

Does the U.S. have the Moral Authority to Criticize China's Human Rights?

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Every year, the United States studies and presents reports on human rights practices in more than 190 countries around the world. In the 2010 Human Rights report, China was chastised by the U.S. for its poor human rights record. The Chinese government has been accused of imprisoning citizens for practicing their religious faith and oppressing freedom of expression and information. The one child per family policy has been attacked continuously by the U.S. and they have also condemned the arrest, detention and disappearance of Chinese citizens. This latest human rights report issued by the U.S. has highlighted many human rights transgressions in China.

Yet the U.S. criticism on China's human rights has been contradicted by China. As the fastest developing economy in the world, China is intent on defending its position where human rights are concerned. The two countries have had dialogues on human rights issues, the latest being held on April 27-28, 2011 in Beijing. The discourse came after prolonged foot-dragging on the part of both nations; talks were suspended for a few years. Both countries have not been able to publicly accept their human rights errors, but each has been focusing on violations committed by the other.

Against the backdrop of military buildup by both countries, the controversy over whether the U.S. is morally justified in criticizing China's human rights can have far reaching and devastating effects for the entire world. The two "powers" have been going hard at each other, seeing each other as a threat. This paper seeks to form consensus on whether each country has the moral authority to make pronouncements on actions taken by the other.

China is the fastest growing economy in the world and the rate at which it is developing is indeed raising alarms in Washington. As a consequence, many questions are going to be asked, including: is China doing everything right? If China is breaching international human rights conventions, who has the authority to scold China? In the process of carrying out this study, we will examine the U.S. human rights campaign against China and discuss China's defense and response to the U.S. challenge in order to answer the question: Does the United

States have the moral authority to criticize China's human rights?

U.S.–China relations and Human Rights Practices

Over the past decade, the “China threat” theory has spread throughout the West, despite Beijing’s repeated pledges that China’s rise will be peaceful. As China replaces Japan as the world’s second-largest economy behind the United States, fears arise in Washington that U.S. dominance is being challenged. Observers say “Washington is preparing for a long cold war with China by strengthening its ground and air power in Asia” (Glain, 2011). Meanwhile China is trying to allay fears of the U.S. by saying that it has no intention of posing a threat to the U.S. However, the U.S. feels that China’s rise poses a threat to its dominance.

Pessimists say every rising power desires global authority to reshape the existing global order. However, by some measure of contrast, the U.S. seems to show appreciation for the progress being made by China and has also indicated that the U.S. stands to benefit from China’s progress. Secretary of State Hillary Clinton said, “The fact is that a thriving United States is good for China and a thriving China is good for America” (Lundsgaard, 2011). The two countries have made strong attempts to improve their relations through dialogue. However, when the Chinese President visited the U.S. earlier this year and held talks with U.S. authorities, there were no solid agreements. China has been criticized by the U.S. for not being able to provide basic human rights to its citizens and this is reflected in the human rights report issued by the U.S. every year.

The U.S. has made great efforts in assisting China with its human rights issues and its policies have shown support towards this end. As Hillary Clinton said “We live in a real world; we don’t just walk away from China because we think they have a deplorable human rights record” (Lundsgaard, 2011). Yet the U.S. 2010 Human Rights Report on China reported that “Human rights activists, journalists, unregistered religious leaders, and former political prisoners and their family members were among those targeted for arbitrary detention or arrest.” For its part, China has also accused the U.S. of double standards as it relates to human rights through its own reports.

The American human rights campaign against China

The U.S. has been campaigning against China’s violations of human rights for several decades. Their most recent accusations came from the 2010 U.S. Department of State annual human rights report on many nations. The report on China targeted the recent disappearance and detention of artists, journalists, freedom fighters, Chinese law-

yers, bloggers and others, which the U.S. greatly condemns. The U.S. knows that China is retrogressing with regards to human rights improvement and is therefore focused on China's abuse of freedom of speech, press and the internet; freedom of peaceful assembly; and association and freedom of religion (2010 *Human*, 2011). Another major concern is the right of citizens to change their government, which the Chinese government does not permit. The U.S. claims that China is well known for its human labor trafficking, discrimination against women and its one child policy. The U.S. feels that this policy denies citizens their basic human rights and has led to forced abortions and sterilizations of men and women. Women in China are required to obtain a birth coupon before conceiving a child (Malkin, 2000). The Chinese government even carried out a campaign in the 1990's and used a slogan, "better to have more graves than one more child" (Joseph, 1995) for their plea that it is better to have abortions than births. The government felt that this campaign would help reduce the population, which was increasing at a rapid rate.

