

The Chinese Marxist Approach to Human Rights

Dongxin Shu

School of Marxism Studies, Yancheng Institute of Technology, Yancheng, China

Email: 1157692982@qq.com

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Abstract

The Western liberal view of human rights has been imposed by the West on the rest of the world as universal values applicable to all cultures and traditions. This paper argues that the Chinese Marxist approach provides an alternative conceptualization of human rights, which entails anti-hegemonic sovereignty, and prioritization of social and economic rights over others. It begins with distinction between false universal and genuine universal to illustrate that the West-promoted universal is false rather than genuine. Western liberal view of human rights is critiqued, followed by different perspectives on sovereignty and human rights. Anti-hegemonic sovereignty, this paper maintains, is a prerequisite for human rights improvements. The right to socio-economic well-being is a top priority for the Chinese government, as Chinese cultural traditions, Confucianism for example, value social and economic rights. The West-touted human rights discourse is intended to retain Western hegemony and seek global dominance. The Communist Party of China (CPC) has strived for human rights on behalf of the Chinese people through such projects as reform and opening-up, poverty alleviation, common prosperity, and Belt and Road Initiative, among other programs. This paper concludes that the Chinese Marxist approach goes beyond the debates over cultural relativism and Western-style “universalism”, and provides an alternative that features genuine universality and privileges the right to socio-economic well-being.

Keywords

Discourse, Power, Human Rights, Anti-Hegemonic Sovereignty, Marxist Approach

1. Introduction

China and the U.S.-led West have long been involved in human rights debates. The American government has repeatedly accused China of human rights viola-

tions. In response, the Chinese government issued a series of white papers, elaborating on China's human rights theory and achievements (*Information Office of the State Council of the People's Republic of China, 1991, 1995, 1997, 1999, 2000, 2001, 2004, 2005, 2010, 2013, 2014, 2015, 2016, 2018, 2019, 2021*). These documents present China's understanding of human rights shaped by its own cultural background. For example, China argues that human rights issue falls within the sovereignty of each country. A country's human rights situation, therefore, should be evaluated in light of its historical experience and national conditions. Since China has its own cultural traditions and practical experience, the country does not follow the Western values and standards with regard to human rights issue.

Human rights issue has long divided China and the West, largely because China does not follow the Western liberal view of the world but has its own perspectives on that issue. China's perspectives are shaped by that country's historical experience and cultural tradition. Chinese approach to human rights indicates a major role of Marxism, which is largely different from Western liberal tradition. Western liberal tradition, based on individualism, prioritizes civil and political rights. In Contrast, Chinese Marxist approach is premised on anti-(neo)colonial and/or anti-hegemonic sovereignty, resisting interference by other countries. This prioritization of sovereignty leads to a core concern with social and economic rights, or the right of socio-economic well-being, from which come civil, cultural, political, and environmental rights.

Since the 1980s, the U.S.-led Western countries have been obsessed with human rights issues and accused the developing world of human rights abuses, though their own internal human rights records are far from exemplary. Since the late 1970s, the U.S. State Department has annually issued Country Reports on Human Rights Practices, summary of human rights records in countries around the world. These reports feature politicized use of human rights discourse by using liberal and/or neoliberal views to gauge human rights situations in other countries. They have drawn sharp criticism from non-Western countries. For example, China responds to U.S. accusations by releasing Report on Human Rights Violations in the U.S., urging the U.S. to drop double standard in human rights and improve its own human rights record. *Ross (2021)* argues that China outperforms the West in human rights protection. The Communist Party of China (CPC) has united and led the Chinese people to strive for human rights, and made enormous achievements (*Information Office of the State Council of the People's Republic of China, 2015*).

The West overemphasizes universality of liberal tradition of human rights, and downplays or ignores the conditions of the emergence of those ideas. What is truly universal should take into consideration contextual origins and limitations of Western idea of human rights. Western European approach to human rights has its origin, development, and limitations. President *Xi (2021)* reiterated the importance of universality of human rights applied in the Chinese context.

