

Editorial

China's White Paper on Human Rights

On November 1, China's State Council issued a *White Paper* entitled *Human Rights in China*. The paper is quite long and contains a preface and ten sections: 1. The right of subsistence--the foremost human right for which the Chinese people have long struggled; 2. The Chinese people have gained extensive political rights; 3. Citizens enjoy economic, cultural and social rights; 4. Guarantee of human rights in China's judicial work; 5. Guarantee of the right to work; 6. Citizens enjoy freedom of religious belief; 7. Guarantee of the rights of the minority nationalities; 8. Family planning and protection of human rights; 9. Guarantee of human rights for the disabled; 10. Active participation in international human rights activities. As this is the first time in the 42 year rule of the Communist government that it has ever published a paper on the subject of human rights, it deserves our close attention.

The question of human rights on mainland China has in recent years attracted much interest not only in Hong Kong but throughout the West as well. The United States has been applying pressure on China to improve the present situation or face the consequences of imposed restrictions on its foreign trade. The White Paper is clearly intended to demonstrate to the world--it has been issued in many languages--what the true situation of human rights is in China, and to counterbalance the increasing number of foreign complaints about violations and abuses there. What is noteworthy is the timing of the paper. It was published on the eve of a visit by Secretary of State James Baker, and not during the recent heated congressional debate over renewal of China's Most Favoured Nation status. This reflects the *modus operandi* of China's government which is in line with the old Chinese saying: "Eat the meat when it is tender, but pound it when it is tough." From ancient times, Chinese Emperors were wont to use force to subdue recalcitrant officials, but bestowed gifts on them when they came to the Imperial throne to offer tribute. The same policy is still in effect. The government adopts a tough attitude on those who

would impose restraints on its activities, but those who come to Beijing must not be sent home empty-handed. The government will certainly see to it that bilateral relations will move at least one step forward.

However, the White Paper does recognize the international dimension of the human rights question, and China has promised to participate in a positive way in international movements for this promotion. In keeping with this policy, foreign human rights groups have recently received government permission to enter China to engage in mutual exchanges, and without any set limitations on their length of stay. This must be seen as a willingness to adopt a more open attitude to the problem and a sincere intention to become more positively involved in the global family.

The White Paper also makes reference to the 110 year period from the beginning of the Opium Wars in 1840 to the establishment of the People's Republic in 1949, noting the forceful encroachments of Western imperialism on China's sovereignty and the countless acts of aggression against the Chinese people. There is no way to estimate the cost in human lives and economic destruction brought about by such outrageous criminal behaviour. The paper also takes pride in China's recent social and economic development, the strengthening of the bonds of national unity and the steady improvement made in the people's livelihood. These lines may be a reference to "Nationalism", "People's livelihood" and "People's Rights" which Dr. Sun Yat-sen expounded in his *Three People's Principles*. During the Mao years, national independence was highly emphasized while the Deng Xiaoping era, with its Four Modernization programme, stressed the people's need for livelihood. China still has a long way to go before the bridge from "People's Livelihood" to "People's Rights" is crossed. The focus has hardly begun to shift.

To strengthen the prospects of reunification between the two sides of the Taiwan Straits, it is important to examine Taiwan's viewpoint. Article 2 of the Constitution of the Republic of China also protects human rights, and sets norms for legal equality. According to that Constitution people enjoy personal freedom, the right to live where they wish, freedom of speech, belief and of assembly. It also lays down guarantees on the right to subsistence, employment, and ownership of property. In addition,

Article 3 guarantees the economic and social rights of citizens. Basically, this includes what is implied in the "People's Rights" and "People's Livelihood" of the *Three Principles of the People*.

Since the White Paper contends that human rights vary with the conditions in each country, it opposes any country taking advantage of the human rights issue to promote its own value system, ideology, standards of government, or model of development. This kind of language has drawn criticism from abroad. Some people have even disparaged the whole White Paper as empty rhetoric because of it. One way to defend the document is to discredit the use of the *U.N.* standard of human rights as *the* criteria for measuring human rights everywhere. When all is said and done, however, is there a standard? Although human rights have not yet been implemented everywhere, there are certain recognized universal norms at least implicitly agreed upon. This viewpoint is the foundation of the United Nations' *International Covenant on Civil and Political Rights* and *International Covenant on Economic, Social, and Cultural Rights*. Will China, a Security Council member of the United Nations, lag behind other nations or will it press forward and guarantee its citizens a truly acceptable level of human rights? If it does, then the people of Hong Kong, deeply anxious over the question of 1997, will be greatly relieved.

