

中国政府论证的语用论辩分  
析：以“评美国国务院《人权  
报告》”为例

A Pragma-Dialectical  
Analysis of Chinese  
Government's  
Argumentation: A Case of  
'Comment on Country Report  
of Human Rights Practice by  
the U.S. Department of State'

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本研究采用语用论辩学分析中国政府回应美国政府批评中国人权状况的论辩话语，旨在探讨中方如何通过论证来反对美方的霸权。本研究以中国国务院新闻办公室（“国新办”）在1995到1997年间发布的三篇官方文件“评美国国务院《人权报告》”为研究文本，通过分析其中的论证结论（立场）、论证内容（理由）、论证结构和论证图式发现国新办在上述四个方面的论证策略。通过分析，研究者发现：1) 在立场上，国新办并不同意美方《人权报告》

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This paper, adopting pragma-dialectical approach, analyses the Chinese government's argumentative discourse in response to the accusation of its human rights practices by American government, in order to explore the former's argumentation in resistance to America's hegemony. It takes "Comment on Country Report of Human Rights Practices by the U.S. Department of State", three pieces of official documents issued by Information Office of State Council of China ("IOSC") from 1995 to 1997, as the research texts. It analyses the claim (standpoint), argument (reason), argument

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中一些部分所说的中国存在人权违规的观点；2)在论证内容上，国新办主要提供了四类理由，分别是：美方的人权报告存在歪曲中国人权的情况；美方忽略了中国政府在人权上取得进步的事实；也无视其自身严重的人权违规现象；美方对中国人权的指责是其霸权本质的体现。3)在论证结构上，就人权事宜，中方属于非混合的复杂论辩类型，其内部的复合、并列和嵌入型类别又相互结合；4)在论证图式上，国新办的人权话语主要以征兆型论证为主。本研究从论辩的视角对发展中国家对外人权话语的改进提供实践价值。

[关键词] 论证；人权；语用论辩；论证结构

structure and scheme to find out the argumentative strategies of IOSC in these four aspects. It was found that: 1) in terms of standpoint, IOSC denied the view of U.S. side that China had human rights abuses in some parts of its Country Report; 2) in terms of argument, IOSC mainly provided four types of reasons: the U.S. counterpart distorted China's domestic human rights practices in some cases, neglected the progress of human rights the Chinese government had made, took a blind eye to America's own severe human rights violations, and American government's accusation through Country Report was the embodiment of hegemony; 3) As to the argument structure, the Chinese government adopted non-mixed complex argumentation with their various types of multiple, coordinate and subordinate structure in combination on human rights issue; 4) in terms of argument scheme, IOSC mainly adopted symptomatic scheme in its discourse. The study provides practical values for the improvement of a development country's international human rights discourse in the argumentative lens.

**Key words:** argumentation; human rights; pragmatic-dialectics; argumentation structure

Since China released its first white paper, a type of official documents which represents a state's stance and attitude towards a particular and significant issue (Xie, 2005), Chinese Human Rights, it has become a common practice in the last 25 years for the Chinese government to introduce, clarify and defend its human rights practices to the world and the UN in response to outsiders' curiosity, misunderstanding and bias, particularly those from western countries led by the U.S.. The practice dates back to the fact that the U.S. Department of State has been yearly issuing Country Reports on Human Rights Practices (hereafter "Country Report") since 1970s, demonstrating the human rights "abuses" of other countries worldwide, in which China is also included later. Based on these reports, the U.S. government politicalized human rights issues through imposing financial, trade sanctions and even military interference on those states with "poor" human rights conditions (Dong, 2000). Against such backdrop, Information Office of State Council of China (hereafter "IOSC") each year argues back by introducing its human rights, revealing the faulty aspects of Country Report (China section), and demonstrating the human

rights abuses of the U.S., which are released in the form of official documents—Chinese Human Rights, ‘Comment on Country Report’ and the current Human Rights Record of the United States respectively.

Such human rights controversy among developing countries and western developed countries is a typical case of international political argumentative practices in which a state actor proposes a claim and supports its claim with evidence and rebuts the challenges from other actors. The UN state members propose and discuss the human rights problems of a member state and make policies to solve them in regular sessions held by the UN Human Rights Council in Geneva. The political deliberation is one domain in which argumentation is practiced (van Eemeren et al., 2014: 559). For instance, the U.S. representatives proposed since 1990 to evaluate China’s human rights due to the latter’s human rights violations in the regular sessions in the UN. In order to refute and dismiss such proposal, the Chinese government representatives argued by demonstrating China’s progress of human rights (Wu & Zhu, 2015: 192-204). Thereby, human rights argumentation constitutes a representative political discourse in the international communication.

On the other hand, the analysis of argumentation, that is, how the argumentation as ideological device is served for the communicators’ purpose, is also increasingly needed in critical discourse analysis (CDA). As one of the main domain of CDA, the political discourse (Chilton, 2004; Fairclough, 2003; Hart, 2015; van Dijk, 2000) has always been focused on, in Amossy’s (2009a) term, the “thick” linguistic descriptions as the linguistic realization of power, ideology and control. What is limited in certain aspects is the systematic and comprehensive argumentative dimension in analysis, which is “the inherent feature of discourse” and integrated into the “fabric of the text and verbally elaborated” (Amossy, 2009a: 254). As van Dijk (2000) argues, the argumentation (in terms of content and form), particularly its content needs to be addressed given its ideological power. The analysis of argumentative content, its structure and schemes, to me, could be included in CDA as they may enrich the argumentation representation in it. Thereby, it seems to be possible to address the argumentative aspect in CDA. Meanwhile, pragma-dialectical approach in the field of argumentation studies to my knowledge could provide an alternative for the enrichment of the systematic representation of argumentation in CDA by taking both reasoning and language aspects of discourse practices (see Ouyang & Jin, 2016; van Eemeren, 2010; van Eemeren et al., 2002; Wu, 2015).

Given such consideration and the advantage of pragma-dialectics, this study will combine pragma-dialectical approach to CDA, and exemplifies its potential values as the complementation of the latter through the analysis of IOSC's argumentative strategies in its institutional discourse refuting the U.S. government's report on China's human rights abuses. It needs to clarify that this study aims not to evaluate the Chinese government's human rights discourse or its stance on human rights, but to provide a constructive perspective to represent its human rights argumentation in order to understand and improve its human rights practice. I try to argue that argumentation can be generally speaking a useful device for those dominated groups (less powerful groups) if employed reasonably to challenge or resist to the power abuse of dominant ones (more powerful ones).

I will present the problems of imbalance between language and argumentation in CDA in Section One, which lays the preconditions for the integration of the two. In Section Two the advantage of pragma-dialectical approach will be detailed compared with CDA in terms of reasoning and language aspects, which is followed by a case study of the Chinese government's argumentative discourse in Section Three and Four.

