CHAPTER 6

Confucianism, Kant, and Virtue Ethics

IN RECENT YEARS, a trend of adopting the Western concept of “virtue ethics” to interpret Confucian ethics has emerged and gained popularity in the English-speaking world. Bryan W. Van Norden’s *Virtue Ethics and Consequentialism in Early Chinese Philosophy*, Jiyuan Yu’s *The Ethics of Confucius and Aristotle*, and May Sim’s *Remastering Morals with Aristotle and Confucius* are representative examples of this popular trend.1 Recently, Michael Slote, an advocate of virtue ethics, has also begun to concern himself with this theme. His 2008 “Humanistic Value Lectures” delivered at National Chengchi University in Taiwan as well as his 2013 edited volume with Stephen C. Angle, *Virtue Ethics and Confucianism*,2 represent his efforts. Following the lead of David Hume, he promotes not Aristotelian “virtue ethics” but what is called “sentimentalist virtue ethics.” Taking this as a reference point, he also made some comments on Van Norden’s aforementioned book.3

There is no doubt that behind the emergence of this trend is the revival of contemporary Western virtue ethics. As is generally known in philosophical circles, it was G. E. M. Anscombe’s 1958 essay “Modern Moral Philosophy” that triggered the resurrection of the intellectual trend of virtue ethics.4 In this essay, Anscombe makes a sharp contrast between “ancient moral philosophy” as represented by Aristotelian ethics and “modern moral philosophy” as represented by Kantian ethics and consequentialist theories (mainly utilitarianism). This theme has been more fully developed in Alasdair MacIntyre’s influential *After Virtue*. Since its publication, “virtue ethics” has taken a place as the third type of ethics besides “deontological ethics” and “teleological ethics.”
The Exclusion of German Philosophy

Before engaging in further discussion of the concept of virtue ethics, let us turn first to two overlooked aspects of its intellectual background—ones that have been neglected in the discussion of virtue ethics and Confucianism in the English-speaking world. The first aspect is an intellectual trend in modern German philosophy known as the “rehabilitation of practical philosophy” (Rehabilitierung der praktischen Philosophie). This trend obtains its dynamic directly from studies of Hegel after World War II. Hegel distinguishes between Moralität (the individual, rational, and reflective morality) and Sittlichkeit (the ethical, social life), as we saw in the Introduction. Based on this distinction, he criticizes Kantian ethics because he considers Kantian ethics to remain moored in the stage of Moralität, yet to enter into the stage of Sittlichkeit. In this sense, some German scholars trace “practical philosophy”—or “the second philosophy,” as it is called by Manfred Riedel—back to Aristotle, regarding Hegel as the modern inheritor of “practical philosophy.” In 1960, Joachim Ritter published the essay “On the Foundation of Practical Philosophy in Aristotle,” which triggered discussion of the “rehabilitation of practical philosophy.” Afterwards Manfred Riedel collected essays contributing different views on the subject and compiled a two-volume book titled The Rehabilitation of Practical Philosophy. Among the authors of the essays were such well-known scholars as Leo Strauss, Hermann Lübbe, Hans-Georg Gadamer, Karl-Otto Apel, Karl-Heinz Ilting, Otto Poggeler, and Hans Lenk. Although this intellectual trend in the German-speaking world and the intellectual trend of virtue ethics in the English-speaking world emerged along different intellectual lines, they both confront the same question of “Kant or Aristotle?” In this sense, they can be said to reach the same goal but through different approaches. For some reason this German intellectual trend has seldom been included in the discussion of virtue ethics in the English-speaking world, and its exclusion is most unfortunate.

