, awe-inspiring but not harsh, respectful but calm.”

One may contend that the Principle of the Mean is too general to guide concrete human conduct, and the specific virtues are either too vague (e.g., what is the meaning of humanity, ren?) or, once they receive a fixed interpretation, quickly become dogmatic and anachronistic (e.g., to be ren is to respect one’s parents and, thus, when either of them dies, to mourn for three years). Further, even the Confucians might not agree among themselves as to which virtues (e.g., ren or li?) should be placed at the highest hierarchy and govern others, or how they should be interpreted. Although these contentions do carry some force, they by no means undermine the basic Confucian idea that man is endowed with a set of unique potentials that characterize him as man, and such traditional virtues as humanity, justice, wisdom, courage, and propriety of conduct, still receive wide approbation today, even though their interpretations may be disputed and modified over time. In other words, while the descriptive content of what constitutes human dignity may vary, there is nevertheless the Confucian consensus that a meaningful content is there. We should reject the dogmatic tendency in Confucianism and admit, with Alasdair MacIntyre, that our conception of man is not static, but a dialectic progress, which changes with time, circumstances, and the improvement of human understanding. Yet this does not preclude society from accepting, at any given time, a prevailing view about human nature upon which its moral judgment is based.

One essential virtue whose social acceptance has withstood the test of time is righteousness or justice (yi). A Confucian gentleman is above all a righteous man, who always directs his action according to justice as required by the Principle of the Mean. Thus, “a gentleman stands erect in the middle, without inclining to either side.” He ties himself fast to
that principle, without being swayed by such external influences as profits, power, or financial difficulties.\textsuperscript{71} “A gentleman does not give up his righteousness when he is poor; nor does he deviate from the Way when he is prosperous. . . . If poor, he cultivates his virtue in solitude; if prosperous, he strives to bring virtue to the whole world.”\textsuperscript{72} Nor is the principle of his behavior least affected by his socio-political status, as “in a high position, he refrains from treating his inferiors with contempt; in a low position, he refuses to court the favor of his superiors. He rectifies himself, and seeks for nothing from the others.”\textsuperscript{73} Nor should the state of politics distract him from following the path of justice: “When good principles prevail in his government, he tenaciously pursues his goal. . . . When bad principles prevail in the country, he maintains his course to death without changing.”\textsuperscript{74}

Firm commitment to righteousness confers physical and moral independence upon a gentleman. By claiming more than one deserves (for example, undue prestige or salaries), the acts of injustice indicate a state of dependence on others—the signature of a morally inferior mind. On the contrary, a gentleman relies not on the changeable wills of other men but rather on his own effort, through which he can bring about the actualization of his innate qualities endowed by Heaven, thereby achieving true autonomy.\textsuperscript{75} Having identified himself with the Way of Heaven, a gentleman will act on his own initiative, independent from any pressure, power, or opinion of other men. He is to act justly under all circumstances, with or without the awareness or presence of the others. For even if nobody on earth knows his virtues and vices, the omniscient Heaven and he himself would know, and an unjust action degrades his personal dignity, making him feel shame in his mind. For this reason a gentleman must take care of his virtue even when he is in solitude.\textsuperscript{76} Meanwhile, once he has sincerely examined himself according to the principle of justice and left his mind free from any sense of moral shame or guilt, a gentleman becomes the most courageous of all men, and cannot be compelled by any external force, least by the fear of other men’s power. Thus, from Confucius’s disciple we learn of the master’s great courage: “On self-examination, if I find that I fail to be righteous, I would not threat a single man, be he in an inferior status; but, on self-examination, if I find that I am righteous, I will go forward even against a crowd of a million men.”\textsuperscript{77}

To summarize, a Confucian gentleman is a person who has actualized in a balanced fashion the innate virtues endowed by Heaven as a human being. He or she exemplifies the Confucian ideal moral character that any person can attain through continuous moral learning and practice. In the words of Mencius, a gentleman is “to dwell in the magnificent house of humanity, to stand in the right place of propriety, and to walk
on the great path of justice; when he succeeds in obtaining an office, to practice his principles together with his people; when his effort is frustrated, to persist in the practice of these principles alone. Wealth and honor cannot corrupt him; poverty and low status cannot move him (away from justice); and power and force cannot subjugate him."

"The Prescriptions of Dignity: Individual Cultivation and Universal Respect"

The Confucian concept of human dignity, of course, not only implies the factual recognition of the unique human possibility of becoming a gentleman, but also bestows value on the realization of such possibility. And, like every value, it depends on the evaluative effort of the subject itself. An uncultivated person has perhaps the equal potential to become a sage or a villain; it is incumbent on human beings themselves to value the former and condemn the latter. The great Confucian authority, Xunzi, once said that "Water and fire have essences (qi), but not life; herbs and trees have life, but no knowledge; birds and beasts have knowledge, but no sense of justice (yi). Man has an essence, life, knowledge and, in addition, a sense of justice; thus he is the noblest on earth." But even if we are convinced that human beings indeed possess the innate sense of justice, it does not necessarily follow that it is the most noble; to thus value mankind above everything else, which gives rise to the unique pride for being a man, is itself a value judgment. It is an anthropocentric view of homo sapiens, individually and as a whole, as it means simply that we value human lives higher than all other things. This (and, to a Confucian, only this) life is worth living, precisely because it is believed to be a process of continuous actualization of the unique potential worth present in every human life. The "radical world optimism" is the very essence of Confucian and, more generally, Chinese humanism.

