

Book Review

New Focus on an Old Debate

By Li Xiaorong

Books reviewed in this essay:

Debating Human Rights in China: A Conceptual and Political History

By Marina Svensson

[Lanham, Boulder, New York, Oxford: Rowman & Littlefield Publishers, Inc., 2002]

The Chinese Human Rights Reader

By Stephen C. Angle and Marina Svensson

[Armonk, New York; London, England: M.E. Sharpe, 2001]

Human Rights and Chinese Thought: A Cross-Cultural Inquiry

By Stephen C. Angle

[Cambridge University Press, 2002]

If one is looking for evidence that the concept of human rights has been integrated into Chinese political and philosophical discourse in the 20th century, these books provide a broad range of relevant literature from many walks of Chinese life. In *Debating Human Rights in China*, Marina Svensson has crafted an analytical history tracing the political and conceptual journey of the idea of human rights. Stephen Angle's *Human Rights and Chinese Thought* is a philosophical treatise that analyzes and compares human rights arguments developed by Chinese and Western philosophers. Svensson and Angle's co-authored book, *The Chinese Human Rights Reader*, is a combined by-product of their separate efforts — a compilation of translated writings ranging from essays by Mao Zedong to speeches by Chen Shui-bian, from philosophical treatises by Confucian intellectual Liu Shipei to the writings of dissident Wei Jingsheng and statements by the "Tiananmen Mothers," family members of victims of the June 4th massacre. These writings and the ideas they express are intelligently woven into a 20th century Chinese human rights discourse.

The convincing documentation of such a discourse answers in the affirmative longstanding questions in the China human rights debate: Is the concept of human

rights, developed as part of modern Western civilization, compatible with Chinese traditions of thought? Is it comprehensible and appealing to Chinese? Is it possible to acknowledge the distinctiveness of Chinese culture while recognizing Chinese people's aspiration for universal human rights?

Readers learn that the voices in the Chinese debates are just as diverse and rich as their counterparts in Western human rights debates. One big difference is that most advocates for human rights in the Chinese discourse are intellectuals, dissidents and victims whose views are suppressed and banned in the Chinese press, while opponents to human rights are mostly authoritarian leaders, officials or those engaged in government propaganda. But even allowing for that dichotomy, sharp divisions remain within the Chinese debate as to whether Chinese culture is compatible with human rights, or whether human rights are necessary, feasible or practical in China, given the cultural quality of its population, its traditions, and its "national conditions" (*guo qing*).

To demonstrate, as these books do well, that the concept of human rights has been the subject of Chinese political and intellectual debates is not exactly to show that Chinese culture is hospitable to human rights, or that human rights meet few cultural obstacles in Chinese society. The trouble is that there are different assumptions about what Chinese culture is or where to look for it. Many have assumed that Chinese culture is a harmonious and coherent whole in which there is general agreement about a particular set of ideas or values. The authors fault this assumption and persuasively argue that the Chinese tradition of political and philosophical thought is an ongoing battlefield of clashing ideas in which ideas or ideologies serve as the vital organs of culture. Thus Svensson concludes that the indigenously motivated domestication of human rights vocabulary and concepts in official and intellectual discourse "laid to rest safely and finally" the issue of whether human rights are compatible with and habitable in Chinese culture (Svensson, pp 7, 8). Comparisons between human rights ideas and arguments in Chinese and Western traditions of thought are considered "cross-cultural," as the title of Angel's book

announces. Ideas, concepts, rational arguments and political vocabularies are merely what envision, convey and record Chinese culture as lived experiences.

At the same time, the authors demonstrate that ideas and concepts recognize no cultural borders, even when they have different cultural origins, as demonstrated by the many culturally "un-Chinese" things that have flourished since the end of Mao's isolationist era. (Indeed, some believe that Marxism had already shattered the most significant cultural barriers even before Deng Xiaoping allowed "openness and reform."¹) Chinese society has opened up beyond anyone's wildest dreams to embrace virtually every technology and invention that could be labeled "Made in the West," from the stock market, weapons of mass destruction, the Internet and cloning to Rock-n'-Roll and Puccini operas. These books amply document how "democracy," "people's (civil) rights" (*min quan*), and "human rights" (*ren quan*) have not only been incorporated into treatises, press commentaries, speeches and statements, but have also found expression in lawsuits filed by victims of chemical waste dumping, conditions demanded by workers on strike or campaign promises made by candidates in village elections. More importantly, these ideas have inspired and informed sentiments, habits, judgments, propensities to act and actions.