Another neglected aspect is the approach taken by contemporary New Confucians—those who interpret Confucianism by means of Kantian philosophy and its contrast with virtue ethics. Even those with basic knowledge about contemporary New Confucianism cannot fail to realize that Mou Zongsan borrows concepts and frameworks from Kantian philosophy to classify and evaluate Confucianism from the pre-Qin period to the Song and Ming dynasties. With respect to pre-Qin Confucianism, Mou adopts Kant’s concepts of “autonomy versus heteronomy” as his major criterion for classifying Confucian ethics. The ethics of Confucius, Mencius, the Doctrine of the Mean, and the commentaries to the Book of Changes are organized under the pattern of autonomy, and Xunzi is placed under the pattern of heteronomy. In his three-volume masterpiece Xinti yu xingti (The mind-heart as reality and
human nature as reality), Mou continued to employ this criterion to classify and evaluate the philosophical systems within Song-Ming Confucianism. Representing the ethics of autonomy was the line from the three Confucian masters Zhou Dunyi, Zhang Zai, and Cheng Hao in the Northern Song to Lu Xiangshan and Wang Yangming in later times. The line from Hu Hong to Liu Zongzhou 刘宗周 (1578–1645) inherits the philosophical orientation of Confucius, Mencius, the Doctrine of the Mean, and the commentaries to the Book of Changes, which were classified as representing the ethics of autonomy. The line from Cheng Yi to Zhu Xi is a deviation from it and represents the ethics of heteronomy. Therefore, Mou defines Zhu Xi as the establisher of another philosophical line of ethics. In the first half of his book Yuanshan lun 圆善论 (On the highest good), Mou adopts Kant’s principle of autonomy to interpret most chapters of the first half of book 6 of Mencius and several chapters of book 7. In the second half, he follows Kant’s question of the “highest good” to explain the patterns of “perfect teaching” (yuanjiao 圆教) found in Confucianism, Buddhism, and Daoism in order to answer the question of “how to unify virtue and happiness” that was raised by Kant in his Critique of Practical Reason.

If we acknowledge that Kant’s ethics is a system of deontological ethics, then, in light of Mou Zongsan’s interpretation, Confucian ethics is basically also a system of “deontological ethics,” even though he never used this term. To counterbalance the interpretive approach of the New Confucians, especially Mou Zongsan, and because of the traditional affinity between scholasticism and Aristotelian philosophy, some Taiwanese scholars with Catholic backgrounds have attempted to interpret Confucian ethics as being essentially virtue ethics. Some examples are Shen Qingsong 沈清松 (Vincent Shen), Huang Huo 黄藿, and Pan Xiaohui 潘小慧, and there are other representatives of this type of scholarship as well.

All three of the authors of the books mentioned at the beginning of this chapter completely ignore this intellectual background. This omission not only cost them an opportunity to dialogue with the Chinese academic community, but also led them to some misunderstandings. Jiyuan Yu, for instance, at the beginning of his book The Ethics of Confucius and Aristotle mentions the Contemporary New Confucians’ “Manifesto Regarding Chinese Culture to People All over the World,” which was published in the same year as Anscombe’s “Modern Moral Philosophy.” Yu used the two documents as signals marking the “revival of Confucianism” and the “revival of Aristotelian ethics.” Moreover, he emphasized that, “indeed, the philosophical orientation of these two rivals [sic] is the same, that is, a virtue approach to ethics,” even though the respective philosophical directions represented are actually diametrically opposite.
Western and Confucian Ethics

Having explained the two neglected areas of philosophical background, let us return to the question of the relationship between Western ethics and Confucian ethics. In Western ethics, the distinction between “deontological ethics” and “teleological ethics” is a typological distinction based on dichotomy, which is to a large extent equivalent to the distinction in the German-speaking world between Gesinnungsethik (ethics of conviction) and Erfolgsethik (ethics of consequences). In brief, teleological ethics insists that the ultimate criterion for moral duty or moral value is the nonmoral values it brings about—the good in a nonmoral sense—such as joy, happiness, utility, and so on. In other words, this type of ethics reduces the good in a moral sense to the good in a nonmoral sense. Or, in Kant’s words, it reduces the “moral good” (das moralische Gut) to the “physical good” (das physische Gut). On the contrary, deontological ethics is opposed to reducing the good in a moral sense to the good in a nonmoral sense, insisting that the ultimate criterion for evaluating the moral significance of an act or a rule of action is not the nonmoral value it brings about, but its own character or the motive of the agent. In John R. Silber’s terminology, whereas deontological ethics affirms the heterogeneity of the good, teleological ethics regards all the good as homogeneous. Furthermore, for deontological ethics, since the moral value of an act does not depend on the nonmoral value it produces or may produce, moral value lies in its “moral character or morality” (Moralität), not in its “legality” (Legalität). In other words, it must be done “out of duty” (aus Pflicht) rather than merely “conforming to duty” (pflichtmäßig).