The belief in human dignity presupposes an irreducible worth attached to every person insofar as he or she is a human being. This is best illustrated in the Mencian theory of human nature, which enables Mencius to develop a positive doctrine of human value. Mencius assumes that everyone is born with a noble body together with the capacity to develop it. Man is set apart from other animals perhaps by only a slight difference, yet it is precisely this small difference that makes man unique. The unique value of man lies not in his material body—because that he shares with all other animals, but exclusively in his moral faculties as embodied in his heart-mind (xin). Responsible for moral and rational thinking, the heart-mind is the noblest organ possessed by human beings and, unlike the material body whose advan-
tages are unequally inherited by different individuals, the moral heart-
mind is endowed equally in all men and women. As a result, "everyone
possesses in himself the noble value." The individual moral differences
lie not in the natural endowment, but in the posterior development of
the innate potentials. Mencius distinguishes the "noble" or "great" body
(the heart-mind where humanity resides) from the "ignoble" or "small"
body (sensuous organs giving rise to passion and desire). "While a gen-
tleman follows his great body, a littleman is driven by his small body." Unlike a littleman who is preoccupied with his selfish material desires, a
gentleman takes care to cultivate his sublime moral character by pursu-
ing humanity and justice, which enables him to lead a life that is worthy
of his noble nature. Humanity and justice are true nobility, which is
endowed by Heaven and cannot be substituted by human nobility (such
as high social status and comfortable material life). Whereas human
nobility is contingent on individual fortune and limited necessarily to a
few, the inherent nobility of Heaven is absolute and universal to all
human beings.

Now it may be contended that the Confucians valued not so much the
potentials inherent in man as the actually developed qualities exhibited in
a gentleman. Munroe observes, for example, that traditional Chinese soci-
ety had consistently rejected the ideas of democracy and mass political
participation precisely because of the Confucian emphasis that only those
who had actually developed virtues had the right to participate in poli-
tics. Arguments of this type do have merits, but they cannot support the
assertion that the Confucians did not value the pure potentials in every
human life. There are plenty of passages in the classical Confucian texts
that point to the contrary. For Confucius, human beings in general are
worth more than anything on earth, and should not be arbitrarily harmed
or destroyed even by the highest ruler of the state. He strongly con-
demned, for example, the custom of using figurines in the kings’ burial
because the figurines were made to look too similar to real ordinary
people (instead of only the gentlemen—if they had any distinctive out-
look). When a horse stable caught on fire, he asked, without mentioning
the horse, whether anyone (rather than only men of elevated moral sta-
tus) had been hurt. Likewise, Mencius clearly sees the same worth in a
toddler in his famous example where he attempts to illustrate the exist-
ence of humanity by the spontaneous feeling of compassion. Suppose
we witness a toddler approaching a water well, he argues, we would be
prompted by our natural compassion to go forward and save her from the
danger. Had Mencius not valued the potentials innate in a human being,
we would seem to have no reason to save the baby, for she is yet to fully
develop her unique human potentials. In this case, an undeveloped
human child should not be worth more than other animals, and we should
not feel more compelled to save her than to save, say, a cat about to fall into a well. But Mencius would disagree, I believe. Whenever a human life, whose multifarious potentials are yet to be actualized, faces such danger, the matter is of an entirely different order. Thus, although Mencius intended to use this example to illustrate the presence of humanity in every human being as a potential virtue, it can be plausibly extended to show the general Confucian concern and respect for innate human potentials. Whether a person has actually developed these potentials (as he ought to), they are regarded as having value by themselves and deserve respect from others. In the Confucian view, then, the potential virtues innate in every human being are an inseparable part of human dignity.

On the other hand, as a value concept, human dignity also carries a prescriptive component. It places high premium on certain potentials innate in every human person and treats them as the irreplaceable good, which positively requires the individuals to cultivate these unique potentials by learning and practice in order to become fully human and, at the same time, to respect the same potentials in every other man and woman. Further, the concept can be plausibly so construed as to demand that the state and society should respect, protect, and help cultivate the virtues in every individual, thus providing everyone with certain basic rights, both in the negative (liberty) and positive (claims) senses. The prescriptions entailed by human dignity, then, contain three distinct aspects: the self, the other, and the collective.

First, a Confucian gentleman is a person who values his inborn virtues and takes care to preserve and develop what he believes to be noble in him, and he is said to have developed dignity precisely because he acts in accordance with his innate nobility. Significantly, the Confucians did not stop here, but further required the conscious cultivation and actualization of these inborn capacities. To see this we need only mention the classic Great Learning (Daxue), which prescribes a systematic program for self-cultivation (xiushen). Having cultivated the virtues, a Confucian gentleman practices and displays them overtly in his daily actions, giving rise to an appearance that commands respect from others. Thus, the Confucian dignity combines both the internal and external aspects of a human being; it presupposes the potential unique to mankind and, taking its value for granted, requires every man and woman to make a good effort to develop it in daily life. When the dignity is fully developed, it would spontaneously display itself in one’s appearance and behavior, as a part of acquired habits.

Second, the gentleman’s sense of justice presupposes his conscious recognition of the same basic worth in all other persons who command his respect. Respect for others is the natural extension of his self-respect, for a just man must obey the basic rule of reciprocity, which
Confucius takes to be the Way for every gentleman: “Whatever you do not wish others impose upon you, nor do you impose on others.” Thus, when his student asks about the practice of virtue, he says: “When you leave home [to govern a people], behave [cautiously] as if you were receiving a great guest; to employ the people as if you were assisting a great ceremony. Do not impose on the others what you do not wish the other to impose on you.” If a gentleman wants himself to be respected, then, he must first respect others and treat them as human beings who, like him, are endowed with moral and intellectual faculties capable of being fully developed. To imitate the absolute justice of Heaven, a gentleman must refrain from doing anything that might prevent anyone from actualizing his or her potential and achieving full dignity. Thus, his respect is due not only to cultivated gentlemen with comparable moral achievements, but also to every ordinary person, whose innate capacities make human improvements an ever-present possibility.

But even that is not enough: A gentleman is concerned not only with interpersonal moral conduct, but also with the ideal state and society in which he prefers to live. While he respects every human being in the universe, it would be quite rational for him to require others to do the same. Further, he should also like to be able to require that we all respect the basic dignity of any other person. Human dignity requires universal respect, from which no one ought to be excluded. For this purpose, recognizing the weaknesses and limitations in individual human beings, a gentleman should concern himself with setting up proper laws and social institutions to secure such an end, that is, to prevent everyone from taking actions that would diminish anyone else’s dignity. These laws and institutions establish what are in nature private rights, because they protect the dignity of every citizen against private encroachment from others. Last and most important, he should be concerned, above all, with establishing fundamental rules that can prevent these institutions themselves, especially the state, from exercising powers in such a way as to defeat the very aim for which they are erected. We thus need a constitution that can limit the powers of the state and social organizations, and provides basic rights to every individual against public encroachment. Although, historically, the Confucians were not always conscious of the need for the institutional balance of powers, it seems reasonable to derive these basic institutional requirements from the Confucian concept of dignity.

