The Human Rights Dilemma: An East-West Encounter
Germany and China in 1996

by

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ABSTRACT

Conflicts over human rights in relations between East Asia and the West have increased since the end of the Cold War. Western governments express concern about human rights standards in East Asian countries. In the East, these expressions have been perceived as interference in internal affairs. Due to dramatic economic development, East Asian nations recently have gained in pride and self-confidence as global actors. Such development is observed with suspicion in the West. Concerned about the decline of global U.S. influence, some American scholars have re-invented the notion of “culture” to point at an alleged East Asian threat. Also East Asian statesmen use the cultural argument by claiming the existence of so-called 'Asian values', which they allege are the key to Eastern economic success.

This thesis argues that issues of human rights in East-West relations are not only a consequence of well-intended concern by Western governments regarding the human rights and welfare of the citizens of East Asian nations, but are in fact dominated by and used as a pawn in interplay with more complicated questions of global power and economic relations between East and West.

The thesis reviews the relevance of culture in East-West relations. In the West, particularly Samuel P. Huntington with his prediction of the Clash of Civilizations stands out. Singapore's Lee Kuan Yew has been very vocal on the Eastern side. Whereas the West tries to cope with its decrease of global influence, after hundreds of years under Western hegemonism, the East believes in an Asian way of development without interference form the West. Most of this dispute revolves around the issue of human rights. The West claims the universality of rights which in fact emphasizes political and civil rights. Western countries criticize poor human rights standards in East Asia. The East, in return, accuses the West of hypocritical policies that seek global dominance. East Asian governments assert that due to a different stage of development they have to stress first their rights to development in order to assure stability. In particular, China argues this way. The country's leadership, however, shows concern about human rights and has already improved its human rights record over the past years. This thesis analyses the dispute over human rights in a case study on Germany and China. Both countries have a mutual interest in trade relations which has conflicted with Germany's criticism of China's problematic human rights record. In 1996, the two countries clashed after the German parliament passed a resolution condemning China's treatment of Tibet. This caused a lot of damage to the Chinese-German relationship which in the course of the year went back to normality. In the light of these frictions a German human rights policy that focuses on unspectacular grass-roots support of China, for example in strengthening China's legal system, would be preferable. Such co-operation must be based on mutual respect.
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financially possible.
Morality can only be relative, not universal. Ethics must be interpreted in terms of politics; and the search for an ethical norm outside politics is doomed to frustration.
- Edward Hallett Carr

When supporting human rights, people must not forget their national dignity. By giving up national self-esteem and treating their national independence lightly, countries, especially developing and Third World countries like ours, will not be able to stand on their own feet.
- Deng Xiaoping

We are never locked within a single grammar. Rather, the first grammar that we learn to master already puts us in a position to step out of it and to interpret what is foreign, to make comprehensible what is incomprehensible, to assimilate in our own words what at first escapes them.
- Jürgen Habermas

INTRODUCTION

Since the end of the Cold War human rights have played a controversial role in relations between East Asia\(^1\) and Western countries. Governments in the West have expressed concern about human rights standards in East Asian countries. These expressions have been perceived by the East Asian nations as interference into their internal affairs. Due to booming economic development, the East Asian countries recently have become more self-confident global actors. According to one Singaporean observer: “The difference between the 21st century and the preceding centuries is that there will be three centres of world power (Europe, North America and East Asia) as opposed to two in the twentieth (Europe and North America) and one before that.”\(^2\) As a response to the perception of decline of influence of the U.S., some American scholars have re-invented the significance of ‘culture’ in international relations to underline the alleged threat of East Asia. Many East Asian statesmen by have countered this by asserting the superiority of so-called distinctive ‘Asian values.’

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\(^1\) By “East Asia” I refer to the following countries: China, both Koreas, Japan, Taiwan, Hong Kong, Thailand, Laos, Cambodia, Vietnam, Philippines, Brunei, Indonesia, Singapore, Malaysia, and Burma.

Much of this dialogue has been in the context of debate on whether or not East Asian nations have been satisfactorily complying with the terms of the 1948 *Universal Declaration of Human Rights*. The East feels an intrusive threat by Western powers insisting that Eastern nations meet Western-defined human rights standards.

This thesis argues that issues of human rights in East-West relations are not only a consequence of well-intended concern by Western governments regarding the human rights and welfare of the citizens of East Asian nations, but are in fact dominated by and used as a pawn in interplay with more complicated questions of global power and economic relations between East and West. This thesis statement will be worked through as follows:

The relevance of culture in East-West relations will be reviewed in chapter one. Recent literature on global affairs has suggested a re-emergence of culture in post-Cold War international relations. In defining the debate on the issue, *The Clash of Civilizations* by Samuel P. Huntington stands out. Perceiving an increasing cultural assertiveness in East Asia and the Islamic world, Huntington predicts new global divisions with negative consequences for the West. According to Huntington the world has become multi-civilizational. He asserts that not economic, but cultural issues, will determine future global fault lines. In short, Huntington sees the probability of a clash of civilizations, especially between an economically more successful East and a West that sees its dominant position challenged.

Similarly, Francis Fukuyama underlined the relevance of culture in his famous prediction of the *End of History* of 1989. In his famous article, Fukuyama pronounced the international triumph of liberal democracy after the end of the Cold War. A few years later, his work *Trust* accentuated the impact of culture on economic competitiveness. For Fukuyama, the level of trust inherent to every society conditions the ability to compete on the global market. Accordingly, countries like China are disadvantaged on the global market whereas the U.S., for example, is not.
For Benjamin R. Barber, the conflict between *Jihad vs. McWorld*, poses a threat to universal civil liberties and explains post-Cold War international relations. *Jihad* stands for ethnic and cultural groups which violently fight the globalizing market and media *McWorld*. *McWorld* represents (American) culture in its lowest form. Consequently, Barber favours a civilized version of *Jihad*.

These books have been unsatisfactory in explaining post-Cold War realities between the East and the West. More insight into East-West relations is provided by Edward W. Said. In his 1978 book, *Orientalism*, Said powerfully shows how culture unjustly dominated West-East relations in the past. He, in short, characterizes the Western attitude as imperialistic, arrogant, ignorant and racist. Although Said's account seems to be somewhat exaggerated in a post-Cold War context, it nevertheless describes similar mechanisms that are at work in the 1990s.

This first chapter will show how "culture" has assumed unprecedented significance in the post-Cold War world. As the *Economist* writes in a recent article: "All over the world, scholars and politicians seek to explain economics, politics and diplomacy in terms of 'culture-areas' rather than, say, policies or ideas, economic interests, personalities or plain cock-ups."\(^3\) East Asian countries follow the cultural argument too by asserting cultural distinctiveness to underline independence from Western influence. Most vocal on the issue are Lee Kuan Yew and Kishore Mahbubani from Singapore. After hundreds of years of unchallenged dominance by the hegemonic West, Asia believes that their own so-called 'Asian values' fostered the development of their recent post-colonial past and will do so in the future. In their view liberal notions as promoted by the West are inappropriate for their societies.

Chapter one will argue that the idea of culture is rather artificially constructed in a post-Cold War world in fact dominated by economics. In the East, it serves to

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justify authoritarian regimes and the fostering of economic development. The West is concerned about the cultural meaning of decline in its dominant position in the world. In this debate, economics play a crucial and defining role.

Most of this conflict centres in the dispute over human rights, as it will be reviewed in chapter two. James T. H. Tang, for example, notes: "As the 21st century approaches, it is clear that human rights are set to be a major source of conflict in world politics." Between the East and the West such a scenario encompasses some danger. "It leads to spurious stereotypes of 'orientalism' and 'occidentalism', with either defensive Eastern counterparts of Western universalism or aggressive retreat into imagined past or culture. It, in short, politicizes the question of human rights in an unproductive way." Two volumes form the basis for this chapter's discussion on the dynamism of human rights: *Human Rights and International Relations in the Asia Pacific* edited by James T. H. Tang and *Human Rights and Chinese Values. Legal, Philosophical, and Political Perspectives* edited by Michael C. Davis. Since the end of the Cold War, Western countries, most notably the U.S., have begun to globally champion human rights. They claim universality of "human rights" (which in fact emphasize political and civil rights). The West criticizes the authoritarian structures and the poor human rights standards of Eastern states, because Eastern states neglect these political and civil rights. "As the United States trumpeted ideological victory in the aftermath of the Cold War, East Asian States mounted a challenge to Western beliefs on human rights."

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human rights the East accuses the West of hypocritical intentions to pursue global dominance. Eastern countries put an emphasis on the right to development. Their governments assert that due to the critical processes of modernization, political rights have to be implemented at a later stage in order to maintain stability. In particular, China shares such views. This chapter argues that despite the present poor human rights record, Chinese authorities display a concern for human rights and have already improved China’s legal system in order to develop an enhanced human rights standard. However, the country’s difficult transition poses enormous problems and furthering Western-defined human rights-related concerns are not a Chinese government priority.

Chapter three focuses on a case study of German-Chinese relations. As an economically rising power China provides an attractive market for the world. Germany, like other Western nations, has a special interest in trade relations with China but criticizes the country’s slack human rights standards. This results in bilateral frictions over human rights and economic issues as will be demonstrated in the German-Chinese case. During 1996, both countries clashed over German policy targeting China’s treatment of Tibet. Such policy, as this chapter will show, caused a lot of damage to the relationship. This thesis, therefore, argues that a successful German human rights policy should rather support the difficult transformative process of China, instead of employing open criticism to coerce Chinese political change. To pursue a strategy that focuses on unspectacular grass-roots work, for example strengthening China’s legal system, appears to be a more promising way. Such co-operation must be based on mutual respect.

This thesis was stimulated by extensive writings on the issue both in the East and the West. The debate is highly political and leads to misperceptions by the other side. By heavily relying on their allegedly superior own system, both Samuel P. Huntington in the West and Lee Kuan Yew in the East, for example, tend to
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exaggerate in their negative depiction of the other side. This is very obvious with regard to human rights. Yet human rights touch any individual and are crucial for a successful nation, therefore they must be an integral part of international relations. East Asian nations have to be convinced that human rights are also best for them. Furthermore, in developing closer economic ties to the East, an active Western human rights policy is also in the interest of the West because it implies strengthening the impartial protection of just laws. Improvement of the legal systems in Eastern countries will render East-West trading relations more secure for the West.

The approach of the thesis is a case study of China and Germany. These two countries are considered to be influential global powers. They have a special interest in intense mutual trade relations. Nevertheless, the controversial human rights issue often distorts their relationship. When in June 1996 the German parliament passed a resolution condemning China's human rights practices in Tibet, the reaction from China was austere. However, in the course of the year Germany and China returned the relationship to normality. The German-Chinese case constitutes an excellent example to study the global dispute of human rights in a focused bi-lateral relationship.

This thesis, therefore, offers some significant academic contribution. It extensively discusses the complicated but important interplay of economics and human rights in East-West relations. In doing so the thesis does not follow the common stereotype of a negative East and a positive West. Instead, it offers so far neglected aspects of the issue as mentioned above. There is a need to re-think economic and cultural issues on a global scale. Moreover, until now, the 1996 frictions between Germany and China over human rights have not been scholarly put into the context of post-Cold War international relations. In addition, the findings can serve as a guideline to future relations between China and other Western states.
CHAPTER 1:
CULTURE, ECONOMICS AND 'ASIAN VALUES' IN A NEW POST-COLD WAR GLOBAL CONTEXT

Introduction
After the end of the Cold War global political rivalries continue in different forms. With the demise of the Soviet Union, and consequently the Communist block as a whole, ideology seems to have lost its relevance. Instead, the power of the market shapes international relations. Due to their rapid economic growth, East Asian countries have gained significant global power. In the West this development has been uncomfortably observed with suspicion. Theories that satisfyingly explain what has happened during the early 1990s are rare. A small circle of American scholars – Samuel P. Huntington, Francis Fukuyama and Benjamin R. Barber – were quick in relating the global changes to a re-emergence of "culture". According to them, culture dominates the new global fault lines (Huntington), influences economic competitiveness (Fukuyama), and destructively appears in its cheapest version — an overwhelming American pop-culture (Barber). Such views are reminiscent of earlier perspectives chronicled and criticized in Edward W. Said's Orientalism, published in 1978. While the Cold War was still at its height, Said showed how culture had been used by the West to dominate Asia over the previous 200 years. This past domination is still very fresh in East Asian minds. For the first time since the era of colonialism, East Asia has gained an influential position in global affairs. Here, the economic imperative plays a crucial role. Huntington, Fukuyama and Barber make use of the notion of culture to serve their own arguments, while East Asian leaders contend that the Asian success is a product of specific so-called 'Asian values'. This first chapter looks at the interplay of economics and culture in a post-Cold War global context from the Eastern and Western perspective. The first half of the chapter reviews the
way culture is used in the 1990s to explain a world that nevertheless follows more and more the dictate of the global market. The second part critically discusses the meaning of the debate over 'Asian values' between the East and the West. Asian governments contend that they follow a different way of development that tries to avoid the supposedly mistakes of the West. By being an integral part of a development strategy, 'Asian values' are rather an artificial construct. As this chapter will argue, 'Asian values' justify authoritarianism in the course of modernization and also serve to contain Western hegemonic ambitions.

The Clash of Civilizations

We are in the year of 2010. A world crises emerges. China, with a more and more self-confident economic and military structure, disputing large off-shore oil fields, attacks its neighbor Vietnam. Hanoi asks Washington for support. The U.S. deploys one of its few remaining carrier task forces to the area. Japan prohibits the U.S. from using its military facilities in Japan. Then, China inflicts serious damage on the U.S. ships. Due to long-range nuclear weapons in both countries the conflict remains contained. The American public starts questioning the need for a violent conflict in the Far East. Meanwhile, India seizes the opportunity to attack its arch enemy Pakistan. A wave of anti-Western movements in Arab countries brings down the few moderate Arab governments, replacing them with fundamentalist regimes. Western weakness provokes a massive Arab attack on Israel. The conflict escalates. Washington, therefore, tries to rally support from its European allies. Russia, intimidated by Chinese successes, becomes anti-Chinese. Japan gives up its neutrality and forms an alliance with China. In fear of Western states supporting the U.S., China and its main Arab ally Iran smuggle nuclear missiles into Bosnia and Algeria to send a warning signal to the Europeans. Serbia moves into Sarajevo and captures the missiles. And then, outside the city of Marseilles in the South of France a missile with
a nuclear warhead, launched by Algeria, explodes. "The United States, Europe, Russia, and India have thus become engaged in a truly global struggle against China, Japan, and most of Islam." Major participants of the war will decline in terms of economic, demographic, and military power. Global power, earlier had shifted from West to East. The shift is now from the North to the South as the developing countries in Southeast Asia, South America and Africa stay away from the war. The consequences for the U.S. and Europe are disastrous. For Samuel P. Huntington, this is just a "possible" scenario of future international relations. The Harvard political scientist provoked a fierce debate among academics with his controversial thesis—the *Clash of Civilizations*, first published in a *Foreign Affairs* article in Summer 1993. Just as the world had begun to breathe a sigh of relief after the Iron Curtain had fallen and the Berlin Wall was torn down, Samuel P. Huntington already observed the emergence of numerous new walls, creating fresh global divisions. After demise of the bi-polar block confrontation, according to Huntington, the world became multi-polar and multi-civilizational. Now, "cultural" interests of nation states determine global lines of conflict. "In the post-Cold War world", Professor Huntington contends, "the most important distinctions among peoples are not ideological, political, or economic. They are cultural." Local ethnic confrontations are likely to escalate into broader wars. In short: "The rivalry of the superpowers," Huntington observes, "is replaced by the clash of civilizations."

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9 Huntington 1996, pp. 21, 28
Samuel P. Huntington divides the world into seven, or eight, different civilizations: Sinic, Japanese, Hindu, Islamic, Orthodox, Western, Latin American, and "possibly" African. In his definition, a civilization is the broadest cultural entity and closely follows religious patterns. Huntington contends: "Since civilizations are cultural and not political entities, they do not, as such, maintain order, establish justice, collect taxes, fight wars, negotiate treaties, or do any of the other things which governments do." In other words, they are less organized. Civilizations, therefore, seem to be less predictable in their actions than governments.10

Has history ended, or have the Western traditions in the world?

Samuel P. Huntington's book is the antithesis to Francis Fukuyama's *End of History*,11 a book which reflected a popular perception of world politics in the early 1990s. Fukuyama declared the triumph of the Western idea of liberal democracy. For him, the long historical struggle for the "final form of human government" has come to its definitive stage. Following Friedrich Hegel's notion of history, Fukuyama announces that "history has ended." Liberal democracy remains the only left-over after the end of the Cold War.

A few years later, Fukuyama focused on one specific human trait: *Trust*12 as definitive in comparative assessment of political regimes. He writes: "Perhaps the most crucial area of modern life in which culture exercises a direct influence on domestic well-being and international order is the economy . . . In any modern

10 Ibid., pp. 40-48


society, the economy constitutes one of the most fundamental and dynamic arenas of human sociability.\textsuperscript{13} Competition is conditioned by “the level of trust, inherent in every society.”\textsuperscript{14} Accordingly, Fukuyama separates “low-trust” societies from “high-trust” societies. For him, “low-trust” societies are China, France and Italy where economic performance is limited by the close relationship within familial clans. As “high-trust” societies he classifies Germany, Japan and the U.S. due to their competitive advantage in the establishment of large multi-national corporations heightened by independence from family units. Following such categorizations, Germany, Japan and the U.S. supposedly lead the global economy whereas China, France and Italy do not. At least in the case of China (and several Pacific Rim nations, as well) Fukuyama’s theory misdiagnoses economic realities. China’s economy is growing at such high rates that numerous observers predict the country’s leveling off with the U.S. in less than ten years. The \textit{Economist} considers correctly that “nowadays, what seems important about the tradition is its encouragement of hard work, savings and investments for the future, plus its emphasis on co-operation towards a single end. All these features have been adduced to explain why the tradition has helped Asian growth.”\textsuperscript{15}

\textbf{The Islamic and East Asian Hazard}

Huntington, like Fukuyama, previously had surmised that liberal democracy is the only left-over after the end of the Cold War. Huntington was remarkably convinced about the idea of a democratizing globe in his highly recognized book \textit{The Third Wave}

\begin{itemize}
\item \textsuperscript{13} Ibid., p. 6
\item \textsuperscript{14} Ibid., p. 7
\item \textsuperscript{15} \textit{The Economist}, (9 November 1996), p. 25
\end{itemize}
of 1991.16 The *Clash of Civilizations* details his change of position on this topic. Huntington is not the only scholar to detect a relative decline of the Western civilization. Although the Western countries will remain powerful in the future, "the West's victory of the Cold War has not produced triumph but exhaustion."17 Western influence over territory and population numbers, Western economic production, and the military capacity of Western countries have decreased, despite the omnipresence of CNN and the global conquest by Hollywood. "The essence of the West", the Harvard professor argues, "is the Magna Charta and not the Magna Mac."18 It is a "naive arrogance" to believe that Coca Cola on the Great Wall of China or in the old city of Cairo have deeply influenced the non-Western world. Those goods have modernized Islam, however the Islam now islamizes modernity by its own methods. Huntington says:

That revival is not a rejection of modernity; it is a rejection of the West and of the secular, relativistic, degenerate culture associated with the West. It is a rejection of what has been termed the 'Westoxification' of non-Western societies. It is a declaration of cultural independence from the West, a proud statement that: 'We will be modern but we won't be you.'19

While the communist system had challenged America's concept of a freedom-based society for a few decades, the new threat now comes from the Islamic world and those countries that participate in the East Asian economic takeoff. With regard to the first, Huntington spots a world-wide Islamic renaissance. Algeria, Tunisia, Egypt, Turkey, Jordan, Iran - for Huntington - are countries where the *Islamic Resurgence*tops the

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17 Huntington 1996, p. 82


19 Huntington 1996, p. 101
agenda. The combination of religious (increasing number of mosques) and demographic (increasing number of young people committed to Islam) development in Muslim countries, he concludes, are a destabilizing factor for world politics. “While democratic movements were gaining strength and coming to power in Southern Europe, Latin America, the East Asian periphery, and central Europe, Islamic movements were simultaneously gaining strength in Muslim countries.”

