

A Confucian View of Personhood and Bioethics

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Abstract This paper focuses on Confucian formulations of personhood and the implications they may have for bioethics and medical practice. We discuss how an appreciation of the Confucian concept of personhood can provide insights into the practice of informed consent and, in particular, the role of family members and physicians in medical decision-making in societies influenced by Confucian culture. We suggest that Western notions of informed consent appear ethically misguided when viewed from a Confucian perspective.

Keywords Confucianism · Bioethics · Informed consent · Personhood · Public policy

Introduction

Confucianism has dominated Chinese thought and influenced other cultures around the Pacific Rim for more than two thousand years. Despite dramatic changes in this part of the world during the last fifty years, Confucianism continues to have an immense impact on people's lives and healthcare choices [1]. In this paper we provide an account of Confucian

understandings of personhood and consider the formulation and practice of informed consent in light of this.

It is not easy to summarize Confucianism in such a way that it can be applied to contemporary bioethical issues. Indeed, to attempt to do so runs the risk of oversimplifying and even distorting the complexities, interpretations and controversies in Confucian thought. Given this, we do not attempt to provide a unitary notion of Confucian personhood. Rather, we offer a coherent Confucian view of personhood that draws upon classical Confucian texts as well as contemporary Confucian thought. In particular, we distinguish Confucian ideas regarding personhood by comparing them with contemporary Western individualist understandings of personhood. This comparison is not made in order to argue for the superiority of the Confucian view of personhood but rather to provide the reader with an alternative to dominant Western perspectives of the human person – an alternative that is grounded in a comprehensive religious, cultural and moral tradition and practised by many East Asian people.

Confucianism is a much misunderstood term. Confucius (551–479 BCE) is often believed to be the founder of a religion or school of thought called 'Confucianism'. In fact Confucius was not a creator in any religious sense, but a transmitter of the ancient Chinese culture marked by a family-oriented ritual system called *li*, which Confucius ingeniously reconstructed in terms of fundamental human virtue, or *de*. By the time Confucius lived, China already had

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thousands of years of civilization, from the golden age of the sage-kings, Yao and Shun (around twenty-fourth to twenty-third century BCE), to the Xia (twenty-first to sixteenth century BCE), Shang (sixteenth to eleventh century BCE) and Zhou (eleventh to third century BCE) dynasties. King Wen and his brother Duke Zhou, founders of the Zhou Dynasty, laid the foundations for a government of virtue and refined the ritual system. *Li*, which originally identified holy rituals or sacrificial ceremonies, was used by the Zhou Chinese in a more metaphorical sense to refer to appropriate patterns of human behaviour, including the rites, rituals, ceremonies, manners, etiquette and customs that served to regulate human relationships and create the possibility of a harmonious society. As well as regulating behaviour, *li* also had a sociopolitical function. The kingdom of China was divided into a large number of states, each governed by a duke, a close relative of the King, who was regarded as the ‘Son of Heaven’ (the bearer of the Decree of Heaven).

By Confucius’s time, the system of *li* was disintegrating. States waged war against each other; dukes and lords betrayed the king and each other in a grasp for power and wealth, and China became wracked by lawlessness, corruption, moral degeneration and social chaos [2: 4–7]. Concerned for the future of the Dynasty, a dozen of the greatest minds China had ever produced were engaged to reflect on the nature of human civilization and to seek solutions to its contemporary difficulties. Confucius was among those selected. In essence, he taught people (especially the dukes) to return to the ritual system because, as he saw it, this system manifested a fundamental human virtue: the necessity to love one another and fulfil human nature. While Confucius did not succeed during his lifetime, he proved to be the most influential thinker in Chinese history.

In this paper we contrast the Confucian vision of personhood with contemporary, Western perspectives of the human person and consider the implications of Confucian views of the person for issues in bioethics. This is an important task because questions about the definition, characterization and assessment of personhood are fundamental concerns in bioethics. Personhood is put forward as a means by which one can assess moral status and determine whether certain entities, such as the human embryo, foetus, infant or comatose patient should be accorded the moral status

of a person and so be ‘owed’ certain rights. Accordingly, different understandings of personhood often lead to different normative responses to a range of bioethical issues, including abortion, euthanasia, embryo experimentation, cloning and decision-making in health care.

