

# ETHICS AND SOCIETY

## NEWSLETTER

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## The Seventh Symposium on "Bioethics from Chinese Philosophical / Religious Perspectives"

Launched in 2007, this research symposium aims to nurture young researchers from mainland China under our supervision and to provide research leadership in the field. The seventh symposium was held on June 27-30, 2013, at which 27 scholars and practitioners from various mainland universities, research institution and hospital gave their presentations. Our Centre's fellows commented on each paper. Over the years, the symposium has fostered interdisciplinary research on Chinese intellectual traditions and contemporary bioethics issues and facilitated the further development of Chinese bioethics.

The papers was revised and published in the *International Journal of Chinese and Comparative Philosophy of Medicine*, Vol.11 Nos. 1 and 2.

### Abstracts

#### Family Co-Determination: Confucian Familism and its Contemporary Application to Informed Consent

*Xu Hanhui*  
*Peking University*

Family involvement in medical decision making is a common practice in China due to the influence of Confucianism, which emphasizes the family as an organic unit. Instead of speaking of the individual's right to choose and make a decision, the Confucian model for "informed consent" calls for "family co-decision making" or "co-determination." The essay argues that China has long-standing moral traditions such as Confucianism, with its inherent ethical views toward family values that are still pertinent to a person's daily life in general and bio-medical issues in particular.

The author points out that those who acknowledge the role of the family in medical decision making feel much more satisfied. Sometimes both medical and non-medical burdens related to family roles and relationships are taken into consideration, but a patient who has good family relationships would rather family members be actively involved in the decision making. In addition, as young people are becoming increasingly individualistic under the influence of Western culture, family medical co-decision making can promote the Confucian values of family, family responsibility, and the well-being of individuals.

## **Informed Consent in China: Reflection from the Practitioner's Perspective**

*Zhao Wenqing*  
*City University of Hong Kong*

Informed consent is considered to be one of the most important conceptual developments in contemporary bioethics, and is strongly implicated in the regulation of clinical practices in the West. Over the past decade, the growing prevalence of both liberal arguments supporting individual autonomy and rights-based debates focusing on equality has brought the concept of informed consent into the purview of Chinese legislation pertaining to healthcare and clinical practice. However, most of the laws and regulations are made by Chinese authorities in ignorance of the concept's ethical groundings. In addition, lawmakers have not taken into account the empirical reality and specific situations of clinical practice in contemporary China. This essay contends that the history of informed consent legislation in China since 1994,

exemplified by the recently adopted Article 55 of the *Tort Law of the People's Republic of China*, reveals conflicting understandings of the ethical foundation of the notion of informed consent. The essay also presents extensive interviews conducted by the author with four frontline medical practitioners in first-tier cities that demonstrate how their experiences with informed consent are largely shaped by current institutional settings and influenced by traditional Confucian ethical norms, (e.g., an emphasis on interdependence among family members, which requires the doctor to consult with the family rather than the patient). The essay concludes that we must take into serious consideration the Chinese ethical tradition and its unique application in practice when cross-fertilizing the concept of informed consent.

## **The Principle of Informed Consent: A View Based on Confucian Familism**

*Kong Xiangjin, and Zhao Mingjie*  
*Dalian Medical University*

Opinion polls released recently show that the majority of people in China today think that informed consent in medical practice is necessary, with more than half favoring family decision making over individual, autonomous patient decision making. Based on these opinion polls, this essay argues that the liberalism and liberal individualism that

emphasize individual autonomy do not square with the Confucian tradition.

The essay submits that the "family decision" model is designed to embody Confucian family ethics and maximize the benefit of family involvement in medical decision making. The family model includes both the

patient and his or her close family members in the decision making process. The Confucian ethics of humanness (*ren*) – the highest moral virtue – and filial piety (*xiao*) – the foundation of all moral virtue – support family as the most appropriate authority for medical decisions. Further, the essay explores how the family as a unit is better positioned to work

with the physician at critical moments to protect the interests of the patient. This means that the family, not the patient, is in authority, and that in some cases, it is acceptable for family members to hide “medical information” from the patient with the cooperation of the physician. The essay concludes that the family is, and should be treated as, a significant moral participant in medical decision making.

