

The Basic Human Rights Concepts in Chinese Classics and Their Differences from the West

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Abstract: *The basic human rights concepts in Chinese classics mainly encompass three categories: the concept of order and freedom influenced by the worldview of the harmony between humanity and nature, the concept of human subjectivity and the source of human rights influenced by the people-oriented or benevolence-oriented values, as well as the concept of the relationship between human rights and state power guided by the outlook on life of the great unity of all under heaven (tianxia). Among them, the concept of order and freedom of the harmony between humanity and nature and modeling itself on nature is more beneficial to the stability and development of human society than the Western concept of order and freedom under “rational choice.” The norm prototype of “Do not do to others what you do not want others to do to you” formed the Article 4 of the French Declaration of the Rights of Man and of the Citizen in 1789, and the concepts of “benevolence” and “human superiority” were written into Article 1 of the Universal Declaration of Human Rights and the preamble of the Declaration of the United Nations Conference on the Human Environment, respectively, which have become the common spiritual wealth of all humankind. The ancient Chinese imperial examination system for selecting virtuous and capable people was basically consistent with the provisions on the political rights of citizens to hold public office stipulated in contemporary human rights documents, and was advanced in the world at that time. The contemporary Chinese system of “the state respects and protects human rights” is a system rooted in the Chinese historical and cultural traditions and is with the superiority of socialism.*

Keywords: harmony between humanity and nature ♦ people-oriented ♦ great unity of all under heaven ♦ human rights concepts ♦ Chinese classics

In his book *The Problem of China*, British philosopher Bertrand Russell (1872-1970) pointed out that the “three most important characteristics” that “distinguish China from all other countries of past times” and “give traditional Chinese civilization its distinctive character” are: (1) “the use of ideograms instead of an

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alphabet in writing”; (2) “the substitution of the Confucian ethic for religion among the educated classes”; (3) “government by literati chosen by examination instead of by a hereditary aristocracy.”¹ The three characteristics of traditional Chinese civilization pointed out by Russell, as well as the relevant discussions in this book, directly or indirectly involve the issues of worldview, values, and outlook on life in traditional Chinese civilization. They also touch upon the basic human rights concepts in Chinese classics and their differences from the West. These insights remain thought-provoking to this day.²

I. The Worldview of the Harmony Between Humanity and Nature and the Concepts of Order and Freedom under Its Influence

Russell pointed out that, unlike Westerners who use phonetic scripts, the Chinese characters used by the Chinese as a tool for writing are pictographs, and China is probably the only country that has consistently used pictographs since ancient times. As a pictographic script, Chinese characters embody the traditional Chinese cultural worldview of “the harmony between humanity and nature” and the way of thinking that “models itself on nature.” The basic human rights concepts such as the concepts of order and freedom in ancient China were formed under the nourishment of the worldview of the harmony between humanity and nature and the way of thinking that models itself on nature.

A. Chinese characters embodying the worldview of the harmony between humanity and nature and the way of thinking that models itself on nature

Chinese characters, as pictographs, have a correspondence of “form similarity” or “spirit similarity” with the actual things or phenomena they represent, while phonetic scripts are conventional symbols that are detached from the actual things or phenomena they represent. From the pictographs “日” and “月,” we can see that they are symbolic representations of the sun and the moon. The combination of these two forms the ideograph “明,” the combination of “日” and “一” forms the ideograph “旦,” and the combination of “日” and “召” forms the phonogram “昭,”

¹ Yao Xiaoping, “Interpretation of Russell’s ‘The Problem of China’” (Part I), *China Reading Weekly*, June 2, 2004, page 20; Bertrand Russell, *The Problem of China*, translated by Tian Ruixue (Beijing: China Pictorial Publishing House, 2019), 32.

² Bertrand Russell visited and studied in China from October 1920 to July 1921. His book *The Problem of China* was the result of this visit, and the English version was published in 1922. John Dewey, an American philosopher who arrived in China over a year before Russell and left on the same day as him, wrote a review of Russell’s book. Dewey believed that it was the most thought-provoking of the many books that connected Western readers with issues in the Far East at that time; readers who do not take into account that the author “sent out for China to seek a new hope” after being extremely disappointed with Western civilization will miss the book’s main profound significance; in Russell’s portrayal, China often becomes a shining angel in order to highlight the darkness of Western civilization, and the virtues of the Chinese are seen as a whip to lash the backs of complacent Westerners. See Tong Shijun, “Russell’s ‘The Problem of China,’ China’s ‘Problem of Russell’”; Bertrand Russell, *The Problem of China*, translated by Tian Ruixue (Beijing: China Pictorial Publishing House, 2019), “preface I.”

all of which more or less retain traces of pictographs. In English, it is difficult to see a “form-similar” or “spirit-similar” or similar etymological relationship between the words “sun” and “moon” and the objects they refer to.

From the preface of *Shuowen Jiezi* (*An Explication of Written Characters*) by philologist Xu Shen of the Eastern Han Dynasty (25-220), the origin of Chinese characters can be traced back to the method or path of modeling on nature adopted by Fuxi, the primogenitor of Chinese culture, when he “first created the Eight Trigrams (Bagua),” by “looking up to observe the celestial phenomena, looking down to examine the earthly laws, and observing the patterns of birds and beasts and the suitability of the earth, drawing from what is near at hand and what is far away.” This understanding is quite reasonable. “The creation of Chinese characters was done by the ancient ancestors who modeled them on the shapes of things. Therefore, from the day of their birth, Chinese characters have had a certain affinity with the forms of all things in the universe. The imitation and analogy of the structure of all things in the universe has always been an important feature of Chinese characters, which can be seen from their shapes. Chinese characters are square-shaped, containing various strokes that support each other and form a specific structure. For example, the character “王” is composed of three horizontal strokes and one vertical stroke, which together constitute the structure of the character. Although this structure may not be a direct imitation and analogy of the structure of any physical object in the universe, the three horizontal strokes are parallel lines, and the vertical stroke in the middle makes the overall structure symmetrical and balanced. This aligns with human cognitive habits and reflects the balanced structure found in nature. Therefore, it can be said to be an imitation and analogy of the principle of balance and symmetry ... The analogy of the structure of all things in heaven and earth is a kind of analogy of the structure that is not pictographic but everywhere embodies the laws of nature, that is, a structural analogy.”³ Regarding the shape structure or character-forming method of phonetic scripts, there is no such “pictographic” feature as in Chinese characters, nor the “laws of nature” of symmetry and balance in the up-down and left-right, square-shaped arrangement.

Phonetic scripts are sorted alphabetically, with the number and order of letters being stipulative and conventional. Chinese characters are sorted according to radicals (*Bushou*, the fundamental components of Chinese characters), which are derived from the imitation or abstraction of the shapes of all things in the universe and serve as the common “semantic indicators” or pictographic symbols for characters sharing the same radical. *Shuowen Jiezi* divides Chinese characters into 540 sections from the “一” (“one” in English) section to the “亥” section according to radicals. According to Xu Shen’s explanation, it starts with the “一” section

³ Wang Hailong, “On Five Aesthetic Dimensional Features of ‘Bixiang’ Approach in Chinese Traditional Arts,” *China Literature and Art Criticism* 12 (2022).

because “the way is established in ‘one,’” and ends with the “亥” section because this character is at the end of the Twelve Earthly Branches, and then it is a new cycle of alternating *Yin* and *Yang* (a fundamental concept in traditional Chinese philosophy). Why were there 540 radicals in Xu Shen’s system? It’s because Xu Shen believed that “these radicals correspond to the categories of things in the universe and the world. The radicals divide the characters into 540 categories, and the things in the world are also divided into 540 categories; the characters are orderly under the radicals, just as the things in the world are orderly in their respective categories.”⁴ Nowadays, people probably won’t bother to examine whether the number of radicals of Chinese characters and the categories of things in the world both meet the exact number of 540, or whether the numbers of these two sets of categories match. However, the historical fact that should not be overlooked is that, in Xu Shen’s writing, Chinese characters, from the interpretation of individual characters to their overall structure, reflect the laws of nature as recognized in his time.

The advantages and disadvantages of Chinese characters listed by Russell were basically in line with the understanding of the Chinese intellectual community back at that time. Russell believed that the fact that Chinese characters have remained basically unchanged in form from ancient times to the present and can still be read by modern people is a major advantage of Chinese characters over phonetic scripts such as English. This is probably because the forms of Chinese characters are modeled on nature, and the characteristic that they are somewhat similar in form or spirit to the things they express enhances the stability and vitality of Chinese characters. The disadvantage listed by Russell that Chinese characters are not as convenient as phonetic scripts in printing and typesetting no longer exists under the conditions of modern digital technology.

For thousands of years, the Chinese nation has been subtly influenced by the worldview of the harmony between humanity and nature and the way of thinking that models itself on nature contained in Chinese characters during the historical process of creating and using them. The square-shaped Chinese characters “embody the spiritual world and aesthetic psychology of the Chinese nation and reflect the Chinese people’s sense of inner order and awareness of rules in the writing of Chinese characters.”⁵

The Chinese classics involving the traditional Chinese cultural worldview of the harmony between humanity and nature and the way of thinking that models itself on nature are as numerous as the grains of sand in the sea, not just reflected in *Shuowen Jiezi*. When reading Chinese classics, readers can see that the heaven, earth, and humans are all inseparably connected. For example, it is said in the *Tao*

⁴ Editorial Department of Monthly Digest of Zhonghua Book Company, *Confucian Classics Study* (Beijing: Dayou Book Company (Beijing), 2021), 147.

⁵ Li Hongzhi and Gao Shuyan, “Every Change of Heart Is Pleasing to the Eye,” *Guangming Daily*, September 22, 2024, page 5.