This paper considers the implications of a Confucian perspective on personhood for the theory and practice of informed consent. Our discussion is based primarily on the teachings of the two most important early Confucian Masters, Confucius (551–479 BCE) and Mencius (391–308 BCE) from the Chinese pre-Qin period (covered in the *Analects* [3] and *Mencius* [4]). Where relevant we make reference to other Confucian classics [5–8]. We argue that Confucian ethics and Confucian constructions of personhood can make a unique and significant contribution to the understanding of consent. We do not contend that the ethical insights advanced by Confucianism are completely alien to Western thought, or that Confucian ethics cannot be understood through the normative approaches developed in Western philosophy. Rather, we suggest that Confucian formulations of personhood are different to Anglo-American constructions of personhood because the former advance a particular way of life, and particular ethical values, and because they attach enormous significance to the social world and to the role of the family. Ultimately, we conclude that when seen from a Confucian perspective, the standard Western practice of informed consent appears ethically misguided. While many may disagree with this conclusion, there can be little doubt that Confucianism provides a significant alternative to conventional bioethics and that this is an intellectual and cultural vision worth learning and exploring.

A Confucian Conception of Personhood

Confucian thought can properly be considered as a version of virtue-based ethics [9–10]. Through their reflections on human nature, Confucians advance a specific vision of human flourishing, and ask how human beings should cultivate virtue (*de*) – power – that both manifests and promotes human flourishing. According to Confucian thought, human beings are distinguished from other animals by the potential to flourish and refine and perfect their character by cultivating their virtues through commitment to a

Confucian way of life. Living a ‘Confucian’ life involves a life-long process of learning through reflection on, and exercise of, virtue. Confucianism advises that people must develop and actualize their potential if they are to flourish or mark themselves from other animals. Indeed, if people do not cultivate moral virtue then they are little different to animals as they merely have endowed potential [4: 179]. To construct a Confucian conception of personhood, therefore, we must begin with a discussion of Confucian insights into human nature, cultivation of virtue, and human flourishing.

Confucians posit that human beings are, by nature, social, interdependent, and related to each other from the moment of birth. They are also endowed by Heaven (*tian* – a Confucian metaphysical concept of ultimate reality which in a broad sense may appropriately be understood as the source of morality and human lives) to have an inherent urge for social relatedness. Accordingly, for Confucianism, a significant attribute of the ‘good life’ – or for that matter, a characteristic of the ‘good, or exemplary person’ (*junzi*) – is the harmony (*he*) that enables one to relate to others in a benevolent and joyful manner by conducting oneself in accordance with the proper types of human relations in which one is situated. A sage, as Mencius points out, is one who has a keen insight into human relations and perfect practice of them [4: 179, 3: 151–153], and a sage king is one who governs his empire by teaching his people appropriate human relationships in addition to taking care of their livelihood [4: 111–121]. For Mencius, anyone can become a *junzi* through cultivation of moral virtue as everyone is endowed with the potential for human flourishing [4: 265]. Yet, few become *junzi* because most people give insufficient attention to virtue cultivation and/or fail to gain insight into their nature. For this reason, it is critically important that society is hierarchically structured so that people may follow the examples of sage and *junzi*. Indeed, as will be shown below, while the cultivation of virtue is primarily concerned with self-improvement and the perfection of one’s own character, in Confucian society the cultivation and actualisation of virtue can only be realized in proper relational or social contexts.

Two social institutions are particularly salient for Confucian ideas about the cultivation of virtue: the family (*jia*) and the rites (*li*). Confucians consider the

family to be the most fundamental social structure and the one upon which all other social institutions are based or modelled. Five basic types of human relations are identified in Confucian tradition: parent–child, sibling, husband–wife, ruler–minister and friendship. Note that three of these are familial relations. Moreover, the first two familial relations are also prototypes for the last two, non-familial relations.

