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香港浸會大學
HONG KONG BAPTIST UNIVERSITY



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儒家傳統與新的挑戰
Confucian Tradition and New Challenges

本期編輯：范瑞平
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摘要

生物技術在軍事領域中的應用構成了軍醫生命倫理生成的實踐基礎，對生命的本體追問和醫學人道反思則是軍醫生命倫理生成與發展的理論依歸。儘管東西方異質文化的道德差異使得中外軍醫倫理研究各有側重，但在論及軍醫生命倫理時並無本質差異。本文認為，國內軍醫倫理學不能只局限於研究內在品德的培育，而必須要探討不同境遇的倫理抉擇以及倫理困境的道德剖析。注重德性修養的中國傳統倫理與深入考察具體案例的當代西方倫理或許可以在方法論上互相借鑒、互相補充。當下軍醫生命倫理研究的視域主要涵蓋戰地安樂死、戰場器官移植、軍事醫學科研、疫苗使用、突發公共衛生事件、生態倫理等倫理問題。

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摘要

因人類輔助生殖技術應用引發的生命倫理問題，已成為現代生命倫理學界研究的重點領域。隨著輔助生殖技術的進步與發展，所產生的生命倫理問題也愈來愈複雜，現代生命倫理學各學派對這些倫理問題的爭論也愈來愈激烈。本文以儒家家庭倫理觀對這些倫理問題進行解析，以期為解決這些倫理問題爭論提供一個新的視角。

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從儒家倫理看克隆人的正當性問題

張舜清

摘要

本文從儒家倫理的天道基礎和現實基礎兩個角度分析儒家關於克隆人問題的立場與態度。本文認為，論證儒學關於現代生命倫理議題的看法，不應只局限於應用傳統儒學的某種觀點得出某種結論，或樂衷於表面的否定或肯定這樣的判斷。而應該對體現在儒家身上那種對人類生存與命運的強烈憂患意識和人文關懷有一種自覺的體認，這樣才能對儒學關於諸如克隆人這樣的現代生命倫理議題的立場與態度獲得較為全面和深刻的認識。從這樣的觀點出發，本文認為從儒家倫理的天道基礎而言，儒家不會對克隆人的正當性輕率地表示肯定和否定，而是根據具體的情境和目的決定自己的態度，但一般而言，儒家將不會主張克隆人。從儒家倫理的現實基礎來看，儒家對克隆人的態度是鮮明的，那就是認為克隆人缺乏倫理上的正當性，從而反對克隆人。

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輔助生殖技術對傳統儒家倫理的挑戰與反思

賀 苗

摘要

以家庭為本位，以血緣關係為紐帶是把握中國傳統的儒家倫理觀和婚姻觀的兩條主線。經過千百年文化積澱，傳統儒家倫理的核心價值和人倫精義早已融入廣大民眾的日常生活和觀念世界，並通過多種多樣的民俗、風俗或習俗得以流傳和積澱，潛移默化地影響和左右人們的觀念與行為。在全球一體化的新世紀，以輔助生殖技術為代表的現代醫療技術在為人類帶來福音的同時，也以前所未有的力量衝擊著傳統的儒家倫理觀念，向傳統的婚姻和家庭關係提出最嚴峻的挑戰。因此，從傳統儒家倫理的視角，理性地審視中國傳統倫理社會的深層本質和家庭婚姻觀念，有助於深化人們對輔助生殖技術倫理問題的認識，促進科學技術與生命倫理的良好互動和協調發展，從而使人類的生殖和繁衍更加科學。

[目錄](#)

