

SUSTAINING HARMONY THROUGH PROFESSIONAL ROLES

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ABSTRACT

The Korean Airlines “nut rage incident” of December 2014 was for many Westerners another sensationalized glimpse into the social and cultural phenomenon that is one of the most rapidly modernizing nations and globally dominating technology developers in East Asia: South Korea. This incident, and many others like it, appear to be a Gordian knot for the country’s further cultural, social and economic development and Western acceptance, with threads tracing back 2500 years ago to ancient China. The purpose of this thesis is to “unravel” these threads which include Classical Confucianism; Korea’s adoption and adaptation of Confucianism, and breakneck industrialization; and the philosophy of professional ethics. By identifying each in relation to one another, a nuanced understanding of roles ethics will emerge as a pragmatic paradigm to facilitate the sustainment of social harmony in South Korea and societies writ large.

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PREFACE

The Korean Airlines “nut rage incident,” in December 2014, was for many Westerners another sensationalized glimpse into the social, cultural and economic phenomena of South Korea, one of the most rapidly modernizing nations and globally dominating industrial and technological developers in East Asia. This occurrence, and similar scandals involving the country’s industrial titans—the iconic *chaebol*—appear to be a “Gordian Knot” of further cultural, social and economic development, as well as eagerness for Western and global acceptance and inclusion. In many ways, this particular account is the rich culmination and nexus of long-running, cross-cultural historical threads, tracing back 2500 years ago to ancient China.

The journey of this investigation is to track and unravel three major, entangled threads that form this Gordian Knot: the classical Confucian tradition; Korea’s cultural adoption and adaptation of that tradition, along with the breakneck industrialization and modernization of South Korea; and lastly the philosophy of professionalization and professional ethics. By identifying each in relation to one another, a nuanced understanding of social role ethics will emerge as a pragmatic paradigm to facilitate sustaining social harmony, in both South Korea and societies writ large.

Confucius himself was not a speculative or theoretical philosopher, but rather involved himself in the relevant social, intellectual, cultural, political norms and trends of his time. “He was interested in how to make one’s way in life, not in discovering the ‘truth.’”¹ This study attempts to follow those footsteps by employing social narratives integral to classical Chinese philosophy en masse. A practical approach is taken in discussing the “nut rage incident” as an

¹ Roger T. Ames and Henry Rosemont, Jr., trans., *The Analects of Confucius: A Philosophical Translation* (New York: Ballantine Books, 1998), 5.

actual social and ethical hard-case. An eventual goal is to *reauthorize* classical Confucianism with modern professionalization to bring harmony to increasingly complex societies.

CHAPTER 1

THE GORDIAN “NUT”

Heather Cho, 40, had just boarded first-class a few minutes prior to taxiing as flight attendants began to serve their “most valued” guests with some refreshments. It was December 5th, 2014, and Korean Air Flight 86 was bound for Seoul out of JFK International Airport in New York City. As the plane taxied to the runway, flight attendant Kim Do Hee proceeded to serve macadamia nuts to those at the front of the cabin. But there was only one problem for Heather: the nuts were not served to her opened on a plate as she expected them to be—they were still in the bag. Heather furiously threw the nuts at Kim, chastised her, and vehemently demanded to complain to the cabin crew chief, Park Chang-jin. As soon as he was summoned, Heather berated the crew chief and, in front of several other first-class passengers, ordered him to kneel in front of her and beg for forgiveness. Still unsatisfied, she battered his knuckles several times with the edge of her computer tablet and promptly dismissed him, ordering the plane be turned around for him to get off. Twenty minutes later, it took off with 250 passengers onboard, minus crew chief Park.²

Why did the flight attendants, let alone the pilots, take her seriously? Why didn't the crew immediately treat her as a hostile threat and report or detain her, instead of acknowledge, and even obey, her commands? As it turned out, Heather Cho (Korean name, Cho Hyun-ah 조현아) was vice-president of Korean Air and daughter of the company's chairman and CEO,

² In-Soo Nam, “Korean Air Executive Ejects Crew Member After Poor Nut Service,” *Wall Street Journal*, December 8, 2014, accessed October 5, 2015, <http://blogs.wsj.com/korearealtime/2014/12/08/korean-air-executive-ejects-crew-member-after-poor-nut-service/>.

Cho Yang-ho. During an investigation of what became known as the “nut rage incident,” (or, in Korea, “nut return” 땅콩 회항), it was discovered that crew chief Park originally planned to go along with the company executives’ wishes and not report the incident, until he found out that Cho had attempted to spread false rumors of sexual relations between himself and flight attendant Kim. After the scandal went public reports came out that, in 2013, Cho had also attacked a flight attendant who served her improperly cooked ramen noodles. Ironically, details from Cho’s later indictment revealed that, according to the airline’s manual, flight attendant Kim had indeed conformed with protocols in distributing the nuts unopened.

It has been easy for news organizations to single out Heather Cho and her actions, often using the incident as a launch pad for discussing and criticizing certain aspects of South Korea’s culture and economy at a first, but shallow, glance. Although it was not the attention or focus of the reporting, a more ethically interesting question—the crux of this ethical “Gordian Knot” — considers the actions and inactions of the *pilot-in-command* of Korean Air Flight 86. Why he may have chosen to act the way he did, and, given his professional role, whether his actions were appropriate, or even censurable, will be investigated as each thread of the knot is intimately understood and unraveled.

CHAPTER 2

FIRST THREAD: THE *ANALECTS*: A NORMATIVE VOCABULARY

From Humble Beginnings

Confucius, or Master Kong (孔子) was born in 551 BCE in the state of Lu, in the modern-day Shandong province. Although he was born into the *shi* (士) class, between the aristocracy and commoners, at the age of three his father died, leaving his mother to raise him in poverty. Despite their struggle, Confucius's mother encouraged his education, sending him to a school for commoners. He is quoted as saying, "From fifteen, my heart-and-mind was set upon learning" (*Analects* 2.4).³ After marrying at 19 and having his first and only son at 20, Confucius needed to work even more to help support his new family and mother. During his early 20s he picked up jobs tending to horses and sheep, and bookkeeping for some noble families. In his later years he recalled, "We were poor when I was young, so I learned many a menial skill,"⁴ but he believed that more exemplary persons (*junzi* 君子) did not need such skills (*Analects* 9.6). Within a few years his mother died, less than forty years-old, most likely from her hard, laborious life. Confucius spent much of his earnings toward her burial and it is said that he spent three years in mourning as was the custom and tradition.

Confucius's birthplace of Lu was only one of over a dozen independent states that remained from the declining, but once prosperous, Zhou dynasty. The strongest seven of these states were escalating war over the central plains. The intensifying violence was headed toward a

³ Ames and Rosemont, *Analects*, 76.

⁴ *Ibid.*, 127.

zero-sum game, and state politics increasingly diversified as the conditions were ripe. Such a politically varied environment coincided with a myriad of competing schools of thought, and Confucius eventually paved the way for the “Hundred Schools” that vied for doctrinal dominance in the centuries that followed. In his later years, after starting his own academy in Lu, Confucius also started the practice of independent philosophers traveling to various states to advise political leaders of their distinct doctrines as a means of achieving social and political success. But Confucius held such a deep respect and warm sentiment toward his culture’s rich past that he considered himself more a transmitter of the classics than a novel philosopher, having said, “Following the proper way, I do not forge new paths” (*Analects* 7.1)⁵ To him, studying the ancient texts (in particular the Book of Documents and Book of Songs) was a way to understand, resource, and reimplement the flourishing reigns of the ancient sage kings. This was an important aspect of his “love of learning” (*haoxue* 好學). These ancient sage kings, who governed by observing ritual propriety and custom (*li* 禮), were not occupied with amassing personal wealth, but instead with ensuring the material and spiritual welfare of the people and sustaining harmony between the community and rest of the natural world. In addition to inspiring his students to study the classics, Confucius’s “six arts” advocated personal refinement through observing propriety and ceremony (*li* 禮), performing music (*yue* 樂), and developing proficiency in archery, charioteering, writing, and calculation. This curriculum served to cultivate one’s moral character in ways simply learning practical skills could not achieve; and ever since, throughout the Chinese tradition, one’s excellence could indeed be demonstrated through proficiency in these “arts.”

⁵ *Ibid.*, 111.

As a *philosophe* and public intellectual, Confucius garnered a significant following of students over the course of his life, which he accepted from *all* socioeconomic classes; his favorite among them, as it turned out, was hopelessly destitute, which only served to draw Confucius's admiration even more. Despite the fact many of his students went on to serve in political office, Confucius was repeatedly frustrated with the marginal impact he felt he had on contemporary practical politics throughout his life. His desire was to engage the intellectual and social trends, while enhancing the quality of life of all people reliant on them. Dissatisfied at home, he ventured off to rivaling states in his early fifties, offering political advice. But given the regional situation at the time, Confucius's life was threatened on a number of occasions. While many eminent political leaders summoned his counsel and services throughout his career, he never held more than lesser offices at court; he was even less successful in political advancement than he would have hoped, both at home and abroad. Eventually returning to Lu, he spent his remaining years as a counselor of the lower rank and compiling classical texts, presumably convinced his life and career—politically and practically—were inconsequential. He died in 479 BCE at the age of 72.

Selected Sayings

The life and philosophy of Confucius comes to us from various accounts of his teachings and events compiled posthumously in the *Analects*, *Mencius*, and the *Zuo Commentary to the Spring and Autumn Annals*. The *Analects*, or *Lunyu* 論語 (literally “Selected Sayings”), is a collection of Confucius's thoughts, dialogues and aphoristic sayings compiled by his direct followers and is regarded as the most reliable and chief source of his teachings and life. Throughout the dialogues

with his students and various historical figures, Confucius discusses a variety of social and moral topics including education and personal cultivation (*haoxue* 好學), proper governance, appropriate conduct (*yi* 義), and contemporary political, social, and personal affairs; and in explaining these matters, he makes frequent use of metaphors to cooking, playing music, and regularly cites both positive and negative exemplars—including his students—who embody his virtue-centric philosophy. Somewhat biographical, the *Analects* subtly depicts a man who seems less of a *legendary sage* and more a humble (and occasionally frustrated) flesh-and-blood teacher and scholar who was committed to effecting social and political change through broad education and counsel. If nothing else, the *Analects* serves as a monumental social document, depicting the political, socioeconomic, and spiritual issues and concerns of the people and state of Lu 2500 years ago.

Unlike many studies of ethics in the Western tradition, it is important to note that Confucius's moral philosophy is neither grounded in nor a search for universal principles; instead it is highly contextualized and practical. "There were four things the Master abstained from entirely: he did not speculate, he did not claim or demand certainty, he was not inflexible, and he was not self-absorbed"⁶ (*Analects* 9.4). As such, the advice and lessons he offers his various students and political solicitors broadly vary. He takes into account the current "path" (*dao* 道) of someone—where they came from, and where they intend to go—when giving advice or teaching. He praised one student's inquisitiveness, but disapproved of his stinginess; admired another's courage, but criticized his impetuosity.

⁶ *Ibid.*, 127.

“Justice,” then, becomes an extremely nuanced, contextual and relational understanding, or *sense*. What Confucius ultimately drives home is that personal cultivation and an understanding and respect for what is culturally and socially appropriate is a large part of fine-tuning one’s *aesthetic sense* of justice. It is no mystery that his numerous allusions, to culinary and performing arts, act as a vehicle to realize (*zhi* 知) this aesthetic sense.