In the Confucian view, the family provides the context in which individuals commence their life-long process of personal growth and cultivation of virtue. For not only is each of us born into familial relations, we are also born with natural familial affections (*qin*). In particular, Confucians observe that there are strong mutual affections embedded in the parent–child relation. This most natural form of love is a ‘good’ endowed in every person. One does not have to learn to acquire it, though one must cultivate it so that it can be properly manifested in other human relations [4: 291–293]. Consequently, filial piety (*xiao*), is considered to be the root of the perfect and encompassing Confucian virtue, benevolence or humaneness (*ren*) [3: 3].

Ren is the complete, perfect or cardinal virtue in Confucianism. It describes both Confucian concepts of humanity and the character of the Confucian ideal person. All other, more narrowly defined virtues can, in a sense, be subsumed under *ren* [11]. While Confucius explicates *ren* in various ways in different contexts, a widely recognized meaning of *ren* is ‘to love your fellow men’ [3: 117]. Likewise, Mencius also states that ‘the benevolent man loves others’ [4: 185]. The Confucian conception of *ren*, however, is not a doctrine of universal love that requires one to love everyone equally. On the contrary, Confucians contend that such egalitarian love is untenable because it is an ethical enterprise without a solid foundation [4: 139–143]. Indeed, it is a common Confucian observation that although mankind is naturally endowed with a sense of compassion which allows us to sympathize with one another, our ability to do so varies according to the subject. We are, for example, naturally inclined to feel more strongly about those who are close to us, especially our family members. This, according to the Confucian world view, is consistent with the fact that one’s sense of compassion for others is founded upon one’s cultivation of *ren*, a process that begins in the family home. Indeed, in the Confucian view, it is first by reciprocating the love that we receive from those close to us

(i.e., our parents) that we can eventually come to love others that are distant from us.

In Confucianism, family life is central to the good life. This is because the family is where we first experience love and care, and where we have our various needs met. Confucians hold that we must first reciprocate the affection of our close family members, particularly our parents, before we can extend love or care to others outside our family, who we should consider as our distant relatives in the family of mankind. Thus Confucius reminds us that we must devote our efforts to the root of virtue if we are to become a real person [3: 3, 7], and he clearly pinpoints that being filially pious (to our parents) and fraternally reverent (to our siblings) is the root of virtue [3: 3, 3: 165–167, 4]. And for Mencius, ‘there are no young children who do not naturally love their parents, and when they grow up will not respect their elder brothers. Loving one’s parents is benevolence (*ren*); respecting one’s elders is rightness. What is to be done is simply the extension of these to the whole Empire’ [4: 291–193]. Specifically, we should ‘treat the aged of our own family in a manner befitting their venerable age and extend this treatment to the aged of other families; treat our own young in a manner befitting their tender age and extend this to the young of other families’ [4: 19]. Thus, the family is not only where individuals start to cultivate virtue: it is also the primary context where individuals manifest it. One’s family members are the key co-authors of one’s character and life because the proper reciprocations entailed in one’s familial relations are fundamental for the cultivation of one’s virtue.

The second institution that Confucian teachings place substantial emphasis on in relation to personal cultivation is *li*, which is often translated as ‘rite’, ‘ritual’, or ‘ceremony’. As discussed above, a *junzi* is benevolent to everyone, but not in an undifferentiated or egalitarian manner. Instead, one should manifest the general virtue of *ren* in the specific virtues that are appropriate to proper human relations [7: 379–380]. Confucian *li* consists of the behavioural patterns that embody the accumulated insights of the ancient sages on the way of humanity (*ren dao*, i.e., the manner in which individuals should conduct themselves in different human relations) that is ultimately laid down by the ‘Way of Heaven’ (*tian Dao*). Hence Confucius teaches that to be *ren*, one has ‘to return to the

observance of the rites through overcoming selfish passions’ [3: 109]. Ritual practice is therefore valued for the harmony that it brings forth in human relations and activities [3: 7]. The harmony entailed in *li* is not arbitrarily imposed, but an extension from the Heavenly natural order to human social order through the sages’ insights. Thus, a society civilized by *li* is characterized not only by a harmonious social order but also by members who come to prove their distinctive worth as human beings by actualizing their noble nature endowed by Heaven. The result is a harmonious unity not only between men but also between man and the Universe.

