

The Inheritance and Innovation of the View of Human

Dignity in Chinese Culture

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Abstract: *Human dignity is widely regarded as the foundation of modern human rights concepts and norms. The doctrine of human dignity in Chinese culture enjoys a long and profound history, and the pre-Qin assertion that “humans are the most precious” is the most representative expression of human dignity. Ancient Chinese scholars’ elaboration on dignity was ethically oriented; they affirmed that humans have the freedom to make moral choices in spirit and required them to assume moral responsibilities towards others and society. Since modern times, with the changes of the times and the introduction of Western liberalism, the traditional view of moral dignity has seen a significant expansion of its scope, incorporating freedom in economic, political, and social life into the category of human dignity and establishing a closer connection with human rights. In contemporary China, under the guidance of Marxism, the view of dignity regards the free, comprehensive, and common development of human beings as the intrinsic requirement and external manifestation of human dignity, takes the rights to subsistence and development as the primary and fundamental human rights, and comprehensively safeguards the dignity of every individual through the coordinated protection of economic, political, social, and cultural rights.*

Keywords: humans are the most precious ♦ human dignity ♦ view of dignity ♦ human rights

Upholding human dignity is universally recognized as the basis and purpose of establishing human rights. The *Universal Declaration of Human Rights*, adopted by the General Assembly of the United Nations in 1948, refers to the concept of “dignity” five times. It states at the very beginning of the Preamble that “recognition of the inherent dignity and of the equal and inalienable rights of all members of the human family is the foundation of freedom, justice and peace in the world” and that “the peoples of the United Nations have in the *Charter of the United Nations* reaffirmed their faith in fundamental human rights, in the dignity and worth of the human person and in the equal rights of men and women”; Article 1 explicitly states that “All human beings are born free and equal in dignity and rights”; Article 22 states that everyone “is entitled to realization ... of the economic, social and cultural rights indispensable for his dignity and the free development of his personality”; Clause 3 of Article 23

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states “everyone who works has the right to just and favorable remuneration ensuring for himself and his family an existence worthy of human dignity.”

The *Vienna Declaration and Programme of Action*, adopted by the World Conference on Human Rights in 1993, mentions the concept of “dignity” 11 times. In its preamble, it recognizes and affirms that “all human rights derive from the dignity and worth inherent in the human person,” which recalls the determination to faith in “the dignity and worth of the human person”; Article 11 of Part I focuses on certain advances, notably in the biomedical and life sciences as well as in information technology, “may have potentially adverse consequences for the integrity, dignity and human rights of the individual” and calls for international cooperation “to ensure that human rights and dignity are fully respected in this area of universal concern”; Article 18 points out that gender-based violence and all forms of sexual harassment and exploitation, “are incompatible with the dignity and worth of the human person”, and must be eliminated; Article 20 recognizes the “inherent dignity” of indigenous people; Article 23 requires the international community to achieve durable solutions, regarding the refugee issues, “primarily through the preferred solution of dignified and safe voluntary repatriation”; Article 25 affirms that “extreme poverty and social exclusion constitute a violation of human dignity.” Section B of Part II is titled “Equality, dignity and tolerance,” and Article 55 emphasizes that “one of the most atrocious violations against human dignity is the act of torture, the result of which destroys the dignity and impairs the capability of victims to continue their lives and their activities.”

In ancient Chinese culture, the expression of human “dignity” is rarely used, but instead the expression “humans are the most precious” is more commonly employed to refer to a person’s dignity. A review of the concept of “humans are the most precious” and its development path helps to reveal the importance attached to human value and dignity by fine traditional Chinese culture and how it has realized its own breakthroughs and expansion, shaped the view of dignity in contemporary China, and influenced the contemporary Chinese perspective on human rights, in response to the changes of the times.

I. The Introduction of the Concept “Human Is the Most Precious” in Ancient China

In the debates among thinkers in the pre-Qin period (before 221 B.C.) about the relationships between humans and deities, heaven and earth, and all things, Confucianism proposed the idea that “humans are the most precious” and presented multi-level arguments in support of it, thereby forming the doctrine of the “view of moral dignity.”

A. Arguments about the preciousness of human

The question of whether humans have a unique dignity involves the relationships between humans and deities, between humans, heaven and earth, and between humans and all things.

1. Relationship between humans and deities

In ancient Chinese culture, deities were valued far more than people. The worship of deities and spirits occupied an important place in the political, economic, social, and cultural life in the Shang and Zhou periods. The people in the Shang Dynasty (c. 1600 B.C.-1046 B.C.) believed in the existence of deities and spirits and believed that the spirits of their ancestors were a bridge between humans and deities, and would bless them with success in political, military, and social affairs. Therefore, frequent rituals became a way for them to pray for blessings. The people believed that they could communicate with the deities through divination, which led them to use divination for obtaining instructions from the deities before making decisions about their personal lives and state politics. The rulers of Shang believed that their ancestors were with the Emperor of Heaven and would protect their throne from being shaken. During the expedition of King Wu of Zhou against King Zhou of Shang, the idea of “matching heaven with virtue” was put forward to justify the righteousness of the military campaign, which made the rulers of the Zhou Dynasty (1046 B.C.-256 B.C.) pay more attention to the people of the world in order to establish the legitimacy of their rule while respecting heaven and honoring the deities. This had a significant impact on the emergence of the concept of “humans are the most precious” in the pre-Qin period. Professors Liu Zehua and Zhang Fentian pointed out that: “Since the Spring and Autumn Period (770 B.C.-476 B.C.) at the latest, the promotion of human values has gradually become the mainstream of Chinese culture. The specific manifestation is that in the relationship between man and deity, many thinkers advocate man before deities. In the relationship between man and nature, many thinkers believe that of all things, man is the most precious.”¹

According to *Zuozhuan* (*Commentary on the “Spring and Autumn Annals*), China’s first great work of history, in 662 B.C., the Duke of Guo, a vassal state in the Zhou Dynasty, asked Grand Astrologer Shi Yin and others to offer sacrifices to the deities, and Shi Yin said, “Guo is probably to perish! I have heard others say: when a state is about to flourish, its rulers listen to the people; when it is about to perish, they listen to the deities. The deities are intelligent, upright, and unchanging — they act in accordance with human virtue.”² And Shu Xing, the internal historian of Zhou, pointed out in 644 B.C. that “Fortune and misfortune are determined by people and their behavior.”³

2. Relationship between humans and heaven and earth

On the relationship between humans and heaven and earth, Zhuangzi (Chuang Tzu), an influential Daoist philosopher in ancient China, emphasized the insignificance of man, which was criticized by Xunzi (Hsün Tzu), one of the three great Confucian philosophers in ancient China, as “being blinded by heaven and ignorant of man.”⁴ Unlike Zhuangzi, Laozi (Lao Tzu), a great ancient Chinese philosopher and the founder of the Taoist school, believed that man, Dao (the Way), heaven, and earth are the “four great domains.” He wrote: “The Dao is great, the

¹ Liu Zehua and Zhang Fentian, “‘Man Is the Noblest of All Natures Produced by Heaven and Earth’ and the King’s Reign,” *Jiangxi Social Sciences* 10 (2004): 35.

² *Zuozhuan*: 32nd Year of Duke Zhuang.

³ *Zuozhuan*: 16th Year of Duke Xi.

⁴ *Xunzi*: Jie Bi.

heaven is great, the earth is great, and man is also great. There are four great domains, and one of them is man.”⁵

In terms of the relationship between human beings and Dao, Zichan, a renowned statesman and thinker during the Spring and Autumn Period, believed that “The Way of Heaven is far away, while the Way of Humanity is near.”⁶ According to Confucius, the great thinker, educator and the founder of the Confucian School in ancient China, “A man can enlarge the principles which he follows; those principles do not enlarge the man.”⁷ He also wrote, “Of all (creatures with their different) natures produced by Heaven and Earth, man is the most highly endowed.”⁸ He Chengtian, an astronomer during the Southern and Northern Dynasties (420-589), further suggested that “Man is not born without heaven and earth, and heaven and earth are not spiritual without man.”⁹ Lu Jiuyuan, the founder of the School of Mind in the Southern Song Dynasty (1127-1279), pointed out that “Heaven, earth, and human are equal in their talents, and how can a person be lighter?”¹⁰ He believed that “Born between Heaven and Earth, humans embody the harmony of *yin* and *yang* and embrace the essence of the Five Agents. What could possibly surpass human in their nobility?”¹¹

3. Relationship between humans and all things

On the relationship between humans and all things, Zhuangzi put forward the idea of “the equality of things” (or “the adjustment of controversies”). Starting from the perspective that “they may in the light of the Dao all be reduced to the same category (of opinion about them),”¹² he advocated that humans should “consider himself now (merely) as a horse, and now (merely) as an ox,”¹³ Guan Zhong, an outstanding thinker and statesman in ancient China, when discussing how to manage people and use them, said: “To rule people is like ruling water and flooding, to cultivate people is like raising six animals, and to use people is like using grass and trees.”¹⁴

On the contrary, other thinkers argue that man is the most precious among all things. It is written in *Shang Shu* (The Book of Documents) that “Heaven and earth are the parents of all creatures; and of all creatures, man is the most highly endowed.”¹⁵ Sun Bin, a military strategist in the Warring States period (475 B.C.-221 B.C.), also said, “Between Heaven and Earth, nothing is more precious than humanity.”¹⁶ *Huang Di Nei Jing* (The Yellow Emperor’s Inner Canon) writes, “Heaven overspreads and Earth upholds. All things are thus provided for, but nothing is more precious than humanity.”¹⁷ Dong Zhongshu, a Confucian scholar in the Han Dynasty (202 B.C.-220 A.D.), pointed out, “What is the foundation? It is said: heaven,

⁵ Laozi (*Tao Te Ching*): Chap. 25.

⁶ *Zuo Zhuan*: 18th Year of Duke Zhao.

⁷ *The Analects*: Wei Ling Gong.

⁸ *Xiao Jing* (*The Classic of Filial Piety*): *The Government of the Sages*.

⁹ He Chengtian, “*Da Xing Lun*,” in *The Concept of Human in Chinese Culture*, Li Qing ed. (Shanghai: Xue Lin Press, 1996).

¹⁰ *Collected Works of Lu Jiuyuan*, vol. 35.

¹¹ *Collected Works of Lu Jiuyuan*, vol. 30.

¹² Zhuangzi: *The Adjustment of Controversies*.

¹³ Zhuangzi: *The Normal Course for Rulers and Kings*.

¹⁴ Guan Zi: *Qi Fa*.

¹⁵ *The Book of Documents*: *Zhou Shu* — *Great Declaration*.

¹⁶ Sun Bin’s *Art of War*: *Yue Zhan*.

¹⁷ *Nei Jing*: *Su Wen*.

earth, and humans are the foundation of all things. Heaven generates them, earth nourishes them, and humankind perfects them.”¹⁸ Yang Xiong, a philosopher, litterateur, and ideologist in the Han Dynasty, wrote in *Tai Xuan: Xuan Wen* that “The preciousness of heaven and earth is said to be born, and the dignity of things is said to be human.”¹⁹ Shao Yong, a Neo-Confucian scholar in the Northern Song Dynasty (960-1127), believed that “human beings are the highest among all things”²⁰ and “only human beings share the marvel of all things, and is therefore the spirit of all things.”²¹

B. Four Confucian arguments about the preciousness of human

Confucian scholars throughout the ages have made various arguments for the claim that “humans are the most precious,” which can be summarized in the following four aspects.

1. Humans are the “heart of heaven and earth” and have rational intelligence

Confucian scholars first took the human mind and rational intelligence as the natural basis for “humans are the most precious,” which was expressed as “the heart of heaven and earth” or “the spirit of heaven and earth”.

