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P.C. Chang and the Quest for a Global Ethic

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Abstract
This essay aims to describe and analyse the important contributions of the Chinese philosopher and diplomat P.C. Chang concerning the 1948 Universal Declaration of Human Rights (the UDHR). After a brief biographical sketch, Chang's main contributions will be presented and discussed. A study of Chang's contributions in this context may also highlight the ethical potential of the UDHR and its great relevance to global ethics and world politics today.

Keywords
Universal Declaration of Human Rights, United Nations, Human Rights, Global Ethics, Republic of China

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A Brief Biography on P.C. Chang

The Chinese philosopher and diplomat P.C. Chang (1892–1957) has been described as a renaissance personality by many people. He had several capacities and roles, i.e., he was a researcher, an educator, a diplomat, a theatre director and a playwright. He belonged to the same generation as Mao Zedong and Chiang Kai-shek and experienced the Qing empire, the Republic of China, and the People's Republic of China. He was intertwined in various cultural and professional circles in China and in the US during his time as a student and lecturer.

For example, he was a tutor of the famous playwright Cao Yu (1910–1996) and a friend of the distinguished philosopher Hu Shih (1891–1962). Furthermore, he was involved in the American and Russian tours of the opera singer Mei Lanfang during the 1930s. Chang also became involved in the May Fourth Movement of 1919. Chang's best friend, the linguist Y.R. Chao (1892–1985), who also came to the US through the same scholarship programme as Chang (The Boxer Indemnity Scholarship Fund), was Bertrand Russell's official translator during Russell's trip to China 1920–1921[1].

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Chang's skills as a diplomat, mediator, and negotiator were remarkable according to several of his colleagues at the UN. He was described as a "master of compromise" by the law professor John Humphrey, who was the secretary of the Human Rights Commission during the process of drafting the Universal Declaration of Human Rights. Hernán Santa Cruz, the Chilean delegate to the UN, also called Chang one of the most original persons who worked in the UN (Roth, 2018). Chang used metaphors as well as lucid and concise language to solve stalemates in the discussions. His broad learning – he was bicultural in the sense that he was well read both in Western and Eastern traditions – often made his attempts to solve impasses successful.

Chang was the vice-chairman of the Human Rights Commission from 1946 to 1948, a commission that had the responsibility to create a new international rights document (the Universal Declaration of Human Rights) after the establishment of the United Nations in 1945. The chairperson was Eleanor Roosevelt, with whom Chang had a very good professional relationship. In the beginning of the 1950s, after his work with the UDHR, Chang was involved in drafting the human rights conventions. He resigned from the UN in 1952 because of health problems, and he died in the small city of Nutley, New Jersey, near New York City in 1957. Before he began his work in the UN, he worked as a professor of philosophy at Chicago University and as a professor of philosophy and education at Nankai University in China during the 1930s. He also worked as a diplomat in Turkey and Chile in the beginning of the 1940s (Roth, 2018). In addition to these professional experiences, he worked as a theatre director and playwright, primarily during the 1920s and 1930s in the US and China.

Chang belonged to an "educationally hungry" and well-situated family from the port city Tientsin. His older brother, Poling Chang (1876–1951), was a co-founder of the famous Nankai school system, which in 1919 also developed into a university. Chang and his older brother were eager to learn from other countries and cultures, and both of them studied at Columbia University in the US. One of their tutors was the famous American philosopher and educator John Dewey, who visited China in the beginning of the 1920s.

Chang is not as well-known as some of his peers of the same generation, such as the philosopher Hu Shih (1891–1962), who was also a student through the Boxer Indemnity Scholarship Fund at Columbia in the beginning of the 20th century. In later years, people from PRC classified Chang as a member of Kuomintang, which was never the case according to his son, Stanley; however, this impression has lingered on through the years, with the result that Chang has been excluded as a major figure from history books on Mainland China. He has also been described as a scholar who was strongly influenced by Western culture. Hence, his thoughts and writings have not been seen as relevant for people with Non-Western traditions, despite the fact that Chang was bi-cultural or multicultural in his approach to ethics, culture and politics. In addition, regarding the history of the UN and UDHR, countries such as the US and France have been eager to stress the great importance of Eleanor Roosevelt and René Cassin among the drafters rather than of Chang. However, John Humphrey often stressed the great importance of Chang and of the Lebanese philosopher Charles Malik. He perceived them as the main architects of the UDHR. In Taiwan, Chang has never been really well known, and many people still do not know much about his life and his great contributions to the UDHR and the UN.