As a social institution, *li* achieves a harmonious social order by regulating how individuals should interact. It lays down the duties and obligations that individuals should fulfill given their social roles. While *li* certainly has religious connotations, to a large extent it provides a guide to behavioural norms and moral standards against which one may gauge one’s own moral development. It is through the practice of *li* that individuals in a Confucian society understand their moral and social status and receive social and moral guidance. For as people acknowledge and discharge their duties and obligations, they also know what they can expect from those with whom they interact. And depending on how well individuals perform their social roles, they can expect different degrees of moral appreciation and condemnation. Hence Confucius holds that ‘let father be indeed father, and the son son; let the elder brother be indeed elder brother, and the young brother younger brother; let the husband be indeed husband, and the wife wife; – then will the family be in its normal state. Bring the family to that state, and all under heaven will be established’ [6: 242].

It is important to note, however, that the practice of *li* is not concerned primarily with guiding conduct for the sake of maintaining social order but with the cultivation and performance of virtue. And these virtues, in turn, require not simply that individuals perform the duties and obligations stipulated in *li*, but that they manifest proper attitudes in the conduct of *li*, without which *li* would be merely empty performance [3: 19]. For example, to fulfil the filial duty to serve one’s parents, simply meeting their daily needs is insufficient. Reverence (*jing*) must also be shown [3: 13]. In other words, while cultivation of virtue requires one to internalize *li*, the internalization of *li*

is possible only if one engages in *li* sincerely. In this way, it is when one becomes able to act as one desires, and yet does so without transgressing *li*, that one can say that one's character is fully cultivated. This is also the point at which one can enjoy harmonious relations with others without any discord in one's own mind. Accordingly, a virtuous person appreciates that whereas virtue is the essence of *li*, *li* is the way by which virtue is manifested and actualized. (Notwithstanding the fact that Confucius teaches that returning to *li* is the way to *ren*, he also reminds us to ask 'what can a man do with the rites who is not benevolent?' [3: 19].)

A Confucian person is, therefore, someone who continuously seeks to develop their character, their moral virtues, by practising *li* [12]. The Confucian notion of personhood thus places great emphasis on people leading the 'proper' life by properly engaging in the various social roles. Specifically, a Confucian person can be characterized as a dynamic social being – as someone engaged in social relations in general and in family relations in particular [13–16], and as someone who is able to learn and practice *li*, in the pursuit of moral development.

How Is This Confucian Conception Unique?

The uniqueness of this Confucian conception of personhood can be shown by comparing it to modern Western conceptions of personhood. In essence, the Confucian understanding of persons is much more 'thick' and much less 'extreme' than the modern Western notions of persons. The latter are generally characterized by collections of 'standards' by which we can judge whether an organism is a person. As summarized by Brody and Engelhardt, these standards include the standards of species (persons are those organisms who are members of the human species); potentiality (a person is an entity that has the potentiality of possessing crucial features of a normal adult human); sentience (all creatures who experience sensations, such as pleasure and pain, are persons); brain or heart function (a person is an entity with a functioning brain or heart, depending on whether the brain-death criterion or the heart-death criterion is employed), and awareness of the self as a continuing entity (a person is such an entity who possesses at some time the concept of itself as a continuing self)

[17]. Importantly, each of these standards is concerned with characteristics of the individual and is not concerned with relational conditions of human persons. The standards also tend to share – and even proceed from – a common moral assumption: that a person is a being who possesses the right to life, or who may claim that right. This emphasis on rights directs the way in which Western scholars address issues around personhood and makes personhood something that, for any given individual, exists completely or not all. According to such Western constructions of personhood, a person is therefore primarily a right holder, as it is this that prevents others from standing in the way of one's personal decision making on a wide range of issues, including the specific way of life that one wants to pursue. It is clear, therefore, that the Western 'person' can be typically characterized as rational, independent and self-determining [15].