The history of Western philosophy is not completely unfamiliar with such a departure from traditional ethics. In *Art as Experience* (1934), American philosopher and pragmatist John Dewey desired to surpass philosophical and commonsense distinctions between the art world and everyday life. Moreover, such a realization is completely consonant with Dewey’s democratizing views on *community*—the “playing field” of justice. The upshot is the *Analects* resists moral relativism by illustrating the *deep normativity* of all human beings’ social and ethical life. To better understand the breadth, variety and nuance of this normativity we must familiarize ourselves with vocabulary used throughout the *Analects*.

A Normative Vocabulary

Roger T. Ames and Henry Rosemont, Jr., in their introduction to and translation of the *Analects*, proffer a philosophically sensitive understanding of the vocabulary used throughout, which is hermeneutically important both for any comparison of Sinitic cultures and states since influenced by Confucianism, and in rectifying any potential mainstream Western misconceptions. By no means a complete or comprehensive selection from the entire work, the following philosophical terms should nonetheless provide a unique practical and ethical first-resource to aid in unravelling the central Gordian Knot.

Ren 仁

Ames and Rosemont offer a novel translation of *ren* 仁 as “authoritative conduct,” “to act authoritatively,” or “authoritative person.” Appearing in over a hundred instances throughout the *Analects*, this chief project of Confucius was, as many of his others, an *aesthetic accomplishment* (*Analects* 12.1).⁷ As such, there is a certain processual and emergent nature to becoming human in which one cultivates cognitive, aesthetic, moral and religious sensibilities, as expressed in one’s ritualized roles and relationships.⁸ The sum of our significant relationships constitute each of us as social persons.

“Authoritative,” is not *authoritarian*. An “authoritative person” (*ren* 仁) is “a model that others, recognizing the achievement, gladly and without coercion, defer to and appropriate in the construction of their own personhood.”⁹ As one observes ritual propriety (*li* 禮), embodying and internalizing a tradition’s values and customs—“authoring” the culture for one’s own place and time—one becomes a prominent and visible “authority” (*ren* 仁) in the community. This is a physical accomplishment as much as a mental one, as one’s posture and comportment, gestures and bodily communication adjust accordingly. Most importantly, *ren* 仁 is creatively growing a healthy and robust relationship with and participation in the community.

⁷ *Ibid.*, 152.

⁸ *Ibid.*, 49.

⁹ *Ibid.*, 51.

Li 禮

It is with careful consideration Ames and Rosemont translate *li* 禮 as “observing ritual propriety.” Table manners, patterns of greeting, weddings, funerals, even recreational activities like fishing and hunting (*Analects* 7.27)¹⁰—all formal conduct—are *li*. They are the meaning and value-invested roles, relationships, institutions and procedures—the *social grammar*—that facilitate communication and foster a sense of family, community and polity. According to Ames and Rosemont, *rituals* differ from rules or law by allowing the tradition to be made into one’s own; similarly, their preference for “propriety” stems from the Latin *proprius*: “making something one’s own” (as in “property”). This explains why Confucius often mentions playing *music* (*yue* 樂) along with *li* throughout the *Analects*, arguing that non-authoritative persons (someone who is *not ren* 仁) have nothing to do with either (3.3).¹¹ But the analogy does not end here.

The performative aspect of playing music—the physical and psychological demand, attention to detail, choreography—translates wholesale to the entire way of life depicted in the *Analects*. Only through the discipline of formalized roles and behaviors is personal refinement possible, in much the same way one learns an instrument to eventually perform in concert, or a sport to play in a team. However, as Ames and Rosemont keenly note, healthy and self-sustaining communities must strike an appropriate balance between creativity and form. “Form without creative personalization is coercive and dehumanizing law; creative personal expression without form is randomness at best, and license at worst.”¹²

¹⁰ *Ibid.*, 117.

¹¹ *Ibid.*, 82.

¹² *Ibid.*, 52.

All this has subtle yet profound implications for ethics. To Confucius, failing in one's personal responsiveness is both "bad manners" and a violation of moral responsibility; human misconduct only varies in degrees of inappropriate, degrading, and harmful behavior. He demonstrates the perversity and pervasiveness which impropriety can bring about:

When names are not used properly, language will not be used effectively; when language is not used effectively, matters will not be taken care of; when matters are not taken care of, the observance of ritual propriety (*li* 禮) and the playing of music (*yue* 樂) will not flourish; when the observance of ritual propriety and the playing of music do not flourish, the application of laws and punishments will not be on the mark; when the application of laws and punishments is not on the mark, the people will not know what to do with themselves... (*Analects* 13.3)¹³

Xin 信

The connection between language, the ethical life and *li* are reinforced further with the concept of *xin* 信. Although owing to a more complicated philological background, visually the classical Chinese character shows a "person" (*ren* 人) standing by "words" or "speech" (*yan* 言), which Ames and Rosemont choose to translate as "making good on one's word." As the two point out, there is a distinction to be made between simply "intending to do" what one says and actually having the resources to follow through. Accordingly, "making good on one's word" is bidirectional: a commitment on behalf of the benefactor, and the confidence of the beneficiary. "*Xin*, then, is the consummation of fiduciary relationships."¹⁴

¹³ *Ibid.*, 161.

¹⁴ *Ibid.*, 53.

Yi 義

Given a specific situation, *yi* 義 is the *sense of appropriateness* that facilitates someone to conduct his or herself properly and fittingly. Owing again to subtle philological considerations, Ames and Rosemont argue that *yi* is closer to “appropriate” or “fitting” in English than its previous and more frequent translations, glossing it as the attitude and stance one takes when literally preparing the lamb for ritual slaughter. This gloss further supports their claim that *yi* has religious, as well as social, aesthetic and moral connotations of “appropriate.”

In relation to *li* 禮, *yi* is the *meaning* afforded by an established practice or culture, defined by its forms of ritual propriety. As such its value can be *appropriated* by a person performing these roles and rituals. And in relation to *xin* 信, Confucius says “making good on one’s word (*xin* 信) gets one close to appropriateness,”¹⁵ since *yi*—the sense of appropriateness—gives genuine meaning to relationships in a community of mutual trust.

He 和

The “harmony” alluded to in the title of this thesis stems from the classical Confucian sense of *he* 和. Praised as the highest cultural achievement throughout the *Analects*, this sense of harmony is, like many other Confucian concepts we have seen, immensely aesthetic. In fact, the term has a *culinary* etymology frequently appealed to throughout the early corpus. This sense of elegant harmony comes from the preparation of food, the art of combining and blending multiple ingredients to achieve mutual benefit and enhancement while preserving their distinct and particular identities. In terms of society and culture, this analogy entails the endurance and

¹⁵ *Ibid.*, 55.

integrity of particulars writ large and their ease of integration into the larger whole. *He* 和 is an *emergent* order from the collaboration of intrinsically related details that embellish the contribution of each.

Harmony is *not*, therefore, mere *agreement*. As Confucius states, “Exemplary persons seek harmony not sameness; petty persons, then, are the opposite” (*Analects* 13.23).¹⁶ The difference between “harmony” and “agreement” is further explained in an extended commentary on this passage:¹⁷ “If you season water with water, who is going to eat it? If you keep playing the same note on your lute who is going to listen to it? The inadequacy of ‘agreement’ lies in this.”¹⁸ As with *li* 禮 and *yue* 樂, the music analogy reappears, the commentary noting that “music functions similarly to flavoring.”¹⁹ *Harmonies* in music, especially chords, are the simultaneous combination of distinct tones that are synergistically pleasing to the ear. And of course, the individual musicians in a jazz band—each distinct instrument, role and personality—can perform together in a way that not only sustains but enhances each particular contribution. “Much can be realized with music if one begins by playing in unison, and then goes on to improvise with purity of tone and distinctness and flow, thereby bringing all to completion” (*Analects* 3.23).²⁰ Ultimately, achieving harmony in this sense is an extremely subtle art of contextualization, one that often “cannot be captured in words or fairly conceptualized.”²¹

¹⁶ *Ibid.*, 16

¹⁷ See *Zuo Commentary to the Spring and Autumn Annals* Zhao 20.

¹⁸ Ames and Rosemont, *Analects*, 256.

¹⁹ *Ibid.*, 255.

²⁰ *Ibid.*, 88.

²¹ *Ibid.*, 258.

The *Shi* 士 and *Junzi* 君子

Lastly, Confucius extols two particular social classes, or categories of persons, several times throughout the *Analects*: *shi* 士 or “scholar-apprentice,” and *junzi* 君子 “exemplary person.”

Confucius himself was born into the *shi* 士 class which, long before him, had variously referred to middle class men, retainers, servants, lower level functionaries of lords, or even men of arms (similar to old English knights).²² Throughout the *Analects*, however, Confucius reappropriates these traditional social terms into his own teachings, and, according to Ames and Rosemont, shifts their social paradigm toward moral, spiritual and aesthetic notions—away from just function, position, rank or birth. For example, although *junzi* 君子 literally means “lord’s son,” Confucius employs the name more as “exemplary person.”

Shi is most likely understood as an *apprentice* of authoritative conduct (*ren*), on the long, demanding road to becoming an exemplary person (*junzi*). Confucius expects *shi* to immerse themselves in poetry and history; practice music and *li*; serve the public when appropriate; and most importantly enlarge their circle of moral concern beyond their families and villages, learning along the way to become benefactors and beneficiaries of a bigger community. The *junzi*, on the other hand—the ambitious goal of the *shi*—is already a benefactor to many, has lived an ample number of roles and no longer needs instruction. As Ames and Rosemont describe, “He is resolutely proper in the conduct of his roles—conduct which is not forced, but rather effortless, spontaneous, creative.”²³ Although scarce relative to *shi*, the *junzi* remain flesh-and-blood human beings, capable of occasional errors and even exasperation toward inappropriate conduct or injustice.

²² *Ibid.*, 60.

²³ *Ibid.*, 62.

Short of actually engaging and re-engaging the entirety of the *Analects*, one certainly cannot fully appreciate the scope, nuance, and sensible practicality of Confucius's teachings, which are arguably relevant in any age. Considered to be China's first great teacher, he has influenced not only Chinese culture but all Sinitic cultures, including Korea, for the last 2500 years. But as with many traditions, his historical influence has not been so straightforward and, at times, subtly ironic. To wit,

This endurance [of Confucianism] is not merely evidenced by the fact that the most successful—in strictly economic terms—of non-Western nations in modernizing their societies have been those heavily influenced by the Confucian tradition: Japan, South Korea, Taiwan, Singapore, Hong Kong... The “Confucian Hypothesis” which is regularly invoked to describe this success, often depicts an authoritarian Confucius who, in our opinion, is a very different one from the sagely teacher found in the *Analects*. Our Confucius is undogmatic..., not concerned with personal profit..., dislikes competitiveness..., sets little store by material possessions..., and is more concerned about equitable distribution of wealth than wealth itself...; it is neither an authoritarian nor a capitalist Confucius that is met in the pages of the [*Analects*].²⁴

With Ames and Rosemont's picture of Confucius in mind, let us explore just how different his teachings have perhaps diverged in the late history of one of the so-called products of the “Confucian Hypothesis”: *South Korea*.