摘要

隨著人工生殖技術的發展和應用，相伴而來的社會倫理問題也日益增多。為了使該技術真正做到以人為本、為人類的生存和發展而服務，及為人類的圓滿生活造福，探討和構建一種適應現代人工生殖技術發展和應用的倫理觀有十分逼切的需要，以指導並引領人工生殖的研究和運用及發揮技術的正面效應。儒家生命倫理以“仁愛”、“以義制利”、“天人合一”及對人類的終極關懷作為生命科技發展的最高價值判斷標準，為現代人工生殖倫理觀的構建提供了深厚的文化底蘊和理論依據。儒家生命倫理觀不僅能為該技術的應用提供價值標準，而且最重要的是能引領世人以理性的態度，從人與人、人與社會以及人與自然之間三個方面和對人的終極關懷、對現代生命科技發展及其應用進行反思，從人類整體的利益去認識現代生命科技的弊端和危害，從而調整人類自身行為，限制自身欲望，實現人類可持續發展。因此，重新認識和發掘儒家生命倫理思想，從儒家生命倫理視野下構建人工生殖倫理觀有著深遠的社會意義。

摘要

中國隨著分子和基因組信息對流行病學影響的增加，無數遺傳流行病學研究和後人類基因組計劃的研究都愈來愈依賴人類生物信息庫(biobank)。生物信息庫的建立，不但使慢性病研究獲得了很多突破性的進展，還強而有力的支持了藥物的創新研究和治療方式的改進。再者，隨著後基因組時代的來臨，誕生了以基礎研究所獲得的知識成果，快速轉化為臨床上治療這一新方法，並通過實施這新方法反過來驗證基礎研究中的發現或建立的新理論（轉化醫學）。生物信息庫的建立能促進轉化醫學研究及提高科研效率。所以，生物信息庫成為近年來各國生物醫學領域爭相發展的重點。然而，在基因組研究和後人類基因組計劃的背景下，伴隨它們十幾年發展的是無數待解決的倫理挑戰，其中是否向參與者告知研究結果就是國際倫理學界研究和關注的焦點之一。本文通過對正反觀點的論證，對比總結得出一些粗淺的建議，以期為相關政策的制定者提供一些參考。

Abstract

The modern world faces various military bioethical problems. A series of prominent issues – such as battlefield euthanasia, battlefield organ transplants, military medical research, the use of vaccines, emergent public health crises, and ecological ethical problems – challenge our moral conscience and our cultural commitments, both in the West and in China. Chinese bioethical scholars need to turn their attention to these important but thorny issues and provide ethically appropriate solutions by drawing on their intellectual and ethical resources.

The recent history of military bioethical research in China shows that the character of such research is culture-laden. Influenced by the long-standing Confucian tradition that emphasizes virtue-cultivation, Chinese military bioethical studies have focused on issues such as to how to educate and promote the moral character of military physicians. However, they have overlooked – or at least have not given sufficient attention to – analyses of military bioethical dilemmas and contexts that are needed to develop adequate and feasible ethical solutions to the new problems facing today's military. This academic situation should be improved to ensure that Chinese military bioethical research moves forward.

It is true that Confucianism is a central moral tradition in China. It is also true that theoretical Confucian morality can be taken as virtue ethics, which emphasizes moral cultivation. However, it is not true that Confucian virtue ethics only focuses on issues of character development, ignoring specific ethical problems or conflicts. This essay takes the perspective that traditional Chinese Confucian ethics (which emphasizes moral cultivation) and modern Western ethics (which focuses on the application of general principles to particular contexts) should learn from each other and offer more comprehensive arguments and appropriate solutions to military bioethical issues. Indeed, Confucian moral practices – rituals (*li*) – are embedded in the everyday lives of people in general and the activities of military physicians in particular. These rituals provide concrete guidance in particular contexts, but they are not absolute moral rules. Confucianism calls for moral deliberation by exercising the virtues achieved through observing rituals. However, a principle of the middle way is that we should function according to the Confucian way of life. These intellectual and moral resources could be drawn upon to explore Chinese military bioethics.

Abstract

Assisted reproductive technology (ART) has provided both opportunities and crises for people to achieve pregnancy and reproduction by artificial or partially artificial means. As Chinese people have been shaped by Confucian family values, they are committed to pursuing the continuity, integrity, and prosperity of the family. Applying ART is not unethical in principle. However, different types of ART carry different ethical implications and should be defined clearly according to the Confucian moral perspective.