It is broadly acknowledged that the first chapter of the Mencius already raises the issue of the distinction between righteousness and utility. As a matter of fact, this distinction is by nature one between the “moral good” and the “natural good” and implies the heterogeneity of the good. Confucius had already understood this distinction when he said, “Superior persons understand what is righteous whereas mean persons understand wherein their own utility lies” (Analects 4.16). Moreover, Confucius explicitly expresses his deontological viewpoint in his discussion with Zai Wo about the preservation or possible curtailment of the three-year mourning period for parents (Analects 17.21). Zai Wo has two reasons for his suggestion to curtail the three-year mourning period for parents. His first reason is, “if a superior person abstains for three years from performing the rituals, then the rituals will definitely be lost. If for three years he abstains from playing the music, then the music will definitely be ruined.” The second is, “when old grain is exhausted, the new grain will be on the ground; in making fire by friction, we must choose the proper wood for every season within one year; therefore, after one year, the mourning should stop.” Whereas the former is a viewpoint of consequentialism or a teleological
stance, the latter proves the “ought to be” (moral laws) by the “is” (natural laws) and also presupposes a teleological standpoint. Confucius, on the contrary, asks Zai Wo whether or not he feels at ease in his heart, which means that Confucius establishes the meaning of “three-year mourning period” on the basis of the agent’s motivation. This is a viewpoint of Gesinnungsethik, that is, an ethics of conviction, and therefore it implies a deontological viewpoint.

Since the distinction between deontological ethics and teleological ethics is a dichotomous one, the result is that the relationship between the two is both exhaustive and exclusive. It should be emphasized here that there is an asymmetric relationship between these two ethical viewpoints. If the moral value of an act is evaluated from the viewpoint of teleological ethics, the motivation of the agent does not matter at all unless it can give rise to the expected result. In contrast, deontological ethics is opposed to weighing the moral value of an act by the results or the possible results it may bring about; it does, however, still admit that these kinds of results have nonmoral value. Let us take the principle of utility as an example. Though deontological ethics is opposed to using the principle to evaluate moral value, it probably still would accept it as a derivative moral principle. For example, even though Kant insists that the moral value of an act has nothing to do with the possible happiness it may bring to either oneself or others, he still regards “to improve other people’s happiness,” along with “to perfect oneself” as a “duty of virtue” (Tugendpflicht). He takes a decisive step toward deriving an indirect duty of improving one’s own happiness from the duty of “increasing one’s own perfection.” No matter whether it is one’s own happiness or others’ happiness, it can be ascribed to the principle of utility. Therefore, the principle of utility can be accepted as a derivative moral principle.

It is quite the opposite for the teleological ethicists. In this camp, if the ethicist more or less accepts the fundamental principles of deontological ethics, it actually means a retreat from the standpoint of teleological ethics. For example, suppose someone faces a moral choice and must choose between two different actions. He follows the principle of utility to assess both actions only to discover that the possible consequences these actions may bring about are either too complicated to weigh or, even if measurable, too close to distinguish. Under such circumstances, if he takes the purity of his motivation (duty for the sake of duty) into consideration when making the choice, this means that he retreats from the utilitarian standpoint and abandons the unity of his viewpoint. He may defend himself by saying that the reason he takes the purity of his motivation into consideration is precisely because this motivation could bring about positive results, and this is why he still maintains a utilitarian stance. But such a response is just playing with words and concepts, because so-called purity of motivation precisely means “completely ignoring the result of an act.” There-
fore, as long as the distinction between teleological ethics and deontological ethics theoretically remains strict, there is an asymmetric relationship between the two. In this sense, it could be argued that William K. Frankena’s “mixed deontological theory” is a misleading concept.15