Confucius proposed, “Man is the heart and mind of Heaven and Earth.”²² In *Liji* (*The Book of Rites*), it is written, “Man is (the product of) the attributes of Heaven and Earth, (by) the interaction of the dual forces of nature, the union of the animal and intelligent (souls), and the finest subtle matter of the five elements” and “Therefore Man is the heart and mind of Heaven and Earth, and the visible embodiment of the five elements. He lives in the enjoyment of all flavors, the discriminating of all notes (of harmony), and the enrobing of all colors.”²³

Mencius (Mengzi) believed that one of the commonalities of humans is that they have the faculty of thinking, and that “By thinking, it gets the right view of things; by neglecting to think, it fails to do this. These — the senses and the mind — are what Heaven has given to us.”²⁴

According to Xunzi, “The means by which man knows is the faculty of knowing which belongs to his nature. That which can be known is the rational principle of things.”²⁵ “That which is in man whereby he knows is called his faculty of knowing. The faculty of knowing which possesses something correspondent to it is called wisdom.”²⁶

Wang Chong, a thinker in the Eastern Han Dynasty (25-220), pointed out in *Lun Heng: Bian Chong*) that “Among all bare creatures, humans are the most talented.

¹⁸ [Han Dynasty] Dong Zhongshu, *Chun Qiu Fan Lu* (*Luxuriant Dew of the Spring and Autumn Annals*): Li Yuan Shen.

¹⁹ [Han Dynasty] Yang Xiong, *Tai Xuan Annotations*, annotated by Sima Guang (Song Dynasty), punctuated and collated by Liu Shaojun (Beijing: Zhonghua Book Company, 1998), 264.

²⁰ [Song Dynasty] Shao Yong, *Huang Ji Jing Shi: Guan Wu Nei Pian* (Zhengzhou: Zhongzhou Ancient Books Publishing House, 1993), 251.

²¹ [Song Dynasty] Shao Yong, *Huang Ji Jing Shi: Guan Wu Wai Pian*.

²² *The Book of Rites: Li Yun*.

²³ Ibid.

²⁴ *Mengzi: Gaozi I*.

²⁵ *Xunzi: Jie Bi*.

²⁶ *Xunzi: Zheng Ming*.

Humans, as creatures, are the ones with wisdom among all beings.”²⁷

Wang Su, an economist in the Three Kingdoms period (220-280), pointed out, “Between Heaven and Earth, humans are like the heart among the five organs. As the most sentient of all living beings, the human heart is the most sacred among the five organs.”²⁸

Wang Yangming, one of the most influential Neo-Confucian philosophers in the Ming Dynasty (1368-1644), further asserted from the School of Mind that “Man is the universal mind of Heaven, Earth, and all things; the mind is the supreme ruler of Heaven, Earth, and all things.”²⁹

2. Humans are capable of moral discernment

In the argument for “humans are the most precious,” the emphasis on the rational intelligence of human beings is directed more towards the human capacity for moral discernment, providing a moral basis for the thesis that “humans are the most precious”.

According to Mencius, “having the faculty of senses” is not unique to human beings, since beasts can also have senses. The preciousness of human beings does not lie in the fact that they “desire food when hungry, warmth when cold, and rest when weary,” since these physiological traits are “inherent in human beings without any need for them to be so.”³⁰ In his view, what distinguishes man from beasts is the ability to discern ethics and understand morality. Xunzi stated, “What makes humans human? I say: it lies in their capacity for rational distinction... Beasts have parent-child relationships but lack familial affection; they have male and female forms but lack gender propriety. Thus, the Way of Humanity must involve distinction³¹... Fire and water possess *qi* (vital energy) but lack life; plants and trees possess life but lack senses; beasts possess awareness but lack righteousness. Humans possess *qi*, life, senses, and moreover righteousness — hence they are the most noble under Heaven.”³²

3. Humans have four principles, with the potential for moral choice and development

In the view of Confucian scholars, human moral discernment is first and foremost a potential for moral choice and development, which is possessed by all, and which Mencius called the “good principles.” It provides a human basis for “humans are the most precious.”

According to Mencius, there are four good principles in life, namely “commiseration,” “shame and dislike,” “modesty and complaisance,” and “approving and disapproving,” which later developed into the “Four Virtues” of benevolence, righteousness, propriety, and knowledge. Mencius said that “The feeling of commiseration is the principle of benevolence. The feeling of shame and dislike is the

²⁷ [Han Dynasty] Wang Chong, *Lun Heng: Bian Chong* (Shanghai: Shanghai People’s Publishing House, 1974), 374.

²⁸ [Han Dynasty] Kong Yingda, *Interpretation of “The Book of Rites”*: *Shi San Jing Zhu Shu* (Shanghai: Shanghai Ancient Books Publishing House, 1997), 1424.

²⁹ *Complete Works of Wang Yangming*, vol. 1, (Zhengzhou: Zhongzhou Ancient Books Publishing House, 2016), 245.

³⁰ Xunzi: *Fei Xiang*.

³¹ Ibid.

³² Xunzi: *Wang Zhi*.

principle of righteousness. The feeling of modesty and complaisance is the principle of propriety. The feeling of approving and disapproving is the principle of knowledge.”³³ “Since all men have these four principles in themselves, let them know to give them all their development and completion, and the issue will be like that of fire which has begun to burn, or that of a spring which has begun to find vent... When men, having these four principles, yet say of themselves that they cannot develop them, they play the thief with themselves, and he who says of his prince that he cannot develop them plays the thief with his prince.”³⁴ From his perspective, humans all equally share the potential of developing such morality, and it is under this premise that Mencius proposed that “The sage and we are the same in kind”,³⁵ “Yao and Shun were just the same as other men”,³⁶ “All men may be Yaos and Shuns.”³⁷ Xunzi also suggested that “Ordinary person can become Yu.”³⁸

4. Humans receive their mandate from Heaven, and practice the five constant virtues of benevolence, righteousness, propriety, wisdom, and fidelity

Confucian scholars in the Han Dynasty, starting from the induction of heaven and man, corresponded the moral characters of human beings to the structure of heaven and earth, and provided a cosmological basis for the concept “human is the most precious.”

Dong Zhongshu in the Han Dynasty used the correspondence between the physiological structure of humans and heavenly times and earthly forms to argue for the nobility of human beings, arguing that “only human beings are able to parallel heaven and earth.” He analyzed that “Heaven’s virtue is to bestow; Earth’s virtue is to transform; Humanity’s virtue is righteousness. The *qi* of Heaven ascends, the *qi* of Earth descends, and the *qi* of humanity resides between them... Thus, nothing is more refined than *qi*, nothing more abundant than Earth, nothing more divine than Heaven. Yet among all living things nurtured by the essence of Heaven and Earth, none is nobler than humanity.”³⁹ In his view, the preciousness of man lies in the fact that “man alone is capable of benevolence and righteousness.”⁴⁰ He argued that: “Humans, having received their mandate from Heaven, inherently possess a transcendent nature distinct from all other creatures. At home, they exhibit the affection between father and son, elder and younger brothers; out, they uphold the duties between ruler and subject, superior and inferior. When gathering in community, they practice the rituals honoring the aged and the young. Thus, with brilliant civility, they interact; with joyful kindness, they cherish one another — this is why humanity is noble. They cultivate the five grains for food, mulberry and hemp for clothing, and rear the six domestic animals for sustenance. They yoke cattle and ride horses, pen leopards and cage tigers — all because they have received the numinous essence of Heaven,

³³ Mencius, *Mengzi*, translated and annotated by Wan Lihua and Lan Xu (Beijing: Zhonghua Book Company, 2015), 69.

³⁴ Ibid., 69-70.

³⁵ Ibid., 247-248.

³⁶ Ibid., 191.

³⁷ Ibid., 265.

³⁸ Xunzi, *Xunzi*, translated and annotated by An Xiaolan (Beijing: Zhonghua Book Company, 2016), 279.

³⁹ [Han Dynasty] Dong Zhongshu, *Chun Qiu Fan Lu: Ren Fu Tian Shu*.

⁴⁰ Ibid.

making them nobler than all other beings.”⁴¹

Zhou Dunyi, the originator of Neo-Confucianism in the Song Dynasty (960-1279), said: “The two *qi* interact and generate all things; Through endless generation and regeneration, the myriad things transform inexhaustibly. Yet only humans obtain the noblest essence, becoming the most spiritual beings.”⁴² “Between Heaven and Earth, the most revered is the Dao; The most precious is Virtue. The rarest attainment is to become a true human — And what is most rare for humans is to embody the Dao and Virtue within oneself.”⁴³

Zhu Xi, a leading Neo-Confucian philosopher and educator in the Southern Song Dynasty (1127–1279), believed that benevolence, righteousness, propriety, and knowledge are “the nature of heaven and earth” or “the nature of heavenly blessed destiny,” and all things are endowed with some aspects of benevolence, righteousness, propriety, and knowledge. For example, ants have “the righteousness of the ruler and the minister,” tigers or wolves have “the kinship between father and son.” However, “Humans are the most spiritual beings, endowed with the natures of the Five Virtues. Beasts are benighted and incapable of possessing them, while plants and withered trees lack even senses and consciousness.”⁴⁴ “What distinguishes humans from beasts is this: affection between father and son, righteousness between ruler and subject, distinction between husband and wife, order between elder and younger, and trust between friends.”⁴⁵

C. Hierarchy of views of moral dignity

The above four aspects of the argumentation for “human is the most precious” actually constitute the four levels of the ancient Chinese view of dignity. In this context, the ability to think is the natural condition of human dignity, the moral discernment capacity is the value orientation of human dignity, the potential for moral development is the basis for the equality of dignity of all human beings, and the practice of morality is the realization of human dignity.

In view of its predominantly moral orientation, this view of dignity can be characterized as a “view of moral dignity.” In this regard, many scholars have made similar arguments. For example, Ren Jiantao argues that “Confucian philosophy of life embodies a purely ethical orientation quality for human beings, and therefore emphasizes that the only righteousness of human beings is the dignity of establishing them up as human beings.”⁴⁶ Qiao Qingju, on the other hand, summarizes the Confucian view of dignity as the “theory of moral dignity,” stating, “In pre-Qin Confucian philosophy, dignity is not just an external majesty, but also a result of virtue.”⁴⁷ Jin Minghua believes that “Confucianism emphasizes benevolence and righteousness as the manifestation of human dignity, which embodies a purely ethical

⁴¹ [Han Dynasty] Dong Zhongshu, *Counter Measures to the Selection of the Talented and Virtuous* (*Ju Xian Liang Dui Ce*).

⁴² [Song Dynasty] Zhou Dunyi, *Explanations of Tai Ji Diagram* (*Tai Ji Tu Shuo*).

⁴³ [Song Dynasty] Zhou Dunyi, *Penetrating the “Book of Changes”* (*Tong Shu*).

⁴⁴ Zhu Xi, *Collected Works of Zhu Xi*, vol. 59.

⁴⁵ Zhu Xi, *Classified Conversations of Master Zhu Xi*, vol. 57.

⁴⁶ Ren Jiantao, “Dignity, Realm, and Morality: Three Discussions on Confucian Doctrine of Human Nature,” *History of Chinese Philosophy* 4 (2000).

⁴⁷ Qiao Qingju, “A General Study on the Thoughts of Dignity in Confucianism and Daoism,” *Journal of Social Sciences* 4 (2013).

orientation trait that points individual dignity to moral superiority and supra-utilitarian recognition.”⁴⁸

II. The Conceptual Extension and Potential Human Rights Value of the Confucian View of Moral Dignity

The ancient Chinese argument for “humans are the most precious” constitutes the Chinese view of moral dignity, which is of great value for the protection of the person, but at the same time has obvious historical limitations.

A. Conceptual extension of the view of moral dignity

While Confucianism presents and argues for a view of moral dignity, it also derives a series of related ideas from it.

First, the concept of “loving people” and “knowing people” is derived from “humans are the most precious”. It is recorded in *The Analects* of Confucius that when Fan Chi, one of the virtuous disciples of Confucius, asked about benevolence. Confucius said, “It is to love all men.” He asked about knowledge. Confucius said, “It is to know all men.”⁴⁹ Ji Lu, one of the virtuous disciples of Confucius, asked about serving the spirits of the dead. Confucius said, “While you are not able to serve men, how can you serve their spirits?”⁵⁰ When Confucius knew that the stable was burned down, he first asked: “Has any man been hurt?” He “did not ask about the horses.”⁵¹

Second, the equal respect for everyone is derived from “humans are the most precious,” which shall exist regardless of their wealth, status, or social rank. *Liji* (The Book of Rites) states: “Propriety is seen in humbling one’s self and giving honor to others. Even porters and peddlers are sure to display this giving honor; how much more should the rich and noble do so!”⁵² Confucianism promotes the moral dignity of human beings by not eating “poormancomehere” food.⁵³ As Mencius said, “Here are a small basket of rice and a platter of soup, and the case is one in which the getting of them will preserve life, and the want of them will be death; if they are offered with an insulting voice, even a tramp will not receive them, or if you first tread upon them, even a beggar will not stoop to take them.”⁵⁴

Third, a strong opposition to the persecution of people is derived from “humans are the most precious.” During the Spring and Autumn Period, in which Confucius lived, human sacrifices still existed in large numbers. For example, in 573 B.C., when Duke Jing of Qin died, 182 persons were used as sacrificial offerings to be buried alive; in 532 B.C., human sacrifices were used in the vassal states of Lu and Chu.⁵⁵ Confucius not only opposed the use of human sacrifices, but also opposed the use of

⁴⁸ Jin Minghua, “The Ethical Positioning Characteristics of Human Dignity of Traditional Confucianism,” *Academic Exchange* 3 (2006).

