Revisiting Confucian Jen Ethics and Feminist Care Ethics

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At two fronts I defend my 1994 article. I argue that differences between Confucian jen ethics and feminist care ethics do not preclude their shared commonalities in comparison with Kantian, utilitarian, and contractarian ethics, and that Confucians do care. I also argue that Confucianism is capable of changing its rules to reflect its renewed understanding of jen, that care ethics is feminist, and that similarities between Confucian and care ethics have significant implications.

In my 1994 *Hypatia* article, I tried to draw attention to the significant similarities between Confucian jen ethics and feminist care ethics. Specifically, I argued for three areas of similarity. First, jen and care, as the highest moral ideals of each ethical system, share some commonality. Second, compared with Kantian and utilitarian ethics, both jen and care ethics are not as dependent on general rules. Third, based on their common notion of relational self, both jen and care ethics believe in care/love with gradations, in contrast with Kantian ethical universality. Based on these commonalities, I concluded that the two philosophies can learn from and support each other in the future. In recent years, more scholars have turned their attention to the subject of Confucian ethics and feminist care ethics (for example, Joel Kuppermann 2000). I am pleased to see that this trend is continuing.

In this issue, Professor Daniel Star and Professor Lijun Yuan present arguments against the thesis I argued for in my 1994 article. It is interesting that they
argue from different positions. Professor Yuan does not dispute the similarities between Confucian jen ethics and care ethics, for which I have argued; instead, she argues that care ethics is not feminist. Accordingly, Professor Yuan suggests that the similarities between these two ethics, as significant as they may be, have little or nothing to do with feminist ethics. Professor Star, on the other hand, does not aim to dispute that care ethics, as developed by such scholars as Carol Gilligan and Nel Noddings, is feminist; he disputes the similarities between Confucian ethics and care ethics and defends the distinctiveness of care ethics.

I will first respond to Professor Star’s well-argued article. Let me begin by saying that I agree with much of his analysis of the differences between Confucian ethics and feminist care ethics. As I stated on the first page of my 1994 article, the focus of that article was on the similarities between Confucian ethics and care ethics, not on their differences (70). I chose that approach because at the time I was writing that article, everyone seemed to have taken their differences for granted, and no one to my knowledge had written on any similarities between them. Arguing for their differences at that time would have been uncalled for. Eight years later, because more people have seen similarities between these two ethics, careful studies of their differences, including Professor Star’s, are definitely needed. I have no doubt that studies on both their differences and similarities will help us to understand better both Confucian jen ethics and feminist care ethics.

The key disagreement between Professor Star and me is whether Confucian jen ethics and feminist care ethics share “philosophically significant” common ground and whether Confucian jen ethics is a care ethics. Star does not think there are enough similarities to make them “philosophically significant,” although I do. The question then is, what kind of similarities can be considered “significant?” If I read Star correctly, he does not deny that there is care in Confucian ethics (for example, see his discussion of Mencius in the section “Moral Ideals and Orientations,” and his use of such phrases in describing Confucian ethics as “care-originating” and “care-interested,” 83, 86, 92), or that care is a moral ideal in feminist care ethics (but not only an ideal according to Star 2002, 81), or that both the Confucian self and the self of feminist care ethics are relational, or that Confucian jen ethics like care ethics is not rule-dependent and allows flexibility with rules. Star insists, however, that Confucian care and feminist care are two kinds of care, that the Confucian relational self and feminist relational self are two kinds of selves, and that flexibility with rules in Confucian ethics and that in feminist care ethics are two kinds of flexibility. As far as I am concerned, I do not need to deny any of these claims. It is meaningless to talk of similarities or differences without a contextual or referential framework, because any two things can be similar and different in some ways. In my article, I compared Confucian jen ethics
and feminist care ethics along with Kantian ethics, utilitarian ethics, and contractarian ethics (1994, 76–79, 81), and suggested that, in comparison with Kantian ethics, utilitarian ethics, and contractarian ethics, Confucian jen ethics and feminist care ethics often speak in similar voices on such issues as moral ideals, the nature of self, impartiality, universality, and flexibility with rules. These issues are among the most important issues of moral philosophy. If two ethics share similar voices on these issues, these similarities are philosophically significant.