### **1. The Problem of CDA: Imbalance Between Language and Argumentation**

To my understanding, there seems to be imbalance between the linguistic description and argumentation in CDA as close attention is paid to linguistic patterns. CDA discloses the power, hegemony and ideology underlying the discursive practices and the relation between discourse and power and ideology. For instance, at the text level and discursive practice of the three-dimensional model of Fairclough (1992, 2003), the order of discourse (structural analysis) and intertextuality are detailed for the production of meaning as construction of the society. It is the same for van Dijk's socio-cognitive model in which linguistic structures and form are identified as ideological devices for positive US presentation and negative OTHER presentation. The former includes genre, difference, voices (in intertextuality), assumptions, semantic/grammatical relations between sentences and clauses, and between words as well, speech function and mood, rhetoric, representation of social events and style (Fairclough, 2003); the latter covers the ideological discourse structure, i.e., meaning, propositional structures, sentence syntax and discourse forms, rhetoric, style (lexicalization), action and interaction (van Dijk, 2000). Similar

linguistic oriented analysis is also observed in Wodak's discourse-historical approach (Angouri & Wodak, 2014; Wodak & Boukala, 2015). Thus, it can be observed that text description both covers from the smallest unit of lexicon to the complete whole text or conversation as a genre. It also distinguishes itself from other discourse analysis approaches, such as Laclau and Mouffe's discourse theory (see Jorgensen & Phillips, 2002) which is more abstract without language focus.

What CDA fail to address may be the argumentative nature of discourse. The conception of argumentation could be understood from a broad perspective, in which discourses with non-argumentative aims, provide factual information or create a fictional world (Amossy & Aviv, 2002; Grize, 1990). That is because discourses as such still belong to the domain of persuasion insofar they try to orient the audience's ways of looking at and judging the world (Amossy & Aviv, 2002). In this dimension, argumentation is regarded as a process aiming at influencing one's opinion, attitude and even behaviour (Grize, 1990), no matter how far its verbal means deviate from the norm of argumentative discourse with claim and support. In other words, the usual non-argumentative discourse like news reports, diary, novels and letters, all could be understood from argumentative dimension, instead of being excluded and dismissed by the narrow delimitation of justification and refutation or persuasion in rhetoric and dialectical approach.

In contrast to the rich description of linguistic feature, there seems to be little systematic analysis of argumentation with argument reconstruction in CDA. For example, Fairclough (2003: 81-83) adopts abstract Toulmin model in his analysis of argument structure without texturing of the arguments due to the difficulty that its elements (e.g., warrant and backing) are often implicit, taken for granted and assumed. For him, assumption is regarded as logical implication and he suggests 'voice' as such implement to abstract argumentative analysis. Argumentation in van Dijk's (1992, 2000) approach is limited to the explicit discourse structure filled with standpoints and reasons like editorials. He specifies three types of argument schemes: authority (as evidentiality or voice), illustration (example) and number games (statistics). Van Leeuwen and Wodak's (1999) legitimation also involves argumentative elements, such as authorization, rationalization, moral evaluation and mythopoesis, in which the latter two are more close to Amossy's understanding of argumentation without obvious argumentative aim.

In sum, there may be, to me, a limited understanding of such argumentative nature of discourse with non-argumentative structure (e.g., diary) and a lack of more systematic description of argumentation (in arguments, argumentation structure and scheme etc.) compared with the detailed analysis of linguistic aspects in CDA.

However, the situation of such conception and analysis of argumentation is changing recently in CDA. Argumentation in political domain, particularly deliberation and practical argumentation attract increasing attention in political discourse analysis. For instance, Fairclough and Fairclough (2011, 2012) argue that political discourse is in nature argumentative in support of or in opposition to particular way of acting as ground for decision over several possibilities. They thus suggest that the analysis of texts should “focus on the general features of whole texts” instead of isolated textual features, and “non-argumentative genres (narrative and explanation)” should also be examined “in relation to arguments in which they are embedded” (Fairclough & Fairclough, 2012: 1). This interdisciplinary collaboration between discourse analysis and argumentation also echoes Amossy's (2009a) initiation of argumentation in discourse and Ramírez's (2013) argument for a bridge between “the paradigms of CDA” and “French Discourse Analysis and Argumentative Analysis”. Van den Hoven (2015) further proposes rhetorical discourse analysis combining narrative, argumentation and contrast in his analysis of discourse with multimodality.

Therefore, it seems to be natural and possible to integrate CDA and argumentation in order to bridge the distance between the two separate disciplines and to overcome their own limitations in which the former lean towards isolated local linguistic means and the latter disregards its textual realization in communication. Differing from Amossy's (2009a, 2009b), Ramírez's (2013) and van den Hoven's (2015) approach, I would like to suggest van Eemeren's pragma-dialectics to overcome the limitations mentioned above, which has the advantage the previous three ones cannot enjoy.

## **2. Advantage of Pragma-Dialectics: Integration Between Argumentation and Language**

The pragma-dialectical approach balances both macro-structure through its argumentation reconstruction and micro texturing realization of arguments though strategic manoeuvring. The macro-structure of argumentation reconstruction consists of four stages of confrontation, the

opening, argumentation and the concluding as a template of heuristic and analytic tool (van Eemeren et al., 2002, 2014). In the confrontation stage, different opinions (standpoints) are manifested; in the opening stage, the parties agree upon their division of discussion roles of protagonist and antagonist, and identify their commitment (common starting point); in the argumentation stage, each actor advances, challenges and defends his (her) argument, and evaluates the quality of arguments, which constitutes the significant part of critical discussion; in the concluding stage, differences of opinions are resolved in favour of protagonist or antagonist by defending against critical responses or failing to defend (summarizing the results in attempt to solve differences of opinions), and either protagonist or antagonist, thereby, withdraws his (her) standpoint.

On the other hand, strategic maneuvering can be understood, according to van Eemeren et al. (2014: 553), as “a rhetoric dimension” of this theory. As one aspect of strategic maneuvering, “the exploitation of presentational devices” means “the examination of the stylistic and other means of expression” serving the purpose of effective communication (van Eemeren et al., 2014: 554). Although the strategic maneuvering is more closely related to logos and pathos it does not need to be limited to rhetoric perspective. Instead, it can be extended to other disciplines, such as dialogue study, pragmatics and discourse analysis (van Eemeren, 2010: 96). Strategic maneuvering can be extended to include linguistic devices as what van Haften demonstrated (see Ouyang & Jin, 2016).

### 3. Materials and Methods

In order to examine the argumentative strategies of the Chinese government, the paper selects IOSC’s three official documents named “Comment on Country Report of Human Rights Practices (China section)” (hereafter “CCR”) in 1995, 1996 and 1997 as materials. They were the response to the accusation of China’s human rights abuse in the U.S. official report Country Report of Human Rights (China section) released by the State Department. The retrieval of these official articles is from the web version of CCR under the category of important documents in *Yearbook of Chinese Human Rights (1949-1999)* under the item “yearbook” in China National Knowledge Infrastructure (CNKI) (<http://nianjian.cnki.net/>) full text database.

The reason to choose these CCRs as materials is that they signify a change of the Chinese government’s response to the U.S. government’s human rights accusation, i.e., directly rebutting the content of American

government's Country Report, instead of self-reporting China's own domestic human rights conditions in white paper Chinese Human Rights in the early 1990s. Such a discursive change also indicates what Shi (2013) argues China moved from a passive recipient to an active speaker on human right issues; such argumentation on human rights is as an increasing counter-hegemonic discourse in resistance to overwhelming discourse of western countries. Additionally, the Chinese official discourse on human rights as such represents, to some degree, a typically progressive and argumentative model of the Chinese side when the government communicates with international communities based on its numerous heated exchanges with the U.S. side (Zhao, 2006a, 2006b).