An investigation of whether a culture is compatible with "foreign" concepts is incomplete if it does not extend interpretations of ideas and arguments to folklore, spiritual moments, artistic expressions and dispositions. Interpretations should also be collaborated by surveys, interviews, opinion polls and other methods of social sciences. Though the authors have concerned themselves with 20th century Chinese moral and political thought, they do not confine themselves to strictly qualified statements. It is understandable that one might want to make culture a secondary issue in the human rights debate, which has long been sidetracked by cultural politics such as the whole "Asian Values" debate. But the books do not decisively put an end to the validity of cultural factors. It would be unfair to fault the authors for what they did not set out to do. But one is left wishing for more carefully qualified pronouncements about what books like these

can conclude about Chinese culture and its relationship with human rights.

Having said this, I must acknowledge how far Svensson and Angle have ventured beyond the focus on Confucianism that preoccupies other recent studies of the Chinese history of human rights thought. That focus was a reaction to the post-1989 trend of using Confucian “Asian values” to defend the Chinese government when it came under international scrutiny for human rights violations. To proponents of “Asian values,” these books argue convincingly that human rights ideals have also been part of Asian (Chinese) intellectual tradition. Chinese intellectuals and reformers have contested relativistic claims and conversed in human rights vocabulary since the late 19th century, when reformist Confucian scholars criticized tradition and called for protection of legitimate self-interest.

But the concepts, if not the vocabulary, go back even further. The idea that there is something that belongs to each and every person, such as life and dignity, the violation of which is morally wrong, has a much longer history in China than the term *tianfu renquan* (heavenly endowed human rights), which was introduced via Japan in the late 19th century. If Asians had ever shared a cultural objection to human rights, “why do so many people in so many Asian countries struggle and shed blood for democracy and human rights, and why are more and more Asian countries moving in the direction of democracy?” asks the scholar Liu Junning, whose essay is included in *Chinese Human Rights Reader* (p. 412).

As the authors point out in the Reader, there never really was a good fit between communist China’s Marxist internationalism and the cultural relativism employed by proponents of “Asian values” (p. 409). The ideology of the Communist Party – in itself an import from the West – has always presented the Party as a leader of Third World countries in the “international proletarian class struggle” against capitalism, colonialism and imperialism. More importantly, in the wake of the disintegration of the former Soviet bloc, the Chinese leadership’s decision to defuse its legitimacy crisis by boosting the regime’s economic performance, and the consequent need to attract foreign investment and technology, globalize the economy and regain international prestige made a mockery of its claims to

relativistic “Asian values.” In the end, China’s leaders made only opportunistic, reluctant and brief bedfellows with Asian politicians who promoted “Asian values.”

The importance of expanding the focus of Chinese human rights discourse cannot be overemphasized. For example, the changing official views and attitudes documented here say much about the dynamics that have produced opportunities for change. International pressure and the need to regain global prominence in order to consolidate its position in the midst of domestic power struggles led the Deng regime to sign a number of international rights conventions in the 1990s. As a result, by the end of the 20th century China had emerged as a skillful player in international human rights politics and a powerful wheeler-dealer in the UN rights arena. These books show that as the Chinese government has accommodated itself to periodic “progress reports” to international bodies, and has enacted laws to protect rights, its rhetoric on human rights has changed, and propaganda officials speak increasingly with varied voices.

The devaluation of “Asian values” has turned the debate to a new focus, but has not ended it. Take for instance the question, “How should individual persons be treated by society and by the state?” Both sides in the Chinese debate may address this question by arguing the relative importance of collective versus individual rights. Yet one gains more insight about how the culture integrates “human rights” by studying how people react to specific questions such as “whether the national drive for prosperity should take into consideration the inherent worth of life and dignity of each and every Chinese – including those who are disadvantaged in the economic transition,” “whether the plight of laid-off workers from state enterprises be written off as an unavoidable sacrifice for the sake of economic efficiency,” or “whether the imprisonment and torture of dissidents, or the expedited executions of convicted criminals, should be defended on grounds that such ‘severe punishment’ could frighten others into submission and insure social stability by reducing crime.”

