

Human Rights and Chinese Thought

A Cross-Cultural Inquiry

STEPHEN C. ANGLE

Wesleyan University

CAMBRIDGE
UNIVERSITY PRESS

Contents

<i>Preface and Acknowledgments</i>	page xiii
<i>Chronology</i>	xvii
Chapter 1. Introduction	1
1.1 Recent History	3
1.2 Current Approaches: Insights and Limitations	5
1.2.1 Pluralism	6
1.2.2 Universalism	8
1.2.3 Thick and Thin	11
1.2.4 Dialogue and Transformation	15
1.2.5 History and Confucianisms	19
1.3 This Book	22
Chapter 2. Languages, Concepts, and Pluralism	26
2.1. Concepts	27
2.1.1 Language and Concept	27
2.1.2 Pushes toward Holism	30
2.1.3 A Shared Practice	33
2.1.4 Objectivity	36
2.2 Conceptual Distances	39
2.2.1 Breakdowns in Communication	39
2.2.2 Words'Matter	41
2.3 Pluralism	45
Chapter 3. The Consequences of Pluralism	49
3.1 Our Own Values	51
3.2 Static Attitudes	57
3.2.1 Ignoring	57
3.2.2 Repressing	59
3.2.3 Accommodating	61

3.3	Dynamic Engagement	65
3.3.1	Pragmatic Disagreement	65
3.3.2	Substantive Engagement	67
3.4	Multiple Strategies and Divided Communities	70
	Chapter 4. The Shift toward Legitimate Desires in Neo-Confucianism	74
4.1	Neo-Confucianism against Desire?	75
4.2	Embracing Desires *	83
4.2.1	Huang Zongxi	84
4.2.2	Chen Que	86
4.2.3	Gu Yanwu	89
4.2.4	Dai Zhen	93
4.3	Conclusion	98
	Chapter 5. Nineteenth-Century Origins	101
5.1	Translation of International Law	104
5.1.1	The <i>Illustrated Compendium</i>	104
5.1.2	Martin's <i>General Laws of the Myriad Nations</i>	107
5.2	The Self-Strengthening Movement	111
5.3	Japan	115
5.3.1	Translations	115
5.3.2	Confucians, Liberals, Radicals, and Bureaucrats	- 117
5.4	Reformers in the 1890s	123
5.4.1	Traditions of Reform	124
5.4.2	<i>Minquan</i> to 1898	128
5.4.3	Individual Rights?	130
5.4.4	Zhang Zhidong	133
5.4.5	Voices from Hong Kong	136
5.5	Conclusion	138
	Chapter 6. Dynamism in the Early Twentieth Century	140
6.1	Liang and Jhering	141
6.1.1	An Appeal to "History"?	141
6.1.2	Jhering's Struggle for Rights and Law	143
6.1.3	Liang and <i>Quanli</i>	150
6.1	A <i>Quanli</i> and Law	158
6.2	Liu Shippei's Concept of <i>Quanli</i>	162
6.2.1	Personal Interests	164
6.2.2	Legitimate Abilities	167
6.2.3	Extension	169

Contents

6.2.4	<i>Quanli</i> and Responsibility	172
6.3	Conclusion	175
	Chapter 7. Change, Continuity, and Convergence prior to 1949	" 178
7.1	Chen Duxiu	181
7.2	Gao Yihan	188
7.3	Convergence: John Dewey	194
7.4	Marxism and Leninism	200
	Chapter 8. Engagement despite Distinctiveness	205
8.1	Rights and Interests	208
8.1.1	Western Theory on Rights as Protected Interests	208
8.1.2	Chinese Interests	214
8.1.3	Engagement	- 221
8.2	Rights and Harmony	225
8.2.1	Conflict versus Harmony in Western Theorizing	226
8.2.2	Chinese Harmony	229
8.2.3	Engaging Harmony	234
8.3	Political versus Economic Rights	239
8.3.1	Complex Reality	240
8.3.2	Analysis and Engagement	243
	Chapter 9. Conclusions	250
	<i>Bibliography</i>	259
	<i>Glossary and Index</i>	275