DIOGENES

A "Human Rights" of our own? Chinese and Turkish Encounters with a Western Concept

Çağdaş Üngör
Marmara University Faculty of Political Science, Turkey

Abstract
This article aims to compare the Turkish and Chinese reception of the "human rights" term, which enjoyed wide currency across the globe after the end of the Cold War. During the 1990s, as the global human rights discourse was embraced by dissidents in Turkey and China, the state elites remained skeptical of this concept, which was often perceived as a tool of Western imperialism. Unlike nationalists, Muslim and Confucianist conservatives saw some merit in the term "human rights" and discussed ways to appropriate it in their local contexts. In China and Turkey, "human rights" was often instrumental in promoting collective identities during the 1990s. Although the term's original emphasis on the individual somewhat disappeared in these countries, its embrace by various groups demonstrates that "human rights" discourse resonates with non-Western audiences.

Keywords
China, Turkey, human rights, discourse

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"Human rights" is a Western concept with its historical roots in the European Enlightenment tradition, as well as in the American and French revolutions of the 18th century. This term traveled to non-Western geographies as early as the 19th century and became part of the international lexicon after the promulgation of the Universal Declaration of Human Rights in 1948. However, it was only after the end of the Cold War that human rights achieved worldwide circulation, along with its practical applications in international law and politics (i.e., humanitarian intervention, responsibility to protect, etc.) Although there was growing optimism in the West concerning the applicability of human rights across national borders in the 1990s, this term met with substantial resistance in several countries.

Corresponding author:
Çağdaş Üngör, Department of Political Science and International Relations, Marmara University Faculty of Political Science, Anadolu Hisari-Beykoz, Istanbul 34820, Turkey.
Email: cagdas.ungor@marmara.edu.tr

The debate around the universality of human rights is not a new phenomenon. Throughout the 20th century, Marxist scholars and Third World critics took issue with the term's original focus on civil and political liberties and laid more emphasis on social and economic rights.[1] Likewise, advocates of non-Western cultural and religious traditions defied the term's universality by pointing out its Euro-Christian origins. In the Middle East and Asia, certain premises of human rights were found incompatible with Islamic and Confucian traditions. By the 1990s, nationalists – both inside and outside the government circles – came to see the new emphasis on human rights as a potential threat to the state-centric Westphalian paradigm and its concept of national sovereignty. Especially in countries with domestic social discontent, human rights were embraced by dissident groups seeking broader political and cultural rights –if not territorial autonomy- whereas it was rejected by those who favored the status quo. China and Turkey are two important cases in point.

This article focuses on the reception of human rights in China and Turkey during the 1990s, with an aim of investigating the term's multiple understandings and political connotations.[2] The human rights literature in non-Western geographies is often touched by cultural relativist arguments, with Islam and Confucianism invoked as barriers to a universal understanding of human rights. This study argues that it is the modern political and ideological positions – rather than the cultural or religious norms – that stood in the way of the term's universal reception in China and Turkey. Although China and Turkey might seem like a strange pair at first, they share a series of common characteristics regarding the human rights debate in the immediate aftermath of the Cold War. Both countries were in the spotlight of international organizations in the 1990s for their poor human rights record. Primary issues revolved around China's forceful suppression of the Tiananmen Square demonstrations and Turkish government's ongoing fight against the Kurdish separatist movement.[3]

In Turkey, human rights discourse in the 1990s revolved around the Kurdish issue, as well as Muslim grievances surrounding the headscarf restrictions. The discontent related to these two themes was perceived by official circles as a challenge to the unitary and secular state structure of Turkey. Likewise, in China, student demonstrators in Tiananmen – a heterogeneous group, whose members fought against corruption and demanded political reforms - were dubbed as "counter-revolutionaries" by the People's Republic. Facing international pressure at the time, both governments adopted a rather defensive attitude towards the worldwide dissemination of the concept of human rights. Domestic groups which publicized human rights abuses were considered to be the local collaborators of foreign powers and a threat to the existing state structure. Therefore, in the immediate aftermath of the Cold War, when "human rights" acquired global significance, it was the nationalist/state-centric perspectives in China and Turkey which limited its widespread dissemination. Even in the 2000s, after the gradual adaptation to the international human rights regime, the term's original emphasis on civil and political rights has not become the norm. Sensitive human rights topics still invoke a debate on Western "hypocrisies" and double standards. China, for instance, issues a yearly report of US human rights abuses and Turkish officials evoke European colonial history whenever Turkey has a major diplomatic issue with a Western government. This skeptical view of "human rights" among the Turkish and Chinese nationalists is very much related with the historical legacies and these countries' traumatic experience with Western powers in the past. Let us focus on the similarities between Chinese and Turkish state traditions in this respect.