We uphold genuine universality by creating a happy, beautiful life for all.

Human rights are closely associated with state sovereignty. China and the West have different understanding of these two concepts. The idea of sovereignty originated in Westphalian system, which recognized the sovereignty of each nation-state over its territory and domestic affairs with no external interference. But Western imperialist powers abandoned this principle of state sovereignty when they colonized the developing world in Asia, Africa, and Latin America by use of military forces and economic domination. Imperialist expansion destroyed indigenous cultures and societies. After the Second World War, a growing number of colonized states gained national independence after years of bitter and brave anti-colonial struggle in the first half of the twentieth century. The colonial powers—the U.S., Japan, and Western Europe in particular—seem to have developed amnesia, totally and purposefully forgetting its imperialist past. But this historical memory of humiliation has awakened those formerly colonized and semi-colonized countries to the hypocrisy of sovereignty promulgated by the West. China suffered a century of intense humiliation inflicted by the Western imperialists. That country lost about one third of its territory. And the Chinese people experienced untold sufferings. Chinese sovereignty was ravaged and territory was curved up like a melon. This century-long humiliated experience has raised China's awareness of Western (neo)colonialism and hegemony. Anti-colonialism and anti-hegemony is therefore the defining feature of China's idea of sovereignty. This anti-hegemonic sovereignty resists any attempts and efforts of former colonizers to assert dominance by new means, say, economic oppression. This sovereignty is a prerequisite for the Chinese Marxist approach to human rights, which prioritizes the right to socio-economic well-being. Chinese Marxist perspectives on human rights are contributed by great thinkers such as Hegel, Marx, Engels, and by top Chinese leaders including Mao Zedong, Deng Xiaoping, and Xi Jinping. This approach has produced widely-acclaimed government policies—reform and opening-up, poverty alleviation, and Belt and Road Initiative. The right to socio-economic well-being is a precondition for civil, cultural, political, and environmental rights.

2. False Universality and Genuine Universality

Western liberal tradition seeks to promote false universality, universality that emphasizes absoluteness, applicability, singularity, and unchangeability regardless of specific contexts and situations. It is right to find common ground but wrong to universalize by denying or ignoring the specific context in which the universality emerges. False universality arose and has been reinforced in European colonialism since the fifteenth century. Colonial conquest entails indigenous cultural destruction by imposing Western values on those colonized. Colonizers' understanding of culture, government, and human nature is promoted as universal norms, norms that are abstract in that the context of their emergence is neglected. Colonial governments spare no effort to rationalize colonialism so

that their ideas can disguise as universal values applicable to all cultures and contexts. Some Western scholars are still immersed in commending the non-existent positive effects colonialism exerts on the colonized society (Keller & Shuiue, 2021). They justify Western imperialist expansion, but these justifications are groundless.

Western liberal tradition holds that civil and political rights constitute core human rights, disregarding the fact that this assumption has been shaped by a complexity of factors—culture, education, colonialism, and social formation. This false universality is widespread but misleading. Genuine universality is more reasonable and convincing, finding commonalities from specific situations. Universality and particularity are interpenetration of opposites in a unity, and the former lies in the latter. Genuine universality takes into consideration the conditions in which it emerged. A genuine universal should not and cannot take an either-or approach, but must factor into account its genesis, conditions, history, and specificity.

When it comes to genuine universality, Sun (2015) puts forward the concept of dual ontology that avoids the dual trap of hegemonic universalism and cultural relativism. This concept entails two related issues. The first concerns the relationship between the classical and the modern. Specifically, it focuses on the question whether the classical should be negated in light of the modern, or vice versa. The second deals with debates over whether to adopt Western Eurocentrism or universalism and look down upon local traditions, or to adopt indigenous departmentalism and reject the modern world. The problem with the second arose, due to the seemingly incompatibility and irreconcilability between universalism and relativism. That either-or view is unable to go beyond the specific situation.