As this study explores how the Chinese government argue with the U.S. counterpart on China's human rights, that is, what arguments, standpoint, argument structure and scheme IOSC employs for the challenge of the U.S. government's accusation of China's human rights violation and also given the advantage of pragma-dialectics, I propose to integrate pragma-dialectics with CDA, particularly the reconstruction of arguments as analysis object (owing to the space pressure, I will not examine its micro linguistic realization) for the purpose of description of IOSC's argumentative discourse and its resistance to the hegemony concerning human rights issue. Specifically, I identify the four stages of critical discussion employed by IOSC through the analysis of the confrontation, opening, argumentation and closing stage in CCRs. The identification of the four stages is operationalized on the reconstruction transformations (the specific analytic operations, van Eemeren et al., 2014: 535) of deletion, addition, permutation and substitution of IOSC's human rights discourse.

#### **4. Argumentation Reconstruction in “Comment on Country Report of Human Rights Practices”**

In the confrontation stage, the standpoint of the Chinese government is that Country Report of American State Department was not the authentic description of China's human rights, rather it was the embodiment of the power politics of the U.S., in which the latter “criticized the political system” and “destroyed the social stability in China” through promoting human rights of the Chinese citizens based on the analysis of CCRs. This was because some of the human rights violations listed in Country Report did not reflect the actual conditions of China's human rights. According to van Eemeren et al. (2002), a standpoint is indicated by some linguistic indicators (*so, thereby, etc.*) and the context of speech. For example, at the very beginning IOSC



stated, “[t]he report, while full of empty slanderous words, [...] They [these ‘cases’] are either based on rumours or deliberately fabricated, with no truth in it” (CCR, 1995), and “it reveals the true face of American government, interfering other countries’ domestic affairs in the name of preserving human rights and practicing power politics” (CCR, 1996). Given the long human rights debates between China and the U.S., the U.S. yearly releases human rights reports of other countries presenting human rights abuses, and many countries (e.g., Russia, Vietnam, China, Singapore and other developing countries etc.) protest American government’s human rights reports. The Chinese side undoubtedly protested and resisted America’s human rights diplomacy of Bush and Clinton government throughout 1990s (Hong & Dong, 2003). The refutation of the Country Report was probably part of such Sino-U.S. human rights struggle.

Thereby, for the different opinions between the Chinese government and American counterpart concerning whether Chinese human rights was abused or not, the Chinese side takes a standpoint of denying, i.e., the Chinese government did not make those human rights violations as typically and distortedly exemplified in the U.S. government’s County Report, rather the report had been part of the embodiment of the American government’s power politics of interfering other states’ domestic affairs.

In the opening stage in this case, IOSC took the role of antagonist of refutation as it was against American counterpart’s argument of China’s human rights abuse and proved such argument wrong and invalid, based on which IOSC further proposed its argument of America’s power politics in the name of protecting human rights. In the opening stage, the antagonist will challenge and rebut the argument of the protagonist (van Eemeren et al. 2002). According to van Eemeren et al. (2002: 25), a protagonist usually proposes and defends his (her) standpoint for challenges, while an antagonist challenges the standpoint and arguments of the protagonist. Based on the definition, we could infer the role of protagonist was occupied by American State Department as it proposed its standpoint first, i.e., China had human rights abuse problems; the U.S. side as the main counterpart and addressee of the Chinese side, could also be observed by IOSC’s name for the U.S. as “human right judge,” or “Country Report” or “the U.S. State Department” in CCRs.

It needs to mention that for the similar standpoint of Chinese human rights violation, the role of protagonist was likely to be extended to cover many western developed countries, including those European countries, Australia, not limited to the U.S.. This is obviously due to the fact that

these countries showed similar human rights stances as the U.S. did, which was demonstrated in their yearly anti-China human rights proposals initiated by the U.S. in the UN for the examination of China's human rights due to its abuses in 1990s (Dong, 2000). However, the Chinese side in this case did not note other western countries in its CCRs and only responded to American counterpart's accusation, it is therefore assumed that America as the protagonist here in the current case.

Given the starting point in pragma-dialectics as “the fact or value judgement assumed or confirmed by the protagonist and the antagonist” (Wu & Zhu, 2015: 58), IOSC's starting point in CCRs, seems to follow the Universal Declaration of Human Rights (United Nations General Assembly, 1948), the UN Charter and principle of independence and sovereignty, non-interference of domestic affairs of a state as the common practice of international communication, of which non-interference is also applied to human rights issue and other UN members as well. The starting point as such is probably based on the historical context. As China and the U.S. are the founding members of the UN, and both drafted Universal Declaration of Human Rights, and China also signed 25 international agreements on human rights till 2010 (Chen & Tian, 2010), these actions in a way imply that the two states share the values underlying human rights (such as respect for life and dignity and equality). Also, China and the U.S. both acknowledge the universality of human rights (Li, 2005). Thereby, it could be assumed that these universal principles and rules in the UN are also applied for all its members as the basis of dealing with international issues among countries (although I admit that some countries did not adhere to them in reality). Some of these values were also observed in CCRs in 1995 that “[e]very state has an inalienable right to choose her political, economic, social and cultural systems, without interference by another state in any form” and “[Country] Report [...] attack[ed] China's political, economic, social and cultural systems in total violation of the above-mentioned declaration.”

Although IOSC did not state Universal Declaration of Human Rights in its CCRs, IOSC seems to justify that the Chinese government did accord with the aim of declaration. The declaration states its aim as “the promotion of universal respect for and observance of human rights [in the dignity and worth of the human person and in equality and social progress and standards of life] and fundamental freedoms” (United Nations General Assembly, 1948). For instance, IOSC presented in CCR of 1995 the Chinese government's efforts in protecting the human rights of prisoners, saying that the Chinese prison administrators provided humanistic treatment of

Tibetan nun Puncog Yangji once they found she was ill, and clarifying that she died of illness instead of “extrajudicial killing” stated by the U.S. counterpart.

The differences in human rights practices above between China and the U.S. probably reflect the different focuses on human rights, and thereby the means of promoting human rights. The U.S. emphasizes the universal aspect of human rights and adheres to the idea of “human rights above sovereignty”; while although the Chinese side acknowledges the universality and particularity of human rights, it emphasizes on the latter (Dong, 2000). Put it another way, for China it is sovereignty above human rights, in which human rights is regarded as part of domestic affairs (Dong, 2000). The concrete practices of releasing Country Report, linking China’s human rights situations with its most-favoured nation treatment, preventing the repatriation of the Chinese prisoners of Korean War, were typically such embodiment of American government’s promotion of human rights. In contrast, the Chinese side considers one state has no rights to interfere another state’s human rights (unless severe abuse of human rights e.g., genocide, slave trade, racial discrimination system, pollution or diseases threatening global security occurs) or impose their political system or ideological norms on another one in the name of preserving human rights. Because the Chinese side considers in CCRs that human rights belongs to domestic issues. In addition, the unique historical, cultural, and social conditions of each state decide that it is unrealistic to take the same measures of other states realizing the aim of promoting human rights, Such a basic understanding of human rights protection probably sets underlying ideology of the Sino-U.S. human rights struggle in the form of argumentative practices.