By contrast, the Confucian conception of personhood is relational, developmental, and virtue-based. It is virtue-based in the sense that the Confucian understanding of personhood is grounded in primary human virtues and in the commitment to a Confucian life which emphasizes the cultivation of virtue and the importance of human flourishing. In Confucianism there is no question as to what constitutes the 'good life': it is the life which enables the noble aspect of human nature to flourish. One cannot choose for oneself what constitutes the 'good life', that much is clear; the only choice to be made is whether to commit oneself to leading the good life by cultivating virtue. This is a rich conception of personhood because it advances the idea that a person lives a specific way of life by following *li*. According to this idea, human individuals have to continuously prove that they are 'worthy' of the status by appropriately cultivating their character at each stage of their life. But while every person should strive to become the ideal person (*junzi*), simply possessing virtue is not the only consideration that distinguishes one as a person in Confucian thought. This is because participation in human relations and *li* are constitutive of the cultivation of virtue. They are also central to notions of Confucian personhood. This is critically important because it means that individuals who may sometimes be excluded from moral concern, such as infants, count as human persons in Confucianism.

In this sense, the Confucian conception of personhood is quite inclusive as it holds that every human being is born with a seed of virtue and with family membership, regardless of gender or age. Accordingly, newborns are accorded the moral status of personhood precisely because they are valued members of their families and because of their potential to become *junzi*. And while newborns may be incapable of fulfilling any obligations to their parents or siblings, by appealing to their parents' love and care and by expressing their affection to their parents and siblings even in a very rudimentary, non-verbal way, they are already participating in the relevant *li* and already contributing to the development of their parents' virtue by cultivating in them the virtue of kindness. And receiving love and care from their parents also contributes importantly to their own character development, as it provides an impetus for them to actualize their potential to cultivate the virtue of filial piety as well as the perfect virtue of *ren* in their subsequent stages of life.

It is important to be clear of the following, however: it is not the case that all people are 'worthy' of the same level of personhood as well as the same moral status simply by virtue of their shared natural endowments. For moral development is a major feature of the Confucian conception of personhood, and the natural endowments are significant largely because individuals can cultivate them. Thus, those who are committed to Confucian ethics are constantly engaged in the process of actualizing their potential to perfect their character and they must attain the stages of moral development appropriate to their social roles in order to prove that they are successfully cultivating their moral virtue, and are thereby worthy of their special status. Confucius discerns that, 'men are close to one another by nature. They drift apart through behaviour that is constantly repeated' [3: 171]. Hence whereas people in the early stages of their life may have comparable moral status due to their similar personal qualities, as time passes and they put different effort in to the practice of *li* and to the extension of their benevolence to larger social circles, they are accorded different moral status in line with their moral achievements.

Thus as individuals progress beyond the early stages of life, possessing virtue becomes an increasingly important attribute for determining the 'value' of their personhood. Confucius remarks that, 'it is

fitting that we should hold the young in awe. How do we know that the generations to come will not be the equal of the present? Only when a man reaches the age of forty or fifty without distinguishing himself in any way can one say, I suppose, that he does not deserve to be held in awe' [3: 83]. In short, according to Confucian ideas of the developmental sense of personhood, moral status should be conferred differently on those who have proven their personhood to different degrees. And this process of becoming a person is a gradual one that requires a persistent commitment to lead a particular way of life in which individuals have to fulfil various duties and obligations at different stages of their life.

Finally, unlike Western constructions of personhood, the Confucian conception of personhood is relational in the sense that one's close family members are taken to be the co-authors of one's life by virtue of their common ritual practices and their shared contribution to decision-making. Thus it is recognised that important individual decisions, such as decisions about health care, have impacts not only upon the individual but upon the entire family. Confucian conceptions of personhood remind us, therefore, that when reflecting upon issues or decisions of ethical significance, we should consider the impact of such decisions on the 'good life' shared by the family and take into account the importance of family life and interpersonal relations. Medical decision making should, therefore, where possible, give due recognition to the duties and obligations that people have arising from their familial and social roles and acknowledge the importance of performing their *li*.