⁴⁹ *The Analects*: Yan Yuan.

⁵⁰ *The Analects*: Xian Jin.

⁵¹ *The Analects*: Xiang Dang.

⁵² *The Book of Rites*: Qu Li I.

⁵³ See *The Book of Rites*: Tan Gong II.

⁵⁴ *Mengzi*: Gaozi I.

⁵⁵ Sun Houzhong, “‘Man Is the Noblest of All Natures Produced by Heaven and Earth’ — Comments on Confucian Values of Human,” *Journal of Guizhou Education Institute* (now *Journal of Guizhou Education University*) 2 (1992): 24-25.

figurines as sacrificial offerings, and uttering angrily, “Was he not without posterity who first made wooden images to bury with the dead?”⁵⁶

Fourth, the concept of education to cultivate the “vast flowing-passion nature” is derived from “human is the most precious.” Confucianism believes that the preciousness of humans is manifested in the moral aspiration, vastness, and greatness of one’s spirit. In *Lun Yu* (The Analects), Confucius said, “The determined scholar and the man of virtue will not seek to live at the expense of injuring their virtue. They will even sacrifice their lives to preserve their virtue complete.”⁵⁷ *The Book of Rites* states “With the scholar friendly relations may be cultivated, but no attempt must be made to constrain him; near association with him can be sought, but cannot be forced on him; he may be killed, but he cannot be disgraced ... his person may be placed in peril, but his aim cannot be taken from him.”⁵⁸ Mencius proposed to nourish the “vast, flowing passion-nature”⁵⁹ and advocated the spirit of “the great man”: “To dwell in the wide house of the world, to stand in the correct seat of the world, and to walk in the great path of the world; when he obtains his desire for office, to practice his principles for the good of the people; and when that desire is disappointed, to practice them alone; to be above the power of riches and honors to make dissipated, of poverty and mean condition to make swerve from principle, and of power and force to make bend — these characteristics constitute the great man.”⁶⁰

B. Human rights value of the view of moral dignity

The ancient Chinese view of moral dignity is of great value and is mainly reflected in the following three aspects.

First, it identifies the moral self-awareness and sense of responsibility of humans as the basis of dignity, which points to an important dimension of human dignity. Humans are morally conscious and responsible beings, which is an important prerequisite for the enjoyment of human rights.

Second, this view of moral dignity takes the potential for human moral development as the basis for equality of dignity. The ancient Chinese view of moral dignity distinguishes between the potential for human moral development and the realization of human moral practice. The potential for moral development of humans is common to everyone and provides the human basis for the equal human dignity of each individual. Whereas people’s practice and realization of morality determines their realistic moral status and the moral evaluation they are given, it varies from person to person and is differentiated according to individuals.

Finally, another important contribution of the ancient Chinese view of moral dignity is to define human dignity in the context of social relations. Ni Peimin points out that “The Confucian view of dignity actually presupposes the concept of the individual, which is ‘of community’ rather than being autonomous. By understanding the individual within a particular set of relationships and environments comprised first and foremost of members of his or her family, the Confucian perspective provides

⁵⁶ Mengzi: *Liang Hui Wang I*.

⁵⁷ *The Analects*: Wei Ling Gong.

⁵⁸ *The Book of Rites: The Conduct of the Scholar* (Ru Xing).

⁵⁹ Mengzi: *Gongsun Chou I*.

⁶⁰ Mengzi: *Teng Wen Gong II*.

insight into the ways in which human values can be realized through these relationships. It is not only out of moral responsibility that one ‘wishing to be established himself, seeks also to establish others; wishing to be enlarged himself, seeks also to enlarge others’, rather, it is through establishing and enlarging others that an individual can establish and enlarge himself, creating and realizing his own value and dignity... While honoring your dignity, I affirm my own dignity as a man of perfect virtue.”⁶¹

C. Limitations of the view of moral dignity

The Confucian argument for human dignity is made primarily from an ethical perspective, which is of great value in establishing the moral dignity of the human person. However, since it is limited to the freedom of moral choice of the inner spirit, it thus correspondingly generates a demand for moral obligations rather than for human rights protection. This leads to the following three important limitations of the Confucian view of moral dignity.

First, the Confucian view of moral dignity defines dignity only in terms of inner moral freedom. While it recognizes the freedom of moral choice of all human beings as an intrinsic basis for the equality of all human beings in dignity, this freedom is limited to the subjective inner sphere of human beings and does not extend to the freedom of human beings in social life. Therefore, the dignity of human beings in the face of social reality can only be manifested in the choices between “engage with the secular world” and “depart from the world”, and between “serve for the government” and “live in seclusion”. As Mencius said, “When the men of antiquity realized their wishes, benefits were conferred by them on the people. If they did not realize their wishes, they cultivated their personal character, and became illustrious in the world. If poor, they attended to their own virtue in solitude; if advanced to dignity, they made the whole kingdom virtuous as well.”⁶² In this sense, this inner freedom of moral choice does not provide an adequate basis for human rights protection. As Xu Fuguan points out, “If freedom is gained only by one’s own virtues and abilities, and if it is not gained through one’s position in society, then the former will be completely void of any real meaning.”⁶³

Second, the Confucian view of moral dignity only defines dignity from the perspective of man’s moral self-discipline. It points directly to man’s obligations to others and to society, rather than to the rights that man should enjoy. However, the dignity of humans lies not only in their relationship with society, especially in a passive and submissive relationship with it; it also lies in his potential for self-development, self-transcendence, innovation, and social transformation, especially in taking a proactive role in social development. In this sense, the ancient Chinese view of moral dignity lacked the dimension of social freedom and thus does not provide an adequate theoretical basis for modern human rights protection.

Third, the Confucian view of moral dignity defines dignity in terms of traditional

⁶¹ Ni Peimin, “Seek and You Will Find It; Let Go and You Will Lose It — Exploring the Confucian Approach to Human Dignity,” *Journal of Social Sciences* 1 (2011).

⁶² *Mengzi: Jin Xin I.*

⁶³ Xu Fuguan, “The Emerging of China’s Liberal Society,” in *Between Academics and Politics* (Beijing: Jiuzhou Press, 2014), 170.

hierarchical ethics, which is a historical limitation it has. The morality it refers to is that which applies to traditional agrarian societies, especially subsistence smallholder economies. When society entered the era of industrialization and the market economy, these moralities became shackles that bound the free development of human beings and social progress. A new moral consciousness and updated norms were needed. It is for this reason that the call for individual freedom has emerged in modern China.

III. The Introduction of Modern Concepts of Freedom and the Expansion of Chinese View of Moral Dignity

Since modern times, with the change of the times, Chinese thinkers have reflected more on the traditional view of moral dignity and tried to make it include more elements of human initiative. This process was accelerated by the introduction of the Western concept of freedom, which allowed the traditional view of moral dignity to incorporate more economic, political, and social freedoms, expanding it into a more pragmatic and egalitarian view of dignity.

A. Analysis of human agency by Huang Zongxi and Wang Fuzhi in the late Ming and early Qing dynasties

In the late Ming (1368-1644) and early Qing (1644-1911) dynasties Huang Zongxi and Wang Fuzhi analyzed the free agency of man. Cai Yuanpei, a modern Chinese educator, revolutionary, statesman and thinker, once pointed out, “However, thinkers such as Huang Zongxi (literary name Lizhou Shanren), Dai Zhen (courtesy name Dongyuan), and Yu Zhengxie (courtesy name Lichu), have shown a trend of being gradually freed from the constraints of Neo-Confucianism since the Song Dynasty, and they are the precursors of freedom.”⁶⁴

Huang Zongxi analyzed the “non-subjectiveness” and “omni-diversity” of “heart”, and pointed out that “All things that exist in the Heaven and Earth are all presentations of ‘heart’, the changes cannot be predicted and are all different. The heart does not have a subject, but its subject is where the work is done. Therefore, those who are in search of principles are in pursuit of the omnipresent differences of the heart, instead of the difference of all things.”⁶⁵ He emphasized the freedom of the human heart, “Only the human heart is essential; it can naturally be square, round, flat, and straight.”⁶⁶

Wang Fuzhi inherited the idea of “humans are the most precious” from traditional Chinese culture and further elaborated on it. He pointed out that “Humans are born from the integration of the essence of the two *qi* and five elements. This is the origin of humans. Amongst all things created by Heaven and Earth, humans are the most noble, and this is where the nobility lies.”⁶⁷ “Humans are a kind of animal that integrates the best in the universe.”⁶⁸ “Of the essence of the two *qi*, and the essence of

⁶⁴ Cai Yuanpei, *History of Chinese Ethics* (Beijing: Dongfang Press, 1996), 120.

⁶⁵ [Ming Dynasty] Huang Zongxi, “Preface,” in *History of Chinese Thought in the Ming Period (Ming Ru Xue An)* (Beijing: Zhonghua Book Company, 1985), 1.

⁶⁶ [Ming Dynasty] Huang Zongxi, “Zi Liu Zi Xue Yan, vol. 1,” in *Complete Works of Huang Zongxi*, vol. 1, (Hangzhou: Zhejiang Ancient Books Publishing House, 1994), 263.

⁶⁷ [Ming Dynasty] Wang Fuzhi, *A Textual Annotation on “The Book of Rites” (Li Ji Zhang Ju)*, vol. 31.

⁶⁸ [Ming Dynasty] Wang Fuzhi, *Interpretation of “The Book of Songs” (Shi Guang Zhuan)*, vol. 4.

the five elements, the only one who gets them and is the most noble, is humans.”⁶⁹

In the argument of “humans are the most precious,” Wang Fuzhi first emphasized that man is “the heart of Heaven and Earth.” He wrote: “The birth of Heaven and Earth begins with humans, so humans gather the spirit and the beauty. Out of the first creatures come families. Humans, through wisdom and intelligence, dive into the essence of things and unveil the utilities of Heaven and Earth. These are all responsibilities and practices of humans. Humans are the heart of Heaven and Earth.”⁷⁰

In addition, he believed that humans have self-knowledge and a “spirit of renovation.” He pointed out that “Animals have heavenly clarity but not their own,”⁷¹ and “The beasts are using the resources in the world throughout their lives but without merit, while humans have the way of humans. The beasts are using their original spirit throughout their lives, while humans have the spirit of renovation.”⁷²

Furthermore, he emphasized the “separation of Heaven and man,” whereby Heaven has no motivation while humans have the ability to innovate on their own initiative. He wrote: “Heaven has no motivation, and if something lacks from the beginning, it will lack to the end”; “Humans have motivation, and if they seek perfection with motivation, the perfected humans can compete with Heaven.” The agricultural production begun from Houji, known as the ancestor of agriculture and the deity of the five grains, in his perspective, was a product of “utilizing the abilities of Heaven, the benefits of Earth, and the abilities of people.”⁷³ According to him, if one “leaves everything to Heaven and does nothing on his own,” one “will not be qualified as a man.”⁷⁴ Therefore, he proposed that man should “lead the way of Heaven by the way of humanity.”⁷⁵

He also pointed out that humans can be autonomous and self-reliant in society, and in order to engage in the world, one should “know that it is up to oneself to know what to practice or not to do, and it is up to one’s heart to know whether to gain or not to gain. One should not lose one’s dignity or one’s enjoyment.”⁷⁶ “One shall remain unyielding when the body is constrained, and one shall test the will when the heart is trapped.”⁷⁷

B. Introduction and interpretation of Western concepts of “liberty” by Yan Fu and Zhang Taiyan during the Chinese Enlightenment

Yan Fu and Zhang Taiyan were the first scholars to introduce the Western concept of “liberty” to China. While introducing the concept, they also provided a Chinese interpretation of the concept of freedom.