Te Ching (Laozi): “Man takes his law from the Earth; the Earth takes its law from Heaven; Heaven takes its law from the Tao. The law of the Tao is its being what it is.” The *Chuang Tzu: Discussion on Making All Things Equal* held the same idea: “Heaven and earth were born at the same time I was, and the ten thousand things are one with me.” From Confucius’s “Does Heaven speak? The four seasons pursue their courses, and all things are continually being produced, but does Heaven say anything?” in *The Analects: Yang Huo* to “It flows abroad, above and beneath, like that of Heaven and Earth” and “All things are already complete in us” in *The Mencius: Jin Xin (I)*, as well as “Opportunities of time vouchsafed by Heaven are not equal to advantages of situation afforded by the Earth, and advantages of situation afforded by the Earth are not equal to the union arising from the accord of Men” in *The Mencius: Gong Sun Chou (II)*, they all regard “heaven, earth, and humans” as a whole. In addition, the *I Ching (Book of Changes)*, in the “Xi Ci (II)” (Appended Statements, Part 2) section, says: “The *Yi* is a book of wide comprehension and great scope, embracing everything. There are in it the way of heaven, the way of Man, and the way of earth. It then takes (the lines representing) those three Powers, and doubles them till they amount to six. What these six lines show is simply this,— the way of the three Powers.” This passage indicates that “heaven, earth, and humans, the three Powers, are the basic constituents of the universe and also the basic constituents of the Eight Trigrams in the *I Ching*.”⁶

Dong Zhongshu, an ideologist in the Han Dynasty (202 BC-220 AD), inherited and developed the Confucian ideas about the relationship among heaven, earth, and humans during the pre-Qin period (before 221 BC), and explicitly pointed out: “Heaven and Man are united as one” (*Luxuriant Dew of the Spring and Autumn Annals: Deep Investigation of Names and Titles*). His explanation is: “Heaven, earth, and Man are the foundation of all things. Heaven gives birth to them, earth nourishes them, and Man completes them. Heaven gives birth to them with filial piety and fraternal duty, earth nourishes them with clothing and food, and Man completes them with rites and music. The three are interdependent like hands and feet, united to form a body, and none can be missing” (*Luxuriant Dew of the Spring and Autumn Annals: Establishment of the Primal Spirit*). Dong Zhongshu’s view that heaven, earth, and Man are “interdependent like hands and feet, united to form a body, and none can be missing” is a classic Confucian expression of the relationship among heaven, earth, and humans.

Since heaven, earth, and humans form an organically connected whole, and the existence and operation of heaven and earth as natural entities reflect laws of nature, it is both necessary and rational for humans to model themselves on nature. The traditional Chinese cultural worldview of “the harmony between humanity and nature” regards heaven, earth, and humans as a single entity, with heaven and earth

⁶ Li Jianzhong, “The Subject and Discourse of Compatibility in Chinese Hermeneutics,” *Social Sciences in China* 2 (2024).

being fundamentally important to humans. It is essential to seek the foundation of life, order, and value in the connection among heaven, earth, and humans. Human society's behavioral norms should be made in accordance with the spirit of laws of nature to achieve harmony and development among people within human society and between human society and the natural world.

In his article "*The Potential Contributions of Chinese Culture to Humanity's Future*," Mr. Qian Mu (1895-1990), a renowned Chinese historian, philosopher, and educator, pointed out that the doctrine of "the harmony between humanity and nature" is "the greatest contribution of Chinese culture to humanity." The traditional Chinese cultural laws and regulations and their relevant implementation, ethics and customs, urban and rural architecture and their layouts, as well as the written language, all bear the cultural characteristics of the harmony between humanity and nature and modeling itself on nature.

B. The concepts of order and freedom derived from the harmony between humanity and nature and modeling itself on nature in Chinese classics

"Confucianism emphasizes self-cultivation and moral development, regarding the strict adherence to the Doctrine of the Mean (Zhongyong) as the foundation of all conduct. This is what Russell most appreciated, and he repeatedly mentioned in his book that the Doctrine of the Mean is a virtue." "Russell believed that the practice of the Doctrine of the Mean has made the Chinese the most patient nation in the world."⁷ This section primarily relies on the relevant content of the Confucian philosophical classic *The Doctrine of the Mean (Zhongyong)* to demonstrate the concepts of order and freedom derived from the harmony between humanity and nature and modeling itself on nature in Chinese classics.

As Chapter 1 of *The Doctrine of the Mean* records: "The superior man does not wait till he sees things, to be cautious, nor till he hears things, to be apprehensive. There is nothing more visible than what is secret, and nothing more manifest than what is minute. Therefore the superior man is watchful over himself, when he is alone." The maintenance of order and the realization of freedom are both inseparable from people's self-discipline. The more self-disciplined the members of society are, the more freedom there is in the entire society. *The Doctrine of the Mean* advocates the cultivation of personal temperament and the control of behavior, which is conducive to solving social order and personal freedom issues from a moral perspective. The quality of "Shendu" (Ethical Self-cultivation), where one can consciously maintain noble moral sentiments even when alone, represents a high level of moral self-discipline.

Chapter 1 of *The Doctrine of the Mean* also records: "While there are no stirrings of pleasure, anger, sorrow, or joy, the mind may be said to be in the state of Equilibrium. When those feelings have been stirred, and they act in their due degree, there ensues what may be called the state of Harmony. This Equilibrium is

⁷ Yao Xiaoping, "Interpretation of Russell's 'The Problem of China'" (Part I), 20.

the great root from which grow all the human actings in the world, and this Harmony is the universal path which they all should pursue. Let the states of equilibrium and harmony exist in perfection, and a happy order will prevail throughout heaven and earth, and all things will be nourished and flourish.” This passage embodies the Confucian concept of the harmony between humanity and nature in terms of order, and it has three layers of meaning: First, it introduces the concept of “Equilibrium” through the “no stirrings” state of feelings such as pleasure, anger, sorrow, and joy, and it introduces the concept of “Harmony” through the “stirring of those feelings acting in their due degree.” Second, it extends the understanding of “Equilibrium” and “Harmony” in human individual temperament to a broader context, stating that “Equilibrium” is the “great root from which grow all the human actings in the world,” which means that “Equilibrium” is the impartial “essence” or “principle” of all things in heaven and earth. It also states that “Harmony is the universal path which they all should pursue,” which means that “Harmony” is the law or state that follows or is derived from the requirements of the essence or principle. Third, the way of Man is inseparable from the way of heaven. Following the path of the harmony between humanity and nature, it shows that with “Equilibrium” and “Harmony,” “a happy order will prevail throughout heaven and earth,” which means that the sun, moon, and earth are in their respective positions and operate as they should; “all things will be nourished and flourish,” which means that humans continue to thrive and other living beings survive and reproduce normally. This natural order that “Let the states of equilibrium and harmony exist in perfection, and a happy order will prevail throughout heaven and earth, and all things will be nourished and flourish” naturally connected with people’s expectations for favorable weather conditions and bountiful harvests in ancient China, an agricultural society. This point can be verified from the *Book of Songs* (*Book of Poetry*, or *Shijing*). “There are many poems in the *Book of Songs* that depict agricultural production. Due to the dependence of agricultural production on nature at that time, a cultural mentality of the harmony between humanity and nature was formed. This mentality was expressed through poetry, that is, the people in agricultural society followed the harmonious rhythm and order of nature to produce the concept of ‘equilibrium and harmony.’”⁸

As Chapter 12 of *The Doctrine of the Mean* records: “The way which the superior man pursues, reaches wide and far, and yet is secret ... It is said in the *Book of Poetry*, ‘The hawk flies up to heaven; the fishes leap in the deep.’ This expresses how this way is seen above and below. The way of the superior man may be found, in its simple elements, in the intercourse of common men and women; but in its utmost reaches, it shines brightly through heaven and earth.” The sentence “The hawk flies up to heaven; the fishes leap in the deep” here is quoted from the “*Greater Odes of the Kingdom: Han Lu*” in the *Book of Songs*, and it is similar in

⁸ Editorial Department of Monthly Digest of Zhonghua Book Company, *Confucian Classics Study*, 51.

meaning to the popular contemporary expression “The sky is so high that birds may glide freely; the ocean is so vast that the fish may leap about happily.” Both of them are symbolic expressions of freedom, using the vast space provided by nature for fish to leap about and birds to glide to metaphorically describe people’s ability to freely exercise their talents in various fields. Some scholars believe that, judging from the *Zhongyong Zhangju (Interlinear Analysis of and Collected Commentaries on The Doctrine of the Mean)*, “Zhu Xi’s highest ideal for harmonious coexistence among people is that ‘the hawk flies up to heaven; the fishes leap in the deep.’ He explains in his commentary: ‘Zi Si (Kong Ji, a Chinese philosopher and grandson of Confucius) cited this poem to illustrate that the transformation and nourishment are pervasive and clearly manifested in both high and low places.’”⁹ In addition, in the *Collected Commentaries on The Analects*, Zhu Xi, a physicist, philosopher, and politician in the Southern Song Dynasty (1127-1279), commented on Confucius’s disciple Zeng Dian’s expression of his longing for a carefree life of “I would wash in the Yi, enjoy the breeze among the rain altars, and return home singing” by saying: Zeng Dian’s words “are nothing more than enjoying the ordinary daily life in his own position, without any intention of self-sacrifice for others. And his mind is so relaxed that it is in harmony with all things in the universe, and the subtlety of each getting its own place is implicitly seen beyond the words.” Zhu Xi’s words “the transformation and nourishment are pervasive and clearly manifested in both high and low places” and “harmony with all things in the universe, each getting its own place” are all used to illustrate his ideal that “the hawk flies up to heaven; the fishes leap in the deep.” This ideal undoubtedly pursues the best state of freedom and harmony in human relationships.

