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從經典文本到現實議題
Chinese Bioethics: From Classical Texts to Contemporary Issues

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儒家倫理是器官捐獻的觀念障礙麼？——如何理解“身體髮膚，不敢毀傷”

方 耀

摘要

通過引證《孝經》的傳統的重新注釋，本文指出中國生命倫理學界對“身體髮膚，受之父母，不敢毀傷”的理解有不足之處，既未注意到“毀傷”可作“刑傷”解，也未注意到“毀傷”即使作“損傷”解，以上說話也不排除親屬之間器官捐獻的可能性。此外，身體之完整在儒家倫理體系中並非最高道德原則，因為身與義的關係是需要考察具體的情境來做道德評判。在從新註釋儒家文本的前提下，筆者試圖證明，今天在中國大陸要推進器官捐獻事業，並不需要否定《孝經》中這一要求保持身體完整性的原則，因為儒家倫理體系與贊同器官捐獻並非不可化解的矛盾，問題的關鍵不是否定“不敢毀傷”，而是肯定器官捐獻的選擇合乎仁義，符合“立身行道”。論證捐獻器官挽救他人生命是一種值得讚美的高貴選擇可以將捐獻者及其家屬從所謂“不孝”的輿論壓力之下解脫出來。

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儒家家庭價值的應用與生物科技倫理

葉敬德

摘要

隨着科技的發展，當代社會出現了好些新的道德議題。學者嘗試從不同的宗教、哲學及文化傳統，如儒家角度，回應這些議題。部分學者在詮釋儒家傳統時，卻往往只選取某些儒家的重要概念，或引用某些儒家重要的經典，然後論證儒家在回應某議題的適切性。但是，儒家並非僅僅是一套哲學的系統。儒家在過往千多年，一直為中國社會提供生活的指導原則。所以，我們關注的，應是如果將儒家這些原則應用到今天相關議題時，將出現怎樣的狀況；以及這些原則在歷史上的應用又能否為當代建構儒家倫理提供在概念與經典外的資源。

本文探索的，正是建構儒家倫理的方法問題。筆者嘗試從儒家的婚姻家庭價值及其在歷史上的具體應用，看它對當代中國在生物科技方面的抉擇帶來什麼影響。如果儒家是一個活傳統，其價值觀在過往的應用亦應可為今日的處境帶來洞見，同時亦展現出儒家倫理歷久不變的價值。

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摘要

雖然中國歷史上儒者行醫是比較普遍的現象，但“儒醫”作為專有名詞出現是北宋時期。後世學者多在其文化意義上闡發這概念的社會學和倫理學意義，強調儒醫在知識結構和價值取向方面的特徵。本文對《宋會要輯稿》所輯錄北宋官方文件中“儒醫”一詞的前後語境及相關政策設計思路進行了考查，認為北宋官方提出“儒醫”概念，是在醫學社會發展需要和醫學社會地位低的雙重壓力下而採取的政策選擇，其目的是通過制度設計和文化正名的方式吸引儒生加入以加強醫學行業，同時也借此整合醫學，將醫學更好地統一於儒家的王政體系之中。

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摘要

宋代政治、經濟、科技、哲學、風尚等諸多因素促進了醫藥學的發達與繁榮。《聖濟經》猶如宋代醫藥學百花園中一朵瑰麗的奇葩，為後人從醫理到實踐提供了寶貴的資料。《聖濟經》（10卷，分42篇，注重理論）同《政和聖濟總錄》（亦稱《聖濟總錄》，醫學百科，200卷，分66門，闡述病因、病理及醫治藥方）都是由宋徽宗趙佶（1082-1135）親自主持編纂的醫學大作。《聖濟經》除了確立儒家的綱常倫理之外，更在本體宇宙論的氣論框架下構建了道家身心平和的基本醫學原理。《聖濟經》所體現的醫學倫理思想，如“陰陽合而夫婦正”、“五行有殊相”、“氣者生之元也”、“子之在母”、“去邪輔正，以平為期”等，突出表現了儒道相容的陰陽觀、五行觀、整體觀和辯證觀，同時展現了宋代獨特的政治生態和文化特徵。