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## The Confucian Concept of Justice and Its Implications for Justice in Healthcare

*Zhang Shunqing*

*Zhongnan University of Economics and Law*

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In the West, “justice” is a complex ethical principle, with meanings that range from the fair treatment of individuals to the equitable allocation of healthcare resources. Justice in bioethics is perhaps the most contested and controversial principle. This paper argues that the Confucian notion of justice is neither rights-based nor distributive; rather, it is based on the virtues of humanness and benevolence (*ren*), correct behavior and propriety (*li*), and uprightness and appropriateness (*yi*). Those virtues cherished in the Confucian tradition constitute what can be called a Confucian concept of justice, the primary principle of which is to respect human life. This means that in the healthcare system, the Confucian idea of justice is approached from the perspective of equality and fairness. On the one hand, the government should provide basic care for all persons according to the virtue of humanness/benevolence; on the other hand, the government should allow for diversity and differences in medical treatment and healthcare resource allocation according

to the virtues of propriety and appropriateness, given that medical resources are limited and China supports a huge population. In other words, the government has the responsibility of providing public health care to those who cannot afford to pay for their own basic healthcare needs. At the same time, the government should allow for alternatives and should permit people to choose between ways of dealing with their medical issues.

Clearly, the language of “rights” is absent from the Confucian tradition. However, this essay argues that because the Western notion of justice, particularly in the legal sense, does not take into account what is good, the Confucian virtue-based justice better fits the cultural milieu of medical practice in China. From the standpoint of Confucianism, healthcare and bio-medical ethics should be more concerned about what is good for society, family, and the individual than about absolute equality or the principle of fair equality, which engender both moral and economic hazards.

## **Inter-Generational Equity in Healthcare: Family Savings Accounts Based on the Confucian Idea of “Love with Distinction”**

*Cao Yongfu*  
*Shandong University*

Healthcare resource allocation, which has medical, ethical, and economic dimensions, has sparked recent controversy in China. However, neither the concept of equality nor the concept of rights addresses the real problem of healthcare allocation that China is facing as its aging population increases. Given the real crises of the growing elderly population and the increased demands on the limited resources of the healthcare system, the author contends that a Confucian model that favors family management in the form of family savings accounts is more a feasible method for China than state management. Moreover, the family savings account model represents traditional Confucian family values and the Confucian concept of “love with distinction.”

The argument in support of the family savings account model is reinforced by the problem of the aging population and the idea of “inter-generation equity.” From an investment perspective, inter-generational equity follows the principle that an endowed institution’s spending rate must not exceed its after-inflation rate of compound return, so that investment gains are spent equally on the current and future constituents of the endowed assets. This idea also works well with the family-oriented health savings accounts, because the family as “a saving institution” is accountable for safeguarding against the unnecessary medical spending that often occurs when the money belongs to a public account or when savings are not allowed to be passed along to the next generation.

## **Medicine in the Hands of Celestial Offices: Medical Epistemology in Ancient China and its Relation to Morality**

*Cheng Guobin*  
*Southeast University*

This essay offers a genealogy of medical epistemology in ancient China, which, unfortunately, lost its independent status after the Song Dynasty, when Confucian morality became the dominant discourse in all disciplines, including medicine. The author challenges the common view held by Confucian scholars that medicine does not

constitute a self-contained domain of activity with its own morality and ethics, because it is seen as a realm of “applied ethics.” This view makes medicine, medical techniques, and medical ethics instruments for the embodiment and actualization of the Confucian virtue of benevolence (*ren*), but undermines the complexity of medicine and medical practice.

It is concluded that the moralization of medicine can be a dangerous practice. It is equally dangerous when ancient Chinese ideas such as “the unity of heaven and humanity”

(*tianren heyi*) and “mutual identification between medicine and Confucianism” (*yiru xiangtong*) are used to explain and resolve contemporary problems without qualification.

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## **The Family as the Primary Protector of the Vulnerable: Confucian versus Medical Ethics**

*Lo Ping Cheung*  
*Hong Kong Baptist University*

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Individualism is still very much alive in “international” bioethics. Using two documents from the International Bioethics Committee as examples (Proposed Outline for a Report on Respect for Human Vulnerability and Personal Integrity, 2009; Report of the IBC on the Principle of Respect for Human Vulnerability and Personal Integrity, 2011), and focusing on hospital patients as a vulnerable group, this essay points out the pitfalls of individualistic bioethics. Confucianism advocates family co-

determination rather than individual self-determination, and this model of decision making can serve as the first bulwark in protecting vulnerable patients. This model of medical decision making is not unique to Chinese culture, but is actually advocated by a small number of Western scholars. This essay also illustrates how family co-determination in medical decisions works using the example of two recent policies introduced in Hong Kong public hospitals, viz., forgoing life-sustaining treatment for the terminally ill and the use of advance directives.

## Family Co-determination Model: A Wise Clinical Choice

*Zhang Xinqing*  
*Peking Union Medical College*

Professor Lo strongly argues that family co-determination, rather than self-determination or family-determination, is one of the best choices for protecting the vulnerable in a healthcare setting. The assumption underlying the family co-determination model is that of an individual as a person-in-the-family rather than as an isolated individual. I provide some

proofs to enhance the Confucian bioethical base of family co-determination. Based on a national survey of health professionals and patients, I conclude that family member involvement in clinical decision making contributes to better communication between doctors and patients, which is a key factor in alleviating the degree of tension.