Chapter 13 of *The Doctrine of the Mean* records: “When one cultivates to the utmost the principles of his nature, and exercises them on the principle of reciprocity, he is not far from the path. What you do not like when done to yourself, do not do to others.” This sentence originates from the “*Wei Ling Gong*” in *The Analects*: “Zi Gong asked, saying, ‘Is there one word which may serve as a rule of practice for all one’s life?’ The Master said, ‘Is not RECIPROCITY such a word? What you do not want done to yourself, do not do to others.’” Zi Si expressed Confucius’s “what you do not want done to yourself” as “what you do not like when done to yourself,” making the meaning of “reciprocity” clearer. Compared with the positive freedom that “the hawk flies up to heaven; the fishes leap in the deep,” Confucius’s saying actually belongs to negative freedom. This behavioral norm that Confucius believed “may serve as a rule of practice for all one’s life,” while Zi Si believed “is not far from the path,” has important human rights significance. Article 4 of the French *Declaration of the Rights of Man and of the Citizen* in 1789 stipulates: “Liberty consists in being able to do anything that does not harm others: thus, the exercise of the natural rights of every man has no bounds

⁹ Ibid., 183.

other than those that ensure to the other members of society the enjoyment of these same rights. These bounds may be determined only by law.” The prototype of this article is Confucius’s “Do not do to others what you do not want others to do to you.”¹⁰

The Doctrine of the Mean, more or less, discusses “sincerity resulting from intelligence” from Chapter 20 to Chapter 33, and the text highly advocates “most entire sincerity” throughout. For example, Chapter 20 records: “Sincerity is the way of Heaven. The attainment of sincerity is the way of men.” A person without “sincerity” cannot possess the virtue of the Mean. Chapter 26 records: “Hence to entire sincerity there belongs ceaselessness. Not ceasing, it continues long. Continuing long, it evidences itself. Evidencing itself, it reaches far. Reaching far, it becomes large and substantial. Large and substantial, it becomes high and brilliant. Large and substantial;-this is how it contains all things. High and brilliant;-this is how it overspreads all things. Reaching far and continuing long;-this is how it perfects all things. So large and substantial, the individual possessing it is the co-equal of Earth. So high and brilliant, it makes him the co-equal of Heaven. So far-reaching and long-continuing, it makes him infinite. Such being its nature, without any display, it becomes manifested; without any movement, it produces changes; and without any effort, it accomplishes its ends.” This passage indicates that if a person reaches the state of “most entire sincerity,” he/she will become a sage whose virtue is in harmony with heaven and earth, and he/she will be able to “accomplish its ends without any effort,” which can also be interpreted as governance through non-action. This is an interpretation of the Confucian ethical idea of the harmony between humanity and nature and the way of modeling itself on nature, and it can be used to explain why Confucius was able to reach the state that “I could follow what my heart desired, without transgressing what was right.”

As recorded in Chapter 30 of *The Doctrine of the Mean*, “All things are nourished together without their injuring one another. The courses of the seasons, and of the sun and moon, are pursued without any collision among them.” This sentence is a typical expression of the Confucian concept of freedom with order or limitations. The corresponding interpretation in *Zhongyong Zhangju* says: “Heaven covers and earth supports, and all things grow together without harming each other; the four seasons, the sun and the moon alternate and shine without contradicting each other.” The phrase “All things are nourished together without their injuring one another” can be understood as the coexistence of the survival and development of all humanity and the biodiversity of nature without mutual hindrance. The phrase “The courses of the seasons, and of the sun and moon, are pursued without any collision among them” can be interpreted as the freedom of individuals and groups in human society, like “the hawk flies up to heaven; the fishes leap in the deep,” without mutual conflict. Here, the concept of “being nourished together, and

¹⁰ Qiao Qingju, “On the Relationship Between Confucian Thought and Human Rights,” *Modern Philosophy* 6 (2010).

being pursued” represent freedom, while “without their injuring one another, and without any collision among them” represent the limits of freedom.

There is never such thing as absolute freedom; there is only relative freedom. Mr. Pan Guangdan (1899-1967) known in English as Quentin Pan, a Chinese sociologist, eugenicist, and writer, believed that “‘I could follow what my heart desired, without transgressing what was right’ is freedom. It is the best commentary on freedom and the best definition of it.”¹¹ According to the *Collected Commentaries on The Analects*, “‘At seventy, I could follow what my heart desired, without transgressing what was right.’ Following one’s heart’s desire, yet not exceeding the legal limits, acting with ease, and achieving without effort.” “Following what my heart desired” represents freedom to act; “without transgressing what was right” signifies restraint under the limitations required by social order. Freedom with order and order with freedom are organically combined. “Following what my heart desired, without transgressing what was right” is the Confucian ideal state of personal freedom.

Mr. Pan also believed that “freedom is the Mean, and it is also accessible,”¹² which is also reasonable. Almost all the behavioral norms contained in *The Doctrine of the Mean* are directly or indirectly related to “order” or “freedom.” If a person possesses the virtue of the Mean and in every word and deed, at all times and in all places, acts “without excess and without deficiency,” it is impossible for him/her to overstep the bounds of order, to be unfree, or to be inaccessible.

The concepts of order and freedom in *The Doctrine of the Mean* and other Chinese classics remain fresh over time with great significance in the modern era. In 2015, Xi Jinping, general secretary of the Communist Party of China (CPC) Central Committee, pointed out in his remarks at the 2nd World Internet Conference: “Like in the real world, freedom and order are both necessary in cyberspace. Freedom is what order is meant for and order is the guarantee for freedom. We should respect Internet users’ rights to exchange their ideas and express their minds, and we should also build a good order in cyberspace in accordance with law as it will help protect the legitimate rights and interests of all Internet users.”¹³

C. The concepts of order and freedom under the “rational choice” of western countries

The concepts of order and freedom under the influence of Western liberalism, starting with Thomas Hobbes (1588-1679) and John Locke (1632-1704), are based on individual rationality, emphasizing individual rational choice and the pursuit of maximizing utility. They view the relationship between the collective and the individual (the relationship between the group and the self) as an oppositional one,

¹¹ Pan Guangdan, *Roads to Freedom* (Beijing: SDX Joint Publishing Company, 2008), 8-9.

¹² *Ibid.*, 33.

¹³ Xi Jinping, “Xi Jinping’s Remarks at the 2nd World Internet Conference,” *People’s Daily*, September 12, 2015, page 2.

believing that joining a social group inevitably affects individual freedom, and that the pursuit of individual freedom inevitably affects the interests of the social group. Therefore, policies and laws in Western countries often swing between favoring individual freedom and favoring community interests. Mr. Huo Taohui (1940-2018), a contemporary Chinese thinker, educator, and neo-Confucianist, said: “Liberalists do not truly understand the value of freedom. Because they do not understand, they do not know how to establish the basis for the value of freedom within life, and can only imagine equality as a birthright from the outside. Since freedom is rootless, it becomes a tool. Freedom can be sacred, but it can also be sordid. Liberalism itself does not have the ability to elevate it. So-called freedom has gradually become a synonym for the indulgence of desires. Since human desires have been protected by liberalism, they have more boldly taken center stage in human history, openly performing all kinds of distortions never seen before.”¹⁴

The Chinese cultural concepts of order and freedom are not the freedom “being rootless” referred to by Mr. Huo, but rather freedom that is deeply rooted in the worldview of the harmony between humanity and nature, and has a solid cultural foundation for “establishing the basis for the value of freedom within life,” such as the Doctrine of the Mean.

Article 28 of the *Universal Declaration of Human Rights* stipulates: “Everyone is entitled to a social and international order in which the rights and freedoms set forth in this *Declaration* can be fully realized.” And Article 29 stipulates that “Everyone has duties to the community ... In the exercise of his rights and freedoms, everyone shall be subject only to such limitations as are determined by law solely for the purpose of securing due recognition and respect for the rights and freedoms of others and of meeting ... the general welfare...”

The provisions of the *Universal Declaration of Human Rights* are consistent with the Chinese classical concept of orderly freedom and free order, which has been combined with the political form of the Chinese state and has developed to this day. The cultural traditions established by the Chinese people through their own practices and the nation built and defended by the Chinese people through their own strength complement and continuously develop each other. On the land of China, the 5,000-year-old Chinese civilization has never been interrupted despite countless calamities, which is inseparable from the deeply rooted and passed-down-through-generations concept of order and freedom nourished by the worldview of the harmony between humanity and nature and the philosophy of the Doctrine of the Mean.

II. The People-oriented Value and the Issues of Human Rights Subjects and Sources under Its Influence

Russell was not a religious believer. He observed that Confucian ethics, which

¹⁴ Huo Taohui, *Contemporary Cultural Criticism* (Hong Kong: Dharmasthiti Publishing Limited, 2004), 85.

do not direct people's attention to supernatural matters or explore issues of the afterlife, but instead guide people to confront real-world social problems, hold a position in China equivalent to that of "religion" in Europe. This difference indicates that the traditional Chinese cultural values are people-oriented, while Western Christian culture is God-oriented.