Genuine universality contains commonalities while allowing for differences in traditions. The context of Western tradition includes the lasting influence of Christianity and Judaism, which has shaped issues of being, freedom, individual, and politics. But China has a rather different tradition. Chinese thought has been secularized since the Song dynasty (960-1279). Even secularization is itself a Western concept. Confucianism, Taoism, and Buddhism are the three pillars of Chinese philosophy, the first two playing major role while the third one being adapted to the first two indigenous traditions. Rationalization does not involve secularization. Continuous regeneration is not being but the reality. Transcendence relies on the inner rather than the outer and imaged reality. The individual is collective in nature, both in relation with family and society, and by self-cultivation and virtue ethics (Sun, 2018, 2019, 2020; Xu, 2016).

The idea of dual ontology helps us to recognize mutual coordination between dual ontologies in a bid to seek commonalities in modern world. China has its own cultural traditions and worldview. Chinese people now live in the modern world with a modern logic. In this sense, Chinese people currently live in a world of dual ontologies, ontologies that should coordinate with each other.

Therefore, modernity is needed to study Chinese issues, and Chinese perspectives are also necessary for Western culture and values. Mutual coordination of dual ontologies deepens understanding of the modern world by bridging the gap between Eurocentric universalism and cultural relativism. Genuine universality is thus produced through mutual coordination of different ontologies or cultural traditions.

Genuine universality determines whether there would be universal norms for human rights applicable to all cultures. The concept of human rights arose in European culture and can be a universal or gain universality only when its context, history, promises, and limitations or boundaries are given due attention. This idea is shared by Zwart (2020), who sees human rights as a dialectic of universality and contextuality. A contextual universal or contextualized universality absorbs what are originally other contexts and traditions. A genuine universal is inclusive and multi-dimensional. Such a universal, therefore, applies with varying emphases or different priorities in distinct contexts and situations.

3. Western Liberal View of Human Rights and Its Critique

The Western liberal tradition prioritizes every individual's civil and political rights. This tradition is associated with innate force or power of action and reason. It focuses on the mastery of a rational individual over his or her actions. These meanings were given in particular contexts. The ancient Roman law gave rise to the idea of absolute private property, which lay a legal and economic foundation for slavery. Hugo Grotius played a pivotal role in developing the European tradition of human rights. He raised the right in singular form to right in plural form by arguing that a human right entails the power over ourselves and others (Grotius, 2005). Human rights in European tradition are intricately linked to individual mastery and the freedom to exert control over one's private property. These features are major components of modern day liberalism, leading to the idea that human rights mean individual mastery over life, speech, political preference, and religious belief. And such rights are God-given and inalienable.

Conventional wisdom holds that the idea of rights is underpinned by the Western view of the self that puts emphasis on autonomy, and that a Confucian society stresses the primacy of the community rather than the individual. Confucianism is therefore incompatible with the idea of human rights (Ames, 1997; Peerenboom, 1990). But Chan (1999) maintains that Confucianism is compatible with the idea of human rights. Some scholars argue Confucianism contains a concept of moral autonomy (Chan, 2002; King, 1985). Sim (2004) explores Confucian understanding of human rights by avoiding possessive individualism or Enlightenment views about autonomy. She notes that Confucius turns to "the family to find the living core of human action and identity (Sim, 2004: p. 341). Family members have mutual responsibilities and obligations to each other.

Jack Donnelly is a famous Western philosopher of human rights. He notes

that “[t]o claim that there are human rights is to claim that all human beings, simply because they are human, have rights in this sense. Such rights are universal, held by all human beings” (Donnelly, 1999: p. 61). Donnelly (2003) insists that human rights are universal rights. “Human rights are, literally, the rights that one has simply because one is a human being...they are universal rights, in the sense that today we consider all members of the species *Homo sapiens* ‘human beings,’ and thus holders of human rights” (p. 10). Buchanan (1989) maintains that “liberalism devalues, neglects, and/or undermines community, and community is a fundamental and irreplaceable ingredient in the good life for human beings” (p. 852). Angle (2002) argues that rights are closely linked to interests in Chinese rights discourse. He suggests that “quanli” is taken as an equivalent for “rights” largely “because it readily expressed the ideas of both legitimate powers and legitimate benefits or interests” (p. 214). Angle confuses power with right—the two literal meanings of “quanli” in Chinese. When “quanli” conveys the idea of interests, it means rights.