In an interview published by the *Atlantic Magazine*, U.S. Secretary of State, Hillary Rodham Clinton, condemned China's human rights as "deplorable" and went on further to describe China's response to dissent as "a fool's errand" (Goldberg, 2011). China's recent detention of anti-government protestors stirred Secretary Clinton's emotions. She claimed that China is worried about inevitable changes in the nation and is trying its best to prevent them from happening.

Clearly the Chinese government has no respect for human rights. The *U.S. 2010 Human Rights Report: China* explained that hundreds of men and boys disappeared from Urumqi following a protest. Their whereabouts remain unknown and the Chinese government has not taken steps to find these individuals. In a press interview with Michael Posner, the U.S. Assistant Secretary for Democracy said that the recent disappearances of Chinese people are "unsettling and disturbing with no regard for legal implications" (Press, 2011). Joe Biden, the U.S. Vice President, lashed out against the Chinese government by drawing attention to the series of arrests in China during recent months even though, as he noted, "I understand that disagreement, when we voice it, is upsetting or rankles" (Symonds, 2011).

Though the law prohibits physical abuse of detainees and forbids the use of torture to force prisoners to confess, Chinese prisons continue to use electric shock, beatings and other forms of abuse to obtain forged confessions and forced labor remains a severe problem (2010 *Human*, 2011). Denial of fair public trial and trial procedures are another area of violation of human rights, and warrants are almost always ignored so law enforce-

ment officials search premises on their own authority (2010 *Human*, 2011).

By monitoring the Internet so keenly, China is also without a doubt violating citizens' privacy. In a Chinese article, "Internet Police Beefed Up," Peter Guo (2011), a regular blogger and online activist said, "the targets of the Internet security team would primarily be Chinese who use the internet for any activities the government sees as threatening." China is stepping up its Internet monitoring power by ensuring that websites that violate the laws of the People's Republic of China are censored or shut down. Chinese bloggers voiced their concerns over the injustice being done to them since the Chinese government is preventing access to the social websites such as Facebook and Twitter as well as the popular YouTube or even Google (Freedom, 2008-9).

China's defense

China's claim against the U.S. is that the U.S. interferes with everybody's international business and that, as expected, the U.S. is using human rights to attain hegemony. Critics note that the U.S. is invading countries and causing wars under the pretext of helping foreign countries, and that the U.S. should mind its own business and seek to improve its own human rights. McFarland and Mathews (2005) found in a survey that "On the surface, Americans appear to believe that international human rights are quite important...averaging across all polls from 1974 through 2002, 42% of Americans rated this goal as "very important" while 22% rated it as "somewhat important," (p. 366). However, the writers also discovered in the same 2002 survey that "supporting human rights ranked just 15th among the 20 goals in this survey, far behind 'protecting the jobs of American workers'" (p. 366). This polling shows that although two thirds of Americans want their nation to support international human rights, their actual concern for human rights within their own nation ranks consistently low, "below issues of national self-interest" (p. 366). Therefore, maybe Americans are not that interested in human rights after all, and instead are more focused on their self-interest. The authors continued to stress the fact that support for human rights in the United States is highly influenced by major events and also depends on the cost. Supporting human rights for the U.S. is more linked with "supporting democracy abroad", 'combating world hunger', 'improving standards of living (of other nations)' and 'protecting the global environment'" (p. 368). Thus, U.S. citizens demonstrate that they more concerned about their personal benefits rather than their country's human rights progress.

Supporters of China reveal that China is trying to attain social

stability; it has to tackle its human rights issues one step at a time and those steps are not always visible in a country with such a large population like China. Change gradually happens over time, but as always the U.S. does not seem to understand; it is always in the “fast mode” and wants quick changes. At the Third Annual Strategic and Economic Dialogue between the U.S. and China in Washington, China’s Vice Minister of Foreign Affairs, Cui Tiankai declared that “other countries raise the issue of human rights in China probably because they are trying to make some political gains.” He continued by insisting “that China had been making progress and that all countries, including the United States, needed to keep making progress on human rights” (Symonds, 2011). This was after Hillary Clinton’s and Joe Biden’s criticisms of China’s human rights.