A. The consistency between people-oriented and benevolence-oriented values and their significance for human rights

The connotations of "benevolence-oriented" and "people-oriented" are basically consistent. "If examined from a philosophical height, 'benevolence' is the purpose of the whole Confucianism, and Confucianism is a philosophy that is people-oriented."¹⁵ The Confucian "benevolence-oriented" is connected with "people-oriented," and "the way of Man" is connected with "the way of benevolence." Zhu Xi's *Collected Commentaries on The Mencius* says: "Benevolence is the reason why a person is a person. However, benevolence is a principle; a person is a thing. When the principle of benevolence is combined with a person's body, it is called the way." The heavenly principle contained in "benevolence" combined with a person as a natural life, that is, the combination of metaphysical benevolence and physical person, is the way of Man. Therefore, "essentially speaking, the way of Man is the way of benevolence,"¹⁶ and being benevolence-oriented is the same as being people-oriented.

"Being people-oriented is a philosophical concept of value theory, not a concept of philosophical ontology. The proposition of being people-oriented is not to answer what is the origin of the world, who produces whom among people, gods, and things, and who is primary and who is secondary, but to answer in the world we live in, what is the most important, what is the most fundamental, and what is most worthy of our attention. Being people-oriented means that compared with gods and things, people are more important and more fundamental, and we cannot put the cart before the horse or neglect the essential for the trivial."¹⁷ This explanation of "people-oriented" is equally applicable to explaining "benevolence-oriented."

From the statements recorded in *The Analects*, we can see that Confucius explained the concept of "benevolence" from various angles. When his disciple Yan Yuan asked about benevolence, Confucius replied that "To subdue one's self and return to propriety, is perfect virtue"; when his disciple Zhong Gong asked about benevolence, Confucius replied, "Not to do to others as you would not wish

¹⁵ Chen Xiaofen and Xu Ruzong, *The Analects • The Great Learning • The Doctrine of the Mean — Complete Chinese Classics with Full Text, Annotations and Translations* (Beijing: Zhonghua Book Company, 2015), 286.

¹⁶ Han Xing, "The Way of Benevolence: The Value Foundation for Dialogue Among Diverse Civilizations," *Frontiers*, November, 1st edition, 2022.

¹⁷ Yuan Guiren, "People-oriented is the Core of the Scientific Outlook on Development," *Qiushi Journal* 22 (2005).

done to yourself”; when his disciple Fan Chi asked about benevolence, Confucius replied, “It is to love all men,” and so on. Among these explanations, “The benevolent love others” is the most meaningful in terms of “the way of benevolence” or “the way of Man.”

The concept of “benevolence” was spread to the international community on the podium of the United Nations Economic and Social Council shortly after the establishment of the United Nations. On May 31, 1946, Zhang Pengchun (1892-1957), the representative of China, spoke about the Confucian idea that “The benevolent love others” at the 6th meeting of the 2nd session of the United Nations Economic and Social Council. He said: “What is the driving force behind the activities of the Commission on Human Rights and all other bodies under the Economic and Social Council? As we have repeatedly pointed out, it is human freedom or respect for human dignity, especially individual human dignity. Now we do not have time for a detailed discussion. Allow me to make a brief comment in one sentence. After all, self-respect must come from mutual respect. In other words, it is a question of considering the significance of human beings. The significance of human beings actually comes from what we usually call mutual recognition, or, if you like, — if you allow me to introduce a Chinese word, two-man-mindedness — this is a feeling that not only considers one side but also considers the other side’s feelings about each situation.” In this English speech, Zhang used an English phrase he created himself as the corresponding expression for the Chinese word “benevolence.” The *Dictionary of Ancient Chinese* explains the etymology of “仁” (“benevolence” in English) as follows: “It is an ideograph, composed of two parts, ‘人’ (‘people’ in English) and ‘二’ (‘two’ in English), combined on the left and right, indicating love for oneself and others, that is, loving ‘two people’ at the same time; another interpretation is that ‘two people’ represents different people loving each other.” “Two-man-mindedness” accurately expresses the meaning of the character “仁” in terms of its etymology.

In February 1947, the United Nations Commission on Human Rights launched the drafting of the *Universal Declaration of Human Rights*. In the initial draft version drafted by the French representative René Cassin, Article 1 was expressed as “All human beings are brothers. As members of the world family endowed with reason, they are free and equal in dignity and rights.” Zhang Pengchun proposed at the drafting committee that in addition to reason, there should be another common attribute of human beings, that is, “仁” in Chinese culture. He explained to the other representatives that this Chinese character should be literally translated into two-man-mindedness. It is roughly similar to “sympathy” or “consciousness of one’s fellow men” in English. He believed that this notion should be regarded as a basic attribute of human beings, just like “reason.” He made a special speech on this notion at the United Nations Commission on Human Rights, elaborating in detail on this important concept originating from Confucianism but actually belonging to all of humanity. It requires a person to be able to feel that others have

the same needs as oneself when one has needs oneself, and to consider that others also have the same rights when enjoying rights. The drafting committee accepted Zhang's view, but when looking for an English translation, it could not find a suitable word to express it. After discussion, the drafting committee had to resort to a compromise and translated “仁” as “conscience” and included it in the *Universal Declaration of Human Rights*. Some Nordic scholars believed that “the addition of ‘conscience’ is a very Westernized translation of the most important idea in Confucian ethics, which was proposed by Zhang Pengchun, the Chinese member of the committee.”¹⁸ Although the word “conscience” cannot fully express the Confucian concept of “仁,” it at least expresses the moral emotions of human sympathy and care.¹⁹

In addition to Article 1, the concept of “conscience” is also introduced in the second paragraph of the preamble of the *Universal Declaration of Human Rights*: “Disregard and contempt for human rights have resulted in barbarous acts which have outraged the conscience of mankind.” The “conscience of mankind” here should be interpreted in the same way as the “conscience” in “reason and conscience” in Article 1, and the concept of “conscience” should be interpreted as consistently as possible with “仁.”

It is of profound historical significance to introduce the concept of “conscience” (仁) into the *Universal Declaration of Human Rights*. Many human rights violations by Western countries, including the United States, have been based on their “rational” judgments and carefully calculated by parties with vested interests. Western countries have systematically implemented imperialist, colonialist, and racist policies that violated the human rights of other nations based on their “rational” judgments. Within their own countries, they also frequently engage in racist behaviors that are “rationally chosen” but lack “conscience.” For example, Western colonizers forced indigenous children to attend boarding schools, where they covertly persecuted and killed indigenous children whom they believed would threaten their colonial rule in the future. They considered it rational to achieve the goal of exterminating indigenous people in such a covert manner, as it served their long-term interests and was less likely to be detected by the outside world. History illuminates the future. “The inclusion of ‘仁’ (conscience) in the *Declaration* provides a strong argument for the universality of human rights and endows human rights with the responsibility to create a better humanity.”²⁰

¹⁸ Gudmundur Alfredsson and Asbjørn Eide, *The Universal Declaration of Human Rights: A Common Standard of Achievement*, translated by the China Society for Human Rights Studies (CSHRS) (Chengdu: Sichuan People's Publishing House, 1999), 44.

¹⁹ Huang Jianwu, “Confucian Tradition and Modern Human Rights Construction — From the Perspective of Zhang Pengchun's Contribution to the Formation of the Universal Declaration of Human Rights,” *Journal of Sun Yat-sen University (Social Science Edition)* 6 (2012).

²⁰ Hua Guoyu, “The Benevolence-based Foundation of the Universality of Human Rights: From the Perspective of Article 1 in the Universal Declaration of Human Rights,” *Journal of Southwest University of Political Science and Law* 2 (2019).

B. The most noblest of all creatures under heaven and earth: the issue of human value

Human rights are inseparable from human dignity and value. There are many discussions in Chinese classics that affirm human value. For example, the “*Great Declaration (I)*” (Tai Shi) in *The Book of Documents (Shangshu)* records: “Heaven and earth is the parent of all creatures; and of all creatures man is the most highly endowed.” The “Operation of Rites” (Li Yun) in *The Book of Rites (Liji)* records: “Man is the heart and mind of Heaven and Earth.” Confucian philosopher Xun Tzu (Xunzi) said: “Heaven has its seasons, earth has its resources, and Man has the ability to set things in order. This is what is meant by “forming a trinity,” but “Heaven can give birth to things, but it cannot distinguish them; earth can support people, but it cannot govern them; all things in the universe and human beings need to be distinguished by the sage.” Mencius’s understanding of the relationship among “heaven, earth, and Man” is that “Opportunities of time vouchsafed by Heaven are not equal to advantages of situation afforded by the Earth, and advantages of situation afforded by the Earth are not equal to the union arising from the accord of Men.” Dong Zhongshu said: “Among the essences of heaven and earth that give life, none is more noblest than Man. Man is endowed by heaven, and thus he has something to rely on.” *Shuowen Jiezi* records: “Of all creatures with their different natures produced by Heaven and Earth, Man is the noblest.” The above-mentioned assertions indicate that Man is the most valuable living being, an active agent in the universe different from heaven and earth, and possesses subjectivity.

The ancient Chinese sages’ understanding of the value of “Man” referred to all people under the heavens, meaning that the entire humanity, including the Chinese people or the Chinese nation, possesses such value. However, due to the limitations of the social conditions in ancient times, people’s range of activities was quite restricted. The assertions about human value in Chinese classics, such as “Of all creatures with their different natures produced by Heaven and Earth, Man is the noblest,” were largely derived from the authors’ understanding of themselves, that is, the Chinese people. The Chinese have had such confidence since ancient times. Even during the semi-colonial historical period, when the Chinese nation faced the most dangerous moment of its survival, it did not lose its confidence at all. Instead, it struggled tenaciously and took its destiny into its own hands.

