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Peimin Ni
Grand Valley State University

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Seek and You Will Find It; Let Go and You Will Lose It: Exploring a Confucian Approach to Human Dignity

Peimin Ni

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Abstract While the concept of *Menschenwürde* (universal human dignity) has served as the foundation for human rights, it is absent in the Confucian tradition. However, this does not mean that Confucianism has no resources for a broadly construed notion of human dignity. Beginning with two underlying dilemmas in the notion of *Menschenwürde* and explaining how Confucianism is able to avoid them, this essay articulates numerous unique features of a Confucian account of human dignity, and shows that the Confucian account goes beyond the limitations of *Menschenwürde*. It is arguably richer and more sophisticated in content, and more constructive for protecting and cultivating human dignity.

Keywords Human dignity · Confucianism · Universalism · Human rights · Human nature

1 Introduction

Discourse on human rights typically takes *Menschenwürde*—universal human dignity—as a starting point. The famous statement of the very first article of the United Nations’ “Universal Declaration of Human Rights” (UDHR), “All human beings are born free and equal in dignity and rights,” is based on this notion of human dignity. It is supposed to belong to every human being, in equal extent, whether men or women, white or black, rich or poor, moral saints or criminals, geniuses or ignorant. A person does not possess less universal human dignity because he or she is a beggar or a criminal, nor more because he or she is a saint or a king. Moreover, one’s dignity cannot be lost or taken away. It is inalienable because it comes from being human and nothing else. It is believed that, on the basis of this dignity, every human being should enjoy the same basic human rights.

The concept is often taken for granted and widely endorsed—practically all the countries in the world that signed the UDHR accepted the concept. However, is it as

Peimin Ni (✉)

Department of Philosophy, Grand Valley State University, 1 Campus Drive, Allendale, MI 49401, USA
e-mail: nip@gvsu.edu

clear and obvious as it appears? On what ground is this so-called universal human dignity based? Why is it inalienable? Does the word “inalienable” mean that no one is *able to* take it away from someone or rather that no one *should*? In addition, since this notion appeared only recently in the history of the modern West, are there any of its elements in pre-modern and non-Western cultural backgrounds?¹ Unsurprisingly, the Confucian classics, being neither Western nor modern, contain no exact notion of “human dignity.” Furthermore, many scholars have argued that the Confucian notion of a person is relational and role-specific, meaning that there is no abstract, universal concept of individual human being: we might, then, suspect that Confucianism is incompatible with the notion of human dignity. But is it? Can Confucianism contribute to the discourse of human dignity? What would Confucius say about human dignity if he were alive today?

Despite the recent revival of Confucianism, there have been very few discussions specifically on a Confucian view of human dignity.² In this essay I will try to show that not only does Confucianism have rich conceptual resources relevant to human dignity, it offers a viable alternative to the dominant Western understandings of it. By taking human dignity as an achievement rather than as a right that every human being is born with, Confucianism is able to avoid two underlying dilemmas of the notion of *Menschenwürde*, and it offers us a concept of dignity that is much richer in content and more constructive for protecting and developing human dignity.

Before I begin, I would like to make clear that due to the complexity of the issue as well as the fact that there are varieties of strands within what is loosely referred to as “Confucianism,” the essay should be taken just as the subtitle says—an *exploration* (rather than a *conclusive description*) of a (rather than *the*) Confucian approach to human dignity. If I ever use expressions like “the Confucian view,” the word “the” only refers to a particular approach that could be drawn from the Confucian classics, primarily the *Analects* of Confucius, the *Mencius*, and to a lesser degree, the *Xunzi* 荀子, *Zhongyong* 中庸, *Liji* 禮記, and other texts. This does not mean that there are no alternative approaches consistent with those texts or that there are no additional resources on the subject within broadly construed Confucian texts. While I am fully accountable for the fairness of my treatment of *Menschenwürde* theories as they are typically understood, I do not assume that my treatment of them is comprehensive. For the sake of staying focused on the main theses, I must skip over some subtleties, although they are well worth exploring in their own rights.

¹ As Marcus Düewell says, “It appeared that the identification of the concept in non-Western and pre-modern contexts is fraught with several hermeneutic problems. The modern concept of dignity has, at its heart, the idea of the in-alienable worth of each individual; it has a universalistic ambition and fulfills a justificatory function in the human rights discourse. While it seems difficult to project this notion, linked as it is to human rights, into pre-modern or non-Western cultural contexts, it is, all the same, important to reflect on our own horizon in the use of the term: to which extent old concepts of honor are connected with the modern term of dignity? We may also have doubts on whether or not we can find elements of dignity in cultural contexts and traditions lacking a concept corresponding to the modern notion of individuality” (Düewell 2007: 9–10; see also Bloom 1998: 104).

² Among them Man Yee Karen Lee offers a brief outline of the Confucian approach to human dignity within the broad historical and global context of related concepts and related problems, especially those that are culturally informed (Lee 2008). ZHANG Qianfan’s article tries to “reconstruct” a Confucian theory of human dignity by piecing together relevant passages found in Confucian classics, and offers some valuable albeit preliminary analysis (Zhang 2000). Other than these two, discussions on Confucian views about human dignity often appear in passing within the literature on Confucian views on human rights and justice.

2 Two Dilemmas of *Menschenwürde*

Justifications of *Menschenwürde* are typically based on the view that humans are born with intrinsic value. For instance, according to Kant, humans are “ends in themselves” because we are rational and free. Things have value only when they are chosen by us, and hence they have only conditional value. Human beings, on the other hand, are the source of value and are our own moral law-makers, and hence our value is unconditional. The Christian notion of *Imago Dei* (Latin for “image of God”) takes the value of human beings to be derived from the fact that humans are created by God in God’s own image, and hence are in essence distinct from other beings. Being born a human entitles one to respect and fundamental human rights. These two theories have both served important functions in protecting human dignity. The Kantian slogan of “ends-in-themselves” is a major theoretical pillar of the modern human rights movement. Christian churches around the world have also offered enormous amount of humanitarian aid to people in dire situations.

However, theories that ground human dignity in inherent attributes or properties face a deeply troubling problem. As William P. Cheshire, a neurologist and medical ethicist, complains:

If a measurable attribute were to supplant the idea of dignity, which human beings would no longer measure up to the preferred standard? If a quantifiable marker, then which men and women, whose grandparents, whose children, would come up short? Since functional capacities accrue with age and by degrees, many people possess them in slight degree, and others may lose some of them altogether.... And all of us at one time or another are vulnerable and potentially eligible for exclusion. (Cheshire 2002)

Indeed, following Kant’s ideas, one gets only “treating rational beings as ends-in-themselves.” The essential condition of membership of the realm of ends is “moral personality,” by which Kant means the powers of practical reason—to be one’s own moral law-maker and to be able to have good will (see Kant 1900, vol. 2: 68–71, 434–436). As Rawls summarizes, Kant’s notion of humanity means “those of our powers and capacities that characterize us as reasonable and rational persons who belong to the natural world” (Rawls 2000: 188). This notion does not indicate in any direct way that newborn babies, the elderly who have lost their ability to make decisions, those with mental disorders, and people in comas would be included. Consequently they all face the danger of being excluded from their share of human dignity, and hence may be used as mere means.

To base human dignity on a religious belief about God’s creation is likewise problematic. Not only is it susceptible to countless refutations and questions, and hence difficult to serve as the foundation of a principle that is supposed to be universally valid, even if we assume that humans were created by God, what God’s image looks like would still be a subject for dispute—as we all know that the common image of God is a man, but not a woman, and white, but not black or yellow. Resemblance to an image is a property that can admit degrees. If we interpret the “likeness” of God’s image not through physical resemblance but through our rationality—capacity for rational reflection and free decision-making—this account is susceptible to the same

problem that Kantianism has. The fact that these capacities resemble God does not change the fact that those who have less of these capacities could still be excluded. Of course it would be different if one were to merely stick to the idea that humans are created by God, but creation is a causal notion that only indicates the origin of the human race, which has nothing to do with “*Imago*” and would not separate humans from other things that are also supposed to be created by God.

The above remarks are certainly too sketchy for us to reach any conclusive and comprehensive assessment about both the Kantian and Christian approaches to human dignity, and they are not meant to.³ They do, however, express one major concern about placing the notion of human dignity on the ground of a descriptive account of human nature. Out of this concern, Richard Rorty rejects all theories of human nature. He says that when some theories of human nature are implemented, and the paradigm of what counts as human and what not is made, people may treat others cruelly, such as slavery and ethnic cleansing, without thinking that they are doing anything inhuman, because those who they treat cruelly would have already been excluded from being human (Rorty 1998: 167–169).