²⁴ *Ibid.*, 19.

CHAPTER 3

SECOND THREAD: SOUTH KOREA: THE RISE OF A TIGER

A “Confucian Hypothesis”?

“Guided capitalism” alone cannot account for the success of South Korea’s rapid growth toward becoming one of the “Four Asian Tigers” in just two generations. Indeed, much can be attributed to the self-discipline and work ethic of Korean labor which have their roots in Confucian values. For over the past five hundred years, “Confucianism” has been a major state philosophy, after being first introduced through cultural and political influences from China. With an emphasis on “social harmony,” particularly through reverence for traditions, ancestors, elders, and occupational superiors, “Confucian” values have pervaded nearly every aspect of South Korea, from the family, to national sentiment, to the work culture. The founders of the country’s largest family-run conglomerates, or *chaebol*, are well-renowned for their paternalistic leadership and dedicated management. In the collective spirit, employees have been overtly treated as “family,” and all are expected to make personal sacrifices for the greater company’s interest.

These founders’ achievement and the country’s nationalism are facilitated in large part to a near ubiquitous, underlying understanding of, and adherence to, five key relationships: father-to-son, king-to-subject, husband-to-wife, elder-to-younger, and friend-to-friend. In the early Joseon period, the last and longest-ruling “Confucian” dynasty in Korea, from 1392 to 1897, these concepts were codified into the *Samgang O Yun* (삼강오륜), or the *Three Cardinal Principles and Five Ethical Standards*. The three cardinal principles are: (a) *cheong* 청—loyalty to rulers; (b) *hyo* 효—filial piety toward parents; and (c) *yeol* 열 female chastity, obedience and

filial piety (or *xiao* in classical Confucianism). The five ethical standards are: (1) *ui* 의—appropriate conduct²⁵ between rulers and subjects; (2) *chin* 친—cordiality and closeness between parents and children (mostly sons); (3) *byeol* 별—a clear distinction between the roles of husbands and wives; (4) *seo* 서—order between elders and juniors; and (5) *shin* 신—trust between friends.²⁶ Failure to adhere to these norms have frequently invited social condemnation and familial ostracism. The somewhat restrictive formalities built into formal Korean speech and social custom have crystallized these appropriated “Confucian” values, while the primacy of social role identity has reinforced the rigidity of the society’s hierarchical structure. As a result, paternalism, economic and gender inequality, and nepotism are just a handful of contemporary criticisms and concerns among an increasingly westernized South Korean citizenry.

Between the practical teachings of Confucius compiled in the *Analects* and a social hierarchy now seen as extremely vertical by South Koreans, something appears to have been lost along the way. Xunzi, a later Confucian, discusses the transmission of cultural ideas and ritual propriety (*li*)

Only the [sage] is able to understand the observance of ritual propriety [*li*]... with clarity; the [scholar-apprentices] *shi* and [exemplary persons] *junzi* perform it with ease; the officials maintain it, and the common people use it to create their own customs. In the hands of the [exemplary persons] *junzi*, it becomes the way of humanity; in the hands of the common people, it becomes the business of ghosts and spirits.²⁷

While not “ghost” or “spirits” per se, the social rigidity and vertical hierarchy that seems increasingly archaic and stifling to new generations of South Koreans, contrary to the work of the *junzi*, have in some ways become *dehumanizing*. Although such deferential social structures

²⁵ I have attempted to keep consistent with Ames and Rosemont’s translations introduced in the previous chapter by recasting traditional translations of Confucian terms, such as “righteousness” and “justice,” where appropriate.

²⁶ Boye Lafayette De Mente, *The Korean Mind: Understanding Contemporary Korean Culture* (Tuttle, 2013), 198.

²⁷ Ames and Rosemont, *Analects*, 65.

and norms may have been effective in maintaining order and deterring political dissent in Korea's earlier dynasties, it is unclear whether they may now serve to create new social and ethical obstacles, perhaps even hazards, in a rapidly modernizing and increasingly complex society. South Korea's now globally recognized and economically revered *chaebol* are in fact a bastion of this paradigm.

Chaebol 재벌

Although it became a high-profile scandal, gaining significant attention in Western news outlets, incidents like the “nut rage,” corruption, and abuses of power are not uncommon throughout South Korea, as generations of close-knit families run virtually all of the nation's largest corporations. Known as *chaebol* 재벌 (literally “wealthy clan”), each one has a single chair overseeing all operations of these giant conglomerates, many of which include several international enterprises and subsidiaries. In just the last decade, these companies have become household names in the West and especially in North America: Samsung, LG, Hyundai—their products occupy many American roads, households and even pockets.

For the past 40 years, the roughly hundred or so *chaebol* have had a disproportionate influence and grip on the nation's economy. In the 1990s their overall production to gross domestic product ratio was 40%,²⁸ and in 2013 the top five accounted for almost 55% of total market capitalization.²⁹ Even more so, as de facto conglomerates they wield a huge influence over the national government and politics. Between 2008 and 2013 during his term in office,

²⁸ Bong Joon Yoon, “The Korean Financial Crisis, the Chaebol, and Economic Reform,” *Korea Observer* 30, no. 3 (1999): 412.

²⁹ Sung Wook Joh, “*Chaebols* as South Korean entrepreneurship,” in *Handbook of East Asian Entrepreneurship*, ed. Fu-Lai Tony Yu and Ho-Don Yan (London: Routledge, 2014), 164.

now former President of South Korea Lee Myung-bak (a former executive of Hyundai himself) infamously pardoned several convicted, high-profile *chaebol* leaders, inciting public outrage. Among them, Hyundai chairman Chung Mong-koo had been convicted of embezzlement; Samsung chairman Lee Kun-hee had been convicted of tax evasion and embezzlement; SK Group chairman Chey Tae-won had been convicted of accounting fraud; and Hanwha chairman Kim Seung-youn had been convicted of assault with a pipe on a bar worker. As early as 1988, the president of Hyundai Heavy Industries at the time ran successfully for the National Assembly of South Korea, and since then several others have done the same attaining some of the 54 out of 300 seats allocated to proportional representation, not beholden to any constituency. Unlike the United States, where business owners typically buy political influence through lobbying and campaign finance, Korean business owners can become direct, voting participants in the national legislature. Their political influence even reached international scale in the early 2000s as Hyundai arranged business with North Korea, making payments to the country totaling half a billion USD.³⁰

The *chaebol* got their start in the 1960s when the government had ambitions to grow and modernize what was then a comparatively small economy dominated by agriculture. The country was in fact still reeling in the aftermath of the Korean War, but there was little “recovery” in the sense that Korea had been largely non-industrial even before the war. Through a form of “guided capitalism,” the government cooperated with a handful of the larger corporations, many leftover from Japanese firms during the country’s 35-year occupation in the first half of the 20th century. With the help of the *chaebol*, the government established monopolies and oligopolies in various

³⁰ “Hyundai’s \$500 Million Payments to North Korea: A Bribe or Business Deal?” *Korea WebWeekly*, February 9, 2003, accessed October 6, 2015, http://www2.law.columbia.edu/course_00S_L9436_001/2004/hyndais-money.pdf.

industrial sectors by funneling domestic and foreign loans to them, promising to repay should a company default. By the 1980s the *chaebol* and the country's growth in export markets had exploded in manufacturing, trading and heavy industries, allowing the *chaebol* to start becoming financially secure and independent, no longer in need of government assistance. Since much of their success was a result of shrewd diversification of goods, the *chaebol* began switching to electronics and high-technology in the 1990s. South Korea had quickly become one of the largest "newly industrialized countries," and all seemed well-and-good. That is, until the Asian financial crisis in 1997.

The system's weaknesses were finally revealed for the first time in the country's history when 16 of the 30 largest *chaebol* completely collapsed in only two years. Daewoo Group, one of the biggest, owed \$80 billion USD in unpaid debt, making it the largest corporate bankruptcy in world history at the time. Many banks had believed the *chaebol* were "too big to fail," allowing them to roll over unpaid loans. However, since many *chaebol* were tied to one another via debt guarantees, when their defaults became so severe it caused a chain reaction, incurring a banking crisis and leaving South Korea to turn to the International Monetary Fund for assistance. Since then, the country and remaining *chaebol* have rebounded quickly, each maintaining far lower debt levels but accounting for a greater proportion of the economy.

The South Korean *chaebol* are frequently compared to the Japanese *keiretsu*, descendant from the *zaibatsu* which dominated the Empire of Japan during the Meiji period until the end of World War II. In fact, both *chaebol* and *zaibatsu* share the same Chinese characters (財閥). Despite their similar origins, however, the two have diverged in some significant ways. For one, groups of professional managers control *keiretsu*, while the founding families predominantly control the *chaebol*. Overall, the Korean counterparts are far more family-oriented, and as such

remain highly centralized. And while the Japanese have since switched mainly to outside contractors for producing components for export, the *chaebol* have formed subsidiaries and secured for themselves horizontal and vertical integration, making them considerably dependent on a complex system of interlocking ownership by its family members; for example, currently the largest *chaebol*, Samsung had 65 subsidiaries and 10 financial companies in 2010.³¹

Over the course of their meteoric rise, the *chaebol* publicly prided themselves in fostering “Confucian” values, which in turn meant “Korean values.” In addition to promoting a collective spirit and emphasizing a diligent work ethic, these companies routinely reminded employees that they were their *family*. But these strategies, employed to maintain and secure economic success (especially for the upper management), may have had little in common with Confucius’s original teachings.

Recalling the *Analects*: The Role of Family

First and foremost, it is no surprise that the family metaphor and its social importance within Confucianism has channeled so vitally, potently and successfully through the various histories of Sinitic cultures, South Korea being no exception. As Ames and Rosemont preface the *Analects*, “the family metaphor pervades this text, encouraged by the intuition that this is the institution in which the members give themselves most fully and unreservedly to the group nexus, in interactions that are governed by the customs (*li*) appropriate (*yi*) to the occasion.”³² Given the time and place of Confucius’s life, and for at least hundreds of years before and after, this intuition was enormously astute. Perhaps even for much of Korea’s pre-industrial history this

³¹ Joh, “Chaebols,” 161.

³² Ames and Rosemont, *Analects*, 57.

insight remained socially pertinent and appropriate. But between pre- and post-industrial Korea, in a somewhat rapid *gestalt shift*, the value of this insight became deeply couched and obscured amidst unprecedented and increasingly complicated social arrangements and competing values. And in perhaps the worst scenarios it was corrupted.

Like many regimes, the *chaebol* met their fair share of public resistance and dissidents over the course of these last 40 odd years. The 1980s featured a resurgence of more radical independent trade union activism, challenging the upper management of the likes of Hyundai for collective bargaining. But in an expeditious and cunning response, the Hyundai management simply modified their human resource policies. Among the changes was a transition away from a dual approach to incentives where, previously, managerial employees alone enjoyed subsidized housing, school fees and promotional opportunities. These benefits were gradually “extended” to production workers through new policies in an attempt to appease the movement, bring about their commitment to goals as set by management, and promote workforce identification with Hyundai.³³ However, because of the *ad hoc* manner in which the expansions took place, their effectiveness remains unclear, with the majority of production workers believing they had little chance of actually receiving such benefits.³⁴

There were even more subtle and perhaps more devious changes in policy. Alongside these newly launched paternalistic welfare systems, Hyundai promoted a range of cultural and ideological values and educational programs in an effort to seed dissension among the more militant independent trade unions and encourage more “cooperative” forms of trade unionism. One of the major strategies management adopted was the inclusion of cultural activities in formal

³³ Seung Ho Kwon and Michael O’Donnell, *The Chaebol and Labour in Korea: The Development of Management Strategy in Hyundai* (London: Routledge, 2003), 151.