Yan Fu, when comparing China and the West, keenly realized that although both China and the West advocated truth-seeking in academics and public good in

⁶⁹ [Ming Dynasty] Wang Fuzhi, *Commentary on “The Book of Changes”* (Zhou Yi Wai Zhuan), vol. 5.

⁷⁰ Ibid., vol. 2.

⁷¹ [Ming Dynasty] Wang Fuzhi, *Interpretation of “Complete Works of ‘The Four Books’”* (Du Si Ku Da Quan Shuo), vol. 7.

⁷² [Ming Dynasty] Wang Fuzhi, *Interpretation of “The Book of Songs”* (Shi Guang Zhuan), vol. 4.

⁷³ [Ming Dynasty] Wang Fuzhi, *Interpretation of the “Zhang Zi Zheng Meng”: Musical Instruments (Yue Qi)*.

⁷⁴ [Ming Dynasty] Wang Fuzhi, *Xu Chun Qiu Zuo Shi Zhuan Bo Yi*, II.

⁷⁵ [Ming Dynasty] Wang Fuzhi, *Si Wen Lu: Nei Pian*.

⁷⁶ Wang Fuzhi, *Explanation of “The Four Books”* (Si Shu Xun Yi), vol. 37.

⁷⁷ Wang Fuzhi, *Interpretation of Manifestation of “The Book of Changes”* (Zhou Yi Da Xiang Jie).

administration and legal affairs, the difference in effectiveness stemmed from the existence of liberty. He wrote: "In short, they are not more than seeking truth and eliminating the false in academics and compromising personal interests for the public good in administration. The two are not different from the Chinese way and principles in their essence. However, where theirs are always prevailing and ours are not working properly, the difference comes from the existence of liberty."⁷⁸ "The abundance of liberty and the equality of government are almost in proportion to their wealth."⁷⁹

He saw the lack of liberty as a major limitation in Chinese culture and one of the major reasons for China's decline in modern times. He profoundly pointed out that: "The concept of liberty was of utmost fear among Chinese sages in all generations and was never established as a doctrine. The Westerners said: 'All men were born equal with different talents, yet liberty is for everyone. Therefore, every man has liberty, every country has liberty, and they are not permitted to infringe on others' liberty.' He who violates the liberty of man is a rebel against the laws of Heaven and a bandit of humanity. Murder, wounding, and theft of property are the ultimate infringement of human liberty. Therefore, even a king shall not infringe human liberty, and the chapters and articles of criminal law are all set up for this purpose."⁸⁰ He defined liberty as "the ability to do what one is gifted with, and the ability to admit one's own merits and demerits,"⁸¹ and proposed "liberty as a body and democracy as a purpose."⁸² "Therefore, the governance of today is nothing less than the honoring of liberty. Liberty, then things have their own self-caused, and the use of heaven's choice to store its most appropriate, the prosperity of peace can be unanticipated and come by itself."⁸³

According to Yan Fu, liberty is not the ability to do whatever one wants without limitations, and there is a need to draw the necessary boundaries for individual freedom. In 1903, Yan Fu renamed his previous translation of John Stuart Mill's *On Liberty*, *Lun Zi You*, as *Qun Ji Quan Jie Lun*, and published it.⁸⁴ He pointed out, "Scholars must first understand the boundary between themselves and the community, and then use the word of liberty."⁸⁵ Liberty, he argued, was not free from governance. He analyzed, "Liberty is only what the individual desires. Governance means individuals must compromise some of their desires. The so-called 'self-sacrifice for the sake of the community' is also used for the public good of society. Therefore, liberty is the highest happiness, but when a man is in a community and desires to enjoy the realities of happiness, he who is said to maximize the happiness of the greatest number of people must be governed by the same principle." "Purely governed

⁷⁸ Wang Shi, *Collected Works of Yan Fu* (Beijing: Zhonghua Book Company, 1986), 2.

⁷⁹ *Ibid.*, 983.

⁸⁰ *Ibid.*, 3.

⁸¹ *Ibid.*, 118.

⁸² *Ibid.*, 11.

⁸³ *Ibid.*, 1082.

⁸⁴ Gu Xin, "The Loss of Individual Freedom — The Misunderstanding of Modern Chinese Enlightenment Thinkers," *Journal of Chinese Youth Forum* (now *Journal of China Youth University for Political Sciences*) 1 (1989): 37.

⁸⁵ Yan Fu, *Qun Ji Quan Jie Lun*, a translation of John Stuart Mill's *On Liberty*, in *Collected Works of Yan Fu*, vol. 5 (Beijing: Zhonghua Book Company, 1986), 132.

without liberty, its society cannot be developed; in contrast, purely liberal without governance, its society cannot live in peace.”⁸⁶

According to Yan Fu, when speaking of liberty, one must also deal with the relationship between individual liberty and the liberty of the national group. On the one hand, he believed that the State was made up of hundreds of millions of people, and that one could not talk about the liberty of the State without the liberty of the people. He pointed out that: “Today, the state is no other than the people of hundreds of millions of people to think of it. How can a country be rich? To gather the wealth of hundreds of millions of people. How can a country be strong? To join the power of hundreds of millions of people.” “The world is now connected. And in the world of the great connection, I have not seen any country of liberty without free people, nor a country with rights where its people have no rights.”⁸⁷ However, on the other hand, in view of the crisis that China was facing at that time, he believed that the liberty of the nation should be put before individual liberty, and that individual liberty should even be compromised in order to strive for the liberty of the nation. He wrote: “When western scholars and officials fought for the happiness of their people, liberty was used as the only and unalloyed aim. Looking back at the history of Europe and seeing the hundreds of years of tyrannical suppression and aristocratic encroachment, fighting for liberty was the only way out. Looking at the current situation that our country is now facing, individual liberty is not an urgent need. Getting rid of foreign invasion, seeking to stand between heaven and earth, are the real urgent matters. Therefore, what is urgent is the liberty of the nation, not the liberty of individuals.”⁸⁸ “Today’s urgency is not individual liberty but to join forces to try to be strong, defending from a distant enemy’s invasion and violence is the most important mission for our self-survival.”⁸⁹

Zhang Taiyan explored the original elements of liberty from traditional Chinese culture. He believed that Zhuangzi’s “not waiting” embodied the spirit of freedom. He stated, “Zhuangzi’s fundamental claim is that ‘freedom’ and ‘equality.’ *Xiao Yao You* (Enjoyment in Untroubled Ease) is for freedom and *Qi Wu Lun* (The Adjustment of Controversies) is for equality. But Zhuangzi’s freedom and equality are somewhat different from what people have recently claimed. The so-called ‘freedom’ of recent times occurs among people; I should not infringe on others’ freedom, and others should not infringe on my freedom. The so-called ‘freedom’ in *Xiao Yao You*, to its end, is the word ‘not waiting’ ... The real freedom can only be achieved with ‘not waiting.’”⁹⁰

He believed that the spirit of “relying on oneself and not on others” since Confucius is the spirit of freedom that runs through traditional Chinese culture. He pointed out: “As for all moral doctrines in China, although following different approaches, the root can be traced back to one origin, which is summarized as ‘relying on oneself and not on others.’ From Confucius to Mencius and Xunzi, the good and

⁸⁶ Wang Shi, *Collected Works of Yan Fu*, 1279.

⁸⁷ *Ibid.*, 917.

⁸⁸ *Ibid.*, 981.

⁸⁹ *Ibid.*, 985.

⁹⁰ Zhang Taiyan, *A Treatise on Chinese Studies (Guo Xue Gai Lun)* (Shanghai: Shanghai Ancient Books Publishing House, 1997), 34.

the bad in nature have been the subject of mutual debate. After the Song Dynasty, there were Cheng Hao, Cheng Yi and Zhu Xi; those who differed from Cheng and Zhu were Lu Jiuyuan and Wang Yangming; those who differed from Lu and Wang were Yan Yuan and Li Gong. Though different in reality and in form, they are not using ghosts and deities as their masters; they all value their hearts.”⁹¹ In protecting the right to individual liberty, he stated, “Those who are harmful to themselves and not to others shall not be questioned; those who are beneficial to themselves and not to others shall not be questioned; those who are harmful to others shall then be questioned.”⁹²

C. Changes in Kang Youwei and Liang Qichao’s perceptions of individual liberty before and after the Meiji Restoration

During the Meiji Restoration, Kang Youwei and Liang Qichao first raised the banner of individual freedom, and then advocated that freedom should be strictly restricted.

In his early times, Kang Youwei believed that liberty was the basis for realizing peace, “the understanding and pursuit of liberty in modern times is indeed the foundation of peace.”⁹³ At the same time, however, he emphasized that liberty is not “running wild” or unlimited liberty. He pointed out that, “Those who seek liberty are not free to act recklessly. To seek individual liberty is to be free from slavery, from unlawful punishment, from detention, and from search and seizure”; this is “the human right of every man to be free and independent.”⁹⁴ “That is, Montesquieu’s words of liberty, also said of the liberty of the sword, or the liberty of the beard, or the liberty to resist the tyranny of the tyrannical master, the liberty to open up the civil rights of the public, or the liberty of the revolution, all contain the meaning of the law. If you add words such as ‘bringing a knife’ or ‘keeping a beard’ to liberty, it is a limited liberty not an unlimited liberty.”⁹⁵

In later times, Kang Youwei argued that China had given its citizens enough individual liberty. He said, “Those who do not know China think that it is a country of despotism, but when they enter its territory, its people are most free, free to sell and buy, free to do business, free to build a house, free to marry, free to study, free to express their opinions, free to practice their faith, and all these are free from interference by the government, free from laws and prohibitions, and free from any suppression.”⁹⁶ “It is a great fallacy to say that Europeans and Americans are free. Europe and the United States attach great importance to the law, with legal provisions even covering minute details. All are not at ease. Anything with a slight violation of the law will be punished. Its constraints and restrictions to its people are hundred times more than people in our country, and how can it be said as freedom?”⁹⁷

⁹¹ Zhang Taiyan, “Da Tie Zheng,” in *Complete Works of Zhang Taiyan IV* (Shanghai: Shanghai People’s Publishing House, 1985), 369.

⁹² *Complete Works of Zhang Taiyan: Tai Yan Wen Lu Chu Bian* (Shanghai: Shanghai People’s Publishing House, 2014), 470.

⁹³ Kang Youwei, *The Book of Great Unity (Da Tong Shu)* (Beijing: Ancient Books Publishing House, 1956), 161.

⁹⁴ *Ibid.*, 134.

⁹⁵ Tang Zhijun ed., *A Collection of Political Essays by Kang Youwei I* (Beijing: Zhonghua Book Company, 1981), 571.

⁹⁶ *Ibid.*, 570.

⁹⁷ *Ibid.*, 572.

Therefore, he believed that the advocacy of individual liberty in Europe and the United States did not apply to China. He pointed out that: “The word ‘liberty’, born in Europe feudal slavery system and the French repression of its people, is impractical for application in China, which has had access to liberty and equality for two thousand years.”⁹⁸ He believed that “to dose if there is no disease,” that is, to give Chinese people more individual liberty, would bring disastrous consequences, “thus giving our people this would be like a flood, drowning ourselves with a disaster created by ourselves.”⁹⁹

Liang Qichao, a student of Kang Youwei, similarly argued in his early days that “The world’s great events over the centuries have been driven by the word ‘liberty.’”¹⁰⁰ He explained the relationship between liberty and rights: “Liberty is the expression of rights. There are two essentials that make a human a man: one is life and the other is right. Without one of the two, the human is not man. Therefore, liberty is also the life of the spiritual world... The virtue of freedom is not something that can be deprived by others, but something one earns and enjoys by oneself.”¹⁰¹ “Liberty is the opposite to slaves.”¹⁰² “What is a slave? Some say, ‘those who were to become noble nationals but did not eventually achieve.’ Therefore, slaves have no rights, but nationals have rights; slaves have no responsibilities, but nationals have responsibilities; slaves are pleased to be oppressed, but nationals are free; slaves uphold hierarchy, but nationals advocate equality; slaves favor dependency, but nationals prefer independence. This is the difference between slaves and nationals.”¹⁰³

Liang Qichao emphasized liberty as a counterweight to external repression. According to him, there were two ends of liberty: “One is the suppression of the king’s power, and the other is the suppression of foreign powers. France is free from the suppression of monarchical power, and the United States is free from the suppression of foreign powers. Therefore, whoever is oppressed by a monarchical power and cannot do what the French do, is not a national; and whoever is oppressed by a foreign power and cannot do what the Americans do, is not a national.”¹⁰⁴

However, at the same time, he also emphasized that the renunciation of liberty by the individual was also a condition for the intrusion of liberty by others: “If there is no renunciation of liberty in the world, there will be no intrusion of liberty by others, i.e., the intrusion will be the renunciation of liberty by others.”¹⁰⁵ “Therefore, the slavery of others to me is not to be feared, for it is not worse than me being self-enslaved by others; the self-slavery of me to others is not to be feared, for it is not worse than me being self-enslaved by myself... The greatest insult is the slavery in the mind; the slavery of body is the least insulting. If there is anyone who forced me to become a

⁹⁸ Ibid., 570.

