The State and Minority Nationalities (Ethnic Groups) in China

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Abstract

In the context of racial tensions in the USA, questions over the EU project from those who have not benefitted, the treatment of asylum seekers with increasing harshness in places like Australia, and the response to refugees in Europe, a rather different example of ethnic and cultural diversity is worth attention – that of China. As the country with the largest population in the world and due to a complex history, China now has 56 officially recognized nationalities, including the Han, who number 1.2 billion. Even so, the next nine nationalities number 6–19 million each – larger than the total population of many countries in the world.

How does China deal with this situation? To begin with, the term *minzu* is badly translated as "ethnic group." It is better translated as "nationality." With its multiple nationalities, China has developed a "preferential policy" that initially followed the model of the Soviet Union and was revised substantially in the 1990s. The policy entails support for economic development, cultural traditions, language, education, literature, and local political leadership. However, the policy

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has also created some problems: the inherent difficulties of government classification and their unintended effects; the tensions over "separatism, extremism, and terrorism," which has included foreign interference; and differences over the understanding and application of human rights in light of distinct traditions. Ultimately, the policy turns on the contradiction between autonomy for nationalities and the unity of the Chinese state. The question is how one deals with such a contradiction.

Keywords
China · Nationality · Preferential policies · Terrorism · Human rights

Introduction

The Chinese approach to ethnic minorities offers a distinct alternative to approaches elsewhere, so it is important to understand this approach properly. To begin with, the terminology prefers "nationality [*minzu*]" rather than "ethnic group." This preference is the result of a long Marxist tradition and the reality that ethnicity is not necessarily a defining feature of such groups. Further, the Chinese government has since the 1950s developed and revised a "preferential policy [*youhui zhengce*]," in which socio-economic wellbeing is paramount, although it also includes culture, governance, language, and education. This is not to say that the policy and its practice is without problems: government definitions; pressures concerning what some international observers call "separatism" and the Chinese and other international observers call "terrorism"; and different emphases in fostering human rights (with the primary right to economic wellbeing). However, the core feature of the preferential policy is a dialectical connection between two poles of a contradiction. On the one hand, the policies have increasingly (since the 1990s) emphasized greater autonomy; on the other hand, the inviolability of China's borders is without question. Throughout the following analysis, the concern is to understand the logic behind the Chinese approach and how this is manifested in actions. How one assesses such an approach is another question.

Defining Nationality

The Chinese term for "ethnic group" is *minzu*. But there is a catch: "ethnic group" is a bad translation for this term. Instead, "nationality" is more accurate. The better Chinese word for "ethnic group" is *zuqun*, a term that is used in some recent scholarship (Bulag 2010) but is not used commonly and in relation to government policies. For this reason, this study uses "nationality," although some further explanation is needed.

Let us begin with an example: the Hui nationality. If one visits Xi'an and the famous "snack street," one will see many men and some of the women wearing small

white caps. Indeed, some – but not all – of the women wear head-scarves. Why? They are Hui people, identified in terms of adherence to Islam. How did they get to Xi'an? Some 1400–1100 years ago the Tang Dynasty ruled China. At that time, Xi'an (then known as Chang'an) in the more western parts of China was the most populous city in the world. Tang power swayed across significant parts of China, culture and learning flourished, Buddhism was fostered, trade boomed, and international connections were made far and wide. In order to encourage further trade, the Tang Emperors invited Muslim peoples from further west to Xi'an, since they had a reputation for hard work and the fostering of trade. Their descendants have been in Xi'an, and now many others parts of China, for more than a millennium.

But were they an identifiable ethnic group at the time? Not at all. As with all such groups, their history is mixed (Dillon 1999; Gladney 1991). The Tang, as well as the later Song and Yuan dynasties, encouraged immigration to China of peoples from more western parts of the world, as far west as Persia. A long history of intermarriage with Han people led to the development of what is now known as the Hui. But the Hui now includes converts to Islam among the Han, as well as other Muslim groups on Hainan island, among the Bai people and Tibetan Muslims. The key to their identification is religion, even if such identification pertains only to certain customs, dietary patterns, and dress, rather than religious practice per se. The vast majority of the Hui speak Mandarin and most of their customs are common to the Han. Obviously, ethnic identity is not a defining feature of the Hui. But there is a twist: the Hui have become strongly conscious of being a distinct nationality. This means that the complex and overlaid history of the Hui, with migration, intermarriage, state decisions, and policies, has led to, if not produced, a strong sense of a distinct identity (Gladney 1991, 323).