Human rights accusations against China by Western governments in general and the U.S. in particular indicate the hegemonic influence of the West. Confucianism is an indigenous defense against that Western hegemony, as it actually facilitates and supports all human rights, which include individual human rights and those rights related to the family, community, and state.

Human rights are equally held by all individuals. No consensus has been reached on the content of universal human rights. Which rights are fundamental, universally valid human right? There is a dearth of constructive dialogue between the East and the West, largely because the U.S.-led West persistently imposes liberal view of human rights on China and seeks to universalize Western approaches to human rights. China has its own political traditions, Confucianism, for example. Western liberal view of human rights emphasizes civil and political rights, such as freedom of assembly, freedom of expression, freedom of speech, and freedom of thought. On the other hand, China prioritizes rights to survival and development, including the right to adequate living standards, rights to education and health care, and rights to cultural, political, and socio-economic development. They remain divided over prioritization of rights. Western understanding of human rights indicates the radical autonomy of the individual, the individual prioritized over the family and the state. Western perspectives feature conceptual separation between individuals and the communities wherein they live. The concept of human rights in the West grows out of Enlightenment individualism. Confucians have conceptions of rights from the resources of their own cultural tradition. Confucianism helps the attainment of individual freedom against the backdrop of building a community identity.

The natural rights doctrines are precursors of the “universal” human rights. Karl Marx denounced the bourgeois nature of such rights. Marx’s understanding of the relationship between individual, community, and state does not privilege individual over state, which is different from Western liberal individualism.

Marx holds that human beings are social animals who are defined politically in their relations with the communities and political structures. The liberal democratic concept insists that individuals are singular beings independent of any society or community.

Marx gives a counter-Enlightenment critique of human rights in general. Human rights are ideological constructs designed to uphold the interests of capitalism and Western imperialism. A Marxist approach rescues human right from the hegemony of liberalism. Marxism critiques the bourgeois, individualist nature of the dominant liberal tradition in human rights theory, and provides an alternative conceptualisation that puts emphasis on the economic and social rights. The struggle for human rights is also the fight against hegemony.

Zhao Tingyang, a renowned Chinese philosopher, put forward his idea of credit human rights (Zhao, 2006). This non-Western theory of universal human rights holds that when one receives a credit on human rights, he/she takes corresponding responsibilities. Meanwhile, one is compelled to fulfill one's responsibilities as an individual and repay the credit. If one rejects part or all of the responsibilities involved in credit human rights, he/she gives up human rights partly or totally. This theory accepts the basic principles of natural human rights conception and can adapt itself to different local conditions.

4. Sovereignty and Human Rights: Western Tradition and Chinese Perspective

China and the West remain divided over the relations between sovereignty and human rights. This division boils down to debates over whether sovereignty takes precedence over human rights, or vice versa. Contextual features of these two distinct views reveal the illusionary universality of Western tradition and the justification of Chinese approach.

The idea of sovereignty emerged from the Peace of Westphalia after the Thirty Year War (1618-1648), giving rise to modern European nation-states (Jackson, 2007). Sovereignty in European context meant that a ruler had supreme authority in his/her territory while simultaneously respecting other rulers' authority in their territories. But the First World War and the Second World War demonstrated the illusion and hypocrisy of sovereignty in Europe. After the Second World War, sovereignty has been connected with claimed universal but Eurocentric criteria and principles of human rights. This regional theory of sovereignty takes the mantle of universality, and is thus a false universal.