Professor Star accuses me of not recognizing the significant fact that the dimensions of jen do not correspond well to care in care ethics (85). I do not think I need to find these two ethics to be parallel in every way. I did not argue that Confucian jen ethics and feminist ethics are exactly the same. I did not even argue that Confucian jen ethics is the same as Gilligan’s or Noddings’s care ethics. I argued that it is a (kind of) care ethics, while Gilligan and Noddings may have another kind, or to be more accurate, other kinds. I argued that both Confucian jen ethics and feminist care ethics allow flexibility with rules. Star finds this similarity problematic, because flexibility with rules is not unique to feminist care ethics, and some other Western ethical theorists, such as Aristotle and Plato, have also allowed such flexibility (87). It seems to me that such a fact only shows that in addition to Confucian care ethics, feminist care ethics is also similar to some other ethical theories in this regard. I do not see how the fact of non-uniqueness would falsify my claim for their similarity in this aspect. Star seems aware that my conclusion for significant similarities between Confucian jen ethics and feminist care ethics is not based only on this one aspect of similarity. Therefore, their shared similarity with Aristotle and Plato in this one aspect (if true as Star has claimed), does not necessarily make Aristotle and Plato’s ethics significantly similar to feminist care ethics although I argued that Confucian jen ethics is.

Similarity, by definition, implies difference. Without difference it would be identity, rather than similarity. Had I argued for identity between the two ethics, any difference that Professor Star shows would falsify my thesis. But difference itself does not preclude similarity. Suppose I say that two of my colleagues, A and B, are similar in many ways: they are both young white males (the rest of us are older and/or nonwhite and/or female), they each have a wife staying home (the rest of us are single or have working spouses), they each have two small children (the rest of us have older children or no children), they each have a family van and use their vans for a lot of weekend family shopping (the rest of us have small cars and do not do much weekend shopping), and they each stay close to home in the summer (the rest of us take extensive international trips in the summer). Suppose my friend rebuts claiming that actually they are different: A is from Norway and B is from Denmark, A’s wife has an M.A. degree and B’s only a B.A. even though both have studied in the
same field, A’s first child is a boy and B’s first child is a girl, A’s van is a Ford and B’s a Dodge. Has my friend shown that I am wrong in saying that A and B are similar in many ways? I do not think so: compared with “the rest of us” they are still similar and these similarities can be significant when we plan certain department activities. I do not have to deny my friend’s observations in order to maintain that they are similar in many ways. My point is that difference itself does not disprove similarity.

Similarly, showing differences between Confucian jen ethics on the one hand and feminist care ethics on the other hand does not itself prove that Confucian jen ethics and care ethics do not share significant similarities. Can the differences between A and B, as identified by my friend, also be significant? They surely can. If there is a job opening that requires an M.A. degree, A’s wife may qualify while B’s wife would not. If both want that job, their education credentials may make a big difference. If there is a major recall of Dodge vans but not Ford vans, B will have a lot to worry about while A does not. Similarly, can those differences between Confucian jen ethics and feminist care ethics on moral ideals, self, and rules, as highlighted by Star, also be significant? Certainly. But it depends on the contextual and referential framework. When the conversation is merely between Confucian jen ethics and feminist care ethics, these differences can be significant, perhaps even very significant. But as long as Kantian ethics, utilitarian ethics, and contractarian ethics are still part of the moral conversation, the voices of Confucian jen ethics and feminist care ethics are more likely to be similar than different on many important moral issues such as moral ideals, the nature of self, the function of moral principles, and impartiality.