On August 5, 1949, the U.S. Department of State, led by Secretary of State Dean Acheson, published the white paper on *United States Relations with China* (“Acheson White Paper”). Acheson said, “The first problem which every Chinese Government has had to face is that of feeding this population. So far none has succeeded.” Chairman Mao Zedong commented on this matter: “Of all things in the world, people are the most precious. Under the leadership of the Communist Party, as long as there are people, every kind of miracle can be performed ... before long there will arise a new China with a big population and a great wealth of

products, where life will be abundant and culture will flourish. All pessimistic views are utterly groundless.”²¹ What he said, “Of all things in the world, people are the most precious,” is a colloquial expression of that “Of all creatures with their different natures produced by Heaven and Earth, Man is the noblest” from Xu Shen’s *Shuowen Jiezi*.

In June 1972, the United Nations Conference on the Human Environment was held in Stockholm, Sweden. This was the first global United Nations conference attended by the People’s Republic of China after its legitimate seat in the United Nations was restored. On June 16, the conference adopted the *Declaration of the United Nations Conference on the Human Environment*. The preamble of this *Declaration* included the principled understanding reflecting the common beliefs of the participating countries, among which were Chairman Mao’s quotations: “Of all things in the world, people are the most precious.” “Man has constantly to sum up experience and go on discovering, inventing, creating and advancing.” “What is needed is an enthusiastic but calm state of mind and intense but orderly work.”²² The inclusion of these three quotations from Chairman Mao in international human rights instruments such as the *Declaration of the United Nations Conference on the Human Environment* is suitable for the development needs of the entire human progress cause, including the human environment cause, not just the needs in the field of human rights such as environmental rights.

C. The inherent attributes of human beings: the issue of inherent human dignity

Human rights are the rights that a person should enjoy because of his/her natural and social attributes, and the source of human rights lies in the attributes or characteristics of human beings themselves. The preamble to the *Charter of the United Nations* in 1945 “reaffirms faith in fundamental human rights, in the dignity and worth of the human person.” The preamble to the *Universal Declaration of Human Rights* in 1948 confirms the importance of recognition of the “inherent dignity” and of the equal and inalienable rights of all members of the human family from the beginning part. The preambles to the *International Covenant on Economic, Social and Cultural Rights* and the *International Covenant on Civil and Political Rights* in 1966 both confirm that the rights set forth therein derive from the “inherent dignity of the human person.” The preamble to the *American Convention on Human Rights* in 1969 stipulates: “Recognizing that the essential rights of man are not derived from one’s being a national of a certain state, but are based upon attributes of the human personality.”

In Chinese classics, Mencius’s theory of innate goodness is closest to the

²¹ Mao Zedong, “The Bankruptcy of Idealist Conception of History,” in *Selected Works of Mao Zedong* (vol. 4), (Beijing: People’s Publishing House, 1991), 1 and 512.

²² International Human Rights Law Tutorial Project Group, *International Human Rights Law*, vol. 2 (Document Collection) (Beijing: China University of Political Science and Law Press, 2002), 110.

“inherent dignity of the human person,” “human dignity,” or “attributes of personality” in international human rights instruments. Mencius believed that the virtues of benevolence, righteousness, propriety, and wisdom contained in the good heart of Man are inherent or innate. As *The Mencius: Gao Zi (I)* records: “The feeling of commiseration belongs to all men; so does that of shame and dislike; and that of reverence and respect; and that of approving and disapproving. The feeling of commiseration implies the principle of benevolence; that of shame and dislike, the principle of righteousness; that of reverence and respect, the principle of propriety; and that of approving and disapproving, the principle of knowledge. Benevolence, righteousness, propriety, and knowledge are not infused into us from without. We are certainly furnished with them. And a different view is simply owing to want of reflection.” On the one hand, Mencius believed that these four kinds of feeling are innate or inherent. On the other hand, he argued that if someone loses the heart of kindness or the virtues of benevolence, righteousness, propriety, and wisdom, he/she is not far from being beasts, indicating that the issue is whether these people’s personalities continue to exist. In *The Mencius: Gao Zi (I)*, it is illustrated through metaphor that human nature is good, but if the environment after birth is not conducive to maintaining and promoting this good nature, it may be lost; once lost, “one will not be far from beasts.” *The Mencius: Jin Xin (I)* records: “The sense of shame is to a man of great importance.” *The Collected Commentaries on The Mencius* records: “Being ashamed is the heart of shame (to oneself) and hatred (to others) that I originally have. To preserve it is to progress to sages and worthies, to lose it is to fall into beasts, so it is of great importance.” Mencius talked about the inherent attributes of human beings, the issue of personality, and the difference between human beings and beasts, which can be summed up as the issue of human dignity.

In ancient times, the prevailing theory in Christian countries was that all humans are born with original sin and that human nature is essentially evil. Corresponding to this were the deterrent of God’s final judgment and the sanctions of national laws. In China, there was no belief in a “God” as found in Western countries. As Russell pointed out, Confucian ethics to some extent played the role that religion played in Western countries. “At the beginning of human life, human nature is fundamentally good” is the theoretical basis for China’s state-governance policy of “virtue as the mainstay and penal law as the auxiliary.” Addressing issues from a moral standpoint is conducive to the long-term stability and security of society. During the reign (203 BC-157 BC) of Emperor Wen of the Han Dynasty, Jia Yi, a high minister and famous writer, made a sound argument in his memorial: “Ordinary human intelligence can see what has happened but cannot foresee what will happen. Ritual propriety prevents what will happen, while law punishes what has happened. Therefore, the application of law is easily seen, but the origin of ritual propriety is hard to understand ... When a society is governed by rites and righteousness, it accumulates rites and righteousness; when it is governed by penal

sanctions, it accumulates penal sanctions. When penal sanctions accumulate, the people become resentful and rebellious; when rites and righteousness accumulate, the people become harmonious and intimate ... When people are guided by moral education, they become cheerful in spirit; when they are coerced by legal orders, they become sorrowful in spirit.”²³

D. The source of human rights: people-oriented versus god-oriented

The Confucian people-oriented approach is essentially different from the theistic approach where human subjectivity is given by God. In 1942, Mr. Liang Shuming (1893-1988), a modern Chinese scholar, thinker, and philosopher, pointed out in his article “*The Contradiction between Reason and Religion*”: Due to cultural and geographical reasons, “grand religious organizations and philosophies like those in Egypt and India, as well as mythological literature rich in imagination derived from religion, could not emerge in China. The original religions in China were mostly related to the worship of deities associated with human affairs and witchcraft. In this way, China had long accepted the modern world’s concept of ‘human beings.’ The Chinese nation is the first one born on earth. The thoughts and perspectives of ancient Chinese people never transcended real earthly life to dream of some future heavenly kingdom.”

“For Chinese philosophers, life itself is the source of meaning,” and none of the various schools of thought in China “abandon the pursuit of the meaning of human life.”²⁴ For example, in Confucianism, God does not have the dominant and controlling position over all human affairs as in Western religious philosophy, and it is even uncertain whether God really exists. The “*Xian Jin*” in *The Analects* records: “Ji Lu asked about serving the spirits of the dead. The Master said, ‘While you are not able to serve men, how can you serve their spirits?’ Ji Lu added, ‘I venture to ask about death?’ He was answered, ‘While you do not know life, how can you know about death?’” The “*Shu Er*” in *The Analects* records: “The subjects on which the Master did not talk, were: extraordinary things, feats of strength, disorder, and spiritual beings.” The explanation approved by the *Collected Commentaries on The Analects* is: “The sage speaks of the ordinary, not the extraordinary things; of virtue, not feats of strength; of order, not disorder; of humans, not spiritual beings.” The “*Pa Yi*” in *The Analects* records: “He sacrificed to the dead, as if they were present. He sacrificed to the spirits, as if the spirits were present.” This means that when Confucius sacrificed to his ancestors, he acted as if the ancestors were present, and when he sacrificed to the spirits, he acted as if the spirits were present. The *Collected Commentaries on The Analects* considers this to be “a record by the disciples of Confucius’s sincerity in sacrifice.”

When discussing the “subjectivity of human beings and human liberation,”

²³ Yang Honglie, *History of Chinese Legal Thought* (Beijing: The Commercial Press, 2020), 143-145.

²⁴ Zhang Xianglong, *A Comparative Introduction to Chinese, Western, and Indian Philosophy* (Beijing: Peking University Press, 2023), 62-63.

some scholars pointed out that after the European Middle Ages, social development “changed people’s understanding of themselves. People no longer projected their own subjectivity onto the image of God, but returned to themselves and established reason as the foundation of their own existence. The principle of ‘I think, therefore I am’ put forward by René Descartes (1596-1650) confirms ‘I am’ from the certainty of ‘I think,’ establishing that human beings are rational beings liberated from religion.” “To establish human beings as the subject has been the theme of Western philosophy since modern times. The establishment of the subject is reflected in two aspects: the identification of the self and the identification of the species.”²⁵ In contrast, there is no evidence in Chinese classics that the Chinese have ever “projected their own subjectivity onto the image of God” in religious culture. More than 2,000 years earlier than Descartes, Confucius (551 BC-479 BC) advocated Confucian ethical norms such as “Do not do to others what you do not want others to do to you,” which clearly contain “identification with the self (oneself)” and “identification with humanity (others).” If we follow Descartes’ approach, we can start from the theory of subjectivity and interpret the Confucian norm of “Do not do to others what you do not want others to do to you” as “I practice forgiveness, therefore I am.” This idea can indicate both the self-identification of “I am” and the species-identification of the coexistence of others.

After the European Renaissance, the people-oriented value system greatly impacted the theistic value system, but the situation of “projecting one’s own subjectivity onto the image of God” still existed in Christian countries. The *Declaration of Independence* of the United States in 1776 proclaimed: “We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.” The French *Declaration of the Rights of Man and of the Citizen* in 1789 proclaimed: “The National Assembly recognizes and declares, in the presence and under the auspices of the Supreme Being, the following Rights of man and citizen.” It can be seen that Man is the creature of God, and the source of human rights is God.