The implications of this example for defining *minzu*, or nationality, are as follows. First, since the Hui, as with any such group, is the result of a long history of movement, inter-mingling, and development, it may be suggested that no "ethnic group" is what might be called pure, for what counts as such a group is really a history of intermingling with many other groups, which are themselves the result of further mingling. Second, the Hui are one of 56 officially recognized groups in China. Out of these groups, the Hui are among the largest of the non-Han, with a population of 10 million. They are outnumbered by others, such as the Zhuang with 19 million (larger than the populations of many countries), but the Hui are far more numerous than the smallest groups, which number only a few thousand.

Let us return to question of terminology. Although "ethnic minority" or "ethnic group" is commonly used in English, it assumes ethnicity as the primary defining feature of the group. As the brief account of the Hui indicates, this is hardly the case (if indeed for any group). Further, the Chinese term is *minzu*, made up of two characters: 民族. The first, *min*, has the basic sense of "people." The second character, *zu*, means a class or group of things with common features. So *minzu* means a group of people with similar or common features. The situation becomes even more complex: *minzu* is a word borrowed from Japanese in order to translate the Russian word, *natsional'nost'*, which designates a particular group within a state that has overlaid common characteristics. The Russian terminology was itself the

result of long debates and deliberations – from the turn to the twentieth century – concerning what was called the “national question” in countries with significant diversity, such as Austria and Russia (Suny 1993; Suny and Martin 2001; Egry 2005; Boer 2017, 142–156). In these debates, a nationality designated a distinct group within a state, a group defined by language, location, cultural history, economic shape, and at times religion. Most importantly, such nationalities lived within a larger state (which was not called a “nation”), and they included majority and minority groups as “nationalities.” This is the tradition to which Chinese terminology and understanding is deeply indebted. So the best translation of *minzu* is “nationality.” The problem with becoming used to this usage rather than “ethnic group” is that – in English at least – it has become overlaid with another sense. This is the relatively recent category of “imagined communities” (Anderson 1991), in which “nation” came to designate the modern European state, which is often called the “nation-state.” While relatively common, this usage can be misleading, for it obscures the older and richer tradition.

Chinese Nationalities Policy

With this in mind, we may now deal with the Chinese situation from 1949 (for Qing dynasty approaches, see Crossley et al. 2006). As mentioned, the Chinese government identifies 56 official *minzu*, or nationalities. This includes the majority Han (themselves the result of a long history of intermarriage with other groups) and 55 other groups, ranging in number from almost 20 million to a few thousand (Mackerras 2003, 182–193; Hill and Zhou 2009, 3–8).

The policy dealing with minority nationalities is known as *youhui zhengce* (优惠政策), which may be translated as “preferential policies” or “positive (action) policies” (Zhou 2009, 47). The term appeared in its earliest form in 1949 in what is called the Common Program (from 29 September) and has been consistent in Chinese constitutions to the present. It was initially modeled on the Soviet Union, the world’s first “affirmative action” state (Martin 2001), although China clearly developed its own approach in light of distinct circumstances and history. Debate ranges over whether Moscow pulled the strings, whether China continued imperial and republican practices, or whether it developed its own approach after Liberation in 1949 (Dreyer 1976, 43–60; Connor 1984, 87–88; Sautman 1998b; Zhou 2009). The best answer is that multiple factors influenced the development of the policy, although Marxist approaches provided the overall framework.