Open expressions of support for the persecution of political dissidents and worshippers of officially banned religions, for the forced abortion of fetuses con-

ceived without permission, or for the harvesting of organs of executed convicts without their own or their families’ consent, suggest that the convergence of China’s political culture with human rights cannot yet be taken for granted.²

A historical orientation makes these books of immense interest beyond circles of human rights theorists and philosophers. By reconstructing the analytical arguments in the debates over pressing domestic issues, the authors provide engaging and provocative material for anyone interested in the social, political and cultural transformations underway in contemporary China. These books perform an additional service to instructors and students by organizing the material into manageable units.

For the theoretically inclined, the books offer interesting hypotheses, including the Svensson book’s interpretation of the universality of human rights: Rights are generated by the intrinsic need to seek safeguards against threats posed by the modern state and majority interests. Andrew Nathan’s forward to this book lucidly outlines the historical support for this interpretation in China: “Although carefully translating and studying what the foreign thinkers said, Chinese writers never limited their discussions within the ambit of debating received ideas. They used existing ideas as resources for resolving specific issues they perceived at home. ...[T]his supports the idea that human rights principles are generated from within separate modern societies by the intrinsic needs of people living in them. If this is so, then these values’ validity is truly universal, in the sense that they have sprung up virtually everywhere because of their widespread applicability to the modern condition. If the human rights idea had not already existed, then twentieth-century China would have had to invent it.”

This observation about 20th century China remains relevant today as strident human rights rhetoric is replaced by concrete negotiation, contestation and appropriation by variously situated social actors, and human rights discourse becomes integrated into day-to-day struggles for social justice. This development accentuates the need to reconsider the role and function of culture in advancing human rights in China.

Official statements included in the Reader show that objections to human rights today in the Chinese context are more likely to cite cultural exceptions than

cultural relativity, with Chinese authorities resorting to the country's exceptional "national conditions" [*guo qing*] and claiming that these conditions require unique responses with "Chinese characteristics" [*zhong guo te se*]. In challenging official claims that human rights and democracy engender "social instability," Hu Ping argues in his essay included in the Reader that "[s]peech does not create dangers for other individuals or the group (except in cases of instigation and slander), so that others or the group have no reason to engage in force against it" (p. 432).

Exceptionists tap into the fear of social chaos among Chinese who have experienced the Cultural Revolution, and find allies among urban elites and intellectuals who consider the general population, especially the rural majority, unfit for self-governance and responsible exercise of rights, or too acculturated in the Confucian tradition to exercise competitive democratic rule and individual autonomy.³ Apart from feeding on misunderstandings about democracy and human rights, these caveats are empirically contestable on the basis that mainland Chinese have never had the opportunity to prove that they are incapable of exercising democracy and basic human rights.

Effective respect for human rights has more to do with basic political institutions and certain habits of the heart and mind that sustain such institutions, such as an empathetic sensibility for human pain and suffering, a willingness to put lives above social engineering projects, a willingness to take personal responsibility in promoting public interest, tolerance of different views and beliefs and so on. The prospects for human rights in China depend at least partly on how the Chinese population will acquire such aspirations and habits, and how persistently and tactfully they will push for institutional change.

A more robust understanding of Chinese culture's compatibility with human rights seeks to uncover how the ongoing experiences of many Chinese are transforming their perspectives, attitudes, sentiments and habits, how they are seeking protection of their life, liberty and dignity against the threats of the modern state and rampant consumerism, and how they have come to discover human rights as a tool of empowerment and protection. Since the

1990s an increasing number of Chinese have sought administrative or legal actions against government officials and agencies for neglecting or violating their rights to privacy, to elect or to be elected to office, to free expression and access to information on the Internet, and to a clean environment. When domestic organs fail to respond, some have appealed to international human rights agencies and NGOs for assistance. This increasingly assertive rights activism remains very fragile and vulnerable, and activists risk retribution – harassment, imprisonment or torture – from powerful officials.