³⁴ *Ibid.*, 163.

training and educational programs. In 1995, during the “Newcomer Orientation Programme” ceremony, the following exchange took place between the chairman and attending parents:

“Instead of you, we will take care of your sons and daughters with love and affection.” To which a representative of the parents replied, “Our sons and daughters will make good talented human beings through warm and rigorous education.”³⁵

Hyundai’s intent of indoctrinating these “familial values” stands in no relation to those propounded by Confucius in the *Analects*. Ames and Rosemont importantly argue that, even during Confucius’s time, “such a commitment to family, far from entailing self-sacrifice or self-abnegation, requires the full expression of personal integrity, and thus becomes the context in which one can most effectively pursue personal realization.” The “family culture” and paternalistic welfare endorsed by Hyundai was ironically and successfully undermining the production workers’ pursuit of personal realization via independent trade unions and collective bargaining at a much larger socio-economic scale.

Most associations between “family” and *chaebol*, however, tend not to refer to the Machiavellian tactics employed by these corporations throughout their histories. Instead, as their literal name suggests (“wealthy clan”), more often they refer to the widespread *nepotism* iconic of these industrial giants which feature direct lines of descendant from the original founders cascading down executive positions (Korean Air is just one example). But, whatever cultural justifications are appealed to for the surreptitious propagation of nepotism among *chaebol*, they certainly cannot be traced directly to Confucius himself or the lessons of the *Analects*. Case in point, Confucius’s own son, Boyu, was not given any special instruction or treatment. In a later passage, someone directly asks Boyu about this and after hearing his response “learned that

³⁵ *Ibid.*, 161.

exemplary persons (*junzi*) do not treat their own sons as a special case” (16.13).³⁶ Moreover, Confucius himself, in an earlier passage, exalts from history Taibo, a descendent of the ancestor of the Zhou court, as a person of unsurpassed excellence (*de* 德). Although he was the oldest son and first in line to ascend the throne, as was tradition, Taibo “repeatedly renounced his claim to the empire, and the people could not find words adequate to praise him” (8.1).³⁷

Now that we have introduced and traced these first two interwoven threads—where they join and where they diverge—one more thread remains before we can begin to unravel the Gordian Knot posed by the “nut rage” incident. This last major thread, at first glance, may seem like a slight departure from these first two, emanating from an alternate historical and philosophical tradition. However, only by tracing it will surprising similarities and comparisons be made with the first thread, as the two tend to crossover at several points. If any attempt to unravel the knot can hope to be successful, we must finally confront the *professional role* of Korean Air Flight 86’s pilot-in-command in all its complexity and subtleties.

³⁶ Ames and Rosemont, *Analects*, 201.

³⁷ *Ibid.*, 120.

CHAPTER 4

THIRD THREAD: PROFESSIONAL ETHICS

Normatively Rich Social Roles

Ethics in the Western philosophical tradition has, for the most part, been three-fold: virtue, deontology and utilitarianism, most notably championed by Aristotle, Immanuel Kant and John Stuart Mill respectively. *Professional ethics*, on the other hand, do not fall squarely and completely into any one of these three categories. As Kenneth Kipnis argues, professions and their members are not only expected but socially obligated to act in ways which would seriously violate the tenets of each of these doctrines. Yet these classes of people remain hugely integral to the health and sustainability of modern industrialized societies around the world and have been for at least the past century. Licensed professionals are regularly in demand, come highly respected, and are compensated handsomely. It has not been uncommon for parents to desire their children to become doctors or lawyers, two of the most renowned exemplars among this “social class.”

The policies, duties, actions and behaviors of professions only seem paradoxical and problematic when viewed myopically from any one of the major tripartite ethical paradigms in exclusivity. Indeed, many if not all social roles and their associated obligations—not just professions—appear to fail in some crucial way when viewed from any one of the standard trio of Western ethical precepts alone. For example, utilitarianism and one of the most universal social roles of all: *parents*. Richard Wasserstrom writes:

Being a parent is, in probably every human culture, to be involved in role-differentiated behavior. In our own culture, and once again in most, if not all, human cultures, as a

parent one is entitled, if not obligated to prefer the interests of one's own children over those of children generally. . . . If one were trying to decide what the right way was to distribute assets among a group of children all of whom were strangers to oneself, the relevant moral considerations would be very different from those that would be thought to obtain once one's own children were in the picture. In the role of parent, the claims of other children vis-a-vis one's own are, if not rendered morally irrelevant, certainly rendered less morally significant. In short, the role-differentiated character of the situation alters the relevant moral point of view enormously.³⁸

In Kipnis's words,

In a sense, to become a parent is to alter one's moral universe. It is to assume a role to which, contra Kant, special ethical standards apply; a role within which, contra the utilitarians, a moral privilege obtains to attend more carefully to the interests and needs of some persons (your children) than might otherwise be justified.³⁹

In fact, when we take a more capacious view, one grounded in the social context and narrative out of which such roles evolved (for instance a classical Confucian view), the various aspects of social roles no longer seem paradoxical but rather remarkably coherent. Unlike some of the more lofty, abstract or logical precepts of virtue ethics, deontology and utilitarianism, social roles by definition cannot exist in a *vacuum* (i.e., without a society in which these roles interplay). Similarly, "For Confucius, unless there are at least two human beings, there can be no human beings," according to Herbert Fingarette.⁴⁰ Etymologically the Chinese character *ren* 仁 (recall Ames and Rosemont translate this as "authoritative conduct/person" in the *Analects*) is made up of *ren* 人 "person" and *er* 二, the number "two," which further emphasizes the fact human beings are irreducibly social.

Professions are simply one particular—albeit creative—extension or variation of social roles broadly. As has always been the case, even in Confucius's time, social roles are *ethical* roles with normative values and meaning. Recall in Chapter 2, the First Thread, Ames and

³⁸ Richard A. Wasserstrom, "Lawyers as Professionals: Some Moral Issues," *Human Rights*, 5, no. 1 (1975): 4.

³⁹ Kenneth Kipnis, *Legal Ethics* (Englewood Cliffs, NJ: Prentice-Hall 1986), 3.

⁴⁰ Ames and Rosemont, *Analects*, 48.

Rosemont translated *yi* 義 as “appropriateness;” and it is “the sense of appropriateness that makes relationships truly meaningful in a community of mutual trust...”. And for Kipnis, the *normativity* attached to any social role, including professions, bestows upon it an ethical dimension. In sum, “at least some ethical obligations are grounded... [in] a normatively rich social role, and the role in question is linked to a social relationship or organization that is critical to the well-being of a social order.”⁴¹

Perhaps this “well-being” is what Confucius would describe as *he* 和, or social “harmony,” the highest cultural achievement in the *Analects*. And as societies have grown ever more complex throughout history, the need would arise time and again for a greater number of *normatively rich social roles* to help sustain social harmony. Some of the most influential and impressive of these have come in the form of *professions*.

A Need for Professions

Historically, the division of labor has been a natural human response to complexity. Whether it is an army winning a large battle, a symphony orchestra performing an arrangement, or even children playing soccer, their likelihood of success is enormously augmented by the group’s ability to effectively assign and deploy roles in concert with one another. Not surprisingly, this elementary strategy for compartmentalizing human activity within groups has scaled up with complex societies, especially with the rise of urban and industrial cities of the last few centuries. But even 2500 years ago, in the waning years of the Zhou dynasty, Confucius and those before

⁴¹ Kenneth Kipnis, “The Authority of the Ethicist: Just Who Do You Think You Are?” (unpublished manuscript, 2014), 20.

him recognized that some social tasks and needs are better served and more efficacious when compartmentalized into distinct roles across society.

When a student told Confucius that he wanted to learn to farm, he responded, “A farmer would serve you better;” when he wanted to learn to grow vegetables, Confucius replied, “A vegetable grower would serve you better” (*Analects* 13.4)⁴² Although the larger lesson of this particular passage and elsewhere in the *Analects* centers more on the scholar class, or *shi* 士, pursuing a broader, personal cultivation (or “love of learning,” *haoxue* 好學), Confucius is by no means implying that farming is not a respected occupation. In fact traditionally farmers ranked just below *shi* 士 and were recognized for being a productive social role, integral to the “harmony” (*he* 和) and well-being of society. It is the simultaneously creative yet proper interplay of these distinct roles that serve to sustain and even enhance society overall, in the same way various ingredients interact when cooking. These approaches allow society to maintain regulative ideals such as *he* 和 through cooperative efforts such as social welfare, which Confucius thoroughly supported. Because of the gravity accompanying these roles and the importance of such regulative ideals, Confucius recognized that in particular the “reins of government” cannot be handed over to just anyone (*Analects* 20.2).⁴³ He saw that the greater responsibility and potential for oppression and injury attached to authoritative social roles meant only the very worthy, or *exemplary persons* (*junzi* 君子), should be given the reins of government.

⁴² Ames and Rosemont, *Analects*, 163.

⁴³ *Ibid.*, 226.

Although this intuition still rings true, across the board the stakes are now higher. The momentous technical achievements and phenomena which we can now integrate into our social lives makes sustaining harmony across larger numbers that much more involved yet ever so vital, requiring a greater sophistication than ever before. In the *Analects*, only the tyrant or proverbial sage (*shengren* 聖人) had the furthest reaching influence across society. The consequences of a single farmer's actions during Confucius's era were not so far-reaching. The environmental calamity caused by the *Exxon Valdez* oil spill, the tragic and disastrous sinking of MV *Sewol*, the economic recessions recurring across the world, precipitated by corporate fraud that pervades the highest echelons of financial and industrial giants and their unmatched political influence (*chaebol* included)—none of these were possible two and half millennia ago. Today, the actions of an ordinary commercial jet pilot directly affect the safety and well-being of her crew and hundreds of passengers and have the potential to affect hundreds, even thousands more. An individual's, let alone an organization's, capacity to sow social discord is now at its greatest potency and ease at the hand of state-of-the-art technologies and the nascent roles assigned to manage or, worse, exploit them.

As finite human beings, an unavoidable consequence of highly populated, complex and compartmentalized societies is the lack of time or resources for each of us to fully recognize the most excellent practitioners in a particular role and develop a deep trust afforded only by long-lasting relationships. Perhaps in ancient Zhou, it was feasible to foster long-standing relationships between social roles, and, when performing for unfamiliar people, a practitioner's reputation could often precede him. Employing such heuristics today, however, in modern human endeavors—or simply managing our increasingly complex daily lives—is increasingly Sisyphean, inevitably resulting in inordinate tolls on personal resources and our well-being.

Furthermore, woefully incompetent and unqualified amateurs saturate our society and pose threats to public safety, while masquerading scammers and con-artists hide behind our intractable veil of ignorance, capitalizing on our lack of time and resources.