Confucian ethics is committed to maintaining the continuity of the family. For infertile couples, both artificial insemination (AI) and in vitro fertilization (IVF) can be beneficial and justifiable, as long as the sperms and eggs involved are only from the husband and wife. However, according to the Confucian understanding of the integrity of the family, an AI or IVF by donor, rather than the husband, would destroy the blood-tie of the family, and is therefore ethically unjustifiable. In addition, Confucianism appreciates that a normal family must have both a husband and a wife, and that a child ought to be born in a normal family with both a father and a mother. Accordingly, it is ethically problematic for single men or women to use ART to conceive a child. Moreover, it is very difficult for Confucians to defend the practice of surrogate motherhood because the intrusion of another woman into a family would significantly threaten the peace and integrity of the family and be harmful to the development of the child.

This paper does not intend to argue that all traditional Confucian ethical views are absolutely right and should never be changed. It does, however, argue that Confucian moral values and commitments should be taken seriously. These values and commitments are still vibrant in Chinese people's lives, although they have not been promoted systematically in national politics. As they are embedded in the Chinese ways of life, Chinese bioethicists should carefully examine these views and provide relevant arguments for their preferred programs and solutions regarding the application of reproductive technologies.

Abstract

According This essay attempts to offer a Confucian view of human cloning. It analyzes the nature of human cloning from the perspective of Confucian ethics. It argues that we should not make simple “Confucian” conclusions about human cloning based on certain isolated Confucian views, but should take a personal view on the fundamental spirit of Confucianism. Evidently, the foundation of Confucian ethics is its view of the Dao of Heaven (*tiendao*). From the perspective of this essay, the Dao of Heaven offers two principles with which people should comply. The first principle is that the Dao of humans must follow the Dao of Heaven. That is, people’s activities should not violate the will of Heaven. The second principle is the principle of continuous creation or generation (*shengsheng buyi*). Such continuous creation or generation is seen as the great virtue (*dade*) of Heaven. Accordingly, the Dao of Heaven is primarily the method of creation, which characterizes Confucian ethics.

This Confucian view of the Dao of Heaven and its two basic principles should be brought to bear on the issue of human cloning in the full sense. By mechanically understanding and applying the principle of generation, it is possible to develop a view of human cloning that grants it legitimacy as a method of reproduction. However, the authentic Confucian sense of generation cannot be understood without the normal relationship between a man and a woman, or specifically, the relationship between husband and wife, which Confucians see as the ultimate starting point of any meaningful human generation. Without the union of husband and wife, human reproduction becomes an unnatural, abnormal event that goes beyond the scope of the Dao of Heaven. That is why Confucianism emphasizes the crucial function of marriage in the normal way of human life. Accordingly, Confucians think that both a father and a mother are necessarily (morally) required to create a normal human child. Techniques such as reproductive human cloning destroy the normal means of human generation and undermine the foundation of Confucian ethics. Confucians cannot accept such techniques.

Abstract

Chinese traditional Confucian ethics recognizes the fundamental importance of the family. Appropriate blood-tie relationships have become a major concern in Chinese marriages and family life. As the Confucian ethical tradition has been established for thousands of years, the core values and meanings of Confucian family ethics are implicit in Chinese life and embodied in everyday activities. The family has been taken as a foundation of the state, and family regulation has been taken as an indispensable element in the Confucian societal ideal of “personal cultivation, family regulation, state governance, and the whole world made peaceful.”

Assisted reproductive technology (ART) has benefitted Chinese families who have difficulty conceiving naturally. However, it also poses severe challenges to the traditional model of marriage and family relations according to Confucian ethics. The first challenge is that ART causes a separation between reproduction and marriage – gametes from a person outside of the marriage could be used to procreate children, which presents the grave risk of changing the blood-tie-based structure of the family. We must also face the second challenge posed by ART, which is that the application of such technology may inflict harm to the child thus conceived. There have already been Chinese cases involving disputes over who should be considered the legitimate parents of the children conceived through ART. Such cases are enormously controversial and the children are put into quite vulnerable situations.