Furthermore, according to Huntington, the West faces an economic threat from East Asia. The value system of Confucianism - “thrift, family, work, and discipline” - have made the East more and more powerful. Fearfully, Huntington observes that “East Asian economic development is altering the balance of power between Asia and the West, specifically the United States.” ‘Asian values’ have spread from Singapore and Malaysia to China buttressed by statesmen like Lee Kuan Yew or Mahathir Mohammed who frequently speak out against Western cultural hegemony. For Huntington, Asia is the “cauldron of civilizations.” Therefore, Muslim and East Asian countries have to be carefully watched by the West. Moreover, Huntington has even discovered an anti-Western Confucian-Islamic connection, that challenges the West. In his view alignments between Confucian and Islamic states have been made with regard to weapons proliferation and human rights. In sum, both Asian and Muslim assertiveness “is having and will continue to have into the twenty-first century a highly destabilizing impact on global politics.” For Huntington the future of the West is largely dependent on its unity and

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20 Ibid., pp. 117, 114
21 Ibid., pp. 103-104
22 Ibid., pp. 185, 188-190, 195-196, 238-240
23 Ibid., pp. 102-103
coherence in defending its own interests. The unique qualities of Western civilization have to be renewed and preserved.

**Jihad vs. McWorld**

Benjamin R. Barber disagrees fundamentally with both Huntington and Fukuyama. His post-Cold War world is characterized by the conflict of *Jihad vs. McWorld*, both seemingly mutually exclusive. On one side, *Jihad*, ethnic and cultural groups practice a militant particularism, that leads to break-downs of unitary constructs of states and numerous redefinitions of borders. On the other side, *McWorld*, the globalization of markets and media, proceeds and opens the perspective of a ‘global village.’ *Jihad*, in the inflated words of Barber,

rooted in race holds out the grim prospects of a retribilization of large swaths of humankind by war and bloodshed: a threatened balkanization of nation-states in which culture is pitted against culture, people against people, tribe against tribe, a Jihad in the name of a hundred narrowly conceived faiths against every kind of interdependence, every kind of artificial social cooperation and mutuality; against technology, against pop culture; and against integrated markets; against modernity itself as well as the future in which modernity issues.25

*McWorld*, on the other hand,

paints that future in shimmering pastels, a busy portrait of onrushing economics, technological and ecological forces that demand integration and uniformity that mesmerize peoples everywhere with fast music, fast computers, and fast food - MTV, Macintosh, and McDonald’s - pressing nations into one homogenous global theme park, one McWorld tied together by communications, information, entertainment, and commerce.26

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25 Ibid., p. 4

26 Ibid.
However, Barber claims to have discovered that *Jihad* and *McWorld* are actually not enemies. In one distinct area they have something in common: they both demean the sovereign nation-state and discard its institutional frameworks under which democratic societies could prosper. They both cause anarchy and perversion of human liberty. “Each eschews civil society and belittles democratic citizenship, neither seeks alternative democratic institutions. Their common threat is indifference to civil liberty.”²⁷

Most of *McWorld* is created by the all-penetrating global market that does not stop at national borders. Transnational corporations have established global networks convincing Barber that they “are today more central players in global affairs than nations.”²⁸ Resources, manufactured goods, and services evaporate in the history of traditional economics. The most important rule is getting a piece of every pie in the business, a phenomenon he calls vertical integration. Globalism in this sense, Barber contends, follows the dynamic of profits and not the dynamic of citizenship by reducing people to faceless consumers. Its motive comes from the artificial movie life of Hollywood - with tremendous consequences. “Although unable to import American trash”, countries like China and Cuba “produce trash of their own that imitates the very American obsession with sex, violence, and soap opera, which their own propaganda condemns and their censorship is designed to exclude.”²⁹ In support of this globalism, McDonald’s, MTV and Nike create an ideology more intrusive than Marx or Mao ever contrived. “The ideology of having fun actually is an ideology.”³⁰

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²⁷ Ibid., p. 6

²⁸ Ibid., p. 23; This is very obvious in the media industry, for example in Rupert Murdoch’s News Corporation.

²⁹ Ibid., p. 94

³⁰ Ibid., p. 72; See also p. 136
The infotainment telesector takes over and absorbs, then deconstructs, and then reassembles the soul. America’s popular culture constitutes for many an attractive Esperanto, however, “‘international’ is just another way of saying global-American and thus monocultural after all.” Consequently Barber believes that civil society has sold out to the postmodernism of McWorld. In an environment dominated by McWorld, responsible citizenship and human spirit do not seem to be possible anymore. People have given up of getting beyond the monocultural world. McWorld thus transforms human beings.

Barber uses Jihad as “a metaphor for anti-Western antiuniversalist struggle”. In contrast to McWorld, Jihad drags the world back into premodern times. If McWorld in its most elemental negative form is a kind of animal greed - one that is achieved by an aggressive and irresistible energy, Jihad in its most elemental negative form is a kind of animal fear propelled by anxiety in the face of uncertainty and relieved by self-sacrificing zealotry - an escape out of history. Jihad recaptures an atmosphere that is known from the times when cosmopolitan capitalism had not yet penetrated the globe. As a dialectical response to modernism, Jihad is delineated by the mysteries of religion, communities shaped by hierarchy, spellbinding traditions, and historical tempers. In its

struggle against McWorld within the nations where capitalism has been most successful, what becomes apparent is that the confrontation of Jihad and McWorld has as its arena neither the city nor the countryside, neither pressured inner cities nor thriving exurbia, but the conflicted soul of the new generation.

31 Ibid., p. 84

32 Ibid., p. 215

33 Ibid., p. 193
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Apparently this is the case in reunited Germany, where fault lines divide “East and West, Old and New, Right and Red, Guilty and True." In the social void that has emerged during the traumatic road to reunification, violent actions of German neo-fascists keep the society (and a concerned world) in suspense. Barber’s explanation for such xenophobia nevertheless appears to be quite simplistic. “Because they are not just frustrated adolescents, but political warriors, their ultimate target is not really Turks or Greeks at all but Germany: the Germany that has surrendered to McWorld . . . ‘Foreigners Out!’ is an easier slogan to tell than ‘McDonald’s Out!’"34 Although German reunification was dominated by money and power, Barber fails to explain why “McWorld’s markets, tied to the West German political and economic leviathan, have not and probably cannot produce a democratic civil society."35 McWorld in the end of the twentieth century is an unavoidable reality resulting in enormous problems. Nevertheless, such problems are not caused primarily by McWorld but rather by a set of complicated interlinked social aspects that emerge in difficult times of political transition.

Barber’s at times informative and revealing analysis of the supranational functioning of capital societies as well as the dialectic of modernization and fundamentalist counter modernization is over-shadowed by his missionary detestation of mass culture. True, markets fail to generate a ‘we-feeling’. But Barber is not able to clarify why the consumption of Coca-Cola and Big Macs inevitably pushes people into political passivity and their inability to act as responsible political citizens. Meanwhile, the yearning for community still prevails. Jihad’s ethnic groups take advantage of this vacuum. Because McWorld dictates the world and diminishes group orientation, jihad receives more and more followers. The worldwide popularization

34 Ibid., pp. 179-183
35 Ibid., pp. 265, 267
of cultural identities award them the attention, encouraging their militant actions. Whereas McWorld clears away the institutional protections that formerly safeguarded society from the arbitrary use of power of the market egoism. Jihad seemingly offers the perverted surrogate of the broken public spirit. However, Barber cannot hide his slight admiration for Jihad. As opposed to McWorld, Jihad seeks the re-emergence of community life that has been abandoned a long time ago. "With McWorld's excesses under control, communities of blood and spirit will not have to make war on it and, beyond the homogenous theme parks of commerce, we may rediscover free spaces in which it is possible to live not only as consumers but as citizens." Thus McWorld, evil in appearance, is the real problem. According to Barber, McWorld reflects 'culture' at the lowest level.

The Cultural Argument

Almost twenty years ago literature and culture critic Edward W. Said has observed:

As the twentieth century moves to a close, there has been a gathering awareness nearly everywhere of the lines between cultures, the divisions and differences that not only allow us to discriminate one culture from another, but also enable us to see the extent to which cultures are humanly made structures of both authority and participation, benevolent in what they include, incorporate, and validate, less benevolent in what they exclude and demote.37

In other words, 'culture' can perform a subtle but extremely powerful role in shaping the parameters for a nation's international relations, something that is usually achieved more openly with the help of ideology. The Economist remarks in a recent article: "After the Cold War, ideology seemed less important as an organizing principle of foreign policy. Culture seemed a plausible candidate to fill the gap."38

36 Ibid., p. 300


38 The Economist, (9 November 1996), p. 23
Samuel P. Huntington, Francis Fukuyama and Benjamin R. Barber share the same favour for explanations in terms of 'culture'—which, as Bruce Nussbaum points out, "has about as concrete definition as a snowflake in June." In particular, Huntington's thesis about East vs. West and Arab vs. West confrontation raises some suspicion. Being a former adviser to several presidencies he has every reason to be concerned about the future role of the U.S. as a superpower. As John Ikenberry precisely points out: "This is the civilizational equivalent of the 'security dilemma'—Huntington wants the West to defensively guard against the coming clash, but to other powers like China and Japan the circling of the Western wagons will look like a declaration of a new Cold War." ‘Culture’ here may serve as means to define the potential new rival (East Asia and the Arab world) after the old one (Soviet Union and communist world) has been passed by the facts of history. The notion of divided civilizations openly invites Cold War-shaped followers of the classical realist school to an intellectual rebirth of a lost past. Hans J. Morgenthau taught the America of the 1960s that: "International politics, like all politics, is a struggle of power. Whatever the ultimate aims of international politics, power is always the immediate aim." In this imperialistic struggle for influence 'culture' holds a significant if not crucial role, as Morgenthau points out.

What we suggest calling cultural imperialism is the most subtle and, if it were ever to succeed by itself alone, the most successful of imperialistic policies. It aims not at the conquest of territory or at the control of economic life, but at the conquest and control of the minds of men as an instrument for changing the power relations between two nations . . . The typical role which cultural imperialism plays in

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40 John G. Ikenberry, in Ibid., p. 163

modern times is subsidiary to the other methods. It softens up the enemy, it prepares
the ground for military conquest and economic penetration.42

In Huntington’s view, the notion of influence shimmers in the background. Under
such apremise his version of civilizations turns out to be one-dimensional. As
Frederic S. Tipson versifies:

Ascribing to a concept, like a culture or a state,
A physical reality which doesn’t quite equate.
This realist bard from Harvard Yard distorts important factors,
Converting complex cultures into unitary actors;
What Morgenthau and Wolfers did with power among nations
Huntington has nearly done with full-scale civilizations.43

If Masakazu Yamazaki is right, then “culture is a way of life, a conventional order,
physically acquired and rooted in subliminal consciousness. Civilization, in contrast,
is a consciously recognized ideational order.”44 Cultures have a limited sphere of
dominance whereas civilizations tend to expansionism. Addressing those, who warn
against a new East-West confrontation, he writes:

The thesis is predicated on the mistaken notions that a civilization can be as
predetermined a property of an ethnic group as its culture and that a culture can be as
universal and expansive as a civilization. Working from these misconceptions, it
follows that a stubborn and irrational culture posing as a civilization could assert
itself politically, stirring up conflict.45

Huntington sees a rebirth of Confucianism in China at a time when that Eastern
country has to cope with a huge moral and spiritual vacuum. China’s dramatic

42 Ibid., p. 61

43 Frederick B. Tipson, “Culture Clash-ification. A Verse to Huntington’s Curse”, Foreign Affairs,

44 Masakzu Yamazaki. “Asia, a Civilization in the Making”, Foreign Affairs, Vol. 75, No. 4,
(July/August 1996), p. 115

45 Ibid., pp. 115-116
transition has left its people with deteriorating cultural foundations. The rampant lust for money and power in China seems to be a secondary problem. Stabilizing the human spirit is indeed a much more difficult task. Does China in fact constitute a civilizational threat as Huntington tries to imply? Oskar Weggel divides a potential threat into three aspects: military, economic and cultural. With regard to the first two he sees no substantial threat as long as the West remains engaged with China. Weggel also finds Huntington's visions of cultural fundamentalism erroneous. Fundamentalism usually fuels itself with an aversion for modernity, feelings of inferiority being compensated through alleging superiority of the own culture, and isolation to foster self-ethnicization that targets 'the other'. None of those ingredients are present in China's modernization. To write about a unified Confucian-Islamic connection vs. the West is empirically highly dubious. A satisfying proof of close ties between Confucian and Islamic world does not exist. Huntington misunderstands the endemic underdevelopment in Islamic countries that has created socioeconomic conditions facilitating the spread of fundamentalist ideas. In this sense 'fundamentalist' tendencies are not so much addressed against the West as against the Islamic countries' own failing leadership.

The Clash of Civilizations thus carries some rhetorical dynamite. Its danger lies in a psychological dynamism according to which a postulated scenario can become reality as long as one strongly believes in it and puts it on the academic agenda.

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46 See, e.g.: Frank Sieren. "Geben und Nehmen", Wirtschaftswoche, No. 49, (28 November), pp. 118-126

According to Weggel, "whether the clash of civilizations occurs or not, is less dependent on the Asians but on us." 48

The way Huntington describes civilizations as relatively homogenous commodities is remarkable. Huntington does not recognize diversity within each culture. Edward W. Said, for example, says:

Cultures are not inert objects. They are ever evolving things. The very idea of (cultural) identity involves fantasy, imagination, invention, and fabrication. There are always internal 'counter cultures' within all cultures. To disregard the restlessness within cultures, is to miss cultures all together. 49

The East as well as any region in the world is under permanent influence of outside cultural factors. In terms of abstract political structure, post-war Japan and Germany subscribed to commitments to democracy, free markets, and the rule of law. On the basis of common acceptance of those basic principles could these two countries really drift apart, as Huntington suggests? Is Chile, as a potential new member for NAFTA, more Latin American or rather Western? 'Culture' was never the sole reason to unify against a perceived enemy in history. In the Gulf War, for example, most Arab countries fought on the side of the Allied Forces headed by the U.S. East Asian countries maintain close economic ties with many Western countries. Furthermore, business necessities reconfigure political alignments.

Without its past development, as Huntington details, East Asia would not be where it is now politically. At least on the surface, capital prevails, not culture. In particular the recent East Asian economic take-off shows culture, tradition, economics, and politics producing societies that stand with one leg in the modernizing

48 Ibid., p. 27 [my own translation]

future and with the other leg in a slowly disappearing traditional past. Rapid changes facilitate the emergence of self-contradicting actions. Both the U.S. and China, for example, have to adjust their relationship, as well as their own position in the world community, to the new realities. That conflicts in global politics are mainly being shaped by configurations of power seems to be missed in Huntington’s account.  

One of the main flaws in this discussion is the definition of culture and its relevance. The Economist writes:

Of many alternative explanations for events, three stand out: the influence of ideas, of government and what might be called the ‘knowledge era’ (shorthand for globalization, the growth of service-based industries and so forth). Of these, the influence of ideas as a giant organizing principle is clearly not what it was when the Cold War divided the world between communists and capitalists. We are all capitalists now. To that extent, it is fair to say that the ideological part of that mix has somewhat become less important - though not, as a few people have suggested, insignificant.

Academics like Huntington, Fukuyama and Barber would argue that during the last years culture moved to the foreground undermining the former relevance of the nation-state. To quote Huntington again: “In the post-Cold War world flags count and so do other symbols of cultural identity, including crosses, crescents, and even head coverings, because culture counts, and cultural identity is what is most meaningful to most people.” How much, then, does culture shape what the Economist calls “knowledge era”? Knowledge was always the driving force for events, not to say development, in history. It was always meant to improve society. What is

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51 The Economist, (9 November 1996), p. 25

52 Huntington 1996, p. 20
so distinct about development at the end of the twentieth century is the complicated global network it has created. As a world-wide phenomenon, globalization even invades in the most remote villages where it collides to different extents with local traditions which grew over a very long period of time. "The world market", as the Economist contents, "is not a cultural concept." More important, it is "more doubtful that these powerful forces are primarily cultural or even Western."53 Trade or development is likely to reduce the possibility of armed conflicts, or even clashes between 'civilizations'. The more links (economic, political, cultural) countries have, the less likely international conflict is made probable. The more relations are diversified, the less the cultural card can be played. To pick up Barber again: McWorld also brings people together. Jihad, nevertheless, might keep the bit of human distinction that resists McWorld in a civilized way. In the long run both have to exist side by side to complement each other in a constructive way without overemphasizing the notion of culture.

Orientalism

Edward W. Said reveals the extent to which culture has mattered in the past. In Orientalism Said describes a theatre of envalued depiction of the Orient by Western scholars, beginning with Napoleon's conquest of Egypt, to make the Orient "totally accessible to European scrutiny."54 In the aftermath, the West (mainly France, Britain and later the U.S.) went East and not the other way around. The East, perceived as inferior to the West, "needed first to be known, then invaded and possessed, then re-created by scholars, soldiers, and judges who disinterred forgotten languages, histories, races and cultures in order to posit them as the true classical

53 The Economist, (9 November 1996), p. 26

54 Said 1978, 1994, pp. 81-81
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Orient that could be used to judge and rule the modern Orient." A political doctrine of a world divided into East and West was established. Edward W. Said's bottom line is clear: the behaviour of the West over at least the last two hundred years was imperialistic, arrogant, ignorant, and racist.