Returning to the Question of Virtue Ethics

With this background in place, we can begin discussing virtue ethics more meaningfully. Since the distinction between teleological ethics and deontological ethics is exhaustive and mutually exclusive, it is not logically possible that there exists a third type of ethics. The only possibility is that there are what might be called “subtypes” that are subject to these two main types of ethics. Virtue ethics, for example, can be viewed as a subtype of teleological ethics. When advocates of virtue ethics regard it as a third type of ethics besides teleological ethics and deontological ethics, they need to explain what the criterion for this trichotomous typology is. Although many ethicists try to define the concept of “virtue ethics,” the explanations remain rather confusing throughout. If such different ethical views as Aristotle’s and Hume’s can be put into this one single concept, then how could it not be confusing?

Let us put aside Slote’s “sentimentalist virtue ethics” for the time being and take Aristotle’s ethics as the major representative of virtue ethics and Kant’s ethics as the major representative of deontological ethics to see the fundamental distinction between the two. We can summarize the popular views of the distinction in three points: (1) deontological ethics emphasizes “duty,” whereas virtue ethics accentuates “virtue”; (2) the former stresses “principle” or “rule,” whereas the latter underscores “character”; and (3) the former attaches importance to “action,” whereas the latter highlights the “agent.”

Regarding the first point, “duty” is undoubtedly an important concept in Kant’s ethics, but is not the concept of “virtue” as well? In recent years a significant number of scholars have explored Kant’s concept of “virtue” to illustrate the important position of this concept in his ethical system. Robert R. Louden,16 Onora S. O’Neill,17 Robert N. Johnson,18 Nancy Sherman,19 and Andrea Marlen Esser20 are among these scholars. In 2008, Monika Betzler edited a book titled *Kant’s Ethics of Virtue,*21 which includes a group of essays that are related to and explore this topic. In this important volume, the editor conveys special implications in using the term “ethics of virtue” rather than “virtue ethics.” She states in her introduction that “the essays here suggest that Kant’s ethics, to be sure, are not to be assimilated into virtue ethics…. But Kant’s later writings help us to see that virtue is a core element in his ethics, precisely because it helps us to do our duty.”22

Kant published his book *Metaphysical First Principles of the Doctrine of*
Virtue (Metaphysische Anfangsgründe der Tugendlehre) in 1797. In this book, he not only provides a detailed explanation of the concept of “virtue,” but also regards “increasing one’s own perfection” as a “duty of virtue.” According to his explanation, this duty includes the cultivation of our natural perfection, that is, to cultivate our ability for cultural creation, and the cultivation of our inner morality, that is, to cultivate our moral feelings. Betzler’s view that Kant’s ethics does not pertain to “virtue ethics” as represented by Aristotle but contains an “ethics of virtue” is accurate. In this sense, it is meaningless to distinguish between deontological ethics and virtue ethics by means of the contrast between duty and virtue.

The cultivation of our inner morality in Kant’s ethics to which the moral principle refers is a categorical imperative, and moral rules are concrete norms derived from it. The categorical imperative is undoubtedly the core concept of Kant’s ethics, but it should not be forgotten that, in Kant’s ethics of autonomy, the categorical imperative comes from the self-legislation of the moral subject. In this sense, the moral subject is a more fundamental factor. In his Critique of Pure Reason, Kant discusses the dual “character” of human beings, that is, the “intelligible character” and the “empirical character.” Whereas the “intelligible character” is the moral subject, the “empirical character” is composed of qualities that are to be cultivated, including our natural instincts, social habits, and moral feelings. Therefore, it is problematic to claim that Kant’s ethics only emphasizes principles and rules but disregards “character.” Having clarified the first two points of distinction, it is not difficult to explain the third point made above, that is, deontological ethics attaches importance to “action” whereas virtue ethics highlights the “agent.” Since a moral act is the act of the moral subject (agent), it is not possible that it only emphasizes “acts” but disregards “agents.”