If we do not ground human dignity on some inherent features, what else can serve as its basis? How are we supposed to differentiate humans from other beings? An alternative suggested by Cheshire is that we apply “dignity” to the notion of “substance,” which is not a mere collection of properties, but is comprehended more through “intuition” than through reason.⁴ However, a substance without any property or attributes is of no use here because it would not allow us to differentiate human beings from any other substances. In order to differentiate human substance from other substances, we would still have to answer what is in the human substance that makes it different. Answering this question would lead us back to properties or attributes again. Others have suggested that we could use “human genes and life indications” as the basis (see Han and Sun 2006). However, this would still not explain why *human* genes and *human* life have more dignity than other genes and life. If it is based on our recognition of being in the same species, the coverage of the universality would then vary according to the scope of our recognition: why can I not narrow down the scope to my own race or ethnicity, but have to extend it to all humans? Or alternatively, why should I not extend the scope to include all animals? If the reason for recognizing human genes as special is because of its level of complexity, then the same logic would allow people to defend the superiority of some people (such as those with high IQ) and discriminate against others. Rorty’s suggestion is that we simply stay away from all

³ For instance, the Kantian system contains “indirect duties” that can obligate people to refrain from even abusing animals and certain material objects, not to mention humans. This is one detail that deserves careful discussion in its own right. What I can mention here is that the reason for these indirect duties is indeed “indirect”—it is not that *they* might be hurt, but that *we* might suffer indirectly. We have an obligation not to rip the heads off teddy bears because that would hurt the feeling of those who care for them, not because teddy bears have some inherent features that deserve respect. This reason is very different from his reason for taking humans as ends-in-themselves, that is, that every human being has dignity because they are rational. The Kantian indirect duty actually entails a relational approach that is characteristic of the Confucian account of human dignity, to which we shall turn in the next section.

⁴ William P. Cheshire says, “The word ‘dignity’ is thus appropriate to beings who are substances and not mere collections of properties.... Dignity bespeaks something inseparable from human nature, something placed there, something shared by all people. One comprehends dignity less through reason and more through intuition, in a way that is comprehensible to human reflection universally” (Cheshire 2002).

theories of human nature, stop talking about substances or innate features, and try to extend the notion of “we” to include more and more people. But then we seem to return to our starting point, for we still lack the basis for human dignity. Without the aid of any theory, we still have reasons to worry about our culturally conditioned and undifferentiated intuitions. After all, to ignore a dilemma does not solve it.

This brief examination of alternatives is neither exhaustive nor conclusive. It is intended only to illustrate that there is such a problem⁵: if human dignity is defined by certain properties that constitute a human nature, we would end up risking exclusion of some people from being considered as human; a theory of human dignity may turn into its opposite and become the very ground for discrimination. On the other hand, if we do not use any inherent feature as the basis of human dignity, we seem to have no ground for attributing humans with dignity and not other beings, and the notion of human dignity would apparently lose its meaning.

The notion of *Menschenwürde* furthermore entails another dilemma. *Menschenwürde* is supposed to be inalienable, and yet it is also conceived of as vulnerable and hence requires protection. If by “inalienable” we mean that no one is able to take it from us or to reduce it (notice that the notion of *Menschenwürde* seems to entail that human dignity admits no degree), then why would we need to protect it? If by “inalienable” we mean no one should violate it, then not only does the fact that it cannot be destroyed or reduced have nothing to do with the need for its protection, to the contrary, we need to emphasize its vulnerability. To put it in other words, is this inalienability a descriptive statement or a moral imperative? Seen from the surface, it looks like a descriptive statement—it is stating that, as a matter of fact, all humans have universal and inalienable human dignity. But then it makes the need for protection

⁵ For instance, while remaining largely Kantian in their general approach, John Rawls’s theory of the “original position” and Stephen Darwall’s “second person account” do not base respect for human dignity on judging whether other people have some inherent attributes or properties. Whether these theories may resolve the problem is certainly worth investigating. For the purpose of the present essay, however, we have to regrettably leave them aside except for offering some passing notes. First of all, in outlining the dilemma, this essay does not at the same time suggest that there is no solution to it. Actually the second part of this essay will show that a Confucian account of human dignity can be a viable solution. Second, we shall also see that, despite their vast differences, Rawls’s and Darwall’s theories resemble the Confucian account we are going to articulate in some important ways. Rawls’s theory, for instance, shifts the basis of respecting others’ dignity from judging others to asking *oneself* how, if placed in the “original position” (behind the veil of ignorance of knowing who you are and whether the one you turn out to be when the veil is lifted is rational or not), one would like to be treated. Furthermore, unlike the Kantian moral subject whose rationality is totally detached from emotions, the Rawlsian person in the original position is supposed to have gone through a natural development process in which emotions play a crucial role (see Cline 2007: 366, note 11). These are points on which Rawls resembles Confucius more than he resembles Kant. On the other hand, Rawls is mostly concerned about outlining principles of justice, whereas Confucius’ principal concern is how to *make* people exemplary persons. This difference can have far-reaching practical implications—while the Rawlsian principle will more likely remain minimalistic (since it does not give the person enough motivation to go all the way to promote others), the Confucian cultivated person sees the full development of others as the same process of developing oneself.

As for Darwall, he holds that people have an obligation to respect others because others have a legitimate claim for us to respect them. Like the Confucian account, Darwall’s second person account is relational, and does not depend on judging others’ attributes or properties. One difficulty with his theory, however, is that the “second person” may nevertheless be unable to actually make a claim, and in cases like this, the reason for the agent to respect their dignity goes back to the agent’s rationality. Even though Darwall claims that the moral community is still out there and is irreducibly second-personal, what the community virtually demands would be contingent on what the agent perceives. If the agent is a Kantian disembodied rational being, then again the result will be minimalistic and principle oriented. We shall discuss these in Section 4 of this essay.

sound obsolete. Why would one need to protect something that cannot be taken away? One might argue that even something that cannot be taken away may still be violated, degraded, eroded, or damaged. For instance, one can violate a law without destroying the law, and one can violate a sacred space without destroying the sacredness of the space. But the *fact* that they are inalienable in this descriptive sense (i.e., no one *is able to* destroy them) provides no reason for the need of their protection. To the contrary, for the need of protection it makes much better sense to emphasize their vulnerability. In fact if everyone violates a law, it is hard to say *descriptively* that the law is still not destroyed (although we may still say that, even if everyone violates the law, *prescriptively* no one should). With regard to the sacred space example, it can be different. While a law is a convention, and can be destroyed when the convention is no longer in effect, the sacredness of a space may not be dependent on convention but instead on a historical fact (say that the space is the birthplace of a spiritual leader). However, it remains the same that the descriptive fact (i.e., nothing can change the fact that the place is sacred) not only fosters no reason for respecting it, it can be used as an excuse for violating it—one might argue that the violation would not make any difference to its sacredness.

The space's sacredness can be used as a reason for protecting it only when the descriptive statement "it is sacred" is taken as, as Hume would say, a *disguised prescriptive* statement. In other words, it is actually saying that the space *should be* respected. Similarly, with respect to human dignity, its inalienability must be taken to mean that every human being should be treated with at least a minimum level of respect that they all deserve. Human dignity is "inalienable" in the sense that no one is supposed to be deprived of that minimal level of respect. A Kantian may say that one can disagree with me, but not treat me like I am a material object. My ability to set my own ends may descriptively be violated (such as when I am enslaved) or taken away (such as when I am drugged or brainwashed), but prescriptively no one is ever *supposed to* do that. A Christian may say that one can (as a matter of fact) abuse me, but my being created in God's image entails a moral demand that no one *should* do so. However, the problem is that if so, the special power of the inalienable thesis would be lost, for the value of the thesis is to provide a reason or support for human dignity. Taken simply as a moral imperative, it would be no other than saying that "we should respect human dignity because human dignity should not be violated." The strength of the inalienability thesis disappears with the circular reasoning. Indeed, ever since Hume made that famous distinction between "is" and "ought," all the moral imperatives suddenly lost their cover of objectivity, and became trees without roots, or with roots only in human psychology.

These two dilemmas force us to re-evaluate the notion of *Menschenwürde*. Without assuming that the difficulties are insurmountable or that the theories supporting the notion cannot generate sophisticated ways to address the difficulties, we at least have enough reason not to take the notion of *Menschenwürde* for granted, and to open the door for considering alternative notions of human dignity. One such alternative is the Confucian account that I shall turn to in the next section.