## On the Moral Identity and Moral Responsibility of the Confucian Individual

*Cai Yu*  
*Tianjin Medical University*

This article reviews Professor Lo Ping Cheung's paper, "The Family as the Primary Protector of the Vulnerable: Confucian versus Medical Ethics." The paper describes human behavior by way of historical narrative, thus offering a historical perspective on philosophical research. His notion of "family co-determination" instead of "parent-determination" also brings a developmental attitude to philosophical research. At the same time, we discuss the moral identity and moral responsibility of the Confucian "individual." The moral identity of the Confucian "individual" includes both specific cultural identities and a specific social identity. Confucian individuals are the successors, developers and creators of Confucian culture, and also the practitioners and successors

of family virtues. These are their moral responsibilities. This article also makes recommendations on forming and expressing family decisions in practice. First, family decisions should be taken by those members of the family who have the capacity to make a decision. However, taking the view of the family as the ethical unit, a family decision should be made on the family's specific circumstances, with no need for administrative or legal provisions. Second, in accordance with current practice, a representative of the family who has the capacity to make medical decisions should sign an informed consent form. When the views of the patient and his or her family are not consistent, the general principle is that the doctor should follow the patient's decision. Yet there might be some

cases in which the doctor should not follow the decision of the patient; for example, if the patient makes a decision that endangers his or her life due to a lack of knowledge, emotional

state or other reasons. In this case, the other family members will put forward their different views based on their responsibility to the patient, and the doctor may comply with the latter.

## **Shared Physician- and Family-based Decision Making, and Pluralism**

*Chan Ho Mun*  
*City University of Hong Kong*

For historical reasons, medical practice in Hong Kong is regulated by a legal system inherited from the UK. The system is in the liberal tradition. Po alleged that the Health Authority's "Guidelines on Life-sustaining Treatment in the Terminally Ill" illustrate the practice of the family co-determination model in Hong Kong. This paper argues that on the contrary, due to the legal constraints with which the guidelines must comply, they carry a very strong liberal flavor. There are limitations to documentary research. To

understand the practice in Hong Kong, we need to conduct empirical studies on the views of healthcare professionals, patients, and their families, and how they make decisions in real-life situations. Due to the cultural influence from both the East and the West, some degree of pluralism survives in Hong Kong. My empirical study shows that the shared physician- and family-based decision making model is most popular in Hong Kong, while a significant minority opts for the liberal model.

## **Ethical Limits and Difficulties of the Family Co-determination Model**

*Liu Junrong*  
*Guangzhou Medical College*

The role of the family as "the first guarantee" of vulnerable groups is extremely limited and not always effective. When disagreements arise between patients and their family members, family co-determination can do nothing to help. Respecting patients' autonomy

should be taken as the premise of family co-determination; the government and society undertake more important responsibilities in the protection of vulnerable groups.



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## Human Vulnerability and Bioethics

*Lawrence Yung*  
*City University of Hong Kong*

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In his paper, Professor Lo Ping Cheung complains that bioethics is under the undue influence of liberal individualism. He argues that in prioritizing individual autonomy, the United Nations' "Universal Declaration on Bioethics and Human Rights" (2005) and the International Bioethics Committee's "Proposed Outline for a Report on Respect for Human Vulnerability and Personal Integrity" (2009) not only allow but also advocate egoistic behavior. In contrast to Lo's view, in advocating family co-determinism in healthcare, Confucian bioethics is in a better position to provide primary protection to the vulnerable.

To defend the Declaration (2005) I draw on the IBC Report (2011) and argue that in enshrining the principle of respect for human vulnerability and personal integrity as a universal value in bioethics, the Declaration seeks to prompt greater solidity between moral strangers and different stakeholders in healthcare and research and the application of emerging technologies in the biomedical sciences. I also argue that the family may fail to protect "the vulnerable," as vulnerability is a human condition and it occurs in the context of healthcare as a result of personal disability, in addition to environmental burdens and social injustice.

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## The Way of the Family and the *Gongfu* of Regulating the Family

*Ni Peimin*  
*Grand Valley State University*

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Starting with a brief analysis of the biological, sociological, and axiological senses of the term "family," this article points out that the purpose of a sociological family is to provide ideal conditions for human survival (which is primarily biological) and flourishing (which is axiological).

Although the sociological family structure significantly affects both the way of life and the quality of life, any sociological family can become a fetter instead of a home if

family relations are not properly regulated. Regulating the family is both a basic principle for human survival and a challenging art, which is best understood through *gongfu* [aka. *kung fu*], a term that Song-Ming Confucians used frequently to describe the purpose of Confucian learning.