My point is that the metamorphosis of a relatively innocuous philological subspecialty into a capacity for managing political movements, administering colonies, making nearly apocalyptic statements representing the White Man's difficult civilizing mission - all this is something at work within a purportedly liberal culture, one full of concern for its vaunted norms of catholicity, plurality, and open-mindedness. In fact, what took place was the very opposite of liberal: the hardening of doctrine and meaning, imparted by 'science', into 'truth'.

Said follows the ideas of Vico who taught that history is made by human beings. Orientalists created their own history, stressing an identity different to the 'other'. Within two uneven halves of the world, Orientalism undoubtedly re-defined power configurations. As Said argues: "It is hegemony, or rather the result of cultural hegemony at work, that gives Orientalism the durability and the strength." In this sense Orientalism shows how culture was used in connection with imperialism. In an Afterword in the 1994 paperback edition, Said writes: "What I called in Orientalism for was a new way of conceiving the separations and conflicts that had stimulated generations of hostility, war, and imperial control."

These days international relations are shaped by solid interests, as Michael Ignatieff correctly points out in a critique of Huntington's Clash of Civilizations and

55 Ibid., p. 92
56 Ibid., p. 258
57 Ibid., p. 5
58 Ibid., p. 7
59 Ibid., p. 350
the Remaking of the New World. He argues that "any attempt to force cultures and peoples into separate and distinct breeds or essences exposes not the misinterpretations and falsifications that ensue, but also the way in which understanding is complicit with the power to produce such things as the 'Orient' and the 'West'."60 Orientalism as an institutionalized construct for over 200 years is at last fading. The two halves of the world are not so uneven anymore. To come to grips with such a reality seems to be a painful experience for the West. The East, after engineering amazing economic growth rates, recently has became politically more and more self-confident. East-Asians have begun to demand their own voice, expressed in what is commonly known as 'Asian values'. This assertion can be regarded as a response to an aggressive promotion of its own values by the West, in particular the U.S. A 'we-feeling' has emerged that also tries to cope internally with rapid social and cultural change. Remant sentiments of a recent painful colonial experience strengthen such behaviour in the East. The process of decolonization after the end of World War II matured the formerly dependent countries. Asia distrusts the West due to its fear of concealed American intentions to economic and cultural domination. Last but not least, the East feels repugnance toward a Western system distressed by social and economic decline.61

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Asian Values

When Lee Kuan Yew, Singapore’s famous founding father, glorifies East Asian success, he argues that culture is destiny. Lee speaks of “core cultural values, those dynamic parts of Confucian culture which if lost will lower our performance.” His message is simple and, on the surface, persuasive: rapid growth through Confucianism. Lee Kuan Yew has every reason to be proud. He succeeded in transforming Singapore from a dirty back-water village into a modern high-tech city state with impressive economic performance. As its paramount leader, Lee embarked on an academic dispute that, due to his challenging arguments, has engaged minds from East to West. This is the so-called ‘Asian values’ debate. Since then, Lee Kuan Yew has never become tired of exclaiming the importance of ‘culture’ as outlining the differences that exist between the East and the West.

Characterized by generalizations, the ‘Asian values’ debate lacks formal organization on both disputing sides. Donald K. Emmerson notes that “it is a large, diverse, and ongoing array of written and oral pronouncements and exchanges that share some relevance to a set of questions about ‘Asian values’ — their existence, their contents, and the implications of the answers to these first two questions for policy and behaviour.” Within this confusing quarrel, ideas are placed on a spectrum between the least plausible ends of ultra-orientalism and ultra-universalism. The participants of the ‘Asian value’ debate, both in the East and in the West, tend to exaggerate when describing the perceived deficiencies of the other side.


First of all, with regard to the East, it appears to be problematic to speak about 'Asian values' *per se.* By generalizing complex forms of society it suffers a loss of credibility. Asia consists of some 3.5 billion people who live in some thirty countries that combine any kind of imaginable diversity under the roof of one continent, varying from the Islamic societies of the Middle East to all types of different religious colours including Hinduism, Buddhism, etc. The 'Asian values' debate actually originates in East and Southeast Asia. Moreover, when it comes down to the protagonists dominating the discussion, only four countries remain: Singapore, Malaysia, Indonesia and China. Even those four countries see themselves of different traditional backgrounds. Singapore and China claim a Confucianist basis of society. While Malaysia and Indonesia are Islamic countries with an old Malay heritage, large proportions of Chinese (Confucianist) immigrants play an important economic role in both countries. Singapore and Malaysia also have significant Hindu roots. It may therefore be absurd to speak of 'Asian values' in such a context. In a precise definition, they do not exist.64

Throughout the debate the main overriding themes in the East are stability and prosperity. The World Bank devoted a research study to the region examining the link of economic success and government intervention in these countries. Development in East Asia, according to the study, has been fostered by strategic government guidance.65 Meredith Woo-Cumings labels a system that makes every endeavor to reach such goals as “new authoritarianism.” While the political realm stays under the strict command of the leadership (perpetual rule of one single dominant political party), emphasis is shifted to flexible and fast economic growth. In

64 A number of authors pointed this out: See, e.g., Oskar Weggel. "Zusammenprall der Kulturen. Gewitterstimmung zwischen Asien und dem Western?", in Draguhn/Schucher 1995, pp. 21-23

this sense, we can speak of a "Great Leap Forward" without its costs. Authoritarianism in East Asia is

an integral part of development strategy, useful not just for steadying societies in development flux but for creating the class that carried all before the modern world - the entrepreneurial class - and the shifting of resources to that class. Authoritarian politics is not something genetically encoded to Confucian civilization, but a tried-and-true political arrangement in East Asia in its rush to industrialize.66

Yet Francis Fukuyama sees a "soft-authoritarian alternative" in East Asia in opposition to Western liberal democracy. He acknowledges that in Asia "capitalism has become far more universal than democracy, and countries there have found a way to reconcile market economics with a kind of paternalistic authoritarianism that persuades rather than coerces." In addition, soft-authoritarianism builds on "group hierarchies that emphasize conformity to group interests over individual rights."67 In the view of the East, "soft-authoritarianism" combines the best features of both Western and Asian political heritages. Leaders in the East feel that they had learned from some negative experiences in the West and could do better now. Soft-authoritarianism created a new Asian form, the "newly industrializing economy" (NIE). The NIEs "have produced the good life and a wholesome society, economic and social progress and a political and social system that is consonant with the values and traditions of their society."68

Interestingly enough, 'Asian values' are a product of Western scholarly work seeking for explanations of the "Asian miracle." While the four little tigers — Taiwan, South Korea, Hong Kong and Singapore — economically left the rest of Asia behind,


68 Chan Heng Chee, former Singaporean Ambassador to the U.N., quoted in Roy 1994, p. 233
Western academics were fast in ascribing the success to specific Asian traits that made the “Miracle” possible. In the East, values first appeared in a number of publications underlining what ‘Asia’ does not want. Book titles like *Asia that Can Say No* or *The Japan that Can Say No* showed a remarkable self-confidence by targeting Western dominance in the world. Instead, as Werner Pfennig points out, “they say yes to the values and priorities they propagate, yes to independent decisions on the development of their countries, yes to the refusal of interference with internal affairs and yes as a sign of self-confidence.”

The point of departure is the premise that Asia and the West are fundamentally different. Most vocal have been outspoken critics of the West such as Lee Kuan Yew, Bilahari Kausikan and Kishore Mahbubani. The three lead what is commonly known as the ‘Singapore School’, a school of thought that widely ritualizes the East Asian economic departure in newspapers and academic journals. Their approach is often supported by Malaysia’s Prime Minister Mahatir Mohammed. Overall, they openly question the Western model as appropriate for Asian societies. At times, the debate resembles a bilateral battle over values between Singapore and the United States. In fact, it represents a global confrontation between the East and the West. ‘Asian values’ seem to aim the vision of a solid and flourishing East Asian alternative to the Western concept of society, even beyond the boundaries of Confucianism. Due to Asian creativity, the world might experience something never seen before. The Pacific has risen as currently the most dynamic region in the world, because “it has drawn on the best practices and values from many rich civilizations,


Asian and Western*.  Consequently, not every aspect of the West harvests criticism from the East. Lee Kuan Yew, now Senior Minister of Singapore, finds some attractive features in American society, "for example, the free, easy and open relations between people regardless of social status, ethnicity or religion... But as a total system, I find parts of it totally unacceptable: guns, drugs, violent crime, vagrancy, unbecoming behaviour in public - in sum the breakdown of civil society." Often preached in the entire world by Americans, freedom raises suspicion in East Asia.

Singaporean diplomat Kishore Mahbubani writes:

"Freedom does not only solve problems; it can also cause them. The United States has undertaken a massive social experiment, tearing down social institutions that restrained the individual. The results have been disastrous. Since 1960 the U.S. population has increased 41 percent while violent crime has risen by 560 percent, single-mother births by 419 percent, divorce rates by 300 percent and the percentage of children living in single-parent homes by 300 percent. This is massive social decay. A clear paradox is that a society that places such a high premium on freedom has effectively reduced the physical freedom of most Americans, especially those who live in large cities. They live in heavily fortified homes, think twice before taking an evening stroll around their neighbourhoods, and feel increasingly threatened by random violence when they are outside. They have to carefully map routes for travel, even in their cars, to ensure that they take no wrong turn in Miami, New York or Chicago."

Personal responsibility in America, he concludes, has been diminished and moral underpinnings of society are eroded because America permits all forms of lifestyles to emerge, without concepts that pressure to conform to certain standards. For Mahbubani, the "dangers of decadence" are at stake, aggravated by an apparent lack of leadership. He contends that "many Western societies are doing some major things fundamentally wrong while a growing number of East Asian societies are doing the

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71 Mahbubani 1995b, p. 107
72 Lee Kuan Yew, quoted in Zakaria 1994, p. 111
same things right." The right to extended individualism, observes Lee Kuan Yew, has deeply shaken the foundations of once strong societies in the West. "In the East the main object is to have a well-ordered society so that everybody can have maximum enjoyment of his freedoms. The freedom can only exist in an ordered state and not in a natural state of contention and anarchy." The latter is widely believed to be a typical picture of Western societies. People in the East rely more on the context of the family, which provides the individual with a haven. Singaporean Ambassador-At-Large, Tommy Koh, says:

East Asians do not believe in the extreme form of individualism in the West. We agree that every individual is important. However, he or she is not an isolated being, but a member of a nuclear extended family, clan, neighbourhood, community, nation and state. East Asians believe that whatever they do or say, they must keep in mind the interests of the others. Unlike Western society, where an individual puts his interest above all others, in Asian society the individual tries to balance his interests with those of family and society.

The Eastern society, as previously underlined, has a major Interest in maintaining economic growth and stability. Lee Kuan Yew admits: "I truly believe in the process of Darwinism. If adopting Western values diminishes the prospects for the survival of a society, they will be rejected." Economic development is given

75 Lee Kuan Yew, quoted in Zakaria 1994, p. 111
preference to the political process and individual rights. Sree Kumar, Fellow at the Institute of Southeast Asian Studies in Singapore, notes:

The basic issue is whether political freedoms as enshrined in the unchecked freedom of the individual would restrict economic growth. Alternatively, the question can be phrased as what the borders of individual freedoms should be so as not to impede economic growth. It is in this domain that East Asia has succeeded in defining the political framework which incipient industrializing economies require for sustained growth. But this in itself is not a static design. As economic growth proceeds, the demands of the economy and the population change and this calls for new borders of freedom to be drawn. The political process, therefore, has an important functional role in keeping economic growth on a consistent path while ensuring that new borders are made apparent.79

Though Singapore’s Prime Minister Goh Chok Tong knows that economic policies alone are not sufficient for success. “Equally important are the non-economic factors -- a sense of community and nationhood, a disciplined and hard-working people, strong moral values and family ties.” Goh, therefore, favours guidelines under which parents take care that their children do not become spoiled, the family is strengthened, and criminals are disciplined with the punishment they deserve.80 Harsh punishment is meant to deter people from turning into criminals. Through an intense education drill the school lays the foundation for ethical correct-acting citizenship. Education is a crucial component of successful development, Lee Kuan Yew believes. It is important to have a culture that places, as Goh Chok Tong points out, “much value in learning and scholarship and hard work and thrift and deferment of present enjoyment for future gain.”81

79 Sree Kumar, quoted in Chew 1994, p. 937


81 Ibid., p. 417
In sum, the East concentrates on: paternalistic, family-oriented structures as opposed to individualism; hierarchical organized society that stresses harmony; authority-accepting individuals who have duties to fulfil; group rights superior to the rights of the individual; belief in punishment to discourage crime; opposition to state welfarism; highest priority to economic growth under a stable political system; hard work, economic thinking and persistence. Whereas the West aims at a system of liberal democracy that ensures human rights — in East Asia the real objective is “good government,” defined by Lee Kuan Yew as “honest, effective, and efficient in protecting its people and allowing opportunities for all to advance themselves in a stable and orderly society.” Political stability, adequate levels of education and economic development are prerequisites of democracy. Otherwise democracy produces only chaos, as they allege it does in the West. The West, therefore, is seen as a democracy without good government. To avoid chaotic situations in society certain political instruments are necessary, as Bilabari Kausikan underlines:

Good government may well require, among other things, detention without trial to deal with military rebels or religious and other extremists; curbs on press freedoms to avoid fanning racial tensions or exacerbating social divisions; and draconian laws to break the power of entrenched interests in order to, for instance, establish land reforms.

Exactly such extreme instrumentalization of ‘Asian values’, with its often anti-Western tone, displays a certain Achilles heel in the Western world.

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83 Lee Kuan Yew, quoted in Mauzy 1996, p. 29

84 Bilabari Kausikan. “Asia’s Different Standard”, Foreign Policy, No. 92, (Fall 1993), p. 38
'Asian Values' Under Criticism

Probably the most prominent Eastern commentator on "Asia’s anti-democratic values" is Kim Dae Jung, an elder statesman from South Korea. In a direct response to Lee Kuan Yew’s interview in the American journal *Foreign Affairs*, Kim doubts the importance of culture as a sole determinant of a society’s fate. Simply because some Asian countries have a Confucian heritage, he argues, does not exclude them from democratization. “The best proof that democracy can work in Asia is the fact that, despite authoritarian rulers like Lee, Asia has made great strides toward democracy.” He calls for

... look[ing] at how the traditional strengths of Asian society can provide for a better democracy. In Asia, democracy can encourage greater self-reliance while respecting cultural values. Such a form of democracy is the only is the only true expression of a people, but it requires the full participation of all elements of society.

Kim knows about the side-effects of fast development, but he disagrees with the way countries like Singapore or Malaysia deal with it. “The proper way to cure the ills of industrial societies is not to impose the terror of a police state but to emphasize ethical education, give high regard to spiritual values, and promote high standards in culture and the arts.”

Whether East Asian countries are ‘democratic’ or not remains a complicated issue depending on individual definitions of tools to measure democracy. At least, as Clark D. Neher points out, East Asian nations have certain characteristics of liberal democracy, such as relatively free and fair elections, private lives free from government interference, access to diverse media, and diverse interest groups. Despite the availability of a homogenous picture, he offers the term ‘Asian democracy’


86 Ibid., pp. 191-193
expressing the "Asian version of those characteristics found in both of the broader Western concepts of semidemocracy and semiauthoritarianism." The whole notion of Asian-style democracy "has an immediate appeal to those who favour a general move to democratization but nonetheless shrink from asserting Euro-centric political ideas in 'alien' contexts, and who would, in any case, regard such assertion as a form of epistemological imperialism."^88

Many in the West wonder if the indulgence of special interests will fatally weaken Asian societies as is so often asserted by Eastern statesmen. Eric Jones notes a highly critical point in this debate:

It is disingenuous to imply that Asians positively like regimes where political activity must take place beneath the Damocles Sword . . . Authoritarianism fails to address its own greater defects. Its proponents ask us to forget the processes of government and measure only by outcomes, defined as superior materialism and social order. The West is enjoyed to keep its mouth shut and put its own shabby house in order. Admonitions and trade sanctions directed anywhere else are interferences.89

At times the ghost of interference leads to bizarre incidents, as happened in 1994 in Singapore. Donald K. Emmerson describes how Christopher Lingle, a visiting American scholar at the National University of Singapore, criticized intolerant Asian regimes that repress political dissent by using subtle methods. These included "relying on upon a compliant judiciary to bankrupt opposition politicians."^90 Lingle, who responded to views of Kishore Mahbubani, did not specifically define which intolerant regimes act in such ways. The Singaporean police, however, suspected him of libel with regard to Singapore. Legal proceedings in the city-state proved that Lingle could


89 Jones 1994, pp. 21-22

90 Christopher Lingle, quoted in Emmerson 1995, p. 98
only have had Singapore in mind. The Attorney General noted that, between 1971 and 1993, 11 opposition politicians had been silenced by government suits — unique for the whole region. Lingle was found guilty of contempt and fined.91

The hidden irony of this story seems to hint that a grotesque mechanism is at work. Western educated elites in East Asia assume that they can handle freedom which the masses, they believe, cannot. Such elites seem to underestimate the society’s ability to act in a responsible manner. A divided society may function as long as the promised growth is delivered. One may wonder what will happen if this does not occur. Moreover, enduring economic stability depends on originality and the creativity of society. Without freely enforced innovations, motivation may result in frustration and eventually, in the break-up of society. In the words of Melanie Chew: “The ‘detached’ political culture, which results from a lack of a sense of political participation, may threaten the nation-building process.”92 People, knit together by anxiety before law, become residents rather than citizens. Chew, here, addresses the specific case of Singapore, becoming a generalization for the whole region. ‘Asian values’ as guiding principles for Eastern societies breed irresponsibility which can eventually turn into tangible disadvantages.

Substantial charges can be laid against ‘Asian values’ because they seem to be artificially manufactured, that is to say not genuine. Mathias Nass notes that there is actually no significant difference between Asian and traditional Western values.93 The same argument is held by Dieter Senghaas who observes that values, as presently advocated in East Asia, are identical with the European values of yesterday. For him, ‘Asian values’ express a variant of values inherent to every traditional society: family

91 Emmerson 1995, pp. 98-99
92 Chew 1994, p. 945; See also Neher 1994, p. 958; Fukuyama 1992, p. 60
and group orientation, paternalism and responsibility, acceptance of authority and ethics of hard work. "In a secondary sense Asian, as well as other collective values, became the quintessence of national mobilization ideologies, that are used as a defence against the West and at the same time are meant for development in the sense of catching up with modernity." Donald K. Emmerson agrees by saying that:

Most Asians may well prefer certain values more - or less - than most Westerners do, but wholly or solely Asian values are indeed more imaginary than real. Widely held images can, however, affect reality by helping make some arrangements more legitimate than others. In this sense, the controversy over Asian values is not a debate at all. It is a struggle for the future.