To suggest that there is a "cultural" dimension in these localized clashes over rights is to recognize that efforts to fight for and monitor rights must involve empowering indigenous cultural or spiritual communities and grassroots activism. Promoting human rights in China in the new era requires simultaneously promoting religious and ideological tolerance and pushing for a secure public space for civil society groups where religious and cultural pluralism can flourish. Grassroots efforts to hold the Chinese government accountable for its own statutory commitments to international standards are unlikely to succeed unless there is a democratically responsive government, an enforceable rule of law and a protected and nurturing civil society. The absence of these institutions will also frustrate the development of the habits of heart and mind required to sustain liberal rights institutions.

The energy in cultural studies must therefore be re-invested in areas beyond influential intellectual traditions, political discourse and official statements, though these have an important impact on general attitudes and habits. The new focus for studies of Chinese culture's compatibility with human rights must be on how Chinese embrace emerging ways of life in which the exercise of rights and the struggle to defend rights define the meaning of social justice.

1. As Jeremy T. Paltiel put it: "The profound impact of Marxism-Leninism, however ultimately judged in the long sweep of Chinese history, positively demonstrates that western ideas can find hospitable soil on the banks of the Yellow River." (Paltiel, "Cultural and Political Determinants of the Chinese

Approach to Human Rights," in *Human Rights: Chinese and Canadian Perspectives*, ed.

E.P.Mendes and M-M Traeholt; The Human Rights Research and Education Center, University of Ottawa, 1997, p. 25)

2. A recent conversation with a friend visiting from China was a sore reminder of such perceptions. As I told the friend about a book that documented torture of political and religious prisoners in psychiatric institutions, he interrupted me, saying (and laughing), "But don't you think these people must be psychologically sick? Think of it, how else could they insist on their beliefs and continue to criticize the government after they were told to stop and threatened with detention and incarceration? They must be out of their mind!"
3. For a recent example, see Xiaoguang Kang, "China: Political Development and Political Stability in the Reform Era," *Modern China Studies*, Vol. 9, No. 3, 2002 (Center for Modern China, Princeton, NJ), pages 57-8.

Social Connections in China: Institutions, Culture, and the Changing Nature of Guanxi

Edited by Thomas Gold, Doug Guthrie, and David Wank

Cambridge University Press, 2002

Review by Anne Thurston

Guanxi, literally meaning "relationship," has a multitude of meanings, as the introduction to *Social Connections in China* by Thomas Gold, Doug Guthrie, and David Wank makes clear. Critics of *guanxi*, they write, "see it as fueling the country's rampant corruption, and as an obstacle to China's becoming a modern society based on the rule of law. Those who see it in a more favorable light contend that *guanxi* adds an element of humanity to otherwise cold transactions, and comes to the rescue in the absence of consistent regulations or guidelines for social conduct."

That *guanxi* remains pervasive even in today's modernizing China, as Yi-min Lin points out in his contribution to this volume, became clear to me during a recent month-long visit there. With *Social Connections* as my bedtime reading, I began recording the daytime *guanxi* stories of friends and acquaintances, related without any prompting from me. A taxi driver, ordered to pay 10,000 *yuan* for continuing to drive on the highway after a tire went flat, turned to a policeman friend for help. The fine was reduced to 600 *yuan*. A friend

whose short stature prohibited her from qualifying for a driver's license used a relative's *guanxi* with the party secretary in the division of motor vehicles to waive the regulation. A student who had barely passed his college entrance exam turned to his powerful uncle to secure him a place in the university and department of his choice. Another driver attributed his ownership of a new car to the help of relatives and friends; without their *guanxi* at the bank, he would never have been given a loan. The director of a community-based non-governmental organization explained the necessity of good *guanxi* with the local government; implementation of their programs would be impossible without official cooperation. A doctor told me how people from his native place come to him first to make sure they see the hospital's best physicians. He assured me that the doctors would be the same, their bedside manner and treatment no different, without his intervention.

Beyond the descriptions of the ordinary *guanxi* of everyday life were the numerous lamentations of *guanxi* gone corrupt. Lawyers cultivate judges over banquets flowing with alcohol and then deliver their client's bribe. Real estate developers, among the richest of the nouveau riches, court banks, the police and layers of officials. They would never be so rich without their *guanxi*, friends assured me.