P.C. Chang was eager to compare different ethical traditions, something that proved to be useful later on when he worked at the UN. He engaged in "comparative ethics and philosophy," and he tried to find equivalents to central ethical concepts in Western and Eastern thought (Sandel, 2018). He was a cosmopolitan and travelled extensively around the world, especially during the 1930s and the 1940s. In other words, his life experience and his work on ethics and culture were congruent with each other.

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After the Japanese attacks on Nankai University and Tientsin (Tianjin) in 1937, Chang travelled extensively to inform the world about the attacks and atrocities in his home country. This mission and his skills as a diplomat in Turkey and Chile in the beginning of the 1940s gave him in 1946 the opportunity to represent China in the Economic and Social Council in the newly created United Nations. Among one of the important tasks for the Economic and Social Council was to write an international bill of rights[2].

The task to create the Universal Declaration of Human Rights (UDHR) was intricate and demanding because the Cold War had just started. The world faced severe ideological and cultural tensions, especially between the US and the Soviet Union, and the project was unique in that never before had a group of people from so many different parts of the world been faced with the challenge of formulating an international ethical standard with the individual person as its focus. Hence, a very brief moment of opportunity to create an embryo of an "international rights regime" appeared after the end of the Second World War, with the Universal Declaration as its main cornerstone.

The UDHR – not just a compromise

As previously mentioned, Chang was described as "a master of compromise" by his colleague the Canadian scholar John Humphrey regarding his work on the UDHR. Among the key drafters of the UDHR, Chang, Eleanor Roosevelt, René Cassin, John Humphrey, Charles Malik, Hansa Mehta, and Hernán Santa Cruz, Chang was the only drafter who had as his starting point an explicit idea of the importance of cultural dialogues in making the document universal in content, justification and application[3]. Nevertheless, Chang was not eager to talk about compromises as wholly positive in his earlier writings. According to him, a compromise is an indefinite notion, and it is more accurate and reasonable to talk in terms of "creative adjustments" when different perspectives or ideologies regarding ethics and politics stand in conflict with one another (Chang, 1936).

Chang implied *three* concepts within his idea of creative adjustments. First, a recognition that older traditions and habits need to be changed and improved. Second, we need to be engaged in an extensive survey in order to make contrasts and comparisons for the purpose of stimulation and suggestion and not for a kind of hurried borrowing or imitation. Third, we must reach "a liberated inventiveness" and be saved from inertia and a static understanding of cultures. Chang thought that when all three concepts are in place, we can start to talk about *critical adjustments* with reference to our encounters with other cultures and people.

However, it is accurate and reasonable to talk in terms of compromises when one describes the creation of the UDHR. If one accepts the characterization of a *compromise* presented by the political philosophers Amy Gutmann and Dennis Thompson (Gutmann and Thompson, 2014), one easily can see that the UDHR as a whole was an impressive compromise that was morally desirable for many participants in the Human Rights Commission.

A *compromise* exists when the parties have been forced to downgrade certain aspirations in order to gain something new and valuable. Hence, the different representatives in the UN had to downgrade their national cultural ambitions or traits to some extent, for the sake of presenting and implementing a more global ethical document with universal legitimacy. If certain national norms stood in conflict with the fundamental rights and freedoms of the UDHR, the State in question had to revise or get rid of some of their more cultural-specific norms if they were not accepted by the other parties. Achieving the UDHR and "ethical universalism" were from this perspective such a crucial success that it could compensate for the loss of complete cultural integrity or self-determination regarding ethical norms and the content of national and international law. At the same time,

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Chang was eager to reach as much substantial agreement and consensus as possible between the different participants and their ethical traditions.