Considering the side-effects of fast development in Asia, arbitrary power has been used as a tool to ensure a path toward a supposedly better future. Here, culturalization appears to be based on solid power interests. Back in the 1960s the authoritarian regimes of South Korea, Taiwan and Singapore were exposed to problems of legitimacy which they intended to resolve by fast economic development. Support was found in the U.S., which helped out — with economic aid and recipes for modernization. By the mid-1980s, their economic success surprised the Western world. Academics who outlined their model were fast in attributing it to Confucianist traditions, despite Max Weber's well-known assertion that Asia was economically lagging behind because of Confucianism. Meanwhile, East Asia's Newly Industrializing Economies had produced middle-classes that were no longer satisfied with materialistic benefits. A wave of democratization thus swept the region. East


95 Emmerson 1995, p. 104

96 See, e.g., Lawson 1993, p. 27
Asian governments, once again confronted with legitimacy deficits, rediscovered the manipulative advantage of 'Asian values'. Eun-Jeung Lee concludes:

This Confucius thesis offered authoritarian politicians in East Asia not only a weapon against democratic endeavours of their citizens but also against international critics of their repressive policies and abuses of human rights. Inwards, the instrumentalization of the Confucius thesis has been carried until confucianization of society; outwards, it has led in the name of Asian values to explicit refusal of human rights.97

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97 Eun-Jeung Lee. "Das unheilige Wechselspiel: Örtliche Modernisierung und westliche Theorie", *Internationale Politik und Gesellschaft*, No. 3, (1995), pp. 252, 246-250 [my own translation]; To create a national ideology in Singapore based on Confucianism, an Institute for East Asian Philosophy had to be established because Confucianism had basically been alien to its society before; See also Roy 1994, p. 231
CHAPTER 2:
HUMAN RIGHTS AND INTERNATIONAL RELATIONS BETWEEN THE WEST AND THE ASIA PACIFIC REGION

Introduction

In the Cold War world, as the previous chapter has shown, culture is used in both the West and the East to redefine power configurations. In particular Samuel P. Huntington’s influential scenario of clashing civilizations seems to stir conflict by predicting cultural fundamentalism. However this scenario does not stand up to scrutiny. Asians follow somewhat the same cultural argument by claiming that their societies supposedly have characteristics that sharply distinguish them from Western societies. Nevertheless, it is doubtful that ‘Asian values’, as such, are so distinct from traditional Western values. They rather appear to be an integral part of an authoritarian development strategy that seeks to economically catch up with the West. In short, economics is the underlying factor shaping East-West relations.

The dispute is most vital in the arena of human rights. The West underlines the universality of human rights with civil and political rights at its core. Western countries accuse the East of neglecting these rights in the course of development. Asians assert that due to their stage of development social and cultural rights are more important. For them, the right for development is the highest priority. Moreover, Asians call the West hypocritical about human rights and insinuate that the West’s real intentions are concerned about the maintenance of global hegemony.

This chapter discusses the arguments of both sides as well the alternative views of Asian NGOs. China, as a rising economic power that falls short of international human rights standards deserves special attention. Contrary to most foreign perceptions, China is concerned about the improvement of its human rights standard. However, in the course of a complex modernization phase, the country may
encounter other various non-cultural problems which have not been satisfyingly recognized by the West.

Asia's Perception of Western Human Rights Policy

Political and civil rights of the individual are essential to the democratic states of the West. They compose the core elements that keep liberal democracies functioning in a just way. Having developed over hundreds of years of political, social and philosophical struggle, human rights are still constantly contested by legal challenges. The West stresses universal standards of human rights that are internationally monitored by the U.N. and non-governmental human rights organizations. Within this framework is the division between civil and political rights on the one hand, and between social and cultural rights on the other. Western democracies, it is sometimes argued, can afford those rights because they have already reached a high level of development that allows them to neglect rights that foster economic growth. Countries in the West with a huge economic volume only experience small growth rates. The human rights debate, therefore, revolves around questions of fine-tuning of already existing political standards. The East, congruently, stresses economic, social and cultural rights. Political leaders contend that human rights are relative in the light of different cultures. Moreover, human rights are subject to domestic sovereignty. While liberal democracies in the West usually enjoy an already highly-developed existing system, most Eastern countries still have to pass through a critical process of transformation which is often labeled as "modernization." As a result, Western criticism with regard to human rights generates widespread unease in the East. Diane K. Mauzy points out that "human rights and the fostering of democracy are always controversial because they touch the core about the way power is distributed in a
society, about state-society relations, about the obligations and limits of political authority, and about what constitutes the 'good society' and 'good government'."98

The debate about human rights also questions the power a government holds externally. This phenomenon is not new. In his classic 1939 study of international relations between the wars, *The Twenty Years' Crisis*, Edward Hallett Carr observes that:

Theories of international morality are always the product of a dominant group which identifies with community as a whole... Theories of international morality are the product of nations or groups of nations. For the past hundred years, and more especially since 1918, the English-speaking peoples have formed the dominant group in the world; and current theories of international morality have been designed to perpetuate their supremacy... English-speaking peoples are past masters in the art of concealing their selfish national interests in the guise of the general good and that this kind of hypocrisy is a special and characteristic peculiarity of the Anglo-Saxon mind.99

For example, Bilabari Kausikan from Singapore uneasily observed a phenomenon to which he feels that East and Southeast Asia has to respond:

Human rights have become a legitimate issue in interstate relations. How a country treats its citizens is no longer a matter for its own exclusive determination. Others can and do legitimately claim a concern. The United States and many European countries increasingly emphasize human rights in their foreign policies... [which] will affect the tone and texture of post-Cold War international relations.100

Basically, such a perception has high relevance. Since the end of the Cold War, human rights have emerged within Western foreign policies as a more integral part of bilateral relations. In March 1993, U.S. Secretary of State Warren Christopher announced that human rights were a cornerstone of U.S. foreign policy, a concept

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98 Mauzy 1996, p. 1


100 Kausikan 1993, p. 24
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that was previously an integral part only of the Carter administration. For Kausikan this is a reason to complain about the exaggerated pressure from the West that denies actual improvements of human rights in Eastern countries. In his view "it does not advance human rights to ignore the real progress that has occurred in the name of pristine, but unattainable ideals."\(^{101}\) Human rights were thus interwoven in the complicated network of international economic, political, and cultural relations. This facilitated the emergence of conditional human rights policies, for example regarding the deliverance of aid. That is to say that Western countries made assistance dependent on certain human rights standards — according to their own assessment. Morality, here, is not the only driving force, as the *Economist* notes: "Self-interest also plays a part. Political freedom tends to go hand in hand with economic freedom, which in turn tends to bring international trade and prosperity."\(^{102}\) For more than any other nation, this is very obvious for the U.S. which has in the past tried to link the Most Favoured Nation status for China with human rights. When an existing superpower challenges a potential superpower of the future, conflict seems to be unavoidable. East Asian countries increasingly felt concerned about the sensitive issue of human rights that might build up tensions between the East and the West, as is visible in the area of trade. With regard to U.S. foreign policy, China showed a certain unease, as this sophisticated statement reveals:

At the end of the 1980s, the world situation underwent a great change. Led by Gorbachev's 'new thinking,' the Soviet Union utterly transformed its attitude toward the West. His domestic reforms fell into dire straits, in fact this was the harbinger of the dissolution of the Soviet Union. By this time, Eastern Europe had already freed itself from Soviet domination and was undergoing dramatic change. Under these conditions, the past hostility between the East and the U.S. and the U.S.S.R., the circumstance of a Cold War between East and West was already about to end. In fact, there was only one superpower, the United States. The U.S. made great efforts

\(^{101}\) Ibid., p. 26

\(^{102}\) *The Economist*, "A Suitable Target for Foreign Policy?", (12 April 1997), p. 15
to establish a ‘new world order’ based on America’s own agenda. It became clearer and clearer that the U.S. intended to arrange international affairs in accordance with its own purposes. The United States wanted to expand its own influence and power throughout the world. In this context, China is not only a major power in Asia, but a nation with a different way of looking at things. Thus the U.S. very readily perceived China as major obstacle. Among those in authority in the U.S., there were people who were not willing to see China become strengthened.

1. The United State’s human rights policy is in fact a function of the United State’s human right diplomacy. That is to say that they take human rights as a standard for regulating its foreign policy and international relations. Moreover the U.S. endeavours to force these standards onto other nations. Of course, this approach is not simply the creation of the United States, but the U.S. is the most representative practitioner of this approach. The U.S.’s human rights policy has developed over time. Many scholars have traced its source to the U.S.’s 28th president, Woodrow Wilson’s ‘idealism’; human rights diplomacy. However, the Carter administration was the first to clearly articulate the notion of human rights diplomacy by openly declaring that human rights is at the core of U.S. foreign policy. During the Cold War, the American Government’s human rights diplomacy was primarily directed at the Soviet Union and the socialist nations of Eastern Europe. However at that time it was also directed at some Third World Nations.

2. The United State’s human rights policy is not employed to resolve its own domestic human rights problems. It is applied abroad only, so it is in fact human rights diplomacy. This human rights diplomacy is really a form of politics by force. The United States not only has a double standard with regard to human rights, but also it uses this as a pretext to interfere in the internal affairs of other nations.

3. China and other third world countries are not without concern for human rights. But they oppose using human rights issues as an excuse for interfering in the internal affairs of foreign countries. They have different views on the human rights question. The third world nations in accordance with the actual circumstance of their nations put the emphasis in human rights on the rights to subsistence and the right to development. If the people of a nation in the past have suffered forced invasion by the West and become colonized or semi-colonized, so that even their continued existence itself becomes an issue, then how can we speak of Western liberal democracy? A person first needs food to eat. If the subsistence and development questions are not dealt with then the other issue cannot be addressed. This is not to say that there are not human rights problems in the third world. One should note: first, that the human rights situation is constantly improving; second, the improvement of the human rights situation takes time; third, there can be international cooperation in the area of human rights, but it must be based on good intentions and not as a pretext for interfering in internal political matters. There can be discussion of differing views on human rights, but they must be on an equal basis, they cannot be used to coerce; fourth, every nation has human rights problems in different degrees. Each nation should primarily address their own problems and improve their own human rights situation.

4. The U.S. human rights diplomacy does not reflect an interest of the great masses of the American people. At times it is contradictory. For example, the Clinton administration was obliged to de-link human rights and trade. The U.S.’s human
rights diplomacy has not given the great masses of the Chinese people a good impression.103

These thoughts more or less reflect the official Chinese position on the issue. They are remarkably similar to official statements of numerous other governments in East Asia. Two aspects continue to stand out: first, the leadership of Asian governments are unappreciative of what they call ‘interference in the internal affairs’ of their countries; because they, second, depart from different economic, cultural, and political backgrounds.

Considering these constraints it becomes clear that debating human rights on a global scale is obviously not easy. James T. H. Tang underlines that it “involves complex and conflicting philosophical, political, social, economic, and moral issues.”104 On a more practical level, it touches a main dilemma, as noted by A. Belden Fields and Wolf-Dieter Narr: “When politics is stripped of its content, when political human gives way so completely to self-interested, competitive, economic human, both democracy and human rights are stripped of their contents as well. They become part of an ideology used to justify their very negations.”105

**Human Rights and the West**

During the Cold War, ideology was the primary guiding principle of Western human rights policies. At this time NGOs played an important but limited role in monitoring human rights on an international level. Traditionally, Western policies

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103 Chinese senior official, quoted in Charles Burton."Canadian Perspectives on Political Reform and Human Rights in China", unpublished paper presented to the Learned Societies Congress at Brock University, June 1996, pp. 4-5


targeted the containment of communism in the East. By ignoring human rights abuses committed by non-communist states, a kind of hypocritical double-standard was set. The world also witnessed a range of anti-humanitarian interventions by the superpowers, putting a question mark behind their moral behaviour. The collapse of the block confrontation changed the situation enormously.106

Originally, human rights are a product of European thinking. Many of these rights have their political origin in the Declaration of the Rights of Man made in the wake of the French Revolution of 1789. They were established to protect the rights of the individual against the power of the state. Philosophically human rights therefore derive from the liberal ideas of John Locke and the social contract by Jean-Jacques Rousseau. Both visions emphasize the rights of the individual and can be regarded as comprising political and civil rights. This demands a form of government that consists of individuals, living in a democratic system that ensures popular participation, the separation of powers, pluralism and the rule of law. Not until after World War II were these rights internationally secured. The experience of the atrocities committed during the Holocaust induced the international community to ratify the Universal Declaration of Human Rights in 1948. Although widely debated, the Declaration nevertheless marked a distinct emphasis on universality. The focus of the Declaration was on so called first generation-rights—political and civil rights. In 1966, Communist states succeeded in adding economic, social and cultural rights—known as the second generation rights. Developing countries during the 1970s argued that in order to realize political and civil rights, certain economic preconditions are necessary. Thus in 1986 the rights to development, the third generation rights, were

recognized by the U.N. In other words, the controversy of rights appears to depend on the process of historical and social transformation.

The trend in the West at the end of the 20th century is to assert that human rights are built upon a universal standard. Theoretically, this means that all forms of human rights have equal validity. In practice, however, the West accentuates political and civil rights. Liberal democracy, defined by such rights, is regarded as highly achievable and therefore promoted by the West as a moral obligation throughout the world. The idea behind it is a very simple one, as William J. Barnds writes: "The belief is that this is the best system of government, and all states should be similarly blessed." Again, this is more valid with regard to the U.S. attitude than to any other state.

Although there is a considerable debate on how to follow these principles all, Western countries subscribe to the U.N. *Universal Declaration of Human Rights*. Chandra Muzaffar notes:

The very nature of relations between, and among, states makes it difficult for them to be consistent in their application of human rights principles. Often economic or strategic interests, sometimes compounded by cultural, historical or even geographical factors, compel a state to act in a particular manner in one situation and in a completely different manner in another not altogether dissimilar situation...
What we are concerned about is the lack of moral consistency.

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110 Mauzy 1996, p. 7

This was painfully visible during the Cold War when dictatorial regimes such as Taiwan, South Korea or Indonesia were supported, particularly by the U.S. In such cases, human rights often officially topped the list of reasons given to justify the policies, but the underlying issues of security or economic interests constituted the main rationale. Generally, double standards were set by propagating human rights but following real political goals that were based on unethical patterns. There are various methods used to bring the human rights message across. As the only remaining super-power of the Cold War, the U.S. has a special interest to hold its powerful position. The direction of Western human rights policy is, in many ways, influenced and dominated by the U.S. “Yet the United States has increasingly emphasized the promotion of human rights and democracy abroad as its relative economic power has declined, although these values continue to compete for priority against other US foreign policy goals.”

Europeans, Canadians and Australians consider the issue from a more pragmatic point of view. Their policies are more driven by their own economic necessities than their political concerns in East Asian countries. It is almost a logical consequence that human rights were dropped at the EC-ASEAN meeting in Manila in October 1992. Instead, trade moved to the foreground.

**Human Rights in East Asia: a Regional Perspective**

By following the East vs. West debate on human rights in particular, as well as on ‘Asian values’ in more general terms, it appears that there is a relatively homogenous position on human rights expounded by Asian states. One wonders, of course, how

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112 See, e.g., Heberer 1997, pp. 18-19


114 See Mauzy 1996, p. 6
this consensus has been conceived. The political, economic and cultural diversity of
the region would seem to preclude such a strong and united stance on this issue. A
wide variety of views and perceptions of human rights that differ from country to
country could be assumed. Numerous NGOs and other lobby groups have produced
a variety of arguments that have enriched the debate throughout the region.
Similarly, ethnic minorities and indigenous groups claim to be heard. They are the
most neglected members of society as well as often target of human rights violations.
As groups that represent those without power, NGOs lobby for the rights of
indigenous people and those who feel being cut-off their rights by the state authority.
Public articulation of such views nevertheless depend on class position in society. In
the eyes of Asian governments, unwelcome opinions are marginalized and muted.
Hence what captures international attention is the uniform opinion of the ruling elites
in Asia, as Yash Ghai underlines:

What unites these elites is their notion of governance and the expediency of their
rule. For the most part, the political systems their represent are not open or
democratic, and their publicly expressed views on human rights are an emanation of
these systems, of the need to justify authoritarianism and repression. It is their views
which are given wide publicity domestically and internationally.115

Clearly, by presenting a united front, Asia stresses a strengthening of the Southern
position within the so-called North-South confrontation.116 In other words, Asia
fashioned a response to a perceived Western attempt to dominate global affairs by
universalizing human rights that allegedly show a Western bias. In this respect the
Asian view is formulated defensively in the light of historical Western hegemonism.
“The region is not being 're-Asianized'”, says Yoishi Funabashi, “it is being

116 See, e.g., Eliza Lee. “Human Rights and Non-Western Values”, in Davis 1995, pp. 87-88
Asianized. Here, neither a cultural, nor traditional revival is taking place, but more a process of regionalisation towards a new a consciousness.

During the Asian regional preparatory meeting for the Vienna World Conference on Human Rights (Bangkok, 29 March-2 April 1993) an excellent opportunity emerged for Asian nations to put forward their own agenda. Asians, despite their often diverse backgrounds and differences over the issue, stressed unity for the first time. The key elements of the meeting in Bangkok were sovereignty and relativity with regard to rights. First, the core of this posture is connected to state sovereignty which allows each government to treat their citizens the way they think is best by rejecting foreign interference at the same time. In particular, influential countries such as Singapore, China, Malaysia and, to a lesser degree, Indonesia kept insisting on independence in domestic affairs. Second, they asserted that rights are relative according to the stage of development and political circumstances of each country. Adopted by forty countries from Iran to Korea, the Bangkok Declaration holds that Asian governments:

Discourage any attempt to use human rights as a conditionality for extending development assistance (Paragraph 4);
Emphasize the principles of respect for national sovereignty and territorial integrity as well as non-interference in the internal affairs of states, and the non-use of human rights as an instrument of political pressure (Paragraph 5);
Stress the universality, objectivity and non-selectivity of all human rights and the need to avoid the application of double standards in the implementation of human rights and its politicization, and that no violation of human rights can be justified (Paragraph 7);
Recognize that while human rights are universal in nature, they must be considered in the context of a dynamic and evolving process of international norm-setting, bearing in mind the significance of national and regional particularities and various historical, cultural and religious backgrounds (Paragraph 8);

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118 For some shades of differences see Mauzy 1996, pp. 17-19
Reaffirm the right to development, as established in the Declaration on the Rights to Development, as a universal and inalienable right and an integral part of fundamental human rights, which must be realized through international cooperation, respect for fundamental human rights, the establishment of monitoring mechanism and the creation of essential international conditions for the realization of such right (Paragraph 17).119

Contradictory to all rhetoric, many governments in the East as well as NGOs do subscribe to the universality of human rights as categorized in the *Universal Declaration of Human Rights*. What clearly differs is the approach of implementing these rights. With regards to Asia it can be said that some human rights are situationally unique. As Thai Prime Minister Chuan Leekpai underlines: "Perception of rights does not exist in pure air. It is a result of complex inter-action among several groups of society . . . Therefore, it is natural that approaches to the implementation of fundamental rights vary because of differences in socio-economic, historical, and cultural backgrounds and conditions."120 Such a statement reveals that the essence of the debate does not deal with a different, *or specifically* Asian, set of rights but with rights that are already part of the universal conception of human rights. Melly Caballero-Anthony notes that the so-called human rights confrontation between the West and the East, in this case the Southeast Asian states, emerged from the Asian states' insisting that these rights should be implemented according to the stages of a country's development. The official Southeast Asian position is that the situational uniqueness of each state may, to a certain extent, necessitate the sequential ordering of rights.121

Thus, economic development is important and desirable. This situational uniqueness serves Asian states as the guiding principle in their position on international relations.

