VI. Utilitarianism

1. UTILITY AND CHOICE

This chapter will deal with preference and choice only as they are related to utilitarian characteristics. This means that many other points of view of preference choice will be left untouched. We also hope to expose from the early Confucian moral philosophy such points of interest, which the Western utilitarianism has not paid suffient attention to.

Before going into utilitarianism, we should briefly examine the passages in the Confucian Analects which reflect the non-utilitarian mood of Confucius' thinking: 'The Master did not speak greatly about profit.' 子罕言利 (AN. 9:1; NIKKILÄ 1992: 149; CH'EN Ta-ch'i 1967: 153–157.) 'He who acts with a constant view to his own advantage, *li* 利, will be much murmured against.' (AN. 4:12; LEGGE 1969: 169.) 'A Gentleman takes as much trouble to discover what is right as lesser men take to discover what will pay *li* 利.' (AN. 4:16; WANG Kai-fu 1992: 350.) 'Looking at small advantages 小利 prevents great affairs from being accomplished.' (AN. 13:17.) These passages have led to the quite general conception that Confucius cannot be regarded as utilitarian thinker. 'There is no room for utilitarianism or the profit motive in Confucianism.' (DE BARY 1986: 12. See also WAWRYTKO 1982: 250.)

If Confucius is a non-utilitarian thinker, then it would be nonsense to try to find utilitarianism in his moral thinking. However, this is not the case. A parallel may be drawn with Hume, who has often been regarded as a utilitarian thinker. Even so, Wand discusses the topic of 'Hume's non-utilitarianism'. He starts:

> There are many reasons for holding that Hume is not a consistent utilitarian. Indeed, there are specific passages in Hume's writings in which his position is explicitly the opposite of utilitarianism. (WAND 1962: 193.)

In a parallel way, we may find in the Confucian Analects passages which show utilitarian thinking. If we find several of them and especially, if they expose several characteristics of utilitarianism, we may conclude that utilitarianism is one trend of thought included in the early Confucian moral thinking. The importance of this trend depends upon the quality and quantity of the passages involved.

According to Griffin, utilitarianism 'may not be the most loved but it is certainly still the most discussed moral theory of our time' (GRIFFIN 1982: 369).

Utilitarianism is the fundamental doctrine of Bentham and Mill, and it can be stated in the form of the greatest happiness principle: 'the rightness of an action is determined by its contribution to the happiness of everyone affected by it.' Utilitarianism is a combination of two principles: the consequentialist and hedonist principles. According

to the consequentialist principle the rightness or wrongness of an action is judged by the goodness or badness of the results which flow from it. According to the hedonist principle, the only good thing is pleasure and the only bad thing in itself is pain. (QUINTON 1989: 1.) This means that utilitarianism aims at the best balance of pleasure over pain for everyone concerned in or affected by the moral choice in question.

The most extreme type or utilitarianism is act utilitarianism, which aims at maximum utility only (BRANDT 1959: 381–391).

If the agent can choose between courses of action or inaction, the right action will produce the most happiness for all who are affected by the action. This criterion of 'the greatest happiness of the greatest number' (MACKIE 1990: 125) is conceived as the greatest utility. This principle is also called 'a balance of pleasure over pain' (MACKIE 1990: 125), or maximization of happiness and minimization of suffering (MACNIVEN 1987: 205; cf. WANG Kai-fu 1992: 353). Act-utilitarianism is a mononomic theory and entails the belief that an act is right only if it has at least as good consequences as any other act open to the agent in the same circumstances (URMSON 1975: 113; GRIFFIN 1982: 343).

The less extreme utilitarianism is rule utilitarianism which has rules to regulate the agent (BRANDT 1959: 253–258). In this version general happiness is the criterion of right action, but only indirectly, by way of a two stage procedure: firstly, the rules which are 'fashioned on utility' and secondly, the maximization of pleasure over pain. (MACKIE 1990: 136; NAJDER 1975: 162.)

Kusser describes the agent of utilitarianism:

> The agent, as depicted in decision theory, is quite a strange individual. He is always very busy calculating utilities and trying to maximize expected utility, and he seems to be done when having done so. But does he ever get anything? What is his ultimate pay-off? In the simple case where money takes the role of utility, the answer is easy; what he gets is money. In the real case where utility must not be equated with money, it is natural to give a similar answer; what he gets is utility. (KUSSER 1992: 21.)

Utilitarianism is one element of choice, as Dan-Cohen says:

> every choice is made at a cost: the loss of the forgone opportunities that the making of any given choice allegedly entails. (DAN-COHEN 1992: 224.)

In the following, we will attempt to work out to what extent Confucius' thinking concerning choice and preference follows the utilitarian principles.

2. UTILITY OF THE STATE

Confucius understands and values the collectively beneficial consequence of universal utility for the whole state in the following way:

> Jan Jung asked about Goodness, the Master said, behave when away from home (in handling public affairs) as though you are in the presence of a important guest. Deal with the common people as though you were officiating an important sacrifice. Do not do to others what you would not like yourself. Then there will be no feelings of opposition to you, whether it is the affairs of a Sate that you are handling or the affairs of a Family (A ruling clan, such as that of the Chi in Lu). (AN. 12:2. See also AN. 15:23, 5:11; CH'ENG Shu-te 1974: 714–715.)

> Tzu-kung said, If a ruler not only conferred wide benefits upon the common people 民 but also compassed the salvation of the whole State [眾 = all, multitude]. what would you say of him? Surely, you would call him Good 仁? The Master said, It would no longer be a matter of 'Good'. He would without doubt be a Divine Sage 聖. Even Yao and Shun could hardly criticize him. As for Goodness – you yourself desire rank and standing; then help others to get rank and standing. You want to turn your own merits to account; then help others to turn theirs to account 夫仁者, 己欲立而立人,己欲達而達人 – in fact, the ability to take one's own feelings as a guide – that is the sort of thing that lies in the direction of Goodness. (AN. 6:28.)

'These passages show the idea of reciprocity 恕 positively in the latter quotation and negatively in the former. Both relate Jen closely to the political affairs of the state, showing that ethics has often been employed in the service of politics.' (NIKKILÄ 1992: 135.)[24] This has also been interpreted, in terms of the class society Confucius lived in, as establishing that the concept man 人 does not include the common people 民, because men 人 represent the ruling class and the people 民 the class of the ruled, or that there are distnctions between different kinds of men 人. (KUAN Feng & LIN Yü-hsih 1962: 227; CHAO Chi-pin 1962: 7–15; FUNG Yu-lan 1962: 291. See also CH'IEN Mu 1976: 79.) This interpretation does not influence the fact that conferring wide benefits upon the common people and the salvation of the whole state are the consequences of the actions of the Divine Sage. In this consequentialist mood, the passage follows the utilitarian point of view. (HERMAN 1983: 233.)

The latter part of AN. 6:28 is Confucius' Golden Rule in its positive form. This regards helping people to fulfil their desires and the promotion of their happiness as important principles. The utilitarian principle can be derived from this fact that the happiness of the people is treated as a goal of morality (RAPHAEL 1975: 6) and especially that Confucius here chooses to 'give equal weight to the equal interests of all affected parties'. In doing this he seeks 'to maximize the satisfaction of those interests in total' (HARE 1989: 45). Utility here is the maximization of the interests and satisfaction.

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[24] 'In terms of philosophical meaning, the terms Chung and Shu, 恕 忠, may be related to Jen, especially in the light of later history. This is especially true if we accept that Chung means "conscientiousness to others", the positive side of altruism and Shu means "altruism", or the negative side of it, refining from harming others. If Chung and Shu are related through their philosophical meaning to Jen in the Analects, then one has to take Tao into consideration, because Chung and Shu are related directly to Tao.' (NIKKILÄ 1992: 135. See also TS'AI Jen-chih 1992: 1045; SHANG Chü-te 1992: 1191. Cf. S. S. CHAO 1974: 86–89.

AN. 6:28 above shows that Confucius universalizes the needs and hopes of people by giving as much value to the preferences of other people as to his own (HARE 1981: 100; 1989: 41; WESTON 1982: 102; SAGOFF 1986: 308). The rule is self-consistent (KAINZ 1988: 47). In this universalization Confucius' opinion is that the needs, hopes and preferences of other people are as important as his own preferences, needs and hopes. However, the motive behind this high estimation of the preferences of others is to promote his own personal utility: He pays regard to the preferences of other people in order to promote his own preferences for rank and standing. Consequently, if we take the Golden Rule in the form stated in the quotation above, we can reduce the morality in it to self-interest. This self-interest is egoism. (FLEW 1984: 11.) An egoist is 'a person who takes the satisfaction of his own self-interest to be the ultimate value' (KALIN 1968: 35), or who has a predominant obligation towards himself, as such. An extreme egoist holds that he has an obligation only towards himself (BROAD 1985: 212; BUTCHVAROV 1989: 128). This passage in AN. 6:28 does not show that Confucius could be regarded as an extreme egoist.

When explaining that the Confucian Gentleman is not an egoist, Fingarette defines egoism by relating *li* to AN. 6:28:

> Egoists are those who have their will rooted in themselves personally as ground. The egoist wants to be famous or wealthy – and here the wealth or fame must be this person's *only,* uniquely, or it is not an adequate ground of will of the egoist. (FINGARETTE 1979: 135–136.)

Fingarette's definition of an egoist refers to an extreme egoist, and the conclusion is right, but still the predominant obligation of the person in question is towards himself. The ultimate motive of the person may be to become a Divine Sage, who has contributed to the salvation of all. We may offer a more sophisticated explanation of this by noting that without sound endeavour towards rank and standing, without promoting his own ego by means of promoting other's ego, he never could reach the kind of influential position in which he could benefit the whole state.

Confucius also teaches that one should be directed by the preferences prescribed by *li*, as he says:

> He who can himself submit to ritual is Good. If (a ruler) could for one day 'himself submit to ritual', everyone under Heaven would respond to his Goodness. (AN. 12:1.)

Legge translates this passage more strictly according to the original text: 克己復禮為仁 'To subdue one's self and return to propriety, is perfect virtue, Jen.' (LEGGE 1969: 250 follows CHU Hsi 1952: 77. See also RONGEN 1988: 146; TU Wei-ming 1968: 30.) Rites and *jen* form a unity (FUNG Yu-lan 1987: 16; YÜ Ying-shih 1987: 35). Fingarette says: 'In short, where reciprocal good faith and respect are expressed through the specific forms defined in *li*, there is *jen's* way.' (FINGARETTE 1972: 42.) Maspero says on this passage: 'The way of attaining Altruism [*jen*] consists essentially in "conquering oneself and returning to the rites". Conquering oneself means suppressing in oneself the love of superiority over others, boasting, resentment, and greed – and even this, though very difficult, is perhaps not enough.' (MASPERO 1978: 292; cf. WANG Min 1988: 123–124; WANG Kai-fu 1992: 352.) Liu Wen-ying connects this saying in coherence with Maspero

with love of one's fellow men 愛人 (LIU Wen-ying 1992: 258; AN. 12:22; NIKKILÄ 1992: 134).

Wu maintains that returning to the rites means to return to the rites of Chou which includes the Confucian doctrine about rectification of names, *cheng ming* 正名, or that each man in the society has that position and relations which would be required by his name. (AN. 12:11, 13:3; WU Kuang 1989: 14; GASSMANN 1988: 43, 67–156; HANSEN 1983: 72–78; HSIAO Kung-chuan 1979: 94–99; LO Meng-ts'e 1972: 53; HSÜ Dau-lin 1972: 27–31; TSAI Ming-tien 1984: 1–26; CHUNG 1970: 69–76; HU Shih 1968: 47–48; NIKKILÄ 1992: 28.) This doctrine means that the

> names originally had firm meanings and that the actualities must correspond with them... If the name 'prince' were rectified, then the prince would always act in a princely fashion, and nobody else would try to usurp his postion. (DAWSON 1981: 57.)