3 The Basic Confucian Position

Having raised some questions about the notion of *Menschenwürde*, let us now turn to the resources in traditional Confucianism for a broadly construed concept of human dignity.

Unless we mistake the later dogmatized Confucianism and its implementations for the spirit of traditional Confucianism, we should have little doubt that Confucianism upholds human values very highly—so high that it can be characterized as taking the secular as sacred (Fingarette 1972). When a horse stable caught fire, Confucius asked whether any person was hurt, but did not ask about the horses (*Analects* 10.17).⁶ He not only opposed human sacrifice, but also condemned the custom of using figurines in burial because they were images of human figures (*Mencius* 1A4; Lau 1970: 52). There is an ample amount of textual evidence that Confucianism is a humanitarian philosophy.⁷ But what, according to Confucius and his followers, makes humans particularly valuable?

The *Book of Rites* states that “Humankind is the gift of heaven and earth, the interaction of *yin* 陰 and *yang* 陽, the convergence of spirits and souls, and the blooming animus of the five elements of nature.” It also says, “Human beings are the heart-mind of heaven and earth” (*Liji* 9; Legge 1967, vol. 1: 380–381, 382). These statements are informative. They suggest that the human being is the most superior being between heaven and earth, and the phrase “the heart-mind of heaven and earth” indicates that the human being is both at the center of the universe and is the conscience of it. Two of Confucius’ most prominent followers, Mencius and Xunzi, have provided us with more specific clues. According to Mencius, humans all have “four incipient tendencies”—the heart of compassion, the heart of shame, the heart of courtesy and modesty, and the heart of right and wrong. Humans have these four incipient tendencies just like we have four limbs (*Mencius* 2A6; Lau 1970: 83). They are what differentiate humans from animals and plants (*Mencius* 6A3; Lau 1970: 161). Even though Xunzi has a different view on human nature, he also holds that the ability to develop moral sense is what makes humans different from everything else. He says,

Water and fire have vital energy (*qi* 氣), but not life (*sheng* 生); plants and trees have life, but no consciousness (*zhi* 知); birds and beasts have consciousness, but no sense of appropriateness/rightness (*yi* 義). Humans have vital energy, life, consciousness, and, in addition, a sense of appropriateness/rightness. This is why humans are the most valuable beings under the heaven. (*Xunzi* 9.16a; Knoblock 1990: 103–104)

In other words, both Mencius and Xunzi agree that it is the sense of morality that makes humans distinct from and more noble than animals and objects. While for Xunzi, who believes human nature to be evil, humans nevertheless have the ability to develop their sense of morality through learning, for Mencius, who believes human nature to be good, the incipient tendencies still need to be cultivated and developed. Both of them

⁶ References to the *Analects* give section numbers in Ames and Rosemont 1998. Translations of the *Analects* and other Chinese classics are either my own or based on the English versions specified in the references (e.g., Ames and Hall 2001, Van Norden 2008), often with modifications.

⁷ For example, *Xiaojing* 孝經, or the *Book of Family Reverence*, says, “Of all the creatures in the world, the human being is the most noble” (*Xiaojing* 9; Rosemont and Ames 2009: 110). *Liji*, or the *Book of Rites*, says, “Of all that Heaven produces and Earth nourishes, there is none so great as human being” (*Liji* 24; Legge 1967, vol. 2: 229); “With the ancients in their practice of government the love of human beings was the most important” (*Liji* 27; Legge 1967, vol. 2: 264). *Guodian* 郭店 Bamboo Script (“Yucong 語叢 1”) says, “Among the hundreds of things that heaven generates, human being is the most precious” (*Guodian Chumu Zhujian* 1988: 194).

believe that humans possess the potential to be morally excellent, and everyone is capable of becoming a sage. From this point of convergence, we can reasonably infer that, according to them this potentiality is the very foundation of human dignity.⁸ The more one is able to develop this potentiality, the more dignity the person has. Indeed, the word for appropriateness or rightness, *yi*, is even defined by Han 漢 dynasty philologist XU Shen 許慎 as *ji zhi weiyi* 己之威儀, which can be translated as “the dignity and respectable countenance and demeanor of the self” (XU Shen 1981: 633).

Meanwhile, both Mencius and Xunzi believe that one can lose this potentiality. Even Mencius, who believes that everyone possesses the four incipient tendencies, acknowledges that, just like trees and grass on a mountain, if there is constant lopping and new shoots are repeatedly grazed by cattle and sheep, the mountain will become bald. He says,

If this dissipation happens repeatedly, then the influence of the air in the night will no longer be able to preserve what was originally in him, and when that happens, the man is not far removed from an animal.... Given the right nourishment there is nothing that will not grow, and deprived of it there is nothing that will not wither away. Confucius says, “Hold on to it and it will remain; let go of it and it will disappear. One never knows the time it comes or goes, neither does one know the direction.” It is perhaps to the heart this refers. (*Mencius* 6A8; Lau 1970: 165)

Is this view convincing? Would placing human dignity on the basis of moral potentiality avoid the aforementioned dilemmas?

We notice immediately that the theory attributes human dignity to properties also. If we locate human value in our potentiality to be moral, what about those who do not show any sign of this potentiality? According to Harvard Medical School psychiatrist Martha Stout, as many as 4% of the human population are conscienceless sociopaths who have no empathy or affectionate feelings for humans or animals (Stout 2005). Mencius says, on the one hand, that “men have the four incipient tendencies just as they have their four limbs,” and on the other hand, that one who is devoid of these incipient tendencies “is not a human” (*Mencius* 2A6; Lau 1970: 82). He also says, “Slight is the difference between human beings and the brutes. The common man loses this distinguishing feature, while the exemplary persons retain it” (*Mencius* 4B19; Lau 1970: 131). Should we exclude the sociopaths and those who fail to retain their four incipient tendencies from our consideration for humans and pay no respect to their dignity?

We may begin our close examination with the observation that this Confucian account of human dignity is both descriptive and prescriptive, and mainly prescriptive. It has a descriptive dimension, because obviously it begins with the empirical observation of human moral potentiality. Since empirical observations are always limited, we only get a generalization, but not universality. From a descriptive perspective we are

⁸ See Zhang 2000 and Bloom 1998. Both articles contain more textual support for this point. It should be noted, however, that the word “potentiality” here is different from Aristotle’s notion of potentiality (*dunamis*). Aristotelian potentiality is related to his teleology, meaning that everything has a built-in *telos*, or nature, that drives it toward its pre-established aim. The word “potential” used here does not entail such a teleology, at least not necessarily. Potentiality is not necessarily teleological; it is merely distinct from something actual.

never justified to conclude that moral potentiality is necessarily possessed by every human being. Furthermore, humans generally have four limbs, but we do not say a person without limbs is no longer human. Then how can we say that those who lost their “four hearts” are no longer human? On the ground of empirical observation, we cannot. After all, the “four hearts” are incipient tendencies, so no one is born a complete human according to this account. If one lives in an unsuitable environment, and constantly lets “axes” lop his “trees,” one will not be only unable to become a well-matured person with dignity, but may even fall into the rank of “birds and beasts.” Indeed, from the descriptive dimension, the theory does not seem to provide an adequate ground for respecting every human being’s dignity. It would probably exclude more people than the Kantian criterion of rationality. It needs a significant leap in order to meet our expectation for protecting all human beings.

This significant leap is accomplished through turning the “four hearts” theory into a prescriptive demand. To borrow an expression from Rorty, a theory can be used as a “lever,” and not just as a “mirror” (Rorty 1989: 174). In other words, theories can be used to change the world, and not just describe it. I have argued elsewhere in detail that in fact Mencius’ theory of human nature is more a *recommendation* than a *description*. He is actually saying that it is better for us to believe that we all have the four hearts and take the four hearts—the potential to be morally good, rather than anything else (such as that we have rationality, or free will)—as our defining feature of being human (Ni 2009). Seen from Confucius’ view about “rectifying names,” Mencius’ theory of human nature is also stipulating what it means to be a human—to prescribe how we should treat something that the name applies to. The *Zhongyong* says, “To be *ren* 仁 (human-hearted) is to be human” (*Zhongyong* 20; Legge 1967, vol. 2: 312). This statement is not a description of an objective scientific observation that all homo sapiens are human-hearted; it is rather a stipulation that in order to qualify as a human, one must strive to be human-hearted. In other words, *ren* is the *way* to become human. By saying that everyone has the four hearts and that the four hearts is what makes a human a human, Mencius shows people that they should have confidence that they can (i.e., have the potential to) become human, and more importantly, he *urges* people to cultivate these four hearts. Like a mother who says to her child, “You’re a good child,” the real intention behind Mencius’ view is to give encouragement! He gives a clear clue about this real intention by telling us that,

It is due to our nature (*xing* 性) that our mouths desire sweet taste, that our eyes desire beautiful colors, that our ears desire pleasant sounds, ... But there is also fate (*ming* 命) [whether these desires are satisfied or not]. The exemplary person does not say they are man’s nature [and insist on satisfying them]. The virtue of humanity in the relationship between father and son, the virtue of righteousness in the relationship between ruler and minister, ... — these are [endowed in people in various degrees] according to fate. But there is also man’s nature. The exemplary person does not [refrain from practicing them and] say they are matters of fate. (*Mencius* 7B24; Lau 1970: 198–199)

What this passage tells us is basically that, while our natural desires and our “four hearts” are equally in our nature (if we understand “nature” to be whatever we are born with), the exemplary person chooses to identify the “four hearts” but not the natural

desires as our human nature (in the sense of what makes us “human”) for the practical reason of making people feel obligated to develop the four hearts. In other words, in saying that the four hearts are human nature, Mencius is not using the words descriptively; for if he were, he would have no reason to choose the four hearts but not our natural desires as our human nature. He is actually using the words to guide people, to mobilize people’s energy, or put in another way, to *do* things.