Theoretically, the definition first offered by none other than Stalin (1913 [1953], 307) formed the basis of determining different nationalities: “A nation is a historically constituted, stable community of people, formed on the basis of a common language, territory, economic life, and psychological storehouse manifested in a common culture” (translation modified). In the context of the Soviet Union, the key to fostering nationalities was not so much a tension between assimilation and recognition of differences, but a dialectical approach that went through the international category of class to generate a specifically local and national policy focused on

difference (a crucial point entirely missed by Connor 2009; Zhou 2009, 58–59). In other words, this approach entailed a counter-intuitive move: one begins not with diversity in order to find some unity, but with the unifying category of class that in turn produced a whole new level of diversity that recognized and fostered distinct identities. It was nothing less than the application of the Marxist dialectic to a concrete situation (Boer 2017, 151–156).

In China in the 1950s, this definition and its larger text were the subject of much study by Chinese scholars (Mackerras 2003, 2; but see also the criticisms by Tapp 1995), with the resulting identification of 40 nationalities (including the Han) in the census of 1954. Ten years later the number was increased to 54, with two more added later, the last being the Juno, from Yunnan, in 1979 (Mackerras 2003, 19–55; Zhou 2009, 58–63).

However, with signs of problems in the Soviet Union already in the 1980s and especially after the union's breakup in 1991, Chinese scholars and policy makers carefully studied the situation and concluded that a major factor concerned tensions and mistakes in the nationalities policy (Hill and Zhou 2009, 8–10). These mistakes resulted in complex power imbalances and economic inequality. On the one hand, the policy of autonomy and self-determination of nationalities had led to a desire in some parts for secession from the union; on the other hand, the need to develop a common culture and language based around the Russian majority had entrenched the economic and power inequalities in favor of the majority Russian nationality, a situation that exacerbated the desire to break away (Suny 1993, 127–160). As a result of these findings, the Chinese approach was thoroughly revised and enhanced, leading to what some have called a shift from a Soviet model to a Chinese model, based on *duo yuan yi ti*, "one state with diversity" (Hill and Zhou 2009, 10–13).

But what does all this actually entail? It is best to begin with article 4 of the Chinese constitution of 1982, an article that has remained the same even with subsequent amendments elsewhere in the constitution (see http://www.npc.gov.cn/englishnpc/Constitution/node_2825.htm):

> All nationalities in the People's Republic of China are equal. The State protects the lawful rights and interests of the minority nationalities and upholds and develops a relationship of equality, unity and mutual assistance among all of China's nationalities. Discrimination against and oppression of any nationality are prohibited; any act which undermines the unity of the nationalities or instigates division is prohibited. The State assists areas inhabited by minority nationalities in accelerating their economic and cultural development according to the characteristics and needs of the various minority nationalities. Regional autonomy is practised in areas where people of minority nationalities live in concentrated communities; in these areas organs of self-government are established to exercise the power of autonomy. All national autonomous areas are integral parts of the People's Republic of China. All nationalities have the freedom to use and develop their own spoken and written languages and to preserve or reform their own folkways and customs.

Four features of this article are worth more attention: cultural autonomy, with a focus on language, folkways, and education; political autonomy; economic development; and the inviolability of China's borders. Let us take each in turn.

Culturally, local languages continue to be fostered (National People's Congress 2001, article 37), which entails media, education, and literature. For larger groups, this is easier to achieve, but for the small groups of only a few thousand the task is much more difficult and the threat remains that such languages may die out. Local customs, rituals, festivals, and especially religions are not merely permitted but actively fostered, with temples, churches, and mosques constructed and maintained with state funds – so much so that minority peoples are far more religious than the Han nationality. In terms of education, school children receive classes in their local language, alongside the obligatory classes in Mandarin. At university level, a quota system applies, as well as extra points given to students from minority nationalities for the all-important entrance examinations, the *gaokao* (Wang 2009). To be added here is the practice of having *minzu* universities in all regions. Although all students may apply, these universities focus on students from minority nationalities (Sautman 1998a). The result: between 1964 and 1982, the percentage of minority nationalities in universities rose marginally from 5.76 to 6.7 percent. However, from 1982 to 1990, the percentage rose to 8.04 percent (Mackerras 2003, 27).