Hansen says:

> Thus, while in early Western philosophy there is a kind of assumption that the primary role of language lies in describing the world and communicating ideas or beliefs about the world, Confucian *cheng-ming* 正名 'rectification of names' operates on the presupposition that the primary function of language is to instill attitudes guiding choice and action. Language use should be manipulated as a means of social control. The moral ruler can thereby control and influence action by inculcating skill in making moral discriminations. 'If language is in accord then things will be accomplished,' '*li* and music will flourish,' and 'the people will know how to act.' (HANSEN 1983: 77; AN. 13:3.)

According to Hansen this doctrine

> has no important theoretical role to play in the ethical system. It does not illuminate or contribute to joining the major Confucian conceptions of evaluative decision making: the intuitive-instinctual or the conventional-ideal. It adds another irrelevant conception of morals as intellectual-ideal. (HANSEN 1983: 82.)

As a curiosity we may remember that during the anti-Confucius campagn this was interpreted to mean return to the slave-owning institutions of the Shang and western Chou dynasties. Actually, this sentence, 克己復 禮為仁, was hung over the bed of Lin Piao. (KRAMERS 1979: 67–69. See also RONGEN 1988: 146.)

Confucius further explains the meaning of returning to the rites to be that one should not move, speak, or even think in defiance of *li* 禮. Traditionally this has been explained as aiming to rid oneself of selfish desires. (CHU Hsi 1952: 77; LEGGE 1969: 250.) Yen Hui replies to Confucius' explanation that though he is not clever [*min* 敏 = active, clever, smart], he will try to put Confucius' saying into practice (AN. 12:1). According to this we may say that if Yen Hui had been clever, *min*, it had been easier for him to put *li* in practice. In other words, not being clever, *min*, will more or less prevent one to put *li* in practice. Consequently we can say that Yen Hui understands by *min* 敏 that one needs it to put *li* into practice. In this conception intellectualism approaches *li*. The same notion of early Confucianism is also recorded in the Book of Rites, which identifies Rites, *li* 禮, with *li* 理, reason. (LO Chang-lin 1992: 282–283.)

Cua describes *li* 禮 and reason:

> In abstraction form the guidance of reason, reflective desires are just the natural desires as we normally experience them. For example, our natural desire for food, when subjected to the direction of the mind by means of the *li* or civility, no longer appears as a natural derive, but a desire invested with a regard for the elegant form of satisfaction. In this way, our natural desires may be said to be transformed by the reasoned exercise of our creative ability. Every person can strive to become a sage, because of the inherent ability to understand and abide by *ren* and *yi*, to follow rules of proper conduct. (CUA 1991: 219.)

Despite the explanation that one should not be selfish, the goal of responding to the *jen* of the ruler is consistent with the ruler's self-interest in gaining authority. This view is supported in this context also by the mentioned fact that Rites refer here to intellect which is used to direct *jen* towards fulfilling the desires of the ruler for authority. In this way *jen* serves the self-interests of the ruler, and therefore Confucius could be regarded as an egoist, or at least the quotation above may reflect such a characteristic in Confucius. This is despite the fact that according to the Analects, Confucius was not egoistic 我 (AN. 9:4). This saying explains Confucius' moral life in general, and is made by other persons about Confucius. It is possible that they were consciously trying to gloss over the egoistic overtones in Confucius' moral thinking.

When the agent accepts ethical egoism, he universalizes his own behavior. In this universalization, to some degree, he has to give up the ultimateness of his own self-interest. The other agents also have their self-interests which are of equal value. (KALIN 1968: 28, 36.) In his ethical egoism Confucius follows this pattern of impartiality (KAINZ 1988: 53).[25] His attitude towards self-interest belongs to morality, as 'morality is constrained utility maximization'. (KRAUS & COLEMAN 1987: 715.)

Confucian self-interest also resembles the theory of ethical neutralism, which may be summed up as follows:

> That no one has any special duty to himself, as such; and that no one has any special duty to others, as such. The fundamental duty of each of us is simply to maximize the balance of good over bad experiences in the universe as a whole, so far as he can. If I can increase this balance more by giving another man a good experience, at the cost of foregoing a good experience or suffering a bad experience myself, than I can by any other means, it is my duty to do so. If I can increase this balance more by enjoying a good experience myself, at the cost of depriving another man of a good experience or giving him a bad experience, than I can by any other means, it is my duty to do so. (BROAD 1985: 212.)

According to Kalin, an egoist cannot inform other people of their moral duties, because this would be against his self-interest (KALIN 1968: 36). Confucius does not fit to this picture of non information at all, because his main task was to conduct moral discussions as his teaching method of morality. In this respect he was not an egoist, if

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25 'We must become the impartial spectators of our own character and conduct. We must endeavour to view them with the eyes of outer people, or as other people are likely to view them.' Kainz quotes Adam Smith, *The Theory of Moral Sentiments* (Oxford: Clarendon Press, 1976, pp. 115 and 118). Kainz says: 'In The Wealth of Nations we are presented with an argument of enlightened self-interest; the supposition is that if each person is freely allowed to pursue that which is to his profit, by the operation of some "invisible hand" (the unseen social reverberation of the creation of wealth), all people will ultimately be benefited.' (KAINZ 1988: 53.)

we believe in Kalin's opinion. But, Confucius may think that teaching and informing other people of their moral duties advances also Confucius' own interests. This may be the case indeed, when we take into account that Confucius' method of informing and teaching was often a conversation with the students. In this exchange of views also Confucius gained something, especially because some of his students were intellectually and morally superior to Confucius. (AN. 6:2, 5, 9.)

In the Golden Rule 'we must pay as much regard to the preferences of other people as to our own', as we noted above. This means universalization in which we exhibit morality as universalized prudence. (HARE 1981: 100.)

Mackie writes about the thesis of universalization:

> This substantive practical thesis is well formulated by Hobbes: 'That a man... be contented with so much liberty against other men, as he would allow other men against himself.' Hobbes equates this with the Golden Rule of the New Testament, which he gives in the form 'Whatsoever you require that others should do to you, that do ye to them,' and with what he calls 'the law of all men', '*Quod tibi fieri non vis, alteri ne feceris*' – that is, 'Do not do to another what you don't want done to you.' (MACKIE 1990: 88.)

This universalisation appears also when Confucius puts the Golden Rule in a negative form: 'Do not do to others what you would not like yourself.' 己所不欲勿施於人 (AN. 12:2.) Tu explains why the Golden Rule is given here in the negative form: 'The recognition that the best way for me is not necessarily the best for my neighbor is a psychology essential for the peaceful coexistence of different and even conflicting beliefs in East Asian society and culture.' In other words, this negative Golden Rule is the fundamental basis of the pluralistic society. (TU Wei-ming 1981b: 265. See also GEERTZ 1981: 271; NIKKILÄ 1992: 135.)

Mackie divides universalization into three stages and starts by quoting Bernard Shaw's comment on the Golden Rule: In the first stage the agent retains his different tastes. Because of these, the Golden Rule may not always be recommendable. As an example he mentions: 'The teetotaller may be happy to prescribe universally that no-one should drink wine or beer.' The second stage of universalization is that a person puts himself in imagination in the place of another person, but retains his own tastes, preferences, ideals and values. In this type, unfair importance may be placed upon the items retained. The third stage of universalization takes different tastes and even rival ideals into account. (MACKIE 1990: 89–92.)

Confucius in his formation of the Golden Rule does not go as far as the third stage. He applies his Golden Rule mainly in the action of officials or future officials whose intellectual or philosophical frame of reference is quite uniform. This means that he did not need to take into account rival ideals in his teaching to any great extent. When he was faced with rival ideals, he did not regard them as being equally important as his own. (AN. 6:15, 9:23.)

Goodness, *jen* 仁, in Confucius' statement: 'you yourself desire rank and standing; then help others to get rank and standing' 己欲立而立人 also works as a persuasive power of the ruler, to persuade others to grant one rank and standing. AN. 15:32 expresses a very similar attitude:

> He whose wisdom 知 brings him into power, needs Goodness to secure that power... and dignity wherewith to approach the common people民 if he handle them contrary to the prescriptions of ritual, that is still a bad ruler. (AN. 15:32)

Waley does not regard this as an authentic Confucian statement (WALEY 1964: 199). Roberts sees this as paying attention to the stable characteristic of *jen*, whereas knowledge is a more fluid principle (ROBERTS 1966: 35).

In these passages, Confucius teaches that the roles should be reversed in ruling: one's own desire for rank and standing should be reversed with the same desire of other agents. This reversibility or impartiality has the persuasive power in Confucius' Golden Rule, but in putting this principle into practice the ruler has to follow the ritual. This principle of reversibility of desires however, does not necessitate political equality among people. (LI Chin-ch'üan 1992: 188; GERT 1988: 77; WANG Kai-fu 1992: 352.)

The persuasive power changes 'the minds of individuals who have become morally sensitive or blind in some area'. If people reverse their roles, they may understand each others in a new way. It becomes difficult for them to ignore the consequences of their actions. (1986: 19.) This is persuasion in an ethical sense, but Confucius connects this with political power. The political power of the ruler is his ethical persuasive power as well. The values of the ruler are spread among the people. This appears especially when the ruler spreads his virtue, *te*. The King's virtue works as a power which unifies the state:

> The Master said, Moral force (te) 德 never dwells in solitude; it will always bring neighbours. (AN. 4:25.)

When rejecting the idea of slaying those who do not have the Way in order to assist those who have the Way, Confucius added:

> The essence of the Gentleman is that of wind; the essence of small people is that of grass. And when a wind passes over the grass, the latter cannot choose but bend. (Modified) 君子之德風,小人之德草, 草上之風, 必偃. (AN. 12:19.)

Howard D. Smith interprets this *te* as a mana-like power. This is a power which every creature, human and non-human, possesses (MUNRO 1969: 107–108, 226; AN. 14:35) but which the king may have in a superlative degree. The king received influence from the territory which he ruled, and also from the intimate communion with the spiritual forces. This power was good and beneficial for the whole land. (H. D. SMITH 1957: 192.) According to Hsu, *te* was a charisma which was given by the ancestors to the aristocracy (HSU Cho-yun 1965: 14, 20). This may be regarded as including a shamanistic perusasive or compelling power (THIEL 1969: 175), or may simply include the idea of model emulation. 'In sum, the philanthropic activity *(te)* was believed to arouse a perfectly understandable feeling of gratitude and willing obedience. This is the source of the "magnetic attraction."' Munro employs many quotations from literature to support the argument of 'model emulation' and to refute the 'mana thesis'. (MUNRO 1969: 102–103, 107; NIKKILÄ 1992: 52.) Creel, too, refutes his former theory of *te* as a kind of magical compulsion, but Waley follows it (CREEL 1951: 86; 1970: 65; WALEY 1964: 167).

This mana power of *te* is developed from the reversibility in *jen*, but it has become part of the concept of authority, where the roles are not reversed any more. When trying to refute the mana thesis, Munro says: 'If the proponents of the *"mana"* thesis were consistent, one would expect them to explain *jen* as another magical force.' (MUNRO 1969: 103.) Munro is right with this, but if we take AN. 6:28 (the present study, 18, 71.), and its usage of *jen* in order to get power, we see that *jen* and *te* do indeed approach each other.

The mana power could be present even in *jen* when it is used for the purpose of the ruler gaining influence among the people. From the ruler's point of view, his egoistic and ambitious mana power, motivated by his endeavour to increase the utility of the state, can be an element in more than one type of moral behaviour. (LIU 1955: 153; cf. FINGARETTE 1979: 136.)

Max Weber divided authority into three types. To compare Confucius with these will illuminate his conception of authority. The three types are rational-legal, traditional and charismatic. (WEBER 1989: 174–179; RAPHAEL 1970: 72–73.) By refusing to condone the slaying of those who do not have the Way and by not valuing governing by regulations and keeping order by chastisements (AN. 12:19), Confucius prefers the non-coercive method of governing. In Weber's definition the ruler according to Confucius has a traditional authority, but he should be charismatic as well.

