Confucius and World Constitutions on the Family

By E. Douglas Clark

During his distinguished career spent studying and writing about world history, Will Durant, winner of the Pulitzer Prize and the Medal of Freedom for his work, came to identify what he considered the ten greatest thinkers of all time. Included are such geniuses as Aristotle, the ancient Greek who categorized all branches of human knowledge; Sir Isaac Newton, the peerless English physicist who peered deeply into the structure of the cosmos; and Immanuel Kant, the heady German thinker who plumbed the role of reason in human experience. But topping them all on Durant's illustrious list of luminaries is the ancient Chinese philosopher Confucius.

Why Confucius? What was his towering insight that distinguished him for Durant as the world's greatest thinker? It was the process by which human society can achieve the maximum peace and bliss, a process in which the family plays an indispensable role. Born in the sixth century B.C. after the ancient glory of China had sharply declined through vice and moral degeneration, Confucius sought to restore the ancient glory of his homeland. To achieve such, he declared, would be possible only by a return to ancient and proven principles:

The illustrious ancients, when they wished to make clear and to propagate the highest virtues in the world, put their states in proper order. Before putting their states in proper order, they regulated their families. Before regulating their families, they cultivated their own selves... When their selves were cultivated, their families became regulated. When their families became regulated, their states came to be put into proper order. When their states came to be put into proper order, then the whole world became peaceful and happy.*

The ancient wisdom recognizing the irreplaceable and foundational role of the family is still very much alive, as evidenced in the remarkable regularity with which the nations of the world expressly affirm in the their highest legal documents the critical importance of the family. In their national constitutions, countries large and small, from every clime and region of the globe, speak of the family in the most emphatic terms possible.

To begin with, it is a striking fact that jealously sovereign nations are quick to acknowledge, in a manner directly reminiscent of Confucian thought, that the fundamental unit of society is not the state. The constitutions of Malawi and Namibia track language from the United Nations Universal Declaration of Rights stating that "the family is the natural and fundamental group unit of society." Similar language with slight variation (some prefer the words "constituent" or "element" rather than "unit") is found in the constitutions of Burundi, Eritrea, Ethiopia, Iran, Ireland, the Kyrgyz Republic, Madagascar, Moldova, Portugal, Sao Tome, and Seychelles. East Timor elaborates: the family is "society's basic unit and condition for the harmonious development of the person."

Other nations employ biological imagery to assert the autonomous and indispensable nature of the family. "Families are the cells of society" says the constitution of Vietnam, while the Burkina Faso constitution describes the family as "the basic cell." Cuba and Ecuador call it "the fundamental cell," while Armenia terms it "the natural and fundamental cell."

Sometimes the family is described with language emphasizing not only its individual autonomy but also its central and controlling role. Qatar, Saudi Arabia, and Yemen proclaim the family to be the "nucleus" of society. For Angola and Colombia, the family is the "basic nucleus," and for Chile and Nicaragua it is the "fundamental nucleus." Guatemala's terminology is similarly evocative of life and growth, but using a fuller description: the family is "the primary and fundamental genesis of the spiritual and moral values of the society and, the State."

Other nations view the family as a kind of footing or support for society and the state. The constitutions of Bahrain, Costa Rica, Egypt, Estonia, Lithuania, Somalia, United Arab Emirates, and Uruguay all recognize the family as the "basis of society." El Salvador and Papua New Guinea classify it as the "fundamental basis of society." Rwanda calls it the "natural basis of Rwandan society," while the Central African Republic refers to it as "the natural and moral basis of the human community." Chad similarly depicts it as "the natural and moral base of the society."

Yet other constitutions prefer to speak of the family as the "the foundation of society," as do Azerbaijan, Brazil, Equatorial Guinea, Haiti, Libya, Paraguay, Tajikistan, and Turkey. Andorra designates the family as "the basic foundation of society," while Cameroon acknowledges it as "the natural foundation of human society." The Philippines calls it "the foundation of the nation," while Niger affirms it to be "the natural and moral foundation of the human community."

Perhaps the most poignant imagery comes from nations whose terrain emphasizes the ageless solidarity and stability of stone. The desert nation of Kuwait describes the family as "the corner-stone of Society." And Greece, whose ancient cities were, like the famed Acropolis, built on or around rocky hills that served as natural citadels, describes the family as "the cornerstone of the preservation and the advancement of the Nation."

Such impressive statements constitute a powerful testimonial to the wisdom of the ages, echoing Confucian thought, that the family is irreplaceable and indispensable to civilization. It is the cell, the nucleus, the basis, and the rock foundation of human peace and happiness. Impair or injure or obstruct the family, and you have jeopardized the larger society.

But the statements on family in world constitutions are also important as sovereign expressions of nations that, in their highest legal documents, have boldly asserted that protecting and facilitating the family is a supreme legal principle that must not be tampered with or subordinated. The ramifications are profound for participation in United Nations conferences and summits: Sovereign nations must at all costs preserve their most precious asset, the family, and - if need be - defend it against any agenda that would undermine or harm it. Indeed, nearly

all of the constitutions quoted above commit to preserve and protect the family. It is a commitment that must not be forgotten, especially in the halls of the United Nations.

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* Will Durant, The Greatest Minds and Ideas of All Time (New York: Simon & Schuster, 2002), 12.