In human development, self-image is very important. The way people conceive themselves is like a guiding principle behind their actions. Furthermore, here the belief that the four hearts are human nature not only builds a positive self-image; it also directs people how they should view and treat others—being a human now entails that one has to treat others humanely. The descriptive and the prescriptive sides of the theory form an interesting tension. On the one hand, through descriptive generalization we not only come to the awareness of the fact that most, if not all, homo sapiens have the four hearts, but also realize the possibility of losing our own humanity and degrading ourselves to the animal level. There is no ground for anyone to claim unconditional entitlement for respectful treatment regardless of what oneself does. On the other hand, through prescriptive stipulation we realize the expectations that come with the notion of being “human,” and hence the obligation to treat everyone humanely. If we say that “dignity internalism” believes that human dignity is based on some inner quality of the human person, and “dignity externalism” believes human dignity to be a matter of interpersonal recognition, Confucianism marvelously combines the two: in the case of Mencius, my internal “four hearts” can serve as the basis of my dignity exactly because it is relational and outwardly directed. The same is true for Xunzi’s *yi*.⁹ It requires me to recognize and respect my family, friends, neighbors, and so on. My recognition and respect for others in turn entails the demand for self-respect, because to disgrace oneself will embarrass my family, friends, and so on. Respecting oneself is achieved precisely through respecting others. “Exemplary persons are reverent and not careless, and they treat others with respect and observe ritual propriety, all within the four seas are their brothers” (*Analecets* 12.5). The Confucian theory tells us that to be cruel to others while intending to maintain one’s own dignity is, to use an expression by Mencius, like “looking for fish by climbing a tree” (*Mencius* 1A7; Lau 1970: 57). We cannot treat others inhumanely without reducing our own humanity, nor can we disgrace ourselves without hurting others.

Such a Confucian account of human dignity ingeniously avoids the two dilemmas we mentioned earlier. Since the four hearts are concrete feelings and tendencies rooted in our hearts that we can directly identify with and not merely based on recognition of certain features in others, when we lack any sympathy for those who apparently lack the four hearts, or when we are treated cruelly by others, we would first reflect on ourselves to see if it is more a problem of our own than that of the others. We would ask whether we lacked adequate understanding, compassion, patience, and whole-hearted devotion toward these people. That is, we ask whether we are ourselves human-hearted enough. Mencius says,

⁹ As WANG Huaiyu points out, the word *yi* 義 and its cognate *yi* 誼 were often used interchangeably in early writings, suggesting that the meaning of *yi* 誼 in contemporary Chinese, “amity” and “friendship,” may initially have belonged to both characters (see Wang 2009: 328).

Those who love others are generally loved by others. Those who respect others are generally respected by others. Suppose a man treats me in an outrageous manner. Faced with this, an exemplary person will invariably examine himself, saying, “I must be lacking in human-heartedness and ritual propriety. How else could such a thing happen to me?” When, looking into himself, he finds that he has been human-hearted and ritually appropriate, and yet this outrageous treatment continues, the exemplary person will invariably examine himself, saying, “I must have failed to do my best for him.” When, looking into himself, he finds that he has done his best and yet this outrageous treatment continues, then the exemplary person will say, “This man does not know what he is doing. Such a person is no different from an animal. What point is there in rebuking an animal?” (*Mencius* 4B28; Lau 1970: 134)

This passage is very rich in content. It tells us that, in taking the belief that “all humans have the four hearts” in one’s heart-mind, there is what Michael Polanyi calls “commitment,” a conviction that everyone has the potential, including those who are apparently conscienceless. This commitment then becomes a *disposition* or an *attitude* of refusing to use “sociopath” on others as an easy excuse to not improve oneself or to give up on others. We will *make* efforts to include them rather than trying to *find* if they are one of us. Although Mencius does not rule out the possibility that one’s four hearts may wither away and a person may degrade to the animal level, an exemplary person would first demand self-perfection and doing one’s best to others. His effort in persuading the kings (e.g., *Mencius* 1A and 1B) is a good example of this commitment. Only when all these efforts fail may the exemplary person accept that the problem is the other’s. Moreover, even in that situation, we would still refrain from treating the other inhumanely, because *we* are humans (though we can punish the person as he deserves or coerce him when necessary).¹⁰ The Confucian method to be *ren* or human-hearted is *shu* 恕 (commiseration or reciprocity): “Do not impose on others what you yourself do not desire” (*Analects* 15.24, 6.30; Ames and Rosemont 1998: 189, 110). Whether we exclude these people from our humanitarian consideration is therefore more a test of our own humanity than a judgment about whether these people are still human beings. We respect their dignity not so much on the basis of *their* qualification as human, as it is on the basis of being human ourselves. The more civilized we are, the more we are able to “love people broadly” (*Analects* 1.6).

This “Copernicus turn” transforms the issue from one of determining the external scope of universality of human dignity to an issue about internal moral cultivation, and from judging other people to demanding one’s own moral integrity, compassion, and responsibility. Though it does not provide a clear demarcation of the extension of “real

¹⁰ Of course in practice we often face difficulties in differentiating necessary measures of punishment or coercion from cruelty. For example, whether certain torture is justified in dealing with terrorists, when doing so is the only way to save innocent lives. This is a sticky issue even for those who claim to uphold human rights most vigorously. However, the difficulty here is not about determining whether the terrorists are humans, but rather that, exactly because they are humans, torturing them becomes a concern. In other words, the problem is not whether or not we need to respect their basic human dignity; it is the conflict between our duty to respect basic human dignity and our duty to save innocent lives. This is where Kant’s categorical imperative falls into a predicament, because it would not allow exceptions regardless of any situation, and W. D. Ross’s distinction between “actual duty” and “*prima facie* duty” becomes relevant, as it would allow people to determine the most “incumbent” duty when more than one *prima facie* duties are involved.

humans,” it offers us a ground for human dignity that can extend even beyond the human realm. It requires people to spread their commiseration outwardly as far as they can. Indeed, it not only provides a ground for respecting human dignity; by locating humans relationally within the cosmos, it actually provides a ground for us to care for animals, plants, and the entire natural environment. This is the kind of “being at the center of the universe” that is, as Tu Weiming 杜維明 calls it, “anthropocosmic” rather than anthropocentric.

The Confucian account of human dignity also resolves the second dilemma, namely the dilemma of inalienability. In the Confucian account summarized above, human dignity can be inalienable because it is ultimately dependent on oneself (*Analects* 12.1). “Seek and you will find it; let go and you will lose it” (*Mencius* 6A6; Lau 1970: 163). In this sense our human dignity becomes truly inalienable and inviolable by others—not because others are unable to treat us cruelly, nor because we are born with privileges; it is because as long as we are able to maintain what is human ourselves, no one can do anything about it. The humiliation inflicted on us by others shows *their* lack of humanity, not *our* lack of dignity. When someone spoke disparagingly of Confucius, his disciple Zigong 子貢 made the following remarks:

There is no way he could succeed in doing this. Zhongni 仲尼 [Confucius] cannot be vilified. The worthiness of other people is like hills and mounds which may be stepped over, but Zhongni is like the sun or the moon, which no one can find a way to step over. Although a person may wish to shut himself off [from their radiance], what harm will it do to the sun or the moon? It would only show that he does not know his own limits. (*Analects* 19.24)

These remarks not only tell us that Confucius’ moral integrity cannot be hurt by disparaging remarks, but also that when a person tries to disparage exemplary persons, the act shows the person’s own problem and hurts himself.