Drawing on the similarities between Confucian jen ethics and feminist care ethics, I called Confucian jen ethics “a care ethics” (1994, 81). Professor Star finds this objectionable. The rationale of his argument seems to be as follows: the kind of ethics advocated by such scholars as Carol Gilligan and Neil Noddings is care ethics; Confucian jen ethics is different; therefore, Confucian jen ethics cannot be a care ethics. In order to make this argument valid, one would need to assert that only Gilligan’s and (or” may be more appropriate here if Gilligan’s and Noddings’s versions of care ethics are different) Noddings’s care ethics is care ethics. If Professor Star holds such a view, I will have to disagree with him on this premise. If care ethics can only be defined that way, then by definition nothing else can be care ethics. But feminist care ethics is not a uniform theory, as I maintained in my article (1994, 87). Even though Gilligan and Noddings have been leading figures in the feminist care ethics movement, they do not exhaust or monopolize care ethics (nor do I believe they intended to). However, Professor Star may not hold such a narrow understanding of care ethics. Then why cannot Confucian jen ethics be a care ethics? There are Aristotelian and non-Aristotelian virtue ethics. Why cannot there
be more than one kind of care ethics? In order to show that Confucian jen ethics cannot be a care ethics, one would have to show that Confucian jen ethics does not meet the minimum criteria of care ethics. Professor Star did not do this. I believe that it would be difficult to give minimum criteria for care ethics, mainly because care ethics is not a uniform theory and different care ethical theories are grouped together by their “family resemblance” rather than by some essential characteristics.

Professor Star does an excellent job in showing that Confucian jen ethics is a virtue ethics. That, however, does not necessarily imply that it cannot be a care ethics, because, as Star is fully aware, arguments have been made that care ethics is a form of virtue ethics (for example, Michael Slote 1998, 2000). For the sake of argument, even if we grant Star that care ethics is not a form of virtue ethics, namely one is not a sub-category of the other, that still does not mean that they can never overlap. Neither feminism nor Marxism is a sub-category of the other, but Marxist feminism exists. With the right mix, a certain theory can be both Marxist and feminist. What would Star say to an ethics that takes care as a primary virtue; for example, one that maintains care is the most important characteristic of a moral person, and in order to be able to care well, a moral person also needs such other virtues as patience, endurance, and wisdom? Such an ethics would be different from other forms of virtue ethics, and it would be also different from Gilligan's care ethics. In my view, such an ethics could be a care ethics even though it emphasizes virtue.

Then, the question is whether Confucian jen ethics emphasizes care the way I see it. Clearly Professor Star and I disagree on this. He emphasizes the point that Confucian jen ethics and feminist care ethics have different foci; while the former focuses on people in role relationships, the latter focuses on people in concrete relationships (78, 90). Again, I do not deny such a conceptual difference. But I see a possibility of convergence of the two foci. On the one hand, while emphasizing people's roles, Confucius himself also paid attention to the particularities of individuals. For example, he gave different answers to different people asking the same question because he took into consideration concrete situations (Analects 11.20). On the other hand, care ethicists, particularly those who believe in care with gradations, have to deal with people in such close relationships as parent-child, husband-wife, friends and neighbors. A caring person has to take into consideration these different types of relationships or “roles” in order to care in an appropriate and effective way. It can be argued that one cannot care well without understanding the differences between these relationships. The way one cares about one's children is somewhat different from the way one cares about one's parents, and the way one cares about one's parents can be different from the way one cares about other elderly people, as they are each particular individuals.
Professor Star cites Margery Wolf’s study of Chinese rural women as an example of the difference between Confucian jen ethics and feminist care ethics. The example is as follows: a man beat his wife. Village men were unable to do anything about it because of a perceived need to preserve the “face” of the perpetrator. The women sent an old woman, known to the couple, to humiliate the man involved. According to Professor Star, Wolf here shows the case as evidence that Chinese women have a care ethics rather than Confucian “role-based” ethics (91).