While European powers upheld the idea of sovereignty to end wars and make peace among themselves in the Peace of Westphalia. This context merits incisive analysis, though it is mostly downplayed by Western scholars. This distinctly European notion of sovereignty arose in a long history of Europe-initiated colonialism, Holland, Portugal, and Spain as the early colonizers, other European powers as followers, the U.S. as a late comer. Much of the world was dominated by Western colonialism, witnessing economic, cultural, and political devasta-

tions in colonized societies. These European powers completely ignored their idea of sovereignty when they colonized or semi-colonized much of Asia, Africa, and Latin America.

The Opium War of 1840 marked the beginning of China's century of humiliation, reducing China to a semi-colonial, semi-feudal society. The country suffered great ravages, the people were subjected to great pain, and the Chinese civilization was plunged into darkness. Since the birth of the Communist Party of China (CPC) in 1921, the Party has united and led the Chinese people in fighting battles and winning the victory of the new-democratic revolution. This victory abolished semi-colonialism and semi-feudalism, and all the unequal treaties imposed by Western imperialist powers. The War of Resistance against Japanese Aggression drove out Japanese invaders. Through tenacious anti-colonial struggles, the Party and the Chinese people showed the world that the Chinese people had stood up, and that the time in which the Chinese nation could be bullied and abused by others was gone forever. Century of humiliation makes territorial integrity and sovereignty all the more valuable in China.

The post-World War Two years saw the national independence and liberation of one colonized country after another from European colonizers, the U.S. and Japan. The end of colonialism compelled the former colonizers to find out new ways to maintain global dominance. These former colonizers claim that human rights prioritize over sovereignty as a pretext of interference in other countries' domestic affairs.

The Declaration on the Granting of Independence to Colonial Countries and Peoples was proposed by the Soviet Union in the 1950s and was adopted by the UN in 1960. This declaration was approved by a vast majority of the member states of the United Nations, but abstentions came from former and current colonial powers in 1960—Australia, Belgium, France, Portugal, Spain, the United Kingdom, and the U. S.. These countries voted in unison against the Declaration, because they opposed anti-colonial movements and sought to retain control over former colonies.

This UN declaration redefined the question of sovereignty. First, sovereignty itself is a right, for it is equated with the 'inalienable right' to freedom. If peoples are subject to alien subjugation, domination, and exploitation, their fundamental human rights are denied. Secondly, sovereignty offers the conditions for people to exercise their human rights. As colonialism destroys sovereignty, it impedes freedom rights, and "the social, cultural and economic development of dependent peoples". Sovereignty entails territorial integrity, because "any attempt aimed at the partial or total disruption of the national unity and the territorial integrity of a country is incompatible with the purposes and principles of the Charter of the United Nations (United Nations General Assembly, 1960).

While the concept of sovereignty came from the European tradition, it was changed into anti-hegemony in the anti-colonial context. The Chinese *zhuquan* means the right to control one's own situation. Without *zhuquan*, other rights

are nonexistent and cannot be exercised. During China's century of humiliation featuring feudalism, imperialism, and bureaucratic capitalism, the Chinese people, led and united by the CPC, overthrew the three mountains, and won national independence and liberation in 1949, when sovereignty and rights started to be exercised. This approach to sovereignty involves anti-hegemonic and anti-interference stance in international relations. China has asserted anti-colonial sovereignty in the course of battling semi-colonial occupation, negotiating the return of Hong Kong and Macau, and thwarting U.S.-led efforts to stir up trouble in Taiwan Strait, the South China Sea, Xinjiang, and Tibet, among other areas.

China's long anti-colonial struggle leads to resolute opposition to hegemony. The 1981 resolution by the CPC stressed the need to oppose colonialism, hegemonism, and imperialism (CPC Central Committee, 1981). Anti-hegemonism resulted in five principles for peaceful coexistence, which focus on sovereignty, world peace, and cultural and socioeconomic cooperation. Anti-hegemonic stance means mutual respect and non-interference in other countries' domestic affairs. The former Western colonizers neglect their history of colonialism and reject this position of the colonized and developing countries.