In the argumentation stage, in order to prove American side’s accusation of Chinese human rights violation not true, IOSC mainly provided four arguments throughout these CCRs: 1) some of the typical and repetitive cases in Country Report distorted the actual situation of China’s human rights; 2) America disregarded that China had made great progress in human rights generally; 3) America took a blind eye to its own severe human rights violations; and 4) the accusation of Chinese human rights was actually the embodiment of the hegemonism of the U.S. in essence. I will reconstruct the structure of these arguments below one by one.

The first argument of IOSC was that the U.S. State Department to some degree distorted the actual situation of China’s human rights in its Country Report. IOSC revealed the faults of American opponent’s report of

China's human rights practices, and refuted them by presenting the situation and aspects of human rights in China which was omitted, distorted, invented or exaggerated by the U.S.. Specifically, IOSC usually pointed out in its argument (the wrong, distorted or misinterpreted part of Country Report made by the U.S.), then provided the actual situation of the human rights in China, and added the neglected human rights abuses of the U.S. if necessary. General speaking, premises 1.1-1.11 are the major reasons employed by IOSC in support of Argument One, which were the distorted Chinese human rights practices by the U.S. government covering most of the civil and political rights from the right to life to the right for minority to enjoy their own culture. It could be observed from these premises that Argument One is a multiple argument, according to the reconstruction of argument in pragma-dialectics, supported by 11 independent premises. For the ease of analysis, I will divide the structure of Argument One into 11 independent small arguments; these small arguments correspond to the 11 premises. I will analyse these premises one by one and their schematic structures as well. Here below is the reconstruction of first argument and its first premise:

Argument One: The U.S. side distorted the actual situation of China's human rights

1.1 It was unreasonable to state "death penalty in China violate[d] human rights."

1.1.1 Most countries kept death penalty based on their own situations.

1.1.2a The main human rights documents allow the death penalty for the "most serious crimes."

1.1.2b China's death penalty "requires the prudent examination procedures."

1.1.3 America's death penalty did not pardon the criminals who shoot ordinary people.

To argue America's accusation of China's death penalty as unreasonable (1.1), IOSC mainly provides four premises (1.1.1-1.1.3) in CCRs. Based on the history of death penalty in the 20th century, it was not until 1980s that the movement of abolishing death penalty developed worldwide. Till 2005, 128 countries (60 percent of all the countries worldwide) practiced abolishing death penalty, in which 81 countries (40 percent of all the countries worldwide) completely abolished death penalty (see Miao, 2005). However, at the same time, 1990s, particularly from 1993 to 1999, was also

the peak period in terms of death sentence and the execution of death penalty. Compared with 2,766.5, the average number of those who were sentenced to death from 1980 to 1999, this number reached up to over 3,000 from 1993 to 1999, and to 7,107 in 1996 (see Miao, 2005).

It can be observed from the above the statistics that although abolishing death penalty was increasingly accepted and practiced since 1980s, such movement was not smoothly developed in 1990s. Additionally, the Sino-U.S. human rights debate also occurred in 1990s, particularly CCRs in the current study issued during the peak period of death sentence and execution of death penalty. Thereby, premise 1.1.1 probably accords with the actual situation of the death penalty in 1990s. Similarly, IOSC also seems to consider 1.1.2a and 1.1.2b are relevant to the argument 1.1 based on the Criminal Law of China. Here 1.1.2a and 1.1.2b constitute a coordinative argument, working together to support premise 1.1. America's preservation of death penalty (1.1.3) in some states also indicates that America did not abolish death penalty. 1.1.2a, 1.1.2b and 1.1.3 show that both the U.S. and China preserve the death penalty. The argument of 1.1 employs symptomatic scheme as the premises are the demonstration of features of death penalty.

## 1.2 “[S]uppressing dissents” was not true.

1.2.1 American government confused right and wrong taking the Chinese government's punishment of the criminals who threaten national security and social order as violating human rights of criminals.

1.2.1.1 The arrest of Hu Shigen, Wang Dan, Wang Wanxing and Wei Jingsheng was due to their crime of overthrowing government or disturbing public order.

1.2.2 American government accused the stipulation of China's constitution of not impairing the interests of the state.

1.2.3 American government regarded China's system of multiparty cooperation and political consultation under the leadership of the Communist Party of China (CPC) as one-party politics.

1.2.4 Country Report considered National People's Congress (NPC) had no right to make policy or dismiss leaders.

1.2.5 Country Report stated village elections in China had no ability to change the government peacefully.

- 1.2.6 The U.S. side regarded the Chinese government's disapproval of the Chinese citizens' denial of the political system under the leadership of CPC as violating citizens' rights of freedom.
  - 1.2.6.1 The U.S. side criticized the prohibition of the use of using the Internet to conduct activities threatening national security.
  - 1.2.6.2 The U.S. side criticized that association formation needed to be approved by the government.
  - 1.2.6.3 The U.S. side took the Chinese government's requirement for journalists of keeping national secrets as violating the freedom of speech and publication.
- 1.2.7 "China's law on the restriction of citizens' execution of freedom [was] in accordance with international practices."
  - 1.2.7.1 International Covenant on Civil and Political Rights regulates the restriction of freedom for security and public health or morality.
- 1.2.8 "No countries in the world allow[ed] their citizens to enjoy the right of liberty without any restrictions."
  - 1.2.8.1 The U.S. code stipulates the punishment for the speech, press, assembly and association aiming at overthrowing American government.

Suppression of dissidents is the one of the most criticized and the most significant aspects by the U.S. as it more likely involves the legitimacy of state power compared with other aspects distorted by the U.S.; IOSC thereby employs more arguments (totally eight from 1.2.1 to 1.2.8), compared with other distorted aspects, to refute Country Report. IOSC at the very beginning points out the fault of the U.S. side failing to distinguish the protection of human rights from violation of human rights (1.2.1), saying "Country Report accused China of punishing the crimes endangering national security as 'violation of human rights' " (CCR, 1996). To prove the fault (1.2.1), IOSC provided several cases (Hu, Wang, Wei, etc. in 1.2.1.1) as these exemplifications were distorted in Country Report. For example, in the case of Hu Shigen, IOSC stated Hu was "by no means the 'prisoner sentenced for [his] thinking' or 'political prisoner', rather he "was found guilty of illegally setting up a secret organization", demonstrating his anti-government plot with "armed forces department" and his secret links with anti-China organizations abroad (CCR, 1995). Wang Dan, Wang Wanxing and Wei Jingsheng's cases were similar to that of Hu. Here 1.2.1

and 1.2.1.1 constitute a subordinate argument, which is as a part of argument 1.2.

Besides the individual “dissidents”, IOSC also argues for other distorted aspects of political system involving freedom of speech in Country Report. The following five premises (1.2.2-1.2.6) demonstrate the distorted report of the restriction on change of the government in Country Report. IOSC points out that Country Report criticized China’s constitution (1.2.2), multi-party cooperation and political consultative system (1.2.3) and NPC (1.2.4), village election (1.2.5) and finally CPC’s prohibition of the Chinese citizens’ denial of China’s political system (1.2.6) through speech (1.2.6.1), association (1.2.6.2), and revealing national secrets (1.2.6.3) in CCRs. As IOSC probably regards in CCRs that the U.S. government tried to criticize and change China’s political system through the promotion of citizens’ freedom of speech, and also through the entitlement of the state authority freedom of revising the current system, Country Report was not simply about the demonstration of human rights of other states, it probably involved the dissatisfaction of the political system of China at that time, and thus the possible change of system of the latter for the promotion of human rights. That is more likely the reason why the Chinese government regarded Country Report as interference of other states’ domestic affairs, and thus as the representation of America’s hegemony in 1990s.

