

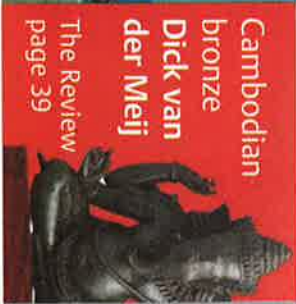
Leonardus Joseph (Leo) Eland, painter of 'Mooi Indie', Louis Zweers

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Cambodian bronze Dick van der Meij

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A pavilion for Asian art in the new Rijksmuseum Amsterdam

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International Institute for Asian Studies

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## Reexamining human rights discourse after the Jewish and the Chinese Holocausts

After World War II, considerable efforts were made in the discipline of philosophy to question the validity of Western metaphysics. Surprisingly, human rights discourse has not been the subject of similarly rigorous interrogation.

Sinkwan Cheng

ON THE PRESSING ISSUE of crimes against humanity, no serious efforts have been made in the liberal West to seek alternative preventions or cures outside human rights discourse, which had long existed before Auschwitz, but nonetheless failed to avert it; nor have thinkers and policy makers seriously examined

whether the abstract subject-centered reason grounding human rights discourse has not unwittingly contributed to the problem it seeks to address. As Levinas turns to the Jewish tradition in the aftermath of the Holocaust, in order to reprioritize the suffering face of the Other before the philosophizing subject, I turn to the Confucian tradition for an alternative ethics and politics that would foreground the destitution of the Other before abstract legal, political, and philosophical discourse about 'rights':

The above is what I undertake in one of my two IAS book projects, entitled *Reexamining Human Rights Discourse after the Jewish and the Chinese Holocausts*.

In keeping with the Institute's spirit of bringing Europe to Asia, and Asia to Europe, both books in progress are devoted to translation, comparative philosophy, and comparative politics. That Levinas and Confucius are brought together in my first project is no coincidence: the Jews and the Chinese sustained the greatest crimes against humanity in World War II.<sup>1</sup> Both cultures provide alternative insights that might help explain how the splendid civilization created by the Enlightenment could dialectically turn into a monstrosity unleashing violence of an unspeakable kind. The significance of Levinas and Confucius in my project is further illuminated as I bring in critiques of rights discourse by Gandhi, and feminists including Scott, Glendon, and Gilligan.

'Humanization of man'

My project originated as a response to an important proposal made by the Chinese representative P.C. Chang (張彭善) at the drafting stage of the Universal Declaration

of Human Rights. Chang recommended that the foremost mission of the Declaration should be the "humanization of man."<sup>2</sup> For good reason: for the Chinese who had suffered an estimated loss of 10-20 million lives in World War II, crimes against humanity were committed not because of the absence of the concept of 'rights' in the world, but because people had lost their humanity and humanness, as well as their ability to recognize the victims of such crimes as human beings. Chang's pleading fell on deaf ears.

World history since the adoption of the UDHR by the General Assembly of the United Nations on 10 December 1948 renders it time to reconsider Chang's proposal. Rights discourse has become ever more elaborate and sophisticated over the past 65 years. Yet the long list of human rights violations, simultaneous with the burgeoning of rights discourse, should command us to reexamine whether 'rights' were not yet another abstract notion hypostatized into a monotheistic God, and whether it would not be more to the point to refocus on the 'human' in 'human rights', and to reprioritize the flesh-and-blood human being before the intangible idea called 'rights'.

It is not surprising that in calling for the humanization of humanity, P.C. Chang drew extensively from Confucian philosophy whose humanism had inspired some *philosophes* in their formulations of rights discourse and their critiques of tyranny (including tyranny of the church and tyranny of absolutism). Chang's 'humanization of man' is an idea taken directly from Confucius' *ren ren* (仁人) – a core idea in Confucian ethics.

The Confucian virtue *ren* (仁) has been variably translated as 'kindness', 'benevolence', 'humanity', etc., none of which really capture the essence of *ren* as human beings in their existential, social, and emotional togetherness. It has been commonly observed that the character *ren* (仁) depicts two human beings, but no explanation has yet been offered as to why the co-existence of two human beings would necessarily entail compassion and kindness rather than hostility and aggressiveness, as Hobbesians and Freudians would argue. In my research I explore the many deep layers of the ethical, social, and political meanings of *ren* (仁), so far neglected in scholarship on Confucianism. The profound contributions that could have been made by *ren* to the UDHR (an opportunity that had regrettably been missed) is elaborated on by engaging Confucius's *ren* in dialogue with Hegelian and Arendtian ideas of love, my rewriting of Maus's formulation of the gift, and Levinas' "persecuted one for whom I am responsible to the point of being a hostage for him" (*Otherwise than Being*, 58-59).

### The distinctive contributions of Confucianism: *ren* versus tolerance

*Ren* does not merely require 'tolerating' the Other. The coexistence of two human beings in *ren* refers to their *existential and emotional connectedness*, rather than the mere physical cohabitation of the same space by two disconnected individuals. *Ren* (仁) grounds itself on the premise that both sides are *living human beings* with human feelings and vulnerabilities. Any side being reduced to a mere abstract concept, as in the case of the liberal politics of tolerance, would not qualify as *ren*. The ability to feel for each other as enjoined by *ren* finds one of its powerful expressions in compassion – one of the many meanings of *ren* – a meaning that is also borne out in the etymology of roughly equivalent Western terms such as 'compassion' or *Mitleid* – that is, 'suffering together' or suffering the Other's suffering.

Mencius once admonished rulers by reminding them of the practices of some of their virtuous predecessors: "For Yu, his people's drowning is his own drowning; for Zhi, his people's hunger is his own hunger. Hence their anguish and desperation." Zhi would rather starve than allow his people to starve, as parents would rather give up their own lives than allow their children to suffer any harm. The Jewish proverb articulates well this Confucian sentiment: "The other's material need is my spiritual need". The other's material need concerns my spirituality because, in between choosing my starvation or the Other's starvation, in between choosing my self-preservation and the preservation of the Other, my moral freedom and my being (as a human being) is at stake. The Other's material need is thus infinite – not because the Other's material need is endless, but because my concern for the Other's physical need is infinite, as infinite as my spirituality (or, in Confucian terms, the Other's physical need is as infinite as my humanity).<sup>3</sup>

By emphasizing feeding the hungry and clothing the naked, Confucian and Levinasian ethics can help us return from abstract notions of rights to the concrete human in human rights. This has tremendous significance for rethinking human rights. Crimes against humanity are invariably committed when the victims are not recognized as human beings – when they are objectified into numbers or other kinds of abstractions such as targets in a system to be ridden, and when the perpetrators also abstractize themselves into killing machines devoid of the human capacity to feel for the sufferings of the Other.

**Sinkwan Cheng, IIAS Fellow. (sinkwancheng@gmail.com)**

### Notes

- 1 Note that the atrocities against the Chinese was committed by the Japanese after the latter's aggressive adoptions of ideas and institutions from the modern West. Those adoptions were by no means free from reinterpretations and misinterpretations.
- 2 The classical Chinese language is not gendered, and a literal translation of *ren ren* would be 'humanizing human being'. Chang used 'man' to avoid the awkward repetition in favor of the idiomatic English usage of the time.
- 3 My project includes a discussion of the ethical and political divergences between Judaism and Confucianism ensuing from the divergences between the religious dimensions of Jewish spirituality and the thoroughly humanistic character of Confucianism.