

*Confucianism and Human Rights*. Edited by Wm. Theodore de Bary & Tu Weiming. New York: Columbia University Press, 1998. xxiii, 327 pp. \$ 40.

Discussions on human rights in the Chinese context often focus on the relationship between Chinese culture and human rights; whether, and which, human rights are compatible with Chinese culture, etc. This volume is an example of such a cultural approach to the understanding of human rights. One could say that the majority of the authors stress China's "sameness" (or, in the case of Henry Rosemont Jr., superiority), in contrast to those who see "China-as-the-other." The latter would either argue that the Chinese culture is hostile to human rights, therefore precluding, or hindering, the realization of human rights, or, that it explains, and allows for, differences with respect to human rights (the view of the Chinese government).

The volume consists of mostly philosophical and theoretical papers by North American and Chinese scholars from the first in a series of conferences on Confucianism and human rights. Some of the authors search the Confucian classics for examples of human rights friendly notions or equivalences to human rights ideas (Sumner B. Twiss, Irene Bloom, Wejen Chang), whereas others focus on Chinese intellectuals in the beginning of the century, who grappled with new ideas and concepts, including human rights, (Joan Judge, Peter Zarrow). Others address more contemporary discussions and the relevance of tradition for that debate (Randall Peerenboom, Jeremy T. Paltiel).

The editors, and some of the contributors, are vocal advocates of Neo-Confucianism, and believe, not only in the compatibility of Confucianism and human rights, but also that Confucianism can contribute and enrich, or, in the case of Henry Rosemont Jr., serve as an alternative to human rights talk in the contemporary world. They do not argue, however, that there existed proto-human rights ideas in traditional China. Instead they are content to identify similarities and thus focus on ideas of

human dignity and equality, which they argue are found in Confucianism — particularly its Mencian variety — and which can nurture ideas of human rights. Whereas I agree that some version of Confucianism is compatible with human rights and that notions of human dignity are embedded in, and can nurture, human rights, I believe that there is a difference between a language of benevolence and a language of rights which the authors tend to gloss over.

One problem with this volume is of course its narrow focus on Confucianism, as other traditions, for example Buddhism, are also of interest if one wants to argue for an internal justification of human rights. The lack of a clear definition of Confucianism is also a problem, which only Randall Peerenboom mentions (footnote 10, p. 255). The authors furthermore have a tendency to pick those ideas which fit human rights ideas, but tend to forget, or ignore, other central tenets of Confucianism, such as its hierarchical nature, the low status of women, etc., which are at odds with contemporary human rights ideas. Randall Peerenboom and Jeremy T. Paltiel are the only ones to discuss this problem and voice some scepticism about the situation for human rights in a Confucian society.

Another question is whether a Confucian legitimacy really is a crucial precondition for the justification and realization of human rights in contemporary China — an implicit premise in many of the papers. The influence and relevance of Confucianism in the contemporary human rights discourse can also be questioned. It should be noted, for example, that Chinese dissidents do not invoke Confucianism in their struggle for human rights; to them the relationship between Confucianism and human rights is an academic, and irrelevant, issue. And whereas the contributors to this volume emphasize the liberal and humanitarian aspects of Confucianism, the CCP (which in the past rejected and criticized Confucianism but now praises it) singles out the more conservative and authoritarian aspects, as several of the contributors also point out (Wm. Theodore de Bary, p. xiv, Randall Peerenboom, p. 237, p. 253). Such an interpretation of Confucianism shows its political malleability, and that politics, more than culture, in the final analysis shapes the Chinese human rights discourse.

The editors and Henry Rosemont Jr. see Confucianism as a remedy, not only of the ills in China but of those in the West as well. They share their appreciation of Confucianism and dismay with contemporary Liberalism with the advocates in the Asian values debate and the Communitarians. Like them they argue that the unbridled individualism, materialism, crime and disorder, which they observe in the West (read the U.S.) partly is due to its excessive “rights talk.” Confucianism’s stress on duties, social harmony, and family values would, in their opinion, alleviate these problems. Henry Rosemont Jr. goes the furthest, and argues that Confucianism is a genuine alternative to the West’s rights discourse. But given China’s past, it is strange that the dangers associated with an excessive “duties talk”, especially in an authoritarian society, are not discussed.

In future volumes I would like to see, instead of only references to Mencius, some discussions on Neo-Confucians, such as Liang Shuming and Zhang Junmai, who discussed human rights, and more on whether, how, and to what extent Confucianism in the past and at present really influences and shapes the debate on human rights in China.

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