Roughly, these traditions can be described in the following way: some of the delegates and drafters in the UN came from Catholic countries (Hernán Santa Cruz from Chile and Austregésilo de Athayde from Brazil), and some were more secular (Cassin and Chang). Chang also based his ideas on Chinese philosophy and pragmatism. Some were sympathetic to socialism (Humphrey and Santa Cruz), while others were social liberals (Roosevelt and Chang). Some delegates belonged to the Orthodox Christian Church (Malik), but they could also as Catholic believers accept Natural Rights Theory, especially the Lebanese philosopher Charles Malik (Roth forthcoming, Twiss, 2019). The Soviet-Russian drafter of the UDHR – Alexander Bogomolov and the Eastern European delegates – represented Marxism and anti-colonialism. Delegates from Muslim countries, such as Egypt, Iran and Pakistan in the end also endorsed the UDHR (December 10, 1948).

In addition to the aforementioned national backgrounds of the delegates, there were delegates from Egypt, Syria, and India. One of the main participants in the drafting committee was the Indian women's rights and peace activist Hansa Mehta (1897–1995), who had worked for Mahatma Gandhi's anti-violence campaign before participating in the UN.

Several divisions between the delegates appeared during the working process from 1946 to 1948. These included the relationship between civil/political and socio-economic rights, the religious or non-religious underpinnings of the UDHR, the relationship between duties and rights and the question of whether the document should be a declaration or a legally binding convention. Hence, one challenge for the drafters and the delegates was how to find unity or reasonable compromises in the religious and ideological diversity among 58 member states. Significantly, some of the key drafters clung to multiple ideological identities, a fact which presented possibilities for cooperation and reconciliation because it enabled the delegates to find a common ground regarding some issues despite their different ideological identities and allegiances.

An advantage was that the rights document at the end of 1948 was accepted as a *declaration* and not as a covenant. The fact that the majority of the delegates wanted the UDHR to become a declaration and not a convention made it a more viable project, and it contributed to the flexibility and openness of the document. Hence, the UDHR included various ethical concepts in addition to rights. These included virtues such as tolerance, generosity, and benevolence as well as more general moral responsibilities and duties to one's society (Article 29) and a call to act in the spirit of brotherhood (Article 1). Chang's reflections on tolerance, religious freedom, and duties to one's community played an important role in this context. He did not want the UDHR to express "selfish individualism." Together with Charles Malik (Roth forthcoming) he contributed to the philosophical and ethical character of the UDHR. It is a well-known fact that the creation of legal conventions and covenants are highly technical. Their legally binding nature makes it harder to reach broad agreement on their content.

Global Ethics and the Universal Declaration

Some of the drafters, such as P.C. Chang and Charles Malik, had the ambition to find common denominators in ethics that could bridge the cultural and political divides among the drafters and the UN delegates. They strived to formulate a global ethics in two senses.

First, global ethics, including ethical norms and international standards, could be applicable to all humanity. For example, the Preamble of the UDHR states that nations and people should strive for global peace. Chang also was eager to emphasize the great importance of global health in his work for the WHO. He said that "sickness in any part of the world is a concern for all other parts of the world." These remarks are especially relevant today, in 2021, in light of the Covid-19

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pandemic. The fight against epidemics and pandemics, against sickness of any form, is a common denominator for all people, irrespective of their ideologies and religions.

Second, global ethics could be applicable to values and norms that are essential for all nations in order to function. Here one could mention the ambition to make the legal system fair and predictable, the preservation of law and order, basic welfare issues, education, cultural provisions, infrastructure and communication, etc.[4] Global ethics in this second sense leaves room for cultural specificity among the nation -states when the standards of basic rights have been fulfilled (Kymlicka, 2020).

What these basic or minimal standards are is a contested issue. One possible interpretation is that they consist of unambiguous and evident norms such as the rights against torture and slavery. One could also add deeply cherished norms such as religious rights that could be interpreted and implemented in different ways, depending upon the national context and the cultural traditions. The UDHR assumes that primarily nation-states are obligated to fulfil these rights – first and foremost towards their own citizens. The overarching ideal in the UN was that everyone around the world should be able to enjoy these rights and that nation-states and organizations in cooperation should come to rescue when the nation-states on their own were unable to fulfil their primary obligations towards their citizens.