In terms of interpretive strategies, the purpose of interpretation is to make the object of analysis emerge from ambiguity to clarity. Given that “virtue ethics” is such an ambiguous term, the strategy to interpret Confucianism under its aegis can only make things go from bad to worse. For example, some years ago the Taiwanese scholar Cai Xin’an 蔡信安 published an essay titled “On Mencius’ Moral Choice,” asserting that Mencius’ theory of act-choice is a sort of “act-utilitarianism” but appears in the guise of “rule-deontological ethics.” Later he published another essay titled “Mencius: Virtue and Principle” assuming that Mencius is a “virtue ethicist.” Such loose characterizations of Mencius render his philosophical worth most ambiguous and uncertain. Pan Xiaohui is another example. She acknowledges Confucian ethics as represented by Confucius, Mencius, and Xunzi pertains to the “deontological type rather than the teleological type,” but she also stresses that it is not a “pure deontological type.” She concludes:
Looking at Confucian moral philosophy represented by Confucius, Mencius, and Xunzi from this perspective, we find that it is basically a synthesized type attaching importance to both virtue and principle. If we must distinguish the relative superiority or inferiority of each one, I would argue that it should be construed as a synthesized type giving top priority to virtue while simultaneously borrowing from deontological ethics.28

If it is the case, as advocates of virtue ethics point out, that Kantian “deontological ethics” and Aristotelian “virtue ethics” are so diametrically opposed to one another, then how is it possible to find a synthesized type of these two ethics in Confucianism?

Western scholars encounter a similar problem when they borrow the term “virtue ethics” to interpret Confucianism. Van Norden, for example, in his book *Virtue Ethics and Consequentialism in Early Chinese Philosophy*, attempts to define “virtue ethics.” According to him a virtue ethics has at least four components: (1) an account of what a “flourishing human life” is like, (2) an account of what virtues contribute to leading such a life, (3) an account of how one acquires those virtues, and (4) a philosophical anthropology that explains what humans are like.29 He then mentions different forms of virtue ethics:

In its most moderate form, virtue ethics can be seen as a complement to consequentialist or rule-deontological versions of ethics, filling out one of the latter by adding on to it accounts of human virtues, flourishing, cultivation, and philosophical anthropology that are consistent with it. However, in the more moderate versions of virtue ethics, the four components above are logically dependent on consequentialist or deontological aspects of the ethical view. Kant, for example, has a conception of the four items above, but they appear primarily in his seldom-read *The Doctrine of Virtue*, and he thinks of virtues as helping one to follow the deontological strictures of the categorical imperative. In its most radical formulations, virtue ethics attempts to serve as a foundation for all of ethics and to completely supplant consequentialist and rule-deontological foundations.30

With these various forms of virtue ethics, the term is so broadly defined that it almost loses its function as a marker. In its most extreme form, virtue ethics is in diametrical opposition to deontological ethics as represented in Kant’s ethics; in its moderate form, however, even Kant’s ethics can be viewed as a form of “virtue ethics.” Since the connotations of “virtue ethics” are so divergent, no wonder Guido Rappe calls “the mainstream of ancient ethics,” including Confucian and Aristotle’s ethics, “deontological virtue ethics.”31
Though Kant in his formal publications never tries to define the position of Aristotle’s ethics directly, he levels harsh criticism at the “eudaemonist” in the preface to “Metaphysical First Foundations of the Doctrine of Virtue”: “if eudaemonism (the principle of happiness) is set up as the basic principle instead of eleutheronomy (the principle of the freedom of internal lawgiving), the result of this is the euthanasia (easy death) of all morals.” The passage seems to indicate that Aristotle is an unlikely candidate for Kant’s ethical exemplar. In recent years, however, Kant studies fully displays, contrary to the understanding of many advocates of virtue ethics, that Kant’s ethics is not in diametrical opposition to Aristotle’s ethics or without any overlap with the latter, because it contains an “ethics of virtue” in itself. Nevertheless, Kant’s ethical system cannot by no means be equated to “virtue ethics” as represented by Aristotle. Scholars who attempt to interpret Confucian ethics by means of “virtue ethics” in recent years at best reveal that we can find the concept of “virtue” and other relevant traits in Confucian ethics, but this in no way proves that Confucian ethics is in the same family as Aristotelian “virtue ethics.”