It is possible to relate this method of governing to utilities. Confucius' method resembles Gauthier's idea where he considers a society of rational slaves and masters. 'In this society, the masters engage in costly coercion in order to force the slaves to do their bidding, while the slaves suffer the effects of coercion.' Gauthier observes that this society is suboptimal; 'an alternative form of interaction can enchange the well-being of some without making others worse off.' In this situation an agreement is introduced, in which 'The masters are committed to eliminating coercion, and slaves are bound to serve their masters voluntarily.' This would be good for the slaves as well as for the masters. The latter could enjoy life free of the costs of coercing. The former would be free of the costs of being coerced. 'Gauthier notes, however, that once coercion has been banned by agreement, and slaves and masters alike have improved their situation, the slaves will no longer find it rational to comply with their part of the bargain.' Finally this would lead to a situation 'in which the former slaves sell their labor to former slave owners. This is a stable outcome.' (KRAUS & COLEMAN 1987: 726.)

The above example, although mentioned here as an illustration of Confucius' principle of ruling, has nothing to do with the issue of whether or not Confucius was a representative of the so-called 'slave owning class of the slave society' (STAIGER 1969: 34–35, 40). But rather this example illustrates the utilities of non-coercive methods of governing, which Confucius understood very well. In Confucius' principle, the ruler or lord has authority over the ruled so that they 'bend' 偃 (AN. 12:19) and do not start bargaining to gain rights which they do not originally have.

Above we saw that Confucius in his formation of the Golden Rule does not go as far as to the third stage of universalization. Here, connected with *te* and *tao*, Confucius clearly applies the third stage of universalization, which takes into account rival ideals. (AN. 12:19; MACKIE 1990: 92.) Historically, we know that the rulers of a new dynasty

had to accept officials from the preceeding dynasty. These often had a different *tao* from the *tao* of the present rulers. Due to these contradictions, the ruler should possess a charisma which suffices to spread his *te* thus preventing disorder. This harmony was utility of the state.

The Golden Rule is central to Goodness, *jen*. However, as we saw, it is possible to pass the Golden Rule to a higher level of the Divine Sage, who has benefitted the whole state.

In this thinking, *jen* and the Divine Sageliness are instruments for some other ends, namely for the end of the greatest utility for the whole state. According to Hare, the instrumental moral virtues are required as much for success in egoism as in morality. These virtues, like courage, self-control and perseverance, are necessary instruments for practising the more intrinsic virtues such as beneficence or justice. (HARE 1981: 192–193.)

The more intrinsic value in the quoted Confucian statement is not beneficence or justice, it is not an ethical matter, but the political salvation of the whole state. This is the greatest utility that the early Confucians could conceive of.

The instrumental values cannot be more valuable than the end for which they are used. Partly following Wiggins's opinions, we say that the values, like reciprocity, gratitude and loyalty, may have a standard which requires them. This standard often competes successfully with egoistic ends. However, this standard cannot survive the idea that the values of the standard are used merely as means to other ends. These values lose their prestige because they are forced upon us or motivated by other values. (WIGGINS 1991: 65.) According to this view, the Confucian value of benevolence, *jen*, which includes reciprocity, loses prestige, because it is motivated by other ends.

3. INTRINSIC VALUE

Not all Confucian morality is utilitarian. He also has chosen *jen* to be an intrinsic virtue, as an end in itself, and not as a instrumental virtue (SCHMIDZ 1994: 226), thus preserving the high prestige of *jen*:

The Gentleman 君子 has to value *jen*:

> The Gentleman who ever parts company with Goodness does not fulfil that name. Never for a moment (literally, 'for as long as it takes to eat one bowl of rice') does a Gentleman quit the way of Goodness. He is never so harried but that he cleaves to this; never so tottering but that he cleaves to this. (AN. 4:5)

In displaying this attitude the Gentleman became a good example to his inferiors. (KARLGREN 1964: 94; HENRIKSON & HWANG 1987: 26; FINGARETTE 1979: 134, 139.)

In this passage acting according to *jen* means following *tao* (CHIU 1984: 255). The ultimate value of intrinsic *jen* appears, because for the 'determined scholar' 志士 and the man of virtue 仁人 *jen* is more important than even life itself. 'They will even sacrifice their lives to preserve their virtue 仁 complete.' (AN. 15:8; LEGGE 1969: 296.)

Fu says:

> The moral oughtness manifest in the Way of *jen* in the *chün-tzu*'s decision or choice in any situation, especially in the existential border-situations like (choosing) death, is what is specifically called *yi*... Although Confucius did not attempt to combine *jen* and *yi* – the ethical task yet to be accomplished by Mencius – he did on several occasions stress *yi* as situational *Sollen* governed by *jen*. (FU 1978: 183.)

In this the strength of preferring *jen* is very strong. Von Neumann and Morgenstern measure 'the strength of person's preference by the risks he or she is willing to take to receive it'. (RESNIK 1993: 89.) Because the risk a person is willing to take, is life, the strength of preferring *jen* cannot be any stronger.

Jen in here is an end in itself, resembling what White writes about the parable of the Good Samaritan:

> The parable of the Good Samaritan, for example, relates the expression of virtue in the specific response, and recognition of an individual in need. But what is morally valuable in the story is not so much the recuperation of the victims the great love of the Samaritan himself. It seems clear that such an exercise of virtue is not a means to social welfare but an end in itself. Like most modern moral philosophy, utilitarianism concentrates upon the universality of moral law, and consequently ignores the particular 'givenness' of virtue. It is primarily a philosophy of policy, a planning and providing for non-specific others so as to maximize resources. Even in utilitarianism, however, there is a real hierarchy of goods, an evaluation of some ways of life as obviously superior to others, which leads Mill to his famous comment: 'better to be Socrates dissatisfied than a fool satisfied.' Critics may disagree about Mill's final position, but I would suggest that in order to make sense of this statement one must go beyond utilitarianism to some account of virtue and the virtuous life. Quite apart from the calculation of its utility, Mill is obviously inspired by the Socratic way of life. (R. WHITE 1991: 228–229.)

This opinion of White's shows that the intrinsic value of Confucian *jen* does not need to be contradictory with the utilitarian characteristics of it.

The much discussed *jen* as love 愛 in AN. 12:22,[26] can be understood as an ideal intrinsic *jen*: 'Fan Ch'ih asked about benevolence [*jen*]. The Master said, "Love your fellow men" 愛人.' This 'Jen may be defined as dealing with every other human being as a man ideally should' (CHANG Li-wen 1992: 205; cf. LIU Wen-ying 1992: 257) or 'perfecta humana caritas' (CHOW 1957: 113). Wu says: 'Loving your fellow men also means the love of human life. Human life was cheap. Therefore Confucius taught his pupils to love fellow men and value life.' (WU Teh-yao 1989: 13.) This also includes the idea or human partnership (SONG 1983: 57).

The more positive implications of *jen* are as follows: 'A Good Man possesses courage' (AN. 14:5), 'he is never unhappy and is free from anxieties' (AN. 14:30; C. CHANG 1964: 298), 'is free from evil' (AN. 4:4). In other words, he is free from the 'disvalue experiences' (KANE 1988: 285). 'Goodness gives to a neighborhood its beauty.' This links *jen* with Confucian aesthetics so that Goodness produces or is the source of beauty. (AN. 4:1, 102; H. D. SMITH 1968: 42; YANG Pe-chün 1965: 37; HU Chien 1989:

[26] TONG 1969: 527; WEI 1947: 59; DAWSON 1981: 38; CHOW 1957: 113–119; CREEL 1932: 77; H. D. SMITH 1968: 42; CHAN 1970: 40; CH'IEN Mu 1975: 48; 1977: 10; CHEN Li-fu 1986: 105; FUNG Yu-lan 1952: 69–70; HSÜ Fu-kuan 1975: 91; WANG, Shu-ling 1974: 340.

51–57; MA Ch'iu-fan 1987: 241–248; CH'AO Yüeh 1987: 436–440; SCHARFSTEIN 1986 104–105; WU Kuang-ming 1991: 237–264, HOYT 1969: 21; MACINTYRE 1992: 73.)

'The Good Man rests content with Goodness.' 仁者安仁, 知者利仁 (AN. 4:2).[27] This is one of the few aphorisms in the Analects which refers to the individual in isolation (CHAN 1955: 311). These sayings reflect the intrisic value of *jen* and have a kind of hedonistic overtone, and enjoyment of one's own virtuous excellence, approaching to moral narcissism.

Confucius also teaches in this same passage of AN. 4:2 that *jen* should not be used for utilitarian purpose: 'The Good Man rests content with Goodness; he that is merely wise pursues Goodness in the belief that it pays to do so.' Above we saw, in contradiction with this, that *jen* can be used for utilitarian purposes. The difference could be that *jen* cannot be used for one's personal utility, but only for the utility of as many as possible.

One should not use *jen* in order to become famous. (AN. 12:20.)

On the basis of this discussion we can say that in the Analects, we can find two trends of thought connected with *jen*. One is a trend where *jen* is regarded as an intrinsic value in itself. This *jen* belongs to the realm of volition rather than to the realm of choice. Confucius does not choose *jen* in a choice-set of several different virtues. (DAN-COHEN 1992: 229.) This does not prevent Confucius from using *jen* as a criteria of choice and preference.

When Confucius uses *jen* as an intrinsic value, he speaks as an ethical thinker. The intrinsic *jen* must not be used as an instrument to gain certain ends. If it is used for such a purpose, it is used in a wrong way. This *jen* is related to emotions as well. These are foreign to utilitarianism. (CONLY 1983: 307.) However, we saw that the intrinsic personal *jen* approaches the hedonistic enjoyment which is included in utilitarianism.

The other trend of thought is utilitarian: the highest moral purpose is not morality itself, but the greatest utility, the salvation of the whole state. A person who has reached this goal, is more than *jen*, he is a Sage. In this trend of thought, *jen* is not conceived as an end in itself, but as an instrumental virtue to gain personal utility of 'rank and standing'. *Jen* is good both as an intrisic and instrumental virtue (cf. KANE 1988: 296). The personal benefit of the ruler and the benefit of the state are interlinked with each other. The former trend of thought is moral thinking, whereas the latter is political thinking. It seems evident that in some sense both are primary. An individual's ultimate personal goal is to be *jen*, and the highest utility and highest good is the salvation of the whole state. It seems that ethics serves politics as an utilitarian means.

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[27] AN. 4:2. Waley translates: 'The Good man rests content with Goodness; he that is merely wise pursues Goodness in the belief that it pays to do so.' (WALEY 1964: 102.) Legge translates this as: 'The virtuous rest in virtue; the wise desire virtue.' (LEGGE 1969: 165.) Maspero explains: 'And the wise man perceives very well in what respects he is lacking: The Altruist trusts Altruism; the wise man desires Altruism.' (MASPERO 1978: 292.) Chen translates the passage as: 'The benevolent rest in benevolence; the wise are benefited by benevolence.' (CHEN Li-fu 1987: 108.) And Chan translates it as: 'The man of *jen* is naturally at home with *jen*.' (CHAN 1955: 311.) Rongen translates: 'Den medmenneskelege finn ro i Det medmenneskelege.' (RONGEN 1988: 89.)

4. THE PREFERRED FACTORS IN UTILITY

Morality is not the only means to achieve the salvation of the state. Confucius mentions different facilities which serve the government and places these in an order of preference: the confidence of the common people, food and weapons.

> Tzu-kung asked about government. The Master said, sufficient food, sufficient weapons, and the confidence of the common people 子曰足食, 足兵, 民信之矣. Tzu-kung said, Suppose you had no choice but to dispense with one of these three, which would you forgo? The Master said, Weapons 兵. Tzu-kung said, Suppose you were forced to dispense with one of the two that were left, which would you forgo? The Master said, Food 食. For from of old death has been the lot of all men; but a people that no longer trusts 信 its rulers is lost indeed. (AN. 12:7. See also the present study, p. 62.)

