

On “Humane Love” and “Kinship Love”

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I am honored to be asked to comment on the fine essays by LIU Qingping and GUO Qiyong (Liu 2007; Guo 2007). They are obviously both deep thinkers with serious moral commitments. I find myself closer to agreement with Guo, and so I will have more to say about Liu’s work. Regarding Guo’s thoughtful and scholarly position, I will simply note that I personally view the relationship between Kongzi, Mengzi, and ZHU Xi as analogous to the relationship between Plato, Augustine, and Thomas Aquinas. Each figure influences or is influenced by the others, and each is worthy of serious study. However, they present positions that are distinct, and we should be cautious that we are not projecting the worldview of one onto another (see Van Norden 2007: 23–29 and 323–325; Ivanhoe 2000.).

Turning to Liu, he claims that Confucianism regards “kinship love for one’s relatives” as more foundational than “humane love for other people in general.” Hence, “kinship love” categorically overrides “humane love” when the two conflict. In contrast, Liu advocates a “Post-Confucian” position, in which “humane love” is foundational, and categorically overrides “kinship love” when the two conflict. I will argue, first, that Liu’s own position has extremely counterintuitive consequences, and, second, that Confucians can reject a categorical emphasis of kinship love over humane love.

Consider two concrete examples. (1) President John F. Kennedy appointed his brother, Robert Kennedy, attorney general. (2) President Bill Clinton appointed his wife, Hillary Clinton, to chair the Task Force on National Health Care Reform. Several things are striking about each case. First, it seems that some sort of favoritism is involved. Robert Kennedy and Hillary Clinton were both attorneys with professional experience that made them at least minimally qualified for these positions. However, there is no particular reason to believe that either would have stood out as especially strong candidates for their respective posts if some other Democratic candidate had won the White House. Second, Confucianism cannot be “blamed” for what these US Presidents did. *Guanxi* 關係 is a Chinese term, but it refers to something that is operative in Western politics, business, and

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(dare I say it) academia as well. Third, and most importantly, I think most of us have the intuition that there is nothing “corrupt” or immoral about what Presidents Kennedy or Clinton did in these cases. However, Liu would have to say that these actions intrinsically “harmed the public welfare and rightful interests of the masses” (Liu 2007: 10).

Of course, these cases are very different in an important respect from Shun giving his brother Xiang a stipend and even a nominal position (*Mengzi* 5A3). Hillary Clinton and Robert Kennedy were at least competent. Xiang was positively evil. So according to Liu, what Shun did was *worse* than what Presidents Kennedy or Clinton did. However, Liu’s position seems to be that, when it comes to matters of “public affairs,” it is categorically immoral to even take into consideration familial relations as one factor in making a decision. In a nutshell: Liu’s position entails that Presidents Kennedy and Clinton did something positively immoral in giving even slight preference to their competent relatives for official positions, and this is a counterintuitive conclusion.

Now consider the famous case of the son who turned in his father for stealing a sheep (*Analects* 13.18). Liu holds that the Duke of She was correct in praising the son for his “Uprightness.” However, how should the son feel about what he has done? (Keep in mind that, in Kongzi’s era, the primary owners of sheep were the extremely wealthy, and the punishment for stealing is likely to have been, at the least, permanently tattooing “thief” on the criminal’s face or amputating his foot or hand). It seems to me that any position like that of Liu faces a dilemma: either the son should feel remorse over his actions or not. (1) Perhaps Liu will say that the son should not feel remorse over his own actions. He may certainly feel remorse about what his father has done, and about the suffering that his father will undergo, but it would be irrational to feel remorse over his own actions, since he has done nothing wrong. By way of analogy, if I have good reason for getting divorced, but I feel guilty about getting the divorce, surely my friends would be quick to tell me that I should not feel that way, because I have done nothing wrong. However, what would we think of a son who turned in his father to the authorities to be disfigured or maimed yet felt no guilt, shame, or remorse over his own actions? Most of us share the Mengzian intuition that such a person would be “not human.”

