

A CONFUCIAN DEFENSE OF GENDER EQUITY

Kelly James Clark and Robin Wang

Introduction

The misery of Chinese women throughout history is well known: the binding of feet, female infanticide, loveless marriages, second wives, widow's obedience to eldest son, widow suicide and concubinage. This often-horrific oppression of Chinese women is typically blamed on Confucianism and not without some justification. The attribution of the misery of women in China to Confucianism is representatively expressed by the contemporary scholar, Julia Ching: "Confucius might have been revolutionary in some respects, but in others, he was too much of a traditionalist, keeping the ways of the Chou and rejecting those of earlier periods. An area in which Confucian humanism shows its limitations regards the role of women. The process for subjugating women to men began before Confucius, with the development of the patriarchal kinship system associated with the ancestral cult of the Chou period, together with confirmation of the hereditary male principle in the successions to the throne. The ritual texts speak of the 'three obediences', subjecting women to their fathers, then to husbands, and then to sons during widowhood. Doubtless, Confucius supported the patriarchal character of society in general." (94) The common opinion is that the denigration and abuse of women in ancient China is a direct result of Confucianism.

In this paper we shall not try to explain away Confucius's (and, therefore, early Confucianism's) belief in patriarchy. Instead, a Confucian defense of gender equity is developed within the context of a Confucian understanding of human nature and human

excellence.¹ The Confucian view that we develop is *a* Confucian view that was admittedly held neither by Confucius nor by Mencius (nor any other early Confucian). But just as Confucius himself was not a mere transmitter of the tradition (although he claimed he was in *Analects* 7.1), so, too, we are not mere transmitters of the early Confucian tradition.² In a sense, we are suggesting what Confucius's followers *could have said* about the roles of women if they had more carefully attended to the views about the nature of persons as found in *I Ching* and the moral foundations of society, as found in Confucius and Mencius.

well.

A Confucian Defense of the Social Equality of Women to Men

In the West, historically, the paradigm human being is often the man with his purportedly distinctive capacities and virtues. Woman, lacking man's capacities, cannot attain full status as a human being. Women are viewed as deficient or handicapped and can, therefore, only attain an impoverished sense of personhood. The woman's lack (and what men have and can, therefore, become) diminishes the woman as a person. Aristotle, most notably, says that the female, lacking the divine element, is inferior to the male; he concludes: "...the female is, as it were, a mutilated male." (Generation, Book II, 737a 25) Women are deficient in intellect and are, therefore, incapable of attaining full virtue (i.e., that of a man). Women are conceived as symbols of passion, emotion, and irrationality that are obstacles to human flourishing, which involve intellection. Another notable example is Kant who states that because women are defective in rationality they should

aspire to be beautiful. Men, on the other hand, are endowed with the rationality necessary for the attainment of virtue; men, therefore, should aspire to be noble. Kant denies the woman's capacity for duty-based action and autonomous choice that is the foundation of personhood. Women are ill suited, indeed constitutionally prevented, from becoming full human beings.

Unlike these influential Western views, early Confucianism claims that all people have all of the capacities necessary for flourishing as full human beings. Recall that Chinese term for "person" (*ren^p*) is ungendered and that its graph [人] resembles a person. The highest virtue for persons is benevolence or humaneness (*ren^v*) and its graph [仁] includes the graph for *ren^p* (person) with two lines connected to it symbolizing two persons in harmonious relation. As Mencius writes: "Humaneness [仁] is being a person [人]." (*Mencius* 7B16) The highest virtue, therefore, is ungendered. Before discussing *ren^v* as the central Confucian virtue, let us turn to the Confucian belief that all humans are adequately equipped to attain virtue.

Mencius, of all the Confucian writers, most clearly and systematically defends the view that human nature is adequately equipped for the attainment of virtue. Most famous for propounding the belief that humans are by nature good, Mencius discusses the natural moral capacities of human beings. Three interrelated Mencian doctrines most relevant to this discussion are *xin* (the heart-mind), *duan* (the four sprouts) and compassion. In a single remarkable passage he brings together these doctrines: "As for their *qing*, "what they genuinely are," they can become good. This is what I mean by calling their natures good.... Humans all have the heart of compassion. Humans all have the heart of disdain. Humans all have the heart of respect. Humans all have the heart of approval and

disapproval. The heart of compassion is benevolence. The heart of disdain is righteousness. The heart of respect is propriety. The heart of approval and disapproval is wisdom. Benevolence, righteousness, propriety and wisdom are not welded to us externally. We inherently have them.” (*Mencius* 6A:6) Mencius locates the central moral faculty of persons in the heart (*xin*), which integrates the affective and the intellectual sides of human nature. All people (*ren^p*), men and women alike, are equipped with *xin* which is productive of virtue unless impeded by one’s environment or one’s desires.³ The seeds of virtue are planted within all people. That all human beings have *xin* implies that all humans are alike: “In general, things of the same kind are all similar. Why should one have doubt about this when it comes to humans alone? We and the sage are of the same kind.” (*Mencius* 6A7) The nature of persons includes *xin*, which, if properly nourished, will be productive of virtue.⁴