Chang's strategies

It is interesting to investigate Chang's intercultural strategies as he was one of the drafters who had an explicit comparative philosophical perspective. He also assumed that different cultures and ethical frameworks were not relative in nature. Different cultures could also learn from each other. The project to formulate ethical standards, such as human rights, was meaningful according to him, and it could be based upon common criteria of reasoning. As human beings are endowed with reason and conscience, which is stated in Article 1 of the UDHR (an article that Chang was deeply engaged with), the articles and the Preamble of the UDHR could be described as an outcome of these fundamental human capacities. The presupposition for a meaningful cultural dialogue about ethics is that there is something more or less objective to argue about and that various cultural perspectives could enrich the dialogue (Collste in this volume).

The following exploration of Chang's strategies can be described as a "rational reconstruction" of his interventions regarding the UDHR debates (Schabas, 2013).

Chang and some of the other drafters of the UDHR, such as the Canadian scholar John Humphrey, had made historical surveys about the presence of ethical concepts such as human or natural rights in different traditions before the real drafting process started. The aim was to identify "counterparts" to familiar concepts in Western traditions, such as rights, freedom, equality, justice, and dignity in non-Western traditions, and also to explore what the different traditions could learn from each other[5].

A more specific aim for the drafting team was to identify starting points for the justification of various human rights. For example, religious toleration and freedom could be justified from both a secular liberal perspective and from the angle of Protestant theology. Hence, in the words of the American philosopher John Rawls, the project was to delineate an "overlapping consensus" among the delegates about ethical principles such as human rights (Rawls, 1996). Here one should not interpret this consensus in actual terms but rather see it as a potential, progressive convergence between key elements in various cultures via a "deliberative route" pursued by reasonable persons (Beitz, 2009).

Chang also strived to show that the differences between the various ethical traditions in different civilizations, such as the European and the Chinese, were not so radical and fundamental

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as people generally thought. He held that democratic freedoms such as freedom of speech had a long history both in China and in Europe (Chang, 1948). He argued that freedom of speech was a deeply embedded principle in Chinese culture, even though it has not been expressed politically and institutionally in the same way as in the West.

Freedom of expression was also a principle that was deeply engrained in public consciousness, and rulers who tried to ignore or suppress freedom of expression ran the risk of losing political legitimacy among the citizens. A proof of this was that some people preferred death or being imprisoned if they could not voice their fundamental political views. The same phenomenon also applied to people's struggle for social-economic rights, according to Chang. A ruler who could not provide for the welfare needs of his or her people would not have legitimacy in their eyes (Roth, 2018). A classic statement from Confucius is that when the great way prevails, the world is shared by all. On the basis of Chang's perspective, one could claim that socio-economic rights and civil-political rights both had an important standing in the history of China. With reference to human rights, one could also claim that Chang was a *compatibilist* in that he thought that Confucian and human rights thinking were compatible (Roth, 2018, Tiwald, 2011).

Chang did not use the specific word "enrich" or synonyms of this word when he talked about "mutual learning from various cultures" on ethical matters. However, he used words that harmonize with "enrich," such as the expression "intermingle with." The following is a relevant quotation from one of his UN contributions:

> In the 18th century, when progressive ideas with respect to human rights had been first put forward in Europe, translations of Chinese philosophers had been known to and had inspired …. thinkers… in their humanistic revolt against feudalistic conceptions and… Chinese ideas had been intermingled with European thought and sentiment on human rights of the time when that subject had been first speculated upon in Modern Europe. (Schabas, 2013).

In this context Chang referred to French 18th century philosophers, such as Voltaire and Diderot, and ancient Chinese philosophers such as Confucius and Mencius. It is not perfectly clear what Chang meant by "intermingled with" in this UN context, but a reasonable guess is that anti-feudalism in China may be interpreted as promoting various political freedoms and the absence of the *divine rights* of kings. The latter implied a criticism of the inherited political power of the aristocracy in various European countries. A *bricolage* of various thoughts from Western and Eastern traditions was formed on the basis of the cultural encounters.