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119 *Bangkok Declaration*, in Tang 1995 (Appendix I), pp. 204-206


121 Ibid.
It is the final weapon in the resistance of outside interference. In sum, the Asian position can be defined by five points: First, East Asian States argue that the categorization of rights should be more comprehensive and less selective. Second, there is a need for an appropriate balance between individual rights and those of the society and community. Third, because civil and political rights as well as economic rights have to be balanced, a superior model of human rights, development, and democracy does not exist. Fourth, considering the complexity and difficulty modernizing countries are facing, and the fact that human rights demand the procedure of self-determination, their implementation should not be forced by the outside-world but grow internally. Finally, politicization of human rights and their linkage to development aid and economic issues is counterproductive.122

The purpose of the East Asian relativist rhetoric seems to be clear. It underlines the current transformation of countries and implies two features governments are concerned about: political stability and economic development. It was further extended to the right of development within Asia. In other words: Because of Asia’s backwardness, primacy is given to economic development and not to human rights.123 This argument, in part, holds that political rights are not very meaningful under conditions of poverty. As Michael Freeman sums up in retrospect: “Those who gave priority to freedom over bread assumed that starving people could be free, while those who gave priority to bread over freedom assumed that starving people did not need to be free. Both assumptions are questionable.”124


Confrontation between universal and relativist beliefs dominated the 1993 Vienna World Conference on Human Rights. Specifically, Western NGOs wanted “these values to be reiterated and enshrined in a Vienna declaration. But having achieved economic development under their own social and political systems, Asian governments are not ready to accept all Western notions of human rights.”

However, in the final declaration a compromise between the two opposing camps became visible:

All human rights are universal, indivisible, and interdependent and inter-related. The international community must treat human rights globally in a fair and equal manner, on the same footing, and with the same emphasis. While the significance of national and regional particularities and various historical, cultural and religious backgrounds must be borne in mind, it is a duty of states, regardless of their political, economic and cultural systems, to promote and protect human rights and fundamental freedoms. Democracy, development, and respect for human rights and fundamental freedom are inter-dependent and mutually reinforcing. While development facilitates the enjoyment of human rights, the lack of development may not be invoked to justify the abridgment of internationally recognized human rights.

In this manner, a compromise was reached at the Vienna conference, putting all three generations of rights at the same level. However, this compromise was reached through a process that resembled more a detente than an actual recognition of the other’s position. The clarity of the statement is complicated due to the difficult relationship of socio-economic rights and political rights, or, in other words, the issue of development vs. democracy. It remains a difficult question as to under what circumstances can Asian governments legitimately act in violation of human rights.

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126 Quoted in Christine Loh. “The Vienna Process and the Importance of Universal Standards in Asia”, in Davis 1995, p. 159
norms in the name of development? It leaves Western nations with the problem of when and how to intervene.

Prior to the Vienna Conference, Singapore’s Kishore Mahbubani suggested some arguments that could lead future debates on human rights between the East and the West. First of all, the disagreements on human rights should be met with mutual respect. It is particularly important that the West respects the Asian focus on development. Because such development is very complex and requires time, the West would be very well advised to be patient with regards to fast improvements. Overall, there is a need to define a minimal code of civilized conduct that prohibits slavery, arbitrary imprisonment or killings, torture, and disappearances in the middle of the night.127 Although Mahbubani took a constructive position, the different elements in the negotiations remained much at odds. Diane K. Mauzy observes that

on the whole, Vienna left many complex issues glossed over, failed to establish a dialogue on the issues between East and West, and did little to resolve the human rights and ‘Asian values’ debate beyond reducing the pressure on both sides generated by the World Conference in the first place.128

Alternative Positions of the East: the Voice of the NGOs

Hundreds of intellectuals and NGOs in Asia constitute a critical mass in opposition to both their own governments as well as to Western conceptions of organizing society. Their aim is to develop alternative ideas that fit into their specific national and cultural environments. They officially put together their voice in the Asia-Pacific Non-Governmental Organization’s Bangkok Statement and Response to the Bangkok Declaration in March 1993.129 The declaration welcomes a more open debate on


128 Mauzy 1996, p. 20

129 For the full text see Tang 1995, (Appendix II), pp. 208-212
human rights related to different aspects of human life that does not hide behind a relativist position. It states in the introduction: “As human rights are of universal concern and are universal in value, the advocacy of human rights cannot be considered to be an encroachment upon national sovereignty.”

Although they underline cultural diversity, tradition has its boundaries when interfering with internationally accepted standards of human rights. Instead, international cooperation and solidarity for human rights promotion is advocated. However, these groups agree on certain aspects with their governments. The poor state of human rights, for example, is regarded as a result of the international economic order that benefits Western industrial nations. In 1994, the Malaysia-based NGO Just World Trust (JUST) organized an international conference entitled “Rethinking Human Rights”. In his introductory remarks, JUST-director Chandra Muzaffar pointed out that by focusing on Western global dominance and its impact on human rights this conference is the first of its kind: “It seeks to assert a simple but fundamental truth: that Western global dominance is, and has been, one of the greatest threats to the human rights and human dignity of human beings everywhere.”

One main purpose of the conference was to raise essential questions about the dominating Western concept of human rights that neglects economic, social and cultural rights. The conference pointed out that the human rights issue cannot be divorced from the global context. In this sense, the claim for universal rights has a more political than moral tone. It follows the global power structures that largely depend on market forces. The majority of participants agreed upon the overriding argument that the West is less moral than it would like to appear.

130 Ibid., p. 208

If the North is serious about supporting (and not imposing) the development of human rights and democracy, then it must realize that it is not enough just to be tough on human rights abuse. There should be an equally tough approach to the causes: weakened civic cultures; devastated economies which limit government spending on social infrastructure; and continued Northern support for repressive regimes.132

A more inclusive international approach to the question of human rights is obviously needed. Various viewpoints should be debated in a multi-civilizational dialogue based on mutual respect. For Douglas Lummis the conference theme of the “hegemonic West” represents Orientalism in reverse. By constantly misnaming the West as the enemy of human behavior, in Asia vital aspects of social and political reality are rendered invisible. Instead it would be important to name enemies such as, for example, industrial capitalism.133

However, according to Chandra Muzaffar, it is true that the specific Southern viewpoint has been underrepresented:

The lack of empathy for some of Asia’s primary concerns in relation to human rights is only one side of the story. Europe and the West in general have never really been sensitive to those values and world views within Asian philosophies which have shaped to some extent at least Asia’s understanding of human rights.134

But, unlike their governments, the Asia-Pacific NGO's perceive a connection between domestic oppression and international exploitation. They are also very critical with

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134 Muzaffar 1996, p. 4
regard to the social implications of market economic organization. Furthermore, they focus on social justice and empowerment of disadvantaged people, such as women (one of the principal issues), minorities and indigenous peoples. This includes the right to self-determination. Politically, they favour a democratic government system and demilitarization of the region because the military is, in their view, a main cause of human rights violations. In general, their unity is less visible than that of their governments. NGOs, however, play an important and vocal role in the East-West debate.135

Key Elements of the East-West Disagreement

The World Conference on Human Rights in Vienna marked a critical exchange of ideas on the universality of human rights. All states were willing to subscribe to basic universal standards such as condemning piracy, slavery, crimes against humanity, and racial discrimination.136 Although Asian governments asserted cultural relativity, they did not directly challenge the universality of human rights. Their main goal was to emphasize economic rights more and to foster their development. For some, such priorities have important implications. “If the Bangkok Declaration was implying that economic rights mean that everybody has a right to be well-off, and that until those rights are satisfied, then other human rights can go unsatisfied as well, then its signatories were being cynical to the extreme.”137 In consideration of the rapid and dramatic changes in the whole area, this quote appears to be simplistic and somewhat

135 Mauzy 1996, pp. 15-17


137 Christine Loh. “The Vienna Process and the Importance of Universal Standards in Asia”, in Davis 1995, p. 156
typical for the common Western perception of realities. In East Asia authoritarian concepts of political order face serious pressure from sectors of society who have benefitted from economic liberalization. Economic development has to different extents produced successful middle classes that demand more political openness. In addition, rapid modernization resulted in insecurities among populations in East Asian countries that has lead to questioning of past concepts of society. Based on these circumstances, the defensive character of Eastern governments regarding political liberalization becomes clear. Moreover, the negative side-effects alongside economic and societal modernization are supposed to be contemplated with an at-times aggressive re-introduction of ‘Asian values’. Due to the fact that these measures have authoritarian characteristics, contentions about political morality often arise. Development in the name of Confucianism as propagated by Lee Kuan Yew for example becomes a shimmering quality. Joseph Chan discusses the link between human rights and political morality which leads us back to the discussion about values that are supposedly different in the East. His conclusions are softened by the complexity of the issue. He argues that, first, human rights are not only a product of Western bias. This notion adopts at least universality to an undefinable extent. Second, he does not accept Eastern excuses for a poor human rights record in the name of “different political morality or a unique social context.” Third, the East cannot claim the right to monopolize their own interpretation of political morality. Political morality seems to be problematic in Asia as countries have


freed themselves from the colonial legacy. In this struggle for self-determination political independence was crucial. Now, Asian governments in part sacrifice the rights their own people have already achieved. A fundamental citizens' right is also withheld: the right to refuse a government and choose another. One may see here proof, as Chandra Muzaffar does, that in reality it is difficult to separate economic, social and cultural rights from civil and political rights. "They are all inter-related and inter-dependant."\textsuperscript{141}

Because, philosophically, the East and West were built on different traditions, their approach toward the individual is consequently different. "The ascendency of the liberal tradition of the West, which exalts the individual, finds no resonance in Asia."\textsuperscript{142} Authoritarianism has much more acceptance in the East. For Yash Ghai the communitarian argument in Asia is somewhat exaggerated and therefore weak.\textsuperscript{143} On one side, he observes, according to him, the wrong assumption by Asian governments that the state constitutes the community. "Nothing can be more destructive to the community than this conflation. The community and state are different institutions, and to some extent in contrary juxtaposition." Whereas the community is dependant on popular norms that are commonly developed, the state is imposed on society. During the course of development, East Asian states have destroyed many communities. Because communities in Western societies combine individual ideas and communitarian necessities they are much more politically central than in many nations in the East. In other words, many communities in the West have produced responsible group-orientation which does not impose boundaries on

\textsuperscript{141} Muzaffar 1996, p. 3

\textsuperscript{142} Mauzy 1996, p. 21

\textsuperscript{143} Yash Ghai. "Asian Perspectives on Human Rights, in Tang 1995, p. 61
the creativity of individualism — the watchword of successful civil society. On the other hand, the Eastern argument stressing the importance of the unified collective overstates the strength of individualism in the West. In most Western countries individualism is limited by law. The notion of liberalism cannot be extended to an exhaustion of the communitarian aspect of civil society. Furthermore, the concept of social democracy lays importance on economic and welfare rights. The latter is rejected by Asians who rather rely on thrift, hard work and savings while accepting an authoritarian political framework. “In Asia, we do care about personal liberties. But from where we sit, the globe looks rather different. As such, it is only natural that we define personal liberties differently, for our history has taught us to fear, not so much the tyranny of government, but chaos of anarchy and the shackles of poverty.”

Consequently, they have a different approach towards duties and responsibilities. While traditionally only duties were part of Asian society, the concept of rights imported from the West gains more and more importance. For Chandra Muzaffar, collective rights have yet another meaning:

Within the international system, the Asian state is often forced to articulate the collective rights of its citizens in the face of glaring global iniquities. Since the international systems allow a privileged minority in the North to control and dominate the rest of humanity, it circumscribes the rights of the people in the South, a huge proportion of whom are in Asia.

Despite vertical injustice, which reflects hierarchies in society, a ‘Westernization’ of legal systems in Asia can be observed. For over a century Asia has found itself in

\[144\] Quoted in Mauzy 1996, p. 21


\[146\] For the following section, see Sebastian Heilmann. “Menschenerhöhung in Ostasien: Eine Herausforderung für den Westen?”, in Draguhn/Schucher 1995, pp. 50-51
mutual exchange with Western countries. Recently, a lot of the discourse revolves around legal issues with regard to the needs of society. Many Eastern countries underwent sophisticated reforms within their legal systems by distancing themselves from their traditional legal norms. They moved closer to Western understandings of the rule of law. Political participation to different extents is a component of many Asian constitutions even if practical substance falls short in many cases. Government authority seems to be step by step reduced. In Eastern countries, political liberalization can be observed. The interest in the rule of law and in a functioning judicial praxis has increased in the East. In the long run human rights will benefit from these tendencies.

Diane K. Mauzy defines five major issues that differ between the East and the West that have an impact on the debate.147 There is, first, the question of timing and sequence. Asian governments believe that political rights can be implemented only gradually in order to maintain stability. The West sometimes gives the impression, that rights or democratic features can be established anywhere, at anytime. In the West, the human rights discourse attempts to resist authority, something that is less found in Asia. Second, the West tends to ignore the impact of norms and values on rights. Instead, Western countries, especially NGOs, insist on a large core group of values that are universal and therefore unchanging. Western countries and NGOs also assert, third, that human rights violations are always committed by the state.148 Such a view neglects the fact that all Asian states protect their citizens' personal security, which is the most basic right. Fourth, conditionally attaching human rights criteria to aid programs and trade, as exerted by Western governments, appears to be unacceptable because rich states act as judges upon the poor nations. And it shouldn't

147 Mauzy 1996, pp. 23-28

148 Ibid., p. 24
be forgotten, fifth, that the role of NGOs in both parts of the world differs quite significantly. In the West, NGOs can operate quite freely in exerting pressure on their governments. Due to varying degrees of restriction, this is not the case in the East.

Although the universality of human rights is manifest in the *Universal Declaration of Human Rights* of 1948, there are still serious controversies concerning the meaning and implementation of such rights. “Indeed human rights issues are more messy than people would like to admit”, says Joseph Chan.\(^{149}\) The right to development, for example, does not tell you anything about the extent to which this right is applicable. Therefore, by touching on civil, political, social and economic rights, the *Universal Declaration* suffers from ambiguity leaving much space for interpretation by the governments subscribing to it.\(^{150}\) It is, then, no surprise that two opposing blocks dominate the debate: the universalists (usually represented by the West) and the cultural relativists (here represented by the East). The first one seeks to ground the discourse on the transcendental ‘universal’ principles of the *Universal Declaration*. The second one criticizes the obvious Western philosophical background of the *Declaration* and argues in favour of the use of a set of different standards in their own context.\(^{151}\) One can accuse both positions of treating the political order as too static and unchanging. In fact, this does not reflect the reality. Both camps neglect the fact that cultural entities are permanently subject to modification. Such adjustments are debated and negotiated under various influences from within and

\(^{149}\) Joseph Chan. “The Asian Challenge to Universal Human Rights”, in Tang 1995, p. 29. As an illustration of how “messy” the issue is, compare these two statements taken from the same article: “Many rights listed in the Universal Declaration are specific rather than general.” (p. 29); and “Human rights in the Universal Declaration are often vague and general.” (p. 33)

\(^{150}\) Claude Lefort. “Human Rights Today”, in Davis 1995, p. 29

\(^{151}\) Eliza Lee. “Human Rights and Non-Western Values”, in Davis 1995, pp. 74-76
outside the community. The idea behind the Western pressure to change human rights in the East is that different cultures may develop shared values through constant intercultural exchange that eventually results in a set of 'universal' human rights. The discourse here suggests an evolution inherent to the community itself instead of accommodation to values imposed from abroad.

Most of this conflict revolves around the constitutional path a country follows. In this process, values play a crucial role. Michael C. Davis explains: "The approach taken here assumes that human rights values, whether local or universal, are developed in the context of institutions and processes and the dynamics between them."152 Such important dynamics are restricted by the authoritarian regimes that exist in countries like China. Criticism and resistance are not permitted. The idea is that the discourse rather relies on values that originate in the discussing community itself. In Western countries, this discourse is well formalized and documented, which is not the case in Eastern countries. Because the human rights debate is more institutionalized in the West, all the theoretical ideas seem to be a Western product. This does not mean that those ideas are inappropriate in the Asian context. Margaret Ng approaches the issue from a different perspective. She points out the distinctiveness of civil and political rights.

Once accepted that political and civil rights are the only rights proper, as distinct from welfare rights which are aspirations, the fallacy of rights being cultural-bound cannot be maintained. The negative nature of rights, and their universal validity, removes the excuse against their immediate implementation. The true question is not whether each State may justifiably postpone the implementation of rights until certain economic conditions have been achieved. It is, rather, whether the State may legitimately violate the rights of the individual in order to attain such collective goals as economic development, or simply safeguard the continued power of a particular government. There can be no doubt what the answer is.153

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152 Michael C. Davis. "Chinese Perspective on Human Rights", in Davis 1995, p. 5

153 Margaret Ng. "Are Rights Culture-bound?", in Davis 1995, p. 70
Human Rights Target China

China, as a rising major power in world politics, has in the recent past often been the main target of an aggressive policy by the West. This policy by the West was intended to modify China's human rights record for the better. Influenced by the harsh pictures of China's brutal crackdown of demonstrations on Tiananmen Square in June 1989 as well as the austere treatment of political dissidents, the West built a rather one-dimensional picture of realities in China excluding complex phenomena inevitably accompanying a huge country in transition. The West, already developed, has an important advantage. Whereas in the developed West the human rights debate is merely about the fine-tuning of already existing human rights standards, "Chinese reflections often turns to basic questions about human rights values, including questions about the source of such values and their compatibility with Asian contemporary society." The West often shows little awareness of this important debate within Chinese and Eastern political communities. After the world tried to isolate China in the wake of the Tiananmen incident, the Chinese government began to pay some attention to the question of human rights. Yu Haocheng notes: "Our statesmen have finally learned that the issue of human rights cannot be avoided in international settings. If you don't talk about you own country's record, others will." China could not remain silent. In September 1990, a conference specifically devoted to human rights marked in China "a historical turning point in human rights as a field of investigation." The study of human rights was supposed to supply the government with arguments to defend itself against a critical West, as well as

154 Michael C. Davis. "Chinese Perspectives on Human Rights", in Davis 1995, p. 4


concentrating on new theoretical research. The White Paper Human Rights in China, the first results were published to help the international community better understand the Chinese case. Since then, the debate on human rights has been generally freer, allowing scholarly disagreement on the official line. The notion of human rights as an entirely bourgeois concept was disputed as well the idea of the existence of individual rights was introduced. Some scholars also talked about political and individual rights which have been until recently been unknown to those in China. A certain influence of Western human rights theory became visible. Although the Chinese government remains defensive with regard to human rights, the change since 1989 has significance, as Zhou Wei notes: “First of all, it represents the official acceptance of the term ‘human rights’; therefore, the study of human rights may not be politically dangerous. Secondly, protecting and improving human rights as a long-term historical task for socialist states has been implicitly acknowledged.”