West as a Source of Inspiration and Hostility

China and Turkey share important similarities in terms of their ambivalent relationship with the West.[4] Whereas China and Turkey share few common characteristics in general (language, political system, religion-culture, geographical location), their early experiences with Western modernity

during the 19th century is similar. Although the Ottoman Empire was geographically closer to Europe, its political and cultural traditions gave it an "Oriental" character, setting a demarcating line between the Ottoman lands and Euro-Christian civilization. Likewise, China's relative isolation until the 19th century has rendered it an enigmatic civilization in its own right. In the Western literature, both countries were characterized as an 'exotic fantasyland'[5] or an 'Asiatic despot' which remained untouched by historical progress. They were simultaneously called the "sick man" of Asia and Europe in the late 19th century. In both contexts, it was the continuous military defeats at the hands of Western powers which signaled state decline. Ottoman Turkey and Ming/Qing China are still recalled as *sui generis* entities, qualitatively different from the West.

During the 19th century, their native cultural-religious traditions (Islam and Confucianism) were considered by Westerners, as well as domestic reformers and revolutionaries, as barriers to modernity. Modernization was a last resort in both cases, which was necessary for state survival. In Ottoman Turkey and Qing China, the semi-colonization process stirred up various forms of reactions against the West (or being Westernized). Having gone through political disintegration and territorial loss during the early 20th century, modern Chinese and Turkish identities have become interwoven with anxieties, i.e., suspicions of "external forces" and fears of "outside intervention". Therefore, national independence and autonomy, both political and cultural, have been significant features of Chinese and Turkish political heritage, which came to dominate officials' thinking in the Turkish Republic and People's Republic of China. The exaggerated need for autonomy was apparent even when these countries became part of ideological alliances during the Cold War: China's "leaning on one side" policy during the 1950s and Turkey's NATO membership. Turkey's fragile relationship with the United States in the later part of the Cold War and China's ideological split from the Soviet Union in the early 1960s are illustrative of this point.

This historical baggage is important to understand the initial (official) reactions in Turkey and China during the 1990s towards the internationalization of the "human rights" concept. In other words, nationalists in both China and Turkey maintained highly skeptical visions of human rights because the globalization of the term bred insecurities and called back historical anxieties. The fears of territorial loss and national disintegration (Kurdish issue in Turkey, Uyghur and Tibetan demands in China) made human rights suspect in the eyes of nationalists. As Chengqiu Wu (2009: 71) put it, Chinese officials are known for their emphasis on sovereignty in what he identifies as the "sovereignty-human rights spectrum". Likewise in Turkey, demands in the realm of human rights (headscarf issue, linguistic rights, etc.) were often considered a threat to the unitary and secular state structure. Collective national memory on Western incursions (Treaty of Sèvres and Opium Wars) was often invoked in order to raise skepticism over international human rights norms. As understood by the nationalist circles, Western human rights discourse was devoid of any positive substance and only provided a justification for dissident groups which threatened the very foundation of the state.

"Human rights" in China and Turkey

Chinese and Turkish intellectuals have been familiar with "political and civil rights" literature since the reform and modernization efforts of the 19th century. It was only in the 1990s, however, that human rights entered the public discourse in China and Turkey. At this juncture, both governments were being heavily criticized abroad for their human rights violations. China had just crushed the Tiananmen Square protests in 1989, and Turkish government forces were fighting against PKK militants in the country's southeast. Not surprisingly, the concept of human rights was initially embraced by dissident groups in both China and Turkey, which represented views outside

the mainstream (state-centric/nationalist) political line[6]. Groups which sought greater cultural and religious rights constituted the most important challenge for the Turkish and Chinese governments.