Social Connections in China is not a book of *guanxi* stories, however – with the lively exception of James Farrer's piece called, "Idle Talk: Neighborhood Gossip as a Medium of Social Communication in Reform

Era Shanghai." The product of a 1998 conference convened at the University of California, Berkeley under the general directorship of sociologist Thomas Gold, *Social Connections* is a highly academic and finely-tuned tome dedicated to making a theoretical contribution. Its authors reflect upon, modify and correct their own earlier research and engage in conversation with and criticism of each other. The book is not written for a wider public.

Several questions are central to their inquiries. First is the issue of whether *guanxi* is a universal or peculiarly Chinese phenomenon. Second is the question of whether *guanxi* is declining, or its nature changing, as China moves toward a market economy. The authors stake out a variety of positions. As social scientists, however, most of the contributors see *guanxi* in more universalistic terms. Doug Guthrie, for instance, states categorically that there is nothing fundamentally Chinese about the concept of *guanxi* and suggests that *guanxi* is dependent on the institutional environment. "In weak institutional environments," he argues, "where the formal rules of economic interaction are absent or non-existent, where economic and social structures are built on particularistic relationships, it is not surprising to find that *guanxi* carries the day." Similarly, the concluding piece by Barry Wellman, Wenhong Chen and Doug Weizhen attempts to move *guanxi* out of its specifically Chinese context into the larger theoretical realm of social network analysis.

On the issue of whether, and how, *guanxi* is changing with China's process of

modernization, the authors provide a wider range of views. Based on their own fieldwork in China, several writers respond to Mayfair Yang's 1994 book, *Gifts, Favors, and Banquets: The Art of Social Relationships in China*, variously described as "pathbreaking" and "seminal." Whereas Yang argued that *guanxi* is adapting to and expanding in the new market economy, several authors here both challenge and refine her claim. Most of the articles are focused quite specifically on China's changing economy – on strategies of job-seeking and the nature of business transactions, for instance. Whereas Yanjie Bian argues that "*guanxi* plays a persistent role in matching individuals to job slots in the 1990s," Guthrie argues that this conclusion is not supported by interviews with the people who are actually doing the hiring.

What emerges is a complex and multi-faceted picture of *guanxi* in the age of reform. My own experience with *guanxi* is much more anecdotal, of course, but I am struck by how important ordinary Chinese perceive *guanxi* to be even under the ostensibly modern profusion of laws. "It's because no one trusts the system," a young friend explained. Yes, China has rules, but the rules are implemented by people, and the people are more important. We need permission to do everything, and corruption is everywhere, so everyone wants to make sure they have a personal contact to get things done. Otherwise, it could take too long and the outcome would not be certain.

Rule by law is unlikely to supercede the particularism of *guanxi* anytime soon.

New Books in Brief

Intellectuals at a Crossroads: The Changing Politics of China's Knowledge Workers

By Zhidong Hao and Henry A. Giroux (ed.)
State University of New York, June 2003
544 pp., hardcover, \$86.50, paperback
\$29.95
Zhidong Hao, Assistant Professor of
Sociology at Whittier College, explores how
Chinese intellectuals are adapting to their
roles and influencing political, economic,
and social change in the "new" China.
Hao specifically examines three categories

of intellectuals: organic intellectuals who
serve specific interests, from government
and business to labor; critical intellectuals
who defy authority with continued social
criticism; and "unattached" intellectuals
who are fast being professionalized.

Political Communications in Greater China

By Gary D. Rawnsley, Ming-yeh T. Rawnsley
and A.T. Cowie
Curzon Press, March 2003
352 pp., hardcover \$75
This book examines the role played by political
communications, including journalism,
television and film, in defining and shaping
identity in mainland China, Hong Kong and
Taiwan and among overseas Chinese. The

book explores the idea that identity, rather
than nation-states or political entities,
may be the key factor in achieving further
integration in Greater China.

Democracy, Asian Values, and Hong Kong: Evaluating Political Elite Beliefs

By Bob Beatty
Praeger Publishers, August 2003
248 pp., hardcover, \$64.95
The book is the result of 128 in-depth
interviews Beatty conducted with mem-
bers of Hong Kong's political elite from
1997 to 2002. Beatty suggests that
prevailing political attitudes may foster
democratization in the long run, but may
hinder short-term democratic progress.