4.1. Anti-Hegemonic Sovereignty as a Prerequisite

Chinese scholarship agrees that anti-hegemonic sovereignty is the prerequisite for Chinese Marxist approach to human rights (Wan, 2017; Jiang, 2018; Wu, 2018). This point implies that a colonized country cannot exercise any rights. The West, the U.S. and Europe in particular, has attempted to undermine sovereignty in the name of protecting universal human rights, which are reduced to civil and political rights. This is, in fact, a veiled move to disregard national sovereignty and reassert global dominance.

Western liberal tradition emphasizes natural and inalienable rights, but Chinese approach stresses that rights emerge and develop in historical contexts and that they are practical rather than ideal (Fang, 2015). Sovereignty is the foundation for any other rights. Wan (2017) suggests that sovereignty guarantees complete exercise of human rights. When a country loses its sovereignty, its people are like slaves with no rights at all. Anti-hegemonic sovereignty arose in struggles against colonial domination, reinforced in the fight against neocolonialism disguised as altruistic defense of freedom and democracy as well as protection of "universal" human rights.

4.2. The Right to Socio-Economic Well-Being

The genuine universality of human rights prioritizes the right to economic well-being for all. Every individual has the right to survive and thrive (Lin, 2013; Wan, 2017; Jiang, 2018). Chinese Marxist approach integrates Marxism with Chinese traditions. Some Marxist feature is evident in Hegel's idea. Hegel (1986) suggests that the state should ensure material rights. He used the example of a

starving person to illustrate the difference between the absolute right and the particular one. The starving person is compared to a slave, whose right to freedom is an absolute right. One has the absolute right to freedom from starvation, and the other has the absolute right to freedom (Hegel, 1974). Both are manifestations of material right in forms of self-preservation, subsistence, and work, which are the socio-economic well-being. Marx (1989) sharply criticized the limitations of bourgeois perspectives on rights. Marx and Engels stressed the role of proletarian revolution and a socialist system that manages production and safeguards the interests of the society (Engels, 1988). Freedom from exploitation is accepted as a fundamental right in former (semi)colonized countries. Marx criticizes human rights severely and radically. People develop certain relations with each other, and their roles are determined by mode of production. The economic social relations are seen as the foundation of society, from which emerges political superstructure.

Chinese tradition also stresses the central role of material foundations for a good society. Guanzi said, “When the granaries are full, the people follow appropriate rules of conduct, and when there is enough to eat and wear, the people know honour and shame” (Sima, 2014). Guanzi or Guan Zhong is an influential reformer in the Warring States Period. He pointed out the importance of material basis for society. The Confucian idea of *xiaokang* entails health, peace, prosperity, and well-being. This idea was developed further by Deng Xiaoping who put forth the concept of “four modernizations”, including moderately well-off family and country [*xiaokang zhi jia xiaokang de guojia*] (Deng, 2008). For ordinary people, *xiaokang* means adequate access to food, clothing, shelter, education, and healthcare. The idea of a moderately well-off, healthy, and peaceful society is based on economic well-being, which facilitates ethical, cultural, and social enhancement. Economic and social rights are prioritized over others.

4.3. Policies for Enhancing Socio-Economic Well-Being

Chinese Marxist approach views socio-economic well-being as the core human right. China’s government policies—reform and opening-up, poverty alleviation, Belt and Road Initiative, and common prosperity—aim to boost socio-economic well-being for all. The reform and opening-up moved China from planned economy to socialist market-oriented economy by liberating the forces of production. This institutional reform lay a good economic foundation for socialist construction. As Deng (1993) put it, “Poverty is not socialism. Socialism means eradicating poverty. And we must keep abreast of the times, and that is the purpose of our reform.” This policy has liberated and boosted productive forces, which set China on the road to prosperity. The 13th CPC National Congress in 1987 unveiled a three-step strategy for economic development with different plans for coastal areas and the rest of China.