I believe Wolf’s case is an excellent example of how Confucian care ethics works. Having lived for years in Chinese villages in Shandong province (which happens to be also Confucius’s and Mencius’s native land), I know exactly how cases like Wolf’s are (supposed to be) handled. More than once I witnessed my own grandmother being such an “old woman.” This is how it typically works. First of all, the woman has to be an older person (she has to be older than the couple; she is usually old, but not necessarily so; this reflects the Confucian value of respect for the elderly; it is not a younger woman’s role to perform). If it is within the same kinship, she has to be of an equal or a “higher” generation, which can be identified in the kinship tree (for example, the couple calls her “aunt” or “grand-aunt,” not “niece”). She not only has to be “known” to the couple, but also know them well (for various reasons the perpetrator is somewhat afraid of openly offending her). And she has to be well-respected in the village (preferably not having been beaten by her own husband) so she can speak with some kind of moral authority. Other women, including younger ones, usually come to show their support and their care for the abused wife and the older woman. The older woman’s husband should either pretend not to know about the incident that his wife is getting involved in or pretend to try to call his wife home (how hard he tries to get her home usually depends on how successfully his wife’s effort is going). When the process works, the perpetrator learns a lesson through humiliation, the abused wife gets a sense of justice and solidarity with the women villagers, and the older woman earns more respect in the village. Without a confrontation with other men (including the older woman’s husband), the perpetrator’s “face” is preserved and relationships are maintained so that he can continue to serve as a normal member of the community to provide for his family. One can argue that there are better ways to handle domestic violence (today domestic violence is illegal in China), and one can argue that “roles” can change, but this case is an outstanding example of what may be called “role-based care.” Care is exercised through people’s performance of their roles (for example, it is the older woman’s role, not her husband’s, to intervene). If a young girl of a “lower” generation or a woman who lacks general respect from the villagers tries to intervene in the way the older woman does, she would be considered “out of her place” (not
her “role”) and is unlikely to be successful. If the villagers simply take the perpetrator to the police, the fabric of relationships, both between the couple and between the man and his fellow villagers, may be severely damaged, which a caring person would try to avoid. In such cases, care and roles go hand in hand.

While I can appreciate Professor Star's insightful analysis of the tension (I would say “potential tension”) between ethics focused on care and ethics focused on virtue, I nevertheless believe that Confucian jen ethics cares enough to be a care ethics. Virtue ethics and care ethics should not have to be mutually exclusive. If these two ethics share significant pertinent similarities, why can’t Confucian jen ethics be called a care ethics?4

Professor Lijun Yuan’s article demonstrates her strong feminist sensitivity and familiarity with the recent development of feminist philosophy. She does an excellent job of showing the inadequacies or weaknesses of care ethics and Confucian jen ethics. Professor Yuan recognizes similarities between jen ethics and care ethics, but she argues that care ethics is not feminist (110–11). In order to clarify the differences between Professor Yuan and me, I shall put her criticisms into two categories: those that deal with my positions and those that do not.

First, some of her criticisms target opinions that are simply not mine, even though she attributes them to me. In her article, she specifically identifies as her target my two books and one article. Regrettably, throughout her entire article Professor Yuan does not give one single reference to a specific page or section where she thinks I said something of which she is critical. Reading her article, I often wonder whether she is criticizing me or someone else. For example, she claims that her article “focus[es] especially on [Li’s] two books” and she writes, “against [Li], I argue a ‘feminine’ morality is not adequate to address human equality”. Immediately before she mentions my work as the focus of her criticisms, she writes, “Some theorists argue that Confucianism is compatible with full human rights for women” (108). Here Professor Yuan cannot possibly be “against” me. First, I stated explicitly at the beginning of my article that I would refrain from directly evaluating the validity of the Confucian jen ethics and feminist care ethics, and I declared that such evaluation was “beyond the domain” of that article (1994, 70–71). There I simply did not say anything about whether these ethical theories are adequate in addressing human equality or whether they are compatible with full human rights for women.