I think Liu would actually reject this first horn of the dilemma. He acknowledges that people should love their own parents more than strangers (Liu 2007: 15). Consequently, I think (2) Liu will say that the son would (and should) feel remorse over what he has done. However, this leads to another paradox. Liu seems to be saying that (when it comes to public affairs) we ought to feel remorse when we act against the interests of our relatives, but this remorse is irrelevant to the issue of what we ought to do. Yet how can it be true, for a particular case, that both (a) our feelings of remorse about our actions are justified, yet (b) our feelings of remorse do not reflect any relevant moral properties of our actions?

Perhaps Liu will admit that the son’s feelings of remorse *are* justified and *do* reflect a relevant moral property of the action. Perhaps the son is caught in a moral dilemma because he ought to turn in his father, but it is also bad to turn over one’s own father to the authorities. However, Liu’s position does not allow him to say this. There can be a moral dilemma only if one is caught between two genuine obligations. Yet according to Liu, the son’s only genuine obligation is to turn in a criminal (he suggests this is the “essence” of the situation [Liu 2007: 6]); the fact that the criminal is his father is morally irrelevant (it is merely an “accidental property” of the situation). If Liu admits that the son’s action has something genuinely “bad” about it, I do not see how he can rule out the possibility of situations in which humane love, if considered in isolation, would require one to do X (e.g., turning in a thief, who merely happens to be one’s father) but X would harm one’s relative so much (e.g., causing one’s father permanent bodily harm) and benefit strangers so little (e.g.,

giving satisfaction to a wealthy landowner who has lost a single sheep from his flock) that the intuitively right action is to not do X.¹

Here are two more examples, one hypothetical and one actual. (3) Suppose I discover that one of my brothers was a member of a radical political organization in the 1960s. (Anyone who has met my gentle siblings will find this immensely amusing). This brother is now a productive member of society, with a good job and happy family. However, in his radical days, he was responsible for a politically motivated bombing that killed an innocent person. According to Liu’s position, my moral choice is simple and unambiguous: I should call the FBI and turn my brother in. Speaking as a Confucian, my reaction would be different. I would confront my brother with what I had discovered, and ask him to explain to me what he had done, why he had done it, whether he regretted it, whether he had tried to make amends for what he had done, and (most importantly) whether he could ever imagine himself doing anything like that again. As long as I left that conversation confident that my brother was no longer a threat to anyone, I would take the secret to my grave. I believe my approach to this situation is the same that Mengzi suggested Shun would follow if his father committed a murder (*Mengzi* 7A35). In both cases, a murderer is protected from prosecution, but there is no further danger to other people. In my example, this is because the brother has reformed; in Mengzi’s example, this is because Shun would go into self-exile with his father, away from civilization. Now, Liu condemns Shun’s hypothetical action as “seriously unfair” (Liu 2007: 10), so he would presumably say the same about my own. However, I think most people would share my intuition about the right way to deal with the situation I describe.

(4) Theodore Kaczynski, the “Unabomber,” evaded an intensive search by the FBI for almost 20 years, during which he sent 16 bombs that injured 23 people and killed three others. He was only captured because his brother, David, recognized who he was and turned him in. I have no doubt that all of the great Confucians from Kongzi himself on would applaud David’s actions, because the situation is significantly different from the case of Shun’s father. David could hardly carry his brother off to a place where he could not hurt anyone. (In fact, the Unabomber was already living alone in the wilderness). The Unabomber was a continuing threat to others.

David felt that he had to turn in his brother, but he has also said that he felt a conflicting obligation to protect his brother (Again, on Liu’s position, David should not have felt *morally* conflicted, because he had one and only one obligation in this case). David also did two things that are very Confucian in spirit. First, he asked for an assurance from the FBI that they would not seek the death penalty against his brother. (The government promised this, but then went back on its word. Nonetheless, the Unabomber was eventually sentenced to life in prison). Second, he donated the reward he received for the Unabomber’s capture to the surviving victims and their families.