⁹⁹ Ibid., 574.

¹⁰⁰ Liang Qichao, “Views On New Citizen: On Liberty,” in *Collected Works of Liang Qichao (Yin Bing Shi He Ji)*, vol. 4 (Beijing: Zhonghua Book Company, 1989), 44.

¹⁰¹ Liang Qichao, “The Theory of Ten Virtues,” in *Selected Works of Liang Qichao (Liang Qi Chao Xuan Ji)*, Li Huaxing and Wu Jiaxun eds. (Shanghai: Shanghai People’s Publishing House, 1984), 158.

¹⁰² Liang Qichao, “Views On New Citizen: On Liberty,” in *Collected Works of Liang Qichao (Yin Bing Shi He Ji)*, vol., 40.

¹⁰³ Liang Qichao, “On Nationals,” *Nationals Newspaper (Guo Min Bao)*, vol. 2, June 10, 1901.

¹⁰⁴ Ibid.

¹⁰⁵ Liang Qichao, “Letter of Liberty: The Crime of Giving up Liberty,” in *Collected Works of Liang Qichao (Yin Bing Shi He Ji)*, vol. 2 (Beijing: Zhonghua Book Company, 1989), 23.

slave and I am not happy with that, I can get up once and get out of the control... Thus, if there is anyone who desires true freedom, he must begin by removing the slave from his mind.”¹⁰⁶

As to whether liberty was suitable for China at that time, Liang Qichao believed: “The saying ‘Give me liberty or give me death!’ is really the basis for the founding of European and American nations in the 18th and 19th centuries. Does the meaning of liberty apply to China today? Liberty is the common axiom of the world, the key tool of life, and the one that can be applicable to anything.”¹⁰⁷ “Therefore, if we want to save China in the spiritual realm today, there is no way to do so outside of the virtues of liberty.”¹⁰⁸ The people of old China had a slave nature, and “unless this nature is removed, China cannot stand in the world among all nations. And the concept of liberty is to make a man know his own nature and not be clamped down by others. Today, if this medicine is not applied, this disease will not be able to cure.”¹⁰⁹

But in his later years, Liang Qichao also believed that the Chinese people already had enough individual freedom, such as “freedom of transportation,” “freedom of residence and movement,” “freedom to manage property,” “freedom of religion,” “freedom of secret correspondence,” “freedom of assembly and speech,” and “freedom of all forms of formal freedom as defined in the constitutions of various countries.”¹¹⁰ Therefore, “if we simply regard liberty as individual freedom, there is no one in the world who enjoys as much blessings of liberty as the Chinese do today.”¹¹¹

Accordingly, Liang Qichao believed that the focus of liberty should be on group liberty. He pointed out that “The concept of liberty refers to the liberty of a group but not an individual. In barbaric times, individual liberty won, and group liberty failed; in the age of civilization, group liberty outperforms, but individual liberty has perished.”¹¹² “Group liberty is the accumulation of individual liberty. People cannot survive without the group, and if the group cannot protect its liberty, there will be other groups from the outside invading, suppressing, and raiding. How can individual liberty survive?”¹¹³ “Those who speak of liberty in this world but do not bother to promote the way of liberty to their group or their country, and only care about the subtle things and fine reasons for daily food and drink and advocate the liberty of one’s own, are with no difference to those who ‘appear in his countenance, in the matter of a dish of rice or a platter of soup.’”¹¹⁴

Liang Qichao further argued that individual liberty should contain obedience to the law. He wrote: “Therefore he who is truly free must be able to obey, and what to

¹⁰⁶ Liang Qichao, “Views On New Citizen: On Liberty,” in *Collected Works of Liang Qichao (Yin Bing Shi He Ji)*, vol. 4, 47.

¹⁰⁷ *Ibid.*, 40.

¹⁰⁸ Liang Qichao, “The Theory of Ten Virtues: Liberty and Penalties,” in *Collected Works of Liang Qichao (Yin Bing Shi He Ji)*, vol. 5 (Beijing: Zhonghua Book Company, 1989), 46.

¹⁰⁹ Li Huaxing and Wu Jiaxun eds., *Selected Works of Liang Qichao (Liang Qi Chao Xuan Ji)* (Shanghai: Shanghai People’s Publishing House, 1984), 227.

¹¹⁰ *Ibid.*, 158-159.

¹¹¹ *Ibid.*, 138.

¹¹² Liang Qichao, “Views On New Citizen: On Liberty,” in *Collected Works of Liang Qichao (Yin Bing Shi He Ji)*, vol. 4, 44-45.

¹¹³ *Ibid.*, 46.

¹¹⁴ *Ibid.*

obey? The law. The law is made by myself to protect my liberty, but also to restrain it.”¹¹⁵ He further argues that liberty, if not restricted by the law, became a more ferocious beast of the flood. He wrote: “The so-called true liberty is that in a group of people, there is no one who can encroach on the freedom of others, and there is no one who is encroached upon by others. Otherwise, they will speak ill easily, be tyrannical and wanton, disobey the public law, disregard the public good, and roam around saying: I am free. Then the scourge of freedom will be more disastrous than a flood or fierce beasts.”¹¹⁶

D. Changes in Sun Yat-sen’s perceptions of liberty before and after the Xinhai Revolution

In his early years, Sun Yat-sen was mainly influenced by Western thought and actively advocated human rights and liberty. He pointed out that “The result of the Western struggle for liberty is democracy; because of democracy, equality and liberty can exist; if there is no democracy, equality and liberty are just empty terms. With democracy, the people will enjoy the fact of equality and liberty, and will be able to enjoy the happiness of equality and liberty.”¹¹⁷ In 1904, Sun Yat-sen pointed out in an article, *The True Solution of the Chinese Question: An Appeal to the People of the United States*, that “During the two hundred and sixty years of rule of the Qing government, we have suffered innumerable wrongs, chief of which are following: ... They treat us as a subjected race and deny us equal rights and privileges. They violate our inalienable rights of life, liberty, and property... They suppress the liberty of speech, and prohibit the liberty of association... They impose heavy and irregular taxes on us without our consent.”¹¹⁸ In *Declaration of Military Government* published in 1906, Sun stated explicitly that “The so-called National Revolution is to enable all people of a nation to have the spirits of liberty, equality, and fraternity, who will be responsible for the revolution...” and regarded the “gradual development of our people’s qualifications for liberty and equality” as “the foundation of the Republic of China.”¹¹⁹

After the failure of the 1911 Revolution (or the Xinhai Revolution) and the “Second Revolution,” and a series of setbacks in the National Protection War and the campaign to defend the republic, Sun Yat-sen began to reflect on the applicability of Western doctrines of liberty in China, pointing out that emphasizing individual liberty would lead to the fragmentation of society. He equated individual liberty with “wildness.” “Liberty, to put it simply, means the freedom to move about as one wishes, within an organized group. Because China does not have a word to convey this idea, everyone has been at a loss to appreciate it. We have a phrase that suggests liberty — “running wild without bridle,” but that is the same thing as loose sand — excessive liberty for the individual.”¹²⁰ He argued that the reason the European Enlightenment thinkers prioritized liberty is that the monarchical dictatorships that had grown to

¹¹⁵ Ibid., 45.

¹¹⁶ Liang Qichao, “The Theory of Ten Virtues: Liberty and Penalties,” in *Collected Works of Liang Qichao (Yin Bing Shi He Ji)*, vol. 5, 46.

¹¹⁷ *Complete Works of Sun Yat-sen (Sun Yat-sen Quan Ji)*, vol. 2 (Beijing: Zhonghua Book Company, 1986), 220.

¹¹⁸ *Complete Works of Sun Yat-sen*, vol. 1 (Beijing: Zhonghua Book Company, 1986), 252.

¹¹⁹ *Selected Works of Sun Yat-sen (Sun Yat-sen Xuan Ji)*, vol. 2 (Beijing: People’s Publishing House, 1981), 77-79.

¹²⁰ *Complete Works of Sun Yat-sen*, vol. 9 (Beijing: Zhonghua Book Company, 1986), 272.

extremes in Europe had suppressed the liberty of the people. And “since ancient times in China, although there is no term for liberty, there is indeed the reality of liberty, and it is extremely sufficient, so there is no need to ask for more”;¹²¹ “The peoples of Europe suffered so bitterly from despotism that as soon as the banner of liberty was lifted high, millions with one heart rallied about it. But if China was to advocate liberty now, the people, who have never suffered from despotism, would of course ignore it.”¹²² According to Sun, China has become “a lot of separate sand particles” simply that “every person does as he pleases, and has let his individual liberty extend to all phases of life.” Therefore, on “how shall the term ‘liberty’ be applied,” “if we apply it to a person, we shall become a sheet of loose sand; on no account must we give more liberty to the individual.”¹²³ “Western revolutions began with the struggle for liberty, while Chinese revolutions cannot. If it is said to be a fight for freedom, it will become even more scattered. We will not be able to form a large group, and we will never succeed in our revolutionary aims.”¹²⁴

At the same time, Sun Yat-sen advocated for the striving for national liberty. He pointed out, “Now how shall the term ‘liberty’ be applied? If we apply it to a person, we shall become a sheet of loose sand; on no account must we give more liberty to the individual; let us secure liberty instead for the nation. The individual should not have too much liberty, but the nation should have complete liberty.”¹²⁵ He stressed multiple times that “our revolutionary party advocates a struggle, not for liberty and equality, but for the Three Principles of the People.”¹²⁶ “Compare the watchword of the French Revolution with that of ours. ‘Liberty’ in the French revolutionary watchword and People’s Nationalism in our watchword are similar. People’s Nationalism calls for the freedom of our nation.”¹²⁷

E. Advocacy of liberty by Hu Shi, Chen Duxiu, and Li Dazhao in the New Culture Movement

Hu Shi, Chen Duxiu, Li Dazhao, and others actively advocated freedom and democracy in the New Culture Movement.

According to Hu Shi, “There is no greater evil in society than to destroy the individual’s personality and not to allow him to develop freely.”¹²⁸ He actively promoted liberalism from the West, stating, “Liberalism is that great movement in the history of mankind which advocates liberty, worships liberty, and enriches and promotes liberty.”¹²⁹ “Liberalism, in its plainest sense, means respect for liberty as emphasized... If there is no liberty in liberalism, it is like there is no Zhao Yun in Changbanpo, no Zhuge Liang in the ‘Empty City.’”¹³⁰ His explanation of liberty was that “The so-called liberty today is the liberty of one individual, bounded by the

¹²¹ *Collected Works of Sun Yat-sen I (Sun Yat-sen Wen Ji)* (Beijing: Unity Press, 1997), 156-157.

¹²² *Complete Works of Sun Yat-sen*, vol. 9 (Beijing: Zhonghua Book Company, 1986), 277.

¹²³ *Selected Works of Sun Yat-sen II* (Beijing: People’s Publishing House, 1981), 722-723.

¹²⁴ *Complete Works of Sun Yat-sen*, vol. 9 (Beijing: Zhonghua Book Company, 1986), 281-282.

¹²⁵ *Ibid.*

¹²⁶ *Selected Works of Sun Yat-sen II* (Beijing: People’s Publishing House, 1981), 734.