Confucius looks at knowledge from the utilitarian point of view:

> The Master said, A man may be able to recite the three hundred Songs; but, if when given a post in the government 政 he cannot turn his merits to account, or when sent on a mission to far parts he cannot answer particular questions, however extensive his knowledge may be, of what use is it to him? (AN. 13:5.)

The utility of knowledge is a special utility for the state. In administering the state, one should be economical:

> The Master said, A country of a thousand war-chariots cannot be administered unless the ruler attends strictly to business, punctually observes his promises 信 is economical in expenditure 節用 shows affection towards his subjects in general, and uses the labour of the peasantry only at the proper times of year. (AN. 1:5. See also the present study, p. 48.)

Here minimizing expenditure very clearly refers to the utility of the state.

The above quotation mentions promise-keeping, which is important for past-regarding rule utilitarianism (VALLENTYNE 1988: 90). The necessity of keeping promises is quite emphatic in the Confucian Analects, as pointed out in the chapter concerning moral dilemmas.

According to Hodgson, the act-utilitarian principle 'is insufficient to generate a practice of truthful communication' (GAUTHIER 1990: 282). This opinion may be understood to mean that a deviation from this truthful communication in certain cases would produce a more useful result than keeping strictly to it. However, the agent should keep a promise even if his own utility is not maximized, as long as the total utility is maximized by keeping it. (GAUTHIER 1990: 292, 296.)

There are several objections to both act- and rule- utilitarianism. After reviewing these, we may see to what extent the Confucian utilitarian approach has avoided these criticism.

Novell-Smith opposes both act- and rule-utilitarianism. The first often gives results what we 'plain honest men' do not want. We do not always want to maximize utility. If we fail to maximize utility, we do not think that what we did was wrong. The reasons for our actions are not always principles of utility. 'The obligation to pay a debt to a rich creditor rather than giving the money to someone who needs it is one standard example;

another is the obligation not to punish an innocent man when it would maximize utility to do so.' Novell-Smith concludes that 'act-utilitarianism does not, therefore, give a correct account or "our" moral thinking.' (NOVELL-SMITH 1973: 419.)

He opposes also rule-utilitarianism which was invented to meet these difficulties in act-utilitarianism. 'It cannot give a coherent account of what we ought to do if two useful moral rules conflict, and it gives an absurdity over-rigid account of cases to which only one moral rule is relevant.' Rule-utilitarianism gives unconditional laws rather than rules of thumb. (NOVELL-SMITH 1973: 420.) Hare tries to solve this problem by introducing a concept of critical moral principles which cannot be overridden and prima facie moral principles which can be overridden (HARE 1981: 60). Here the prima facie moral principles are 'rules of thumb'. Spinoza has a similar idea about prima facie goods which 'may *in principle* be overridden by higher forms of good' (KANE 1988: 283).

Frey also discusses the objections to act-utilitarianism, noting the difficulty of foreseeing the result of certain action: I cannot assess the total actual consequences of my act in advance: 'I do not enjoy a God's-eye view of what is to come.' (FREY 1977: 49. See also SLOTE 1985: 9.) We can see that foreseeing the future consequences of the act is one of the biggest difficulties in any utilitarianism.

According to Confucius, if one has given a promise one has to keep it irrespective of the consequences and in any circumstances, even if one has given the promise long ago (AN. 14:13), and the circumstances may have changed. Confucius does not allow an exception based on the idea that keeping of promises would be harmful for general utility. Confucius wants to universalize the rule of keeping promises. (HARE 1981: 42; GERT 1988: 127–133.) This emphasis indicates that he prefers rule-utilitarianism. In this case Confucius meets the same criticism of inflexibility as rule-utilitarianism. He regards the rule of keeping promises as a critical moral principle which cannot be overridden in any circumstances, and not as a prima facie moral principle, or a rule of thumb, which can be overridden (HARE 1981: 60), and which leave space for rational thinking. The importance of this law can be understood because in the society where Confucius lived, the rituals played the role of law to some extent at least and keeping promises was one of the basic principles which made this system work. (NIKKILÄ 1992: 97; TS'AI Jen-hou 1985: 55, 58.)

5. CHOOSING FRIENDS AND PERSONS

Besides politics, ethics relates also to the social environment, which is seen as important in the Analects:

> A young man's duty is to behave well to his parents at home and to his elders abroad, to be cautious in giving promises and punctual in keeping them, to have kindly feelings towards everyone, but seek the intimacy of the Good 而親仁. If, when all that is done, he has any energy to spare, then let him study the polite arts. (AN. 1:6; CH'IEN Mu 1975: 73–74; OLIVER 1956: 95.)

When Tzu-kung asked how to act out *jen*, Confucius replied:

> A craftsman, if he means to do good work, must first sharpen his tools. In whatever State you dwell, Take service with such of its officers as are worthy, Make friends with such of its knights as are Good 仁. (AN. 15:9.)

This attitude of recognizing the significance of the social environment approaches Hobbesian egoism which regards peaceful interpersonal relations as important. Each agent can do better with these relations than without them. (NIKKILÄ 1992: 144.)

The right kind of social environment involves choice and cost (DAN-COHEN 1992: 224). In this choice the cost is the loss of people who cannot be accepted as friends, because they are not 'Good'. This choice and cost can be seen in the following: in Master Tseng's opinion Chang was self-important. 'It is hard to become Good when working side by side with such a man.' (AN. 19:6.) 'Master Tseng said, The Gentleman by his culture collects friends about him, and through these friends promotes Goodness.' 曾子曰, 君子以文會友, 以友輔 仁 (AN. 12:24, 1:1; LEGGE 1969: 262.) This saying shows that the friends offer to the Gentleman a possibility for moral growth (FRIEDMAN 1989: 5–6, 9). The Gentleman has to 'refuse the friendship of all who are not like him.' (AN. 1:8, 9:24.) One promotes *jen* by choosing the right kind of persons and by discarding the wrong types. To a certain degree this resembles the Aristotelian civic friendship which is a 'character-friendship between virtuous men'. (KEKES 1989: 52–57; Aristotle, *Politics* 1295b 23–25; CREEL 1951: 141.) The group forms social pressures in moral choice-making. The social pressure is for the conformity of its members. (HOYT 1969: 53.) This conformity of the members in this case is *jen*, Goodness.

When persons are chosen from the utilitarian point of view, they are selected according to how they take their opportunities. If their choices, efforts and performance in a given opportunity are good, this is a sign of quality of their future performance in the jobs for which they are selected. (CAMPBELL 1975: 65.)

This attitude appears when Confucius recommends promoting those who are worthy: 'Promote those who are worthy, train those who are incompetent; that is the best form of encouragement.' (AN. 2:20.) Training those who are incompetent is more encouraging than just measuring utilitarian levels of performance.

In the following, Confucius assesses the good points of the performance of some of his disciples. These qualities make up their competence to hold office.

> Chi K'ang-tzu asked whether Tzu-lu was the right sort of person to put into office. The Master said, Yu is efficient 由也果. It goes without saying that he is capable of holding office. Chi K'ang-tzu said, How about Tzu-kung? Would he be the right sort of person to put into office? The Master said, He can turn his merits to account 賜也達. It goes without saying, that he is capable of holding office. Chi K'ang-tzu said, How about Jan Ch'iu? Would he be the right sort of person to put into office? The Master said, He is versatile 求也藝. It goes without saying that he is capable of holding office. (AN. 6:6.)

Confucius values qualities like efficiency 果, the ability to turn one's merits to account 達, and versatility 藝. These characteristics are indications of quality of performance in their future jobs as officials. The lack of such quality is seen in the following, where a person himself notes it, and Confucius approves of the self-knowledge displayed:

> The Master gave Ch'i-tiao K'ai leave to take office, but he replied, 'I have not yet sufficiently perfected myself in the virtue of good faith.' The Master was delighted. (AN. 5:5.)

That Confucius thought it better to study in order to gain the necessary competence is noted in the following:

> The Master said, 'Only common people wait till they are advanced in ritual and music [before taking office]. A Gentleman can afford to get up his ritual and music later on.' Even if I accepted this saying, I should still be on the side of those who get on with their studies first. (AN. 11:1.)

Kuan Chung is a very clear case of performing the duties of an office well, where Confucius stresses the importance of utility. (AN. 14:18.)

The cases above show that Confucius chose the utilitarian point of view when he pronounces upon which qualities are preferable for one to be in the office. Self-assurance or not doubting 不疑 is a characteristic which entitles one to be treated with a certain positive attitude by other people.

Any one who makes his claims with sufficient self-assurance is certain to win fame in a state, certain to win fame in a family (AN. 12:20). In order to ensure the support of the people, the ruler should be able to choose the right kind of administrators for his service.

> Duke Ai asked, What can I do in order to get the support of the common people? Master K'ung replied, If you 'raise up the straight and set them on top of the crooked,' the commoners will support you. But if you raise the crooked and set them on top of the straight, the commoners will not support you. (AN. 2:19.)

This statement concerning choosing administrators, lets us understand that the 'crooked' 枉 do not deserve to be place in a position of responsibility in the state administration. The utility is gaining the support of the common people. The merit here aims at the political utility of the ruler.

When Confucius decides that a person is eligible to be his disciple, the person should have certain characteristics in order to deserve being accepted as a disciple (HOLMGREN 1986: 265, 271). The characteristics which Confucius requires are that 'one bubbles with excitement', and as Confucius expresses it negatively, that: 'If I hold up one corner and a man cannot come back to me with the other three, I do not continue the lesson.' (AN. 7:8; the present study, p. 57) The utilitarian consequence here would be a successful student.

Sher, in his work *Desert*, makes a statement which has some parallelism with the above thinking of Confucius:

> Any requirement that we treat persons as rational agents must demand respect not only for their choices, but also for their ability to do things which advance their own and others' ends. (SHER 1987: 126.)

Confucius has exactly the same notions: bursting with eagerness represents the choice of the agent to be a student. Secondly, being able to draw conclusions when Confucius has told 'one corner' represents the ability of the student. However, Confucius here does

not say whether the reason he requires certain qualifications from the student is a consequentialist reason or not. Sher's point is that the applicants must be treated as rational agents, and this is a non-consequentialist, and also non-utilitarian, reason to require certain qualifications. (SHER 1987: 127.)

Although Confucius educated people to become officials of the government, he did not overvalue the political influence that could have followed.

> The Master said He does not mind not being in office; all he minds about is whether he has qualities that entitle him to office. He does not mind failing to get recognition; he is too busy doing the things that entitle him to recognition. (AN. 4:14.)

> The Master said, In old days men studied for he sake of self-improvement; nowadays men study in order to impress other people. (AN. 14:25.)

> The Master said, (A Gentleman) does not grieve that people do not recognize his merits; he grieves at his own incapacities. (AN. 4:32.)

> The Master said, (the Good Man) does not grieve that other people do not recognize his merits. His only anxiety is lest he should fail to recognize theirs. (AN. 1:16.)

> The Master said, A Gentleman is distressed by his own lack of capacity: he is never distressed at the failure of others to recognize his merits. (AN. 15:18.)

In the public realm, according to Confucianism, the competence for a position or the merit which qualifies one for a certain position is far more important than the position itself. If approached critically, this Confucian attitude would lead to anti-utilitarianism, to wasting people who would deserve a responsible position, whereas the eager but incompetent aspirant would gain the position of responsibility. This would mean overvaluing learning and undervaluing the ability to gain influence.

Confucius pays attention to this, when he says:

> The Master said, There are shoots whose lot it is to spring up but never to flower; others whose lot it is to flower, but never bear fruit. (AN. 9:21.)

Possibly, those who flower have the position, but they are incompetent, and so they never bear fruit.

In order to be regarded as competent, a bare theoretical knowledge is not enough, and a person who has only this may not deserve the post. One should be competent and able to use one's theoretical knowledge in practice. (AN. 13:5. See also the present study, p. 33, 81.)