Politically, it means both regional autonomy (such regions now number almost 160 in China) and representation in the Chinese People's Political Consultative Conference. Minority governance in autonomous regions is ensured through proportional representation, while at a national level elections – both direct at a local level and indirect at higher levels – are held annually in order to elect delegates to the CPPCC. The CPPCC is known as a "democratic front" that includes representatives from all political parties and all nationalities. It meets annually and provides informed advice and guidance to the legislative activities of the National People's Congress, the supreme decision-making body in China. Indeed, participation in the NPC by nationalities is also substantial. Further, there has also been a consistent long-term rise in the percentage of national minorities in the CPC. In 1980, only three percent of the total number of members were from minority nationalities. By 2001, the percentage had grown to 6.2 percent, albeit still behind the percentage of minority nationalities among the population as a whole, which is 8.14 percent (Mackerras 2003, 42).

Already with political matters we begin to see a tension, between autonomy and unity. This tension appears even more strongly with the core economic dimension of the nationalities policy. One the one hand, autonomous regional development is crucial, with a perpetual search for entrepreneurial activities that will boost local economies. On the other hand, these local initiatives could not happen without central government involvement. For example, the central government provides significant additional resources for economic development (Hill and Zhou 2009, 13), which appears in terms of subsidies for infrastructure and higher levels of public works funding. Here we find that the expansion of the Chinese rail and road system – which now leads the world in terms of extent and technical prowess – focuses on providing transport infrastructure for areas of concentrated minority nationality presence, especially since they tend to live in remote and relatively inaccessible areas. In businesses, both publicly owned companies (the major economic drivers) and private companies are provided with incentives for preferential treatment in

employing people from smaller nationalities. And businesses run by minority nationalities receive interest-free loans from the government. The clear purpose is to encourage economic development in regions where minority nationalities live, for they tend to reside in parts of China that are only now beginning to experience the full benefit of the economic progress in the east.

This tension – between autonomy and unity – is a constitutive feature of Chinese preferential policies. Indeed, this tension is a major feature of the substantial revisions to this policy in the 1990s (after in-depth study of the causes of the collapse of the Soviet Union). Thus, in the amended *Law on Regional National Autonomy*, which was first promulgated in 1984 and substantially revised in 2001, autonomy at all levels has been enhanced – culturally, linguistically, politically, and economically. On the other hand, the law makes it quite clear that the borders of the country remain unchanged and inviolable. We may see this approach as a balancing act, as Mackerras observes (2003, 39): “the two demands in some ways balance each other, because some people do in fact see advantages in remaining part of a comparatively successful state where their lives have indeed greatly improved.” Or we may see it terms of a Chinese approach to contradictions, concerning which there will be more comment in the conclusion.

Problems

At the same time, the nationalities preferential action policy is not without its problems. Some problems may be dealt with briefly, while two – terrorism and human rights – require some more detail. One problem, germane to any government policy, concerns how one defines a distinct nationality. What is the key determining factor? Is it language, culture, history, territory, or religion? In policy terms, it seems to be determined mostly by religion, culture, and territory. For instance, the Hui (see above) have no definable territory, since they are to be found all over China (albeit with a concentration in the north-west). The determining factor in this case is clearly observance, at however a nominal level, of Islam (Mackerras 2003, 114–126). By contrast, the determination of the Zhuang is based on territory. When empirical research was first undertaken for the sake of identifying distinct nationalities, the social scientists in question found that almost every tribal group in the south-western mountains of China saw themselves as distinct even from the group in the next valley. If the policy makers allowed full scope for such sensibilities, it would lead to thousands of distinct nationalities. So self-perception was relegated to a minor level. Instead, territory became crucial. People with largely similar ways of life, customs, and language living in similar territory were grouped together and identified as a nationality (Kaup 2002). Yet, even with these inherent problems in government definitions, Mackerras (2003, 3) points out that the vast majority of people agree with and accept the classifications, not merely because nationality is a rubbery term at best, but because in most cases the designations are reasonably valid.