While authority and rules of conduct are necessary for regulating the family, effective authority must rely on virtue for its transformative effect, and rules of conduct

must be accompanied by the use of discretion, an art that cannot be formalized. Both the exercising of authority and the application of rules are means rather than ends. Their proper use depends on whether they are conducive to the growth, transformation, and enablement of the relevant members. Rigid adherence to authority and rules can be potentially counter-constructive, as illustrated by cases of medical ethics in which adherence to patients' rights to be kept informed and to give consent may prove to be inhumane to the patient, and yet adherence to the family's right to make decisions for patients may also lead to problems. The matter has to be determined not merely on the basis of respecting cultural traditions, but ultimately on the well-being of the people involved.

The theory of regulating the family not only accommodates the need for family in various stages and conditions of human life in which a person is vulnerable – which is difficult to perceive in the West as the predominant conception of the “person” is modeled after a male, adult, autonomous rational being – it also provides a path for “reaching to the highest and brightest limits.” It is in the human relations starting from the family that a person's life can go beyond the individual self and obtain sacredness within the secular life and thus become immortal.

The Chinese culture informed by the Confucian teaching of “rectification of names” has a rich variety of “names” to specify human relations, and hence is able to instill the sense of role-specific responsibilities. Yet the Confucian spirit of “all within the four seas are brothers” stretches family relations beyond the biological, and thereby allows Confucianism to embrace non-traditional types of family, such as adoptive families, cohabitation, same-sex marriage, and other modern institutions of living together such as kindergartens and nursing homes. It offers valuable instructions for obtaining the gongfu of leading a life as good as the structure of the family allows.

The far-reaching significance of “regulating the family” is evident in the Confucian idea that “when the family is regulated, the state will be in order; and when the state is in order, there will be peace throughout the world.” The idea has resonances in the contemporary “family therapy” of Virginia Satir, the humanism of early Karl Marx, and Riane Eisler's idea of reviving the “partnership” relation of the pre-historical era: humans must eliminate the alienation of allowing material production and economics to dominate the creation of human life; we must reform our society according to the axiological concept of the family so that the world can become our shared home.

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## On Ni's Dao of the Family

*Tang Wenming*  
*Tsinghua University*

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Professor Ni's essay on the role of the family provides insights into Confucian ethics. Here I indicate four points. First, the proper approach to understanding Confucian ethics is through virtue theory, not deontology. Second, filial piety can be used as the pretext for grabbing egoism. Third, filial piety entails an equilibrium between private and public interests. Fourth, the reconstruction of the

three cardinal guides is necessary in modern society. I also point out two problems with the essay. First, the Confucian idea of marriage is based on the intergenerational relationship between parents and children, not romantic love between a man and a woman. Second, in practice, the strategy is important but the principle is fundamental.

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## Gongfu and the Family

*Xiao Si*  
*Independent Scholar*

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In this response essay, Xiaosi, the author of [Philosophy of Family], made five points in response to Ni Peimin's article, "The Way of the Family and the *Gongfu* of Regulating the Family."

1. *Gongfu* is indeed a philosophically significant concept that uniquely reflects the features of the Chinese Philosophical tradition. Ni's recent works that advocate this concept provide a valuable contribution to philosophy.
2. In his additional notes on *Gongfu*, Xiaosi points out that a sense of "enduring" or "lasting" and a sense of spending time in an accumulative fashion are two indispensable elements for an appropriate understanding of *Gongfu*.
3. Greek philosophy does not seem to be included in this concept, which is unfortunate.
4. *Gongfu* and familization may well be connected, each facilitating understanding of the other.
5. Xiaosi also made two criticisms against Ni Peimin's article.

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## Self-cultivation, Family-regulation, and Lunli

*Yu Kam Por*

*The Hong Kong Polytechnic University*

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This review essay is confined to two issues in Professor Ni Peimin's paper: (1) the relationship between self-cultivation and family-regulation; and (2) the difference between family-based ethics and *lunli*. First, it is argued that self-cultivation is a necessary, but not a sufficient, condition for family regulation. Neither is family regulation a necessary condition for self-cultivation. Even with the emphasis on the role and importance

of *gongfu*, self-cultivation is still not sufficient for family regulation. Second, it is argued that there is a big difference between family-based ethics and the Chinese concept of *lunli*, which is individual-centered and relation-based. The Chinese concept of *lunli* requires each individual to play his or her part, which can differ from person to person even within the family, rather than directing everyone to the same common goal, such as the well-being or harmony of the family.

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## Sentiment or Hope?