The general weakness of Liu’s Post-Confucianism stems from the fact that he wishes to “lexically order” humane love and kinship love (to borrow a phrase from John Rawls). Liu thinks humane loves always categorically trumps any and all considerations of kinship love, so that kinship love is morally irrelevant in cases where the two conflict. However, this does not do justice to our strong intuition that kinship relations have at least some weight in any situation in which they occur. If kinship love does have some weight, we cannot rule out cases in which it will outweigh considerations of humane love, and lead to actions contrary to that dictated by humane love alone. Perhaps I have misunderstood Liu, though,

¹ My argument here is deeply influenced by Mengzi’s argument against the Mohist Yizhi in 3A5 and Stocker 1976. See also Van Norden 2007: 301–312.

or perhaps he will reply that Confucianism is equally implausible because it “lexically orders” kinship love and humane love in the opposite direction. However, I do not believe that this is correct as a generalization. For me, it is a strength of Confucianism that it asks us to cultivate the wisdom (*zhi* 智) to weigh (*quan* 權) the various competing considerations we often face in real-life ethical situations (e.g., *Mengzi* 4A17, 6B1, 7A26).

Furthermore, I disagree with the claim that there is “no textual evidence” (Liu 2007: 11) that Mengzi believed obedience to one’s parents can be overridden. In fact, Mengzi gives two examples of Shun acting against the wishes of his parents in 5A2. To begin with an example so obvious that it is easy to overlook, Shun’s parents wanted him dead, but he kept resisting! I think self-preservation can be seen as a manifestation of humane love as applied to oneself. However, even if Mengzi thought of Shun as motivated by some other principle, it shows that there is *something* in Mengzi’s Confucianism that can trump kinship love. If there were not, Shun would simply have given his parents what they wanted and allowed himself to die. From the same passage, we learn that Shun got married against the wishes of his parents. Mengzi’s defense of Shun’s action is open to interpretation, but it is not obvious to me that it is based upon kinship love.

Let’s also look again at Mengzi’s praise of the sage Yu, who was so intent on doing public service that he was “away from home for eight years, and thrice passed his door without entering” (*Mengzi* 3A4). Furthermore, if it is true that Yu’s father was Gun, then Yu served a ruler who had his own father executed (*Mengzi* 5A3). Yu certainly seems to be someone who allowed public exigencies to outweigh familial commitments in some cases. Liu tries to dismiss the example of Yu by noting that Mengzi praises Shun more than Yu (Liu 2007: 5). This is an inadequate response, though, because if Liu were correct about Confucianism being committed to the absolute supremacy of kinship love over everything else, then Mengzi should not merely temper his praise of Yu, but actually condemn Yu as vicious and immoral.

I shall close with two observations. First, Liu states that Christians “insist that non-Christians... should be hated” (Liu 2007: 13n15). It is true that some so-called Christians have misappropriated Christian teachings to preach hatred. However, every influential movement has been misused for bad purposes at some point. For example, evolutionary theory has been misinterpreted to serve as the basis for pseudo-scientific racism (see Hofstadter 1992). However, I doubt that Liu would therefore globally condemn advocates of evolution as “insisting on racism.”

Second, I wholeheartedly agree with Liu that, to honor Confucianism as a living tradition, we must critically examine it to expose and correct its flaws. (As Kongzi himself asked, “Can you be loyal to someone yet not instruct him?” [*Analects* 14.7]) Every great philosophical system must evolve over time in order to maintain its relevance and incorporate new insights. In particular, I have argued for a “Pluralistic Confucianism” that recognizes the great variety of forms a good life can take. It is thus less narrow than traditional Confucianism (or Aristotelianism), but also avoids the vacuity of ethical relativism. Pluralistic Confucianism advocates fallibilism rather than epistemological optimism. However, it also rejects a disabling skepticism. Pluralistic Confucianism preserves the insight that virtues are necessary for the flourishing of both the individual and the community, but it also recognizes the need for rules and procedural justice (see Van Norden 2007: 325–337). However, perhaps I am stating things that the Post-Confucian Liu and the New Confucian Guo already agree with. In any case, I look forward to reading more by these two distinguished philosophers and learning from their insights.

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