Further problems with government administration include: a certain paternalism, in which the minority peoples need to be brought up to the cultural and indeed

political level of the majority, and the trap of focusing on exotic items of national identity, in terms of clothing, rituals, customs, and food, a trap found especially with increasing tourism to such areas (Hillman 2003); the sense at times is that the economic development is largely in the hands of Han Chinese, who move into the minority areas as jobs and economic prospects increase. Let us elaborate on the last point, where a paradox emerges: fluency in *putonghua* (Mandarin) enables young people from minority backgrounds to gain employment. In Xinjiang, for example, it appears that Uyghur students who attend regular school with Han students have greater fluency than those who attend minority schools with Uyghur teachers, where Mandarin is taught as a second language. The outcome is that the former students do much better, even than Han young people, in attaining good jobs (Ma 2009).

Terrorism or Separatism?

One problem that requires further comment is that of terrorism, or as some international observers call it, "separatism." This topic relates specifically to the areas of Tibet and Xinjiang (and Taiwan and Hong Kong), each of which is autonomous in many respects but also part of the Chinese state. These areas tend to receive a significant portion of attention by some international media and human rights agencies, which attempt to paint a picture of systematic and unreasonable "repression" of the minorities in these areas (Human Rights Watch 2018, 143–145). Such a focus also distorts the overall situation concerning minority nationalities in China, so we need to be wary of falling into the same trap. Further, given the close alignment of bodies such as "Human Rights Watch" with the US State Department, and given the tendency of some Western media to selective sensationalism, it is better to rely on careful and balanced scholarly research (Sautman 1998b, 2010; Norbu 2001; Mackerras 2003; Davis 2013, 74–112). We also need to be wary of skewing the picture by relying only on treatments of such regions, for there are many other minority nationalities in China who contribute willingly and peacefully to society.

With this in mind, let us address a number of issues. To begin with, there is the simple historical question. Although accounts differ in relation to Tibet, the reality is that this region has been subject to China in various ways since the eighteenth century under the Qing dynasty. Claims to some form of independence hark back to an image of the Tibetan empire from the seventh to the eleventh centuries. As for Xinjiang, it was incorporated into the Chinese state in the 1750s and eventually became a full province in 1884, marking the western border of the Chinese state under the Qing. Obviously, the history of both areas in relation to Chinese control goes back centuries.

Second, the terminology of "separatism" and "terrorism" is selective, depending on who uses it. From one perspective, the attack on the World Trade Centre in New York in 2001 is "terrorist," while the efforts by some in Tibet and Xinjiang are peaceful and "separatist," seeking independence. From another perspective, the deadly 2008 riots in Llasa, Tibet, in which some Tibetans burned, looted, and killed Han Chinese and Muslims are "terrorist." Or the attempted suicide attack on a China

Southern flight in 2008, threats to attack the Beijing Olympics in 2008, a car ramming in Tiananmen Square in 2013 and the knife attack in Kunming railway station, perpetrated by Uyghur radical Muslims and in which many were killed and even more injured, are “terrorist” acts. To add a twist, the Chinese government typically uses a three-character phrase, “separatism, extremism and terrorism,” which is not restricted to religion (Davis 2013, 98). Whether we agree or not, the connection between separatism and terrorism informs government policy.

Third, a crucial feature of Chinese sovereignty is the resistance to all forms of foreign interference. This approach to sovereignty arises from the anticolonial struggles of the nineteenth and twentieth centuries, in which Chinese independence from semi-colonialism developed a strong sense of the need to prevent foreign intervention. (It also influences China’s dealings with other countries, in which it avoids any effort to change political, economic and social patterns.) Thus, there had been a profoundly negative effect from the CIA’s intervention in Tibet in the 1950s, funding the Dalai Llama and inciting the ill-fated uprising in 1959, in which tens of thousands of Tibetans died and the Dalai Llama and his entourage fled to India. CIA operations wound up in the 1970s, only to be replaced with western propaganda, funding, and organization – especially by the United States’ National Endowment for Democracy that carries on the work of the CIA – of protests in Tibet, all of which are based on a particular interpretation of “democracy” and “human rights” (Norbu 2001, 263–282; Mackerras 2003, 32–35, 157–165; Davis 2013, 89–92). These activities have also focused on Xinjiang, with the added dimension of a distinct increase in influence from Islamic radicalism from further west in the 1990s. The discovery of Uyghurs training with al-Qaeda in Afghanistan, or links with militant groups in restive parts of Pakistan, as well as various radical fronts focused on Xinjiang and passing weapons, explosives, and militants along drug routes (Davis 2013, 102–103, 108), made it clear that another form of foreign interference had arisen. All of these efforts are seen as profound challenges to Chinese sovereignty.