Based on these premises of false message, IOSC adds another two premises (1.2.7 and 1.2.8) to prove why the listed distorted cases mentioned above (1.2.1-1.2.6) in Country Report were legal and China’s regulation of freedom was reasonable: China’s regulation of freedom accorded with international practices (1.2.7), and all the countries had restriction on freedom (1.2.8). For 1.2.7, IOSC takes international law on human rights, such as International Covenant on Civil and Political Rights (ICCPR) (1.2.7.1), as authority to defend its regulation of freedom. Specifically, articles from 18 to 22 in ICCPR regulates “the restriction on the execution of the rights of freedom like religious belief, press, assembly and association” on the condition of preserving “the national security and public security, public order or protect[ing] public health or morality as well as others’ rights and freedom” (CCR, 1996). Similarly, 1.2.8 also resorts to appeal to authority of regulation in American law on the punishment of the speech and activities overthrowing the government (1.2.8.1) to exemplify besides China, other countries, such as the protagonist the U.S. also stipulates the similar handling of the speech, press, assembly and association threatening the national security. These

two premises (1.2.7 and 1.2.8) work together to demonstrate why China's handling of the "dissidents" as criminals who endanger the national security was reasonable and thus was the protection of other ordinary Chinese citizens' human rights.

These two premises (1.2.7 and 1.2.8) and the previous six ones (1.2.1-1.2.6) support the America's accusation of the Chinese government's suppression of dissidents as abuse of human rights, as false description (1.2). They work alone by themselves to support an argument, accordingly constitutes the multiple argument. They all belong to the symptomatic scheme.

1.3 America invented stories of mistreatment of prisoners.

1.3.1 Prisoners Puncog Yangji, Wang Juntao, Liu Gang, Ren Wanding, Zeng Jingmu were well received humanistic treatment.

1.3.2 The video of the kidney transplants operation from an executed prisoner made up by Harry Wu and Sue Loyd Roberts, was actually the patient Chen Zuchuan's operation of replacement of mitral valve.

Mistreatment of prisoners is another topics criticized by the U.S.. IOSC demonstrated the distorted events of prisoners Puncog, Wang, Liu, Ren and Zeng made by Country Report, and presented the unknown side of these prisoners' lives (1.3.1). For instance, IOSC in CCRs argued that Liu's arm was not beaten in prison, and Liu was never beaten in prison based on the investigation of China Society for Human Rights into the prison administration and Liu himself. Actually, Liu often played volleyball, bridge and the investigators saw Liu with a strong physique with their own eyes. This was also confirmed by five American journalists after their visits to prison (CCR, 1995). IOSC also stated the weight change of Liu and his life in prison. He weighed more than 80 kg then (1995) compared with 69 kg at that time of last year (1994) and 65 kg when he was sent to prison; he "took part in four volleyball competitions last year and he regularly receives visits by relatives" (CCR, 1995).

The case of Zeng, according to IOSC, was not that the authority in Fujian province refused to provide medical service for his illness of pneumonia and arrested him at home due to illegal religious activities by the U.S. side, but that he had no illness at all, and the arrestment was due to his "illegal assembling" and "disturbing social order" (CCR, 1997). Wang Juntao's hepatitis also received the treatment by the best doctors in China and he was sent to America for treatment (CCR, 1995) and Ren Wanding,



since he entered prison, received regular physical check-ups and treatment when he was sick (CCR, 1996).

The video of the kidney transplant operation from an executed prisoner was also not true (1.3.2). It was actually the operation of replacement of mitral valve for an ordinary patient. IOSC clarified it by disclosing how the two people Wu and Roberts produced their video. They cheated a Chinese doctor by saying “Roberts’ uncle needed a kidney transplant and asks the doctor to buy one on behalf of Roberts, and also indicates an executed criminal’s kidney might be OK” (CRR, 1995). The doctor refused their requirement with the reason that “organ trading is forbidden in China” (CRR, 1995). Out of courtesy to the two visitors’ requirement, the doctor allowed them to visit an operating room where a patient named Chen Zuchuan was being conducted an operation of replacing a mitral mechanical valve with artificial one. The two visitors videotaped the operation, which became widespread and distorted later as the “kidney transplant from an executed prisoner” in western countries (CRR, 1995). That was the actual situation of how the video came into being based on IOSC’s clarification in CCR.

These cases in 1.3.1 and 1.3.2 all work independently as premises to refute the claim of mistreatment of prisoners in Country Report, thereby constitute a multiple argument. The schemes here are symptomatic.

1.4 It was incorrect to accuse that the Chinese administration restricts the freedom of religion.

1.4.1 “[I]nsufficient Bible copies” and “mosque construction restriction” in Xinjiang were not true.

1.4.1.1 The number of Bible copies was larger than that of the Chinese Christians, and the number of mosques per Muslims in Xinjiang was twice as large as that in Gulf areas.

1.4.2 It was wrong that America called those criminals who committed crimes under the guise of religion, and hence were punished in accordance with law as “prisoners of conscience.”

1.4.2.1 The activists in cult “Family of Jesus” were not “prisoner of conscience”, but the law-breaking criminals.

1.4.2.2 “The Shouters” was also a cult that committed crimes of anti-social and anti-government activities.

1.4.2.3 America government also suppressed cults.

1.4.3 It was arrogant of America to state “party members cannot become religious believers.”

1.4.3.1a Chinese party members adhered to atheism—Marxism.

1.4.3.1b Individuals who were willing to become a [different] religious believer could choose not to join CPC or quit the party.

Religion is probably another aspect of the most frequently criticized abuses of human rights in Country Report. Similar to the response to the accusation of dissident suppression, IOSC also challenges the U.S. that the latter regarded China's punishment of those criminals in the name of religion as the restriction on the activists' freedom of religion. On both occasions, the U.S. regarded China's criminals as human rights activists and the Chinese government's punishment of them according to the law as abuse of human rights of these activists. To refute the view of the U.S. side, IOSC pointed out three wrong cases in its Country Report: insufficient Bible copies and mosque (1.4.1), “prisoners of conscience” (1.4.2) and party members' restriction on religious belief (1.4.3).

For the first one, IOSC employed statistics of comparison (1.4.1.1) in refuting the claim of insufficient bibles and mosques, that is, the number of Bible copies was larger than that of the Chinese Christians and the number of mosques per Muslim in Xinjiang Autonomous Region was twice as that in Gulf area (CCR, 1995).

IOSC argued that the punishment of “prisoners of conscience” was also wrong (1.4.2) as “Family of Jesus” (1.4.2.1) and “the Shouters” (1.4.2.2) listed in Country Report were all “cults”, the criminal religious organizations in the name of religion, not the U.S. called “prisoners of conscience”. For example, “Family of Jesus” occupied public land illegally, arranged men and women to marry without legal procedures, and deprived the children of parental care and protection, which went against the law (CCR, 1995). It was the same with “the Shouters” for its illegal activities (CCR, 1996).

