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Preface to the Chinese Edition

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Preface to the Chinese Edition

In the years since this book was first published, scholars and citizens in both East and West have continued to discuss the relations between the universality and historical-cultural particularity of human rights. There is no question that China's continuing rise in economic and political prominence has fueled desires to see a rise of Chinese values as well: surely a five-thousand-year-old civilization has much to contribute to the contemporary world? In China, the last few years have witnessed a wide-ranging debate that pits advocates of "universal values" against those who favor a "China model." Human rights are certainly not the only topic in this debate; disputants have covered economic and political organization, general values like freedom and well-being, and whether the global community is or should be converging on a single set of values. Perhaps one lesson that should be drawn from this debate is that there is no one answer—neither a single understanding of "universal values" nor a single "China model"—that applies to all of these different spheres.

A second lesson may be that we should look for ways that universal and local can be combined. Here are three ways that this can be done. First, it may be that something which is first articulated in one local context, using a distinct, local vocabulary, turns out to be of universal significance. It is plausible to think that scientific, medical, and technological discoveries are like this. For example, as therapies from traditional Chinese medicine become better-known in the West, they are becoming more widely adopted. One does not have to be Chinese to benefit from acupuncture. This is also one way of understanding human rights: it is an idea that was first discovered in the West, but it turns out to benefit people equally, no matter where they are. Interestingly, the Chinese

philosopher Zhao Tingyang has recently argued for what he calls a “non-Western, universal human rights theory,” which he claims is both different from human rights theories whose origin is in the West, and yet universally applicable.¹

A second way to combine universal and local is argue that one universal value can be implemented or realized in different ways in different contexts. One version of this is what I call in this book “environmental relativity”: owing to differences in context, the same value requires different behaviors or different institutions. As the local “environment” changes, the specific type of behavior demanded by the value may change as well. A variation on this approach to combining universal and local is when we argue that the justification of a given universal value must be made in local terms. For example, Jacques Maritain famously claimed that philosophers from around the world agreed on human rights, so long as no one asked them “why” these were human rights.² Michael Walzer’s distinction between thin and thick values is another version of this same idea, as discussed below in Chapter 1.

Third, we can combine universal and local by distinguishing between different types of values at different levels. Even if we think that agreement on certain values is necessary for a domestic or global society to function well, or to be fair to all, we still may think that subgroups can have their own, distinctive values as well. John Rawls’s theory of “political liberalism,” according to which different “comprehensive doctrines” can all coexist as long as they each endorse certain basic values, is one well-known

¹ See [Zhao 2006]. He has also argued for a non-Western yet universal theory of international relations which he calls the “*tianxia* system” [Zhao 2005]. Whether Zhao Tingyang’s theories are indeed “non-Western,” internally coherent, and convincingly superior to alternative theories are all hotly debated questions. For a critical appraisal of Zhao’s human rights theory, see [Huang 2009].

² See [Maritain 1949].

approach that combines universal and local in this way.³ Although he himself was no pluralist, Mou Zongsan's famous idea of "self-restriction (自我砍陷)" could similarly be used to ground a combination of distinct ethical views with one, universally accepted set of political values.⁴

The approach to human rights that I advocate in this book is consistent with all three of these ideas. I do not defend one, specific theory of human rights, because my topic is instead to see what we can conclude more generally about human rights from the ways in which Chinese rights discourse has evolved over the last two centuries. What I show is twofold. First, Chinese rights theorists are motivated to discuss rights for reasons that make sense in local terms, and these discussions take place in local vocabularies. Chinese rights discourse is historically and conceptually distinctive. However, second, Chinese rights theorists consistently treat rights as universal and they consistently act as if they are successfully understanding non-Chinese rights discourses. My slogan is "communication despite distinctiveness": what this means is that local differences do not stop Chinese theorists from thinking about rights as universal, in one (or more) of the three ways discussed above.

I believe that understanding the origins and evolution of Chinese rights discourse is of great value when trying to understand how to balance the competing concerns of universal and local. Seeing that human rights are universal does not mean assuming that every society is, or should be, exactly like eighteenth-century France or twenty-first century America. Both of these societies faced many challenges, some of which can be understood in terms of inadequate attention to human rights. One of the key lessons of

³ See [Rawls 1996]. Rawls extends the same approach to an international scope in [Rawls 1999].

⁴ See [Mou 1991]. I discuss Mou's theory at length in [Angle 2011] and [Angle 2012].

this book is that throughout the changing historical and conceptual contexts of the last two centuries, Chinese intellectuals have aimed to better understand, and thus better cope with, the challenges faced by their own societies. As I show in the book, these intellectuals have often made use of the idea of universal human rights in striving to meet these challenges, even while the exact way they conceptualize human rights remains distinctive. I hope that this book will help contemporary Chinese readers to see that China's own experiences—both successes and failures—should contribute to a diverse global discussion of universal human rights from which we all can benefit.

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