The Sense of Dignity in a “Shame Culture”

Is there any ground for holding this fundamentally optimistic self-evaluation and for believing that the distinctive virtues in a human
being make him or her nobler than all other animals? It is true that,
even if we can prove that we are in fact endowed with the Confucian
virtues (e.g., the innate abilities to acquire, among other things, humanity
and justice), we are by no means logically compelled to confer highest
value on them or even regard them as "good" at all.92 Without endorsing
existentialism as a whole, we may nevertheless agree that human beings
are free to value or devalue everything existing. Nor is it feasible to
empirically demonstrate—in the strict sense of the word—the universal
existence of these virtues in every individual person. Yet at least a par-
tial vindication can be made to support the self-consistency of holding
such a belief. That is, for those who have succeeded in developing their
virtues, they do feel the existence of inner worth, as shown in psycholog-
ical satisfaction and self-confidence; on the other hand, if they under-
take actions contrary to the opinion they hold about their moral
nobility, they will have a distinctive experience of feeling degraded. Fur-
ther, even ordinary men and women do have a sense of dignity within
themselves which, though perhaps not consciously articulated, shows
itself when their self-esteem is harmed by degrading treatments. Thus, it
does seem that some sense of dignity is universally felt in every human
being.93 This leads us to inquire about the third and last dimension of
human dignity: the emotive dimension, which contains both positive
and negative aspects.

First, as stated earlier, the quality of justice in a Confucian gentleman
gives him the sense of moral independence, and allows him to corre-
spend with the Way of Heaven without having to blindly follow others.94
This presupposes a considerable degree of confidence in his own moral
righteousness, which is to be exhibited in an easy but dignified outlook
that naturally commands respect from others. In the words of Con-
fucius, one becomes a gentleman "when he maintains a dignified ease
without being arrogant; when he is majestic without being fierce."95 As
he explains further, "Whether [the gentleman] has to do with many
people or few, or with things great or small, he does not dare to indicate
any disrespect;—is not this to maintain a dignified ease without any
arrogance? He adjusts his clothes and cap, and throws a dignity into his
looks, so that, thus dignified, he is looked at with awe;—is not this to be
majestic without being fierce?"96 The "dignified ease" (tai) here stands
for an appearance of magnificent composure that comes from the gen-
tleman's confidence in his own worth.

Second, negatively, a gentleman refrains from injustice because he
feels the shame in doing unjust things to others—things that are not
worthy of his effort, and the commission of which would make him feel
degraded. "Hence a gentleman feels no shame upon self-examination,
and brings no embarrassment to his own will."97 And freedom from any
sense of moral shame gives him both the confidence and courage that are lacking in a littleman. The conscious feeling of self-respect within oneself, as reflected in the sense of shame, distinguishes a gentleman from a littleman. While a littleman can do anything, however low, without feeling degraded, a gentleman is fully conscious of the worth inherent in him and will do only those things that are consistent with, or can help actualize, his worth.98 For this reason he regards himself highly.99 If a gentleman committed a certain action that was not worthy of his nobility, then he would degrade himself to a level lower than his intrinsic moral quality—a degradation for which he would feel shameful. Thus, Confucius insists that a gentleman should “maintain the sense of shame in his own conduct”;100 those who would do anything without feeling shame lack the very moral quality to do the right thing. Mencius puts it aptly: “A man must first know what he ought not to do, before he can do what he ought to do.”101 Both Confucius and Mencius have furnished examples for the kind of things that will make a gentleman feel shameful. “A gentleman,” for example, “thinks it shameful if his words exceed his deeds,”102 because he would then make false claim on something which he did not do. And “a gentleman feels shameful if the prestige he receives exceeds his virtue.”103 Likewise, “it is shameful if, serving as an official in the court, he cannot practice the principle of good government” because he would then receive many benefits for doing nothing;104 for Confucius, “a good minister should serve his king through the Way and, finding it impossible, retire.”105

It may be objected that the sentiments for dignity are not universal, but present only in those cultivated gentlemen who have succeeded in developing their innate virtues. Most often, however, even for those who do not believe in human virtues or make any conscious efforts to cultivate them, they nevertheless feel offended when they think that they are treated less well than they deserve, implying that they do attribute some worth to themselves, albeit perhaps unconsciously and inconsistently. This is particularly obvious when they are mistreated by others. Even a beggar would feel degraded if someone threw food on the floor for him to pick up, as if the latter were feeding an animal.106 As long as one has not lost the minimal sense of self-esteem, he would feel offended if his employer treats him merely as a machine for producing profit, or if government agents push him around rudely, as if they were taming a wild beast. In these situations one would feel humiliated because one thinks that one deserves better treatment than what a mere animal or machine receives. Although he may purport to ignore or even consciously reject the worth inherent in him, thereby degrading himself and inviting disrespect from others, his aversion against the maltreatment seems to imply that he still thinks of himself as having some value.
Thus, it can at least be argued that the sense of dignity is not limited to cultivated persons; rather, it is universally found in every human being, even though the degree of such sentiment may vary. The apparent potential of such a feeling in every human being may not establish conclusively the existence of innate human virtues, but does suggest the reasonableness of the Confucian belief in the basic worth of human beings.

What is human dignity, then? What does it mean to say that a human being is a dignified creature? According to Confucianism, man is dignified because he is born with a set of innate virtues unique to the human race and the capacity of fully realizing these virtues that make him a mature person, and because he respects himself and others by attributing high values to these unique virtues which lead him to consciously develop them. Human dignity, then, is a composite idea that consists in the innate potentials believed to be uniquely possessed by every human being and held at the highest irreducible value. It also consists in the extent to which these potentials are practically realized through conscious self-cultivation. An action is dignity-enhancing if it cultivates, practices, or exhibits one's virtues; it is dignity-reducing (thus degrading) if it fails to exercise virtues or prevents anyone from cultivating or exercising virtues. Those who adopt this positive view of mankind, seeing the same worth and virtues in themselves, take lifelong efforts to cultivate them so as to better themselves, striving to achieve the highest dignity possible for a human being. Having cultivated these virtues, they take pride in them and display an overt confidence in their daily behavior. On the other hand, if they happen to have done things that tend to diminish or prevent the realization of virtues, they would feel degraded and shameful. They assume that each person should see these virtues in himself and in others as something noble and worthy. He or she should therefore make a conscious effort to respect and cultivate these virtues to make him or herself a better human being; failure to do so would justly invoke moral disapproval from other members of society. Finally, they further require the state and society to not only respect, protect, and refrain from degrading the dignity in every man and woman, but also provide the basic social conditions that make it possible for everyone to attain a dignified existence.