In Turkey, the initial debate on human rights was led by left-wing groups, whose members were imprisoned and tortured after the 1980 coup d'état. The earliest human rights organizations were established with an aim to seek reparations for the 1980 military coup (Erdoğan Tosun 2006: 125). With the rise of civil society in the 1990s, Turkish human rights organizations diversified. Main groups which became instrumental in disseminating the "human rights" concept in the 1990s were Kurdish nationalists who sought cultural autonomy, if not territorial self-determination, and Islamic groups which felt victimized by secularist state policies such as the ban on the headscarf in the public sphere. Supporters of the Kurdish case became influential in the Insan Hakları Dernegi (Association of Human Rights), and Mazlumder became a center for Islamic grievances:

> Human rights organisations that propagate an end to the unitary state and adoption of a federal system, claims to special rights by ethnic groups like the Kurds, or women who cover their heads in the *türban* on religious grounds (discussed below), elicit little sympathy or tolerance from the state (Kalaycıoğlu 2002: 260).

In Turkey, international pressure played an important role in rendering human rights a part of the Turkish lexicon in the 1990s. Turkey's EU membership process has been fundamental in terms of drawing the government's attention to the human rights question. Likewise, organizations with overseas funding, such as the Open Society Institute and Helsinki Citizens Association, have been critical in promoting academic research in human rights. Another important parameter was the acceptance of individual petition right at the European Court of Human Rights in 1987. In the following decade, these court cases proved to be a major headache for the Turkish government. As of 2003, findings of a research project funded by the European Commission and Turkish Liberal Thought Association demonstrated that a great majority of Turkish people believed that their human rights were being violated in Turkey (Dağı and Toprak 2003).

> There is no scarcity of protest movements and advocacy associations like the Human Rights Association (IHD) and the religious *Mazlum Der* (literally 'Association of the Oppressed') that systematically confront the Turkish state. Although such movements achieve remarkable media attention and publicity, it is doubtful that they have any significant impact on political decisions or that they get any of their demands met by the political authorities. (Kalaycıoğlu 2002: 258).

Similar to Turkey, the People's Republic of China had a problematic relationship with the upsurge of the human rights discourse in the 1990s. Having remained a one-party regime with no checks-and-balances, Chinese political spectrum hardly matched the ideals advocated by the global human rights organizations in the 1990s. Prospects for democratization looked rather slim after the People's Liberation Army has put down the Tiananmen Square demonstrations in 1989. Following the incident, China was harshly criticized by the Western media and governments.[7] In the meantime, leading members of the Tiananmen Square demonstrations have fled to the United States and continued their struggle as human rights advocates. The core human rights issues in the 1990s were the maltreatment of political dissidents, the issue of death penalty, and lack of religious freedoms in China. Similar to Turkey's Kurdish problem, Tibet and Xinjiang issues were considered matters of state security. Members of the World Uyghur Youth Congress and Dalai Lama became central figures of the anti-human rights discourse in China. Members of the Falun Gong (labeled the "evil cult") also received harsh criticisms and penalties.

In both China and Turkey, the dissident groups which embraced "human rights" had ties with overseas networks – which rendered them suspect in the eyes of their governments. In China,

external support for the Tibetan and Uighur cause, or exiled student leaders of the Tiananmen, were considered to be the root cause of the problem. The "international" dimension of the human rights issue has been a constant headache for the Chinese government. It has also been a regular issue of contention between Beijing and Washington (Zhou 2005). The debate on human rights also concerned Chinese and Turkish figures who received international acclaim during this period. For instance, Dalai Lama's Nobel Peace Prize in 1989 generated much anxiety among the Chinese elites. Turkish and Chinese nationalists' treatment of Nobel laureates in literature, Orhan Pamuk and Gao Xinjian, is another case in point. A dissident Chinese intellectual exiled in France, Gao's Nobel prize in 2000 was denounced by the Chinese government as "politically motivated" and "aimed at interfering in China's domestic politics". Six years later, when Orhan Pamuk received the prize, he was accused by his fellow citizens of having "sold out" his country for the Nobel prize. Many in Turkey still believe that he would not have received the award without raising the Kurdish and Armenian issues in global media.

Whereas nationalists in both countries resisted the internationalization of "human rights", the term proved to have some instrumental value for state officials when they spoke on behalf of ethnically Turkish and Chinese minorities abroad.[8] Particular cases include Overseas Chinese in Southeast Asia and Turks living in Germany and Bulgaria. The nationalist intellectuals also attack past and present Western practices, trying to highlight the discrepancies in the global human rights policy. In both China and Turkey, an intense criticism of the Western "double standards" or "hypocrisy" is a key element of nationalist discourse. China's issuing of the US human rights record and the Turkish government's outcry of the French "genocide" in Algeria (as opposed to French Parliament's decision to bring up the Armenian issue) are most recent examples.