Being strategic creatures, we have developed, and continue to develop, necessarily expeditious methods to both organize and navigate the societies we live in and co-create. In the words of Richard Rorty, as pragmatists we “treat inquiry—in both physics and ethics—as the search for adjustment...”⁴⁴ *Professions* are exemplary social roles, conceived and cultivated in order to maintain certain social goods—to sustain harmony. They stand as valuable, creative, resilient, and pragmatic responses toward social sustainability amidst an exponentially complex world. They are indispensable expedients precipitated by the confluent flux of technology, complexity, pluralism, population density, social goods and welfare, and of course regulative ideals like *he* 和.

Of course, professions do not *guarantee* social harmony—nothing in itself does. When a profession is properly functioning and effectively sustaining certain social goods, they are perhaps, at best, strategic efforts in minimizing social *disharmony*. What makes professions unique, however, is that they continue to be highly *definable*: societies constantly and consciously define and *redefine* these particular roles in more nuanced and critical ways than mere occupations out of novelty, entertainment or avarice. In much the same way the *Analects* discussed the norms associated with personal conduct and behavior, *professional ethics* remains an ongoing discussion of the norms associated with *professional* conduct and behavior. This social dialogue can be traced backward along a profession’s evolution, up to the conditions surrounding its birth. It is this *professional grammar*—*li* 禮—that informs apprentices and

⁴⁴ Richard Rorty, *Philosophy and Social Hope* (London: Penguin Books, 1999), 72.

practitioners (modern *shi* 士) of *appropriate professional conduct*—*yi* 義. This grammar encompasses all the norms, practices and policies that permeate a fully developed profession. But according to Kipnis, there are key, defining features that distinguish full-fledged professions from other normatively rich social roles.

The Three Features of a Modern Profession

Doctors and lawyers are among the earliest established and well-known professions in modern societies of the last two centuries. Much of the foregoing discussion draws heavily from these two exemplary cases. According to Kipnis, what makes professions distinct from occupations are *three* key features: (1) a claim to maximal competence; (2) commitment to the realization of significant social values; and (3) social recognition and reliance.

Claim to Maximal Competence

The first and perhaps foremost feature of a profession, one that occupations often share, is a *claim to maximal competence*. While on its face it amounts to “being the best at a particular skill or occupation” (as a particular car mechanic may hold the world record for changing a tire), as an *organization*, two subtle, inherent preconditions must be satisfied. The first is that, in order to represent the skilled class, the organization must include enough practitioners to warrant speaking on their behalf. The second is a gatekeeping mechanism that determines who can legitimately call themselves a practitioner. This can include specialized education, accredited schools and certification or licensing. Lawyers, for example, must have attended lengthy post-secondary education, including an accredited law school, that culminate in passing the bar—the

license to practice law. The same goes for doctors, psychiatrists and commercial jet pilots, to name a few.

Interesting sociological—sometimes anthropological—phenomena emerge as a consequence of groups pursuing maximal competence in a particular art. Throughout human history dimorphism across our species has certainly been organizationally exploited (e.g., in militaries and sports), as certain physical characteristics tend to be more advantageous for certain tasks than others. But genetically disposed somatic differences aside, as a profession's apprentices and practitioners fully incorporate the breadth of practices, policies and mental attitudes—*professional grammar*—it has to offer, these individuals begin to take on distinct physical and psychological characteristics and behaviors. In a very real way they begin to *embody* the profession. The French phrase *déformation professionnelle* (with “*déformation*” sometimes translated as “distortion”) connotes the sometimes negative psychological and sociological metamorphoses undergone as people transition into professionhood.

Interestingly, translating the Confucian concept of *li* 禮 as “ritual propriety” (especially the “ritual” aspect) is especially apropos when understanding a particular profession's *culture* (*wen* 文). In many ways, the procedures, practices, psyches and even ceremonies of century-old legal and medical professions resemble the *rituals* of diverse cultures (such as ancient China) studied in anthropology. Uniforms (a lawyer's suit, a doctor's scrubs, an airline captain's hat and coat), hierarchical structures, rites of passage, jargon and speech patterns, lifestyles, support structures—to name only a few—are just some of the unique “cultural” aspects found among professional roles. Ames and Rosemont insist that Book 10 of the *Analects* depicts a society with

detailed, ritualized lifestyles that reflect the natural world.⁴⁵ Indeed, “ritualization” is a natural human strategy for maximizing competence.

Yet another professional strategy, one particularly employed in medicine, again shares its roots with a classical Confucian intuition. Recall that the “family metaphor” pervades the *Analects* as the “institution in which the members give themselves most fully and unreservedly to the group nexus, in interactions that are governed by the customs (*li*) appropriate (*yi*) to the occasion.”⁴⁶ In many ways, a modern hospital, with its intricate and hierarchical management and support system, is no different and is as good (if not more robust, extensive and complex) a *group nexus*. It is an institution that can function beautifully and appropriately, or fail disastrously. In a significant way, organizations such as these have seriously opened up the comprehensive possibility of *surrogate* families. This too can expand, supplement or renew our understanding of the Confucian concept of *xiao* 孝, which has typically, historically and vaguely been translated as “filial piety.” By looking at both families *and* professions, *xiao* might instead be better understood in a professional context as an indicator of *compliance*. As Master You said, “It is a rare thing for someone who has a sense of filial and fraternal responsibility (*xiaodi* 孝弟) to have a taste for defying authority” (*Analects* 1.2).⁴⁷ And in the same way Confucian scholars (*shi* 士) and exemplary persons (*junzi* 君子) have extended themselves beyond the family in their journeys, so too a profession must be dedicated to a purpose greater than itself.

⁴⁵ Ames and Rosemont, *Analects*, 246.

⁴⁶ *Ibid.*, 57.

⁴⁷ *Ibid.*, 71.

Commitment to the Realization (*zhi* 知) of Significant Social Values

Since a profession's particular competence can serve some matter of public concern, "the process of professionalization requires that the profession make a public *commitment to devote itself to the realization [(zhi 知)] of some set of significant social values.*"⁴⁸ To a rough generalization, doctors and lawyers arguably realize extensive, comprehensive and reliable medical and legal services for society. According to the American Bar Association's *Code of Professional Responsibility*, "Lawyers, as guardians of the law, play a vital role in the preservation of society... A consequent obligation of lawyers is to maintain the highest standards of ethical conduct."⁴⁹

Although this feature again sharply distinguishes professions from the wide variety of occupations writ large, history shows that many professions evolved out of more humble occupations. What would eventually become a particular organization's "professional commitments" were laboriously—sometimes controversially—deliberated over a long and slow process, sometimes taking decades. For example, the transition from private fire companies to public fire stations around the turn of the 20th century marked a significant transition in the commitment of fire fighting services from private interests to social ones, but not one that happened overnight. In somewhat of a reversal of circumstances, the late history of elevator operators had succumbed to technological advancements in safety and automation, the result of a social role no longer able to—or as effectively—realize any significant social values. As societies grow ever more complex, new and established occupations will continue to be

⁴⁸ Kipnis, *Legal Ethics*, 16.

⁴⁹ *Ibid.*, 9.

reassessed, in an ongoing social dialogue, as to whether they qualify as normatively rich roles with the potential to fulfill this second criterion for professions.

But in spite of the fact that technology and complexity has continued to dynamically and radically alter societies, certain social, regulative ideals have remained desirable. For example, throughout the *Analects*, Confucius repeatedly protests against any form of greed or personal accumulation of wealth. And to both his students and governors seeking his advice, he consistently advocates social welfare, particularly for the common people. By this standard, hedge fund managers, advertising agents, and gambling bookmakers—although they may tout themselves as “professionals”—would be hard pressed to meet the criteria stipulated by either Kipnis’s definition or Confucius in the *Analects*.

Conversely, should a once legitimate profession “lose its way”—deviating from its beneficent commitments toward more self-serving ones—the social role can quickly and easily become *corrupted*. By Kipnis’s second norm, the social role loses its status as an exemplary “profession.” In fact, such transmogrifications are not necessarily the result of any cognizant intentions or premeditated decisions by any one or even several of its members. A double-edged quality of organizations is they can just as easily become impressively productive and potently humanitarian or misanthropically corrupted, inordinately convoluted and ineffectual—*Kafkaesque* labyrinths of bureaucracy. Such cautionary details should only serve to reinforce the notion that these normatively rich social roles must regularly self-adjust toward a delicate balance if they are to genuinely promote harmony and not discord.

Social Recognition and Reliance

Finally, although an organized occupation may have claim to these first two features, they do not in themselves constitute a profession.

Neither the competence nor the commitment is sufficient to change a discrete organized occupational activity into a profession. What is needed is *social recognition of and reliance upon the organized profession* as the means by which certain skills are to be applied and certain matters of public concern given the attention they are due. This last feature is built upon the preceding two.⁵⁰

Recognition alone is not enough. The society in which the profession operates must genuinely *rely* on the profession to fulfill certain social goods. In the *Zuo Commentary to the Spring and Autumn Annals* Cheng 2, Confucius is quoted as having said,

It is insignias of office and titles alone that cannot be conceded to pretenders—they must be managed by the ruler. Proper titles give rise to confidence, and confidence is what protects the insignias of office. It is insignias in which the meaning of ritual propriety is invested, and it is ritual propriety that carries appropriate conduct (*yi*) into practice, appropriate conduct is what gives rise to benefit, and it is benefit that brings equanimity to the people. Such things are what structure government, and if you concede them to pretenders, you concede the government along with them. If the government is lost, the country will follow, and there can be no stopping it.⁵¹

For modern professions, proper *licensure*, enforced by government, is both the culmination of these three hallmark features of professions and the final piece to their legitimate social authority. In fact, the etymological origin of the English word “license” traces back to Medieval Latin: *licentia*, “authorization”—as in *authority* or *authoritative*.

A consequence of social reliance by non-members is that, to a very significant extent, the professions themselves have self-determination regarding their roles’ norms, practices, policies and licensure. This is additionally supported by the first feature of professions: *a claim to*

⁵⁰ *Ibid.*, p 9.

⁵¹ Ames and Rosemont, *Analects*, 253.

maximal competence. For particularly rigorous professions, with members cultivated over at least several years of education and practice (such as lawyers and doctors), laypersons are at an intellectual, practical and somewhat “cultural” disadvantage in order to properly consider and evaluate many professional norms and practices. In at least two instances of the *Analects*, Confucius instructs, “Do not plan the policies of an office you do not hold” (8.14).⁵² And in concordance, Master Zeng comments, “The thoughts of exemplary persons (*junzi* 君子) do not wander beyond their station” (14.26).⁵³

This characteristic of self-determination, however, is not to imply or condone professions becoming self-serving monopolies, severed from society. Of course, any kind of occupational licensing will naturally be some form of restraint on trade. However, if the licensing body clearly serves itself in ways that do not protect or sustain the public’s interest, this can lead to conflict and should be identified by the government as “monopolistic” (or “oligopolistic”) behavior. Commendably, the United States government, through the Federal Trade Commission, has successfully prosecuted state licensing boards at the Supreme Court.⁵⁴ Despite our vigilance, this potential for corruption—individual or organizational—has perennially beset human history. As Ames and Rosemont point out, with any position of authority comes its corresponding responsibility.⁵⁵

This brings back the importance of *xin* 信, as the *consummation of fiduciary relationships*. Zilu, one of Confucius’s praised students, “made good on his promises [*xin* 信],

⁵² *Ibid.*, 123.