THE DOUBLE IMPLICATIONS OF HUMAN DIGNITY:
TOWARD A BALANCED VIEW OF RIGHTS AND DUTY

It is commonly asserted that the Chinese tradition in general and Confucianism in particular lack any clear conception of rights. Although this
appears to be obviously true from even a cursory scan of classical Confucian works, it would be a mistake to infer that Confucianism is inherently opposed to individual rights, including basic political rights. I argue below that the Confucian concept of human dignity can accommodate the notion of rights as a device for cultivating individual virtues. To hold this view may require us to modify the traditional view of personhood and to reject the dogmatic strain within Confucianism, which took the legitimacy of tradition for granted. But doing so does not undermine the basic argument that, leaving the descriptive content of human dignity open to future modifications, as mankind acquires more experience and better judgment, Confucianism can adapt itself to changing circumstances and conceptions of human nature. Indeed, with its generally optimistic assumptions of human nature, Confucianism can derive a balanced view of duty and rights, and provide a more consistent foundation for the commonly held belief in human worth and dignity than can modern liberalism in the West. This section is divided into two parts. First, I briefly review the Western liberal theory of individual rights as represented by Hobbes, pointing out its deficiencies. Second, I discuss the possibility and the necessity of deriving individual rights from the universal duty of respecting human dignity in Confucianism to make it consistent with the basic social facts.

The Primacy of Rights over Duty in Western Liberalism

Belief in human dignity is often implicitly assumed in modern liberalism, a dominant ideology in Western liberal democracies. On June 27, 1998, for example, President Clinton made the following remarks in the historic city, Xi’an, the first stop in his recent trip to China: “Respect for the worth, the dignity, the potential and the freedom of every citizen is a vital source of America’s strength and success . . . . In this global information age . . . a commitment to providing all human beings the opportunity to develop their full potential is vital to the strength and success of the new China as well.” Yet paradoxically enough, modern liberalism seems to be incapable of providing a solid philosophical foundation for the widely held belief in human dignity. It is simply difficult to find any worth or dignity in man from its basically negative view of human nature. And, without dignity and worth, many basic and now widely accepted rights would lose their legitimate ground.

It is well known that the Western idea of individual rights is originally derived from the social contract theory of Thomas Hobbes. In his Leviathan, Hobbes postulates a state of nature in which egoistical individuals with limited resources (including material goods and honor) and without mutual trust and a common government, find themselves trapped
in "a war of all against all." To escape such a miserable condition, every person rationally enters a compact with every other person to put themselves under a sovereign. From such an original promise, enforced by the common power, is derived a set of natural laws that command each individual to keep the peace and observe the terms of the compact. The duties thus prescribed, however, are strictly conditioned upon the original purpose for which the compact was made in the first place: the preservation of individual life. This is indeed the "inalienable" natural right that Hobbes finds in every rational human being. Every human government must work toward the preservation and security of life; failure to do so constitutes a fundamental breach by the sovereign, which brings back the state of nature, where every individual is absolved of all duties toward others and regains natural liberty. The primacy of natural right over duty is obvious, as there is no equivalent "natural duty," but only duties derived from rights. The notion of natural right is further extended by John Locke to include the right to liberty and property. In Locke's theory, the natural laws maintain their binding force in the state of nature; the fundamental asymmetry between rights and duty would remain if the biblical authority of God is left out.

Despite its wide acceptance today, the social contract theory of rights contains several difficulties. First, without presupposing the a priori validity of transcendent divine command, the existence of human duty would depend entirely upon the prudential calculations of one's self-interest, and is thus made secondary to rights. Among other things, the Hobbesian theory can support only a weak notion of duty, that is, a person observes his duty not for its own sake, but only because it furthers his self-interest, and his duty stops as soon as the cost of obeying it apparently outweighs the benefits. Prudential considerations, however, depend on the actors' foresight and circumstances in which they are situated, and the ensuing uncertainty necessarily undermines the binding force of certain basic duties (e.g., "Don't steal" or "Act justly under all circumstances"). Second, without the sanction of an external divine authority, which requires belief in a particular religion, the primacy of natural right of self-preservation in the Hobbesian theory makes it difficult to even accommodate other widely held rights, such as personal liberty and property. If human beings are by nature selfish, unjust, vile, and rapacious, it seems doubtful whether they are worthy of any rights other than bare preservation. Finally, and most significantly for our purposes, it seems to be very difficult to consistently derive from this theory the widely held "recognition of the inherent dignity" in the preamble of the Universal Declaration of Human Rights, or respect for "the worth, the dignity, the potential and the freedom of every citizen," to which President Clinton alluded in his China trip. If everyone is, as Hobbes depicts,
an egoistical animal preoccupied with his self-interest, and his apparent observance of law and duties results only from the fear of being punished by the sovereign power, then it is difficult to find any worth and dignity in human beings. If men act by nature like thieves and robbers, then the mere appearance of law-abidingness does not change who they really are, and few would find theft and robbery conducive to a dignified way of life.

The basic problem with the modern liberal theory of rights is, then, its low estimation of human beings contrary to the widely held practical beliefs. Such an initial assumption makes it too difficult to derive the notion of innate dignity or worth, and makes basic duties too easily overwhelmed by the prudential concerns of self-interests. For this reason modern liberalism is criticized, perhaps justifiably for adopting an unnecessarily dim view of human nature and for ignoring the inherent moral potential in a human being. By undermining social duty and moral constraints on personal gratification of desires, it is charged, the radical individualistic tendency in modern liberalism dehumanizes human beings. I argue below that Confucianism, while fundamentally a duty ethics and despite its own problems, provides a salutary correction to such a tendency and, if properly construed, is capable of accommodating a well-balanced theory of rights.