The last criticism concerning the restriction on religious belief in China is the restriction on religious belief of members of CPC. To refute such criticism by the U.S., IOSC pointed out that members of CPC believed in Marxism (1.4.3.1a) and anyone who believed in other religion could quit CPC (1.4.3.1b) (CCR, 1996). IOSC represented American counterpart as ignorant and ill-informed by identifying the latter's “lack of understanding of CPC's religious belief”. These three premises (1.4.1-1.4.3) work

independently taking the function of supporting argument 1.4; thereby they form a multiple argument.

1.5 It was also invalid for the U.S. to state that China lacks due process of fair trial.

1.5.1 America distorted China's laws of criminal procedure claiming that "[the court] had no necessity to assign a counsel to the defendant" and "the defense counsel could not be hired seven days earlier than the trial".

1.5.1.1 Article 110 in Chinese laws of criminal procedure actually stipulates that "[a] copy of indictment made by people's procuratorate shall be sent to the defendant at least seven days before the trial, and the people's court inform defendant that he (she) could authorize defence counsel, or the court designates another defence counsel for the defendant if necessary."

1.5.2 Country Report played Wu Hongda's case up stating "forced confession" was used and "defence counsel could only be selected from the lists examined by the government."

1.5.2.1 Wu's case was heard by the intermediate people's court of Wuhan city in accordance with the procedure prescribed by law.

Lack of fair trial procedure is also criticized by the U.S. government. IOSC challenges the criticism (1.5) by arguing for American counterpart's misunderstanding of China's Law of Criminal Procedure (1.5.1) and specifying Wu's case (1.5.2). IOSC clarified the specification concerning the assignment of lawyers and time regulation by providing the stipulation in Law of Criminal Procedure (1.5.1.1), in which the law not only requires that the court assign counsel to the defendant, but also demand that at least seven days before the trial, a copy of indictment shall be sent to the defendant (CCR 1997). Premise 1.5.1 thus provides the evidence of American counterpart' misreported description of China's criminal procedure in law; 1.5.1.1 presents the evidence of the actual stipulation of trial procedure in Law of Criminal Procedure. In this case of fair trial regulation, the latter functions as the reason in support of the first; therefore, they constitute a subordinate argument.

For the premise of 1.5.2, IOSC also clarified the U.S. counterpart's misinterpretation of Wu's case by demonstrating the due procedure. For instance, IOSC demonstrated that "Wu's counsel was chosen by himself based on the stipulation of qualification of defence counsel and also based on the lists of law firms provided by American Embassy to China" (CCR,

1996) and Wu was satisfied with the counsel's defense for him and wrote to show his appreciation (CCR, 1996). An official from American Embassy to China, on site of the trial, also expressed his (her) surprise to see that the counsel defended Wu quite actively. Additionally, the court informed Wu of the right to appeal if he was not satisfied with the judgement; however, Wu gave up and accepted it (CCR, 1996). IOSC presented the evidences from the defendant Wu, Wu's defence counsel and an American official to justify the due procedures of Wu's case and clarified the U.S. side's distorted report of Wu's case criticizing China's lack of due procedures of fair trial.

The premises 1.5.1 and 1.5.2 work as a multiple argument (1.5). Similar to the argument type formed by 1.5.1 and 1.5.1.1, 1.5.2 and 1.5.2.1 also constitute a subordinate argument. The schemes here are symptomatic ones, that is, the demonstration of featured human rights practices, either in the quotation of distorted description by the U.S. or clarification by IOSC.

1.6 The U.S. distorted the facts claiming that the Chinese government casually arrested foreign citizens.

1.6.1 The arrest of foreigner Ngawang Choephel and James Peng was due to their crimes, in which the former engaged in espionage in Tibet in the guise of collecting Tibetan folk dance art, and the latter misappropriated company funds.

The casual arrest of foreigners is also criticized by the U.S. (1.6). To refute such criticism IOSC argued the arrest of Ngawang Choephel and James Peng was due to their crimes (1.6.1). IOSC provided the evidence of Ngawang Choephel's crimes: "he was the dance teacher of the Dalai Lama 'government in exile,' was dispatched by the Dalai clique, carried funds and equipment provided by foreign countries, and gathered intelligence information in the name of collecting Tibetan folk dance art" (CCR, 1997). The Chinese public security organ obtained the evidence of his spy activities in Lhasa, Shanlin, Linzhi and Xigaze and arrested him; Ngawang Choephel also admitted his crimes of espionage (CCR, 1997).

James Peng's arrest was because of his economic crimes in which he, as the general manager of Sino-Australian Lyping company, transferred HK\$800,000 (investment remittance of this company) to his own personal company Kangya company in Hong Kong, and later occupied 290,000 yuan in 1992 when he was the Chairman of Lyping company (CCR, 1997).

It could be observed that IOSC employed the two cases to clarify why the two foreigners were arrested by the Chinese government. It was not the casual arrest, but the foreigners committed crimes which violated China's laws. As to the argumentation structure, the premises 1.6 and 1.6.1 constitute a subordinate argument, and IOSC again employs symptomatic scheme to demonstrate the crimes of foreigners in China in CCR.

1.7 [It was not true for the U.S. stating that the Chinese government] forced persons released after they served their sentence to work in state-owned enterprises (SOE) for supervision.

1.7.1a (Before the end of 1990s and given its reliable coverage of SOE) many people were willing to work there.

1.7.1b The Chinese government helped people solve their employment problems through releasing documents that require local governments and enterprises provide employment assistance for persons released after they served their sentence and those who completed re-education through labour.

In order to refute American side's misrepresentation of the Chinese government's effort in employment for individuals serving their sentence or completing re-education through labour, IOSC responded with the demonstration of the employment situation in China in 1990s (1.7.1a) to contextualize why these people were sent to work in SOE. SOE for most Chinese were "iron rice bowls" in 1990s, and people working in SOE enjoyed better social security if compared with those in some other jobs did, say peasants. Given such social situation it was probably not the government supervised workers there, but people were more likely to work there at their own will.

Besides, in order to handle the job problems of prisoners serving their sentence and those completing re-education through labour, the Chinese central government required local governments and enterprises to provide assistance for the employment of these people (1.7.1b). IOSC represents the employment of prisoners in SOE as the Chinese government's assistance and effort in solving the employment problems of prisoners, instead of controlling and supervising them.

In CCRs, IOSC employs positive meaning of Chinese government's effort in solving prisoners' job issue for the refutation of U.S. counterpart's wrong understanding of human rights of prisoners in China. People's willingness to work in SOE and the government's assistance to the employment of released people in prison and re-education-through-labour

centres (1.7.1a and 1.7.1b) together support the argument of the false report of the Chinese government's enforcement of imposing supervision on released prisoners and re-educators in labour camps (1.7), in which the scheme is also symptomatic.

1.8 The claim was self-contradictory that Country Report accused Chinese citizens have no freedom of movement, and at the same time accused the negative effects of freedom of movement.

1.9 [It was not proper for] Country Report criticizing the gender discrimination in China.