The German philosopher Immanuel Kant (1724-1804) had a unique perspective on God. On the one hand, Kant argued that the three traditional proofs of God’s existence (ontological, cosmological, and teleological) were all inadequate to prove the existence of God. On the other hand, he himself still believed in God, maintaining that morally upright individuals could and should, on the basis of reason, postulate the existence of God, assuming that our world was created by God; only by postulating the existence of God could people believe that virtue would be rewarded with happiness, and that we require an omnipotent God to enforce moral standards, ensuring that everyone is appropriately rewarded or punished.²⁶

²⁵ Yang Haifeng, “Subjectivity and Human Liberation,” *Guangming Daily*, October 14, 2024, page 15.

²⁶ Brooke Noel Moore and Kenneth Bruder, *Philosophy: The Power of Ideas*, translated by Li Hongyun and

“God is dead” is a philosophical proposition put forward by the German philosopher Friedrich Nietzsche (1844-1900), which is elaborated in many of his works. According to Christian doctrine, God is eternal. So how could God die? Nietzsche deliberately plays on the fact that God will not die. He is not saying that the life of the previously living God has come to an end, but rather that the belief in God is no longer rational. In his book *The Gay Science* (published in 1882), Nietzsche has a person who carries a lantern and searches everywhere for God but cannot find him and says, “God is dead.” If God is dead, what will happen next? Nietzsche’s answer is that society, which believes in God, will lose its moral foundation, the standards of right and wrong, good and evil that it previously believed in, and the moral guidelines that can clearly instruct people on how to live and what to cherish. Nietzsche’s proposition of “God is dead” is intended to show that the death of God will bring new possibilities to humanity, as if opening a new gate, which makes people both afraid and excited. Although people no longer have the sense of security that comes from God’s blessing, each person can create his/her own values and make life as wonderful as a work of art by pursuing his/her own way of life. Nietzsche’s above-mentioned views are considered the ravings of a madman in Christian society and have very few supporters.

When discussing the differences between “Eastern and Western philosophy,” Western scholars point out that “Eastern societies are seen as collectivist societies, whose essence is the awareness of the connections among all things. In their view, people are fundamentally interconnected.” “In Eastern societies, being responsible for others is a powerful value.” Unlike Eastern philosophy, Western philosophy’s argument about the relationship among people starts from the relationship between each individual and God: “According to John Locke’s argument, every individual possesses certain natural rights. Locke’s starting point is the assumption that all people are created by God and are thus God’s ‘property.’ Locke believes that it logically follows that we have a duty to preserve ourselves and must not take away or harm others’ ‘life, liberty, health, limbs, or possessions,’ or anything that depends on the above. Locke says that this logically includes the idea that each of us has inalienable natural rights to the above. Another conclusion can also be logically drawn, that the legitimacy of the state comes from the prior consent of the governed. This is because if the state exercises power over these people without their consent, their natural rights are violated.”²⁷ No matter how Western concepts of human rights are argued, there is always the existence of God as the Creator or the Lord.

During the drafting process of the *Universal Declaration of Human Rights*, the representatives of the Netherlands and Canada proposed at the 7th session of the Economic and Social Council to include Christian theological concepts such as God or Creator in Article 1 of the *Declaration* to indicate the religious and

Ni Jia (Beijing: Beijing United Publishing Co., Ltd., 2017), 418-419.

²⁷ Ibid., 518-519.

philosophical sources of human rights. The Chinese representative, Zhang Pengchun, strongly opposed the identification of theological natural law or Christian theological concepts as the source of human rights in order to avoid involving the *Declaration* in philosophical and religious disputes and affecting its universal applicability. Zhang said that the Chinese people, who make up a large part of the world's population, follow a set of ethics and morals different from the Christian Western tradition, and no Chinese representative asked to include these traditional beliefs in the *Declaration*. He hoped that other representatives would also show an equal attitude and withdraw their proposals to include religious theological concepts in the *Declaration*. John Peters Humphrey, the first director of the United Nations Division of Human Rights, wrote in his diary: "This morning's debate in the Third Committee was lively and interesting. Zhang Pengchun gave a very wise speech on the subject of the two-man-mindedness he advocated. He called on those countries that tried to impose special philosophical concepts such as theological natural law in the *Declaration* to pay attention to the fact that the *Declaration* is aimed at all people in the world."²⁸ Ultimately, the Third Committee of the United Nations General Assembly decided to remove any terminology that claimed or implied theological natural law and Christianity from the text.²⁹ If the *Declaration* were not of a secular nature, it would be difficult to gain universal acceptance from countries around the world.

"Terminologies about theological natural law and Christianity" were not included in the *Universal Declaration of Human Rights*, but God did not "die" as Nietzsche claimed." In February 2023, Joe Biden, the then President of the United States, said in the State of the Union address: "We have to see each other not as enemies, but as fellow Americans. We're a good people. The only nation in the world built on an idea — the only one. Other nations are defined by geography, ethnicity, but we're the only nation based on an idea that all of us, every one of us, is created equal in the image of God."³⁰

When discussing the "limitations of the Western philosophical tradition," some American scholars have pointed out that John Locke, as a British political theorist, strongly influenced the framers of the American Constitution; he is often seen as a defender of freedom and democracy, but he himself was involved in the slave trade and invested in British slave plantations in the Virginia colony. Thomas Jefferson wrote the *Declaration of Independence*, an immortal ode to freedom and a declaration of the inalienable rights of humankind, but he owned slaves throughout

²⁸ A. J. Hobbins, *On the Edge of Greatness (Vol. 1, 1948-1949): The Diaries of John Humphrey, First Director of the UN Division of Human Rights* (Montreal: McGill-Queen's University Press, 1999), 55-56.

²⁹ UN Document, Meeting Records of General Assembly, 3rd session, Third Committee, 96th Meeting (A/C.3/SR.96), page 98.

³⁰ President Biden's Speech (State of the Union Address) on February 7, 2023, accessed November 7, 2024, <https://www.whitehouse.gov/briefing-room/speeches-remarks/2023/02/07/remarks-by-president-biden-in-state-of-the-union-address-2/>.

his life.³¹ The descendants of the slaves owned by people like John Locke and Thomas Jefferson, who advocated that everyone is equally endowed with natural rights, died in the 21st-century United States because they could not breathe due to violent law enforcement by white police. This country, which calls itself “the lighthouse of the world,” often uses force against countries that it does not consider to be “created equal in the image of God,” causing large-scale humanitarian crises worldwide. These countries, which loudly proclaim the “universal value” of human rights, appear very hypocritical on the issue of the universality of human rights.

III. Human Rights, State Power, and Their Interrelationship Guided by the Outlook on Life of the Great Unity of All under Heaven (*tianxia*)

The third important characteristic of traditional Chinese culture pointed out by Russell is “government by literati chosen by examination instead of by a hereditary aristocracy.” Why did only ancient China create the imperial examination system for electing talent from all over the country, instead of adopting the system of hereditary nobility to govern the country? The answer can only be sought in the traditional Chinese concept of the great unity of all under heaven.

A. The ideal vision of the outlook on life of the great unity of all under heaven

Russell believed that human beings, dissatisfied with the chaotic world full of destruction and cruelty in which they have always lived, dream of a well-ordered human society, and it has always been so.³² In ancient China, people’s dream of “a well-ordered human society” is described as follows in the “*Operation of Rites*” in *The Book of Rites*: “When the Grand course was pursued, a public and common spirit ruled all under the sky; they chose men of talents, virtue, and ability; their words were sincere, and what they cultivated was harmony. Thus men did not love their parents only, nor treat as children only their own sons. A competent provision was secured for the aged till their death, employment for the able-bodied, and the means of growing up to the young. They showed kindness and compassion to widows, orphans, childless men, and those who were disabled by disease, so that they were all sufficiently maintained. Males had their proper work, and females had their homes. (They accumulated) articles (of value), disliking that they should be thrown away upon the ground, but not wishing to keep them for their own gratification. (They laboured) with their strength, disliking that it should not be exerted, but not exerting it (only) with a view to their own advantage. In this way (selfish) schemings were repressed and found no development. Robbers, filchers, and rebellious traitors did not show themselves, and hence the outer doors remained open, and were not shut. This was (the period of) what we call the Grand

³¹ Robert Paul Wolff, *About Philosophy*, translated by Li Tingting and Nie Yiming (Beijing: The Commercial Press, 2021), 33-35.

³² Bertrand Russell, *Proposed Roads to Freedom (Part I)* (Beijing: Culture and Art Publishing House, 1998), 4.

Union.”

On June 4, 1946, the Chinese representative Zhang Pengchun cited this passage in his speech on trade and industrialization and other economic and social development and cooperation issues at the 7th meeting of the 2nd session of the United Nations Economic and Social Council. He explained: “As a summary of the concept of world economic and social adjustment, allow me to quote a passage from Confucius about 2,500 years ago.” This passage “expresses the dream of all humanity even today” and “seems so full of modern significance.” The *Universal Declaration of Human Rights* in 1948 points out in Paragraph 2 of its “Preamble”: “the advent of a world in which human beings shall enjoy freedom of speech and belief and freedom from fear and want has been proclaimed as the highest aspiration of the common people.” The ideal of “freedom from fear and want” is highly consistent with the ideal of a public-spirited and harmonious society. “(They accumulated) articles (of value), disliking that they should be thrown away upon the ground, but not wishing to keep them for their own gratification.” The connotation of this statement is close to the “freedom from want”; “In this way (selfish) schemings were repressed and found no development. Robbers, filchers, and rebellious traitors did not show themselves, and hence the outer doors remained open, and were not shut.” The connotation of this statement falls into the range of the “freedom from fear.”