From the perspective of traditional Confucian ethics, Chinese society should be very cautious in applying ART. We should recognize that the problems of infertility involve complicated psychological and social factors that cannot entirely be solved by using advance technology. Moreover, necessary laws and regulations should be formulated according to proper Chinese ethical views that reflect traditional Confucian family ethics. It would be helpful to set up hospital ethics committees to provide consultancy and advice in difficult cases. In short, it is essential to understand the ethical problems involved in the application of ART and to promote a positive interaction and coordination of reproductive technology and Chinese bioethics.

A Confucian Ethical Construction of Artificial Reproduction

Wang Caixia, Zhang Jun, and Zhang Shuo

Abstract

With the development and application of artificial reproductive technology, humans are able to “artificially reproduce.” However, a series of ethical problems and conflicts have arisen from the practice of artificial reproduction, suggesting that modern artificial reproductive technology serves as a kind of “double-edged sword” – it provides both benefit and harm to human beings. How to attend to the ethical conflicts arising from artificial reproduction, and more importantly, how to develop adequate contemporary ethics to provide guidance to society regarding artificial reproduction, are crucially important ethical tasks that must be addressed. This essay argues that Confucian ethical wisdom and principles should be drawn upon to develop a legitimate Chinese bioethics and a suitable Confucian ethical construction of artificial reproduction in contemporary Chinese society.

Based on Confucian ethical wisdom and insights, this essay argues that a Confucian ethical construction of artificial reproduction should include the following principles to direct relevant policy formulation and guide human conduct. The Confucian principle regarding human life is that humans are the most noble of all sentient beings. Regarding the relation between morality and benefit, Confucianism advocates a harmonious association, in which benefit should be pursued under the constraint of morality. Regarding a suitable view of nature, Confucian wisdom emphasizes the unity of Heaven and human – the Dao of Heaven is, in the metaphysical sense, followed by both nature and humanity. Regarding lives and things in the world, Confucianism upholds the ideal of honoring life and caring for things to create an ordered world. Regarding life and death, the Confucian vision is that life should be happy and death should be peaceful. Regarding one’s social responsibility, the Confucian principle is that one must follow the call of righteousness (*yi*) and should never violate righteousness for one’s self-interest. This essay argues that these valuable intellectual and moral resources should be drawn upon in shaping a contemporary Confucian ethical construction of artificial reproduction.

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Abstract

The establishment of human biobanks has begun to play an important function in promoting healthcare in many countries. Biobanks can disclose genetic data and can be used to identify health- and disease-relevant environmental, individual, and clinical factors. Indeed, studies of genetic epidemiology and human genomics increasingly rely on the use of human biobanks, which have played a positive role in breakthroughs in chronic disease research. They have also strongly supported creative research on drugs and the improvement of therapeutic methods.

Currently, biobanks are an important target for development within the area of biomedicine. However, at least in the context of genome research, enormous ethical problems and challenges have arisen. Among those problems and challenges is the important issue of information disclosure: should individual donors be informed only of the average research results from all relevant donors, or should they be informed of their own specific genetic information arising from biobank research? The dominant bioethical view seems to imply the latter – that individual donor information should be made available to the individual donor – according to the fashionable bioethical principle of respect for the individual’s autonomy. However, this essay asserts that such disclosure has both positive and negative effects that should be carefully considered and balanced. It argues that individual donors should not have an absolute right to be informed of biobank findings. Rather, public policy regarding the disclosure of biobank findings to individual donors should be formulated based on the comprehensive consideration of relevant factors: the nature and severity of a genetic risk, the validity of the research findings, the clinical utility of the findings, the feasibility of using the findings, and the integrity of the research.