Experimenting with human subjects in medicine and biology encounters significant ethical challenges today. There are general questions regarding the justification of the importance of experiments of this kind. For example, is it justifiable for medical or biological experiments to use human persons as subjects in general? Are these experiments justifiable in certain specific circumstances (i.e., in a non-therapeutic context)? Is it justifiable in medical or biological experiments to use certain groups of persons (i.e., the infant, the fetus, the unborn, or the prisoner) as subjects? Does an experiment with human subjects impair the dignity and sacrosanctity of the individuals who are the subjects of the experiment in particular and insult humanity in general? Can there be any adequate justification for an experiment with human subjects? Is a justification of experiments of this kind only perspectival, historical, and practical? There are also other ethical issues concerning the conditions and procedures of experimenting with human subjects. For example, is informed, uncoerced consent from individuals to become subjects of an experiment necessary? Does a differentiated, controlled arrangement of subjects in a medical or biological experiment constitute a kind of discrimination that we normally fight against in real life?

This essay attempts to reflect on these bioethical issues from a Confucian perspective. The term “reflection” is deliberately used here to emphasize that what I am going to present is not a systematic and comprehensive account of Confucian bioethics. Neither the views articulated below exhaust what Confucianism can and will say on the subject matter of experimentation with human subjects nor are these views themselves organized into a systematic theory. It should also be stated at the outset that the Confucianism referred to here is not restricted to views of great Confucianists such as Confucius himself, Mencius, Chu Shi, etc. Rather it includes also what Oskar Weggle calls meta-Confucianism; namely, Confucianism held and practiced in ordinary life by farmers, workers, businessmen and women, scientists, physicians, doctors, etc. (Weggle, 407). In the context of the present study,
Confucianism is used in a broader sense. Finally, to avoid vagueness and retain focus, I shall define an “experiment” here as a controlled, planned experimental practice in the fields of medicine and biological science; it does not include those inchoate, random, and un-planned practices.

I. THE STORY OF THE LEGENDARY FARMER AND THE CONFUCIAN CONCEPTIONS OF MEDICAL AND BIOLOGICAL KNOWLEDGE, HUMANITY, AND SOCIAL PROGRESS

Let me start with the Chinese story about the legendary farmer, a historical figure in ancient China. The origin of the traditional Chinese medicine, commonly referred to as “Chinese grass medicine,” is normally traced back to the legendary farmer’s self-trial of one hundred kinds of grasses (plants). As Shi MaZhen’s The Appendix of the Three Emperors of the Records of the History tells us: “the legendary farmer ... tried ‘one hundred kinds’ of grasses (or plants) and therefore [the traditional Chinese] medicine began” (Si Ku Chuan Shu, pp. 11-40).2 According to Huai Nan Tze, the legendary farmer tried various kinds of grasses (plants) to learn about the nature and function of each so that people could either avoid them or make use of them. In fact, on one day he was poisoned seventy times by seventy kinds of grasses (plants) (Huai Nan Tze, 1994, p. 958). In modern terms, the legendary farmer performed a medical self-experiment by trying grasses (plants) in order to gain accurate knowledge of the medical function of various plants for the sake of the general public. In doing so, he made himself a human subject of that experiment.

What is interesting for us here is not only the fact that, in traditional Confucian China, medical experiments that used human persons as subjects existed, but also, given the Confucian understanding of the importance of knowledge to the public good along with the tentative feature of medical knowledge, the Confucian attitude toward the development of medical knowledge. It is this Confucian attitude and its related ethical assumptions that I would like to explore below.

As it is evident, the legendary farmer was motivated by the thought that the knowledge of the medical functions of various kinds of grasses was important for the health of the general public, and that if this knowledge could be obtained only through experimenting with human subjects, such experiments ought to be conducted. And as it is, his action is sanctified by Confucianism. From a Confucian perspective, what