The shift is now from abstract theory to practical applicability. In short, the intellectual search has to be balanced between the dictates of economic and political reality and the ideals of human rights.

Recent pressures on China’s human rights record have been often responded to with the government underlining the need for stability in the Middle Kingdom. It was stressed that China has to fight poverty first before any other changes may occur.

157 Ibid., p. 87

158 The white paper on human rights will be discussed in detail below.


160 Ibid. p. 92

161 See also Michael C. Davis. “Chinese Perspectives on Human Rights”, in Davis 1995, pp. 12-16
Liu Huaqiu, head of the Chinese delegation at the World Conference on Human Rights in Vienna, pointed out that:

The concept of human rights is a product of historical development. It is closely associated with specific social, political and economic conditions and the specific history, culture and values of a particular country. Different historical development stages have different human rights requirements. Countries at different development stages or with different historical traditions and cultural backgrounds also have different understanding and practice of human rights. Thus, one should not and cannot think of the human rights standards and model of certain countries as the only proper ones and demand all other countries to comply with them. It is neither realistic nor workable to make international economic assistance or even international economic cooperation conditional on them.

Subsequently the Chinese leadership claims the “right to develop” as the overriding right. The underlining idea of this argument seems to be that any shortcomings of the system may be eventually resolved after China reaches a certain level of development. This process is perceived to be distracted by strong Western criticism of China’s human rights situation. Moreover, China interprets immoral intentions in Western motivations.

In November 1991, China published an official statement summarizing in detail its view on human rights. Within ten chapters, the Chinese government underlines its achievements with regard to human rights: „i. the right to subsistence – the foremost human right the Chinese people long fight for; ii. the Chinese people have gained extensive political rights; iii. Citizens enjoy economic, cultural and social rights; iv. guarantee of human rights in China’s judicial work; v. guarantee of the right to work; vi. citizens enjoy the right of freedom of religious belief; vii. guarantee of the rights of the minority nationalities; viii. family planning and protection of human

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rights; ix. guarantee of the human rights for the disabled; x. active participation in international human rights activities." By December 1995, a second report, updating the previous one, was released.164 Its foreword underlines that:

in the last four years the cause of human rights in China has seen new progress. The Chinese people’s life has improved greatly, and they are working hard to achieve a comfortable life. Today political stability, economic development and social progress are characteristics of China’s new social order, along with ethnic unity, domestic harmony and continually rising standard of living, thereby demonstrating the overall improvement of human rights.165

Some of these alleged improvements are doubtful, others arguable. China lists accomplishments of its regime to appear better in the light of persistent Western criticism. Again, ten chapters displayed this time how human rights in China had progressed: “i. People’s right to existence and development; ii. civil and political rights; iii. judicial work and safeguarding human rights; iv. the rights of citizens to work and the rights and interests of workers; v. the right of citizens to education; vi. protecting the legitimate rights and interests of women and children; vii. Guarantee of rights and interest of ethnic minorities; viii. guarantee of the rights and interests of the disabled; ix. Developing the study of human rights and popularizing the knowledge of human rights; x. Working hard to promote the healthy development of international human rights activities.”

In both reports, China stresses their right to subsistence and right to development. China, as a poor nation, has to ensure a stable transformation that minimizes the possibility of chaos and anarchy. A stable political framework is seen as positive and desirable. Stability was also a decisive characteristic of China’s past.

Traditionally China’s understanding of the relationship between citizens and the exercisers of political authority has been more one of mutual obligations than one of


165 Ibid., p. 4
rights. The mutual obligations of Emperor (or in modern times ruling party leader) to officials, and officials to the people arranged in a pyramidal structure of power are well established in the classics of China's political canon starting with the pre-Christian Analects of Confucius and extending up to the 20th century Selected Works of Mao Zedong. The mutual obligations are understood in terms of benevolence from higher to lower, and respect and obedience from lower to higher.166

In Confucian China, classical Western features of political order were more or less completely missing: notions of individual freedom and the rule of law, concepts of pluralism and self-determination of society were largely unknown.167 Despite tremendous changes in Chinese society, people are still driven by traditional forms of organization that seek to stress the contribution an individual should make to the community as a whole. Before laws based on the modern Western understanding will take root, they have to become adapted as norms by the majority of society.168 At times when the system lacks efficiency brutal punishment is enforced. Nowadays, criminals in China still face torture and exaggerated sentences.169 Corruption is widespread and very common among China's police and the judicial process. Laws are usually only broadly defined and ineffective in implementation. If applied, they are generally subject to arbitrary interpretation by local police and judicial officers. Appeals to courts in order to protest against injustice are generally doomed to fail. In present-day China, the rule of law is still overshadowed by the dictates of traditional


167 See Tu Wei-ming. "The Historical Significance of the Confucian Discourse", The China Quarterly, No. 140, (December 1994), pp. 1131-1141; It is sometimes noted that the Confucian philosopher Mencius had developed the notion of human dignity. However, this has never been a basis for any system of government in Chinese history.

168 Karin Tomala. "Der Menschen Recht. Das chinesische Selbstverständnis der Menschenrechte", in Das neue China, Vol. 21, No. 4, (December 1994), p. 21

169 For this and the following section see Amnesty International. China: No One is Safe, Political Repression and Abuse of Power in the 1990s (London: Amnesty International, 1996)
structures of authority. A constitutional system of human rights does exist in China, but it lacks effectiveness. In the broader picture, such realities do not seem to be necessarily destructive. Michael C. Davis observes: "While continuing to crack down hard on dissidents and labour activists, as well as journalists, the government has demonstrated the tendency to attempt to justify its policies in human rights terms. In doing so it has embraced de facto the standards it often rejects on policy grounds." According to surveys most Chinese only have an abstract understanding of human rights. Additionally, they perceive limited personal threat in the fate of dissidents or human rights activists who collide with government authorities. Clearly, we deal here with a different legal conscience. As long as ordinary citizens are not affiliated with organizations that question China's political deficiencies, they feel relatively secure in China. Much more concern is however expressed by Chinese people about corruption, the arbitrary use of power and a lack of legal security. With increasing space for private economic activity and more knowledge about political systems outside of China, there is more call for limiting government authority. These voices coming at a time of tremendous economic opportunities and risks should not be mistaken with assertions for more political participation. "Defence rights are perceived as more important than participation rights."


172 Sebastian Heilmann. "Menschenrechtsverständnis in Ostasien: Eine Herausforderung für den Western?", in Draguhn/Schucher 1995, p. 54 [my own translation]; The findings are based on informal surveys.

173 Ibid., p. 55 [my own translation]
What seems to be very problematic in the official Chinese political doctrine is a "fundamental confusion on the implications of 'democracy' and 'human rights'." The Chinese government places importance on the final goal, instead of putting stress on the institutional arrangement of society. Such an approach gets its fuel from the political theoretical tradition of a doctrine based on the people not institutional arrangements. This doctrine focuses on the general happiness of people living in a prosperous environment. Stability is the means to preserve prosperity in unity, a task that requires a unitary power construct run from the centre of the system. A pluralistic structure is perceived to cause severe instability. Charles Burton concludes:

People tend not to understand democracy in terms of political systems, in particular not from the perspective of allocation of power and structure, but rather they understand democracy as in the leadership's policy formulation... The Chinese response to Western criticism of China's human rights record reflects its lack of understanding of the meaning of democracy and therefore of the basis for human rights as a universal good.

As nations that can look back on a long tradition of liberal democracy, Western countries have the potential for enormous contribution in helping to establish democratic frameworks in the East. The West in this way could potentially back-up complex transformations in the East in order to maintain stability, prosperity and a just society.

174 Charles Burton. "Canadian Perspectives on Political Reform and Human Rights in China", unpublished paper presented to the Learned Societies Congress at Brock University, June 1996, p. 6

175 See, e.g., James Morley (ed.). *Driven by Growth Political Change in the Asia Pacific Region* (Armonk, N.Y. M.E, Sharpe, 1993)

176 Charles Burton. "Canadian Perspectives on Political Reform and Human Rights in China", p. 6
CHAPTER 3
HUMAN RIGHTS QUARREL BETWEEN GERMANY AND CHINA

Introduction
Debating human rights is very complex, as has been demonstrated in the previous chapter. Western governments promote political and civil human rights globally. However, often economic and strategic interests are involved. East Asian countries, and here China in particular, reject such policy which in their view is politics by force. For them, Western human rights policy lacks moral consistency and constitutes interference in their internal affairs. In the course of modernizing, stability is regarded as crucial. East Asian countries underline the importance of time and sequence in implementing rights according to the stages of one country’s development. Such assertion indicates an interest in improving human rights standards. In the case of China, more open debates on human rights have emerged in recent years. Similarly, the country’s legal system has been improved over time. Hence, the West can focus on a way of constructively supporting China’s difficult transition.

Similar to China, Germany can be regarded as a rising global power. Both countries have interest in extensive trade relations. In summer 1996, however, the two countries clashed over a resolution by the German parliament criticizing China’s human rights violations in Tibet. What had begun as well-intended human rights policy turned out to cause severe damage to the relationship. This chapter closely follows the events of 1996 by putting them into the context of German-Chinese post-Cold War relations which have been dominated by economic issues. In the light of the frictions the chapter concludes that a constructive dialogue over human rights with China seems to be more successful than open harsh criticism.
Human Rights in German-Chinese Relations since 1989

Cold War relations between both East and West Germany, and China were based on five main characteristics. First, the ties between the three stood mostly under the influence of ideological disputes; second, the relationship was relatively quiescent; third, there was a lack of major conflicts; fourth, all parties were interested in forming a mutual trade relationship; and fifth, China supported the idea of German reunification, while West Germany followed the same policy with regard to the People’s Republic of China and Taiwan. At the same time, the German Democratic Republic kept close ideological as well as economic ties with China. With the German reunification in 1990, ideology and passivity lost its relevance in their newly formed bi-lateral ties. At this time, both countries gained significant weight and influence within the international community. This was due to a reunited Germany experiencing a surge in European and global power while China emerged as an economic powerhouse. As a result, the relationship between the two reached an unprecedented level of economic and political cooperation. Likewise, cultural exchanges were intensified. However, it was economic and trade relations that moved to the forefront eclipsing cultural and academic relations. As a consequence, Pan Qichang remarks that knowledge in both countries about the other side was still “not sufficient”. Since the early 1990s the relationship between Germany and China has been, according to Kai Möller,

characterized by a pragmatism almost unhampered by such problems as human rights, Taiwan or Tibet which have time and again complicated Beijing’s relations with other powers. This fact is partly due to history, and partly to a predominantly economic view of global affairs in Bonn. Secondly, there has been a tacit and

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178 Ibid., p. 75
occasionally public mutual recognition of each other's important regional and global role.179

The brutal crackdown on demonstrators in Beijing’s Tiananmen Square in June 1989 put China’s human rights record on the global agenda. After this incident Germany, along with the rest of the Western world, imposed strict economic sanctions on China in order to express their concern. The visit of Foreign Minister Klaus Kinkel to China in November 1992 marked the official end of the boycott. Since then "it has been German policy to engage China economically, thereby supposedly strengthening emergent entrepreneurial classes and eventually contributing to greater political openness and global co-operation."180 In this context, Federal President Roman Herzog more generally spoke of a “globalization of German foreign policy."181 With regard to China, this meant that human rights issues had to be reduced to individual cases and only addressed on a diplomatic level. The goal was to keep the Chinese in a mutual exchange of ideas while keeping relations on a friendly level. Clearly, in the wake of Tiananmen, realpolitik paved the way to German-Chinese normalization. Increased pressure on China’s human rights record emerged under the aegis of the U.N. Human Rights Commission through which the U.S. and the European Union annually condemned Beijing.

Germany encountered a positive change in its trade balance with China after a decline during the years between 1989 and 1992. Hence Chancellor Kohl’s trip to China in November 1993 was largely shaped by interests in expanding the German-Chinese economic ties. Based on the Federal Government’s Concept on Asia of 22


180 Ibid., p. 717

181 Quoted in Pan 1997, p. 77
September, 1993 the German government intended to target the “tremendous opportunities” in the “most dynamic growth region in the world [of which] so far we have failed to take sufficient advantage”. With this concept Asia and the Pacific officially became a main focus of German foreign policy, especially foreign trade policy.

The Asian-Pacific region will have excellent prospects in the 21st century. Politicians and the business community must take account of this. An active policy towards Asia and the Pacific is in our current political and economic interest. It will also help secure Germany’s future. It is an indispensable element of a global policy geared towards ensuring peace.

We must get to know a great deal more about Asia and the Pacific and become more active there. The objectives of our policy on Asia and the Pacific are:
- to exploit fully our opportunities in the area;
- to adapt to the economic challenges emanating from the area;
- to help the countries and groups of the Asian-Pacific region to meet their full share of responsibility for peace, non-proliferation of weapons of mass destruction, economic and social development, international trade and financial relations, environmental issues and human rights.182

Clearly, the question of human rights only plays a subordinate role in the new policy concept. Towards the end of the document it is noted:

Human rights policy, a policy to promote pluralism and free, predictable political orders in the world cannot be shaped against or without the Asian and Pacific countries, but only in cooperation with them ... Following some irritations in recent years, there is now a chance to find more common ground. We must also involve social forces in this discussion. But we must proceed with tact and caution, especially in countries with authoritarian structures.183

What this passage reveals is a reluctance by the German government to use pressure tactics in the promotion of human rights. Like every senior German politician visiting China since 1989, Chancellor Kohl addressed the question of human rights


183 Ibid., p. 14
through quiet diplomacy during his stay in China in November 1993. A list with names of political prisoners was handed over by Kohl in an attempt to draw attention to the situation. As always, the Chinese politely responded that human rights were a matter of China's internal affairs. At this point the relationship between the two countries seemed to be smooth and without major complications. However, on Chinese Prime Minister Li Peng's visit to Germany in July 1994, economic interests collided with human rights. During the stay of the Chinese statesman, both Chancellor Kohl and Foreign Minister Kinkel, continued to pursue the strategy they had been following on their visits to China: strengthening of economic relations in the long run and quiet diplomacy with regard to delicate human rights questions in the short term. The German-Chinese Economic Conference in Bonn was regarded as a promising milestone in the relationship between the two countries. In a speech Li presented the four principles of the Chinese policy regarding Germany: a long lasting friendship; mutual trust despite their differences; the importance of economic cooperation in German-Chinese relations; and, more cooperation on international affairs. The Chinese Premier then went on to engage in the cultural component of his visit. After encountering persistent anti-China demonstrations in the cities of


185 The main friction during that time was caused by German illegal arms sale to Taiwan. Officially, Germany adhered to a one-China policy. See Möller 1996, pp. 720-722


187 Ibid., p. 684

Berlin, Weimar and Munich where the Chinese leader was even called the "Butcher of Tiananmen" by outraged human rights activists, Li Peng decided to cut short his stay.

The Federal Foreign Office's Guidelines for German Policy vis-a-vis Asia of 29 January 1994 states in the following paragraph on relations with China:

Our cooperation with China must not be limited to common economic interests. It is equally important in political dialogue with China to articulate our idea of the rule of law and of responsible action for the protection of the environment and for the safeguarding of peace. Our policy on China does not, however, preclude the further development of our already intensive economic and cultural relations with Taiwan. We also take into consideration the growing integration of the greater Chinese economic area, i.e. the People's Republic of China, Taiwan and Hong Kong, in our policy on China. 189

The same document states in a different paragraph: "If necessary we refer to human rights violations directly and insistently. Respect for human rights, participation of the people in the decision-making process, and good governance are preconditions for successful development." 190

In November 1995, at a time when the Chinese-American relationship was extremely tense, Chancellor Helmut Kohl embarked for his forth visit to China, with the previous ones having occurred in 1984, 1987 and 1993. Once again, economic issues held priority during his stay. Despite his successes, Kohl was looking for more substantial business activities in China. According to the German Chancellor, there was still a lot of money and patience needed in order to benefit significantly from the Chinese market. 191 Kohl caused outrage among Western observers after visiting the


190 Ibid.

196th Division of the People’s Liberation Army (PLA) as the first Western statesman to do so. Regardless of official assertions that this unit did not participate in the crackdown on demonstrators in 1989, and that it previously had been visited by high ranking American and French generals, critics accused the Chancellor of legitimizing the role of the PLA during the oppression of peaceful demonstrators on Tiananmen Square. Despite this, human rights issues were only briefly touched upon during this visit.\(^\text{192}\) Due to the anti-Chinese demonstrations that occurred during his visit to Germany one year earlier, Li Peng attempted to humiliate his guest several times. He denied Kohl appropriate transportation from the airport to downtown Beijing, considered a major breech of protocol. Furthermore, the Chinese Premier did not attend the final ceremony of Kohl’s state visit. The Chinese government demonstrated power by arresting several dissidents after the German Chancellor had left the country. In addition, business contracts only reached one third of the volume from the previous year.\(^\text{193}\) Despite the games of diplomacy that were played, China officially recognized closer ties with Germany after Kohl’s visit.\(^\text{194}\)

Important political questions remained with regards to Taiwan and Hong Kong. However, as Kai Möller concludes: “Germany today, more than ever, views China in economic terms and has accordingly adjusted other aspects of the relationship.”\(^\text{195}\) Such a policy is what Hanns W. Maull called in retrospect a

\(^{192}\) Ibid., p. 998


\(^{194}\) See Beijing Review, “Germany A Focus on Sino-European Ties”, Vol. 38, No. 48, (4 December 1995), pp. 6-7

\(^{195}\) Möller 1996, p. 712. Germany is China’s biggest European trade partner since 1966. For more details on trade between Germany and China after the Cold War see Möller 1996, pp. 712-716
"strategy of breaking-up politics and economic relations. In practice, that meant a clear dominance of economic relations to which all aspects of the relationship were subordinated."196 What some perceive as a hypocritical priority of trade over human rights others call a "partnership in learning".197 Specifically, China could learn much from Germany in the minutiae of implementation of the rule of law as well as in technological areas.