The *Great Learning* (Da Xue) begins with its core idea: “What the great learning teaches, is to illustrate illustrious virtue; to renovate the people; and to rest in the highest excellence.” Under the leadership of these “Three Guidelines” are the “Eight Articles”: investigation of things, extension of knowledge, sincerity in thought, rectification of the mind, self-cultivation, family regulation, state governance, and bringing peace to the world. “In the view of the author of the *Great Learning*, the original order of these ‘Eight Articles’ is the order for establishing social harmony. When each person is sincere in thought, rectifies the mind, and cultivates himself/herself, the family or clan will form a basic unit of harmony and stability by emulating the virtuous, and then the state will be well-ordered, and the world will form a good ethical and moral order, thus achieving great governance.”³³ The “way of the *Great Learning*” is highly consistent with the ideal of a public-spirited and harmonious society.

The famous saying of Zhang Zai (1020-1077), a realist philosopher of the Song Dynasty (960-1276), “To establish the mind for heaven and earth, to establish the destiny for the people, to continue the lost learning of the sages of old, and to open up peace for all future generations,” and his concept of “The people are my fellow beings, and all things are my companions” (from *The Zheng Meng: Qian Cheng*) both reflect the ideal of a public-spirited and harmonious society.

B. Selecting the virtuous and capable guided by the outlook on life of the great

³³ Editorial Department of Monthly Digest of Zhonghua Book Company, *Confucian Classics Study*, 158-159.

unity of all under heaven

The world, with its public nature, should belong to all people in the world, not to any individual or any group. “When the Grand course was pursued, a public and common spirit ruled all under the sky; they chose men of talents, virtue, and ability; their words were sincere, and what they cultivated was harmony.” Starting from the idea of “the public-oriented world,” it inevitably follows that “the virtuous and capable should be selected” among all people under heaven, and it is impossible to form a political system of “hereditary nobility” governing the country.

The most prominent manifestation of “selecting the virtuous and capable” before the Xia Dynasty (ca. 2070 BC-1600 BC) was the hereditary succession of the throne based on merit rather than lineage, as exemplified by the legendary abdications of Emperors Yao and Shun, two of the legendary Five Emperors. From the Xia Dynasty to the overthrow of the Qing Dynasty rulers, although the throne was passed down through hereditary succession within the royal family, each dynasty claimed that its ruler was a “Son of Heaven” who possessed virtue in accordance with heaven and received a mandate from heaven. In China, the succession of this status is the key to “selecting the virtuous and capable.” It was not uncommon for the eldest legitimate son to fail to inherit the position of the ruler, and there was no established “law of succession” with a fixed order as found in European countries. “Ancient Chinese philosophy did not have a ready-made ‘hereditary succession’ at this crucial point, because above the ‘Son of Heaven’ was not the ‘heavenly father’ in the sense of Judaism and Christianity, but the unpredictable ‘mandate of heaven.’ In fact, even the principle of ‘possessing virtue in accordance with heaven’ itself always faced the demand for reinterpretation and re-realization.”³⁴ Possessing virtue in accordance with heaven is both the qualification for the “Son of Heaven” and the condition for the “Son of Heaven” to exercise centralized power and rule over the world. Not only does the succession of this position in each dynasty require selecting the virtuous and capable, but also when the “Son of Heaven” of a dynasty becomes corrupt and incompetent, and overall can no longer possess virtue in accordance with heaven, dynastic change becomes inevitable. Dynastic change is ruthless, but to a certain extent, this alternation of old and new ensures that the ruling group headed by the “Son of Heaven” is composed of the virtuous and capable, and it also washes away the social basis for the formation of an aristocracy.

Before the formation of the imperial examination system, national officials other than the ruler also did not have a system of hereditary succession by law, and all had to go through a selection process of “selecting the virtuous and capable.” For example, the “inspection and recommendation” (Cha Ju) system of the Eastern and Western Han dynasties was divided into regular annual selections by local officials and irregular imperial edict-initiated selections by the emperor.

³⁴ Zhang Xianglong, *A Comparative Introduction to Chinese, Western, and Indian Philosophy*, 93.

The imperial examination system, which is commonly believed to have been initiated during the Sui Dynasty (581-618), continued until 1905, the end of the Qing Dynasty (1644-1911). When Russell came to China to lecture and investigate in October 1920, he still carefully studied the abolished imperial examination system and pointed out its advantages and disadvantages. The advantages included the opportunity for poor scholars to enter officialdom, while the disadvantages included the lack of examination of scientific knowledge. This system, which emphasized equality for all and the selection of talent without fixed patterns and stereotypes, was a significant theoretical and practical achievement of the ancient Chinese ideal of a public-spirited and harmonious society. Paragraph 2 of Article 21 of the *Universal Declaration of Human Rights* in 1948 stipulates: "Everyone has the right of equal access to public service in his country." Paragraph 3 of Article 25 of the *International Covenant on Civil and Political Rights* in 1966 stipulates that every citizen shall have the right and the opportunity, without any of the distinctions mentioned in Article 2 and without unreasonable restrictions: To have equal access to public service in his country." Both provisions refer to the right of every citizen to hold public office on an equal basis. China's imperial examination system generally complies with the above-mentioned contemporary international human rights instruments in terms of procedural and substantive fairness.

Here is an example to illustrate the value orientation of the imperial examination topics and their significance in protecting human rights. *The Book of Documents: Yu Mo* states: "When in doubt about a crime, it is better to err on the side of leniency; when in doubt about a merit, it is better to err on the side of generosity." The Western-Han-Dynasty official and scholar Kong Anguo's commentary explains: "When in doubt about punishment, lean towards leniency; when in doubt about reward, lean towards generosity. This reflects the ultimate in loyalty and kindness." In the first year of the Jiayou era of the Northern Song Dynasty (1056), the imperial examination set the topic "On the Ultimate Loyalty and Kindness in Punishment and Reward" based on this source. Su Shi, a litterateur, calligrapher, and painter afterwards, performed exceptionally well in the examination, but the following content about Emperor Yao's ultimate loyalty and kindness, which he mentioned in his essay, was unknown to the examiners: "*The Zuo's Commentary* says: 'When in doubt about a reward, it is better to give it, to extend favor widely; when in doubt about a punishment, it is better to forgo it, to exercise caution in penalizing. In the time of Emperor Yao, Gao Yao was the judge. When about to execute a man, Gao Yao said 'execute him' three times, and Emperor Yao said 'spare him' three times. Thus, the people of the world feared Gao Yao's firmness in enforcing the law, while they rejoiced in Emperor Yao's leniency in applying punishment.'" When asked about the source of this content after Su Shi passed the imperial examination, he admitted that he had made a mistake in his memory and said, "I just assumed it was so." This incident became a famous story, and Su Shi's short essay was included in the *An Anthology of*

Chinese Classical Prose (Guwen Guanzhi) by Qing Dynasty scholars without any changes.³⁵ This incident shows that the topics of the imperial examinations were mostly directly related to the governance of the state. *The Book of Documents* records that the ancient Chinese judicial authorities adhered to the principle of “when in doubt about a crime, it is better to err on the side of leniency.” Kong Anguo’s commentary is “when in doubt about punishment, lean towards leniency.” Su Shi mistakenly wrote “when in doubt about punishment, it is better to forgo it” in his answer, but both convey the idea that the state should be “utmost in loyalty and kindness” towards criminal suspects or defendants. This is a system that is people-oriented and protective of human rights. From the perspective of contemporary criminal justice human rights protection standards, this saying recorded in *The Book of Documents* was progressive in ancient times, and Su Shi’s imagined statement is very close to the contemporary criminal justice human rights protection standard of “presumption of innocence in case of doubt.”

C. The relationship between state power and human rights guided by the outlook on life of the great unity of all under heaven

The supreme ruler in ancient China was the “Son of Heaven,” who possessed virtue in accordance with heaven and received a mandate from heaven. How was the supreme “will of heaven” formed? According to the relevant content in *The Book of Documents*, the hearts of heaven and the common people are connected, and the mandate and will of heaven change with public sentiment and opinion. For instance, the *Common Possession of Pure Virtue* records: “It is difficult to rely on Heaven; — its appointments are not constant.” The *Great Declaration (I)* records: “Heaven compassionates the people. What the people desire, Heaven will be found to give effect to.” The *Great Declaration (II)* records: “Heaven sees as my people see; Heaven hears as my people hear.” The *Counsels of Gao-yao* records: “Heaven hears and sees as our people hear and see; Heaven brightly approves and displays its terrors as our people brightly approve and would awe.” The logical connection here is that the will of heaven is the will of the people. The Son of Heaven’s virtue in accordance with heaven and his mandate from heaven mean “virtue in accordance with the people” and “mandate from the people.” The relationship between the rulers or the exercisers of state power, headed by the Son of Heaven, and the people is complementary. A public-spirited and harmonious society is the common ideal of both the government and the people.