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摘要

中國傳統醫師職業精神是中國優秀職業精神的有機組成部分，影響其形成與發展有着多方面因素，尤其是儒家思想。儒家的人本文化特質為醫學、醫療實踐與醫師職業精神營造出濃郁的文化背景；儒家的“不為良相，當為良醫”的價值觀逐步提升了醫學與醫師職業精神的社會地位與價值；儒家的核心價值思想——“仁”深刻揭示了醫師職業精神的內在本質與要求；儒家的責任倫理使醫師在行醫實踐中始終按照社會對醫師職業的整體責任要求、按照為病家謀幸福的個體責任要求規範自己的言行；儒家的“修身”促進了醫師職業精神的養成。所有這些都從不同側面促進了中國傳統醫師職業精神的形成。儒家思想對中國傳統醫師職業精神的形成為當下中國醫師職業精神建設提供了有益的啟示與借鑒。

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德性倫理與醫療專業精神

陳強立

摘要

中國的醫療制度存在着很多問題。很多人歸究於中國政府錯誤地將醫療推向缺乏足夠監管的市場。本文認為，中國的醫療制度存在着很多問題固然是由於缺乏足夠的市場監管。但是，亦涉及到醫療行業人員的專業失德的問題。本文即旨在探討醫療行業人員的“醫德”問題。本文對比兩種不同的“醫德”觀，它們分別為規則式的醫德觀和以德性為本的醫德觀。本文認為規則式的醫德觀會遇到很多困難，而以德性為本的醫德觀卻較能克服有關困難。

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Do Confucian Ethics Impede Organ Donation in China Today? How to Interpret “Body, Skin and Hair Endowed by Parents Cannot Be Damaged”

Fang Yao

Abstract

There is an organ shortage worldwide and particularly in China. Many researchers in the field of bioethics agree that Confucianism impedes the modern notion of organ donation due to its position on “filial piety” (*xiao*) in terms of “not damaging one’s body.” The Confucian concept of *xiao* demands that children obey their parents, serve them diligently, bury them respectfully and worship them afterward. It also proclaims that a person’s body, hair and skin are gifts from their parents that cannot be damaged.

This essay intends to show that such an interpretation of the Confucian concept of *xiao* is misleading because it is based on a misreading of an important statement from the *Xiaojing (Classic of Filial Piety)*. According to some exegeses, the idea of “damage” in the original text should be understood as “damage via criminal punishment” instead of a general kind of “damage.” The author contends that it is equally problematic for people to consider keeping one’s body intact as a supreme principle in Confucian moral teachings. Although filial piety is a key principle in Confucianism, it is not the primary factor holding back organ donation. Although traditional Confucian principles emphasize the “wholeness of the body,” they do not prevent many Confucian scholars from taking different views, as Confucius claims that “the man of humaneness (*ren*) is one who, desiring to sustain himself, sustains others.” This essay concludes that a new interpretation of the Confucian text and its meaning would help to encourage more people to volunteer as organ donors.

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Confucian Family Values, Applications and Biotechnology

Ip King Tak

Abstract

In response to the challenges presented by ever-emerging moral issues in contemporary society, ethicists try to obtain input from different religious, philosophical and cultural traditions, and Confucianism is a popular choice. In following Confucian ethics, people grasp important Confucian concepts, quote important passages from the Classics and engage in exegesis to argue for the contemporary relevancy of Confucianism and Confucian ethics. However, because Confucianism is a living tradition that has guided Chinese life for years, other questions must be addressed when considering Confucian ethics. How have Confucian principles been applied historically to handle similar issues? Can these past applications serve as a source for addressing contemporary Confucian ethics? This paper considers how people adhere to Confucian ethics. The author determines how select Confucian family values have been applied in the past to help the Chinese to achieve major objectives related to marriage and family, and shows how they apply to the use of biotechnology in contemporary China. The paper contends that if Confucianism remains a living Chinese tradition, its past applications should give insights, however heuristic, into how people currently adhere to Confucian ethics.

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The Cultural and Political Implications of “Literati-Physicians” (*Ruyi*) of the Song Dynasty

Cheng Guobin

Abstract

The earliest definition of *ruyi* (Confucian physicians or literati-physicians) referred to the literati the imperial court intended to recruit for its *Taiyiju*, the Imperial Medical Services. The concept of *ruyi* emerged and gained popularity during the Song period, after which the Confucian physician occupied a unique position between the literatus and physician in the social hierarchy. From an institutional perspective, the official Hanlin Medical Institute functioned as a special medical service department whose major responsibility was to take care of the imperial family. The Imperial Medical Services, which had initially been under the jurisdiction of the Hanlin Artisans Institute, became part of the *Guozijian*, the Directorate of Education in the Song period, due to imperial sponsorship. This essay contends that the process of the “Confucianization of medical doctors” initiated by the court elevated the social position of physicians, making them members of the Confucian political system.