*Wang Xiaolin*

*City University of Hong Kong*

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This article proposes a different view from that offered by Professor Ni in "Regulating the Family and *Gongfu*." Professor Ni argues that the family forms the base from which a person's life can go beyond the individual self, obtain sacredness within the secular, and become immortal, in addition to providing the basis for social harmony. This article agrees

that the notion that family serves not only as a refuge in the secular life of Chinese Han people, but also as a sacred place in their soul, is a cultural phenomenon. At the same time, however, this article argues that adopting the family as the basis for rejuvenating our tradition is merely an unrealistic assumption.

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## ***Gongfu is Essential***

***Li Hongwen, and Cong Yali***  
*Peking University Health Science Center*

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Professor Ni's paper, "The Way of the Family and the *Gongfu* of Regulating the Family," tells us that the right way to regulate the family, the country, and the world relies on self-cultivation. Prof. Ni's insightful description indicates that there is a misunderstanding of "authority" and absolute obedience, and proposes a healthy way of understanding respect for authority as "helping those to grow well". Prof. Ni is confident of the advantages of the traditional family-centered life. In response to the

example regarding informed consent and family decision making, the authors comment that Professor Ni ultimately depends on the competent parent who can grasp the skill and art of "balance and right". How, though, can we expect and rely on such a person existing? This point is the main argument of this review. The Confucian notion of family embodies many functions, including the excellent core values of "love, trust, safety, etc.," but family cannot hold the responsibility for everything, including totally surrogate decision making.

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## **The Family: Crucial to and Divisive in Bioethics**

***H. Tristram Engelhardt, Jr.***  
*Rice University*

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The family is a socio-biological reality. Humans form socio-sexual pairs, which are often also reproductive units. How to characterize these social entities is a matter of considerable dispute, placing the family at the heart of cultural, social, and political disputes regarding the nature of appropriate law and public policy. Competing views of the family have important implications for healthcare policy and bioethics. On the one hand, there is an ontological-metaphysical account of the family, which appreciates the family as a normative social reality that, as far as possible, should be realized by particular families. This account brings with it pre-existing roles for husbands and wives, fathers,

mothers, and children. This view of the family tends to be multi-generational, looking back with respect and support to previous generations, while looking forward with love and concern to succeeding generations. This metaphysical-ontological view of the family is traditionally endorsed by Confucians and Christians. Because it regards the family as a normative socio-biological unit, it supports the autonomy and integrity of the family, treating members of the family somewhat as a state treats its citizens. This view of the family endorses family-based consent and policies of confidentiality in preference to individually oriented ones. It also favors forms of healthcare financing, such as family-

oriented health savings accounts, that increase both the financial and the social capital of the family. This approach to the family, which is inclined toward authoritarian and authoritative parenting, tends to produce children who are better able to shoulder their future roles as adults. Finally, this view of the family favors the begetting of children. The traditional view of the family is currently under critical pressure from libertarian/liberal construals of the family, which regard the family as the creation of its members and/or as guided by overriding concerns for individual liberty and equality. This view is at peace with reproduction outside of wedlock, with limited family responsibility and autonomy that undermines status obligations to past generations, and to the production and nurturing of future generations. Non-traditional forms of family, including

homosexual families, are accepted, if not affirmed. The libertarian/liberal construal of the family endorses individual, not family consent, for medical treatment. It also favors individually directed policies regarding confidentiality, and forms of financing that support the interests of individuals over those of families. Because of the account's endorsement of individual freedom and/or individual liberty, it requires that adolescents in many if not most circumstances should be allowed to make their own healthcare decisions, even in the face of mounting evidence that adolescents do not usually have the capacity of decision-makers who have come of age. The libertarian/liberal account of the family is at best neutral to the begetting of children. The differences between these two approaches to the family bear not only on healthcare policy and bioethics, but also on the long-term financial and social stability of society. Quite different futures are at stake.

## The Family and the Cultural Crisis of Bioethics

*Wang Jue*

*Huazhong University of Science and Technology*

The issue of the family has long been repressed and de-emphasized on the agenda of contemporary bioethics. In stark contrast, in his latest essay Engelhardt gives the family a central place in accounting for some profound social-political controversies in recent bioethical debates. The question therefore arises: what difference would it make to bioethics if we were to treat the family as a central and divisive issue in bioethics? This question helps us to assess the significance of Engelhardt's essay. In

this paper, I try to answer this question and also consider Engelhardt's essay from the perspective of cultural crisis. First, I argue that by bringing the family to the fore, Engelhardt is not concerned with one new item on the agenda of bioethics, but with an overall cultural crisis originating from the libertarian/liberal construal of family prevailing in the contemporary, secular, quasi-post-modern world. Second, I show that the mainstream Western bioethics proves to be part of this crisis, rather than its cure. Therefore, the

ultimate goal of Engelhardt's essay is to examine the limit and possibility of dominant Western bioethical discourse, with a view to honestly assessing the social, financial, and

moral costs involved in an increased presence of post-traditional families. Finally, following this line of thought, I suggest that an inter-cultural dialogue is the key to dealing with the crisis under discussion.