⁵³ *Ibid.*, 178.

⁵⁴ North Carolina State Board of Dental Examiners v. Federal Trade Commission (U.S.S.C. 2014).

⁵⁵ Ames and Rosemont, *Analects*, 261.

giving him the relationship he needed to enjoy the trust and confidence of the people.”⁵⁶ The third and final feature of professions completes the vital, on-going *hermeneutic circle* between the profession and society. In an endnote to a later article of his, “Medical Confidentiality,”

Kipnis encapsulates the regulative ideal behind profession ethics:

Ideally, professions sustain a collective process of reflection and education that is calculated to elicit a shared endorsement of evolving standards. These norms can be captured in a formal code of ethics. If a profession is healthy, it will sustain a robust and responsible debate on the values implicit in its work and the practices in virtue of which those values can be respected, furthered, and secured. Entry into a profession would therefore involve a proper commitment to defensible professional norms.⁵⁷

Now that we have introduced and traced the three major threads in the Gordian Knot at hand, we are substantially better equipped to try to begin untangling it.

⁵⁶ *Ibid.*, 251.

⁵⁷ Kenneth Kipnis, “Medical Confidentiality,” in *The Blackwell Guide to Medical Ethics*, ed. Rosamond Rhodes et. al. (Blackwell Publishing 2006), 126.

CHAPTER 5

UNRAVELING THE KNOT

Using the tools in the *Analects* and professional ethics, and oriented within the context of South Korea's late socio-economic history, we can now begin to unravel the "Gordian Knot" originally posed. The practical nexus of the preceding threads' topography converge on one person occupying the role all these share: the licensed *pilot-in-command* of Korean Airlines Flight 86. Our evaluation will take a two-pronged approach: one from the perspective of the first thread, the *Analects*; and one from the perspective of the third thread, *professional ethics*. As a hard case—the sort of ethical episode Confucius appraises occasionally throughout the *Analects*—we must understand whether the pilot's conduct in response to Heather Cho was *appropriate*. Since Confucius says, "one stands to be injured by friends who... feign compliance" (*Analects* 16.4),⁵⁸ and arguably more so by professionals with fiduciary charges, it is equally important to judge if his professional conduct was inappropriate.

"For Confucius... there are simply varying degrees of inappropriate, demeaning, and hurtful behavior along a continuum on which a failure in personal responsiveness is not just bad manners, but fully a lapse in moral responsibility."⁵⁹ Although he could not have possibly foreseen the practical extent to which our sheer entanglement with the flux of modern technology, society and government have opened the door to facile moral hazard—or even catastrophe—in the 2500 years since his teachings, his insight recognized that these ethical kernels had the potential to cascade to all possible levels and magnitudes of human culture. And

⁵⁸ Ames and Rosemont, *Analects*, 197.

⁵⁹ *Ibid.*, 52.

in the case of our Gordian Knot, as we will see, by failing to be personally *and professionally* responsive the pilot of Korean Air Flight 86, in the most serious sense, fully lapsed in professional—and subsequently moral—responsibility.

A Test of Authority: *Ren* 仁 Revisited

Once, when in the state of Chen, Confucius’s followers became weak after running out of rations. One of his students asked Confucius if exemplary persons (*junzi* 君子) ever face adversity, to which Confucius responded, “Exemplary persons are steadfast in the face of adversity, while petty persons are engulfed by it” (*Analects* 15.3).⁶⁰ One reason doctors, nurses, paramedics, and combat medics are successful at playing vital and exemplary roles in their respective communities, and for society as a whole, is their ability to keep “cool headed” under pressure (or even heavy fire), particularly with respect to *triage*—the determination of priorities for action.

Although it could go without saying steadfastness in the face of adversity is an important virtue for anyone, it is undoubtedly crucial for highly fiduciary roles, such as doctors, police officers, firefighters, and commercial airline pilots. The “pilot-in-command” (PIC), as defined by the International Civil Aviation Organization (ICAO, a United Nations agency), “shall, whether manipulating the controls or not, be responsible for the operation of the aircraft.”⁶¹ Under the

⁶⁰ *Ibid.*, 184.

⁶¹ “Rules of the Air,” *Annex 2 to the Convention on International Civil Aviation*, 10th ed., International Civil Aviation Organization (2005), 2-1, accessed October 6, 2015, http://www.icao.int/Meetings/anconf12/Document%20Archive/an02_cons%5B1%5D.pdf.

U.S. Federal Aviation Administration (FAA) regulations, this includes taxiing.⁶² Furthermore, the ICAO declares “the pilot-in-command may depart from these rules in circumstances that render such departure *absolutely necessary in the interests of safety*” (emphasis is mine).

The enraged demands of Heather Cho clearly created an adverse situation near the cockpit, especially given her pervasive influence in the company. It was precisely at this juncture that the PIC needed to be steadfast and authoritative (*ren* 仁) in the interests of the passengers onboard. Deviating from the flight plan by taxiing back to the gate and delaying the departure by 20 minutes to concede to Heather’s petty demands, seems *hardly* “necessary in the interests of safety.” This also demonstrated that the PIC failed to “make good on his word” (*xin* 信)—his fiduciary responsibility to the passengers. By becoming a licensed pilot and the PIC of this particular flight, he legally and morally accepted the fiduciary responsibility of the safety and wellbeing of his crew and passengers. He was socially expected and professionally obligated to perform and act appropriately (*yi* 義) according to modern commercial aviation standards and practices (*li* 禮).

One could argue that by calming Heather Cho through appeasement he was “taking the path of least resistance;” perhaps, had he followed protocol for an uncontrollable or violent passenger and alerted authorities, removing Cho instead, more strife would have ensued, not to mention the alternatively inevitable embarrassment for Korean Air: their vice president forcefully removed from their own flight. But, as Master You declares in the opening book to the *Analects*, “Achieving harmony (*he* 和) is the most valuable function of observing ritual propriety

⁶² “Part 1 DEFINITIONS AND ABBREVIATIONS,” *Code of Federal Regulations*, Federal Aviation Administration, published October 12, 2012, accessed October 6, 2015, http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgFar.nsf/FARSBYsectLookup/1.1.

(*li* 禮)... But when things are not going well, to realize harmony just for its own sake without regulating the situation through observing ritual propriety will not work” (1.12).⁶³ The PIC *should* have followed normal procedure and protocol, as the *proper means to achieving harmony*—to have treated Heather Cho as a *passenger* and not exceptionally as vice president of Korean Air and the CEO’s daughter. “If those in high station cherish the observance of ritual propriety (*li* 禮), the common people will be easy to deal with,” said Confucius (*Analects* 14.41).⁶⁴ This same principle applies to any other professional facing adversity.

“In a moment of rage to forget not only one’s own person but even one’s parents—is this not being in a quandary?” (*Analects* 12.21).⁶⁵ “Forgetting one’s parents” means to forget one’s familial role. Similarly this can symbolize or imply forgetting one’s larger social or professional role—one’s fiduciary responsibilities. Ethical “quandaries” for professions often stem from a lack of understanding or the ambiguity with regards to one’s role. For example, the phenomenon of “alienated labor” occurs when the values of the institution or occupation have no connection with the individual in that role. In such circumstances, the individual indeed becomes a mere *occupant* of the social role—a hollow placeholder.

As cultures and societies continually change, new quandaries arise for professions. This progression requires ethical boards to regularly reassess and reformulate the profession’s role so their members do not “forget” their places, especially amidst adverse conditions. This is also why professional associations and ethical boards often hold extensive reviews following major disasters and scandals. But even the more “routine” quandaries for professions, such as conflicts of obligation, are constantly being looked out for by reviewing bodies.

⁶³ Ames and Rosemont, *Analects*, 74.

⁶⁴ *Ibid.*, 182.

⁶⁵ *Ibid.*, 159.

Conflicts of Obligation in Professional Ethics

A conflict of obligation occurs when the due consideration normal to and expected from someone's social role is called into question.⁶⁶ A trivial example might involve a father who is refereeing a sporting event that his own son is participating in. On the one hand, as a referee, he has the responsibility to be fair and impartial; on the other hand, as a father, he is expected to be (or genuinely is) partial to his son's success and happiness. A non-trivial—in fact extraordinary and historic—example involved a judge in Ireland who oversaw his son's trial, and subsequently sentenced him to death.

Most professionals are understood as having a *fiduciary responsibility*, or duty, to their beneficiary's well-being or interests. For doctors, their patients; for lawyers, their clients; *for pilots, their passengers*. In a conflict of obligation, their *professional*, fiduciary responsibility to their beneficiaries is either being fought over by another social role or authority, or their beneficiaries obtain some surplus consideration due to their unique relationship to the professional (as in the referee/father and judge/father).

Among the *Three Cardinal Principles and Five Ethical Standards* Korean culture has adopted from Confucianism, at least *four* stand out as potential causes for conflicting obligations. *Cheong* 청, “loyalty to rulers,” and *seo* 서, “order between elders and juniors,” both seem fairly obvious as sources for conflicts of obligations, given current corporate and social hierarchies. Our Gordian Knot is perhaps an example of *cheong* in action: the responsibility of the PIC was yanked in opposite directions between his company executive, Heather Cho, and the rest of the passengers and crew on board.

⁶⁶ Kipnis, *Legal Ethics*, 40.

Yeol 열, “female obedience,” poses a particularly acute quandary for female professionals. In this potential case, a female professional’s responsibility to her client can be overridden by the demands of men in the society, whether or not they occupy the same profession. Along the same lines, in an extensively nepotistic culture (such as the *chaebol*), *hyo* 孝, “filial piety toward parents,” could also qualify as a problematic source; parents (or grandparents) could theoretically override fiduciary responsibility to any other client.

What these four principles can amount to are potential *trumps* that certain culturally informed relationships have over professional fiduciary ones. In the United States, wrongful discharge lawsuits serve to protect (or at least compensate) professionals from being threatened or pressured to give in to a conflicting obligation, one that is detrimental to her client or goes against the profession’s code of ethics.⁶⁷ As demonstrated in the *third feature* of a profession—*social reliance*—professions must be given social *authority* to properly function. *Legal recourse* that protects licensed members who adhere to professional norms affords a modern prophylactic against conflicts of obligation.

In particular, conflicts of obligation in the professional setting as a result of *hyo* 孝, or any sense of “family” fostered by *chaebol* culture, may naturally bring up the Confucian concept of *xiao* 孝. A more sensitive and subtle understanding of the term, one that emerges from the entirety of the *Analects*, will reveal that the conduct of the PIC was, if not “inappropriate,” *less than praiseworthy* by the original norm.

⁶⁷ In fact, crew chief Park, who was booted off Korean Air Flight 86 by Heather Cho, decided to report the incident directly to the media, instead of government officials, because he felt a government-run investigation would be unjust due to the company’s—and the family’s—political influence. This is an example of how governments, or perverse political influence, can negatively affect and even corrupt a profession.