From Universal Duty to Universal Rights: A Confucian Transformation?

We have already seen that as a consistent implication of the Confucian belief, the universal respect for human dignity carries the demand that the state and society must protect and help cultivate the innate virtues in every individual human being, and this task is probably best achieved by providing a constitutional system of basic rights. It is nevertheless true that such a system of rights has been conspicuously lacking throughout Chinese history. It appears as if by emphasizing social duty, traditional China were diametrically opposed to the modern West. The reason for this rift lies partly in different conceptions of equality. As Munro points out, the classical Chinese philosophers recognized only natural equality in the sense that everyone is born with innate virtues as unique human potentials, but denied actual equality that all men could in fact develop in their nature to such an equal extent as to entitle them equal respect. In Confucianism, this view had justified the hierarchical structure of society and the denial of popular participation in government. By focusing on the capacities that the people have in fact developed through learning and education, the Confucians had limited the participation in government to a small group of elites, and ignored the notion of innate moral rights developed in the West, which entitles
every adult to some form of participation. As a result, Confucianism
never developed an explicit notion of “rights”—not the modern political
right to participation, not the Lockean right to property by virtue of one’s
labor, and not even the Hobbesian natural right to self-preservation.
Similar to the classical and Medieval counterparts in the West, Confu-
cianism was decidedly duty-orientated. In what the Chinese view as a
just society, one’s “right” (that is, social, economic, and political privi-
leges) was to be made strictly proportional to the degree of actually
developed worth and ability. The state and society must be run by the
most virtuous and worthy, who almost always remain a small minority,
and it seemed to them patently absurd to allow the ignorant, selfish, and
morally immature mass to choose their own leaders. By contrast, Con-
fucius and his followers were simply concerned with how to make men
virtuous and, at the same time, make virtuous men rule.

In a sense the Confucians were quite right. If one is truly incompetent
in a certain vocation (e.g., political participation), then both justice and
common prudence require that one should refrain from engaging in it,
and leave it instead to those who are capable. And mere rights, free-
dom, and participation are not the only things about which the people
ought to care; indeed, these things alone are not even sufficient to sus-
tain social and political institutions. Rather, they presuppose some-
ething else as their foundation, that is, the development of the people’s
virtues and the primary means by which the virtues are acquired: proper
education and upbringing. After all, very few want to live in a society
full of “rights” and “freedom,” but bereft of basic norms, values, and a
sense of duty—a society in which everyone feels free to do whatever he
or she wants, without any moral constraint. Such a society would be nec-
essarily one of “littlemen,” among whom numerous conflicts, strifes,
infringements, and oppressions are bound to occur. On the other hand,
a democracy worthy of its name presupposes a society of gentlemen
who, having developed their virtues, become mature citizens, capable
of exercising their “rights” intelligently. Thus, for good reasons, self-
cultivation has occupied the central position in Confucianism; it is the
very path toward the making of virtuous and dignified citizens.

To be consistent with the Confucian assumption of natural equality,
h owever, even xiaoren (“littleman”) is, after all, a ren1 (person) and must
be treated as a human being with the inborn potential virtues. For those
who choose to accept the Confucian view of man must believe that every
man and woman is equally endowed with the innate virtues, and think
highly of them. Even a littleman deserves some respect for his innate
nobility by virtue of being a human—better, nobler, and more worthy
than other animals. Thus, to a Confucian gentleman, it is morally inadequa-
to treat anyone—littleman, or even a criminal—like a mere animal.115
One’s failure to cultivate one’s virtues does not lead a gentleman to despise the person, but instead urges him to help the littleman by all means to cultivate the virtues and become a gentleman. The belief in human dignity may further inspire a gentleman to devise a better system of education, among other things, in order that everyone can have a reasonable opportunity to actualize his or her virtues and to maximize, as it were, his or dignity. Social and political schemes should never be designed to merely put down a littleman and make him docile simply for the sake of societal peace and order. As everyone is endowed by Heaven with the innate virtues that afford him some basic dignity, everyone is an end in himself, more than a tool for any other end, however grandiose.

Thus, it can be plausibly argued within the Confucian framework that an ordinary person should have some right in discussing and deciding public issues that will ultimately touch upon his life, and many such issues might be plain enough to be understood by a common mind with reasonable education. Further, to become a gentleman presupposes a set of favorable social and political conditions, which had been denied to most ordinary men and women in traditional China. A person needs to be given the basic education and opportunity for practice before he can intelligently participate in government. Without these opportunities, he will most likely remain an uneducated and underdeveloped “littleman”—not because he wishes to remain politically ignorant and incompetent, but because he lacks the fortune (at least a reasonably wealthy family, among other things) that is beyond his control but is nevertheless necessary for his moral development. Because the masses of people were deprived of the opportunity to become morally developed gentlemen, the apparently “just” system of merit was based ultimately on injustice. In this sense, a social and political system that guarantees a minimum right—to participate in government or otherwise—seems to provide more fairness because it can afford relatively equal opportunity for personal development of innate virtues.

Still, the notion of “rights” does not so easily fit with the dignity of a Confucian gentleman. The problem of rights lies deeper in the Chinese practice, for even a gentleman seemed to have only duties, but no reciprocal rights, before his parents, rulers, and society in general. Somehow it appears inadequate—even distasteful—to a gentleman to fight for his own rights and interests, especially in the form of factions and parties, for “a gentleman is dignified, but does not wrangle.” It is true that the Confucian duties are never unilateral, but always reciprocal. Thus, the king and his subjects have their own duties to perform toward each other. And, if a duty (e.g., benevolence of a king) is demanded and recognized by every member of the society, then it is in effect transformed into a kind of right toward the recipient of its performance. But, in prac-
tice, such condition is hardly ever met. Generally, in a relationship between two unequal parties, the moral persuasion of duty alone is seldom sufficient to prevent the powerful party from abusing its power. As a result, contrary to equilibrium and harmony as prescribed by the Principle of the Mean, imbalance of power frequently appeared in the Chinese political history. During that period, no matter how dignified a gentleman was in private life, his dignity would disappear before the state, against which he had no protection. Even private complaints must be made with caution, as Confucius himself taught: “When good government prevails in a state, one should speak and act boldly. When bad government prevails, act righteously, but speak with reserve”, otherwise, one would merely put his life, together with the security and welfare of his family, in jeopardy. Before the state, then, even a gentleman could not maintain his dignity because he was compelled to restrain his action and speech out of fear of an omnipotent power. This is incompatible with the earlier image that, as a mature, just and courageous man, he should be without any fear for actions (including public speeches) he deems just and proper. As a rational being, it seems, he would desire to live in a better social arrangement in which his moral autonomy can be effectively preserved. Indeed, a central theme that continues to preoccupy contemporary new Confucianism has been to extend “sageliness within” (nei sheng) to “kingliness without” (wai wang)—a political system that is conducive to the realization of endowed virtues and, thus, the enhancement of human dignity.