The Confucian Practice of Informed Consent

Contemporary Western understandings of informed consent are founded on a conception of personhood that is significantly different from that in Confucian ethics. Consent represents the practical manifestation of respect for patient autonomy, i.e. that competent patients should have control over their own bodies and medical procedures should be performed on them only with their consent. In this regard, consent gives primacy to the wishes of the patient rather than the expertise of the physician [18]. Consent requires that physicians disclose sufficient information about diag-

nosis, prognosis and therapy to patients (or their surrogates) so that the latter are able to make decisions about their medical care that are consistent with their own values, needs and preferences. Consent demands also that physicians ascertain whether their patients understand the information they are given, and that they are mindful of the need to avoid inappropriately influencing their patient's decisions. This construction of informed consent assumes that competent adults are equal to and independent from one another and have the 'right' to self-determination in matters relating to their own health care, and that their decisions should generally be accepted by their physician, even when the physician may disagree with the patient's judgment. Where physicians have serious concerns regarding a patient's decision they may seek either to prove that the patient is incompetent (thereby excluding them from the moral category of 'persons') or choose to withdraw from their professional relationship with the patient. This formulation of consent therefore reinforces the idea that the physician–patient relationship is contractual in nature, that is, founded on an acknowledgment of the rights of each party and the need for these parties to exchange 'goods' between them with their mutual consent.

From a Confucian perspective, the Western doctrine of informed consent is culturally and ethically inappropriate, and it is no surprise that studies consistently show that Western practices of consent are uncommon in societies which are still very much under the influence of Confucian culture [19–22]. There are a number of reasons why this is the case. First, the Western doctrine of informed consent has no regard for the significance of virtue in the practice of medicine. On the contrary, it threatens to undercut virtue by reducing the physician–patient relation to a contractual relationship in which healthcare is a 'good' that may be exchanged according to the choices of the patient and physician. Second, it undermines the traditional understanding that personal concern for the wellbeing of one's patients is a highly important virtue that medical professionals should be encouraged to cultivate. Third, according to Western notions, consent is primarily a process involving the patient and physician, with other individuals and social institutions, such as the courts and hospitals, becoming involved only where their interests are at stake or where there is conflict between the patient and

physician. The family, by contrast, is largely excluded from the consent process and becomes involved only with the explicit consent of the patient.

Confucian perspectives on informed consent accord a much larger role both to the family and to the physician. In the Confucian tradition, physicians have high social and moral status because they are well-cultivated persons. The practice of medicine is regarded as an 'art of *ren*' (*yi nai ren shu*) [23, 24]. Consequently, in addition to gaining expertise in the skills and knowledge necessary to practise medicine, Confucian physicians must also cultivate themselves as a '*ren* practitioner of the art of *ren*' (*ren sin ren shu*). The virtue of *ren* is central to the practice of medicine because the physician's primary concern is not the treatment of diseases and disorders so much as the care of patients who suffer from them. This means that physicians have a particularly important relationship with their patients. Specifically, physicians are expected to have the heart of a parent (*yi zhe fu mu xin*), such that the physician–patient relationship is an approximation of the parent–child relationship in the healthcare context. Accordingly, it is expected that physicians accept responsibility for their patient's health, have compassion towards them, and are primarily concerned with their well-being.

Confucian accounts of the consent process therefore require of the physician that they do much more than simply respect their patient's right to self-determination. Instead, since physicians should be 'well cultivated' both intellectually and morally they should advise their patients about medical decisions in order to promote their patients' well-being. For instance, where a patient feels overwhelmed by unfamiliar medical settings, worried about their health and unable to clearly think through the issues surrounding their healthcare, the Confucian physician should step forward to help their patients with their medical decision making, guiding them to identify their concerns and assisting them to come to a resolution that may increase their health and well-being. From a Confucian perspective it may also be appropriate for a physician to withhold information about diagnosis and prognosis from a patient if they judge that such disclosure may not be in their best interests or may cause needless psychological distress. This in no way implies, however, that Confucian ethics advocates strong paternalism, whereby physicians are justified in keeping all information about a

patient to themselves and making all medical decisions on their patient's behalf. For while physicians may have responsibility for their patient's health care, it is important to recognize that health and well-being is relevant beyond the healthcare setting; indeed, it has an impact upon one's whole life. Physicians, therefore, may not be in the best position to decide what is in their patient's best interests as they may not fully appreciate their patient's needs, familial obligations, values, beliefs and life goals.