¹²⁷ *Complete Works of Sun Yat-sen*, vol. 9 (Beijing: Zhonghua Book Company, 1986), 283.

¹²⁸ Hu Shi, “Ibsenism,” in *Selected Works of Hu Shi (Hu Shi Jing Xuan Ji)* (Shenyang: Volumes Publishing Company, 2014), p.218.

¹²⁹ Ouyang Zhesheng, ed., *Collected Works of Hu Shi (Hu Shi Wen Ji)*, vol. 12 (Beijing: Peking University Press, 1998), 805.

¹³⁰ *Ibid.*, 810.

liberty of others; the individual can fulfill his desire if not encroaching on this boundary.”¹³¹

He argued that in the traditional Chinese “era of extreme unfreedom,” there was always a group of people with lofty ideas who pursued and fought for freedom. From Mo Di (Mozi, or Mo Tzu) and Yang Zhu, to Huan Tan and Wang Chong, from Fan Zhen and Han Yu to Li Zhi, Yan Yuan, and Li Gong, all can be addressed as the great and powerful men of the East who believed in freedom of thought.”¹³² “It is really difficult to enjoy liberty in this world where ‘there is no escaping anywhere between heaven and earth,’ still, there are people who keep pursuing it in spite of all the difficulties.”¹³³ Laozi, Confucius, and Mo Di were such figures, “all of whom can be said to be models of the struggle for freedom of thought in an era of extreme unfreedom.”¹³⁴

Hu Shi also analyzed the limitations of the concept of freedom in traditional Chinese culture. He believed that in traditional Chinese culture, “freedom” (*zi you*, *zi* for “self” and *you* for “will”) focuses on autonomy, self-activity, and “being one’s own master,” and emphasizes more on “the character ‘zi’, as in freedom (*zi you*) and nature (*zi ran*), and thus it tends to undervalue the constraining forces outside... and deliberately step back to the inner heart for comfort and freedom.”¹³⁵ This is an understanding very different from the European one. In European writing, “freedom” (or liberty) converges in the meaning of “liberation,” emphasizing the breaking of external constraints. According to Hu Shi, “freedom” in traditional Chinese culture emphasizes personal autonomy, which is the core idea of positive liberty; modern Western liberty is liberty from coercion, which is a negative liberty. The reason for this difference lies in the fact that the power of authoritarianism in the Chinese tradition has always been too strong, and the ancient Chinese were unable to fight for negative liberty, i.e., political liberty in the modern sense, and could only be forced into a passive recluse, pursuing freedom of the mind. Hu Shi emphasized, “The ‘freedom’ we talk about now is not that inner realm... It is the right not to be oppressed by external constraints, the right not to be fettered by external limitations in one aspect of life.” According to him, the Chinese “have never grasped the special importance of political freedom, and therefore have never embarked on the path of building democratic politics.”¹³⁶ In reality, “only democratic politics can guarantee the fundamental freedoms of the people.”¹³⁷

In his early years, Chen Duxiu advocated that the “final enlightenment of the final enlightenment” of the Chinese people “be based on the principle of liberty, equality, and independence.”¹³⁸ He emphasized: “The right to liberty of the individual

¹³¹ Hu Shi, “Cang Hui Shi Zha Ji (Xu),” originally in *LA JEUNESSE (Xin Qing Nian)*, vol. 3, no. 4, in *Hu Shi’s Diaries (Hu Shi Ri Ji)* vol. 1 (Hefei: Anhui Education Press, 2001), 470.

¹³² Ouyang Zhesheng, ed., *Collected Works of Hu Shi (Hu Shi Wen Ji)*, vol. 12 (Beijing: Peking University Press, 1998), 806.

¹³³ *Ibid.*, 684.

¹³⁴ *Ibid.*

¹³⁵ *Ibid.*, 805.

¹³⁶ *Ibid.*, 807.

¹³⁷ *Ibid.*, 808.

¹³⁸ Chen Duxiu, “The Final Enlightenment of Our People,” originally in *LA JEUNESSE (Qing Nian Za Zhi)*, vol. 1, no. 6, (August 1916), in *Collected Works of Chen Duxiu (Du Xiu Wen Cun)* (Hefei: Anhui People’s Publishing

is enshrined in the Constitution. What shall not be deprived by the law of the country is human rights.”¹³⁹ He advocated: “The destruction of monarchical power is for political liberation; the denial of ecclesiastical power is for religious liberation; the rise of equalization of production is for economic liberation; and the movement for women’s participation in politics is for the liberation from men’s supremacy. Liberation is the process of breaking away from the bondage of slavery and completing one’s personality of autonomy and liberty... And I believe that on the basis of independent and autonomous personalities, all behaviors, all rights, and all beliefs are to follow the inherent intelligence of each individual, and there is no such thing as blind obedience and subordination to others.”¹⁴⁰

Li Dazhao also emphasized the fundamental value of freedom to man. He wrote: “Liberty is a necessary requirement for human existence, and without it there is no value in existence.”¹⁴¹ “There is no truly reasonable socialism that disregards individual liberty... The true order is not an activity that overpowers all individuality, but an arrangement that embraces different opportunities for the free choice of each of its parts.”¹⁴²

Li Dazhao believed that the reason of freedom should be used to break through the shackles of corrupt laws. In his view, the *Magna Carta* and the *Petition of Right* in the United Kingdom, the *Declaration of Independence* in the United States, the *Provisional Constitution of the Republic of China* (hereinafter referred to as *Provisional Constitution*), and the *Yunnan Declaration* in China were all political platforms in which the “force of reason” overrode the “force of law.” He wrote: “The civilizations of the recent past were also the civilizations of liberation. The recent national movements were the movements of liberation. What does it mean by liberation? It means to free the rights of the majority that have long been absorbed, eroded, overpowered, and bound by the centripetal force of the tyrannical minority can restore their individuality and freedom.”¹⁴³

Li Dazhao advocated the guarantee of national freedom through the establishment of a constitution. He pointed out that “Constitutional politics is based on the principle of liberty, which I have already briefly summarized. The guarantee of liberty depends not only on the spirit of the legal institution, but especially on the value of public opinion.”¹⁴⁴ “Those who endeavor to establish a solemn and sacred constitution are also said to be seeking a sure guarantee of liberty... If we wish to be happy constitutional citizens, we must first seek a good constitution; and if we wish to have a good constitution, we must first seek a constitution that guarantees full

House, 1987), 41.

¹³⁹ Ibid., 40.

¹⁴⁰ Ibid.

¹⁴¹ Li Dazhao, “Constitution and Thought Liberty,” in *Public Comments of Constitution (Xian Fa Gong Yan)*, no. 7, December 1916.

¹⁴² Li Dazhao, “Freedom and Order,” in *The Journal of the Youth China Association (Shao Nian Zhong Guo)*, vol. 2, no. 7, January 15, 1921.

¹⁴³ Li Dazhao, “The Centrifugal and Centripetal Forces of Politics,” in *Complete Works of Li Dazhao (Li Da Zhao Quan Ji)*, vol. 2 (Beijing: People’s Publishing House, 2006), 141.

¹⁴⁴ Li Dazhao, “People and Politics,” in *Complete Works of Li Dazhao*, vol. 1 (Beijing: People’s Publishing House, 2006), 158.

liberty.”¹⁴⁵

Li Dazhao fiercely criticized the then national government for violating the *Provisional Constitution* and infringing on individual freedom, pointing out that: “Freedom of speech is clearly stipulated in the *Provisional Constitution*, but journalists can be arrested at will, and newspaper offices can be closed at will. Freedom of the press is clearly enshrined in the *Provisional Constitution*, but the printing office can be interfered with at will, the law of printing regulation, in contravention of the *Provisional Constitution*, can be enacted at will, and printed matter received by the post office can be detained at will. The freedom of secrecy of correspondence is clearly stated in the *Provisional Constitution*, but the post and telegraph can be inspected at any time and by any person they wish. Poor Chinese people! Where does *Provisional Constitution* exist! Where does freedom exist!”¹⁴⁶

F. Reinterpretation of Confucian “spiritual freedom” by Zhang Junmai, a modern Neo-Confucian scholar

Some modern Neo-Confucian scholars have reinterpreted Confucianism in the light of the modern concept of freedom, among which Zhang Junmai’s interpretation of freedom is the most representative.

In response to the mechanism philosophy of life, Zhang Junmai emphasized that life is a process of free action and cannot be understood in terms of physical cause and effect. He pointed out that “(All those questions) are about life. Life is living. So, it is not simple as dead matter...”¹⁴⁷ “Life is about change, activation, freedom, and creation.”¹⁴⁸ “If life is about to change, it is in a purely mental state and is therefore liberal. In other words, the metabolism of history is the liberal behavior of human beings, so there is no cause and effect to speak of.”¹⁴⁹

He argued that the outstanding contribution of Confucianism, as compared with modern European thought, lied in its focus on spiritual civilization. The main theme of spiritual civilization is the pursuit of spiritual freedom, which promotes not only the free development of the individual but also the development of national culture. He wrote: “Spiritual freedom is expressed in politics, in morality, in scholarship, in art, and in religion. Each individual develops his spiritual freedom and thus his political, moral, legal, and artistic; the development of freedom in the individual and the achievement of national culture in the whole... This is called national culture.”¹⁵⁰ “The spiritual freedom of the individual, each based on his or her own conscious and automatic knowledge, to seek to express himself or herself academically and politically and artistically... Therefore, the survival of the nation is consolidated by the free development of the individual.”¹⁵¹ He argued that if the nation could not

¹⁴⁵ Li Dazhao, “Constitution and Thought Liberty,” in *Complete Works of Li Dazhao*, vol. 1 (Beijing: People’s Publishing House, 2006), 228.

¹⁴⁶ Li Dazhao, “Where Does Liberty Exist,” in *Complete Works of Li Dazhao*, vol. 3 (Beijing: People’s Publishing House, 2006), 118.

¹⁴⁷ Lü Xizhan and Chen Dong eds., *Selected Works of Zhang Junmai’s Neo-Confucianism Discussions* (Beijing: China Radio and Television Publishing House, 1995), 3.

¹⁴⁸ Zhang Junmai, *Collected Works of Chinese, Indian, and Western Philosophy II* (Taipei: Student Book Company, 1987), 936.

¹⁴⁹ *Ibid.*, 58-59.

¹⁵⁰ Zhang Junmai, *Chinese Culture in the Future* (Jinan: Shandong People’s Publishing House, 1998), 85.

¹⁵¹ *Ibid.*

develop a liberal personality, there would be no solid foundation for the country. He wrote: "It is clear that if the majority of the people of a country do not develop a free personality and do not have the spirit of self-motivation to take part in the affairs of the country, but depend on the instructions of the government for everything, the foundation of the country is, of course, not sound and not consolidated."¹⁵²

However, the monarchy hinders spiritual freedom and the formation of a free personality. He analyzed, "Under the monarchy, the people ... dare not disobey... If the duty of the people and the law-abiding officials are all from the fear of the power of the government and they dare not refrain from doing so, this is law-abiding and morality under orders, not out of the spiritual freedom of the individual. The people of our country, when they are under the government, say that they have the order of the government and the order of their parents; they do not realize that it is their due responsibility. As long as this ordered politics, ordered morality, and similar social customs remain unchanged, the spiritual freedom of man will never develop, and the politics of our country will never be improved... If this spirit of automatism does not exist, there is no sense of responsibility; and if we seek to be like the Westerner, who is able to do everything out of automatism in his own work, in his participation in politics, in the unity of his country in foreign affairs, and does not rely on the interference of others, what will we be able to achieve?"¹⁵³

Zhang Junmai believed that the change from monarchy to democracy was a normal process of historical development. He wrote: "The spirit of the monarchical age is loyalty, and that of democratic age is freedom and fair play. In the age of monarchs, the key is to obey the king's law; in the age of democracy, it is to abide by all the laws that they have established for themselves. In the age of monarchs, those who labor with their minds govern others; those who labor with their strength are governed by others; while in the age of democracy, each person has the opportunity to work, and everyone is equal. In the age of monarchs, everything is placed in order by Heaven, and in the age of democracy, there is free competition."¹⁵⁴ "In the old feudal or monarchical age, loyalty to one's lord was the order of the day; in the democratic age, everyone has the right to choose his government, everyone has the right to criticize his government, and at the same time, everyone has the duty to abide by the law and to do his duty to the public in order to maintain the survival of his country. This is due to the fact that loyalty to one person extends to the freedom of all. I have not seen that it is contrary to the norms of good and evil and right and wrong, but it is not in accordance with the way that makes a man a man."¹⁵⁵

At the same time, he believed that there should be a balance between individual freedom, which should be subject to the power of the State, and the power of the State, which should be consolidated through individual freedom. He wrote: "There are two most indispensable things in a country: the power of the government, and the free

¹⁵² Luo Yijun ed., *Reason and Life: Selected Works of Neo-Confucianism I* (Shanghai: Shanghai Bookstore Publishing House, 1994), 194.