Whereas nationalists dismiss the universality of human rights on pragmatic grounds, religious and conservative intellectuals in China and Turkey have a somewhat different agenda. Here, one should note that Muslim and Confucian intellectuals do not constitute a homogenous group. The intellectual spectrum in China and Turkey certainly includes those who advocate a full-fledged cultural relativist position, arguing that a Western human rights notion is not universally applicable at all.[9] The "Asian values" debate in the 1990s, although promoted by government circles in China and Singapore rather than by intellectuals, is illustrative of this point. For others, who accept that there is normative content to the Western human rights discourse, the fundamental aim is to build a native (Confucian or Islamic) tradition of human rights. Therefore, cultural conservatives do not denounce the positive value embedded in human rights. They attempt, however, to divorce the term from its Western connotations or enrich/enlarge the Western version with Islamic and Confucian elements. Here, civil and political rights are often left aside or superseded by other, more communitarian, values. A notable scholar on Neo-Confucianism, Tu Weiming, notes that:

> Human rights are inseparable from human responsibilities. Although in the Confucian tradition, duty-consciousness is more pronounced than rights-consciousness — to the extent that the Confucian tradition underscores self-cultivation, family cohesiveness, economic well-being, social order, political justice and cultural flourishing — it is a valuable spring of wisdom for an understanding of human rights. (Tu 2012: 1–2)

Confucian intellectuals criticize the Western emphasis on the individual vis-à-vis the community. During the 1990s, the debate on the "Asian values" concentrated on China's differences from the West, in terms of its excessive individualism vis-à-vis the centrality of family and society in China. The emphasis on harmony and social discipline over individualism and social conflict resonated well with the official Marxist line. The PRC regime still prioritizes collective rights over individual rights, and social and economic rights over civil and political rights.

Since the 1990s, there has been a series of publications relating Confucianism to the human rights discourse. The volume *Confucianism and Human Rights* edited by Wm. Theodore de Bary and Tu Weiming in 1998 is a prominent example of this growing interest, as it draws parallels between central concepts of Confucian philosophy and Western human rights discourse. Turkey's Islamic intellectuals, on the other hand, argue that "human rights" in the Islamic tradition derives from the Holy Book. Therefore, Islamic understanding of human rights is sacred and much more comprehensive than the Western definition. Yet, again, one should note that, during the 1990s, Muslim conservatives in Turkey have played a crucial role in terms of propagating the Western human rights discourse in their fight for religious freedoms.[10] The headscarf issue became one of the focal points in the Islamic circles' advocacy of human rights.

Before concluding, it is also necessary to say a few words about the dissident groups' understanding of the concept of human rights in Turkey and China. Whereas these groups became the most significant bearers of the human rights discourse in these two countries during the 1990s, this advocacy hardly reflected the term's original emphasis on individual rights and liberties. It is clear that most dissident groups saw "human rights" as an instrument to further collective goals, be it religious freedom or cultural autonomy. According to one observer, many human rights advocates in Turkey lacked a liberal understanding of human rights:

> For example, 'Human Rights Organization', which receives global support for its activities, takes the strong skeptic position on globalization, and argues that although they support the existing global discourse on the protection of human rights, globalization in the long run serves the interests of the economically powerful countries in the world. Thus, the organization thinks that in the long run it is necessary that globalization should be resisted, in order to create democratic global governance. The other human rights organization, associated with Islamic discourse (Mazlum-Der), presents a softer version of skepticism, and argues that globalization provides a platform suitable for its activities, although the liberal discourse of human rights it promotes is problematic in dealing with cultural rights. On the other hand, the third human right organization (Helsinki Vatandaşlar Derneği), which was founded in Europe and operates in Turkey, views cultural globalization as a problem simultaneously generating positive and negative impacts for both the nation-state and civil society. That is, globalization cannot be rejected nor celebrated, but should be dealt with seriously in order to take advantage of its positive qualities, such as its support for the universalization of the discourse of civil rights. (Keyman and Icduygu 2003: 228).