In regard to Article 1 in the UDHR, Chang wished to highlight that human beings are not only endowed with reason but also with moral capacities ("conscience"). In the vocabulary of the ancient philosopher Mencius, the combination of heart-mind was essential for the characterization of humanity. In the words of Chang, it was desirable that the phrase «two-man mindedness» or sympathy for others (*ren* 仁) was included in Article 1, implying that human beings had a fundamental capacity for benevolence or humaneness.

An Ethical Filter

With reference to the two meanings of "global ethics" mentioned above, Chang wanted to use in the UDHR an ethical "filter" or a method of ethical discernment that was broad enough to "welcome" or include universal ethical truths relevant for all cultures. The filter should be narrow enough to exclude elements that should not be parts of the UDHR. In other words, he used various strategies of "inclusion and exclusion" in his work on the UDHR.

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In addition to the use of "methods of compromise" to solve stalemates, Chang used a variety of strategies that aspired to make the UDHR as inclusive and reasonable as possible for the delegates. One of these strategies was the *via negativa*, meaning that people can agree more on ethical matters if they initially strive to combat negative conditions in their societies. It is easier to achieve consensus about what are injustice and cruelty than to reach agreement on the meaning of positive aims such as what are just and fair conditions in society.

According to his son Stanley Chang, P.C. Chang often used a phrase from the poet Robert Burns, "Man's inhumanity against man," when he discussed the main purpose of the UDHR during the first meetings of the drafting group. Hence, the primary aim of the Declaration was to fight against man's inhumanity against man that had showed itself so clearly during the Second World War (Roth, 2018). For Chang, the immediate post-war period presented a unique possibility for a "new humanism" in the world, given what mankind had experienced before and during the Second World War.

Chang also wanted to exclude elements that hindered the overarching objectives of the UDHR, i.e., to be a document that could contribute to global peace and understanding. To include metaphysical and religious views (such as "Man was created in the image of God") was unreasonable for several reasons, he argued. Such attempts were divisive since people all around the world have different religious and metaphysical views. The aim was to make the UDHR an impartial document that everyone could identify with. Religious and metaphysical views were also insoluble as they were matters that "transcended" the capacities of human reason or rationality. Chang expressed an agnostic perspective through these statements. Explicit religious and metaphysical views were, in his opinion, also irrelevant in the light of the main purpose of the UDHR. Since the main purpose of the UDHR is to be an instrument for moral education (i.e., "*the humanization of man*" through the endorsement of pluralistic tolerance and sympathy for others), metaphysical and religious views should be kept in the background.

At the same time Chang did not want people with strong religious views to feel excluded from the UDHR. Hence, he strived to find formulations that could be accepted by people from different faiths and ideologies. For example, Chang thought the characterization of man in Article 1 as a rational, autonomous, and compassionate being could find approval among theistic believers, as the notion of God implies that these attributes are essential (Roth, 2018, Twiss, 2019). Furthermore, he thought that one should not be engaged in any "political excursions" that may distract one's attention from the real subject matter, *human rights*.

Chang – a bridge builder

Chang was an important bridge builder in the UN. In a systematic way he tried to show that the ethical common denominators among people around the world were stronger and more substantial than their differences. Because of his educational and professional background – and more generally his life experiences – his ability to achieve these objectives in the UN context was formidable. Chang made a deep imprint on the progress of human rights and international cooperation through his work on the Universal Declaration and as a representative for the Republic of China in the United Nations.

Notes

1. As Vice-Dean at Tsinghua College, Chang also became involved in cultural exchange when he arranged the visit of the Indian philosopher Rabindranath Tagore in 1924.
2. Chang was also pivotal in the arrangement of the first international conference on health in 1946 in New York. This conference paved the way for the creation of the World Health Organization.

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3. The Lebanese philosopher and diplomat Charles Malik also engaged in an "ecumenical" approach, especially during the final stages of the working period (Roth, 2018).
4. Articles 6 to 11 in the UDHR deal with legal rights while Articles 18-21 deal with political rights and freedoms. Articles 22 to 26 emphasize social-economic rights.
5. A similar project was pursued by UNESCO when different philosophers and politicians met to discuss human rights from a global historical perspective, almost at the same time as the drafters discussed the content of the UDHR (Maritain, 1950).

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