¹⁵³ Zhang Junmai, *Chinese Culture in the Future*, 86.

¹⁵⁴ Zhang Junmai, *Collected Works of Chinese, Indian, and Western Philosophy II*, 279.

¹⁵⁵ *Ibid.*, 277.

development of the nation”;¹⁵⁶ and “power and freedom cannot be imbalanced.”¹⁵⁷ “Freedom and power in a country are like the two feet of a man and the two wheels of a car, without one of which there can be no free operation. Individual freedom rests on the State, and the State as a whole depends on individual freedom for its consolidation. This is the key to establishing a nation in the future. From this point of view, the silver lining of China’s democratic politics lies in the balance between freedom and power.”¹⁵⁸ He opposed the authoritarian system that deprived individuals of their freedom, pointing out that “The essence of politics is to recognize the personality and freedom of each individual as the basis; if the political system clearly despises the personality of others and deprives them of their freedom, but holds it as an ideal and advocates it with all its might, it is to shape one figure above ten thousands of others and to teach people to worship heroes and make slaves out of their citizens.”¹⁵⁹

Zhang Junmai advocated the strengthening of respect for and the protection of individual freedom and rights, “The so-called individual freedom means that where there are millions of people in a country, each with different talents, ideas, occupations, and situations, the government shall not develop them evenly by a uniform method, since each person has his own abilities, and can only be allowed to give full play to his strengths freely. If the government interferes, the talents cannot be brought into full play; therefore, the first condition of democracy is the development of individual freedom.”¹⁶⁰

While emphasizing individual freedom, Zhang Junmai believed that the development of individual freedom could not be achieved without the consolidation of the great freedom of the nation. He argued: “The purpose of our doctrine may be suspected of focusing on the liberation of individual freedom at the expense of the nation as a whole. This is the opposite of our purpose. Individual freedom is protected and nurtured only in the larger freedom of the nation; if the larger freedom of the nation is lost, there is nothing to attach to the freedom of each individual. The so-called politics, academics, religion, and art are all mobilized by the individual, and all give the individual the opportunity to develop, and at the same time, they define the scope of the individual and lay the common foundation of the nation; therefore, the development of individual freedom cannot be separated from the freedom of the larger group. It is only when national freedom is consolidated that individual freedom can be preserved. This is our doctrine that emphasizes both the individual and the State, and must be promoted to the nationals of the country.”¹⁶¹

However, he believed that a distinction should be drawn between the unity required for the efficiency of State administration and the protection of individual freedom in social life: “We advocate that, in order to increase political efficiency, it is certainly desirable to centralize the powers of the government; but the limits of

¹⁵⁶ Zhang Junmai, *Chinese Culture in the Future*, 191.

¹⁵⁷ Zhang Junmai, *Collected Works of Chinese, Indian, and Western Philosophy II*, 555-556.

¹⁵⁸ Zhang Junmai, “The Third Politics Besides Democracy and Dictatorship,” in *Reborn (Zai Sheng)*, vol. 3, no. 2, 1934.

¹⁵⁹ Zhang Junmai, “The Modification of Politics,” in *The Eastern Miscellany*, commemorative issue of vol. 21, January 10, 1923.

¹⁶⁰ Zhang Junmai, “The Philosophical Basis of Democratic Politics,” in *Reborn*, no. 240, November 22, 1948.

¹⁶¹ Zhang Junmai, *Chinese Culture in the Future*, 91.

centralization should be administrative, and should not be allowed to encroach upon society and limit the freedoms of the people. In other words, we mean that we must make sure that the regime is unified, the society is free, and the mind is emancipated.”¹⁶²

G. Expansion of Chinese view of dignity in the light of the collision of Western and Chinese cultures

From the above analysis, it can be seen that with the change of time and the introduction of Western liberalism into China, the concept of human “dignity” in traditional Chinese culture has undergone profound changes. This change is not a displacement or replacement of the original Chinese view of dignity, but rather an “expansion of view” of the traditional Chinese view of moral dignity in the midst of cultural collision, incorporating the modern concept of freedom into it.

First, the ancient Chinese view of moral dignity was limited to the spiritual freedom of the human heart and lacked the expansion of freedom of action. In the process of collision with the Western concept of “liberty,” the dignity of human beings was extended from inner spiritual freedom to freedom of movement, and the protection of such freedom was demanded as a basic human right.

Second, the ancient Chinese view of moral dignity was limited to recognizing the freedom of moral choice, which in turn was a hierarchical ethical morality compatible with traditional agrarian societies, and thus it was necessarily oriented towards the individual’s moral self-discipline and obligations to society. In the collision with the Western concept of “liberty,” human dignity had been further extended from the freedom of moral choice to freedom in all fields of economic, social, political, and cultural life, and required the protection of corresponding economic, political, social, and cultural rights.

Furthermore, the ancient Chinese view of moral dignity focused on the identity of human beings as members of a social group and lacked respect for human beings as independent and autonomous individuals. In the process of collision with the Western concept of “freedom,” the Chinese view of dignity had greater respect for human beings as an independent and autonomous individual, and demanded that the rights of the individual be adequately guaranteed.

Finally, the ancient Chinese view of moral dignity was mainly embodied in the moral claims of scholars and lacked practical legal and institutional guarantees. In the process of collision with the Western concept of “liberty,” human dignity was taken as the basis of human rights, and it was required to be protected through the institutional guarantee of human rights.

While the Chinese view of dignity has been expanded as described above, we have seen that some of the core elements of “humans are the most precious” in traditional Chinese culture have been reinterpreted and promoted in new forms.

First, while expanding the scope of individual freedom, scholars emphasized the corresponding obligations of the individual, and “not to do to others as you would not wish done to yourself” and “wishing to be established himself, seeks also to establish others; wishing to be enlarged himself, he seeks also to enlarge others” are still taken

¹⁶² Zhang Junmai, *Collected Works of Chinese, Indian, and Western Philosophy II*, 555-556.

as the boundaries and tenets of individual freedom.

Second, while expanding the scope of individual freedom, scholars emphasized the constraints on individual freedom, and the guarantee of freedom and the requirement of constraint coexist simultaneously, with the means extended from social ethics to the legal system.

Third, while expanding the content of individual freedom, scholars emphasized the mutual constraints between individual liberty and the liberty of the nation and the State. In the historical context of the national tragedy, it was considered possible to sacrifice part of one's individual liberty to realize the liberty of the nation and the State.

IV. The Origin and Innovation of the Contemporary Chinese View of Dignity and Its Impact on the Contemporary Chinese Perspective on Human Rights

While the Communist Party of China (CPC) is leading the Chinese people in their struggle for national independence and people's liberation, it has inherited and developed the view of human dignity from fine traditional Chinese culture and given new content to the view of human dignity under the guidance of Marxism and in the light of the realistic development of Chinese society.

A. Subject of dignity: from “humans are the most precious” to people's subjectivity

The CPC has inherited the idea of “humans are the most precious” from fine traditional Chinese culture. General Secretary Xi Jinping has pointed out that, when talking about fine traditional Chinese culture, Chinese culture has always stressed the importance of respecting and caring for others. From Confucius who declared that “benevolence has been the greatest priority of governance since ancient times” to Mencius who said, “Finding talents for the country is what benevolence is all about,” to Xunzi who believed that people were “most valuable” and Mozi who called on us to “love others as we do ourselves regardless of social status or wealth” — each of these great thinkers stressed the intrinsic value of the person. Our forebears also put forward other similar axioms: “Of all things in the world, people are most precious”; “To accomplish great feats, one must put the people first”; “In the matters of governance, the people should come first.”¹⁶³ General Secretary Xi Jinping has further pointed out, in light of China's historical encounters in modern times: “Chinese people, having gone through much suffering in modern times, know all too well the value of people, basic human rights, and human dignity. They cherish a peaceful environment for development. China will unswervingly follow the path of peaceful development and uphold the human rights causes of both China and the world at large.”¹⁶⁴

¹⁶³ Xi Jinping, “Steadfastly Following the Chinese Path to Promote Further Progress in Human Rights,” *Qiushi* 12 (2022).

¹⁶⁴ “Xi Jinping's Congratulatory Letter to the 2015 Beijing Forum on Human Rights,” *People's Daily*, September 17, 2015, 1.

Based on the concepts of “humans are the most precious” and “people-centered” in traditional Chinese culture, the CPC has further put forward the concept of “people-centered” human rights. General Secretary Xi Jinping has pointed out that “The people are the creators of history; they are the fundamental force that determines our Party and country’s future,”¹⁶⁵ and that we must “emphasize the necessity of putting people first, respecting the principal role that they play, giving full play to their creative spirit, and relying closely on them whilst promoting reform, and promote well-rounded human development.”¹⁶⁶

B. Foundation of dignity: from “food is the paramount necessity of the people” to poverty eradication

Poverty poses a threat to human dignity. The CPC has made the alleviation of poverty and the fulfillment of the basic material needs of the people the basis for the preservation of human dignity, and has made the right to subsistence the first and foremost basic human right. General Secretary Xi Jinping has pointed out that “Since ancient times, the Chinese people have been of the belief that ‘food is the paramount necessity of the people.’ As China is the largest developing country in the world, it is the primary mission in China’s development to well solve the problem of how to feed the more than 1.3 billion people in the country”;¹⁶⁷ “In a little more than three decades, we have turned China into the world’s second largest economy, lifted 1.3 billion people from a life of chronic shortage and brought them initial prosperity and unprecedented rights and dignity.”¹⁶⁸ At the same time, General Secretary Xi Jinping also believes that “the eradication of poverty has always been a wish to be fulfilled,”¹⁶⁹ noting that “eradicating poverty has been a dream of mankind since ancient times, and it is a basic right for people of all countries to pursue a happy life.”¹⁷⁰ He advocated for countries to transform their commitments into action and to “collectively build a bright future of freedom from want, development and dignity for all.”¹⁷¹

C. Connotation of dignity: from inner spiritual freedom to the free and all-round development of humans

Guided by Marxism, the CPC believes that human dignity lies not only in inner spiritual freedom, but also in free and comprehensive development. Marx criticized that labor under the capitalist system “does not give either the worker or the laborer a human identity and dignity.”¹⁷² He argued, “The only job that can give dignity is the one in which we are engaged not as slave-like instruments, but as independent

¹⁶⁵ The Institute of Party History and Literature of the CPC Central Committee ed., *Xi Jinping on Respecting and Protecting Human Rights* (Beijing: Central Party Literature Press, 2021), 37.

¹⁶⁶ Ibid., 33.

¹⁶⁷ Ibid., 50.

¹⁶⁸ Xi Jinping, “Speech by H.E. Xi Jinping, President of the People’s Republic of China at the Welcoming Dinner Hosted by Local Governments and Friendly Organizations in the United States,” *People’s Daily*, September 24, 2015, 2.

¹⁶⁹ The Institute of Party History and Literature of the CPC Central Committee ed., *Xi Jinping on Respecting and Protecting Human Rights*, 168.

¹⁷⁰ Ibid.

¹⁷¹ Xi Jinping, “Working Together to Forge a New Partnership of Win-win Cooperation and Create a Community of Shared Future for Mankind — Statement at the General Debate of the 70th Session of the UN General Assembly,” *People’s Daily*, September 29, 2015, 2.