America’s constant rebuke of China’s improvement has been dismissed by Executive Vice Foreign Minister, Zhang Zhijun, who claimed that China has indeed made visible progress since 1949. This progress may be slow, but being the country that China is, progress is expected to take years, probably decades, to become visible to foreign nations. “I want to stress that the Chinese government is committed to protecting and upholding human rights and we will ensure and protect people’s freedom of religious faith in accordance with the law,” Zhang told reporters in Washington. In response to Clinton’s statements during the interview, the Vice Foreign Minister said, “No country including the United States is perfect on the human rights issue. It is only natural for China and the United States to see human rights differently in some aspects. So we call for a dialogue and consultation on the basis of equality, mutual respect and non-interference in each other’s internal affairs” (Hillary, 2011). China is accepting fault by saying that the country is not perfect and is suffering from some ongoing repression but China will work harder to protect its people and their religious freedom as well as all other rights and freedoms.

According to this position, the issue with the U.S. is that it is impatient. After denouncing China’s human rights abuses, Hillary Clinton changed her overview by claiming that China is one of the U.S.’s best trading partners and stating that the U.S. is committed to maintaining strong ties with Beijing. Critics note that it is quite ironic for the U.S. to make such statements at the very moment it is busy criticizing China’s move to improve human rights. “When it comes to differences between China and the United States over human rights, the two sides can enhance mutual understanding on the basis of equality and mutual respect,” Hong Lei, Chinese Foreign Ministry spokesman, told a regular news conference (Peralta, 2011). He continued, “We oppose any country using human

rights issues as an excuse to interfere in China's domestic affairs" (Peralta, 2011). If the U.S. wants to scrutinize China's human rights policy, it should do so without any hidden intention and with an aim of truly helping the nation to relieve itself of its human rights tribulations and not to use human rights as a form of forced entry into China's internal affairs.

While the U.S. seems deeply concerned about China's recent clampdown on human rights, China sees the concern as a pretext for other issues (Buckley, 2011). For example, Hong responded to criticism over the holding of Ai Weiwei, an activist and a Chinese contemporary artist for suspected economic crimes in China by pointing out: "China does not fear the antagonism of other countries, but of course I hope the countries concerned and their populace will be patient in waiting for the outcome of the public security investigation into Ai Weiwei (China, 2011). China shed little light on Ai Weiwei's case and speculation was rife as to the possible reasons for his hold up. Barbara Demick (2011) queried Weiwei's detention: "Was it the semi-nude photographs of himself he posted on the Internet? Was it the current exhibit at London's Tate Modern in which he uses millions of sunflower seeds to make a playful commentary about how the Communist Party treated the late Chairman Mao Tse-tung as the sun, his subjects as sunflowers fawning towards the light?" Meanwhile, in a Thomson Reuters report, Beijing countered that these activists like Ai Weiwei are supported by the U.S. and are using human rights issues to voice their concerns while they are performing "underhand," deceitful political work (Blanchard & Buckley, 2011).

China's Critique of U.S. Human Rights

China accused the United States of having its own human rights problems. The U.S. reports the world's highest incidence of violent crimes every year. The United States has the most privately-owned guns in the entire world. Out of a population of 300 million people in the U.S., the U.S. has "90 guns for every 100 citizens making it the most heavily armed society in the world" (MacInnis, 2007). A New York Times article stated that bars in Tennessee, Arizona, Georgia and Virginia permit guns while 18 other states allow weapons in restaurants (Gay, 2010). Coincidentally, the U.S. has the highest number of "gun-related blood-shed crimes" (Xuequan, 2011). The Chinese human rights report argues that by providing its people with guns in hope of safeguarding them, the U.S. is endangering the lives of its many other citizens. The report also intimates that lives are violated and taken away unlawfully because of poor human rights protection.

Violation of citizens' civil and political rights in the U.S. is severe.

Travelers exiting and entering parts of the country were subjected to a full-body scanner machine revealing naked images of passengers. While the Transportation Security Administration has since taken steps to allay public concerns about these scanners, these privacy issues still persist. Civil rights groups have challenged the screening for violating freedom of religion since passengers cannot refuse the security check due to religious reasons. The U.S. also discriminates against disabled people. “In 2009, more than 21,000 disabled people complained to the Equal Employment Opportunity Commission (EEOC) about their experience of employment discrimination, an increase of 10 percent and 20 over the years of 2008 and 2007 (*The World Journal*, September 25, 2010)” (ctd. in Xuequan, 2011).