On the other hand, although this dignity can be inalienable in the sense specified above, it is vulnerable to self-destruction, and its nourishment is dependent on external environment as well. Mencius quotes the *Tai Jia* 太甲, which says “When Heaven sends down calamities, there is hope of weathering them; When man brings them upon himself, there is no hope of escape” (*Mencius* 2A4; Lau 1970: 81). First of all, we are the ones who can bring damage to our human dignity. If a person is disrespectful himself, then it is hard to avoid insult. Secondly, this dignity is not immutable to external calamities. That our dignity cannot be taken away or diminished simply by what others do to us does not mean that we do not need any protection, nor does it mean that those who abuse us will always hurt themselves but never us. As Mencius recognizes, external “lopping” and “grazing” will definitely threaten the preservation and growth of our four hearts. Protecting everyone’s humanity is therefore not merely the individual’s responsibility, but also the society’s. It remains true, however, that strictly speaking what external lopping and grazing hurts is not the victim’s dignity *per se*. A rape victim should feel anger, but not shame. She does not lose her dignity in being raped. What she suffers is the violation of her physical and spiritual integrity and her self-determination. Because these are all vital conditions for a person to retain basic dignity, people usually speak loosely that her dignity is deprived by the rape. In this loose sense we can say that a person lacks dignity when he is forced to beg for food due

to poverty or to remain silent due to political oppression. However, strictly speaking these should all be described as lack of vital conditions for a dignified life, but not a life that lacks dignity. Lacking these conditions will certainly make a life with dignity difficult. The person in poverty is more likely to steal, and the person under political oppression is more likely to speak and do things against her own will. To be clear on this point is itself a protection for victims, because only by recognizing this can a victim demand society's protection instead of discrimination, and only by recognizing this can we not naively believe that since human dignity is inalienable, it does not need careful protection, nourishment, and cultivation.

4 Comparing the Confucian Account with *Menschenwürde*

The above outline suggests that indeed Confucianism does not contain the notion of *Menschenwürde*, but this does not mean that it lacks a viable account of human dignity. Its view about human dignity is different from, and arguably more convincing than, the notion of *Menschenwürde*. Let us now try to identify some main features of this Confucian account more closely in contrast with the notion of *Menschenwürde*.

4.1 Immanence vs. Transcendence

First, we notice that the Confucian account of human dignity is grounded in our concrete human-hearted feelings and dispositions. In contrast, the main pillars of *Menschenwürde* are transcendental or transcendent. Kant's argument for humans as "ends-in-themselves" is ultimately transcendental in the sense that we cannot be moral subjects unless we are ends-in-ourselves. This Kantian argument does not directly assert that we *are* moral subjects, because strictly speaking one cannot even be sure that he has free will, much less others. The Kantian argument shows only what the concept of moral subjectivity entails, not whether any concrete person *is* or *is not* a moral subject. When applied to practice, this absence of clear assertion may end up making the claim that human beings are ends-in-themselves vacuous. As soon as a person's ability to make self-determining choices is questioned, the person's dignity falls on shaky ground. The thesis that humans are created in God's image is also not grounded in something immanent. It is based on the faith of a transcendent deity, and for this reason the thesis is always haunted by lack of convincing proof or justification for the existence of God.

Different from these accounts, the Confucian view of human dignity does not rely on anything transcendent or transcendental. The spring of human dignity emerges from within the person. As modern Confucian scholar XU Fuguan 徐復觀 puts it, "Confucius opened up an internal world of moral character, ... Only through discovering this world of moral character inside can a person create himself and continuously raise himself beyond the ordinary animal realm, and thereby expand and extend one's life energy infinitely, and become an inexhaustible source of value for all activities." This consciousness and the effort of putting it into practice "*can be experienced*. This is Confucius' greatest contribution to Chinese culture, and hence also to the entire world" (see XU Fuguan 1984: 67–71, 90–100; emphasis mine).

4.2 Self-reliance vs. Gift of Nature

Another distinctive feature of the Confucian account is that, unlike the notion of *Menschenwürde* which takes human dignity as simply given, it always stresses *achieving* human dignity through self-cultivation. For Confucians, the special worth of humans is in our ability and actual manifestation of it to go beyond the biologically given, and never be content with feeling entitled to the protection and recognition from others.¹¹ One earns reverence from others by being respectful oneself. Confucius says, “If one is respectful, one will not suffer insult” (*Analects* 17.6). “The exemplary person does not speak more than what he should say, and does not behave across the line of proper conduct, people revere him without being forced to” (*Liji* 27). “Do not be troubled by others’ not recognizing you; Worry that you do not recognize others” (*Analects* 1.16). Mencius also says, “Human-heartedness brings honor; cruelty, disgrace. Now people who dwell in cruelty while disliking disgrace are like those who are content to dwell in a low-lying place while disliking dampness. If one dislikes disgrace, one’s best course of action is to honor virtue and to respect exemplary persons.... There is neither good nor bad fortune which is not brought upon a person by him or herself.... The *Book of Odes* says, ‘Long may he be worthy of heaven’s mandate, and seek for himself much good fortune’” (*Mencius* 2A4; Lau 1970: 81). He compares the cultivation of human-heartedness to archery: “An archer makes sure his stance is correct before letting fly the arrow, and if he fails to hit the mark, he does not hold it against his victor. He simply seeks the cause within himself” (*Mencius* 2A7; Lau 1970: 83). Explaining the passage where Confucius remarked about some people’s being difficult to provide for because drawing them close they show disrespect, and keeping them at a distance they complain (*Analects* 17.25), Qing 清 dynasty Confucian WANG Xuan 汪烜 says, “This is saying that in cultivation of the person and regulating the family, nothing can be taken lightly or taken for granted. Do not think that servants and concubines are low in social status and therefore can be used in any way I like without caring about how to treat them” (see Cheng 1990: 1244). What this means is that ideally one should be able to make even those who are most difficult to provide for pleased, if they are close, and attracted, if they are at a distance (*Analects* 13.16). To do so one should be like Confucius, who can always be “gracious yet serious, commanding yet not severe, respectful yet at ease” (*Analects* 7.38; Ames and Rosemont 1998: 119).

To achieve human dignity is to become a human in a more full sense of the term, so the two are one and the same process. For Confucianism, our task is not so much a matter of knowing *that* we have dignity, but more a matter of *how* to become dignified. We have dignity not because we possess something that *is* common to us all, but because we have a sense of what we can and should *become*. Through this Confucianism fills the gap between “is” and “ought”—The uncertainty of whether I *am* a human being in the descriptive sense (the sense of what *is* the case) is removed through the prescriptive way (the sense of what *ought* to be the case): in respecting your humanity, you thereby create your own humanity. It demands a shift from the obsession of the present to an open-endedness that Derrida calls *différance*, from the male oriented self-sufficiency to a feminist appreciation of potentiality.

This developmental notion of human being may lead some people to worry that, when the basis of human dignity becomes an “absence,” a not-actualized potential, we

¹¹ Related to this is a victim mentality, a mentality that blames others or society if anything goes wrong: “I am not responsible; it’s not my fault” (see Sykes 1992).

would not be able to simply affirm everyone's human dignity. This worry is indeed reasonable and it might indeed be conceived as revealing a side-effect of the Confucian notion. In comparison, the notion of *Menschenwürde*, despite potential problems of its own, gives people an unequivocal affirmation of everyone's dignity. However, a merit of the Confucian notion comes exactly along with this weakness—it provides us with a strong sense of responsibility. In the process of pursuing full humanity, absence serves as the possibility for growth, for creation, and for achieving significance. It puts the ultimate control in every person's own hands. Because potentiality displays itself exactly in its process of becoming actual, the entitlement mentality must be supplemented by the humble realization of our incompleteness and the need to grow. Paradoxically, only with such a humble realization can we make the secular sacred.

C. Forest puts the point well when he compares the Confucian approach with the Western definition of humanity,

The Confucian departure from this Western definition of humanity (which originates with the self) starts backwards: A person's humanness is neither determined nor finished until he is dead. This is to say a person's humanity undergoes evolution over a lifespan, in the values held and conducted through his relationships with others. Within the sum of these experiences and conduct of relationships, his humanness is derived and molded on a day-to-day basis and from encounter to encounter. In short, the self during its lifetime is unfinished business as it constantly learns what it means to be human. (Forest 2007)

4.3 Relational vs. Atomistic Individual

Because the Confucian account of human dignity is based on our potential to be moral, it is by nature related to what is actual. However, the Confucian potential/actual has its specific content. An Islamic view of dignity set out by Mohammad-Ali Taskhiri also specifies human dignity as potential, but it is the potential to be actualized by living a religious life pleasing in the sight of God (see Hafez 2000: 50). In contrast, the Confucian potential is to be actualized through being moral. Being a human requires one to treat everyone (beginning with one's immediate family) with compassion. As we have mentioned before, it entails that only in treating others humanely can we ourselves retain and develop our own human dignity. One is supposed to actualize one's own value and dignity through the process of establishing and promoting others.