¹⁷² Karl Marx, *Economic and Philosophic Manuscripts of 1844* (Beijing: People’s Publishing House, 2018), 211.

creators in our own domain.”¹⁷³ When General Secretary Xi Jinping speaks of the dignity and rights of workers, he likewise points out the need to “improve systems and remove barriers that are hindering working people from participating in and benefiting from development; and work to ensure that working people can work with dignity and enjoy all-round development.”¹⁷⁴ China regards the free and comprehensive development of human beings as an important element of human dignity, and the right to development as the first and foremost basic human right. General Secretary Xi Jinping has pointed out that “The main objective of our government is to provide a platform for everyone to do what they’re best at, to enjoy the success of dreams coming true, and to make contributions on the individual and national level. It is also our obligation to guarantee fair opportunities for personal development, to maintain social justice, and to make sure that not a single person is left behind in benefiting from collective hard work.”¹⁷⁵ The white paper *Seeking Happiness for People: 70 Years of Progress on Human Rights in China* states that “The free and well-rounded development of every person is the ultimate goal of human rights... Human rights development means people’s development. We must create the conditions for people’s self-actualization... It aims to enable every person to enjoy self-development and serve society with dignity, to ensure equal opportunities for all to live a rewarding life and realize their dreams, to improve their wellbeing, and to promote their well-rounded development.”¹⁷⁶

Participation in the political life of society is an important means of realizing comprehensive human development. Unlike the traditional feudal society of China, which prohibited people from participating in political life, the CPC has put forward “whole-process people’s democracy” to safeguard the democratic right of the people to participate in political life. General Secretary Xi Jinping pointed out that “Since its 18th National Congress in 2012, our Party has advanced whole-process people’s democracy as a key concept on the basis of a profound understanding of the rules governing the development of democracy... Whole-process people’s democracy in China integrates process-oriented democracy with results-oriented democracy, procedural democracy with substantive democracy, direct democracy with indirect democracy, and people’s democracy with the will of the state. It is a democracy that covers all aspects of the democratic process and all sectors of society. It is the broadest, most genuine, and most effective socialist democracy.”¹⁷⁷ He calls for expanding “the people’s orderly political participation to see that in accordance with law they engage in democratic elections, consultations, decision-making, management, and oversight..., and improve the institutions of democracy at the primary level to ensure the people’s rights to be informed, to participate, to be heard, and to

¹⁷³ Central Compilation and Translation Bureau, *Marx & Engels Collected Works*, vol. 1 (Beijing: People’s Publishing House, 1995), 458.

¹⁷⁴ Xi Jinping, “Speech at a Discussion Session with National Model Workers,” *People’s Daily*, April 29, 2013.

¹⁷⁵ The Institute of Party History and Literature of the CPC Central Committee ed., *Xi Jinping on Respecting and Protecting Human Rights*, 34.

¹⁷⁶ State Council Information Office of China, *Seeking Happiness for People: 70 Years of Progress on Human Rights in China* (Beijing: People’s Publishing House, 2019), 13.

¹⁷⁷ The Institute of Party History and Literature of the CPC Central Committee ed., *Xi Jinping on Respecting and Protecting Human Rights*, 27.

oversee.”¹⁷⁸

D. Equality of dignity: from “even porters and peddlers are sure to display this giving honor” to the equal protection of dignity and rights

The CPC has inherited the view of dignity and equality from fine traditional Chinese culture, which states that “even porters and peddlers are sure to display this giving honor,” and emphasizes the equal protection of human dignity and rights. General Secretary Xi Jinping has pointed out that we shall “guarantee that citizens are equal before the law without exception, respect and guarantee human rights, and guarantee that the people enjoy broad rights and liberties according to the law.”¹⁷⁹ Equal guarantees of dignity and rights require that special attention be paid to the dignity and rights of specific groups. On women’s rights, General Secretary Xi Jinping has pointed out that “women’s rights and interests are basic human rights. They must be protected by laws and regulations and integrated into national and social rules and norms,”¹⁸⁰ “without women’s liberation and progress, the liberation and progress of mankind would not be attainable. To achieve the lofty goal of gender equality, we have gone through an extraordinary and uphill journey... every step taken to promote women’s cause has been a giant step forward for the progress of human civilization.”¹⁸¹ As for the affairs of people with disabilities, General Secretary Xi Jinping has pointed out “people with disabilities are equal members of the global family... and the world needs to pay special attention to taking care of the disabled.”¹⁸² As for the elderly, General Secretary Xi Jinping has stated that “The ancients said, ‘filial piety is the essence of virtue.’ Since ancient times, the Chinese have advocated filial piety and love for one’s parents, advocating that we should care for one another as we care for our elders, and that we should care for one another as we care for our children. Our country has entered an ageing society. To give the elderly a sense of security, a sense of belonging, a sense of joy, and a sense of peace is related to social harmony and stability. We must vigorously promote respect for the elderly, care for the elderly, and support for the elderly in society as a whole, and vigorously develop the cause of the elderly, so that all elderly people can have a happy and fulfilling old age.”¹⁸³ “We should vigorously promote the traditional virtues of filial piety and respect for the elderly, implement a good policy of preferential treatment for the elderly, safeguard the legitimate rights and interests of the elderly, and give full play to the positive role of the elderly, so that the elderly can share the fruits of reform and development and enjoy a happy old age in peace and security,”¹⁸⁴ General Secretary Xi Jinping has stressed that old age is an important stage of life in which one can still be productive, progressive, and happy. An effective response to population ageing not only improves the quality of life and livelihood of older persons and safeguards their dignity and rights, but also promotes economic development and social harmony. Respecting and loving the elderly is a traditional

¹⁷⁸ Ibid., 147.

¹⁷⁹ Ibid., 136.

¹⁸⁰ Ibid., 120-121.

¹⁸¹ Ibid., 177.

¹⁸² Ibid., 119-120.

¹⁸³ Ibid., 126.

¹⁸⁴ Ibid., 132.

virtue of the Chinese nation. We shall incorporate the promotion of filial piety and respect for the elderly into the publicity and education of socialist core values and construct a culture of filial piety and respect for the elderly with national characteristics and characteristics of the times.¹⁸⁵

E. Guarantees of dignity: from “exercising government by means of virtue” to the combination of the rule of law and the rule of virtue

As for the protection of human dignity, traditional Chinese culture emphasizes the rule of virtue, while modern society emphasizes the rule of law. The CPC, while emphasizing the preservation and protection of human dignity and rights in accordance with the law, advocates combining the rule of law with the rule of virtue. General Secretary Xi Jinping has pointed out that the “Law is written morality, and morality is inner law. We must insist on combining the rule of law with the rule of virtue.”¹⁸⁶

With regard to the protection of human dignity and rights under the rule of law, the CPC proposes to “strengthen the legal protection of human rights.”¹⁸⁷ General Secretary Xi Jinping has pointed out that: “respect for the dominant position of the people, respect the wishes of the people as expressed in practical activities, experience created, the rights owned, the role played by, well hidden among the people, inspired the creation of a great power. We should improve democratic institutions, expand democratic channels, enrich the forms of democracy, improve the legal safeguards to ensure that the people enjoy extensive, full accordance with the law, real, concrete, and effective democratic rights workable.”¹⁸⁸ “We must guarantee that the whole body of citizens enjoys broad rights according to the law, guarantee that citizens’ personal rights, property rights, basic political rights, and all other rights are not infringed, guarantee that citizens’ economic, social, and other rights are implemented... We must treat the popular masses’ appeals fairly and according to the law, and strive to let the popular masses feel fairness and justice in every judicial case. We can absolutely not let unfair judgments harm the feelings of the popular masses and damage the rights and interests of the popular masses.”¹⁸⁹

In terms of the rule of virtue, General Secretary Xi Jinping has pointed out that it is necessary to “guide citizens to safeguard their legitimate rights and interests in accordance with the law and consciously fulfill their legal obligations, so that the enjoyment of their rights and the fulfillment of their obligations are in line with each other.”¹⁹⁰ “We should advocate the right outlook on human rights. We should extensively publicize human rights and improve public knowledge of this issue through diverse formats, avenues, and forums, with a view to fostering a society-wide culture of respecting and protecting human rights. We should carry out public education campaigns with a focus on young people, and incorporate the Marxist

¹⁸⁵ “Xi Jinping’s Speech at the 32nd Group Study Session of the Political Bureau of the CPC Central Committee,” *People’s Daily*, May 29, 2016, 1.

¹⁸⁶ The Institute of Party History and Literature of the CPC Central Committee ed., *Xi Jinping on Respecting and Protecting Human Rights*, 136-137.

¹⁸⁷ *Ibid.*, 147.

¹⁸⁸ *Ibid.*, 40.

¹⁸⁹ *Ibid.*, 136.

¹⁹⁰ *Ibid.*, 137.

outlook and the contemporary Chinese perspective on human rights into the national education system. We should strengthen training in human rights for public servants, especially those who work at the primary-level public security agencies, courts, procuratorates, and departments for civil affairs, social security, health, taxation, and market supervision.”¹⁹¹

F. Scope of dignity: from fine Chinese culture to the common values of humanity

The CPC believes that respect for human dignity is not only the outstanding traditional culture of the Chinese nation, but should be a shared value for all humankind. General Secretary Xi Jinping has said that “it is a common pursuit of human society to protect the life, value and dignity of everyone and deliver human rights to all”;¹⁹² and that the international community must “safeguard human dignity and rights, and strive for fairer, more reasonable and inclusive global human rights governance.”¹⁹³

The CPC recognizes values related to human dignity, such as peace, development, equity, justice, democracy, and freedom, as “common values of humanity.” General Secretary Xi Jinping has pointed out that “Peace, development, fairness, justice, democracy, and freedom are common values of all mankind and the lofty goals of the United Nations.”¹⁹⁴ “We should vigorously advocate peace, development, equity, justice, democracy and freedom, which are the common values of humanity, and work together to provide the right guiding philosophy for building a better world. Peace and development are our common cause, equity and justice our common aspiration, and democracy and freedom our common pursuit.”¹⁹⁵

In order to jointly safeguard the rights and dignity of all peoples, the CPC has put forward the idea of “building a community with a shared future for mankind.” General Secretary Xi Jinping has stated that “We stand for the sharing of dignity by all countries and peoples in the world. All countries, irrespective of size, strength and wealth, are equal. The right of the people to independently choose their development paths should be respected, interference in the internal affairs of other countries opposed, and international fairness and justice maintained.”¹⁹⁶ “All countries should abide by the purposes and principles of the *Charter of the United Nations*, insist on the equality of all countries, regardless of their size, strength or weakness, rich or poor, respect the diversity of the world’s civilizations and the diversity of development paths, promote the democratization of international relations and the advancement of human civilization, safeguard world peace and stability, and enhance the common interests of humankind.”¹⁹⁷ To promote the “building of a community with a shared future for humanity,” the Chinese government has put forward the Global Security Initiative, the Global Development Initiative and the Global Civilization Initiative,

¹⁹¹ Xi Jinping, “Steadfastly Following the Chinese Path to Promote Further Progress in Human Rights,” *Qiushi* 12 (2022).

¹⁹² The Institute of Party History and Literature of the CPC Central Committee ed., *Xi Jinping on Respecting and Protecting Human Rights*, 33.

¹⁹³ Xi Jinping, *The Governance of China III* (Beijing: Foreign Languages Press, 2020), 288.

¹⁹⁴ The Institute of Party History and Literature of the CPC Central Committee ed., *Xi Jinping on Respecting and Protecting Human Rights*, 166.

¹⁹⁵ *Ibid.*, 196.

¹⁹⁶ *Ibid.*, 161.

¹⁹⁷ *Ibid.*, 162.

and the Global Governance Initiative advocating the protection of human rights through security, the promotion of human rights through development, and the joint development of human rights and civilization through cooperation.

The above analysis shows that contemporary Chinese view of dignity and the human rights concepts associated with it are not water without a source or a tree without a root, but are deeply rooted in the fertile soil of fine traditional Chinese culture. At the same time, the view of dignity in traditional Chinese culture is not complete and unchanging, nor is it unanimous and uncontroversial. On the contrary, we have seen the heated debates of different views and the mutual collision of Chinese and foreign cultures, as well as the breakthroughs and metamorphoses of the view of dignity in China and the continuous expansion of the field of vision, in the long history of the development of the view of dignity in Chinese culture. This has made the view of dignity in Chinese culture not only deep-rooted and time-honored, but also vigorous and flourishing. The Chinese view of dignity, which gathers the essence of all schools, not only provides strong support for the contemporary Chinese perspective on human rights, it is also making and will continue making its own contribution to the development of the cause of human rights in the world.

(Translated by *ZHAO Zeming*)