Second, if Professor Yuan has read my books as she seems to suggest she has, she should know that the central argument of my book The Tao Encounters the West is that Confucianism is not compatible with the (democratic) notions of equality and rights (1999, 163–89). She says that her article “specifically challenges” my two assumptions. According to her, one of these assumptions is that "since the Confucian ethics of jen is similar in many ways to the ethics of
care, it cannot be oppressive to women”. She also writes that “[Li] feels puzzled about the charge that Confucianism has been notorious for its suppression of women” (108, 110). The fact is that I have never been puzzled by Confucianism’s notoriety regarding women-oppression, but now I feel quite perplexed or even stunned as I read Professor Yuan’s article: both in my article and in my books I gave an affirmative answer to the question of whether it is possible for a care ethics to have taken part in the oppression of women (1994, 84; 1999, 112–14), and she still does not get it! My argument is that moral ideals (or principles) and their application domains are not the same thing, and it is possible for a moral philosophy or tradition to define its ethical application domain too narrowly (to exclude women, blacks, non-believers in a particular religion.). In cases like that, we need to expand the application domain of the moral ideal. If traditional Confucians have oppressed women because they excluded women from the domain of jen, today’s Confucians need to expand that domain to include women. It is arguable that many contemporary Confucians have been trying to do just that.

In order to show the absurdity of my position, Professor Yuan takes the trouble to “reconstruct” my argument. Let me quote it in full:

(1) Care ethics is feminist
(2) Jen is similar to care in three aspects
(3) Because jen is like care, it must be feminist
(4) Jen is the central concept of Confucian ethics and Confucianism has been typically patriarchal and oppressive of women
(5) Therefore jen must be patriarchal and oppressive of women
(6) Jen is either patriarchal or anti-patriarchal but could not be both

Li concludes that because of (3) jen is not patriarchal (Yuan 2002, 110–11).

It seems that Professor Yuan once again confuses me with someone else. I have never claimed that jen is feminist. I said that, given the shared common ground between the two ethics, “it is possible to reconstruct Confucianism to be feminist” (1994, 86). In fact, some authors have done exactly that (for example, Ingrid Shafer 2000). Simple logic tells us that that is different from saying Confucian jen is feminist. Except for the first two statements, I hardly have anything to do with the argument “reconstructed” by Professor Yuan. It appears that here Yuan simply constructs a position to be her easy target without carefully reading my article, which she is supposedly criticizing.

Fortunately, a few of Professor Yuan’s criticisms belong to another category and deal with my positions. We disagree on two major issues. The first is whether Confucianism centers on jen or on li (rituals, rules, rites). I take Confucianism
as primarily a philosophy of *jen*, and *li* as only secondary in Confucianism; Professor Yuan seems to agree with Herbert Fingarette that *jen* and *li* are two sides of the same thing and she emphasizes the importance of *li* in Confucianism (111–12). Drawing on this understanding, Professor Yuan criticizes Confucianism for its women-oppressive rules (*li*) over long history. The debate over whether Confucianism is a philosophy of *jen* or a philosophy of *li* is not a new one. As far as I know, the majority of scholars, inside and outside China, regard Confucianism as primarily centered on *jen*, not on *li*. According to this common interpretation of Confucianism, *li* has to change to serve the need of *jen*. To me, it is simply false to say that *jen* and *li* are two aspects of the same thing. I submit that the issue of *jen* and *li* is a bigger issue than can be settled here. I only want to ask a few questions in regard to Professor Yuan’s position.

As we know, various women-oppressive rules in the Confucian tradition were developed hundreds of years after Confucius’s death by the Han-Confucians and the Song-Ming neo-Confucians. Can Confucianism be ever free of these rules? If the answer is “no,” as Professor Yuan seems to believe, how can we account for Confucian philosophy prior to the Han dynasty? Some people associate women’s foot-binding with Confucianism. For quite some time, foot-binding was a rule (*a li*) in a Confucian society. But was there Confucianism prior to the practice of foot-binding? Was there Confucianism after that practice ceased? If the answer is “yes,” as we can reasonably expect, how does one account for that change if Confucianism can be reduced to these *li*? My view, as expressed in my article and books, is that Confucianism as a philosophy indeed existed prior to those later days when these women-oppressive rules developed, even though Confucianism as developed over its long history cannot escape its responsibility for oppressing women. It may be argued that elements degrading to women exist in Confucius’s own thought. But they are nothing comparable to the gross women-oppressive elements in Confucianism developed later in Chinese history, and they are not essential to Confucianism as a philosophy.