A fourth issue concerns the tensions between autonomy and unity (a recurring theme). One might argue that it is precisely the preferential nationalities policy and its fostering of local identities and cultures that has generated such movements (as had happened in the Soviet Union). By giving minority nationalities the economic resources and encouragement for cultural, linguistic, educational, and political self-management, the potential is to create a desire for distinct identity separate from the state that fostered such identity. At the same time, we must balance this with the resolute emphasis in the Chinese constitution and nationalities policy that China’s borders will remain unchanged. There is no right to secession for any part of China (unlike the Soviet Union) and any such move is strongly prevented, so much that those entertaining these possibilities are in a relatively weak position.

Finally, there is a distinct variation of emphasis. Some foreign critics of China in relation to Tibet and more recently Xinjiang – especially the United States, Canada, Germany, Great Britain, and India – focus on cultural issues, with religion playing a major role (Tibetan Buddhism and Islam among the Uyghur). A crucial feature here again is that any sign of outside meddling – as with any religious group in China – is seen as a challenge to Chinese sovereignty. However, on the matter of culture it is

worth noting the most thorough treatment of the issue by Mackarras, who observes, "what strikes me most forcefully about the period since 1980 or so is not how much the Chinese have harmed Tibetan culture, but how much they have allowed, even encouraged it to revive; not how weak it is, but how strong" (Mackerras 2003, 46; see also Sautman 2003, 2006). The same could be said of Xinjiang, especially if one keeps in mind that Mackerras's focus is on citizens living in these regions, rather than those who have not lived there for more than a generation or two.

The Chinese emphasis is consistently on economic issues as the core reason for unrest. This is a distinctly Marxist approach, with massive investment and preferential economic treatment for Tibet and Xinjiang (Davis 2013, 85–87, 96–98). For example, when unrest in Xinjiang rose to a new level in the 1990s, much analysis and policy revision followed. The result was two-pronged: an immediate focus on comprehensive security (which is a core feature of Chinese society at many levels) and a long-term effort to improve economic conditions in a region that still lagged behind the much of eastern China (Mackerras 2003, 53). Not all such incentives have been as successful as might have been hoped, with the various nationalities in Xinjiang – not merely Uyghur, but also including Han, Hui, Kazak, Mongol, and Kirgiz – benefitting at different levels. The most significant project to date is the massive "Belt and Road Initiative," launched in 2014. Although its geographical scope is much vaster than the western parts of China, the economic effect is already being felt in these parts. Thus, it is reasonable to say that there has been a marked improvement in the economic wellbeing of all those who live in these and other regions, such as Yunnan and Guizhou. The basic position is that if people see that their living conditions have improved, they will more willingly see themselves as part of the greater whole – as we find, for example, with another major Muslim group, the Hui (Davis 2013, 100). However, this variation of emphasis between culture and economy brings us to the next issue: human rights.

An Alternative Approach to Human Rights

For some foreign interventionists, the separatism-terrorism description is a smokescreen for systemic abuses of human rights; for others – not merely the Chinese – the threat is real and the solution focuses on economic wellbeing. How are we to understand these differences?