How should the Son of Heaven and the entire state power be exercised to meet the standard of possessing virtue in accordance with heaven or the people? The “*Zhou Shu: Great Plan*” in *The Book of Documents* records: “The Son of Heaven is the parent of the people, and so becomes the sovereign of all under the sky.” The Son of Heaven can bear the responsibility of “being the parents of the people” and

³⁵ Wu Chucai and Wu Tiaohou, *An Anthology of Chinese Classical Prose (Guwen Guanzhi)* (Part II), reviewed and annotated by Wen Tao (Tianjin: Tianjin Ancient Books Publishing House, 2004), 770-774.

is worthy of being the king of the world. Almost everyone can understand how parents treat their children from the experience of being a child or a parent. The Son of Heaven and officials at all levels should govern the people as parents treat their children. Relevant interpretation is recorded in the *Great Learning*: “In the *Book of Poetry*, it is said, ‘How much to be rejoiced in are these princes, the parents of the people!’ When a prince loves what the people love, and hates what the people hate, then is he what is called the parent of the people.”

How should the state treat the people, or what is the status of the people in the state? The “*Wu Zi Zhi Ge*” (“Songs of the Five Sons”) in *The Book of Documents* records: “It was the lesson of our great ancestor: The people should be cherished, and not looked down upon. The people are the root of a country; the root firm, the country is tranquil.” The “*Wei Chang*” in *The Analects* records: “He who exercises government by means of his virtue may be compared to the north polar star, which keeps its place and all the stars turn towards it.” Mencius fully inherited Confucius’s idea of “benevolence” and developed the political thought of “benevolent governance.” *The Mencius: Jin Xin (II)* records: “The people are the most important element in a nation; the spirits of the land and grain are the next; the sovereign is the lightest,” which is a famous saying proposed by Mencius with great significance regarding human rights.

“People-oriented” or “people-first” is the basic policy for ancient Chinese rulers to deal with the relationship between the state power and the status of the people. The first explicit mention of “people-oriented” in ancient Chinese classics is in the chapter “*Ba Yan*” (“The Sovereign’s Words”) of *Guanzi* (collection of thoughts of Guanzi, or Guan Zhong, the representative figure of Legalists in the Spring and Autumn Period): “The beginning of hegemony and kingship is based on the people, which means that it is people-oriented. If the foundation is well-managed, the state will be stable; if the foundation is in chaos, the state will be in danger.” According to the records in the chapter “On Agriculture” in the *Essentials of Government in the Zhenguan Era (Zhenguan Zhengyao)*: “In the second year (628) of Zhenguan, Emperor Taizong said to his attendants: ‘Everything must be based on fundamentals. The state takes its people as the foundation, the people take clothing and food as their foundation, and the fundamental of obtaining clothing and food is not to miss the proper time.’” “In the 16th year (642) of Zhenguan, when the price of grain in the country was generally five *qian* (a unit for coins) per *dou* (a measure for grain), and in some particularly cheap places, three *qian* per *dou*, Emperor Taizong said to his attendants: ‘The state takes its people as the foundation, and people’s lives depend on food.’” The “hegemony and kingship is based on the people” mentioned by Guanzi and the “people as the foundation” mentioned by Emperor Taizong should be understood consistently. They all refer to the policy of governance and the status of the people as a whole. The dynastic changes or the replacement of old regimes or governments by new ones in Chinese history are related to the old dynasties or governments’ failure to operate in a

“people-oriented” approach, thus losing the people’s support. The phenomenon of “harsh policies being fiercer than tigers” cannot be deemed as a common situation. Under normal circumstances, the government is able to be people-oriented.

In ancient Europe, there was no imperial examination system, nor was there a people-oriented policy. The political phenomenon that Russell referred to, where “government by a hereditary aristocracy,” was most prominent during the European Middle Ages (from the late 5th century to the mid-15th century), when rulers exercised dark and brutal rule over the people. The Renaissance, which took place from the 14th to the 16th century, liberated people’s minds and laid the solid ideological foundation for the English Revolution. In his *Two Treatises of Government* (published in 1690), John Locke profoundly criticized the then-dominant divine right of kings and the theory of hereditary monarchy in Europe. He defended the English Revolution and exerted a theoretical influence on the American and French Revolutions. He opposed the divine right of kings and, in the name of reason, put forward his theory of the origin of government: In the chaotic and disorderly state of nature, personal interests cannot be effectively safeguarded. The result of people’s rational thinking is that they are willing to relinquish their individual rights, such as the independent exercise of punishment of aggressors for self-protection, and hand over these rights to a designated person among them to exercise specifically. Locke believed that the government was initially formed by people’s transfer of personal rights, and that the relationship between the people and the government was one of social contract. Since the government’s power comes from the people, the exercise of power must serve the interests of the people.

Locke’s *Two Treatises of Government* had a great influence in North America. In early 1776, during the American War of Independence, the American scholar Thomas Paine published the book *Common Sense*, which exposed and criticized the essence of British oppression of the North American colonies. As Paine pointed out in his article “Of the Origin and Design of Government in General, with Concise Remarks on the English Constitution”: “... government, even in its best state, is but a necessary evil; in its worst state an intolerable one”; “... if we will suffer [permit/allow] ourselves to examine the component parts of the English constitution, we shall find them to be the base remains of two ancient tyrannies, compounded with some new republican materials. First, the remains of monarchical tyranny in the person of the king. Secondly, the remains of aristocratical tyranny in the persons of the peers. Thirdly, the new republican materials, in the persons of the commons, on whose virtue depends the freedom of England.” The paths proposed by thinkers such as Locke and Paine to guard against “tyrannical” governments are twofold: one is the separation of powers, and the other is the use of human rights to check governmental power or the use of rights to check power. The *Declaration of Independence* in 1776, the *Constitution of the United States* in 1787, and the *Bill of Rights* in 1791 all run through these two paths to guard against “tyrannical” governments. The separation of powers, the use of

rights to check power, and the right to bear arms, these systems that the United States has long adhered to since its founding, all reflect to varying degrees the deep-rooted distrust of the government by Americans and the long-standing disharmony between the U.S. government and the American people.

In this regard, the United States, as a developed country, has long been unable to solve the problem of homelessness and poverty. In 2017, Matthew Desmond, a sociology professor at Princeton University in the United States, published *Evicted: Poverty and Profit in the American City*, which describes the tragic scenes of urban residents in the United States being evicted for not being able to pay rent. In 2024, he published another book exploring the issue of poverty in the United States: *Poverty by America: How the United States Created and Can End the Scourge of Poverty*. He pointed out that in the United States, homeless vagrants are everywhere, and some even die on the streets. There are 44 million people living below the poverty line, and 30 million people rely on food stamps to get by. He asked: “Why do we help the already very rich people increase their wealth while allowing millions of people to fall into poverty and suffering?”³⁶

In ancient China, the people-oriented or people-first policy determined the harmonious relationship between state power and human rights. Article 33 of the *Constitution* of the People’s Republic of China stipulates that “The state shall respect and protect human rights,” which is in line with the people-oriented or people-first policy in traditional Chinese culture. The respect for and protection of human rights by the state is a function of the state and is determined by the people’s democratic dictatorship, not a result of the state power being constrained in one way or another. Although the Chinese *Constitution* stipulates the division of labor and constraints on state power, it also provides for the people’s right to supervise state organs and their staff. Since the founding of the People’s Republic of China, the socialist system has fundamentally solved the problem of human rights protection for the Chinese people. As a developing country, China has been able to mobilize the entire nation’s strength in a short period of time to win the great battle against poverty, eliminate absolute poverty, and achieve the poverty-alleviation target set by the United Nations 2030 Agenda for Sustainable Development one decade ahead of schedule, which fully proves the superiority of the socialist human rights system.

D. Human rights value orientation guided by the outlook on life of the great unity of all under heaven

The realization of the ideal of a public-spirited and harmonious society requires both the strength of the collective and the enthusiasm of individuals, but it is incompatible with extreme individualism. Some Western countries have always denied or belittled collective human rights and have exaggerated certain individual

³⁶ Zhao Zhengmin, “Poverty Determines the Direction of Votes,” *China Times News Network (Taiwan, China)*, November 4, 2024.

human rights. The African “Ubuntu philosophy” coincides with the traditional Chinese outlook on life of the great unity of all under heaven. A famous saying of Ubuntu philosophy is “I am because we are. We are, therefore, I am.” Descartes’ “I think, therefore I am” conflicts with the idea of Ubuntu philosophy. It would be more in line with the essence of Ubuntu philosophy to say “We think, therefore I am.” Both China and Africa recognize and protect collective human rights as well as individual human rights. This is inseparable from the fact that China and Africa share some similarities or correspondences in cultural traditions.

In summary, “Human rights are concrete, rooted in history, and based on current realities. We cannot mouth empty words on human rights regardless of the social and political conditions and the historical and cultural traditions of a country.”³⁷ The human rights concepts originated from Chinese classics are an important part of Chinese historical and cultural traditions. Some of these human rights concepts with Chinese historical and cultural characteristic have been integrated into international human rights instruments and have become the common human rights concepts and spiritual wealth of all humanity. Countless facts have proved that the human rights concepts in Chinese classics are consistent with those contained in international human rights instruments and are beneficial to the implementation of international human rights instruments in China. The socialist human rights development path in contemporary China is deeply rooted in the Chinese historical and cultural traditions that contain abundant human rights concepts, and is suitable for China’s national conditions. Continuing along this path of human rights development with Chinese characteristics, China will be able to deliver the goal of “strengthening human rights protection in the course of advancing Chinese modernization and promoting the free and comprehensive development of humanity.”³⁸

(Translated by *LI Donglin*)

³⁷ Xi Jinping, “Comrade Xi Jinping Delivered a Speech to the 37th Group Study Session of the Communist Party of China’s Political Bureau: Steadfastly Following the Chinese Path to Promote Further Progress in Human Rights,” *People’s Daily*, February 27, 2022, page 1.

³⁸ Xi Jinping, “Xi Sends Congratulatory Letter to Forum on Global Human Rights Governance,” *People’s Daily*, June 15, 2023, page 1.