“Remonstrating” Professionally

For professions in Confucian cultures, *xiao* 孝 might at first seem like a problematic source for quandaries involving conflicts of obligation. In the introduction to the *Analects*, Ames and Rosemont allude that “such a responsibility to question authority has its limits, and is not a warrant to pit one’s own opinions against one’s elders.”⁶⁸ However, there is also an abundance of passages detailing a nuanced artistry of “deference” and “remonstrance” among the Confucian canon. Many of these aspects are compatible with professional ethics and directly address the quandaries of conflicts of obligation. One example precisely discusses the Korean concept of *cheong* 誠, “loyalty to rulers.” In the *Zuo Commentary to the Spring and Autumn Annals*, in a discussion on harmony (*he* 和), Master Yan explains,

The relationship between ruler and minister is another case in point. Where the ruler considers something right and yet there is something wrong about it, the minister should point out what is wrong as a way of achieving what is right. Where the ruler considers something wrong and yet there is something right about it, the minister should point out what is right as a way of setting aside what is wrong. In such a way governing will be equitable without violating ritual propriety (*li* 禮) and the common people will not be contentious.⁶⁹

In the event that the PIC felt there was a “ruler-minister” relationship established between himself and Heather Cho, he should have “pointed out what was wrong” by following and maintaining professional grammar (*li* 禮), and indeed the passengers and crew on board (the common people) would not have been contentious. Confucius himself asks the question, “Can you do your utmost (*zhong* 忠) for your lord without instructing him?” (*Analects* 14.7).⁷⁰

⁶⁸ Ames and Rosemont, *Analects*, 59.

⁶⁹ *Ibid.*, 255.

⁷⁰ *Ibid.*, 172.

Similarly with regard to *seo* 序, “order between elders and juniors,” Confucius, just before asking his students a frank question, said “Just because I am a bit older than you do not hesitate on my account” (*Analects* 11.26).⁷¹ And again, in a later chapter, he advises, “In striving to be authoritative in your conduct (*ren* 仁), do not yield even to your teacher” (15.36).⁷² In fact Ames and Rosemont, in a note to this particular passage, claims that “*Xunzi*... makes a sophisticated case for the position that ‘filial piety’ (*xiao* 孝) is not simply doing as you are told.”⁷³

When taking into account these caveats toward any reductionism of *xiao* to plain deference, a stronger case is made for the concept as being an indicator of compliance in the professional setting. Above all, classical Confucianism would extol a proper adherence and commitment to the professional grammar (*li* 禮) over any familial or age-related precedents. In Confucius’s words, “Deference unmediated by observing ritual propriety (*li* 禮) is lethargy...” (8.2).⁷⁴

In the end, whether the knot has been “unraveled,” or more nearly “cut” (as Alexander the Great purportedly did), the investigation was uniquely approached by the perspectives from which the inquiry was first launched. What remains are the new lessons learned and old ones to be revisited in going pragmatically forward in societies with, and reliant upon, professions. No matter how swiftly technology and culture drives us, Ames and Rosemont remind us that, “There are however, regularities and continuities underlying change; our lives are neither arbitrary nor

⁷¹ *Ibid.*, 149.

⁷² *Ibid.*, 192.

⁷³ *Ibid.* 264.

⁷⁴ *Ibid.*, 120.

solely subject to change or whim...⁷⁵ The task at hand for South Korea, and modern societies alike, is to carefully *weave* these, and similar, unraveled threads into a suitable and long-lasting *social fiber* that we can practically and effectively use to *sustain harmony* (*he* 和) *through professional roles*.

⁷⁵ *Ibid.*, 27.

CHAPTER 6

TYING IT ALL UP: SOME *PROFESSIONAL* ADVICE

In their introduction to the *Analects*, Ames and Rosemont point out that the underlying general form of “questions” posed to the oldest of the Chinese classics, the *Book of Changes* (*Yijing* 易經), is *ars contextualis*: “how do we correlate these unique particulars to achieve their most productive continuities?... ritualized roles, relationships, and practices (*li* 禮) as communal discourse, are all strategies for achieving and sustaining communal harmony (*he* 和).”⁷⁶ Part of weaving a strong, suitable and sustainable social fiber that includes a professional thread is to understand how it will be used. This requires a detailed awareness and appreciation of the current social and cultural landscape, its trends, and where we think it might be headed. Our particular composition progresses from the macro- to the microscopic and back again: the social landscape, regulative ideals, professional organizations and roles, and personal cultivation, before finally completing the circle—*realizing our humanity*.

A Current Social Landscape

As mentioned when first elucidating the need for professions, the incredible pace of technological advancements in the past century alone have extended the influence of any single person’s behaviors and actions to further-reaching edges of our “globalized community.” In several significant ways, the extent and complexity of our interconnectedness by way of

⁷⁶ *Ibid.*, 30.

technology has even outpaced our evolved physiologies and psychologies—the products of natural and sexual selection—and continues to do so at an exponential rate. The relatively new subdiscipline of *cyborg anthropology* studies this precise intersection of technology and humanity and its effects on cultures and societies.

The ethical gravity of this technological outpacing is that, at its fringes, “appropriate conduct” (*yi* 義) becomes an increasingly moving target. On traditional human timescales, we have not yet had the proper opportunity needed to digest and incorporate the social implications. Technology is of course double-edged: every innovation toward connecting each other across space, time, language, culture only opens new avenues for exploitation and vice. Increasingly metropolitan cities and the Internet can harbor a sense of *anonymity* which corrupts our biologically social and moral sensibilities. This anonymity can function as a “Ring of Gyges,” deluding people away from viscerally recognizing and realizing (*zhi*) their complete embeddedness in society.

Even more so, if the instantaneity of social media has not already done so, without personal and cooperative, concerted effort, societies will—at best—quickly erode their cultures by gratuitously consuming and resharing the increasingly mundane; at worst, they will stifle creativity by fostering a culture of surveillance. Even Confucius was weary and concerned about what Ames and Rosemont translate as the “village worthy” and “the corrosive influence such a ‘model’ can have on the quality of culture.”⁷⁷ “Those who repeat whatever they hear in the streets and alleyways are at odds with excellence (*de* 德)” (*Analects* 17.14).⁷⁸ Mencius explains, in his own commentary to this passage, “Such a village worthy is overdetermined in the sense of

⁷⁷ *Ibid.*, 266.

⁷⁸ *Ibid.*, 207.

form and regularity so that he is plausible to those who would look to him as a model, yet the creative element necessary for his personalization and renewal of the exemplary role is absent. He has no blood.”⁷⁹ We must be weary that, in giving a voice to virtually everyone, social and moral artistry and creativity does not become trivialized. Such are the perennial circumstances we must contextualize in weaving a tensile fiber pragmatically forward.

Socially Sustainable Regulative Ideals

Having taken stock of the landscape, it is useful to reevaluate the regulative ideals most important and sustainable to society. As we have seen throughout, Confucius was a firm supporter of social welfare, especially for the common people; and in particular, equity in education. Confucius said, “In instruction, there is no such thing as social classes” (*Analects* 15.38).⁸⁰ This sentiment extended even beyond social classes as Confucius saw little virtue in nepotism, treating his own son no differently than any other student. These same attitudes should remain in favor among sustainable business and governance today.

Mencius and Confucius both despised those who aided rulers that advanced warfare, resulting in unnecessary death and destruction among the masses. Once, when asked by a duke for advice on military tactics, Confucius admitted he knew nothing of the sort and attempted to leave the state the very next day, saying “The bird chooses a tree to roost; since when can the tree choose the bird?” (15.1).⁸¹ The same goes for excessive taxation, or modern-day rent. Confucius refused to become an in-house advocate for various rulers, once quipping “If the ju

⁷⁹ *Ibid.*, 266.

⁸⁰ *Ibid.*, 192.

⁸¹ *Ibid.*, 184.

Sun clan wants to act lawfully, there are the statutes of the Duke of Zhou; if they want to act otherwise, why are they seeking advice from me?”⁸²

Confucius clearly saw that individuals held some sort of freedom in choosing our paths, and clearly not *all* professions, occupations. or roles help sustain society—some intrinsically creating disharmony. Although some, like war mongers, are surely worse than others, of recent memory derivatives traders and predatory lenders helped precipitate the 2008 financial crisis which marred the American economy and sent ripples through global markets. Furthermore, Confucius was frequently displeased whenever Zigong, one of his top students, used his intellect to amass personal wealth; “it is clear that Confucius was not entirely comfortable with his lack of commitment to the well-being of others, choosing to increase his own riches rather than taking on the responsibilities of government office.”⁸³ Such parasitic or bellicose attitudes and roles only serve to reduce societies to zero-sum games, generating disharmony and tearing at the social fibers many work hard to create. This is why, in sustaining harmony through professional roles, professions must continually meet Kipnis’s second criterion: the realization (*zhi* 知) of significant social values. “Exemplary persons (*junzi* 君子) cherish fairness; petty persons cherish the thought of gain” (*Analects* 4.11).⁸⁴

Although a step in the right direction, simply adopting these regulative ideals is only one component in sustaining social harmony. The organizations we collaboratively create to effectively and pragmatically facilitate these measures must be kept healthy themselves.

⁸² *Ibid.*, 248. See *Zuo Commentary on the Spring and Autumn Annals* Ai 11.

⁸³ *Ibid.*, 231.

⁸⁴ *Ibid.*, 91.

The Hermeneutic Circle: Sustaining Healthy Professions

As we saw in the introduction to the third thread, much of the Western discussion on ethics has a tacit, bifurcated structure regarding the criteria with which we judge social roles. One aspect of the structure is deontological, or *antecedentialist*: when one assumes a role or profession, one adopts an abundance of obligations. The other aspect is utilitarian, or *consequentialist*: one's actions in a role produces real consequences. But in weaving professions into our social fiber, Kipnis tries to entwine the two in justifying confidentiality found in the medical and legal professions:

... the practice of unqualified confidentiality has better consequences over the long run. That is why health care professionals, legislators, and judges should adopt an unqualified rule. But there is a second, Kantian, stage of my argument. It is that the act of becoming a doctor places one under the distinctive professional obligations attaching to the clinical role. It is a role-related obligation of stewardship with deontological foundations.

In other words, proper moral thinking and imagination is more likely and naturally synthetic—a *hermeneutic process*, wavering between obligations and consequences. Social roles, particularly professions, seem to embody discrete yet dynamically evolving sets of norms and consequences. And it is our capacity for group and self-reflection that allows us to think about both these norms and their consequences. Without careful consideration for both, any professional role is doomed to failure in contributing to social harmony.

Sustainability in any human endeavor entails long-term thinking and calm, deliberate planning. In response to how to govern effectively (*zheng 政*), Confucius said “Don't try to rush things, and don't get distracted by small opportunities. If you try to rush things, you won't achieve your ends; if you get distracted by small opportunities, you won't succeed in the more

important matters of government” (*Analects* 13.17).⁸⁵ Similarly, “If one is impatient with the details, great plans will come to naught” (15.27).⁸⁶

However, the long-drawn-out surfeit of policies, rules, codes, stipulations, and definitions associated with any particular profession in its current form does not (and should not be expected to) in itself guarantee the success of any one of its practicing members or of the organization as a whole. Instead, these should be understood as part of a *living, documented conversation* between the professionals themselves (past and present) and the public or communities in which they serve. Although certain codes may become intelligibly “inaccessible” to laypersons (and in rare instances a profession’s own members), the intent of having public, *written* documents like these is to make the hermeneutic and historical *social dialogue* of a profession *accessible* to apprentices (*shi*), practitioners, and the community, currently and in the future. It is important to keep in mind that this dialogue was one of clarification and establishing a professional grammar (*li* 禮)—language and all.