Sentimentalist Virtue Ethics and Confucian Ethics

What remains to be discussed is the relationship between what Slote calls “sentimentalist virtue ethics” and Confucian ethics. It is true that what Mencius calls “the four buddings” readily remind us of the Scottish ethics of “moral sense” in the eighteenth century. The Taiwanese scholar Huang Jinxing, for instance, once construed Mencius’ “four buddings” as a kind of “‘moral sense’ with empirical meaning,” and he consequently asserted, “Instead of saying that Confucian moral philosophy has something in common with Kant’s philosophy, it is better to say that Confucian moral philosophy has more similarities with Hutcheson’s and Hume’s theories to which Kant is opposed. Both insist that human beings have an innate ‘moral sense’ as the criterion for moral judgment.” Because Kant in his late works classifies what Hutcheson called “moral sense” as the “principle of heteronomy,” Huang Jinxing relies on this to question Mou Zongsan’s interpretive strategy of using Kantian philosophy to interpret Confucianism.

The reason Kant in his late works is opposed to regarding “moral sense” as the basis for moral judgment, as the Scottish ethics of “moral sense” does, is that he views all feelings (including moral feelings) as sensible and thus excludes them from the structure of the moral subject as a rational agent. Nevertheless, in the latter stage of Kant’s ethics, moral feelings still have two important functions—that is, both as a moral incentive (the driving force for moral conduct) and as an anthropological basis for moral cultivation. These two functions are directly related to his concept of “virtue.” “The four buddings” mentioned by
Confucianism, however, are not (contrary to what Huang Jinxing asserted) a kind of “moral sense” with empirical meaning; rather, they are a kind of a priori feeling, belonging to what some phenomenological ethicists such as Max Scheler and Nicolai Hartmann call a priori Wertfühlen (value-feeling). Therefore, the moral subject (the original heart-mind) for Mencius is not merely a rational subject as construed by Kant; rather, it possesses explicit emotionality, expressing itself as “the four buddings”: the dispositions of commiseration, of shame and dislike, of yielding and deference, and of discriminating between right and wrong. Here reason and emotion are unified.

Confucius also affirms the moral subject that unifies reason and emotion. As alluded to above, Confucius and Zai Wo once discussed the issue of preservation and possible curtailment of the three-year mourning period for one’s parent. In the dialogue, Confucius, on the one hand, bases the meaning of the three-year mourning on whether one’s conscience feels at ease or not (“If your heart-mind feels at ease, then do it”); on the other hand, he adopts the “principle of gratitude” to refute Zai Wo’s reason for shortening the three-year mourning period: “It is not until three years old that one is able to leave one’s parents’ arms. This is why the three-year mourning is a universally observed rite under Heaven. Did not Zai Wo also receive three years of love of this sort from his parents?” (Analects 17.21). It is clear here that Confucius, unlike Kant, does not regard the moral subject merely as the rational subject, nor consequently does he deprive it of all its emotionality. Therefore, the assertion by David L. Hall and Roger T. Ames that pre-Qin Confucians built moral judgment on aesthetic intuition rather than on the reflection and application of moral principles is certainly not true.36

Although Confucius and Mencius have a different understanding of the structure of the moral subject from Kant’s, this does not prevent both ethics from belonging to deontological ethics. It is true that pre-Qin Confucian ethics contains plenty of discussions of virtue and abundant relevant intellectual resources, but at most this can only show that pre-Qin Confucianism also has an ethics of virtue. This, however, cannot prove itself to be a “virtue ethics,” because it cannot belong to both Kantian deontological ethics and Aristotelian virtue ethics at the same time.