It is still important to recognize how China perceives itself as a global actor. Based upon this perception, China’s reactions on economic and human rights issues become more lucid. China’s vision of a new world order is based on five main principles: mutual respect of sovereignty and territorial integrity; mutual non-attack; mutual non-interference in internal affairs; equality and mutual assistance; and peaceful coexistence.198 During the Cold War these guiding principles never extended beyond the norms that regulate bi-lateral relations. However, in the early 1990s they were emphasized by the Chinese with regards to cross-cultural communication. As previously stated, international relations in the past were shaped by Western ideas. China now believes it has found an alternative concept that, they believe, may guide international relations in the future. The Chinese believe that foreign policy based upon such a formula could successfully shape the relations between states with different levels of development and foster global peace. Principally, Beijing seeks a world order that rests on the absolute sovereignty of states, that is pluralistically structured, and that reduces the dominance of Western economic


power and cultural hegemonism. Sovereignty here is the most important goal for the Chinese. In particular with regard to the universality of human rights, Beijing denounces the alleged Western monopoly.\(^{199}\) In the Chinese view, not only China but also Western states are confronted with the difficult task of adjusting their economic and social systems in order to maintain political stability.\(^{200}\) Beijing is concerned with nothing else when it comes to foreign policy. So far, China claims to have found a more or less successful way of coping with the difficulties of transformation. Yet not everybody shares such a view. In a 1996 report Amnesty International concludes:

Despite increased economic freedom in China today, human rights violations continue on a massive scale. They range from harassment or detention of those perceived as a threat to the established order, to gross violations of the physical integrity of the person and the right to life. These violations are caused by official policies, repressive legislation, the system of administrative detention and arbitrary exercise of power by officials. They are encouraged by long-established practices in law enforcement and the judicial process which curtail the individual rights guaranteed by the Chinese constitution and law.\(^{201}\)

The Tibet Resolution by the German Parliament

Since the normalization of the relationship with China in late 1992 German Foreign Minister Kinkel, head of the Liberal party FDP, had managed to get a foothold in the huge Chinese market. He generally tried to keep human rights problems in China on the agenda in their bilateral relations. Kinkel’s attempts to develop peaceful relations with China began to suffer under a tremendous setback in June 1996. His own party

\(^{199}\) Ibid., p. 258


friend, Otto Graf von Lambsdorff, intended to send a signal to the Chinese by conducting a more effective human rights policy. As head of the board of directors of the Friedrich-Naumann Foundation affiliated with the Liberal Party, he organized an international forum of exile Tibetans and their supporters in the German capital of Bonn. The intention was to discuss the human rights situation in Tibet on a bigger scale and prepare for future strategies about how deal with the Chinese leadership in Beijing. A similar meeting had taken place in India a few years earlier. The German Ministry of Foreign Affairs decided to financially support the conference with some 300,000 German Marks (CAN $260,000). About 250 participants from 53 countries, who represented 164 different organizations were scheduled to attend the conference in Bonn. Among them was the so-called exile-government of Tibet which currently does not enjoy official recognition as a government by any state in the world. The fact that the Dalai Lama, who lives in exile in India, also wanted to come to Bonn was not appreciated by the Chinese. In the past, contact between the Dalai Lama and high-ranking German politicians had on several occasions resulted in protest by Beijing. For example, then Federal President Richard von Weizsäcker informally met with the Dalai Lama in October 1990. But four years later, in 1994, the Tibetan leader declined an invitation to attend the 1,200-year celebrations of the city of Frankfurt after some voices in the German Foreign Office feared political damage between German-Chinese relations. For similar reasons the Dalai Lama did not speak to the Sub-Committee on Human Rights of the Bundestag (lower house in the German parliament). Kai Möller notes that "in an effort to counter negative publicity, Foreign Minister Kinkel met the Dalai Lama at the Foreign office one year later and expressed support for the Tibetan cultural autonomy within the PCR. The Chinese embassy protested."202

202 Möller 1996, p. 723
Prior to the conference, the relationship between Germany and China already suffered under some strain and distress. First, at the end of 1995 the correspondent of the German daily *Frankfurter Rundschau*, Henrik Bork, was forced to leave China. Beijing had refused to prolong his accreditation. The German Ministry of Foreign Affairs protested officially against Beijing’s treatment of the German journalist. In his position as a correspondent reporting from China, Bork had published numerous critical articles on the country’s human rights situation. The Chinese took the position that during his four years in China, Bork “had not written a single objective report.”

Second, in mid May 1996, the culture festival “China Today” in Munich had been cancelled. Around 180 Chinese artists were supposed to make Chinese art and Chinese cultural scenes more accessible to a wide German audience. “China Today” was planned as the biggest festival of its type in Europe to this date. As one Chinese who lives in Germany put it during the planning period: “We make a cultural and not a political festival.” But then, a few days prior to the beginning of the festival, the Chinese government was notified that a political panel had been organized as a part of the event. For this panel Chinese dissidents and human rights activists had been invited to discuss — among other issues — China’s human rights record. Beijing felt that it could once again be the target of accusations regarding human rights. The decision was made to simply cancel the entire festival. Cui Tiankai, spokesman of the Chinese Foreign Ministry, in a news briefing stated that the festival

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205 Ibid., p. 214

206 Former China correspondent Henrik Bork was also member of that panel as well as human rights activist Harry Wu.
was meant to be "a major event for person-to-person exchanges between the two countries. Amidst efforts to prepare for the festival, however, some Germans disrupted the activities by trying to bring some anti-Chinese contents into seminars."207

As the date of the Tibet conference in Bonn approached, Beijing increased the pressure on the German government and sent some warning signals. Beijing accused the Friedrich Naumann Foundation of "open support for the Dalai Lama clique",208 and called upon a reduction of the foundation's activities in China.209 There were even rumours about closing down the office of the Naumann Foundation in Beijing. Furthermore, Bonn’s ambassador to Beijing, Konrad Seitz, realized the strong diplomatic wind blowing towards Germany. A few days prior to the beginning of the conference he was asked to come to the Chinese Foreign Ministry to receive an official protest on behalf of the Chinese government. Shen Guofang, spokesman for the Chinese Foreign Ministry, contended that "the Foundation clings to its erroneous practices of willfully interfering in China's internal affairs by turning a deaf ear to the repeated protests of the Chinese government."210

Foreign Minister Kinkel now saw himself torn between government and party policies. On one hand, official government policies dominated by the Christian Democrats under Chancellor Kohl asked for a less critical approach towards China.


209 The Friedrich Naumann Foundation discreetly did political work at the grass-roots level such as legal counselling or offering seminars for lower-level Chinese politicians. It was aimed to bring along changes through small steps. See Handelsblatt, "Die Stiftungen betreiben Aufklärung im Stillen", (14-15 June 1996), p. 6

On the other hand, the Liberal party, a minority in the coalition government, demanded more concern over China's human rights record. Kinkel was thus caught in the middle. As a consequence, he supported the Tibet Conference which in effect challenged his own foreign policy. Chancellor Helmut Kohl in the background of the dispute was outraged about the Tibet Conference as a whole, and showed this openly to Mr. Kinkel. Kohl's power began to have an effect. Referring to constraints by international law, Kinkel eventually withdrew his financial offer on behalf of the German government to the conference. Among the reasons given was that the Tibetan exile government had not been officially recognized by the international community. "I did not have any choice", stated the head of the German Foreign Ministry, "otherwise I would have done injustice to international law." 211

Despite these severe controversies, the International Tibet Conference took place from June 14 until 17 in Bonn. Otto Graf von Lambsdorff as one of its main organizers posed for press photographs with the Dalai Lama. In his opening speech, the latter stated that he was willing to open dialogue with China. 212 This encouraged not only the Tibetans, but also their supporters. Lambsdorff summed up, in the language of a professional human rights activist: "The goal of the conference was to work out an internationally agreed upon strategy paper and action plan to preserve Tibetan culture, language and religion from decline and to restore the right to self-determination by Tibetan people." 213 Lambsdorff also asked for recognition of the Dalai Lama and the members of his exile parliament as the official representatives of


Tibet. However, he conceded that the Friedrich Naumann Foundation in Beijing may experience difficulties due to the meeting of Tibetans in Bonn. In fact, by organizing the Tibet conference the Foundation had sacrificed its long-term work for short-term publicity. Meanwhile, the China branch of the Foundation was forced to close its doors in the capital by the Chinese government. Mei Zhaorong, Beijing’s then ambassador to Bonn, defended the decision: “When the Naumann Foundation consciously damages Chinese integrity, then it must suffer the consequences.”

However, politicians in Bonn with a strong concern about human right saw in Beijing’s harsh reaction a confirmation of their work. Christian Schwarz-Schilling, Chairmen of the Sub-Committee of Human Rights in the Bundestag, contended that dictators only understand strong words. The Chinese government had cancelled a scheduled trip by the Committee to China because of what they contended were “time constraints” during the summer.

The discussion moved into the Bundestag. After a hot debate it resulted in an inter-fractional petition against China’s Tibet policy. Beijing, outraged, asserted: “In case the Bundestag accepts the petition, the Chinese people will feel very hurt and the existing good relationship between Germany and China will be under jeopardy.”

On June 20, shortly before the German political summer break, the Bundestag pushed aggressively forward. With the vote of all coalitions except one, the petition on China’s Tibet policy was ratified. “In an unusual act of rebellion the Bundestag

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217 Deutsche Presse Agentur (dpa), “China’s Botschaft want Bonn vor Annahme des Tibet-Antrages”, (18 June 1996, 10:00 PM) [my own translation]
refuses allegiance to the government"\(^{218}\), happily noted the leftist \textit{Spiegel}. The parliamentarians underlined that "out of the historical-legal situation rises Tibet’s right for autonomy." Therefore the Federal Government is advised "to support the right of self-determination [of the Tibetan people] all over the world."\(^{219}\) Foreign Minister Kinkel was also among the signers. The right to self-determination, as manifested in the \textit{Universal Declaration of Human Rights}, is here seen as a basic human right that for the Bundestag has overriding priority in the case of Tibet.\(^{220}\)

For the Chinese, the resolution went much too far. Most criticized were the "ambiguous formulations", which displayed the "support for a secession of Tibet."\(^{221}\) In addition, the resolution text did not make clear whether Tibet was regarded as part of the People’s Republic of China or not. The reaction from Beijing was harsh but, as China’s ambassador to Bonn explained, justified in their view: "It is unusual for a national parliament to discuss issues that mean interference with internal affairs of other countries. Of course, it is possible to talk about things, but a resolution which calls upon China to do something is unacceptable."\(^{222}\) It was a major setback for Kinkel’s planned visit to China, scheduled for mid July.

The issues at play were compelling. In disputes over German policy towards China many and diverse fault lines emerged. Joschka Fischer, speaker of the Coalition 90/The Greens (Bündnis 90/Die Grünen) in the Bundestag observed three "mistakes"


\(^{220}\) The aspect with regard to East Timor is often similarly argued.

\(^{221}\) Quoted in \textit{Deutsche Presse Argentur (dpa)}, “Kinkel will Wirtschaft bei Bemühungen um neue Märkte helfen”, (20 June 1996, 09:48 AM) [my own translation]

\(^{222}\) Quoted in \textit{Die Zeit}, (20 June 1996), p. 2 [my own translation]
in the German China policy. The Federal Government sends signals to the “dictators in Beijing”, that it put principles in the background in face of the huge Chinese market. Moreover, the government allows Beijing to interfere in internal German affairs as soon as they deal with Tibet or China. Finally, even a powerful Helmut Kohl could not influence foreign policy against a majority in the Bundestag.223 Also Erwin Wickert, German ambassador to China at the end of the 1970s, diagnosed what he called “a foreign policy mess”. He targeted the members of parliament who had proved with “this fuss . . . how little patience, tact, and knowledge” they interfered in internal affairs of the Chinese. No Tibetan will fare better after the resolution. According to Wickert, Foreign Minister Kinkel had reached further than any resolution in the Bundestag will reach at any time. Wickert argued to keep the sense for what is politically possible.224 Theo Waigel, Finance Minister and head of the Bavaria’s Christian Social Union (CSU), called for more sensibility in the future by the FDP. The General Secretary of the FDP already knew how to do this: “Only who negotiates can change.”225 This was pointed at Kinkel. And Peter Ludwig, arts collector and industrialist, directed a harsh critique against the Dalai Lama: “This representative of a religious group is in no position to send a reminder about democratic freedoms in Tibet.”226 At this time, Ludwig intended to open the “Ludwig Museum” in Beijing to show Western art. Michael Glos, CDU politician, observed an amazing carelessness in dealing with fundamental German interests.


225 Handelsblatt, (18 June 1996), p. 7 [my own translation]

226 Ibid. [my own translation]
After a week of divisive debates and events it would be important to move back to sobriety and a realistic standard. German-Chinese relations need prudence and not agitation. BMW executive and head of the board of directors of Horst Telschik contended that the German side went too far this time. He said that politicians “face a basic debate against countries that violate human rights. They have to decide whether to conduct a policy of confrontation or a policy of co-operation. We will not get far with the raised finger and a gesture of ethical arrogance.”

The leftist-alternative daily taz titled rhetorically: "Who in Bonn speaks Chinese?". The dispute in the Bundestag documents the inability of German politicians to formulate a constructive China policy. In sum, the paper observed: "Nobody in Bonn finds the right tone between indispensable critics of human rights violations in Tibet and the likewise necessary recognition of China as a future power in the 21st century.

Behind the domestic political stage of foreign policy some rumours began to emerge. FDP member Schwaetzer who had a huge impact on the wording of the resolution, had the intention to criticize the Chancellor directly. “All human rights activists were upset about Kohl’s visit to the army and wanted to it make clear: it cannot go on like this.” Politicians of the CDU complained about Schwaetzer.

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228 Quoted in Der Spiegel, “Kein Reich des Bösen”, No. 27, (1996), p. 34 [my own translation]


230 Klaus Gennrich. “Leise wird der Name Genscher genannt”, Frankfurter Allgemeine Zeitung, (21 June 1996), p. 3 [my own translation]; In November 1995 the German Chancellor visited as the first Western statesman a unit of the Chinese People’s Liberation Army. Critics accused Kohl of rehabilitating the army that cracked down the demonstrators on Beijing’s Tiananmen Square in June 1989.
The foreign policy unit of the Chancellor's office had tried for a few months to defuse the text of the resolution. For the Chancellor it was important that Tibet's status as an integral part of China was not questioned. Even so, Wolfgang Schäuble of the CDU and Vice-Chancellor, had signed the final version that became a threat for German foreign policy. The influential daily Frankfurter Allgemeine Zeitung noted methodical weaknesses and tactical intentions with regard to domestic German politics. 231

Meanwhile, the German business world became anxious. Serious disadvantages were feared due to political frictions. Heinrich von Pierer, chair of the board of directors of the German electric corporation Siemens and chair of the German Asia-Pacific Committee, said: "We hope that this case does not emerge, because our economic relations are planned in the long run and cannot be opened and closed like a water tap, according to the daily political situation." 232

While the issue was heavily debated behind the scenes, the Ministry of Foreign Affairs continued to prepare for the visit of Foreign Minister Klaus Kinkel to China. Martin Erdmann, speaker of the Foreign Ministry, underlined that Beijing's critique of a constitutional organ of the Federal Republic of Germany was "not acceptable". 233 Kinkel himself still intended to travel to China, and the Chinese government still showed confidence in the visit: "China and Germany are preparing for the upcoming visit to China by German Foreign Minister Klaus Kinkel." 234

231 Ibid.

232 Ibid. [my own translation]

233 Deutsche Presse Agentur (dpa), "Trotz Verstimmungen Planungen für China-Reise Herzogs laufen weiter" (23 June 1996, 06:49 PM) [my own translation]

Shortly after, Beijing withdrew the invitation for Kinkel, because under these conditions a visit by the German Foreign Minister was “inappropriate”. This decision hit Bonn unexpectedly. Kinkel regretted the defensive move by Beijing and contended that it must be possible in the context of good relations to openly address human rights issues. Under these new circumstances everything must be done in calmness and patience to avoid frictions in the important relationship between Germany and China.

Despite his words the quarrel continued in Bonn. In reaction to Kinkel’s cancelled visit, Minister of Construction Klaus Töpfer and Environment Minister Angela Merkel rejected their planned visits to China. Defence Minister Volker Rühe followed suit with a meeting of high ranking German and Chinese officers scheduled for October 1996 in the German city of Koblenz. Kinkel now warned of a serious threat to the already tense relationship between Germany and China. “It is neither in Bonn’s nor Beijing’s interest to slam the doors in each others faces.” Observers noted that Chinese-German relations had reached their lowest point since their establishment in 1972. In retrospect, the Chinese Foreign Ministry summarized the previous frictions as follows:

The resolution passed by the German Federal Parliament on June 20 concerning Tibet violates the principles of international law and constitutes interference in China’s internal affairs. However, the resulting damage to bilateral ties is the work of only a few misguided people, and is in no way representative of the mainstream of Sino-German relations. We have expressed regret over the cancellation of visits. China has long attached great importance to relations with Germany. Maintaining and developing Sino-German relations serves the long-term and fundamental interests of both countries. We believe that Sino-German ties enjoy broad prospects for


236 Ibid.

development so long as Germany adopts concrete and effective measures to prevent the recurrence of events which harm bilateral ties. Only by doing so can bilateral relations return to track of healthy development.238

Due to the political summer break in Germany, efforts aimed at reconciliation between China and Germany were postponed until September.

Germany and China in Fall 1996 - Back to Normalization

In early September 1996, the German Head of State, President Roman Herzog, revealed his personal views on the human rights debate in an extensive article published by the weekly journal Die Zeit.239 For him the problem lies in the false "either . . . or" assumption. The strategy has to be found somewhere in-between the extremes of respect for sovereignty and the ignorance of human rights abuses, between imperialistic human rights missions and extreme value relativism, and between the selling-out of human rights in favour of flourishing trade relations. For Herzog there is no doubt that a core of universal human rights exists, such as the ban of torture and slavery or the rights of existence. The challenge rather revolves around the problem of how to implement those rights. Herzog poses the question of whether people in the Western world have a realistic image of the incredible problems within the nations of the South. According to him, there can be states that call themselves democracies but lack a certain standard of human rights. "To recognize human rights policy as a component of the process of development does not relativize the idea of human rights as such."240 Overall, Roman Herzog argues that, first, the point of reference must be


240 Ibid., p. 2 [my own translation]
the 1948 *Universal Declaration of Human Rights*. Second, to achieve this goal pragmatism and not dogmatism is at stake. Third, the formulation of human rights policy must be differentiated by taking into consideration the various cultural and development realities. Generally, democratizing countries have to be supported in order to realize human rights standards. In this process it is useful to move beyond high level diplomacy by discussing the issues at lower levels of government. Different methods are thus desirable. Finally, extensive economic exchange may be a way of fostering political freedom and is therefore recommended. Herzog closes by stating: “The ethics of principles unravels unless complemented by the ethics of responsibility. Human rights policy based on the Declaration remains powerless unless followed by strategic action.”  