Therefore, to consistently follow the Principle of the Mean, it seems necessary for a Confucian gentleman to adopt some institutional mechanism to guarantee his basic right in order to minimize the possibility of his dignity being degraded. Nor should a gentleman feel shame in exercising and defending his rights in democratic politics, as the partisan competitions can now be carried out through entirely peaceful and dignified constitutional procedures, without having to “wrangle.” Quite the contrary, in the spirit of the Mean, the secure independence of a gentleman requires a certain balance of power between an individual and the state, in order that nobody is so overwhelmed by the omnipotent power of the sovereign as to become the mere object of political control. When this independence is endangered by the natural disparity of power between the state and individuals, the Principle of Mean demands the implementation of a system of rights, so that the power of the stronger can be checked peacefully, and the balance restored, secured and enforced by an effective legal artifice. Such a balance can be guaranteed by a rationally designed constitution based upon a set of fundamental values, shared by a people who have commonly agreed to respect the dignity of every member in society.
It may be contended, at last, that such a universalistic notion of respect could not be consistently derived from Confucianism, an ethics primarily concerned with particularistic duties. The Confucian concept of general love (ai or fan'ai), for example, is not to be confused with the Mohist notion of undifferentiated, universal love. Rather, the Confucian love was graded according to the proximity of natural human relationships, enforced by a hierarchical system of propriety (li), which prescribed different rules for treating one’s family members, friends, and members of society. And the Confucian notion of “intimate love” (qin) is further restricted, by definition, to be within one’s family. I argue, however, that the clear distinction between particularistic love and general respect constitute the strength rather than weakness of Confucianism. This is best seen in the context of the central concept of humanity (ren), which the Confucians define as a radiating process beginning naturally from within one’s family and extending to more remote social relationships. According to Mencius, humanity and intimate love are applied to things of different orders: While a gentleman is humane to the whole of mankind, he owes special filial duty only to his family members. Humanity for ordinary people (renmin) lies between the intimate love for one’s kin (qin qin) and the general care for things (ai wu); although humanity is above ordinary care for things, it does not carry with it the unique emotional feeling for one’s kin. For Mencius, indeed, the Mohist universalization of social relationships ignores one’s parents (wu fio), a fault no less grave than that committed by its egocentric opposite, the Yangist denial of all social duties (which leads to the neglect of one’s king, wu jun). To the Confucians generally, it would be against human nature to prescribe the universal Christian command “You should love your neighbor as yourself.” Among other things, love as an intense emotional feeling and obligatory commitment is necessarily limited only to a few, to whom one owes one’s special debts (parents), or who otherwise occupy prominent places in one’s family life (husband, wife, children, and other close relatives). Yet, if intimate love is to be restricted to one’s family and cannot be universalized, general respect as a personal attitude is not constrained by such physical limit, and can be reasonably required to extend to all members of society.

**Conclusion**

To sum up, the Confucian view of human dignity presupposes the potential virtues equally endowed in every human being and their irreplaceable value. In this view, everyone has basic dignity due to these innate virtues, and deserves some respect. A Confucian gentleman, to be sure,
is a person who consciously cultivates, practices, and displays his virtues, and his dignified appearance invites general respect. He not only continually seeks to perfect his own virtues, but also helps others, within his ability, to improve theirs. Although the respect owed to a particular individual can be made proportional to the extent to which he or she has actually acquired human virtues, the innate human potentials, which constitute the irreducible core of human dignity, entitle everyone to at least a minimum amount of respect. In this sense, even an infant has as much innate dignity as any adult, and should receive only those treatments that will help her to develop the inborn potentials as she grows up. A criminal also has the same innate dignity, even though it is manifestly contradicted by his grievous behavior; but even he should be treated in such a manner as to help him to recover his innate virtues and to see the worth in himself, so that he becomes able to develop them on his own initiative. The legitimate actions of a state, society, or private persons are limited to those that do not inhibit anyone from attaining one’s full dignity. A legitimate public institution must fulfill the duty to provide favorable social conditions and a compatible legal framework so that everyone has the basic opportunity to develop the inner worth and become a dignified member of the community. To this end, society is obliged to establish an equitable constitutional system of basic rights. Conceived this way, the Confucian idea of human dignity can provide a sound philosophical basis for the modern notions of human rights and freedom, together with a balanced theory of reciprocal duties. Such a reconstruction of Confucianism can help us understand, I hope, the connection between two types of universal ideals to which the United Nations appealed half a century ago, that is, “the dignity and worth of the human person” and “the equal rights of men and women.”

NANJING UNIVERSITY
Nanjing, Jiangsu, China

ENDNOTES

*Parts of this paper have been presented at the Twentieth World Congress of Philosophy held in Boston, MA, August 1998. I thank Professors Ni Peimin, Li Chenyang, Li Xiaorong, Jiang Tao, and Wang Qingjie for their helpful comments. I also thank Professor David Braybrooke at the University of Texas at Austin and Professor Zhang Dainian at Beijing University for their encouragement and support of this project.

1. Universal Declaration of Human Rights, preamble.
2. Grundgesetz, Art. I.
3. The Universal Declaration itself contains several “economic, social, and cultural rights.” For example, “Everyone, as a member of society, has the right to social security and is entitled to realization . . . of economic, social and cultural rights indispensable for his dignity and the free development of his personality” (Art. 22). “Everyone who works

On all occasions the phrase "human dignity" is left undefined.