6. ECONOMY, REWARD AND WEALTH

> Duke Ai enquired of Master Yu, saying, It is a year of dearth, and the State has not enough for its needs. What am I to do? Master Yu replied, saying, Have you not got your tithes? The Duke said, Even with two-tenths instead of one, I still should not have enough. What is the use of talking to me about tithes? Master Yu said, When the Hundred Families enjoy plenty, the prince necessarily shares in that plenty. But when the Hundred Families have not enough for their needs, the prince cannot expect to have enough for his needs. (AN. 12:9.)

The prince should promote the utility of the tax-payers in order to promote his own utility (GAUTHIER 1990: 171). In the quotation above, the opposite had occurred and caused financial problems for the prince. The duke had not understood that the well-being of the society is primary. When the 'hundred families' are wealthy, then the duke has no financial problems.

Confucius lists a gradation of preference. An individual's personal resourses are always limited. Because of this, the individual has to evaluate (DAN-COHEN 1992: 222) the objects to which she or he uses the resources. In this economic or sparing usage of resources or energy, the polite arts should be afforded the least value. The duty towards other people is an option which should be preferred by the young man over the polite arts.

> The Master said, A young man's duty is to behave well to his parents at home and to his elders abroad, to be cautious in giving promises and punctual in keeping them, to have kindly feelings towards every one, but seek the intimacy of the Good. If, when all that is done, he has any energy to spare, then let him study the polite arts. (AN. 1:6.)

Confucius displaces a similar attitude to the above in his opinions about fishing. He did not want to fish in an unnecessarily efficient way by using the net, but to fish only with a line. The resource of fish is limited, and it should not be exhausted by fishing with a net. The resource of fish should be used sparingly by fishing with a line. 'The Master fished with a line but not with a net; when fowling he did not aim at a roosting bird.' (AN. 7:26.) By this choice, Confucius displays an anti-utilitarian attitude, or thinks that it is more useful to be sparing in fishing so that the fishes stock would not be depleted.

Economic considerations appear especially in the Rites, *li* 禮. One should perform the rites ecomonically. It was possible to introduce changes in the rites because of economic reasons. In this, economy is the criteria of choice when deciding what changes to prefer. (AN. 9:3; NIKKILÄ 1992: 100; GURDAK 1976: 276–278; DAWSON 1981: 33–34.)

Confucius' utilitarian attitude is reflected in his opinions concerning reward and salary. Confucius showed a negative attitude towards reward and utility: At the beginning of the chapter, we listed some of the sayings in which Confucius showed negative attitudes towards profit, the most famous saying being the very problematic passage of AN. 9:1

'The Master seldom spoke of profit or fate or Goodness.' 子罕 言, 利, 與命, 與仁 (AN. 9:1, LEGGE 1969: 216.) The problem appears because Confucius often speaks

about *jen*. The passage can be divided into two sentences: The first sentence would be , 'The Master did not speak greatly about profit' 子罕言利, and the second 'but depended on fate and depended on Goodness' 與命與仁. (CH'EN Ta-ch'i 1967: 153–157; LEGGE 1969: 248–249, 334, 340; WALEY 1964: 224; NIKKILÄ 1992: 147–149; BOLTZ 1983: 261–271; WANG Ming-sun 1986: 201.)

> Confucius' attitude towards profit was that it was not important for him. Fate can be regarded as important for Confucius and Goodness is the most important thing of all for him. The passage presumably includes this gradation of Confucius' attitudes towards profit, fate and Goodness. (NIKKILÄ 1992: 149.)

Confucius does not regard personal reward as important for the Gentleman, *chün tzu*. However, he intimates that it is important for the small man.

'The Gentleman understands 喻 (CHU Hsi 1952: 23) what is right. The small man understands what is profitable.' 君子喻於義, 小人喻於利 (AN. 4:16; LESLIE 1964: 204.) This may also be translated as: 'One can make the Gentleman understand with right, etc.', or, 'one can use only right to make the Gentleman understand, etc.' (CH'ENG Shu-te 1974: 233–234.) According to Yang, this implies that the small man seeks a reward for his help. One who is helped but offers no reward falls below a normal man. This kind of a person is hsiao-jen 小人. He is wicked rather than merely a small man. The normal small man would regret his generosity if he had benefited a wicked man. (YANG Lieng-sheng 1973: 305; WILLIAMS & NAGEL 1976: 127.) This passage also contrasts Confucian morality of *i* 義, righteousness, with *li* 利, profit (CUA 1972: 44). This statement takes a stance against the personal utility of the ethical agent; in other words, it is an anti-egoistic statement. However, Confucius approved of *li* 利, and even encouraged the governor to promote *li*, which in the context refers to the general utility or profit 公共利益. (AN. 20:2; CHANG Hsi-ch'in 1992: 363; SUN Shih-ming 1992: 1137; WANG Kai-fu 1992: 352.)

A knight 士 when having a chance of gain 得 thinks first of right, *i* 義. When seeing a change of profit 利, a perfect man 成人 remembers first what is right, *i* 義. The Gentleman thinks carefully whether the pursuit of gain is consonant with the right. (AN. 7:16, 19:1, 14:12–14, 16:10; CHANG Hsi-ch'in 1992: 363.)

The term *li* 利, profit, occurs ten times in the Analects. We have referred to eight cases of them. The last two cases, in AN. 15:9 and 17:16, do not refer to profit or utility. In the former case *li* refers to sharpening one's tools and in the latter case to using one's mouth. (CONCORDANCE 1972: 157; CHIA Shun-hsien 1992: 1232; LEGGE 1969: 297, 326; WALEY 1964: 195, 214.)

> Master K'ung said, The Gentleman has nine cares. In seeing he is careful to see clearly, in hearing he is careful to hear distinctly, in his looks he is careful to be kindly; in his manner to be respectful, in his words to be loyal, in his work to be diligent. When in doubt he is careful to ask for information; when angry he has a care for the consequences, and when he sees a chance of gain 得 he thinks carefully whether the pursuit of it would be consonant with the Right. (AN. 16:10.)

This refers to the fame of the Gentleman, even to his social status. Accepting a salary must not undermine his social status. In terms of rational choice, Confucius has a

choice set of social status or fame and the increase of material wealth. He chooses the option of not undermining the social status and good fame. (PETTIT 1990: 745.)

About himself Confucius says: 'Any thought of accepting wealth and rank by means that I know to be wrong 不義 is as remote from me as the clouds that flow above.' (AN. 7:15; FU 1978: 183–184.) Kung-shu Wen-tzu from Wei, who presumably was dead in 497 BC, when Confucius visited Wei, was described by Kung-ming Chia as an ideal person in this respect of accepting rewards: 'He never took (rewards) unless it was right, *i* 義, to do so, so that people never felt he had done too much taking.' (AN. 14:14.)

> According to the passages above, one must not accept rewards or wealth generally against righteousness. However, it is allowed to accept rewards if this is in keeping with righteousness. It apparently depends on the situation whether the rewards are acceptable or not. Here we have a normative Yi combined with Yi referring to variable conditioned situation ethics. The normative Yi suggests rather that the rewards should be refused and the variable conditioned Yi suggests that one can accept the rewards under certain conditions. These conditions, however, are not elucidated more specifically in these passages. This Confucian attitude has a certain resemblance to ethical neutralism. (BROAD 1985: 212.)

If seen in the light of Kroy's ethical theories, Confucius' *i* follows the content theory, which states what should be done, what it is good or bad to do. Kroy divides these theories into two: a) Theories of social norms which express what one should do in that society; and b) Theories of universal ethics, which attempt to formulate culture-independent answers for the question 'What should a man do?' Kroy divides type b) ethical theories into two: 'rationality theories which attempt to answer the question "What is good for me to do?", and moral theories which attempt to answer the question: "What ought I to do?" Utility attempts to find answers to the first question.' (KROY 1975: 140–141.)

> In his theory of Yi, Confucius wants to draw a kind of 'golden mean' between these two theories. Primarily Confucius wants to provide a reply to the question 'What ought I to do?' In addition he pays attention also to the utilitarian considerations, trying to reply also to the question 'What is good for me to do?' However, the question 'What ought I to do?' overrules the question 'What is good for me to do?' It is possible to take account of certain egoistic utilitarian considerations, so long as this does not change the reply to the question, 'What ought I to do?' In other words the Confucian attitude is not a calculating one, but rather an attitude of a balanced neutralism with an egoistic overtone. This may be understood in connection with Yi, that one can accept rewards or one's own profit, if this does not harm others. This condition is more important than the cold calculation of 'maximizing the balance of good over bad experiences in the universe as a whole.' (NIKKILÄ 1992: 120.)

Confucius accepts that the Gentleman is allowed to receive rewards, but only under certain conditions: The country should be ruled according to the Way before the Gentleman can accept rewards.

> Yuan Ssu asked about compunction. The Master said, When a country is ruled according to the Way, (the Gentleman) accepts rewards. But when a country is not ruled according to the Way, he shows compunction in regard to rewards 穀. (AN. 14:1.)

This ruling according to the way resembles *i* 義 as a condition for receiving rewards. When one is cautious in speaking, one will avoid trouble and get one's reward.

He who seldom gets into trouble about what he has said and seldom does anything that he afterwards wishes he had not done, will be sure incidentally to get his reward. (AN. 2:18.)

Here the reward apparently refers to more general considerations than just to salary or payment. The following shows a negative attitude towards one's personal interests:

Tzu-kung asked, What must a man be like in order that he may be called a true knight (of the Way)? The Master said, He who in the furtherance of his own interests is held back by scruples, Who as an envoy to far lands, does not disgrace his prince's commission may be called a true knight. (AN. 13:20.)

In allowing or giving salary one should use discretion, and not make 'the rich richer still'.

When Kung-hsi Hua was sent on a mission to Ch'i, Master Jan asked that Hua's mother might be granted an allowance of grain. The Master said, Give her a cauldron full. Jan said that was not enough. The Master said, Give her a measure. Master Jan gave her five bundles. The Master said, When Ch'ih went to Ch'i he drove sleek horses and was wrapped in light furs. There is a saying, A Gentleman helps out the necessitous; he does not make the rich richer still. When Yuan Ssu was made a governor, he was given an allowance of nine hundred measures of grain, but declined it. The Master said, Surely you could find people who would be glad of it among your neighbours or in your village? (AN. 6:3.)

Confucius himself gave a good example to others by his personal attitude towards salary:

The Master said, From the very poorest upwards – beginning even with the man who could bring no better present than a bundle of dried flesh – none has ever come to me without receiving instruction. (AN. 7:7.)

In Confucius' opinion, the motive of studying is very often that of reward, which should not come in advance.

The Master said, One who will study for three years without thought of reward would be hard indeed to find. (AN. 8:12.)

The work first; the reward afterwards; is not that piling up moral force? (AN. 12:21.)

Confucius himself accepted rewards. We know that at least occasionally he was wealthy and could afford a horse and a chariot. However, his opinions about rewards were consistent: one could accept rewards when suitable conditions prevail. Confucius hoped that his teaching on this point would change the misbehaviour of the authorities, who often overvalued the importance of personal rewards.

All this shows that salary and reward is a matter of choice in Confucius' thinking, and not a matter of rights (HAWORTH 1968: 64; STITH 1991: 212). One can choose it only under certain conditions and must reject it if these conditions do not prevail. At first sight, this kind of choice does not seem to be a real one, because the conditions are stated: the Way should prevail and accepting salary or reward should be according to right, *i* 義.

In accepting rewards, in Confucius' mind, the way the accepting is done is more important than the reward itself. One can accept rewards, but only in the right way. The reward or salary can be regarded as a kind of purpose or goal, but the means can be regarded as a goal in itself as well. There is no clear difference between means and the goal or purpose.