Recall when first defining *li* 禮, “An exemplary person (*junzi* 君子) defers on matters he does not understand. When names are not used properly, language will not be used effectively...” The passage continues, “Thus, when the exemplary person puts a name to something, it can certainly be spoken, and when spoken it can certainly be acted upon. There is nothing careless in the attitude of the exemplary person toward what is said” (*Analects* 13.3).⁸⁷ Since ambiguity can often cascade from the top down in fantastic, unforeseen and grave ways, this appeals to the importance of *clear definitions* and understandings of professions, inter-, and

⁸⁵ *Ibid.*, 166.

⁸⁶ *Ibid.*, 211.

⁸⁷ *Ibid.*, 162.

intra-organizational social roles. This is precisely the scope and deliberation of standing committees on ethics and professional responsibility.

Of course, establishing policy and defining professional roles on paper is not simply enough for a profession to be effective, let alone flourish. There is a contrast and balance between “‘sitting down (*ju* 居)’ and ‘walking (*xing* 行)’—between sitting and deliberating over policy and then putting it into practice.”⁸⁸ Rote memorization and mindless adherence to codes and rules will ultimately fail to truly *educate* any aspiring professional. The “hermeneutical attitude toward learning that is the signature of classical Confucianism”⁸⁹ should be extended to all good professions.

Looking Inwards: Personal Cultivation (*haoxue* 好學)

Truly efficacious persons (*shanren* 善人) follow in the steps of others (*Analects* 11.20).⁹⁰

Apprenticeship, learning from example and through imitation is part of the conventional wisdom accepted by many normatively rich social roles, including professions. But Confucius also asked, “If people can recite all of the three hundred *Songs* and yet when given official responsibility, fail to perform effectively, or when sent to distant quarters, are unable to act on their own initiative, then even though they have mastered so many of them, what good are they to them?” (13.5).⁹¹ With any holistic world view (especially that of the classical Chinese), any and all social roles are simply not the sum of—nor defined by—its policies, ethics and members. There

⁸⁸ *Ibid.*, 251.

⁸⁹ *Ibid.*, 233.

⁹⁰ *Ibid.*, 146.

⁹¹ *Ibid.*, 163.

is no “definitive guidebook” to any robust, normatively rich social role, whether it is becoming an airline pilot or a mother. Instead these are often *lifelong, consummate and exquisite arts*, many practitioners of which deny any claim to complete mastery and admit they are still students after 30 or 40 years. As with the medical practitioner, says Mencius, “One has to take great care in the quality of one’s art.”⁹²

Normatively rich social roles such as professions, and the institutions we create to sustain them, can be a double-edged sword. But we can deter institutional complacency, bureaucratic inertia, arrogance and dogmatism by enjoying, for ourselves, a lifelong passion for learning. In Mencius’s same comment, “An authoritative person can be likened to an archer. The archer shoots only after having corrected his posture. When he misses the mark, he does not resent those who have beaten him, but simply turns inward to find his error.”⁹³ This “looking inwards,” as a form of personal cultivation, is closely related to Confucius’s concept of *haoxue* (好學), which in some respects may be more familiar as “liberal arts education”—as opposed to vocational training—in the West. A strong contrast that persists in the Confucian tradition is the difference between virtuosic conduct and skills. Confucius’s concept of “education” is the full development of one’s person, not occupational skills.

Perhaps personal cultivation of character, not mere training, is what is sometimes left missing from professions, both modern and historically. “Exemplary persons (*junzi* 君子) are not mere vessels” (*Analects* 2.12).⁹⁴ But at the same time Confucius recognized there must be a proper balance: “Learning without due reflection leads to perplexity; reflection without learning

⁹² *Ibid.*, 236.

⁹³ *Ibid.*, 236.

⁹⁴ *Ibid.*, 78.

leads to perilous circumstances” (2.15).⁹⁵ Medieval philosopher, Chengzi, supplements this passage: “Learn broadly, ask searchingly, reflect carefully, distinguish clearly, and act earnestly. To be lacking in one of these is to fail to learn.”⁹⁶ *Philosophes* such as Confucius, Socrates, and John Dewey clearly recognized these virtues, facilitating and mediating the social and moral dialogues of their time. Perhaps today, by taking these same values in earnest, the *authority of the practical ethicist* serves a similar role as the interface between professions and the public—the *new* scholar-apprentices (*shi* 士) on the path to becoming exemplary (*junzi* 君子).

Realizing (*zhi* 知) Our Humanity

Being an exemplary person (*junzi* 君子) involves a personalized understanding of one’s human capacities—physiological and psychological. It requires a concerted and ongoing effort to “choreograph” one’s daily life and roles. Lapses in this regard can lead to disharmony among one’s interpersonal relationships and roles. For the scholar-apprentice (*shi* 士) “overextending” oneself can potentially lead to glibness and an insinuating attitude in moments of pressure or stress—rare things to accompany authoritative conduct or *ren* 仁 (*Analects* 1.3, 17.17).⁹⁷ But none of us—not even Confucius—are perfect.

For example, in one passage Confucius remarked “I think I will leave off speaking.” His student Zigong, who seemed certainly shocked, asked how he and the other followers would “find the proper way?” Confucius’s response was somewhat flippant and impatient, asking twice,

⁹⁵ *Ibid.*, 79.

⁹⁶ *Ibid.*, 233.

⁹⁷ *Ibid.*, 71, 207.

as if rhetorically, “Does *tian* 天 speak?” (天何言哉!) (17.19).⁹⁸ In another genuine account of his humanity, Confucius makes a great effort to slyly avoid an encounter with a particular feudal lord, by waiting until the lord was supposedly not home before returning a gift (17.1).⁹⁹ In *Mencius*, Master Zeng defends his conduct, saying, “It is harder to cringe and smile obsequiously than it is to irrigate the garden in the heat of summer.” Similarly, another disciple of Confucius said, “To have to speak with someone you do not want to, and further, to have to take on a humble look in his presence—I would find such conduct unthinkable.”¹⁰⁰

In analyzing and synthesizing these threads—lauding virtues and denouncing vices, all in order to weave a proper social and moral fiber—it is easy to lose sight of what is basic to all the characters featured in our Gordian Knot and to all of us: *our humanity*. And in philosophy and ethics, it is easy to forget our sense of humor. There is a rare but charming disclosure of Confucius’s humor in the *Analects*:

The Master, on traveling to the walled town of Wu, heard the sounds of stringed instruments and singing. He smiled, saying, “Why would one use an ox cleaver to kill a chicken?”

Ziyou responded, “In the past I have heard you, Master, say, ‘Exemplary persons (*junzi* 君子) who study the way (*dao* 道) love others; petty persons who study the way are easier to employ.’”

The Master replied, “My young friends, what Ziyou has said is right. What I was saying was just in fun.” (17.4).¹⁰¹

The humanist David Hume wrote, “Be a philosopher; but, amidst all your philosophy, be still a [human being].”¹⁰² If society is to be sustainable, our lives and health must be sustainable

⁹⁸ *Ibid.*, 208.

⁹⁹ *Ibid.*, 202.

¹⁰⁰ *Ibid.*, 265.

¹⁰¹ *Ibid.*, 203.

¹⁰² David Hume, *An Enquiry Concerning Human Understanding* (1777), Project Gutenberg, November 15, 2011, accessed October 6, 2015, <https://www.gutenberg.org/files/9662/9662-h/9662-h.htm>.

themselves. When Hume was not intensely learning, reflecting or writing, he tells us, “I dine, I play a game of back-gammon, I converse, and I am merry with my friends.”¹⁰³ In a similar vein, twenty-two centuries earlier, Confucius said “One stands to be improved by the enjoyment found in attuning oneself to the rhythms of ritual propriety (*li* 禮) and music (*yue* 樂), by the enjoyment of talking about what others do well (*shan* 善), and by the enjoyment found in having a circle of many friends of superior character (*xian* 賢)” (*Analects* 16.5).¹⁰⁴

¹⁰³ David Hume, *A Treatise of Human Nature*, ed. David Fate Norton and Mary J. Norton (Oxford: Oxford University Press, 2005), 175.

¹⁰⁴ *Ibid.*, 197.

BIBLIOGRAPHY

Ames, Roger T., and Henry Rosemont Jr., trans. *The Analects of Confucius: A Philosophical Translation*. New York: Ballantine Books, 1998.

De Mente, Boye Lafayette. *The Korean Mind: Understanding Contemporary Korean Culture*. Tuttle, 2013.

Dewey, John. *Art as Experience*. New York: Penguin, 2005.

Federal Aviation Administration. "Part 1 DEFINITIONS AND ABBREVIATIONS," *Code of Federal Regulations*. Published October 12, 2012. Accessed October 6, 2015.

http://rgl.faa.gov/Regulatory_and_Guidance_Library/rgFar.nsf/FARsBySectLookup/1.1.

Hume, David. *A Treatise of Human Nature*. Edited by David Fate Norton and Mary J. Norton. Oxford: Oxford University Press, 2005.

———. *An Enquiry Concerning Human Understanding* (1777), Project Gutenberg. Posted November 15, 2011. Accessed October 6, 2015.

<https://www.gutenberg.org/files/9662/9662-h/9662-h.htm>.

"Hyundai's \$500 Million Payments to North Korea: A Bribe or Business Deal?" *Korea WebWeekly*, February 9, 2003. Accessed October 6, 2015.

http://www2.law.columbia.edu/course_00S_L9436_001/2004/hyndais-money.pdf.

International Civil Aviation Organization. "Rules of the Air," *Annex 2 to the Convention on International Civil Aviation*, 10th ed. (2005). Accessed October 6, 2015.

http://www.icao.int/Meetings/anconf12/Document%20Archive/an02_cons%5B1%5D.pdf

Joh, Sung Wook. "Chaebols as South Korean entrepreneurship." In *Handbook of East Asian Entrepreneurship*, edited by Fu-Lai Tony Yu and Ho-Don Yan, 157-168. London:

- Routledge, 2014.
- Kipnis, Kenneth. *Legal Ethics*. Englewood Cliffs, NJ: Prentice-Hall, 1986.
- . "Medical Confidentiality." In *The Blackwell Guide to Medical Ethics*. Edited by Rosamond Rhodes, Leslie P. Francis and Anita Silvers, 104-127. Blackwell Publishing, 2006.
- . "The Authority of the Ethicist: Just Who Do You Think You Are?" Unpublished manuscript, 2014.
- Kwon, Seung Ho, and Michael O'Donnell. *The Chaebol and Labour in Korea: The Development of Management Strategy in Hyundai*. London: Routledge, 2003.
- Nam, In-Soo. "Korean Air Executive Ejects Crew Member After Poor Nut Service." *Wall Street Journal*, December 8, 2014. Accessed October 5, 2015.
<http://blogs.wsj.com/korearealtime/2014/12/08/korean-air-executive-ejects-crew-member-after-poor-nut-service/>.
- Rorty, Richard. *Philosophy and Social Hope*. London: Penguin Books, 1999.
- Wasserstrom, Richard A. "Lawyers as Professionals: Some Moral Issues." *Human Rights*, 5, no. 1 (1975): 1-24.
- Yoon, Bong Joon. "The Korean Financial Crisis, the Chaebol, and Economic Reform." *Korea Observer* 30, no. 3 (1999): 411-441.