Rather than resorting to tit-for-tat exchanges (Human Rights Watch 2018; Amnesty International 2018; State Council 2018), we need to ask a deeper question. The key is to identify distinct traditions of human rights and resist the effort to universalize one of those traditions so that it is imposed on others. Context, history, and culture determine the nature of the traditions. Thus, the European tradition focuses on civil and political rights, such as freedom of speech, freedom of assembly, the right to life, equality before the law, the right to a fair trial, freedom of religion, and so on. Such is the hegemonic power of this tradition that many assume it designates "human rights" as such. Yet, the history of this tradition is telling: the

modern meaning of "right," Latin *ius*, began to arise in the European twelfth century. It meant a natural innate force or power that leads human beings to act rightly. In other words, it was a "natural" force that arose from the innate power of reason. It was closely connected with another word, *dominium*, which designated the mastery exercised by a rational and free-willing individual. The outcome: a right can work only if one has power or mastery to enact it (Tierney 1997). These senses did not arise in a vacuum, for they were the result of the rediscovery and application of ancient Roman law by the "lawyer popes" of the eleventh century (Gianaris 1996, 20; Miéville 2004, 95–97). Central to this rediscovery was the idea of private property, which the Romans called *dominium*. Why this word? It entailed in the first instance mastery – by a master or *dominus* – over a slave, who was seen as a thing and therefore property, but then came to apply to all private property (Wolff 1951, 67; Patterson 1982, 32; Graeber 2011, 201). The upshot is that the European development of the idea of a right and therefore a human right was seen as private property, over which one had mastery. This would later develop into the idea that one would have mastery over one's individual speech, political expression, religion, ability to assemble, and so on. The history of the term and its exercise is clearly important for understanding its later emphases, a history that was intimately connected with the development of private property and thereby slavery, so much so that the Dutch lawyer Hugo Grotius (1625 [2005], I.1.5) – who was responsible for a major step developing the European tradition of human rights – argued that a human right is the power over ourselves or power over others, such as slaves. This he called liberty.

A Chinese (and Marxist) approach to human rights comes from a different tradition. The following points are drawn from the comprehensive study by Sun Pinghua, *Human Rights Protection System in China* (2014). To begin with, it recognizes not absolute or singular universals, but rooted universals, or contextualized commonalities. This means that there are universals that may apply to all peoples, but they can and do arise in different contexts and cultures. Crucially, we must always remember the specific context, for it reveals the history, promises, and limitations of the tradition in question. In this way, the idea of "rooted universals" moves past the facile distinction between relative and absolute (Sun 2014, 132–135). On the question of human rights, this means that the European tradition may contribute some features to international human rights, but it neglects other features.

Let us consider the Chinese tradition's approach to human rights. To begin with, in contrast to the Euro-American tradition's emphasis on individual mastery, a Chinese approach emphasizes not merely the collective but recognizes both individual and collective. A good example is the first statement of the United Nations' *Universal Declaration of Human Rights* (1948): "All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood." Why is this a good example of a Chinese approach to human rights? It comes through P.C. Chang (Zhang Pengchun), who was vice-chair of the Commission on Human Rights. It is well documented that Chang proposed the term "conscience," which is drawn from

the Confucian term *ren*. Indeed, Chang explained that a better translation of *ren* is "two-person mindedness." Obviously, this is a collective emphasis that balances the individual dimensions of the first half of the statement.

A further point is that while the Euro-American tradition emphasizes the inalienable right of individuals and downplays the role of sovereign governments, a Chinese approach to human rights stresses the foundational role of sovereignty. This point relates not merely to the fact that individual states need to ratify and enact the international treaties, especially from the United Nations, but to the more important fact that a colonized country cannot exercise any rights whatsoever. In a Chinese situation, the struggle against colonialism – the time of "humiliation" – is usually put in terms of the three mountains: imperialism, feudal relics, and bureaucratic capitalism. Only when these three were overcome, from 1949, could sovereignty begin to be exercised and rights enacted. There are two implications: first, is sovereignty determinative of human rights? The answer is no: sovereignty is an inescapable basis,"but human rights are the most essential and at the highest level" (Sun 2014, 121). In robust Chinese debates, one finds that sovereignty is simply an assumed basis (see, for example, Luo and Song 2012). Second, this approach to sovereignty arises from the anticolonial struggle (see above). In light of this history, one may understand the resolute emphasis on avoiding and resisting foreign interference at all levels.