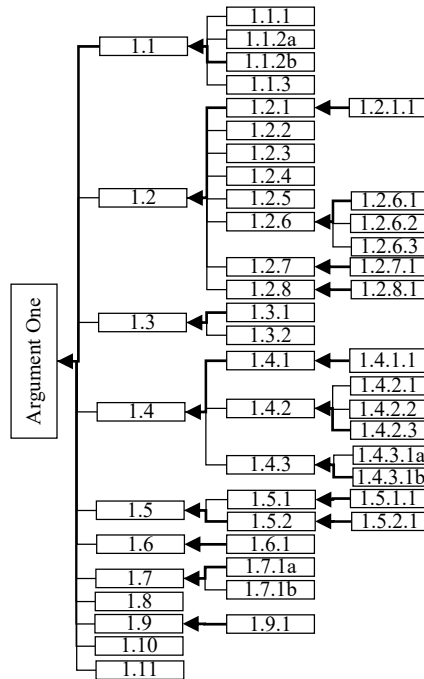
1.9.1 China's performances in pursuing gender equality in politics, education and employment were better than America's.

1.10 American government took "cracking down on crimes of abducting women and children" as "human rights abuse of the Chinese government."

1.11 Country Report used various unclear source of information which could not be verified.

For American government's accusation of no freedom of movement, gender discrimination and human rights abuse of the Chinese government, IOSC refuted by pointing out the self-contradictory aspect (1.8), by changing the criticism as praise since China did better than the U.S. did in gender equality (1.9), and by clarifying the actual situation of the Chinese government's effort in cracking down on the activities of abducting women and children (1.10). For most of the materials and content concerning the abuses of China's human rights, IOSC also pointed out the unclear original sources to challenge the reliability of American government's report (1.11). For example, IOSC argued that America's report had cited lots of sources like "it is said that", "it is believed" and "without being proved", which were not based on solid facts (CCR, 1996). Premises 1.8, 1.9 and 1.11 are single arguments in which each of them functions as the only premise to support the claim (Argument One); the schemes of the four premises are also symptomatic ones. Given all these premises (1.1-1.11) contributing to the argument of the distorted representation of China's human rights, I reconstruct structure of Argument One (Figure 1) as below:

Figure 1 IOISC’s argument structure of America’s distortion of China’s human rights



Besides falsifying and correcting the distorted human rights practices made by the U.S. counterpart, IOISC further balanced the actual situations of human rights in China by presenting the progress of human rights made by the Chinese government (Argument Two) and the problems of human rights in the U.S. (Argument Three), both of which were neglected by the U.S. government. Here below is the second argument.

Argument Two: Country Report disregarded the great progress of China’s human rights

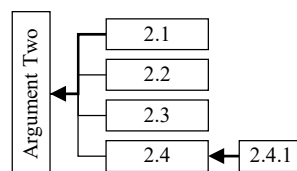
- 2.1 China basically solved the food and clothing problems.
- 2.2 Economically, Chinese’s income grew.
- 2.3 In education, nine-year compulsory education was basically universalized, and enrolment rate increased and illiteracy was almost wiped out.
- 2.4 Politically, numerous laws were issued and direct elections at the level of village were implemented.
  - 2.4.1 Law on the Protection of the Rights and Interests of the Elderly, Law on Lawyers and Administrative Punishment Law were released and Law of Critical Procedure was revised.

To refute the abuse of human rights of China by the U.S. government and also to offer a balanced description of the actual situation of China's human rights, IOSC also demonstrated the general progressive aspect of China's human rights practices which were neglected by the U.S. counterpart. IOSC demonstrated China's resolving food and clothing problems in the past decades (2.1), its economic development (2.2), the removal of illiteracy and universalization of compulsory education (2.3) and the progress of democracy and legal system (2.4 and 2.4.1).

Most of these progressive aspects were demonstrated through statistics in CRR. For instance, IOSC stated that "China's GDP soared to 5,773.3 billion yuan in 1995, an increase of 10.2 percent over last year; [...] attendance rate of junior high school reached 78.4 percent, a growth of 4.6 percent over last year; [...] 5 million people shook off poverty and 4.76 million people rid themselves of illiteracy in 1995" (CCR, 1996). In political system, IOSC presented that "over 98 percent of China's established neighbourhood committees or villagers' groups, in which 97 percent of neighbourhood committee adopt the method of direct voting" (CCR, 1997). IOSC also exemplified three laws newly released or one revised in China (2.4.1) for the protection of the rights of lawyers and other Chinese citizens.

These progresses (2.1 to 2.4) could independently support Argument Two (the neglected aspect of human rights in China by the U.S.); thereby, they constitute a multiple argument, in which the scheme is also symptomatic one. I thus construct the argument structure of the progressive aspect of human rights in China which is neglected in Country Report (Figure 2) as below:

Figure 2 IOSC's argument structure of America's disregard of great progress in China's human rights



Argument Three: America took a blind eye to its own severe human rights violations

3.1 (American government disregarded its human rights abuses at home.)



- 3.1.1 The number of poor Americans increased.
  - 3.1.2 Life security of Americans was threatened.
  - 3.1.3 Racial and gender discrimination was widespread.
- 3.2 (American government disregarded its human rights abuse internationally.)
- 3.2.1 America refused to accede international convention concerning human rights.
    - 3.2.1.1 America did not accede the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid.

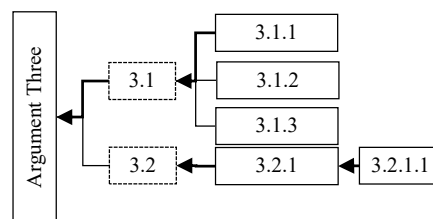
Besides the neglect of the Chinese human rights, IOSC also revealed America's blindness to its own severe human rights violations (Argument Three). It mainly demonstrated America's abuses of human rights at home (3.1) and abroad (3.2). Similar to the use of facts in Argument Two, IOSC also resorted to statistics and individual cases in justifying the abuses of human rights by the U.S. counterpart. For the human rights abuses at home, IOSC presented the number of homeless Americans from the U.S. Census Bureau with an increase of 1.3 million from 1992 to 1993 (CCR, 1995) to demonstrate the increase of poor Americans (3.1.1).

To demonstrate Americans' lives were threatened in the environment of potential violence (3.1.2), IOSC adopted the statistics from American administration and mass media in CCR issued in 1995. It said, for example, "according to the statistics of the U.S. Office of Education, 21 percent of the American students go to school with guns in the total 12.5 million American middle school students. America's prisoners are 1.3 million with the ratio of 519/100,000, which is the highest in the world based on the news from Reuters on 12 September 1994" (CCR, 1995).

For the racial and gender discrimination (3.1.3), IOSC contrasted the differences between American blacks and whites in unemployment, education and death ratio. That is, IOSC tried to point out that there was obvious racial discrimination, particularly among the white and the black in the access to the most basic service. For instance, IOSC demonstrated "American government admits that the unemployment rate of American blacks in the past 20 years, is twice or three times than that of the white, and the number of the black with higher education is only half of the white with higher education, [...] the death rate of the black is 1.77 percent, twice that of the white counterpart (0.82 percent)" (CCR, 1995).