In another passage Mencius writes that all human beings are endowed in their *xin* with the so-called ‘Four Beginnings’ (*duan*). *Duan* is best translated “sprout” suggesting partially developed natural human potencies for the cultivation of virtue: “The heart of compassion is the sprout of benevolence [*ren*]. The heart of disdain is the sprout of righteousness [*yi*]. The heart of deference is the sprout of propriety [*li*]. The heart of approval and disapproval is the sprout of wisdom [*zhi*].” (*Mencius* 2A6) By saying that human nature is good, Mencius means that all people possess the ‘sprouts’ of *ren^v*, *yi*, *li*, and *zhi*. He contends that a being which lacks these sprouts is not a human. Wickedness does not come from human nature that is opposed to goodness, it comes because a person has not allowed these four sprouts to develop. Such a person, according to Mencius, is crippled, not fully human. The person of virtue is more fully human (*ren^p*), more humane

(*ren*^v). According to Mencius, the person who lacks virtue (by letting go of their true heart) is little more than an animal (*Mencius* 6A8). While affirming humanity's essential equality, Mencius divides people into categories based on virtue, more full possession of humanity:

Gongduzi asked, "We are the same in being humans. Yet some become great humans and some become petty humans. Why?"

Mencius said, "Those who follow their greater part become great humans. Those who follow their petty part become petty humans... If one first takes one's stand on what is greater, then what is lesser will not be able to snatch it away. This is how to become a great human."

(*Mencius* 6A15)

Mencius's advice is simple: a person should cling to her noble parts while not allowing her self to be distracted by her ignoble parts. The person of virtue is a *junzi*, a superior person. Although a *junzi* is gender-neutral it is typically translated 'gentleman' or 'superior man.'⁵ This superiority is not due to kinship, wealth, social status or occupation. A person becomes *junzi* by becoming wise and virtuous, by becoming more fully human. The great person is a morally superior person.

The goal for the Confucian is the moral transformation of rulers into sageliness and kingliness. In the Zhou period kings were called 'Sons of Heaven' because of their special relation and access to the deity as mediators between the earthly and the human realms on the one hand and the supreme deity, Heaven, on the other. The Sons of Heaven ruled by

the Mandate of Heaven, which could be revoked if they were unjust. Although few Chinese kings of this era may have staked explicit claim to being a deity, they were considered uniquely related to the divine. The ideal ruler is the sage-king who aligns himself and his ways with Heaven and Heaven's ways. Confucius endorsed the sage-king model and then extended it as the model for all human beings. Confucius and Mencius believed that human perfectibility, modeled in the sacred sage-king, was attainable not only by rulers but by everyone. Every person is fully equipped with the proper dispositions to become a sage-king. "The sage and I are of the same kind." Everyone--peasant and ruler, man and woman--can, by the equal possession of *xin*, become a sage.⁶

Although women and men are valuationally equal and equally equipped to become virtuous, the early Confucians accepted the traditional role-assignments of women to the home and men to the state. This is due in part, we suggest, to a lack of empirical information on the part of the early Confucians: that women are capable of doing the same sorts of practical and intellectual tasks that men can do. This is something that early Confucians (like early Aristotelians) did not know, because their historical contexts provided very few examples of capable women. However, a more consistent Confucian theory of man and woman should require that capable women be permitted access to ruling roles in society.

Rule by virtue

The Confucian case for gender-equity need not and we believe should not depend upon gender differences. The Confucian case for gender-equity depends most essentially on the rejection of rule by heredity in favor of rule by virtue. According to Confucianism, kings

must rule wisely and justly or the Mandate of Heaven will be revoked. One's right to rule is determined, therefore, not by one's heredity but by one's moral rectitude. The hope of the just person is that one of their descendants might become king (*Mencius* 1B:14)

Confucianism envisions a division of labor according to virtue and ability (*Mencius* 3A:4, 4A:7) with those of high virtue as rulers and the person with the most wisdom and virtue as emperor. The problematic result of appointing ministers on the basis of heredity is they may be unfit to rule. Mencius commends the appointment of "good and wise people" which implies that people of "low position" may be appointed over people of "exalted rank" and "distant relatives over near ones;" he concludes: "If the person turns out to be good and wise, then and only then should that person be given office." (*Mencius* 1B:7; Lau translation) This revolutionary doctrine defies the traditional stratification of social roles based on kinship and wealth. In its place, social roles should be assigned according to moral merit and competence.