On September 24, 1996, Foreign Minister Klaus Kinkel met his Chinese colleague Qian Qichen in New York. The purpose of the meeting was to settle then-present irritations. This was obviously a difficult task, as the German business weekly *Wirtschaftswoche* wrote: “Kinkel, known for his open and gradual but also forthright and simplistic nature, has to manage the great achievement of distancing himself from the resolution of the Bundestag so that the Chinese are satisfied, while ensuring that parliament does not make a stand against him.”  

Prior to the meeting, China’s Foreign Ministry underlined more broadly: “China attaches great importance to developing relations with Germany, with economic and political ties expanding rapidly in recent years.” It was hoped that relations would return to normality

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241 Ibid., p. 2 [my own translation]; Four weeks after Herzog’s article had appeared it was disputed by Richard Herzinger who doubts the effectiveness of Herzog’s ‘relativist’ strategy. See Richard Herzinger. "Die Moral der Sahnehäubchen", *Die Zeit*, No. 40, (4 October 1996), p. 3


with Germany. But the Chinese were particularly concerned about the fact that the Tibet Resolution talks about the "Tibetan exile government". Beijing was irritated as to whether Bonn's China policy intended Tibet's separation. For the leadership in China, Tibet is indisputably an integral part of China. In addition, human rights standards in Tibet are improving as underlined in the Beijing Review:

Prior to the peaceful liberation in 1951, Tibet reeled under a feudal serf system even more brutal than European serfdom prevalent in the Middle Ages. Feudal Lords regarded the broad masses of serfs simply as 'speaking tools' in their personal possession, and human rights were non-existent. However, following democratic reform in 1959 in Tibet, the central government abolished the feudal serf system and for the first time ever secured human rights for the 1 million serfs and slaves.244

The German Foreign Ministry hoped that Beijing would not press the Tibet issue after the summer break, but the Chinese insisted on a clear statement from Bonn. Beijing expected an apology for the events during the early summer from the German side. Otherwise, the German economy had to suffer.245 In an interview with the Wirtschaftswoche, Kinkel clearly underlined that Germany does not question Tibet's status as an integral part of China and will stick to its one China policy.246 He succeeded in making this point clear to his Chinese counterpart, Foreign Minister Qian Qichen, during their informal meeting at the United Nations in New York. Nothing stood in the way of his visit to China scheduled for late October 1996.

The journey to China was not easy for Klaus Kinkel. Knowing that the German public would measure his visit by the way he dealt with the human rights question Kinkel remained mostly laconic on the controversial issue. Kinkel did not


intend to make human rights a central aspect in Beijing. Without providing any
details, the Foreign Minister only said that he had addressed human rights in meetings
with Jiang Zemin and Li Peng. China was also conciliatory about this and showed a
willingness to discuss human rights issues in a non-confrontational manner—one
based on mutual respect. Again affirmation by the German Foreign Minister that
Germany would not interfere in internal Chinese affairs. The state visit by Kinkel
focused mainly on economic, but also on cultural and environmental issues. Closer
co-operation in these areas was agreed upon. China’s anger over the resolution had
cooled down considerably. Kinkel in a final press conference stated: “After this visit
has been concluded, we can take it that relations are normal.” The China Daily
accordingly noted on its front page: “Sino-German relations have returned to a
normal, healthy track after months of controversy.” After clearing up the damage
from the summer of 1996 Kinkel had paved the way for President Roman Herzog’s
visit to China.

More than any other German high-level statesman in the Cold War era,
Herzog insisted on dealing with human rights during his visit to China in November
1996. It was the first stay by a German head of state since 1982. Herzog’s strategy
sought to avoid putting China on public trial. After flattering his Chinese hosts
with their economic achievements, he asked for leniency with the dissidents. To be

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pp. 973-977; Frankfurter Allgemeine Zeitung, “Mißverständnisse zwischen Bonn und Peking beseitigt”,
(23 October 1996), p. 1; Süddeutsche Zeitung, “Kinkel Verstimmungen mit China völlig beigelegt”, (23
October 1996), p. 2

1996), p. 4


precise, he handed over a list containing fourteen names of imprisoned political activists in China prepared by Amnesty International. At the beginning of his talk with Li Peng, Herzog asserted to weave the net between China and Germany so tight that no conflicts can emerge out of different philosophies.\footnote{Süddeutsche Zeitung, “Dissens bei Menschenrechten”, (21 November 1996), p. 1} After his meeting with President Jiang Zemin and Prime Minister Li Peng, Herzog noted that despite disagreements the issue of human rights had been discussed “with full clearness”.\footnote{Roderich Reifenrath. “Wie ein ’Rohdiamant’ auf westlichem Tablett”, Frankfurter Rundschau, (21 November), pp. 1, 2 [my own translation]; See also Berliner Morgenpost, “Herzog sprengte das Protokoll”, (21 November 1996), p. 5} However, the German President admitted to disagreements on the question of human rights. Although he remained sceptical about his overall achievements he was sure that a discussion platform had been successfully established. Furthermore, he expected the possibility of a continuous dialogue. For him, human rights must be at the centre of German-Chinese relations. “The universal observance of human rights is a fundamental principle of German foreign policy.”\footnote{Georg Blume. “Herzog stört den himmlischen Frieden”, Die Tageszeitung Berlin, (21 November 1996), p. 1 [my own translation]} Herzog however did not reveal any further details about his talks by stating that the discussion on human rights had to be based on a sober bias in order to avoid damaging the relationship in the future. Only the Handelsblatt noted that Herzog had offered new ideas to expand the legal system in China, a step that gave the human rights debate a new direction.\footnote{Handelsblatt, “Herzog bietet China Hilfe bei Rechtsreform an”, (21 November 1996), p. 1} Herzog, who recognized the economic achievements of China, compared the difficulties between the different regions in China with the gap that widens West and East Germany.\footnote{Frankfurter Allgemeine Zeitung, “Grundlage für einen Menschenrechtsdialog”, (21 November 1996), p. 2 [my own translation]} In a speech at the official reception in Beijing the

President underlined that his visit sought to expand the dialogue at any level on any issue. The daily *Frankfurter Rundschau* noted that Federal President sees himself as "mediator between cultures. This shapes more and more his answers on the question of human rights."257

In retrospect, since reunification Germany attempted to establish close economic ties with China. With the exception of the immediate years after the Tiananmen massacre in June 1989, human rights only played a minor role in the relationship. Nevertheless, human rights issues in China have been addressed on several occasions, without causing major frictions. This changed dramatically in June 1996 after the German parliament ratified a resolution which openly criticized human rights deficits in Tibet caused by China. This step caused a lot of damage to German-Chinese relations. China protested about what they call "interference in internal affairs." The relationship reached a freezing point. Due to reconciling diplomacy by the German government Germany and China went back to normality. On his visit to China in November 1996 German President Roman Herzog underlined the new guidelines for future German human rights policy towards China. According to him human rights belong to the centre of German foreign policy which has to be based on the *Universal Declaration of Human Rights*. However, this policy must take into consideration the different development stage of countries like China. Extensive economic ties are desired because they may be a way to foster China's liberalization.

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Overall, it appears to useful to expand ties to lower levels of government. Such cooperation must be pursued to mutual advantage.
CONCLUSIONS

Despite Samuel P. Huntington’s notorious prediction of the clash of civilizations, this scenario is not foreseeable in practical terms. As it has been shown in chapter one, since the end of the Cold War, culture has been used in both the East and the West. In Western countries scholars like Huntington have re-invented ‘culture’ in order to conceptualize future international relations. Especially with regard to the U.S. a certain concern about the demise of global influence can be observed. Due to economic development East Asia became more powerful in global affairs. East Asian countries began to voice ‘Asian values’ which in their view foster their economic growth. However, these values seem to be artificially manufactured. Not culture but economic issues dominate divisions in international relations. A lot of the dispute revolves around the question of human rights, as analyzed in chapter two. The West contends the universality of human rights but actually emphasizes political and civil rights. Western countries criticize authoritarian structures and poor human rights records in Eastern societies. In the course of modernization Eastern countries neglect political and civil rights. They focus on the right of development. The East feels that Western notions of liberalism are inappropriate for their societies and that the West has hypocritical policies that pursue global dominance.

In short, as this thesis argues, human rights in East-West relations are not only shaped by well-intended concern of Western governments. Equally have questions of global strategies and economic considerations a significant impact.

Between the relationship of two important global actors, China and Germany, this conflict has been analyzed in chapter three. Both countries have a mutual interest in trade relations which often conflicts with the question of human rights. Germany criticizes China’s human rights record, but China will not sanction interference in its internal affairs. Despite Western perceptions, China’s human rights standard has improved over the past years. In 1996, the German parliament passed a resolution on
China’s treatment of Tibet. This policy did a lot of damage to the German-Chinese relationship. In the light of China’s difficult transition it seems to be more successful to support the country on a less spectacular scale. Here, assistance, for example, in developing China’s legal system would be more helpful. This is about helping China to set up an institutional framework that frames the difficult transition. Culture does not play a role in such co-operation. In sum, there is a need to re-think human rights and economic relations between the East and West based on mutual respect.

The thesis does not claim to have entirely examined the complex human rights issue in all its facets. It has nevertheless discussed the main aspects of the human rights debate in East-West relations. Further study could be pursued on the question in what specifically way economic imperatives may influence human rights policies to support a successful transformation of China. Considering the fact, that foreign policy usually stands under significant influence of domestic political realities, it would be interesting to incorporate analysis of both China’s and Germany’s domestic political backgrounds.

Political Change in China and the Chances of the West

From 1989 on, Western human rights policy has created a critical exchange of ideas with China that often suffered under the powerful dictate of economic necessities. Although occasionally Western well-intended political strategies reached open ears in China, the dialogue swings between, as Sebastian Heilmann put it, “short living moral indignation on one hand and diplomatic considerations for economic interests on the other hand.”258 In the immediate wake of 1989 China was the target of an aggressive

Western human rights policy supported by the pressure of economic sanctions. The pictures of the Tiananmen crackdown in June 1989 seemed to shape any type of relationship in the West with China. If one believes the widely created image of China in the West, the Eastern giant usually represents a definitely negative — if not inhuman — part of the world. Consequently, the leadership in Beijing has found itself more and more shackled by international isolation. China had become globally vulnerable, and thus felt uncomfortable. It desired the restoration of its global position. China attempts to convince the world that its leadership is not as cruel as commonly described to reinforce national pride and to limit the economic damages that stemmed from sanctions imposed by the West. After other nations, mainly from East and Southeast Asia, took advantage of the situation and established economic ties with China, Western countries shifted their formerly blunt human rights policy to what they called "quiet diplomacy". The West, realizing that openly offending China does in fact lead to disadvantages in the realm of trade, seemed to be concerned about its share of the East Asian Economic Miracle and concentrated again on economic issues. Europe then left the burden of a continual power struggle over human rights and economic superiority to the, ever critical, U.S. which had to labour in this role. In 1994, the Clinton administration eventually announced the separation of trade and human rights that later on was extended to a non-confrontational co-operative relationship with China. During the mid-1990s, China seemed to have succeeded in raising its international popularity while still providing an attractive market for foreign investors.\textsuperscript{259} Moreover, due to a recession in the West, China worked out some economic advantages which were used to discipline Western nations with critical voices on human rights. The newly emerged situation resembles a catch-22, as it has been shown in the case of German relations to China. There is, first, a certain

\textsuperscript{259} Ibid., pp. 90-91
dependence on economic success by any nation in the world. Second, different volumes of economic performance create different power configurations. Third, the West puts pressure on countries like China that lack acceptable legal standards of human rights. Now, after the end of the Cold War, the allocation of global power relatively shifted from the West to the East and this conflicts with the pre-existing dynamic over economic and human rights issues. Human rights activists often accuse Western governments of giving priority to trade over active human rights policy. Rhetorical assertion by the Western powers of human rights norm in third countries appears to be counterproductive in light of flourishing economic relations. This can be concluded from the German-Chinese frictions over human rights in 1996. In fact, the two fields of relations do not necessarily contradict each other. For Germany, this would mean to disconnect their human rights policy from economic interest. Where economic relations between the two countries are productive for the strengthening of rights, for example promoting workers' rights in companies with foreign involvement, economics and rights should be mutually supportive.

One reason why Western human rights policy suffers under inefficiency is due to a lack of unity among Western states. As the Economist notes:

Western human rights policy is a mess. For the past six years, the European Union has sponsored a motion censuring China at the annual session of the UN Human Rights Commission. This year, however, France and Germany have backed off, making a common EU position impossible. In Washington, meanwhile, the Clinton administration has been facing a barrage of accusations that America is sacrificing human rights policy on the alter of trade with China.260

Harsh economic competition led Western countries to drift apart instead of using a multi-lateral strategy to have a positive impact on China. The UN Human Rights Commission in Geneva seems to be an appropriate way of condemning, on a bigger

260 The Economist, (12 April 1997), p. 15
scale, human rights abuses in China as long as it is not abused by hypocritical intentions. The French, for example, justified their withdrawal from the motion based on the position that discussions with China are a better way of promoting human rights. Critics "of the West's change of heart argue that it is driven by the desire for contracts, rather than any belief in the efficiency of dialogue." 261 Meanwhile, the Chinese were certain that "a major reason for China's victory is increasing international recognition of its human rights achievements, as well as its economic and social development." 262

Radical economic sanctions belong to a set of measurements when other diplomatic devices seem no longer efficient. Their impact usually cover wide areas of society that initially were not the target of the sanctions. In the economic sphere, Chinese companies weaving the net which connects China with the outside world would be particularly affected. But it is exactly those companies that contribute enormously to the rapid modernization by pluralizing both the economy and society. Without over-emphasizing the relevance of the economy during a process of democratization, it is fair to say that "growth, a factor with a large impact from the world market, can help democratization." 263 In China, the market, not political forces can be regarded as the driving force of modernization. Numerous nations in the West, for example Germany, therefore build their human rights policy on the formula of 'change through trade'. By integrating China into the world market, a societal change as well as modernization of the legal system is expected. Such a policy


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usually needs to be followed over a longer period of time. Its impact on human rights will be a gradual process. However, this process will be difficult to predict and offers no guarantee for a better protection of political human rights. Sebastian Heilmann argues that intensive economic involvement must be consequently accompanied by focused support in, for example, legal questions.\(^{264}\) Without a well-functioning legal system, no country will be able to sustain further development. Here, Western countries enjoy an important advantage which is manifested in a human rights-friendly environment resulting from several hundreds of years of political struggle. For China, as well as many other Eastern countries, the fight between governmental authority and participatory rights of the population still lies ahead. Moreover, in the course of Eastern development, such conflicts may even become aggravated. There has to be a concept that finds a compromise between individual freedoms and social cohesiveness based on commonly accepted rules.

Both the Canadian International Development Agency (CIDA) and the American Ford Foundation are pursuing less than glamorous, but effective, training of lawyers and judges and in developing legal aid schemes. Such an nonconfrontational approach is often welcomed by the Chinese, especially when it is disconnected from official foreign policy. As well, the Friedrich Naumann Foundation was involved for years in legal training, but their projects became a victim of political confrontation initiated by the head office of the foundation in Bonn. The Tibet resolution passed by the German Parliament therefore did more damage than good to the successful work on a smaller scale by the Naumann Foundation in Beijing. Not only was the office of the foundation in Beijing closed by Chinese authorities, but also Chinese suspicions against similar projects increased. Because the Chinese leadership felt offended by Germany’s straight forward policy targeting China’s treatment of Tibet, other

\(^{264}\) Sebastian Heilmann “Reform statt Protest”, in Zeit Punkte 1997, p. 92
achievements of foreign efforts in support of China’s difficult transition experienced a setback. In light of these events Sebastian Heilmann concludes that “a China policy of small but focused steps appears to be more appropriate than loud rhetorical castigations of the communist regime, that are mainly geared towards the media in their own country and cannot make a contribution to an improvement of the human rights situation in China.”265 Therefore, active German human rights policy must seek to integrate China in an international dialogue. In development projects it is crucial to make use of the fact that the Chinese legal system is not too different from the German one. Strengthening of the legal system creates new reference points in the struggle against human rights violations. Due to severe frictions in intergovernmental relations new ways have to be found in promoting co-operation through organizations independent from governments, for example, in cultural and local spheres. Additionally, economic co-operation projects should be examined as to whether they support human rights or not.266 Here, economic integration combined with smooth political pressures may lead to better improvements of China’s overall situation. Assuming that Western strategies regarding human rights are well-intended and not mainly driven by economic needs, the West may be well advised to re-think its current approach which, at least in the German-Chinese case, has been proven to be ineffective. In other words, the West should carefully focus on changes in the current Chinese system and not focus on its demise. Of importance is the fact that the picture of China in the West needs some corrections to allow for a sober analyses of Chinese realities: First, the characterization of the regime as an unchangeable totalitarian system; second, the assumption that the demand for human rights in


266 Hans H. Bass. Argumente für einen Menschenrechtsdialog mit China (Bremen: Bremer Initiative Ostasien e.V., 1995), pp. 21-22
China is supported by the majority of the population; third, the idea of the Chinese army as a monolithic suppression instrument by the Communist Party; fourth, the fear that China as a rising power is impossible to link to the system of multi-lateral cooperation.\textsuperscript{267} An increasing Chinese interest in international cooperation that may lead to mutual learning is observed by Oskar Weggel.\textsuperscript{268} In such a partnership, Germany could share important experiences in the area of legal system or technology with a China in development. Already in 1994, during his state visit to Germany, Chinese Prime Minister Li Peng hoped that “Germany can relax and abolish the restrictions on transferring technology to China.”\textsuperscript{269} This could be in the context of China accepting meaningfully human rights-related programming as well.

Chinese leadership appears to be less dogmatic than it is often described in the West. China’s huge population lacks sensibility of the importance of human rights. Instead of pressuring the Chinese leadership by implying what they have to do, the new-orientation has to come from the population itself. The goal is to sort out the role and significance of the individual in family, society and state.\textsuperscript{270} Theoretically, Germany’s East Asia concept already recognizes that:

\begin{quote}
    in order to be successful in these goals, we must anchor them in a policy which is acceptable to the majority of Asian and Pacific countries because they can see that it is to their benefit too. We must therefore remain open to the Asian-Pacific region in economic and cultural terms and must continue to support modernization and development there. Above all, we must take account of the variety of players on the
\end{quote}

\textsuperscript{267} Ibid., p. 162


\textsuperscript{270} Sebastian Heilmann. “Menschenrechtsverständnis in Ostasien: Eine Herausforderung für den Westen”, in Draguhn/Schucher 1995, p. 56
Asian-Pacific stage and of the cultural, political, social and economic diversity in the individual countries of the region.271

Germany’s China policy needs to carefully implement these guidelines and show more determination in making them clear to the Chinese side. For such efforts, a greater unity among Western states is crucial.

271 Federal Government of Germany 1993, p. 2
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