Based on the Chinese historical work the *Song Huiyao Jigao* (*Song Dynasty Manuscript Compendium*), this essay discusses the cultural and political implications of literati-physicians during the Song Dynasty. It argues that although Confucian literati-physicians viewed themselves as the elite group in the realm of medical skills, the social dilemma of their “middle” social position was evident in the medical histories written during the period. The term *ruyi* is understood in three ways: (1) practical/medical skills; (2) the Confucian methodologies adopted in studying medicine; and (3) the Confucian ethical codes. Literati-physicians were expected to go beyond their professional boundaries and attain a social status parallel to the Confucian literati who passed through the thorny gate of the civil service examinations.

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The Ethical Dimension of the *Shengjijing*

Zhang Qiaoxia

Abstract

According to Chinese medical history, the *Shengjijing* (*Canon of Sagely Benefaction*) was commissioned by Emperor Huizong (1100-1125) of the Song Dynasty. It is usually compared with another great project of the time, the *Shengji zonglu* (*Medical Encyclopedia: Classic of Sagely Benefaction*). The emperor wrote prefaces for two large formulary compilations. The *Canon of Sagely Benefaction*, which comprises 10 chapters of medical theories, was published in 1118, and the *Medical Encyclopedia: A Sagely Benefaction*, which comprises 200 chapters of formularies, was published in 1122.

This paper focuses on the ethical dimensions illustrated by the *Canon of Sagely Benefaction*. It explores fundamental Chinese concepts such as qi energy, yin and yang, the five phases and their mutual transformation as implemented in the medical text. The author argues that these key concepts are well incorporated into medical practice and function as a guide for both physical health and moral cultivation. Such combinations of the medical with the ethical and the physical with the spiritual can be considered a fusion of the Daoist and Confucian traditions, a popular practice during the Song period.

Professional Medical Ethics Based on Confucianism

Liu Yunzhang

Abstract

The “Regulations on Medical Ethics for Medical Professionals in the PRC” promulgated by the Chinese Ministry of Health function as contemporary moral rules for medical professionalism. The principles underlying these ethical rules are not that different from those underlying bio-medical ethics in the West, which provides a broad platform for medical ethics and moral codes. However, this paper explores Confucian moral teachings to supplement the current discourse related to professional ethics. The issue up for discussion is how medical professionalism can be reconstructed based on Confucianism. This paper outlines the Confucian ethics that formed the cultural context in which traditional Chinese medical practice is perceived and conducted.

According to Confucianism and especially the tradition of *ruyi* (or literati-physicians), “humanness (*ren*) is the art of medicine and healing.” Medical practice is considered part of the process of moral self-cultivation. Accordingly, the principles of Confucian ethics in medicine are not confined to regulating the external conduct of the professional agent, but are extended to cultivate the internal disposition of the moral agent, allowing a physician to fully understand the appropriate relationship between the physician and patient. Moral codes and regulations are necessary and essential for sustaining any sound medical practice. However, according to Confucian teachings, it is more important for medical professionalism to involve a mechanism that can transform medical practice from a technical craft into a spiritual pathway.

Virtue Ethics and Medical Professionalism

Jonathan Chan

Abstract

China faces many healthcare problems. Many people, such as experts Prof. William Hsiao and Li Ling, attribute these problems to the unregulated marketization of the country’s healthcare system. This paper argues that although the unregulated marketization of its healthcare system contributes to many of China’s healthcare problems, a lack of professionalism is also an important factor. Furthermore, it argues that the Chinese medical profession requires both regulation and professionalism. It focuses on the moral aspect of medical professionalism (i.e., medical professional ethics) by discussing the rule- and virtue-based approaches to ethics. Alasdair MacIntyre initially observed the differences between these two approaches in his book, *After Virtue*. This paper discusses how the two approaches can be used to flesh out rule- and virtue-based medical professional ethics. It argues that rule-based medical professional ethics encounter severe difficulties from which virtue-based medical professional ethics are immune, and that there is therefore an urgent need to research virtue-based medical professional ethics.