This relational feature of the Confucian account of dignity is quite different from and arguably provides a better protection and nourishment for the respect of human dignity than *Menschenwürde*. While *Menschenwürde* is anchored on certain metaphysical assertions about individual persons (that everyone possesses dignity regardless of whether one is related to anyone at all), the Confucian account is anchored on the feeling of human relatedness. It recognizes the fact that everyone is born into specific relationships through which one's value can be manifested, and urges people to take up this way to actualize and broaden their humanity.

There is a puzzling passage in the *Analects*, which may be quite relevant to human dignity. When Confucius' disciple Zigong inquired, "What do you think of me?" The Master said, "You are a vessel." Zigong asked, "What kind of vessel?" The Master replied, "A

sacrificial vase of jade” (*Analects* 5.4). Why did the Master specifically compare Zigong to a sacrificial vessel? Fingarette’s revealing interpretation is worth quoting in length:

Such a vessel is holy, sacred.... Yet the vessel’s sacredness does not reside in the preciousness of its bronze, in the beauty of its ornamentation, in the rarity of its jade or in the edibility of the grain [that it contains]. Whence does its sacredness come? It is sacred not because it is useful or handsome but because it is a constitutive element in the ceremony. It is sacred by virtue of its participation in rite, in holy ceremony. In isolation from its role in the ceremony, the vessel is merely an expensive pot filled with grain.... By analogy, Confucius may be taken to imply that the individual human being, too, has ultimate dignity, sacred dignity by virtue of his role in rite, in ceremony, in *li*. (Fingarette 1972: 75)

I would like to add, however, that a person’s dignity is not merely determined by her social roles. Unlike a vessel, a human being is not merely *placed* in a ritual, but is a *participant* of the ritual. The person acquires the sacredness only through following the intricate requirements of the ceremony and has to have a well-cultivated human heart-mind to manifest in the ceremony to make the ceremony alive. All social roles carry with them corresponding expectations, and only when a person fulfills these expectations is the person endowed with the corresponding authorities, privileges, and dignity. Self-cultivation of the person is different from the preparation of a vessel. While the preparation of a vessel adds nothing but its beauty and its sacredness is passively conferred to it through the ritual, a person’s human-heartedness is a source of the sacredness and the life of the ceremony. In this sense, the Master might very well be telling the disciple that he still needs to cultivate himself in order to be more than just a vessel (cf. *Analects* 2.12, where the Master says “An exemplary person is not a mere vessel”).

4.4 Embodied Disposition vs. Rational Imperative

Furthermore, unlike the concept of *Menschenwürde*, which takes human dignity as a matter of moral *imperative*, the Confucian approach takes it as a matter of personal cultivation or *becoming* who you are. Even though the possibility to transform oneself remains open throughout a person’s lifespan, it does not stay the same. A person’s character is largely shaped early in life. Although it is always possible to act out of character, the older one gets, the less is one malleable. As Confucius says, “Young people should be esteemed seriously. How do we know that they will not be as good as we are today? If a person remains unheard of at the age of forty or fifty, then he might as well not be worthy of being taken in awe” (*Analects* 9.23); “When a person is at forty and yet still invokes dislikes, the person is hopeless” (*Analects* 17.26).

One must become a respectful person and respect others out of sincere feeling. The Confucian account requires sincere compassion and respectfulness, passionate engagement, and embodied recognition and manifestation of these feelings and dispositions. These feelings and dispositions are not merely located in the brain. In fact genuine respect for human dignity should not come through rational decisions. A person who has to use rationality to consciously *decide* not to kick a child for fun is clearly not as good as a person for whom kicking a child for fun would simply never cross her mind. As long as one does the right thing out of responsibility, and as long as one feels no pleasure in doing the

right thing, one's virtue is incomplete. This is what Mencius meant when he said one should "follow the path of morality, but not just put morality into practice" (*Mencius* 4B19; Lau 1970: 131), and this is also what the recently discovered silk and bamboo script "Wu Xing 五行" says repeatedly, that "If a person does not enjoy [doing the good thing], then the person lacks virtue" (see Wei 2005: 6, 8, 17).

The embodiment of virtue and virtuosities is also crucial for making oneself respectful. As Mencius says,

That which an exemplary person follows as his nature, that is to say, human-heartedness, rightness, ritual propriety, and wisdom, is rooted in his heart, and manifests itself in his face, giving it a sleek appearance. It also fills his torso and extends through his four limbs. Though he says nothing, his four limbs express them. (*Mencius* 7A21; Lau 1970: 186)

The heart-mind is so closely associated with the body that moral virtues and virtuosities can radiate through one's body, so much so that the presence of the person will thereby command others' respect.

4.5 From Minimum to Maximum

What we discussed above has already touched on another contrast between the Confucian account of human dignity and the notion of *Menschenwürde*. Legal protection and moral imperatives can only be minimalistic, because we cannot reasonably enforce more than what is obligatory. The Confucian account of human dignity, however, points toward a way of life as an art. It opens up the space for more comprehensive and maximum development of human dignity in various aspects of human life.

If we do not limit our vision of human dignity to the minimal as the notion of *Menschenwürde* does, we shall see that human dignity originally refers to a much broader spectrum of human life.¹² There can be dignity of virtue/virtuosity (such as moral virtues, intelligence, talents, and admirable personal characters), dignity of identity (such as gender, race, nationality, profession), and dignity of social status (such as rank, title).¹³ The value of opening up these dimensions to our understanding of

¹² In the West, the Latin word for human dignity, *dignitas hominis*, means "status," primarily associated with a person's honorable social position, charisma, or personality that evokes esteem (see William 2005: 150). *Oxford English Dictionary* lists several definitions under "dignity," such as "The quality of being worthy or honourable; worthiness, worth, nobleness, excellence," "Honourable or high estate, position, or estimation; honour; degree of estimation, rank," "An honourable office, rank, or title; a high official or titular position." None of these are confined to any abstract, universal, and unconditional worth. Similarly, the Chinese words for dignity today, *zun yan* 尊嚴, were both used in ancient China for particular honors and states of esteem, and not for any abstract dignity that belongs unconditionally to every human being. *Zun* meant noble or esteem, as in "heaven is noble [*zun*], the earth is humble" (*Yi Dazhuan*, "Xici 系辭": 75); "Exemplary persons exalts [*zun*] the worthy and are tolerant to the multitude" (*Analects* 19.3); "If laws are clearly defined, superiors will be honored [*zun*] and their rights will not be invaded" (*Han Fei Tzu*: 28). *Yan* meant awe-inspiring or being authoritative, as in "authoritative [*yan*] and careful [was our leader] 有嚴有翼" (*Shijing*, "Sixth Month": 424). *Zun* and *yan* were also used together frequently. For example, when CHENG Yi 程頤 (1033–1107) explains the phrase *zhangren* 丈人 in the *Book of Changes*, he says, "'zhangren' means a person with esteem and authority [*zunyan*]" (*Da Yi Cuiyan*, vol. 7).

¹³ The list here is modified on the basis of the classification offered by Lennart Nordenfelt (2004). It is neither meant to be an exhaustive list, nor a classification of kinds of human dignity that are mutually exclusive.

dignity is evident. For instance, lacking an awareness of the need to constantly improve oneself, there is a pervasive sense of entitlement among young Americans. American education encourages children to “believe in yourself” from the very beginning, and treats every child as a “prince” or “princess” (though American parents and educators are not necessarily able to do so in practice). The result, of course, has a very positive side: it reduces discrimination and increases children’s self-esteem. However, it also has serious side effects: many young Americans have picked up an unrealistic “entitlement” attitude toward rights and respect, and become unaware of the need for self-transformation. True, we can expect respect from others simply because we are all humans, but this respect is the minimum rather than the entire spectrum of dignity. The rest of the spectrum is not so basic, but more as achievements that we need to attain through our own efforts.

Take the dignity of identity for example. Our sense of dignity is very often related to our identity, and obviously, beside identifying ourselves as humans, we also identify ourselves through gender, race, ethnicity, nationality, family lineage, social class, religious denomination, profession, personal characteristics, and even bodily features. When a person’s identity is insulted, the person will feel deeply offended, and when a person’s identity is praised, the person feels honoured. Obviously not everything we identify ourselves with is something we can be proud of, much less that it will always be a source of dignity, but we do take pride in our identity whenever possible.