Economic growth contributes to poverty alleviation. China has waged an

all-out war on poverty since 2013 when president Xi Jinping put forward the concept of targeted poverty reduction on his visit to Shibadong village in Hunan province (*Guangming Daily*, 2019). Strong leadership and good governance ensure continuous and concerted efforts at anti-poverty. China declared a final victory in the fight against extreme poverty, lifting more than 800 million impoverished population out of poverty. This is an enormous human rights achievement in China and beyond.

Since extreme poverty was eradicated, common prosperity has become the top priority in the CPC's second centenary goal. President Xi (2022) reiterated the importance of common prosperity, which is one defining feature of modernization with Chinese characteristics. The common prosperity campaign provides a strategy for China's development by alleviating various inequalities—rural-urban gap, interregional disparities, and income inequalities among social groups. This initiative boosts “four-sphere confidence” while demonstrating the moral, material, and institutional advantage of socialism with Chinese characteristics. Some concrete measures and government policies have been brought forward, covering income redistribution, public services, and cultural programs. This campaign is expected to reduce systemic inequalities and enhance people's well-being.

Besides domestic programs, international projects are also launched to improve socio-economic well-being. Belt and Road Initiative was started in 2013 as a signature global right to socio-economic well-being. This initiative aims to boost economic growth in all countries involved by unleashing productive forces through exchanges and cooperation. As hard infrastructure is the basis for thriving economy, projects have been carried out to improve facilities, transport, and communications. These countries share anti-colonial history and thus anti-hegemonic sovereignty. Unsurprisingly, this initiative has drawn criticism from former colonizers, the U.S. and the United Kingdom for example.

5. Confucianism and Human Rights

Western liberalism originated in the West, representing Western traditions or Western perspectives. But these West-centric perspectives are not always universally applicable to other cultures or non-Western values. These West-centric outlooks fail to accommodate the aspirations and practices of non-Western peoples.

Confucianism has a long history spanning over two thousand years. Confucius (551-479 B.C.) is the founder of Confucianism, and Mencius (c. 372-289 B.C.) is usually accepted as the second most important Confucian. They are the two most well-known Confucian philosophers in the world. Liu (2007) identifies three distinct but related meanings of Confucianism—spiritual Confucianism, politicized Confucianism, and popular Confucianism. Spiritual Confucianism refers to the tradition of such great thinkers as Confucius, Mencius, and Cheng Zhu. Politicized Confucianism concerns the tradition of Dong Zhongshu, Ban

Gu, and others that was adopted as the official ideology in Chinese feudal society. Popular Confucianism deals with grassroots-level beliefs such as diligence, education, and family values. Spiritual Confucianism focuses on moral and metaphysical theories, whereas politicized Confucianism explores the influence of Confucianism on real world politics. Popular Confucianism is concerned with how Confucianism influences people's daily lives.

Scholars remain divided over the relationship between Confucianism and human rights. Some argue that Confucianism denies or lacks the concept of human rights (Ackerly, 2005; Ames, 1988; Hansen, 1985, 2004; Henkin, 1986; Ihara, 2004; Rosemont, 1988, 1991, 1998, 2004, 2007). They suggest that human rights is a Western concept and cannot be found in Confucianism. For example, Ihara (2004) argues that individual rights are not necessary or needed for the moral philosophy of Confucianism. These scholars agree that the concept of human rights does not have any role in Confucianism. In other words, the concept of human rights has no place in the Confucian tradition. But other scholars hold moderate view and believe that Confucianism is compatible with human rights. They maintain that the concept of human rights has some roles to play in the Confucian tradition. Chan (1999) believes that the Confucian tradition is partially compatible with the right to freedom of speech, because only freedom of good speech is allowed. Tu (1998) argues for the compatibility of Confucianism and the idea of human rights. He takes a communitarian interpretation of Confucian ethics in understanding human rights discourse. This Confucian communitarianism is family centered, as the family relationship is the core of rites (*li*), rites that define and regulate Chinese social relationship. De Bary (1983) examines the liberal tradition in ancient China by focusing on individualism and liberal education. This liberal tradition in China is largely different from Western liberalism, but they are probably compatible with each other.