For the abuses of human rights of the U.S. abroad, IOSC demonstrated the U.S. counterpart's violation of international practices and human rights laws (3.2.1). For instance, IOSC stated that “the United States refused to accede to the International Convention on the Elimination of All Forms of Racial Discrimination and the International Convention on the Suppression and Punishment of the Crime of Apartheid” (CCR, 1995). IOSC employed the case or example of the U.S. government's refusal of acceding international human rights conventions, instead of statistics to prove that the U.S. did not follow the international human rights laws. The premises of abuses of human rights of America both home and abroad constitute a multiple argument (Argument Three); accordingly, I build the structure of Argument Three (Figure 3) as below:

Figure 3 IOSC's argument structure of America's blindness to its own human rights violations



Argument Four: Accusation of China's human rights was the embodiment of the hegemonism of the U.S. in essence

4.1 America had no legal qualification to judge other countries' human rights.

4.1.1 America was not authorized by a specific country or international conference to yearly issue Country Report.

4.2 The U.S. was to produce confrontation, pressure and change the system of China and destroy its social stability in the name of promoting human rights.

4.2.1a Country Report was “the political tool” of America's human rights diplomacy for “the political need of the U.S.in the cold war”.

4.2.1b Country Report attacked and defamed China, and interfered the domestic affairs of China.

4.3 Accusation of China's human rights “abuses” went against basic norms of sovereignty equality and non-interference.

4.3.1a “Human rights were domestic affairs.”

- 4.3.1b “The core of human rights is equality.”
- 4.3.1c Each state had different understanding of human rights and needed to be respected due to the diversity of the reality of the world.
- 4.3.1d America’s Country Report imposed the concepts of value and human rights of its own on other states.
- 4.3.1e Country Report violated the UN’s declaration named Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty (1965), the UN Charter (1945), the declaration passed by World Conference on Human Rights Vienna Declaration and Programme of Action (1993) and the UN’s resolution Act of Strengthening the International Cooperation in Human Rights (1996), which emphasized equality and cooperation among countries to avoid distortion of human rights and confrontation.

To further reveal American government’s hegemonism and power politics behind human rights criticism (Argument Four), IOSC pointed out that such a right of issuing other countries’ report on human rights had never been “justified” (4.1). This is because, according to IOSC, the U.S. side never showed “which country or which meeting had granted the U.S. the “Global Judge of Human Rights” (4.1.1) (CCR, 1995). Besides, IOSC also revealed the aim of the U.S. to change the system of China and its stability (4.2) by taking advantage reporting the latter’s human rights “abuses,” which could date back to America’s human rights diplomacy as part of anti-communism in the cold war (4.2.1a). Changing the system was mainly based on the change of social order and criticisms of China’s political system in the aspects of “suppressing dissidents” (1.2), such as restriction of freedom of speech, NPC’s inability to change the leaders or make the policies, though IOSC did not detail it in 4.2.1b.

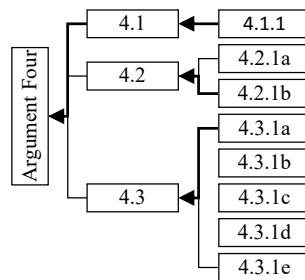
This probably contributes to explain why the Chinese government regarded America’s Country Report not just as a human rights record of China, but as interference of its sovereignty and threat of national security, which was the representation of power politics and hegemonism.

The last reason offered by IOSC also concerned itself with the legitimacy of content of the report, that is, Country Report went against the international conventions of state equality and non-interference (4.3). IOSC argued that human rights were domestic issue (4.3.1a), stating “the issue of human rights is the domestic affairs governed by state government,

and each state should take efforts to preserve and promote human rights at home, instead of eagerly criticizing and teaching other states” (CCR, 1995). Additionally, IOSC demonstrated the pursuit of equality in human rights (4.3.1b) and respect for basic conditions of each state for its development of human rights (4.3.1c). As it suggested that “due to differences in the historical background, social system, cultural tradition and the level of economic development, the concrete measures of preserving human rights will be different and the understanding of human rights is also different” (CCR, 1995). Besides, America's Country Report violated the universal principles on human rights (4.3.1e) and imposed its own human rights values on other countries (4.3.1d).

Premises 4.1 and 4.1.1 constitute a subordinate argument, and it is the same for 4.2 and 4.3 and their corresponding sub-arguments. Premises 4.2.1a and 4.2.1b form a coordinate argument of 4.2, which is the same argument type of 4.3. While for the whole Argument Four, premises 4.1, 4.2 and 4.3 constitute a multiple type, each of which work independently to support Argument Four. Premises 4.1 and 4.3 employ symptomatic schemes; while 4.2.1a and 4.2.1b the causal schemes. The argument structure of Argument Four (Figure 4) is constructed as follows:

Figure 4 IOSC's argument structure of America's hegemonism behind Country Report



The four arguments (Argument One to Argument Four) together support the Chinese government's standpoint in CCRs that China did not have the human rights abuses distorted in County Report issued by the U.S. government and rather the criticism of other state's human rights was the embodiment of American counterpart's hegemonism and power politics. These four arguments as sub-standpoints are further classified into subordinate and coordinate argument structures.

The concluding stage of the Chinese government's argumentation ended with its proposal for cooperation and dialogue instead of confrontation in the name of human rights to settle the different opinions of human rights issue. This was stated in CCR in 1995 and 1997 that "the cooperation based on equality", "dialogue and resistance against confrontation and pressure imposition" among different countries in the human rights "conform[ed] to the trend of history" and IOOSC hoped America to "stop issuing Country Report".

### 5. Concluding Discussion

I take the case of Sino-U.S. human rights debate in 1990s as an example, particularly the Chinese government's response to American counterpart's criticism of its human rights practices, address how international political discourse can be analysed in an argumentative perspective, that is, how the Chinese government argued with American counterpart to defend its human rights.

The finding shows that the Chinese government, generally speaking, refuted the U.S. counterpart's criticism of its human rights with reasoning. Specifically, IOOSC argued the U.S. side's distortion of the actual situation of China's human rights, its neglect of the great progress of Chinese human rights and its own severe human rights violations, and mostly such accusation of China's human rights as hegemonism in essence. Through these arguments, the Chinese government constructs the U.S. as a state of practicing power politics and unfriendly, deviant actor worldwide. The Chinese side employs complicated and diverse argument types, most of which are multiple ones, and symptomatic argument schemes.

Obviously, China's employment of the international discourse of argumentation in human rights to some degree seems effective in communication with international audience. Such practice is in accordance with the appeal to the need of westerners in the field of international politics and communication. In the pluralistic international communities, China needs to take consideration of western audience, their way of thinking and speaking and western social science traditions, and to adopt accordingly international discourse accepted by the latter (Wu, 2015; Zhao, 2006a, 2006b; Zheng, 2015). As the argumentation is the long tradition in western countries and argumentative discourse is favoured in various fields of western societies, argumentative change of China's international discourse based on evidence instead of morality and position, has come into being and worked effectively. The successive defeats of American

representatives' proposal of examining China's human rights (Xu & Wang, 2001) and the reform of the UN Human Rights Council is particularly based on such argumentative discourse by the Chinese government.

Thus, such argumentative discourse is likely to be an alternative for the less powerful groups (states) to preserve their rights and equality and prevent for the power abuse of those more powerful ones in the international occasions. I thereby look forward to more studies focusing on the discourse of dominated groups and examining the effect of discourse analysis in argumentative perspective.

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