8. Ibid.


20. Of course, this does not mean that other schools, notably Daoism and Mohism, have not made significant contributions to the conceptual development, but to do justice to them would require a separate examination.


23. For example, Herschel Baker’s The Dignity of Man: Studies of the Persistence of an Idea
(Cambridge, MA: Harvard University Press, 1947), bears “dignity” in the title, but refers to it only sparingly in the entire book; the same is true with Ernest Bloch’s *Natural Law and Human Dignity*, trans. Dennis J. Schmidt (Cambridge, MA: The MIT Press, 1986), which does not even have the word in the index. The French book by Thomas de Koninck, *De la dignité humaine* (Paris: Presses Universitaires de France, 1995), has a general title, but is in fact limited only to the treatment of children (see Hugo Meynell’s book review, “Politics of Human Dignity,” in *The Literary Review of Canada* [February 1996]: 6–7). The most relevant treatment of the concept can be found in two edited works: Gotesky and Laszlo’s *Human Dignity: This Century and the Next* is more philosophically oriented (see especially Spiegelberg’s analytical essay), whereas Meyer and Parent’s *Constitution of Rights* is by and large tied to issues arising from American constitutionalism (but see Gewirth’s contribution therein).

25. For a more detailed review, see J. Prescott Johnson, “Human Dignity and Nature of Society,” in *Human Dignity This Century and the Next*, pp. 317–349.
30. *Discourse of Methods*, Book IV.
36. Kant, *Grounding for Metaphysics*, sec. 421–423, 452–453. As Kant himself acknowledges, he is indebted to Rousseau on at least two key points: that everyone, however low in social rank, has intrinsic worth and that freedom means self-legislation (which is, for Rousseau, to make the general will one’s own will).
38. Kant, *Grounding for Metaphysics*, sec. 428–429. For Kant’s connection between human dignity and treating man as the end, see Yang Zuhua, *Ruxie yu Kangde dao de zhexue* (Confucianism and Kantian moral philosophy) (Taipei: Wenjing, 1987), pp. 40–41. This notion of human beings is widely accepted among Continental philosophers after Kant. Hegel states, for example, that “Man is only an end in himself (or final end) through what is divine in him—by what has from the beginning been called reason and . . . freedom.” *(The Philosophy of Hegel*, edited by Carl J. Friedrich [New York: Random House, 1954], p. 19).
42. Ibid., pp. 312–314.
43. The subjective tendency is already present in Kant, who seems to have established only that human beings can think of themselves as being free.
44. Sartre never devoted systematic attention to the question of human dignity. His relevant
concern is mostly reflected in his *Existentialism and Humanism*, on which my discussion here is focused. For a book by an existentialist author bearing the title of human dignity, see Gabriel Marcel, *The Existential Background of Human Dignity* (Cambridge, MA: Harvard University Press, 1963), pp. 128–135, 158. The discussion on human dignity there is only sporadic, however, and does little to clarify the meaning of the concept.


46. Ibid., p. 292.

47. Ibid., pp. 308–309.


53. For a similar distinction between “intrinsic” and “extrinsic” dignity made in the Christian context, see Brad Stetson, *Human Dignity and Contemporary Liberalism* (Westport, CT: Praeger, 1998), pp. 15–17.


55. The only exceptions are those made in the Christian context; see, e.g., Moltmann, *Political Theology*, p. 10, Montgomery, *Human Rights and Human Dignity*, p. 192.


60. “Gentleman” (junzi) here is gender neutral. Unless specified or made clear by the context, none of the masculine words in this paper suggest any sex bias.

61. For confusing the notion of virtues to socially beneficial human abilities and propensities, see Cheng, “Transforming Confucian Virtues,” pp. 145–146.


64. Liang Qichao, *Xian Qin zhengshi xiaosheng* (History of political thought in the pre-Qin period) (Taipei: Zhonghua shuju, 1972), p. 381.

65. As to the Confucian distinction between xiaoren and junzi, see Yu Ying-shih, *Modern Interpretation*, pp. 160–177.

66. *Principle of the Mean*, sec. 3; also see sec. 4, 5, 9. In addition, “a gentleman follows the path of Mean, and feels no regret even though his virtue is unknown and neglected by the world.” (Principle of the Mean, sec. 11, trans. James Legge, *The Four Books* [Hong Kong: Wei Tung Book Co., 1971], p. 7).