Rather than empowering the physician to make all decisions for a patient, Confucian perspectives regard the family as the primary decision-maker. Indeed, particularly in cases where dreadful diseases are diagnosed and major medical decisions have to be made, physicians are obliged to provide this information to their patient's family, rather than directly to the patient, unless the patient has explicitly asked the physician to do otherwise. The family can then decide, based on their understanding of the patient, whether this information should be passed on to the patient and, if so, how and to what extent. For example, if the patient's family collectively anticipates that the patient is likely to feel paranoid or depressed after learning of the diagnosis and prognosis then the family may decide to withhold some or all of this information for the patient's sake. Having considered the advice of the physician, and decided the extent to which the patient should be involved in decision-making, the family must then inform the physician of their wishes regarding treatment. While this process of disclosure and consent is most necessary in situations where the patient has been diagnosed with a life-threatening or terminal illness, even in situations where a patient has been found to have a non-lethal condition, such as appendicitis, physicians should involve family members along with the patient.

For Confucians, family members have the moral authority to participate in medical decision-making because family life is constitutive of Confucian personhood; that is, Confucian persons have duties and obligations to their family members, fulfilment of which is essential for cultivating virtue and a flourishing life. Where one member of a family falls ill, all other immediate members of that family are involved. They feel concern about the health of their sick family member, they sympathize with their suffering, and they accept the obligations that they have to care for them. These are all part of the

essential Confucian *li* performed within the family. (It is worth noting that the appropriate pattern of behaviours relating to illness within the family are so distinctive and significant that within the Confucian tradition it is asserted that children have a filial duty to maintain their own health in order not worry their parents [3: 13].)

The central role played by the family in medical decision making is highly valued within the Confucian tradition and within health care systems operating in societies influenced by Confucian thought. It is generally appreciated that because family members are key co-authors of each other's character and life, they will be better able to judge what is in a patient's best interests and what information a patient would wish to know regarding their diagnosis, prognosis and treatment. Furthermore, it is also appreciated that the family has a critical role to play in assisting the patient to cope with bad news and with the burdens of their illness and treatment. Indeed, the importance of family extends far beyond its role in medical decision-making, as Confucian tradition asserts that both the experience of caring and of being cared for by one's loved ones are highly rewarding human experiences that are essential for cultivating virtue and the good life. Put simply, according to the Confucian view, family participation in medical decision-making and in health care is regarded as legitimate and morally necessary and not something that should be dependent upon the patient's wishes.

Conclusion

An appreciation of Confucian ethics and Confucian formulations of personhood may provide important insights into contemporary bioethical practices in the Pacific Rim. Although this paper is concerned only with informed consent, the Confucian conception of personhood is relevant to a range of bioethical issues such as healthcare policy formulation and the implementation of high-technology biomedical interventions [25]. Concerning the issue of informed consent, when one takes into account Confucian understandings of personhood, it is clear that consent should not be viewed as an expression of self-determination in health care. People are never completely independent of each other, and it is particularly inappropriate to imply that they should be when they are confronting

the burdens associated with serious illness. In contrast to Western formulations of consent, Confucian ethics recognizes that individuals are interdependent and suggests that the key concern is not how we may facilitate an individual's autonomy, but how each of us should reciprocate our love and care in light of our social relationships with others. From a Confucian perspective, informed consent, like other social practices, should be structured in such a way that it can facilitate human flourishing, interpersonal relationships and the cultivation of virtue. And in this it is the family, rather than simply the individual, that is central to decision-making in health care.

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