Like our basic dignity as human beings, according to Confucianism the dignity associated with other kinds of identities is also not simply given. One often needs to achieve one’s identity and its respective dignity. As Tu Weiming has said in numerous occasions, even being a Chinese is nowadays an achievement, for the identity carries with it the expectation that the person embodies in one way or another some traditional Chinese culture! Confucius says that “it is not the Way that can make a person great; it is the person who can make the Way great” (*Analects* 15.29). To apply this saying to our identity, we can render it as “It is not our identity that makes us dignified, it is we who can make our identity dignified!”

4.6 Sliding Scales of Dignity

Turning human dignity from simply given to achievement and extending it beyond basic humanity to various dimensions of human identity, the Confucian account makes the concept of human dignity richer and closer to everyday human life. However, it has some implications that would likely make those accustomed to the notion of *Menschenwürde* feel uneasy. One of them is that under such a notion, human dignity would admit degrees, and those who achieve more dignity would consequently be conceived as deserving more respect than others. Although the dignity of identity can embrace plurality, it is compatible with, if not entailing, a sense of proud that potentially leads to discrimination. Confucianism has indeed been criticized for being elitist. While people generally have no problem with paying more respect to those who deserve it because of their meritorious deeds, the idea of associating dignity to social positions can be difficult to square with our sense of equality.

However, unlike the medieval European aristocracy and the ancient Indian caste system that associated social positions primarily with privileges, the Confucian respect for social positions is first of all a matter of deference to the excellence from which authority and dignity are derived, and secondly a matter of deference to the vital function of those social positions. On this issue, Mencius is again helpful. He makes a distinction between “honors bestowed by heaven” and “honors bestowed by human,” saying

Human-heartedness, appropriateness, conscientiousness, trustworthiness, unflagging delight in what is good—these are honors bestowed by heaven. The position of a Ducal Minister, a Minister, or a Counselor is an honor bestowed by human. People of antiquity bent their efforts towards acquiring honors bestowed by heaven, and honors bestowed by human followed as a matter of course. People of today bend their efforts toward acquiring honors bestowed by human, and once the latter is won they discard the former. Such people are deluded to the extreme, and in the end are sure only to perish. (*Mencius* 6A16; Lau 1970: 168–169)

This passage tells us that cultivating “the honor bestowed by heaven” is the fundamental way to acquire “the honor bestowed by human.” Those who give up “the honor bestowed by heaven” will eventually lose “the honor bestowed by human.” When a person no longer deserves a title, the person ought to be deprived of the position and be called by a different “name.” This is the way to respect the dignity of the social position. Mencius specifically says that to kill a tyrant is not regicide. “A man who mutilates benevolence is a mutilator, while one who cripples rightness is a crippler. He who is both a mutilator and crippler is an ‘outcast.’ I have indeed heard of the punishment of the ‘outcast Zhou 紂 [a tyrant],’ but I have not heard of any regicide” (*Mencius* 1B8; Lau 1970: 68). To earn and to protect one’s dignity of social status is hence no less the person’s own responsibility than it is society’s.

On the other hand, due to their functions, social positions have significance independent of whoever happens to occupy them. To the Confucians, a social position associated with a particular title is like an acupuncture point. It represents a knot in a social web that links to other parts of the net functionally that can mobilize energies. The “names” such as “Governor,” “Director,” or “Minister” are not merely words that refer to social positions, but also ritual symbols that represent responsibilities and authorities, and hence carry the dignity that corresponds to the authorities and responsibilities. Showing reverence to a higher social position not only recognizes its importance, but also affects it in a positive way, reminding the person in power of the importance of that person’s position.

Similarly, ritual objects associated to the names are also material carriers of the corresponding dignity. We require specific attire for certain events, and arrange the order of seating for ceremonies, because attire and seating order are constituents of rituals. They are material carriers of social authorities and responsibilities. When Confucius’ disciple YAN Hui 顏回 died, his father YAN Lu 顏路 asked Confucius for his carriage to provide an outer coffin for his son. Confucius replied, “Talented or not, a son is a son. My son, Boyu 伯魚, also died, and I provided him with an inner coffin, but no outer coffin. I could not go on foot in order to give him one—in my capacity as a retired official, it is not appropriate for me to travel on foot” (*Analects* 11.8; Ames and

Rosemont 1998: 143). A carriage is, in this case, also a ritual vessel, and not merely a vehicle. For Confucius, walking on foot after other officials' carriages would damage his social status and consequently diminish the authority of his words. That is why even when Confucius' own son died, he did not sell his carriage to get an outer coffin. Here the dignity associated with social positions is not something that belongs only to an individual; it is a public property that the individual has a responsibility to honor and retain.

4.7 From Abstract Universalism to Glocalism

Another uncomfortable implication of the Confucian account is that, due to the inclusion of dignity of identity, the Confucian account of human dignity apparently opens the door for discriminating outsiders and giving priority to one's own close circle. For this reason, Confucianism has also been criticized for nepotism, and even for injustice in traditional China (see, e.g., Liu 2003).

Notice, however, that first of all, it is natural to love your parents first and foremost before you extend your love to others. As Rorty puts it,

Our sense of solidarity is strongest when those with whom solidarity is expressed are thought of as "one of us," where "us" means something smaller and more local than the human race. That is why "because she is a human being" is a weak, unconvincing explanation of a generous action. (Rorty 1989: 191)

In addition, local community identity is also a means of protection for people to survive in a hostile world. For centuries this kind of differentiation has helped overseas Chinese communities to cope with extremely hostile social environments. Survival of the Chinese under the constant anti-Chinese violence in Indonesia is but one recent example. More importantly, the point is not to be taken as a moral principle, but as a practical way of growing more extended love and care. Locality here is not incompatible with expanding care beyond one's immediate circle; to the contrary, it is conceived by Confucians as the basis and method for such an extension, as it is demonstrated by the fact that filial piety is taken to be the root of human-heartedness (*Analects* 1.2). The Confucian criticism of the Moist universal impartial love is for its lacking *ben* 本 or the root for its growth rather than its ideal of loving people broadly.

French sociologist Michel Maffesoli summarizes this insight well when he says that

we need to rethink our relationship to the "One" that is engraved on our reptilian brain, and its tension with the "multiple." The human species needs a new episteme and we lack the word that would correspond to this need to overcome a universalism which is already showing signs of wear. It may be time to overcome this "essentially Western" universal quest, ... and to replace it with an "oriental" notion of the cultural terrain, the place where diverse new ways of living together come into being, which is instead *loco-centred*, rooted in the *locus*, the local.... This is neither a form of properly so-called relativism—unless we mean it in the sense of Simmel, for whom relativism is the putting into relation of different cultures—nor a reduction to unity. It is rather a coherent yet

“open-ended” piecing together in which relationships take the place of great ideas, overcoming any dualism. (Maffesoli 2005)

In fact, a newly created word that combines local and global may serve exactly this purpose. Being “*glocal*,” one starts from the local and extend outwardly to embrace the global, and in doing that, one in turn demonstrates the value of the local.

This extension of human dignity entails that we not only can build respect for people on the basis of our common humanity, but also on the basis of our differences. Of course, here difference is not respected *simpliciter*, but rather because there are different ways of being excellent. The French court ruling a few years ago that banned Muslim women from wearing headscarves (*hijab*) in public is an example. One root of the controversy is that our sensibility of the complexity of human dignity has been impoverished by the universalist approach, which prohibits people from seeing that most Muslim women take it to be disrespectful to the dignity of their cultural identity, and not, as many Westerners would like to believe, protection of their equality.

4.8 Moral Principle vs. Art of Life

Perhaps the most important difference between *Menschenwürde* and the Confucian notion of human dignity is that the former is constructed as a principle that reflects a moral truth, while the latter is more an *art* that aims at living a life with dignity. As an art, the Confucian account requires us to become artists who will create our dignity with concrete historical facts and human inclinations in consideration.

We can examine the significance of this point through looking at two possible objections to the Confucian account. First, people may criticize Confucianism that, to those who have little compassion and respect for others, it offers no constraints other than moral condemnation and traditional ritual propriety. They may say that, while it sounds excellent to emphasize self-cultivation and self-reliance, it fails to provide enough rights to those who are socially and economically disadvantaged, and consequently the dignity of the vulnerable groups can hardly get effective protection from Confucianism. One may also add that when a sliding scale of human dignity is introduced, the idea of equality entailed in the notion of *Menschenwürde* from which the equality of all human beings is derived in the United Nations Universal Declaration of Human Rights would be undermined.