68. *Analects* 7:38.
71. Thus, "a gentleman seeks the Way rather than material support ... What worries him is not poverty, but that he fails to attain the Way" (*Analects* 15:32).
73. *Principle of the Mean*, sec. 14; see Legge, ibid., p. 11.
74. *Principle of the Mean*, sec. 10; see Legge, ibid., p. 7.
75. "A gentleman seeks in himself, while a littleman seeks in the others" (*Analects* 15:21; see Legge, ibid., p. 137). "A gentleman must first acquire the virtues before he may require them in the others; he must rid himself of the vices before he can prohibit them in the others" (*Great Learning* sec. 10; see Legge, ibid., p. 12).
76. Shen du. See *Great Learning*, sec. 6.
78. *Mencius* 3B:2.
86. See *Mencius* 1A:4.
87. *Analects* 10:17. I owe this example to Professor Ni Peimin in response to a question raised by Professor Li Chenyang at the panel discussion at the Twentieth World Congress of Philosophy.
88. See Berger, Berger, and Kellner, *The Homeless Mind*, pp. 89–95, for an argument of similar conceptual understanding in the West and for an illuminating discussion of how the process of modernity and the disintegration of traditional social institutions led to the transition from the particularistic concept of “honor” to the universalistic concept of “human dignity.”
93. This is recognized even by the utilitarianist J. S. Mill, who argues that the “sense of dignity, which all human beings possess in one form or other” is identified with one’s “unwillingness ... to sink into what he feels to be a lower grade of existence” (*Utilitarianism*, chapter 2, from Spiegelberg, “Human Dignity: A Challenge,” p. 64, n. ii.
95. *Analects* 20:2; see Legge, ibid., p. 183.
96. Ibid.
98. "A gentleman can stay with his poverty; but a poor littleman will do anything [to improve his lot]" (*Analects* 15:2).
102. Analects 14:27.
103. Mencius 4B:18.
104. See Mencius 5B:4.
106. Mencius 6A:10. The distaste for the lack of respect is clearly expressed by Mencius: “To feed a man without love, is to treat him as a pig; to love him without respect, is to keep him as a domestic animal” (Mencius 3A:37).
108. The “difficulties” here are substantive ones. Logical difficulties, such as the “naturalistic fallacy” that Moore identifies in naturalist thought (Principia Ethica, pp. 37–58), seem to be rather minor. If Hobbes can establish that self-preservation is universally desired by every rational animal, then the opposition against defining such desire as a “good” (i.e., the natural right) carries little force. The transition from “is” to “ought” does have the logical problem of violating “Hume’s Law.” Yet the problem is not so serious if one omits the prescriptive element inherent in the “ought,” so that ethics can be identified with factual inquiry.
109. For example, the Christian God in Locke’s Two Treatises of Government.
110. But partial corrections can be found in, among other works, Butler’s Five Sermons, Hume’s Enquiry Concerning the Principles of Morals, and The Theory of Moral Sentiments by Adam Smith.
111. Stetson, Human Dignity and Contemporary Liberalism, pp. 4–8, 165–166.
112. Munroe, Concept of Man, pp. 49–83.
113. On defending Confucianism against morally nihilistic freedom without basic values and norms, see Xu Fuguan, Rujia zhengzhi sixiang yu minzhu ziyi yu renquan (Confucian political thought and democracy, liberty and human rights) (Taipei: Bashi Niandai Press, 1979), pp. 284–293, hereafter cited as Confucian Political Thought.
114. For the common assumption of all classical Chinese philosophers about the natural equality innate in every man, see Munroe, Concept of Man, pp. 1–14, 49–50.
115. See my arguments in “Prescriptions of Dignity: Individual Cultivation and Universal Respect.”
116. Thus, “the Way of great learning lies in the brightening of virtue, in renovating the people, and in the end of the perfect good” (Great Learning, chapter 1).
118. “As a ruler, he abided in humanity. As a minister, he abided in reverence. As a son, he abided in filial piety. As a father, he abided in deep love. And in dealing with the people of the country, he abided in faithfulness” (Great Learning, sec. 3, trans. Wing-tsit Chan, A Source Book in Chinese Philosophy [Princeton: Princeton University Press, 1963], p. 88).
119. The same can be said to have occurred—much more frequently but perhaps at a reduced scale—in the traditional family, which is supposed to be both the foundation and a miniature model of the state. Similar opposing arguments made below apply, though with some difficulties owing to the nature of Chinese metaphysics of life, which I will not get into here.
120. Analects 14:3.
122. Principle of the Mean, sec. 20.
123. Mencius 7A:45.
126. This says nothing against setting up penal institutions for those criminals, whose dignity has fallen below the minimum that can be tolerated by the community. But these institutions cannot be created merely for the sake of punishment or the maintenance of public order; they must treat these people as human beings, aim to help them to find their own worth, and make them capable of becoming a gentleman upon their own efforts. This is very much in line with the Confucian thinking of the reformatory function of law and punishment.

127. Universal Declaration of Human Rights, preamble.

**Chinese Glossary**

<table>
<thead>
<tr>
<th>Chinese</th>
<th>Pinyin</th>
</tr>
</thead>
<tbody>
<tr>
<td>ai</td>
<td>愛</td>
</tr>
<tr>
<td>ai wu</td>
<td>愛物</td>
</tr>
<tr>
<td>Analects (Lunyu)</td>
<td>論語</td>
</tr>
<tr>
<td>Beijing</td>
<td>北京</td>
</tr>
<tr>
<td>Confucius</td>
<td>孔夫子</td>
</tr>
<tr>
<td>Cong xinxing ruxue zou xiang zhengzhi ruxue</td>
<td>從心性儒學走向政治儒學</td>
</tr>
<tr>
<td>Daxue</td>
<td>大學</td>
</tr>
<tr>
<td>de</td>
<td>德</td>
</tr>
<tr>
<td>fan ai</td>
<td>泛愛</td>
</tr>
<tr>
<td>Fung Yu-lan</td>
<td>馮友蘭</td>
</tr>
<tr>
<td>Gunji ruxue yanjiu</td>
<td>國際儒學研究</td>
</tr>
<tr>
<td>Hong Kong (Xianggang)</td>
<td>香港</td>
</tr>
<tr>
<td>Jiang Qing</td>
<td>蔣慶</td>
</tr>
<tr>
<td>junzi</td>
<td>君子</td>
</tr>
<tr>
<td>li</td>
<td>禮</td>
</tr>
<tr>
<td>Liaoning</td>
<td>遼寧</td>
</tr>
<tr>
<td>Liu Shuxian (Liu Shu-hsien)</td>
<td>劉述先</td>
</tr>
<tr>
<td>Lixing yu minzhu</td>
<td>理性與民主</td>
</tr>
<tr>
<td>Mencius</td>
<td>孟子</td>
</tr>
<tr>
<td>Nanjing</td>
<td>南京</td>
</tr>
<tr>
<td>nei sheng</td>
<td>內聖</td>
</tr>
<tr>
<td>qi</td>
<td>氣</td>
</tr>
<tr>
<td>qin</td>
<td>親</td>
</tr>
<tr>
<td>qin qin</td>
<td>親親</td>
</tr>
<tr>
<td>ren</td>
<td>仁</td>
</tr>
<tr>
<td>ren¹</td>
<td>人</td>
</tr>
<tr>
<td>renge</td>
<td>人格</td>
</tr>
<tr>
<td>renmin</td>
<td>仁民</td>
</tr>
<tr>
<td>Renguomin qiyuan</td>
<td>人權概念起源</td>
</tr>
<tr>
<td>Rujia guidian zhexue zhong de renge zuyan sixiang</td>
<td>國家古典哲學中的人格尊嚴思想</td>
</tr>
<tr>
<td>Rujia jingshen zhi jiben xingge ji qi xianding yu xin sheng</td>
<td>儒家精神之基本性格及其限定與新生</td>
</tr>
</tbody>
</table>