The central importance of virtue for the ruler is related to the Confucian understanding of the purpose of the state: its end is moral rectitude, the means is a harmonious political order. Since the Confucian assigns roles based on virtue and wisdom (and not on heredity and wealth), a Confucian society is more likely to result in a stable and flourishing society that permits and encourages moral cultivation. Assigning roles based on competence opens up the possibility that the peasant can and, in the right circumstances, should become the ruler. Here is the revolutionary and pragmatic consequence of Confucianism: any political order that was unified, harmonious, tranquil and stable could attain the end the moral rectitude. And the justifying principle--merit trumps kinship--is easily extended to women. Women were not considered morally or

intellectually defective and so are equal to men in their capacity to become *ren*^v. Women, therefore, should be permitted access to those social roles that they merit and for which they are competent.

Let us make clear the argument of this section. We are not claiming that any Confucian stated that women could achieve as much virtue as men (indeed, many of the authors seem to assume the contrary). We are claiming that the traditional Confucian texts offer no plausible account of why women cannot achieve as much virtue as men. Mencius, for example, does not state that women could be sages, and does not even consider the possibility that women could be sages, but given what Mencius says about the goodness of human nature, why couldn't women be sages? If granted access to the means of moral and intellectual self-cultivation, there is no principial reason to claim that women could not become sages.

The Lost Confucian Book

Although the title of this section is facetious, the form of Confucianism rooted in *I Ching* metaphysics that we've presented suggests a book that Confucius should have written. Suppose, as the early Confucian believed, that there are initial differences between men and women. And suppose that *I Ching* does provide the metaphysical foundations for Confucianism, that the ideal human being is a harmonious unity of yin and yang. Granting these two suppositions, Confucius should have written two books. The first book is how people with initial yang tendencies (men) can cultivate yin dispositions. The second book is how people with initial yin tendencies (women) can cultivate yang dispositions. The

first book, entitled *The Analects*, was written and offers moral instruction for rulers (men). The second book was either unwritten or, perhaps, lost!

If there are initial differences between men and women, it seems clear, given our two suppositions, that fixing the differences would be anti-Confucian. The *I Ching* ideal state of affairs is yin and yang in harmonious unity. By the doctrine of correlative cosmology, each person should strive to achieve this harmony within the context of a person and life. One must strive to overcome one's lacks: if one's primal powers are more yang-like, one must strive to supplement them with yin-like capacities and vice versa. The early Confucians, advising men as possible rulers, offered instruction to that half of the human race that has an excess of yang. The Confucians provided a series of role-specific moral practices designed to complement the tendency to yang with the acquisition of yin powers. If one supposes that men are, by nature, disposed to hastiness, impulsiveness, intuition, creativity and conquest, they require very little encouragement in yang powers. So there are very few passages in the *Analects* that involves yang forms of power such as the fighting of battles. (*Analects* 13.29-30) Men don't need any more encouragement to exercise their yang tendencies. Because men are tempted to excesses of yang they need to cultivate the acquisition of yin (as counterbalance their tendencies to yang).

So the focus of early Confucian moral instruction is on the cultivation in men of yin-like powers such as *ren*^v. Recall that *kun* is yielding, submissive, quiet, not initiating. The kind of action emanating from *kun* is more precisely described as non-action (*wu wei*). A minimum of energy is successfully expended in response to an active power. Confucius commends the mythic ruler Shun for *wu wei*: "The Master said, 'Surely Shun was one who governed by non-action. For what action did he take? He merely adopted a

courteous position and faced due south.’” (*Analects* 15.5) Shun’s manifestation of the characteristic power of *kun*, the female, is commended. He is yielding but persuasive. He transformed society not by incessant activity but by moral suasion. The virtuous ruler effortlessly exerts attractive moral power on both her citizens and her enemies: “The Duke of She asked about government. The Master said: ‘When those who are close by are pleased and those who are far off are attracted.’” (*Analects* 13.16) The ruler leads by moral example and through his character transforms the nation. Eschewing death and punishment for those who “lack the Way,” Confucius advises rulers to focus within: “If you desire good, the people will be good. The nature of the gentleman is as the wind, and the nature of the small man is as the grass. When the wind blows over the grass it always bends.” (*Analects* 12.19) The Ruler’s self-cultivation will transform his character and radiate out into the state; self-cultivation is the grounds of civil reform. The Confucian ruler exercises the gentle power of the wind.

Mencius, who offers considerably more advice to rulers than Confucius, commends the rule of benevolence over rule by force. Mencius and Confucius alike commend, it is worth noting, not the absence of power but the development of a power different from brute force. The strength of benevolence will transform the nation: “Mencius said, ‘One who puts benevolence into effect through the transforming influence of morality will become a true King...When people submit to force they do not do so willingly but because they are not strong enough. When people submit to the transforming influence of morality they do so sincerely, with admiration in their hearts.’” (Mencius 2A:3; Lau translation) For the Confucian society exists to create a stable environment for