Seeing from this, Confucians would say that, just like the “Golden Rule” (“do to others as you would like others do to you” or “do not do to others what you don’t like others do to you”) has problems serving as a universal moral principle,¹⁴ and yet can still serve as an effective guiding instruction for moral growth,¹⁵ the notion of *Menschenwürde* has underlying problems when taken as a universal moral principle, yet it can still serve an indispensable function as an effective lever. There is nothing inherent in the Confucian theory that would prevent it from supplementing moral cultivation and rituals with a sound legal and political system. It is undeniable that under the historical condition of classic

¹⁴ There are many known counterexamples to both the positive version and the negative version of the “Golden Rule,” such as a person who likes others to bribe him would be obligated to bribe others, and a judge who does not like to be put in jail would be obligated to let a criminal go free.

¹⁵ An instruction is like a protocol, aiming at enabling people, and can be “forgotten” (which includes taking exceptions when specific situations require) once the person obtains the relevant ability, whereas a rule is an invariable constraint, aiming at limit the scope of what is permissible and what is not.

Confucianism in which there was no civil society and democracy, the mechanism of a ritual system accompanied by a properly developed public opinion was more stable and reliable than the occasional emergence of good rulers. In traditional China, Confucian ritual propriety and the public opinion shaped by its idea of the “sense of shame” were to a great extent institutionalized and codified. They formed strong constraining forces against destructive and inhumane behaviors. Because these forces were rooted at the very bottom of society, they would not change drastically along with dynasty changes or random whims of particular rulers. Once Confucianism became the mainstream of Chinese culture, rulers of China had to submit to the constraints of these forces, more or less. In the world today, we can certainly make the best use of legal measures to protect people from being abused. Yet on the other hand, even in a well-developed democratic society, self-cultivation and ritual proprieties are still indispensable and more fundamental than legal and political systems. It should also be noted that the Confucian vision of an ideal society is one in which there is “no need to resort to litigations in the first place” (*Analects* 12.13), a harmonious environment in which people no longer need to constantly use language like “This is my right!” to protect themselves (as in a harmonious and happy family such language would find no use). These ideals are not in conflict with the establishment of a legal system and the necessary use of rights language when the social environment is less than ideal.¹⁶

In addition, people may also criticize Confucianism for overly attaching dignity to morality. Why can't we have other benchmarks for dignity, such as scientific discovery, artistic creativity, entrepreneurial success, or even an ordinary person's sense of happiness? Should we not allow people to have different pursuits or dreams? Why would a person, who is neither immoral nor particularly moral but otherwise excellent in his own way, have less human dignity than a person who develops the “four hearts”?

Here we also need a more comprehensive understanding of Confucianism. Indeed, Confucianism takes human-heartedness and appropriateness as the basic requirements for being human, but it does not deny other human accomplishments. For instance Confucius said, “If wealth can be pursued, I don't mind doing it even if it means that I should serve as a man who holds a whip [as a security guard at the entrance of the marketplace]. If it cannot be pursued, I will follow my own preferences” (*Analects* 7.12). The Master said, “Wealth and prestige are what people desire. If they cannot be obtained in the proper way, they should not be held. Poverty and low status are what people dislike. If they cannot be avoided in the proper way, they should not be avoided. If the exemplary person abandons human-heartedness, how can he deserve that name?” (*Analects* 4.5) Both passages affirm the priority of morality, but they also affirm the legitimacy of seeking wealth. The exemplary person would not deserve the name if he abandoned human-heartedness, but this does not imply that the exemplary person cannot have other honors. Furthermore, the goal of Confucius is in fact far beyond just being moral in the ordinary sense of the word. It is, as indicated in *Analects* 7.6, ultimately to reach a state in which one can “sojourn in the arts.” In explicating the “ZENG Dian 曾點 spirit” entailed in the example of enjoying the late spring breeze with friends and children in *Analects* 11.26, Song dynasty Confucians such as the CHENG 程 brothers and ZHU Xi 朱熹 say that this is the highest aspiration of the Confucian vision—an aesthetic rather than a moralistic spirit in which people are transformed

¹⁶ Readers can refer to Stephen C. Angle's analysis about the compatibility of the Confucian rituals and legal and political system for further elucidation on the issue (Angle 2012).

by the sages and are able to enjoy and celebrate lives together with their social and natural environment. It is the spirit of the ancient sage kings Yao 堯 and Shun 舜. This spirit allows everything to follow its own nature, and it symbolizes the harmonious co-creativity of the universe (see Zhu 1992: 113–114).

Entailed in all these is an implicit point—the primary aim of Confucius and his major followers like Mencius and Xunzi is not to construct a universal moral theory, but rather to offer *instructions* about how to live a good life. Confucius' teaching method of giving different instructions to different people according to their practical needs should be understood more broadly as a general orientation of his entire system. Like Mencius' aforementioned statement about human nature (*Mencius* 7B24) shows, what Confucians emphasize is always dependent on what they perceive to be in need of emphasizing. Since people would naturally love their own children, Confucians seldom stress the importance of parental love; instead, they emphasize filial piety, although parental love is no less vital for a healthy family and society than filial piety. From here it is reasonable to infer that the reason behind the Confucian emphasis on developing moral potential for human dignity is similar: in comparison, people are more naturally inclined to develop other excellences (such as making oneself happy, striving toward material affluence, etc.) than developing their morality. Likewise, the Confucian emphasis on self-cultivation should also be understood upon the background that we are more naturally inclined to demand it of others than reflecting inward and transforming ourselves.

5 Concluding Remarks

Of course the above articulation and analysis does not mean that the Confucian account of human dignity is perfect. What I hope to show is that Confucianism not only has resources for human dignity, but the resources are also much richer, sophisticated, and profound than people normally think. Even though classic Confucianism does not contain any term equivalent to the modern notion of human dignity, namely the notion of *Menschenwürde*, the value of the Confucian account of human dignity is exactly in its uniqueness. By taking human dignity as an achievement, a demand one develops from the world of concrete feelings within, a self-realization obtained through one's efforts in “establishing” and “promoting” others, the Confucian account of human dignity avoids the dilemmas entailed in the notion of *Menschenwürde*. In addition, by calling for elevating ourselves beyond the biologically given, Confucianism opens up the space for conceiving human dignity more broadly to include important dimensions that the enlightenment idea of inalienable universal human dignity either marginalizes or misses. Beyond the demand for rational recognition of human dignity as a minimal moral obligation, it calls for maximum development of embodied human compassion, active transformation of the secular into sacred, and creation of human dignity in all aspects of human life.

In this “thick” notion of human dignity, we see three distinctive features of Confucian ethics that Joel Kupperman finds particularly valuable: that Confucianism provides a scope of ethics broad enough to cover all or almost all of life, rather than merely “big movements” in which one makes critical decisions; that Confucianism extends beyond choice-making to character formation; and that it provides sliding scales of moral requirements that stretch to higher aims than ordinary morality (Kupperman 1999: v–vi). However, perhaps more significant than all these features is that this account

suggests a unique general approach to ethics. It is an approach that aims ultimately at achieving human flourishing. It neither aims at formulating rules of conduct, nor does it exclude using rules of conduct as means. It pays great attention to the cultivation of the person, but does it not merely for the sake of fulfilling moral obligations or certain built-in teleological aim. In this theory, moral obligations are not absolute principles; they become measures (levers) for promoting excellent ways of living. It is quite pragmatic, yet its emphasis on transformation of the person and artistic style of life (i.e., not just on making the right decisions but also on becoming a transformed person, and not just on getting useful results but also the graceful *way* of getting results) makes it distinct from the “instrumentalist” orientation characteristic to most pragmatists. If this immanent, developmental, relational, embodied, perfectionist, gradational, and glocal account of human dignity is better than its alternatives, it would not be because this account is more “true,” more morally correct, or more useful for satiating uncultivated desires than others, but rather because it is a more effective theory for us to promote human flourishing. To follow the Song-Ming neo-Confucian scholars’ way of describing Confucianism, we may call it a *gongfu* 功夫 approach—an approach that centers around the aim of enabling us to become artists of life. Exactly because this is a *gongfu* approach, it would not deny the value of other theories simply because they have some theoretical difficulties or limitations. It will lend its support to the notion of *Menschenwürde* so far as it fosters broader and effective respect for human beings, which is, after all, vital for human flourishing. From the same spirit, it can open dialogue with alternative understandings of human dignity and seek for its own improvement.

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