The Human Rights Report initially noted that in the 1970’s, one in every 400 adults in the U.S. was in prison, however, those figures have changed drastically over the years and now one in every 100 adults are in prison (The Long, 2009). The U.S. is also known for abusing suspects in order to get confessions. In China’s 2010 human rights report of the United States, it was stressed that the NYPD paid some 964 million U.S. dollars to resolve claims against officers accused of torturing suspects (Xuequan, 2011). The report also cited false charges and wrongful convictions. For example, Bradley Manning, a former U.S. soldier, is in solitary confinement under conditions which constitute cruel and inhumane treatment and are likely to create long term psychological injuries (Greenwald, 2010). The U.S. has kept prisoners who are suspected to be terrorists at Guantanamo Bay, a U.S. military base in Cuba. For over ten years, the suspects have been subjected to the worst possible human conditions which have drawn global condemnation. Even though President Barack Obama in his inauguration speech promised to close down this prison within one year, it has yet to be done. The conditions of the prison are so bad that Colin Powell, former U.S. Secretary of State, said, “If it were up to me I would close Guantanamo not tomorrow but this afternoon” (Rocker, 2011). He went on to say that Gitmo, as it is called, has essentially shaken the belief that the world had in America.

The U.S. pursues hegemony under the pretext of human rights and turns a blind eye to its own human rights situations. Instead of criticizing others, the U.S. should work on fixing their own internal problems. In 1994, the then Clinton administration recognized the retrogression on human rights and placed these issues on top of the list of matters to resolve. Yet the number of political prisoners and executions, along with tighter controls on freedom of speech and religious practices rose when compared to the pre-1994 period.

The U.S. Defends its Human Rights

The U.S. is convinced that it has a better human rights record than most other nations although accusations of racial discrimination and prisoners' ill-treatment are constantly hurled at them. The U.S. always highlights both its achievements as well as shortcomings. The U.S. is proud of its human rights says U.S. Assistant Secretary of State, Esther Brimmer, who also mentioned that it is "our own people, to whom we are ultimately accountable," regardless of who demands answers and instant improvement in the U.S. human rights record (Jordons, 2010). Michael Posner said that the U.S. acknowledges its imperfections and will not do things demanded from other governments but instead do things that are right to do.

The U.S. does not allow torturing of convicts to obtain confessions and the country is implementing new policies that will reduce torture and cruel treatment in the U.S. prison system. Assistant Secretary of State Esther Brimmer, who led the U.S. delegation to Geneva, emphatically declared that, "The prohibition against torture and cruel treatment applies to every U.S. official, every agency, everywhere in the world. There is an absolute prohibition as a matter of law and policy" (Siems, 2010). Supporters of U.S. human rights policies assure the Chinese people that the U.S. is always working and focused on human rights.

U.S. Moral Authority and Criticism of China's Human Rights

Based on the facts presented, it is clear that China has problems with human rights. Unfortunately, though, China is not the only one with problems. The U.S. also has human rights problems. The U.S. is known for its double standard and for expertly using its soft power to defend its human rights practices and policies. The U.S. is fearful of the progress China is making and is using human rights, an area in which China is weak, to divert China's path to progress. The U.S. is also using this issue as a medium to prevent China from upstaging its dominance in Asian affairs. How can the U.S. interfere in the internal affairs of China when it is also guilty of human rights abuses such as exploiting suspects and violating citizens' civil and political rights, as well as allowing gun violence, just to reiterate a few of the already mentioned human rights failures of the United States? This is surely a double standard.

But is the U.S. more concerned about the welfare of the Chinese people than its own citizens? Certainly the U.S. has ulterior motives and is using these issues to protect its superpower status. The statement made by Secre-

tary of State Clinton that a thriving China is good for a thriving U.S. does not hold up. China has made efforts to improve human rights and has even sought to work with other countries towards this end. On the other hand, the U.S. has indicated that it will not necessarily do things that other governments want it to do as in the words of Esther Brimmer and Michael Posner.

Should the U.S. tell China what to do? “Do as I say, not as I do,” which is the golden rule, is what the U.S. seems to be saying to China. Whether or not China becomes powerful in the international area may not be such a potential threat to the U.S., since most countries aim for some authority in the world. However, what would be the consequence if both countries, the U.S. and China, cross attack each other to defend their respective human rights affairs? Since 1996, the U.S. has realized that the more it gets into Beijing’s affairs, the more it gets difficult. The U.S. would be better advised to take its concerns to the United Nations as it relates to human rights abuses. Based on all the facts presented in the foregoing debate it is safe to conclude that the U.S. has no moral right to criticize China’s human rights.

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