The second real disagreement between Professor Yuan and me is whether the care ethics developed by such women scholars as Carol Gilligan and Nel Noddings is feminist. Professor Yuan “challenges [my] assumptions [sic] that since the ethics of care is a culturally feminine way of thinking about morality it must therefore exemplify a feminist approach that is not oppressive to women” (108). In my article, I specifically noted that “I do not regard care ethics as the only feminist ethics” (1994, 87). What I said about *jen* ethics and care ethics may not apply to other (non-care) feminist philosophies. However, I do consider the care ethical theories developed by such scholars as Gilligan and Noddings to be feminist. Professor Yuan believes that care ethics is not feminist because it is not “adequate” in addressing “all forms of male dominance” (125). She does not say what the criteria are for this kind of adequacy. Frankly, I find this exclusivist thinking disturbing. When I was a young student in China, I
used to be told that, if a theory could not solve all the problems in the world, it could not be (“really”) Marxist (the term “Marxist” was used during that time as synonymous to “good” or “right”). Indeed I believed that, but only for a while, and definitely not any more. I reject the assertion that a necessary condition for a theory to be feminist is that it provides conceptual resources “adequate” for criticizing “all forms of male dominance.” While this requirement may be useful as one attempts to develop an ideal feminist ethical theory, it cannot be used as the criterion to determine if a theory is feminist. There can be various feminist theories that may be considered “inadequate” in one way or another for criticizing “all forms of male dominance.” They are nevertheless feminist. For example, today many people will consider Simone de Beauvoir’s theory of women inadequate. However, there should be little doubt that de Beauvoir’s theory is, nevertheless, feminist. An adequate account of feminist ethical theories is not complete unless it includes care ethics as developed by such women scholars as Carol Gilligan and Nel Noddings. Professor Yuan’s exclusivist thinking reminds me of the history of Song-Ming Neo-Confucians fighting over who the “authentic” or “orthodox” Confucian was (that is, had the “Dao-Tong”). I, on the other hand, recognize that different kinds of feminist philosophies have different ideas, and different strengths and weaknesses, including care ethics. I have never believed, and still do not believe, that care ethics can solve all the problems for women, just as I have never believed, and still do not believe, that Confucianism can solve all the problems in today’s world (1999, 163–90; 1997, 183–93). Indeed, I have not been convinced that any single theory—feminist theories included—be they socialist, liberal, or radical, can solve all problems for women. However, the imperfections or inadequacies of a theory do not entail that it is not feminist. If someday it is proven that care ethics is not feminist, then it would follow that the similarities between Confucian jen ethics and care ethics would not mean anything to feminist ethics. Until then, my thesis stands.

In closing, I thank Professor Daniel Star, Professor Lijun Yuan, and the editors of Hypatia for giving me an opportunity to rethink and to clarify my view.

Notes

1. Because of this reason, I am puzzled by Julia Po-Wah Lai Tao’s insistence on “partial similarities” between Confucian jen ethics and feminist care ethics, as if there can ever be such things as “complete similarities” (2000, 215).

2. Sin Yee Chan (2001), for example, has argued that the Confucian concept of shu (reciprocity) can serve as the guiding principle for caring actions.

3. Of course, sometimes they may assess the situation differently, and if so, the husband may not want his wife to get involved at all.
4. Let me also point out that there is a danger of turning this dispute into one merely about using language. Similar issues that border on real substance and mere language use include whether Confucianism is a "religion." For this reason, I think our dispute on whether Confucian jen ethics is a care ethics is less interesting than whether the two share significant similarities. For discussion of the indeterminacy of kind terms, see Li (1993).

References


Confucius. 541–479 B.C.E. Analects.