Therefore, the term "human rights" might have lost its original emphasis on the individual's civil and political rights as it traveled to these geographies in the 1990s. Whether it is the headscarf issue or Tibetan language rights, collective issues (and broader ideological goals) seem to have taken precedence over individual rights. Despite the lack of emphasis on the individual, however, it is hard to substantiate the cultural relativist arguments which assume that the religious and cultural norms are fundamental barriers to the universality of human rights in non-Western geographies. As I tried to demonstrate above, official positions and modern ideologies, including nationalism, has become much more critical in terms of limiting the term's further dissemination in China and Turkey during the 1990s.

Conclusion

Human rights became part of the public discourse in China and Turkey only in the 1990s. In the immediate post-Cold War atmosphere, Turkish and Chinese authorities were reluctant to observe the primacy of human rights vis-à-vis national jurisdiction. In 2004, human rights entered the Chinese constitution. At the official level, there are substantial attempts to reconcile social and individual rights, with the state as the mediator (Wang 2011). The reception of the term "human

rights" in the Chinese and Turkish contexts has been multiple. While the nationalists saw it as an instrument of Western cultural and economic hegemony, devoid of normative content, the religious and cultural conservatives considered it "inadequate" as compared to its Confucian and Islamic alternatives. In both China and Turkey, it was the groups which felt victimized by state policies that propagated the Western notion of human rights. Although the emphasis was on collective identities rather than individual liberties, it was through such efforts that the term was brought to the public agenda.

In this time period, the official discourse in China and Turkey was dominated by a perspective which equated human rights with Western intrusions. Throughout the first decade of the 21st century, this dismissive attitude gradually evolved into a softer line, although both China and Turkey continue to receive substantial criticism from abroad. While the official lines underwent change, the most significant transformation took place in the civil society. While the individual is still not at the core of Chinese and Turkish understandings of "human rights", the increasing popularity of the term demonstrates that cultural or religious values are not in themselves barriers to a universal human rights regime.

Author Note

Notes

1. Although The Helsinki Final Act of 1975 was an important step towards its application beyond the Western bloc, several years after the disintegration of the Soviet bloc many critics are still pointing out the term's neglect of socio-economic rights.
2. "Human rights" is a very broad concept which may relate to the rights of various sub-groups in a society, including women, disabled people, LGBT people, ethnic and religious minorities, and so on. Within the confines of this article, I intend to touch only on the main social groups and events that shaped the debate on human rights in China and Turkey during the 1990s.
3. The armed group, PKK (Kurdistan Workers' Party) fighting in this pursuit is recognized as a terrorist organization by Turkey, European Union and the United States.
4. I have discussed this issue previously in my unpublished MA thesis titled "Impact of Mao Zedong Thought in Turkey: 1966–1977" (Istanbul Bil–i University, Cultural Studies MA Program, 2004).
5. For a supporting view on the perception of China by the Western media, see Christiansen and Rai (1996: 32). For a brilliant survey of Western literature concerning China, see Spence (1998). As to Turkey, see Deringil (1998: 4).
6. This is not to deny that "human rights" had some political currency in China and Turkey before the 1990s. During the Cold War, for instance, Chinese diplomats utilized the "rights discourse" to show their support for Asian and African independence movements. For China's human rights practice in its foreign policy during this period, see Nathan (1994).
7. For a study on the reasons behind China's compliance with the international human rights regime in the post-reform era, see Chen (2009).
8. Chinese and Turkish nationalists find it useful to use "human rights" discourse to promote national goals. The issue of Japanese war crimes in China and the rights of Turkish communities in Germany are prominent examples.
9. Although cultural relativist arguments remain powerful, there is little evidence to suggest that there is an inherent incompatibility between Confucianism and Western notion of human rights. A number of studies have attempted to reconcile Confucianism and human rights in philosophical terms, see e.g., Williams (2006).

10. Nevertheless after the European Court of Human Rights rejected the plea of headscarved women's entry into the Turkish universities in 2005, Islamic groups' advocacy turned into a critique of biased Western human rights norms. Likewise, Muslim intellectuals in Turkey have also criticized Western "human rights" policy, with particular reference to Palestine or Bosnia and Herzegovina. There is also fierce resistance in terms of the universalization of "human rights" discourse with particular emphasis on women and LGBT rights.

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