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## **Confucianism on Family Ethics and Ethical Issues: A Response to Professor T.H. Engelhardt**

*Lee Shui Chuen*  
*National Central University*

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In response to Engelhardt's emphasis of the status of family in the bioethics and culture war, I would argue that Confucianism takes the family as the basic social ethical unit, which circumscribes not only the individual's interpersonal responsibilities within the family, but also everyone's social and political relations at large. Family is both the starting point and the end point of one's life, hence we have responsibilities of filial piety to our parents and to nurture our children. Through mutual responsibilities, the family provides shelter, provisions, safety, loyalty, affection, and moral support for its members. Such an

ethical family provides the best education and balanced character development for the child, which leads to a prosperous and fruitful life. Hence, it is more than just to give the family the legal status in a family member's medical and bioethical decisions. Chinese traditional medical practice demands that physicians treat a patient and the patient's family as relatives with great empathy and affection. The ideal is a Confucian doctor. Bioethical and medical decisions are determined within the family in a harmonious fashion and to the greatest benefit of the patient.

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## **Informed Consent in Chinese Medical Practice: The Whole Family as a Decision-maker**

*Wang Mingxu, Ma Le, and Yuan Hui  
Xi'an Jiaotong University*

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H. Tristram Engelhardt indicates that the ontological or metaphysical account of the family is superior to the libertarian-liberal account of the family with respect to significant issues in bioethics. By appealing to the development of the concept of informed consent and relevant medical laws and institutions, illustrated by examples from

China, this essay supports Engelhardt's view and emphasizes the cultural and ethical importance of the family functioning as a whole in the process of proper medical decision making and the protection of the fundamental interest of the patient.

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## **The Ideal of the Family and Bioethics**

*Sun Muyi  
Southeast University*

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The family financial account provides a type of supplement to economic checks in developing societies, which further facilitates the reform of healthcare. The ontological/metaphysical family mode faces a challenge as the basis of the family financial account. The author focuses on the cooperation between humanitarian dedication and responsibilities, which are the solution to the family bioethics issue.

In contrast to this new form of family mode, the libertarian/ liberal account fits the postmodern culture better, with more emphasis on individual freedom, feminism, and equality of medical rights. At the same time, however,

it lacks an understanding of the solidarity and fraternity between generations. Hence, it is important to use "overlapping consensus" theory to mediate and balance the two types of family financial account. Moreover, the author uses the comparison and competition between the two accounts to address the differences between right and wrong, good and bad. He also points out the means to revise and improve in the process of practice.

Although this article does not take into account the problems in actual execution, his ideas about the future prospects for human health protection remain optimistic.



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## Engelhardt on the Family

*Li Hon Lam*  
*The Chinese University of Hong Kong*

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Tristram Engelhardt, Jr. offers erudite and compelling arguments for the view that all families should try to realize the traditional family. Although I tend to agree with him from a personal standpoint, I doubt that this view can be justified to those with whom we are in reasonable disagreement about the family. I make three critical points. First, although Engelhardt stops short of saying that the state should encourage people to form traditional families, or discourage those who do not, some state perfectionists might do so. From the perspective of public reason, it is unjust for the state to favor some conceptions of what is good over others, if these conceptions are all reasonable. Moreover, those whose

conceptions of the good are not favored will feel that they are disrespected. Second, insofar as Engelhardt thinks that all families should try to realize traditional families, the traditional family would not be perceived as good by those who do not like children. Moreover, it would be difficult to persuade those who have decided not to have children for reasons of career, burden, or more altruistic concerns. Third, against Engelhardt's stance against the "egalitarian aspirations" of liberalism, I argue that women too often sacrifice their possible careers for the sake of the family, even when they hold advanced degrees from prestigious universities, or professional qualifications. This kind of injustice is too uncomfortable to ignore.

# International Conference on “Waging Peace and Restraining War: East-West Dialogue”

The conference was held on August 22-23, 2013, which provides a very rare, but much needed opportunity for scholarly dialogue between 17 Chinese and Western scholars on the important topic of war and peace from different ethical-cultural perspectives.

It is a rare opportunity for civilian as well as military scholars, from China and from UK, USA to come together discussing urgent issues on war and peace. There are in-depth discussions and debates which compelled each author to re-think his or her argumentation. In the last session of the conference, a scholar from Oxford University proposed that we should put together a book which articulates Chinese warfare ethics for the world to know.

A book proposal which consists of selected papers of this conference has been accepted by Routledge for publication this year.