Third and most importantly, while the Euro-American tradition focuses on civil and political rights, it neglects a whole other dimension. This is the right to economic wellbeing for all, which includes the right to work and to development. These are foundational in a Chinese context. They are not seen as a "second generation" of human rights, with civil and political rights as the "first generation" (Vasak 1977), for the idea of these generations indicates the Euro-American tradition. Instead, the Chinese emphasis goes back in more immediate history to the Jiangxi-Fujian Soviet of the early 1930s, with its capital in Ruijin. Here developed what may be called the "Ruijin ethos": focus first on the people's need for food, shelter, clothing, and security; only when these are secured will they become communists. In the longer tradition, the Confucian ethos is strong, particularly with the Confucian influence in terms of the desire for at least a *xiaokang* society, meaning that one is moderately well-off, healthy, and peaceful. Thus, the basic human right in China remains the right to economic wellbeing. We can see this in the consistent focus of minority nationalities policy, on the long-term poverty alleviation program, the Belt and Road Initiative, and also with the long-term emphasis on economic improvement in the trouble spots of Tibet and Xinjiang. This particular emphasis has indeed become a rooted universal, acknowledged, and ratified by others – although not the United States – in terms of the United Nations' *International Covenant on Economic, Social, and Cultural Rights* (1976). Article 11(1) is relevant here, which mentions that state parties "recognize the rights of everyone to an adequate standard of living for himself and his family, including adequate food, clothing, and housing, and to the continuous improvement of living conditions" (see also ASEAN 2012).

The implications of this distinct tradition of human rights in relation to minority nationalities are as follows: human rights apply as much to the collective or group as the individual – in this case the group in question is the nationality; foreign

interference in such matters is an affront to Chinese sovereignty, which is not to say that the Chinese policy studies do not learn much from other practices (notably the collapse of the Soviet Union); and the right to economic wellbeing and development remains foundational to the preferential policy in relation to minority nationalities. This emphasis appears not merely with long-term programs in relation to trouble spots, but more generally because minority nationalities tend to live in remote areas where the benefits of China's development have been relatively slow to materialize.

Conclusion: Between Autonomy and Unity

How we assess the Chinese approach minority nationalities, trouble spots, and the different traditions of human rights is another matter and beyond the remit of this study, but it is important to understand how this approach has been developed and how it works.

In closing, three matters are important. First and as mentioned earlier, the minority nationalities "preferential policy" operates in terms of a tension, particularly after the revisions of the 1990s. This is a tension between autonomy and unity – greater autonomy for the nationalities and the absolute unity of the Chinese state. Obviously, this is a contradiction. But rather than the European tradition's tendency to see contradictions in terms of an opposition between either-or, it is useful to consider a distinctly Chinese approach to contradictions. In other words, what are opposites – such as unity and diversity in this case – can operate as a non-antagonistic contradiction. Or, as the old saying puts it, "*xiangfan xiangcheng,*" "Things that oppose each other also complement each other" (Mao 1937 [1965], 343). This point is not pure philosophical speculation, for significant evidence exists that cultural activism among the many nationalities (such as the Dai, Bai, and Muslim Hui in Yunnan province), especially in terms of economics, but also with regard to language, education, and religion, actually enhances and strengthens the sense of belonging to China as a whole (McCarthy 2000; Postiglione et al. 2009). The key, of course, is economic, for the Chinese tradition stresses that economic wellbeing enhances one's desire to remain part of the larger whole.

This economic focus raises a further question: is it enough? The preferential policy may stress economic wellbeing, but it also includes culture, language, literature, education, and governance. These features have at times been secondary to the economic focus, which has provided ground for some international critics. In this context, it is worth noting that at the nineteenth congress of the Communist Party of China (November 2017), Xi Jinping (2017, 14) announced a new primary contradiction: the contradiction between unbalanced and inadequate development and the people's ever-growing needs for a better life. Not only does this need to identify a primary contradiction come from Mao Zedong, and not only is it the first change in 36 years, but it also raises a question: is this yet another recognition that life – including that for minority nationalities – requires more than economic wellbeing?

Cross-References

► Cultural Socialization and Ethnic Consciousness
► Ethno-politics in the People's Republic of China

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