When speaking about reward, Confucius has a choice-set which includes two options: reward under certain conditions and a reward without these conditions. The latter option would be accepting the reward in any circumstances, even in dishonest ways. Confucius has a clear preference here. He has an evaluative attitude where he ranks the reward according to the conditions as more desirable than rewards without these conditions. He chooses this leading option. He also has to pay the opportunity costs: because he ranks the conditions high, sometimes he will lose the reward, because he could obtain it only against the 'Way'. Opportunity cost here may be defined as 'the value to the agent of the opportunities forgone in favor of the selected options' (DAN-COHEN 1992: 222). Seen in the light of this formulation, these characteristics show that Confucius follows an idealized version of choice and also that he is a free and autonomous (LANFEAR 1986: 191) ethical agent.

Despite the fact that Confucius is quite critical in accepting rewards, he knows how to value material wealth, as may be seen in the following passages:

> Tzu-kung said, Suppose one had a lovely jewel, should one wrap it up, put it in a box and keep it, or try to get the best price one can for it? The Master said, Sell it! Most certainly sell it. I myself am one who is waiting for an offer. (AN. 9:12.)

> The Master said, Hui comes very near to it. He is often empty. Ssu (Tzu-kung) was discontented with his lot and has taken steps to enrich himself. In his calculations he often hits the mark. (AN. 11:18.)

> The Master said of the Wei grandee Ching, He dwelt as a man should dwell in his house. When things began to prosper with him, he said, 'Now they will begin to be a little more suitable.' When he was better off still, he said, 'Now they will be fairly complete.' When he was really rich, he said, 'Now I shall be able to make them quite beautiful.' (AN. 13:8.)

> When the Master was going to Wei, Jan Ch'iu drove him. The Master said, What a dense population! Jan Ch'iu said, When the people have multiplied, what next should be done for them? The Master said 'Enrich them', Jan Chiu said, When one has enriched them, what next should be done for them? The Master said, Instruct them. (AN. 13:9.)

> Tzu-chang said, What is meant by being bounteous without extravagance? The Master said, If he gives to the people only such advantages 利, as are really advantageous to them, is he not being bounteous without extravagance? (AN. 20:2.)

In his discussion of wealth Confucius outlines three factors: 1) multiplying the people, 2) enriching them and 3) instructing them. This is not a choice-set, since these are not options: one can choose them all, but only in a certain order. Confucius has here a preference-set of items which he puts in a rank order. In this rank order the material wealth forms the basis for the culture, and not vice versa.

This acknowledgment that wealth is important also shows that the loss of wealth for him was a loss of something valuable. When he had to pay the wealth as an opportunity

cost for whatever option, this meant a real cost to him, a sacrifice. (DAN-COHEN 1992: 225; STITH 1991: 212.) The fact that Confucius appreciated the value of wealth strengthens the view that he had a 'real choice'.

In one's treating of one's parents, to provide them simply with material necessities is not enough.

> Tzu-yu asked about the treatment of parents. The Master said, 'Filial sons' nowadays are people who see to it that their parents get enough to eat. But even dogs and horses are cared for to that extent. If there is no feeling of respect, wherein lies the difference?
>
> Tzu-hsia asked about the treatment of parents. The Master said, It is the demeanour that is difficult. Filial piety does not consist merely in young people undertaking the hard work, when anything has to be done, or serving their elders first with wine and food. It is something much more than that. (AN. 2:7–8.)

Since salary or reward or personal material benefit (WANG Kai-fu 1992: 352) is not the most important value, Confucius notes that one should be ready for poverty:

> The Master said, A Knight whose heart is set upon the Way, but who is ashamed of wearing shabby clothes and eating coarse food, is not worth calling into counsel. (AN. 4:9. See also the present study, p. 29.)

Goodness, *jen*, is necessary for the Gentleman when he is either living in poverty or wealthy:

> The Master said, Without Goodness 仁 a man cannot for long endure adversity 約, cannot for long enjoy prosperity 樂. (AN. 4:2.)

Confucius does not disregard poverty: yet Po, though he 'lived on coarse food' to the end of his days, never uttered a single word of resentment.

> The Master said, To be poor 貧 and not resent it is far harder than to be rich 富 yet not presumptuous. (AN. 14:11.)

> The Master said, A Gentleman, in his plans, thinks of the Way; he does not think how he is going to make a living. Even farming sometimes entails times of shortage; and even learning may incidentally lead to high pay. But a Gentleman's anxieties concern the progress of the Way; he has no anxiety concerning poverty. (AN. 15:31.)

> The Master said, In serving one's prince one should be intent upon the task, Not bent upon the pay. (AN. 15:37.)

> The Master said, Those who do nothing all day but cram themselves with food and never use their minds are difficult. Are there not games such as draughts? To play them would surely be better than doing nothing at all. (AN. 17:22.)

> Wealth and rank are what every man desires 欲; but if they can only be retained to the detriment of the Way he professes he must relinquish them. Poverty and obscurity are what every man detests; but if they can only be avoided to the detriment of the way he professes, he must accept them. The Gentleman who ever parts company with Goodness 仁 does not fulfil that name. Never for a moment does a Gentleman quit the way of Goodness. He is never so harried but that he cleaves to this; never so tottering but that he cleaves to this. (AN. 4:5.)

In the last quotation, in his opinions about poverty, Confucius has a choice-set of wealth and *tao* as options. If the case is that when choosing wealth, one loses *tao*, then one should pay wealth as an opportunity cost in order to gain *tao*. Confucius prefers *tao* to the material personal utility. If utility is defined as an abundance of personal material wealth, Confucius ranks this kind of utilitarianism as inferior to *tao*. This is despite the fact that poverty and obscurity in terms of fame or reputation are not generally valued highly in themselves. Confucius lets us understand that this choice belongs to Goodness, *jen* 仁. (FU 1978: 183.) Although Confucius was critical in accepting personal profit, this however, does not mean that he could not support utilitarian principles, as shown above, since utilitarianism is not just a simple idea of the seeking of personal gain. (Cf. DE BARY 1986: 12.)

7. SANITIZED DESIRES AND UTILITY

Above we saw that Confucius acknowledges the value of wealth, but on the other hand, according to him, one has to be ready to accept poverty, as well. Poverty must be accepted if it cannot be avoided without detriment to the Way.

Confucius underlines the emotional tendency of desiring certain personal utilities. He thinks that wealth and rank are desired 欲 by everyone. One has to extinquish this desire, if wealth and rank can be obtained only to the detriment of the way, *tao*.

Kenny says about emotion and desire:

> Desire, in its most general sense, is not an emotion because it is not sufficiently closely connected with feelings. None the less, it has analogies with emotion, and we find the same philosophical positions maintained in its regards as we have seen exhibited in connection with the emotions. (KENNY 1963: 100–101.)

The utility, which is the object of the desire, can be fulfilled only in certain ethical conditions. Confucius emphasizes the strength of the desire (GRIFFIN 1982: 335) and pays attention to the fact that the desire towards Goodness is usually not intense enough: 'I have not seen one who likes virtue 好德 as he likes beauty 好色.' (AN. 15:12, modified.)

Confucius sees desiring *jen* as a rare phenomenon:

> The Master said, I for my part have never yet seen one who really cared for Goodness 好仁者 nor one who really abhorred wickedness 惡不仁者. One who really cared for Goodness would never let any other consideration come first. One who abhorred wickedness would be so constantly doing Good that wickedness would never have a chance to get at him. Has anyone ever managed to do Good with his whole might even as long as the space of a single day? I think not. Yet I for my part have never seen anyone give up such an attempt because he had not the strength to go on. It may well have happened, but I for my part have never seen it. (AN. 4:6.)

Closely linked with the above quotation is the following Golden Rule:

> Tzu-kung said, What I do not want 欲 others to do to me, I have no desire 欲 to do to others. The Master said, Oh Ssu! You have not quite got to that point yet. (AN. 5:11.)

In the following, the desires are mentioned in a negative sense:

> The Master said, I have never yet seen a man who was truly steadfast. Someone answered saying, 'Shen Ch'eng.' The Master said, Ch'eng! He is at the mercy of his desires 慾. How can he be called steadfast? (AN. 5:10.)

To be free from these, has a certain utility:

> Chi K'ang-tzu was troubled by burglars. He asked Master K'ung what he should do. Master K'ung replied saying, If only you were free from desire 不欲, they would not steal even if you paid them to. (AN. 12:18. See also the present study, p. 58.)

Seen against the background of early Confucianism, this conception of desires as negative movements of the mind is important, since stealing is one element of disharmony in the society. When the ruler does not have wrong desires, the utility of harmony can be gained at least in this respect. The right kind of desires, or the absence of wrong desires, are thus a model for the thieves.

In this matter of stealing, Confucius approaches the attitude-based derivation of norms. According to Pettit, in the behavior-based formation of norms, the behavior appears first. Then the reasons why one should approve this behavior as a norm are established. In the attitude-based derivation of norms, which takes the contrary path, 'why certain attitudes of approval are intelligible' is explained first. Then how these attitudes 'might generate the patterns of behavior required for norms' is shown. (PETTIT 1990: 733. See also STAMPE 1987: 338, 340; ROSEMONT 1976: 474.)

> An attitude-based derivation of norms would try to show that a certain sort of behavior is bound to attract approval, its absence disapproval, and that such sanctions ought to elicit the behavior required, thus establishing norms. The objection is that any derivation of this kind supposes, illicitly, that the enforcement of norms – the sanctioning of conformity and deviance – is costless and will be happily conducted by people in general. (PETTIT 1990: 738.)

Pettit quotes James Buchanan (*The Limits of liberty*, Chicago 1975, pp. 132–133) who has the opposite, standard view:

> Enforcement has two components. First, violations must be discovered and violators identified. Second, punishments must be imposed on violators. Both components involve costs.

According to Confucius, freedom from desire for material benefits is bound to attract approval and the desire would attract disapproval. This approval and disapproval will work as sanctions which elicit the freedom of desire and establish this as a generally accepted norm, thus preventing theft. Such a method of enforcing the norm of not stealing is costless, and consequently according to utility. The following extract shows a similar approach to deriving the norms:

> Chi K'ang-tzu asked Master K'ung about government, saying, Suppose I were to slay those who have not the Way in order to help on those who have the Way, what would you think of it? Master K'ung replied saying, You are there to rule, not to slay. If you desire what is good, the people will at once be good. The essence of the Gentleman is that of wind; the essence of small people is that of grass. And when a wind passes over the grass, it cannot choose but bend. (AN. 12:19. See also the present study, p. 60.)

These good desires are bound to attract the approval of the people. When the people approve the norms, this provides the ruler with a political utility in the form of political power and influence. The good desires work as a persuasive power, like the virtue of *te*.

According to Kusser, the desires guide rational action. Utility and probability are formal counterparts of these concepts in decision theory. This theory has a basic utility function and an expected utility function which is derived from the basic one. (KUSSER 1992: 10.)

> 'Utility', consists in the fulfillment of the desires that people actually have. Economists have been drawn to this account because one's actual desires are often revealed in one's choices, and 'revealed preferences' are observable and hence a respectable subject for empirical science. (GRIFFIN 1982: 334.)

The following elucidates the right kind of desires, which effect the utility:

> Tzu-chang said, A knight who confronted with danger is ready to lay down his life 見危致命, who confronted with the chance of gain thinks first of right, who judges sacrifice by the degree of reverence shown and mourning by the degree of grief such a one is all that can be desired. (AN. 19:1.)

The development towards attaining the right kind of desires takes place through learning:

> The Master said, At fifteen I set my heart upon learning. At thirty, I had planted my feet firm upon the ground. At forty, I no longer suffered from perplexities. At fifty, I knew what were the biddings of Heaven. At sixty, I heard them with docile ear. At seventy, I could follow the dictates of my own heart; for what I desired no longer overstepped the boundaries of right. (AN. 2:4; TU Wei-ming 1979: 47.)

In the course of this development described above, Confucius' desires became 'sanitized', as Griffin says: 'what must matter for "utility" will be, not people's actual desires, but their desires in some way sanitized.' The desires are sanitized by education, and education will provide objects for desires. Without education these objects would not be liked by the agent. Moreover, only through education is the agent able to get anything out of them. (GRIFFIN 1982: 334.) 'Utility must, it seems, be tied at least to desires that are actual when satisfied or are part of the education that will change desires.' (GRIFFIN 1982: 335. See also GARDNER 1993: 77–94; CASEY 1984: 396.)