## Public Lecture: “It isn’t just for Catholics: Pope Francis and the Future of Catholic Social Ethics”

The lecture hosted by our Centre on 4 October 2013, was delivered by Prof. Dennis McCann, Director of the Case Studies Institute at the Center for International Business Ethics in Beijing. The following is the abstract of the lecture by Prof. McCann.

### Abstract:

The Catholic Church’s newly elected Pope is unusual for many reasons. He is the first Pope in more than a thousand years not to have been born in Europe, and he is the first Pope to choose the name Francis, in honor of the universally admired St. Francis of Assisi. His many symbolic gestures, both as archbishop of Buenos Aires, and now as bishop of Rome, suggest a personal style that gives real meaning to the idea of “solidarity with the oppressed,” including not only the impoverished masses living in the slums of major Latin American cities, but also atheists, sexual minorities and others who have been marginalized or ostracized by attitudes and practices previously sanctioned in traditionally Catholic cultures. Prof. McCann will discuss Pope Francis’ approach to the Papacy, and attempt to place it in the context of ongoing developments in the history of Catholic social teaching initiated by his predecessors, beginning with “good Pope” John XXIII who tried to bring some fresh air (aggiornamento) into the church by convening the Second Vatican Council (1963-1965).



# Third International Bioethics, Multiculturalism and Religion Workshop and Conference



The Conference jointly organized by the UNESCO Chair in Bioethics and Human Rights, the Department of Religion and Philosophy as well as two research centres, the Centre for Applied Ethics and the Centre for Sino-Christian Studies of Hong Kong Baptist University, was held in Hong Kong from December 3-5, 2013.

Doctors, lawyers, psychologists, philosophers and theologians from 7 religious traditions travelled from 13 different countries participated in the conference. Participants gathered to discuss the relationship between universal human rights and cultural diversity in life sciences, in a city consciously chosen to host the event in light of its long tradition of cultural and religious pluralism. The effort to discuss human rights in Hong Kong from a pluralistic perspective was a bold attempt to address a widespread concern that human rights talk, far from being the grounds for consensus, is actually a Western liberal imposition that does not respect the

communitarian perspective of Eastern cultural and the duty-based perspectives of traditional religions.

After a general session on the historic development of global bioethics, the diverse group participated in seven sessions dedicated the understanding of human rights in the traditions of Buddhism, Christianity, Confucianism, Daoism, Hinduism, Islam and Judaism.

Each session sought to promote dialogue among the various experts through a dynamic that included a half-hour presentation on human rights from an expert of the particular religious tradition, two brief prepared responses and an hour-long discussion open to any of the forty attendees.

A collection of the papers presented, revised in light of feedback received during the discussion periods, will be published in due course.

# International Conference on “Contemporary Military Ethics: A Chinese-Western Dialogue”

The conference was held on May 4-9, 2014, with 12 speakers from Mainland China, USA and UK. This is the first ever face to face dialogue between military ethics scholars of the PLA of China and the counterpart in USA and UK.

## Speakers:

- Dr. Edward T. BARRETT**, US Naval Academy, USA  
“Teaching the Western Just War Tradition at the U.S. Naval Academy”
- Dr. Jonathan CHAN**, Hong Kong Baptist University, HK  
“Contemporary Significance of Ancient Chinese Military Ethics”
- Prof. CHEN Fei**, PLA Nanjing Institute of Politics, China  
“Civilized Force”: Morality Image of Contemporary Chinese Army”
- Dr. Martin L. COOK**, US Naval War College, USA  
“Ethics and the Changing Nature of War”
- Prof. GU Zhiming**, Nanjing Institute of Politics of PLA, China  
“Military Morality in Contemporary Social Transformation”
- Prof. HOU Bin**, Air Force Logistics Academy, China  
“Contemporary Moral Conflicts of Army Man and Solutions”
- Prof. LO Ping Cheung**, Hong Kong Baptist University, HK  
“Four Snapshots of PLA Views on Just War”
- Prof. SHANG Wei**, PLA Academy of Military Science, China  
“Military Ethics in Sun Tzu’s *Art of War* and its Contemporary Significance”
- Prof. Sumner B. TWISS**, Florida State University, USA  
“Classical Confucianism, Punitive Expeditions, and Humanitarian Intervention”
- Dr. David WHETHAM**, King’s College, UK  
“Contemporary Conflict and the Challenges Posed for the Just War Tradition”
- Dr. George WILKES**, The University of Edinburgh, UK  
“Military Ethics and Attaining Peace: Professional Perspectives and Peacekeeping Obligations”
- Dr. Ellen Y. ZHANG**, Hong Kong Baptist University, HK  
“War Rhetoric: from Mao to Contemporary China”