Some scholars explore whether the concept of human rights is compatible with Confucianism, whereas others seek to find out the idea of human rights implied in Confucianism. Angle (2002) argues that Chinese human rights discourse developed in a distinctive way and shared some commonalities with Western theories of human rights. China has its interpretation of human rights principles, interpretation that is relevant to Chinese way of life.

6. Human Rights Discourse and Global Power Relations

Some Western intellectuals are keenly aware that universality of Western human rights narrative is instrumental in obtaining and retaining global power. As Habermas (1998) points out, "universal validity claimed for human rights merely hides a perfidious claim to power." Xu (2001) suggests that "discourse has/is power" (p. 232). Discourse occurs in the complex interplay between group interests and public interests, between social groups and the state, and between the government and foreign powers. They are underpinned by different power relations and relative power resources available in particular historical contexts.

“Power can be political, economic, military, cultural, or a combination thereof.” Discourse interacts with such power relations and power resource in different ways (Xu, 2001: p. 232).

The intimate relation between discourse and power is manifested in U.S. foreign policy. The U.S. tends to ignore human rights abuses by its allies, say, Israel and Saudi Arabia, but accuses countries such as China and Cuba of human rights violations, though its own human rights record is dismal.

The human rights issue has been politicized by the U.S. and other Western nations. The West uses human rights discourse for the purpose of domination. Evans (2005) finds that international human rights discourse, manifested in international law, shows both freedom and domination. He rightly notes that the Western conception of human rights does not necessarily achieve universal acceptance (Evans, 2005). Current international human rights law masks power relations and fails to identify root causes of violations.

Global discourse of human rights is also examined with the concept of power. Manokha (2009) investigates the global discourse of human rights from a Foucauldian perspective. He finds that power is a creative and productive force, as the dominant discursive structures bring about positive changes in the behavior of some agents. But he does not recognize that power is not always positive, for such changes may result from coercion. He rightly points out that human rights are tied to economy and relations of production. The concept of human rights emerges and develops with capitalism. The global discourse of human rights promotes values and ideals that help capitalist expansion in the world at the expense of non-Western states.

Global human rights discourse is dominated by the West, ignoring voices of the developing world, especially the former colonized states. The present human rights discourse accentuates the tensions between the West and the Third World, due to “the presence of hegemony, colonialist ideology, and power” (Rana, 2007: p. 367). This narrative supports the centrality and universality of Western values, which are actually false universal standards. Genuine universal criteria call for a multicultural approach rather than a Western liberal one.

7. Conclusion

The Chinese Marxist approach to human rights overcomes the dichotomy or opposition between cultural relativism and West-trumpeted universalism. Genuine universality heeds rather than neglects the contexts in which the concept of human rights emerges and evolves. The dominant Western liberal tradition works as “rationalized” justification for those former colonizers to continue their imperialist expansions and maintain global dominance. The West seeks to push forward its hegemonic and anti-communism agenda in the name of global human rights protection. The Chinese Marxist approach contributes to building a genuinely universal human rights discourse, which factors into different contexts, situations, and perspectives. Genuine universality takes into account par-

ticularity, without uniformity. Human rights are viewed as an integral component of the socialist democratic system. Some universal values, democracy and freedom, for example, are incorporated into core socialist values.

The Western liberal tradition declares rights to be particular freedoms of the individual. Marxist approach provides an alternative human rights conceptualization that prioritizes the needs and demands out of the material conditions of existence which are seen as economic and social rights. The CPC has been committed to these rights in the long strife on behalf of the Chinese people. Improvements in those material conditions lay a good foundation for China's human rights achievements. In a multi-polar world, the West should enhance mutual understanding and recognition with the rest of world on human rights issues. They cannot and should not impose hegemony on others by universalizing a false universal or Eurocentric view of human rights across the world.

Conflicts of Interest

The authors declare no conflicts of interest regarding the publication of this paper.

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