The above passage, AN. 2:4, also shows how education finally resulted in natural behavior, the ability to make right choices in a natural way, by following the dictates of one's own heart. Kupperman, discussing Confucian choices and education, says:

> The ideal product of education, that is, naturally makes good choices. Such an ethics, again, must center on the example of the ethically educated man who has sound perceptions and practical wisdom. (KUPPERMAN 1969: 111.)

Probably a desire to be a clever talker is not necessary:

> Master K'ung said, I have no desire to be thought a clever talker; but I do not approve of obstinacy. (AN. 14:34.)

Tzu-lu argued against Confucius, putting forward the view that even where *tao* does not prevail, it is wrong to desire to maintain one's personal integrity and thereby to neglect one's duty, and it is wrong to refuse to choose the public utility of sacrificing one's own integrity and therefore to refuse to serve the country.

> And how can it be right for a man to set aside the duty that binds minister to prince, or in his desire to maintain his own integrity, to subvert the Great Relationship? 欲潔其身, 而亂大倫. A Gentleman's service to his country consists in doing such right as he can. That the Way 道 does not prevail, he knows well enough beforehand. (AN. 18:7. See also the present study, p. 46.)

Confucius was in favor of maximizing his personal satisfaction of integrity, but Tzu-lu wanted him to weigh the desires and to choose that one which will maximize the general welfare. (GRIFFIN 1982: 337.)

8. CHOOSING PLEASURES

The following passage describes a desire for a pleasure, which Confucius desires as well:

> Tien, what about you? The notes of the zithern he was softly fingering died away; he put it down, rose and replied saying, I fear my words will not be so well chosen as those of the other three. (Or 'I fear my choice will seem enferior to that of the other three.') The Master said, What harm is there in that? All that matters is that each should name his desire. (可以哉 means 可以為用哉 'What would you consider to be your use?' LEGGE 1969: 247.) Tseng Hsi said, At the end of spring, when the making of the Spring Clothes has been completed, to go with five times six newly-capped youths and six times seven uncapped boys, perform the lustration in the river I, (I is the name of the river.) take the air at the Rain dance altars, and then go home singing. The Master heaved a deep sigh and said, I am with Tien. (AN. 11:25; WALEY 1964: 160; CHU Hsi 1952: 76.)

This shows that Confucius wanted a hedonistic enjoyment or pleasure for himself. He 'took almost childlike pleasure in religious ritual as such.' (CREEL 1951: 124. See also AN. 3:9, 15, 17.)

Confucius also teaches that one should choose friends and pleasures according to their utility 益:

> Master K'ung said, There are three sorts of friend, that are profitable 益者三友, and three sorts that are harmful 損者三友. Friendship with the upright, with the true-to-death and with those who have heard much is profitable. Friendship with the obsequious, friendship with those who are good at accommodating their principles, friendship with those who are clever at talk is harmful. (AN. 16:4.)

When speaking about Confucius' appreciation of material utility, salary and wealth, we should pay attention to what the pleasures 樂 consist of.

> Master K'ung said, There are three sorts of pleasure, that are profitable 益者三樂, and three sorts of pleasure that are harmful 損者三樂. The pleasure got from the due ordering of ritual and music, the pleasure got from discussing the good points in the conduct of others, the pleasure of having many wise friends is profitable. But pleasure got from profligate enjoyments, pleasure got from idle gadding about, pleasure got from comfort and ease is harmful. (AN. 16:5.)

The above-mentioned profitable 益 pleasures intensify and enlarge the self when they are exercised. These pleasures are active in nature. If one wants to have music, to play some instrument, to discuss moral matters, to have social contacts with many people, one has to be active. If one has this kind of activity one will be trained more and more in these cultural skills. (BUTCHVAROV 1989: 90–98; MACINTYRE 1992: 63.) The harmful 損 pleasures are those of slackness. To practice these will give no skills, but will cause one to become intellectually more and more poor and unskilled.

In the above examples, Confucius chooses tools to determine the activities. The tools, such as discussing and having friends, are intrinsically pleasing. He enjoys the activities for their own sake. (ROSE 1954: 50; BRANDT 1959: 392.)

It is noteworthy that in this choice-set of pleasures, Confucius regards even those things which he ranks as inferior as pleasures. This means that in Confucius' opinion, one could enjoy these. In his choice, the harmful pleasures are opportunity costs or values to the agent, which he sacrifices in order to get the selected options. In the plea-sures, Confucius has a class of options which he considers as inferior to those contained in another class. (DAN-COHEN 1992: 235.)

In Confucius' mind, wealth is good, and poverty is not bad either. Without deviating from his thoughts, one can say that utility according to Confucius is maximization of pleasures and minimization of harms. However, his conception of utility is possibly far from what is meant by such a statement connected with utilitarianism as that Confucius regards pleasure *got from comfort and ease* as harmful. Confucius' pleasures are those of art and intellectual activity. One should prefer these kinds of pleasures to comfort and ease. Material wealth provides conditions under which the cultural activities, the Confucian pleasures, can be exercised. The Confucian suggestion is that the utilitarian principle misses the point, even if one wants to be utilitarian. We should first define what the pleasures are and then apply the utilitarian principle, if we want to be utilitarian.

Utilitarianism for Confucius is not an ultimate value. It is rather a method which helps one to reach other, more important, values. This raises the question of to what extent in Confucius' mind utilitarian considerations can be regarded as ethical in themselves. At this stage it seems that these considerations are ethical as far as they aim at an ethical goal or are used according to what is right. The good end does not allow one to use bad means. The utilitarian means or method must be used according to what is right. The method and the goal must be in harmony with each other. The pleasures aimed at have to be in conformity with the method with which one reaches the goal. The utilitarian method is active. The pleasure has to be active as well, and not a pleasure of laziness, but a cultured one. Here we get the idea of the 'means-ends continuum'.

Rose takes the example of visiting a museum. The visit itself, enjoying the exhibits is pleasurable, but to get there, if the journey is troublesome, is by no means a pleasure. This case has no 'means-ends continuum'. (ROSE 1954: 51–52.) In this case we have a price of inconvenience which we have to pay in order to attain the pleasure of enjoying the exhibits in the museum. Confucius' idea is that the pleasure itself should be an enjoyment of an activity. He does not accept the question about enduring inconvenience in order to earn pleasure. Ideally, in his mind even the inconvenience is included in the pleasure.

According to Prior, ethics also investigates the rationality of the attainment of the ethical standpoint in which the right or good is the motive of an action. (PRIOR 1977: 181.)

This rationality cannot be seen in the action where a mother tries to save her daughter from an onrushing train. The mother stumbles and is crushed just as the child skips away obliviously. Another example would be a servile wife who automatically frustrates her desires whenever they conflict with those of her husband. It is natural to have positive reactions to the deeds of the heroic mother and the servile wife. However, these reactions are mistaken if we appraise these deeds solely by their consequences. (RICHARDS 1980: 49.) Many define utilitarianism in this way, but there is no clear and generally accepted way to distinquish an action's consequences from the action itself.

This leads one to an attempt to define utilitarianism as attending to consequences, a definition which is opposed to deontology which sees that 'there are certain things forbidden whatever *consequences* threaten' (RICHARDS 1980: 53). Confucius' opinion in this matter is more on the lines that the 'end' and the 'instrument' (ROSE 1954: 53) must be as similar as possible.

'The instrumentalists are right in reminding us that the end-in view – when it is achieved – is already beginning to pass from us.' (ROSE 1954: 48.) When we assess Confucius' attitude, we can see that he avoids the loss of the end-in-view, because his profitable enjoyments can be regarded as continuous and as becoming more and more intense during the process.

9. SACRIFICING ONESELF

Utilitarianism includes 'sacrificing the interests of one segment of life in order to further the greater good of other segments of the same life'. (SARTORIUS 1985: 245.)

MacIntyre makes a distinction between internal and external goods. The external goods are 'some individual's property and possession'. 'The more someone has of them, the less there is for other people.' These include power, fame or money. These goods are objects of competition in which there are losers and winners. 'Internal goods are indeed the outcome of competition to excess, but it is characteristic of them that their achievement is a good for the whole community who participate in the practice.' On the basis of this distinction MacIntyre gives the following tentative definition for a virtue: 'A virtue is an acquired human quality the possession and exercise of which tends to en-able us to achieve those goods which are internal to practices and the lack of which effectively prevents us from achieving any such goods.' MacIntyre says further: 'Cultivation of the virtues always may and often does hinder the achievement of those external goods which are the mark of worldly success.' He claims that 'utilitarianism cannot accommodate the distinction between goods internal to and goods external to a practice.' However, he finds that J. S. Mill has made a distinction between 'higher' and 'lower' pleasures which is 'something like' his distinction between internal and external goods. (MACINTYRE 1992: 190–191, 198–199.) We can see from this that in principle in utilitarianism one may have to make sacrifices.

In certain matters Confucius notes that one has to be ready to make sacrifices on a big or small scale. An educated man is ready to contribute his strength and even his life:

> Tzu-hsia said, A man who
> Treats his betters as betters,
> Wears an air of respect,
> Who into serving father and mother
> Knows how to put his whole strength, 能竭其力,
> Who in the service of his prince
> will lay down his life, 能致其身,
> Who in intercourse with friends is true to his word – others may say of him that he still lacks education, but I for my part should certainly call him an educated man. (AN. 1:7.)

In this passage it is worth noting that Tzu-hsia regards serving the parents as very important, but serving the prince is even more important. Serving one's prince means to serve the government and at least in principle to work for the general welfare. One has to choose the general welfare and to sacrifice one's own interest for it. (SARTORIUS 1985: 243.) It is also apparent that this preference of utilities has come through education (GRIFFIN 1982: 334). In this sacrifice one furthers the general good. This has also the affect of furthering other segments of one's own life, at least in a way that allows one to be satisfied for one's actions.

Confucius applauds offering one's life in the following passage, too:

> He said, But perhaps to-day we need not ask all this of the perfect man 成人. One who, when he sees a chance of gain, stops to think whether to pursue it would be right; when he sees that (his prince) is in danger, is ready to lay down his life 見危授命; when the fulfillment of an old promise is exacted, stands by what he said long ago him indeed I think we might call 'a perfect man.' (AN. 14:13. See also AN. 19:1, the present study, p. 94.)

In this quotation the risk taking is empirical where the risks are identified. The normative component here means that the benefit is only to be called a perfect man. In other words, the benefit is a good reputation, which may be gained post mortem, if one really has to give one's life of the prince. The perfect man prefers to give his life for the prince.

Despite the fact that he approves of sacrificing one's life, Confucius does not support laying down one's life without consideration, as may be seen in the following:

> The Master said to Yen Hui, The maxim 'When wanted, then go; When set aside; then hide.' is one that you and I could certainly fulfil. Tzu-lu said, Supposing you had command of the Three Hosts, whom would you take to help you? The Master said, The man who was ready to 'beard a tiger or rush a river' without caring whether he lived or died – that sort of man I should not take. I should certainly take someone who approached difficulties with due caution and who preferred to succeed by strategy. (AN. 7:10.)

The anecdote quoted above on p. 65 (AN. 14:17–18.) makes Confucius' idea more perspicuous. Although Kuan Chung did not sacrifice his life by being ready to die for his brother, he could benefit the people more by acting as prime minister to the killer of his brother, Duke Huan. However, Confucius could draw this conclusion afterwards, after knowing how Kuan Chung could benefit the people.

The utilities which Kuan Chung caused or earned were the utilities for the common good: '*so that even to-day the people are benefiting by what he then did for them.*' Confucius has a choice-set of three options: 1) to live for oneself and not to be ready to die for one's prince, 2) to die for one's prince, and 3) not to die, but to live for the common good. In this case, Confucius wants to choose the third option. The allocation rule, or principle of allocating one's personal resources, in a slightly simplified form, is: The more I spend my resources unselfishly, the less is left to be spent selfishly. On the other hand, the more my unselfishness benefits the group, the more I tend to act unselfishly and to use even the marginal bit of resources for the common good. (MARGOLIS 1981: 267; HARE 1993: 6–7.)