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儒家傳統、知情同意與公正原則  
*Confucian Tradition, Informed Consent and Justice Principle*

本期編輯：張穎  
*Issue Editor: Ellen Zhang*

張穎 Ellen Zhang	導言：儒家傳統、知情同意與公正原則 Introduction: Confucian Tradition, Informed Consent and Justice Principle
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曹永福 Cao Yongfu	中國醫療保障代際公平的實現策略：論基於“愛有差等”的儒家家庭醫療儲蓄帳戶 Inter-Generational Equity in Healthcare: Family Savings Accounts Based on the Confucian Idea of “Love with Distinction”
程國斌 Cheng Guobin	醫在天官：中國古代醫學的知識論地位及其與道德的關係 Medicine in the Hands of Celestial Offices: Medical Epistemology in Ancient China and its Relation to Morality



《中外醫學哲學》  
International Journal of Chinese &  
Comparative Philosophy of Medicine  
Vol.11 No.2 2013

家庭與生命倫理  
*The Family and Bioethics*

本期編輯：范瑞平  
*Issue Editor: Fan Ruiping*

范瑞平 Fan Ruiping	前言：家破——人亡 Introduction
	主題論文： Theme Articles:
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恩格爾哈特 H. Tristram Engelhardt, Jr.	The Family: Crucial to and Divisive in Bioethics

# The Eighth Symposium on “Bioethics from Chinese Philosophical/ Religious Perspectives”

The Eighth Symposium on “Bioethics from Chinese Philosophical/ Religious Perspectives” will be held on 25-27 June 2014 in Chengde.

## 講員及題目

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- 孔祥金 中國傳統醫德的現代反思與借鑒
- 于建星 變革社會中的醫生身份認同及其職業精神重構 —— 一種對解決  
醫患緊張關係的道德哲學思考
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- 李久輝 醫學領域核心價值觀的探索研究和思考
- 邵永生 殺醫、鬧醫背後的倫理困境——醫改的境遇倫理分析
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- 李恩昌 提高醫學倫理學對衛生事業的貢獻率
- 王小燕 廣東醫學院的生命文化研究進展介紹



# 先秦諸子與戰爭倫理學術會議

## 徵文啟事

香港浸會大學應用倫理學研究中心與香港浸會大學饒宗頤國學院將於2014年12月9-11日共同主辦「先秦諸子與戰爭倫理學術研討會」。研討內容包括儒家與戰爭倫理、法家與戰爭倫理、道家與戰爭倫理、墨家與戰爭倫理、兵家與戰爭倫理、雜家與戰爭倫理、以及其他著作與戰爭倫理思想（如《春秋左傳》、《戰國策》）。研討會旨在以先秦諸子百家為例，透過對中國傳統文化的詮釋和建構，回應與反思當代戰爭與和平的倫理學議題。

香港浸會大學應用倫理學研究中心近年來一直致力於戰爭與和平倫理問題的研究，並多次主辦過該方面的國際學術會議，與來自西方及中國的專家學者共同探討戰爭倫理學的諸多議題，出版專著。香港浸會大學饒宗頤國學院自2013年初建院以來一直走在國學研究的最前沿，以弘揚中國文化為己任，並希望透過本次會議開創先秦諸子研究的新方向。

我們歡迎對這個研討會有興趣的學者和專家針對上述擬定主題投稿。研討會預計選出約20篇的論文於會議上發表及討論。會議之後主辦方會將論文送審，通過審查及經過修改的論文將會出版。會議期間大會為受邀發表論文者提供食宿，交通費則自理。

研討會語言為中文。論文字數約8000至12000，包括摘要、關鍵字、注釋及參考文獻。論文以原創性、未曾公開發表、無侵害他人著作權為要。來稿請提供姓名，並附工作單位、職稱、通訊地址、電話、電子郵件信箱。

### 論文繳交方式

- i. 聯絡人 : 蕭可欣
- ii. 電話 : (852) 3411 7274
- iii. 電子郵件 : cae@hkbu.edu.hk
- iv. 郵寄地址 : 香港九龍塘浸會大學應用倫理學研究中心
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會議學術委員會 : 羅秉祥、陳強立、張穎（應用倫理學研究中心）  
陳致、張宏生（饒宗頤國學院）

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**Director :** Professor LO Ping-cheung  
Centre for Applied Ethics  
Hong Kong Baptist University  
Kowloon Tong, Hong Kong

**Tel:** (852) 3411-7274

**Fax:** (852) 3411-5151

**E-mail:** [cae@hkbu.edu.hk](mailto:cae@hkbu.edu.hk)

**Web:** <http://cae.hkbu.edu.hk>

## **Editorial Board**

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**CENTRE FOR APPLIED ETHICS  
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