It is clear that Confucius does not approve of the first option. The problem arises between the second and third options. One should be ready to sacrifice oneself according to the second option. If one sacrifices oneself, then all the resources with which one could benefit oneself or others, would be lost. This means that the utility gained out of the sacrifice should be great enough. In principle, if to live for common good would be more useful, then one should choose the third option. Confucius values this choice. The utility overrules the idea of sacrificing one's life. It seems that here Confucius does not regard such sacrifice as heroic. It is more heroic to live and to produce more utilities for all through one's life. Confucius does not here follow the general admiration of such sacrifice. MacNiven for example, reflects the general sentiment when he says: 'But people do sacrifice themselves for the good of others. We have our genuine saints and heroes.' (MACNIVEN 1987: 114.)

From the Confucian point of view, the following question is worth of asking, as Gelven ideed does.

Is sacrifice a virtue? Kant distinguishes between moral law and virtue. Moral law is commanded by reason: 'It tells us what we ought to do.' Virtue 'is that which we do in order to live the best life possible.' In this distinction, sacrifice is a virtue, although it is not morally required. It is an existential virtue because it enchances or improves the meaning of our existence. Gift-giving is also an existential virtue, but sacrifice is a sacred virtue in addition. 'That is, it reveals our meaningfulness as grateful for our existence.' Plato's dialogue Euthypro suggests that there are purely existential virtues which are significant only as characteristic of the sacred. In this dialogue Socrates wants to show that the virtue of justice is inadequate to cover the virtue of piety. Justice demands that Euthyphro has to bring his father before the court. Filial piety seems to demand that the son should not be the one who brings the charge against his own father. By the use of this case Socrates helps us to recongnize the difference between piety and justice. He only asks questions and does not suggest what Euthyphro ought to do. 'Euthyphro is the Greek version of Cain. We see someone who knows how to be good, but not pious. Hence, if piety is a virtue it cannot be a virtue in support of the merely morally good.' (GELVEN 1988: 249.)

If we see the problem in the light of what above was mentioned about Confucius' attitude towards sacrifice, Confucius' solution would be to save the father, since Confucius does not regard sacrifice as being that important. This becomes clear in the following anecdote, which is referred to also in the context of moral dilemmas:

> The 'Duke' of She address Master Kung saying, In my country there was a man called Upright Kung. His father appropriated a sheep, and Kung bore witness against him. Master K'ung said, In my country the upright men are of quite another sort. A father will screen his son, and a son his father – which incidentally does involve a sort of uprightness. (AN. 13:18.)

We have here a choice-set of piety and justice, and Confucius prefers piety as a guiding option.

Confucius prefers utility compared with marthyrdom. He does not regard martyrdom or sacrificing one's life as a value which could outrank utilitarian considerations, however noble it sounds to be a martyr. Confucius cannot be accused of supporting suicide and calling it martyrdom. In taking up this attitude he shows himself to be strictly rational.

Rationality in risk taking means, according to Von Magnus, that the individual weighs the risks and the economic benefits he receives. An acceptable risk involves two components. The empirical component involves identifying and assessing the risks which are associated with the course of action, and what benefits are gained in exchange. The normative component is 'an attempt to decide on reasonable grounds whether the risks of the action are warranted (given available alternatives)' (VON MAGNUS 1984: 638).

On one occasion Confucius refers to *te* which protects him and eliminates the risks. 'Heaven is the author of the virtue 德 that is in me. What can Huan T'ui do to me.' Because the virtue originates from Heaven as a 'supra empirical' 驗超驗地性格 (HSÜ Fu-kuan 1975: 86) force, it protects him against the minister of war in Sung, who according to tradition wanted to kill Confucius. (AN. 7:22–23; LAU 1979: 89; CHAN 1973: 114; SCHWARTZ 1985: 125: 害, to injure, to destroy; CHU Hsi 1952: 46.)

Confucius had inherited the culture of Wen Wang. He embodied this culture in himself. According to his understanding, Heaven did not intend to destroy this culture. Consequently, according to Confucius, the intention of Heaven was to preserve him as an embodiment of the culture of Wen Wang. Confucius understood that this intention of Heaven was transformed into a definite Heavenly choice. (DONAGAN 1987: 94.) Owing to this, Confucius had nothing to fear, and he could take risks, and the people of K'uang could not harm him. (AN. 9:5; YANG Pe-chün 1965: 94; CH'ENG Shu-te 1974: 501; KORHONEN 1921: 41; IVANHOE 1988: 161, 165. AN. 14:37; TU Wei-ming 1989: 2–3.)

10. CONFUCIAN CHALLENGE

In the Western tradition of utilitarianism we have certain results which are produced by certain actions. When the results have been produced, when the greatest happiness to the greatest number of people have been produced, we have succeeded in the action and fulfilled utilitarianism. This thinking has only one direction, from action to result. In Confucian utilitarianism, too, there is movement from action to result, but the movement does not stop here. There is also a movement from the result to action. In this thinking the action and the result change their roles. The result, which is the greatest utility to the greatest number, becomes a condition which is an instrument to produce the right kind of action.

We could sharpen the picture slightly. In Confucian utilitarianism, the result hoped for is the greatest possible happiness to the greatest possible number of people. When this has been reached by a Sage or *jen*, this result engenders a good social environment to promote *jen* and to produce more Sages, who in turn can spread their virtue and produce even more happiness to even greater number of people. The ultimate aim is unification of the empire and to reach total harmony in every sphere of life and society. In the Confucian world view this would be a return to the ideal remote past when the sage kings reigned.

The Confucian realism is that this is unlikely ever to be reached, but this does not prevent one from using this utilitarian method continuously.

We could see the Confucian conception from the viewpoint shown by Vallentyne: Act teleological theories judge an action permissible only if its outcome is maximally good. It is usually assumed that these theories cannot be past-regarding, in other words, that the permissibility of actions cannot depend on the past, for example, on what promises were made, what wrongs were done, and on what actions were performed. Vallentyne does not agree. According to him there are theories which are not past-regarding, such as the classical act utilitarianism. According to it, actions are permissible on considerations of present and future happiness. It allows the innocent to be punished if this will maximize present and future happiness. 'The past is irrelevant. In particular, whether or not the person committed a crime in the past is irrelevant.' Vallentyne does note, however, that there are other theories which are act teleological and also past-regarding. (VALLENTYNE 1988: 91.)

If we put the above mentioned non-past-regarding principle into action in the Confucian utilitarian ethical environment it would mean the following: the pleasure, the harmony, had been reached through a wrong method. Harmony and peace would rest on the wrong method. Ideally, only harmony, in this case only the truth, could be used as a method to reach harmony. Confucian utilitarianism is past regarding from the point of view of the result.

Vallentyne continues:

> Unlike classical act utilitarianism, rule utilitarianism can be past-regarding. Rule utilitarianism judges an action permissible just in case it conforms to a set of rules, the existence (conformance, acceptance) of which would produce at least as much happiness as the existence of any other set of rules. It is quite plausible that for at least some communities the best set of rules would include some past-regarding rules (such as injunctions against promise-breaking or punishing the innocent). For such communities, rule utilitarianism would be past-regarding, because, although the determination of which set of rules is the best would not be sensitive to what the past was like, the determination of whether a particular action conforms to the best set of rules would depend on what the past was like. (VALLENTYNE 1988: 90.)

In the Confucian attitude, the ideal situation was in the past. The morality of the present should be in conformity with the past, when the ideal situation prevailed. Confucius therefore follows past-regarding, or retrospective rule-utilitarianism.

Confucius' thinking follows teleologically utilitarian lines. When the end result is good, when the whole state finally is saved, or when the administrator creates great benefits for the people, this in Confucius' mind has the highest utility. However, whether

a certain action was utilitarian, can only be seen afterwards when the end result is known.

In addition to these universal lines, Confucius sees the viewpoint of a single ethical agent. Confucius understands the importance of material wealth, rewards, fame, but he does not regard these as the most important personal values. These values are outranked by the fact that if one achieves material wealth, it should happen only in the right way, according to righteousness. As a matter of fact, the right way already is a goal in itself, even though it is a method of gaining wealth. The means and the purpose are not distinguished from each other.

In utilitarianism the greatest happiness for the greatest number of people is often mentioned. In Confucian thinking, this really misses the point in utilitarian discussion. It is more important first to define right ways of pleasure or happiness. Confucius prefers 'civilized' pleasures, art and intellectual activity. Happiness and pleasure in themselves are no values. Only the right kind of happiness and pleasure are good values and worth attaining.

It seems that a person who has the right kind of pleasures, whose attitude to personal profit is correct, who is competent, such a person is going to be useful for the whole state. Confucius hates corrupt politicians.

The final goal is to benefit the whole state and to be useful to all people. In this, the right attitudes towards personal profit, the right kinds of pleasures and the ability to put theory into practice are essential. If one has reached these, one has found the right way. When one has found the right way, but not yet reached the final goal, but is still on the way, the potential final goal is already now present. With the passage of time, the person who masters the right way can definitely reach the final goal. In this way Confucian utilitarianism is teleological, a futurism which is actualized in the present time through the correct way or attitude towards personal benefit, people and intellectualism as well as to practice.

At this stage, if we want to draw a suggestion from early Confucianism to our traditional utilitarianism it would be that the consequences of the action should be such that they could improve the action or morality. We ought to ask whether the reduction of pain and abundance of pleasure would produce better means to reach even less of the pain and a greater amount of pleasure. The Confucian criticism of Western utilitarianism would be: the Western utilitarianism works in a straight line not taking into account the feedback; what is the feedback from the aim to the action itself, since the action, or morality, does not stop even if the aim has been reached?

It is interesting to consider the Confucian criticism of Western utilitarianism and the Western welfare state. The welfare state in general conception means such things like having a good social welfare, good law and order which makes living secure, good educations systems, good technological standard which facilitates everyday life and that the relationships between different states are peaceful and stabile. We think that it is useful to promote these aims. These aims are in harmony with the utilitarian ones. Without this welfare state our life would be rather primitive, undeveloped, dangerous and troublesome with much pain and little pleasure. We have a welfare state which has aimed at producing a great amount of pleasure to as many as possible. However, this

welfare has not strengthened those measures and values which produced it, but is letting them weaken. In this way the welfare turns against itself.

The measures which produced this welfare state followed the values of the Golden Rule adopted from Christianity: benevolence and justice as well as diligence, innovativeness and truthfulness in family relationships and in different duties. The welfare state has produced an increasing class of those who do not subscribe to these kinds of values, but still enjoy the pleasures produced by these values and actions. This means a collapse of these values, and other new values taking their place. These new values are enjoyment in laziness, untruthfulness in family relations and in political life, egoism to maximize income. These kinds of values produce new actions which do not produce more pleasure and less pain. When these new values are accepted by a certain number of supporters, a number which is hard to estimate, a collapse in the aims which have been reached will occur.

In this, we need to consider those values which produce actions which contribute to happiness and pleasure to many and whether the particular qualities of the pleasure and happiness strengthen the values which produced them. The essential thing in this utilitarianism would be the relationship between the pleasures aimed at and the values which produce them. In order to be a successful utilitarian in practice, the pleasures aimed at should promote the value of benevolence. Otherwise the utilitarianism would work against itself in the long run. For example, the pleasure gained from a boxing match or from looking at a violent film does not promote this value. These kinds of pleasures work against those values which have provided us with the welfare that allows us to enjoy them. There should not be a contradiction between our values leading to the welfare state and the values according to which our pleasures are planned.

The purpose of Confucian utilitarianism is also regional: to benefit the whole state. This raises the question of what kind of role regionalism and choice of region plays in Confucius' moral thought.