

Human Rights in China

Are crackdowns on basic freedoms increasing?

When the curtain rises on the Summer Olympics next month in Beijing, China will eagerly showcase its hypersonic economic growth and its embrace of what it calls the “rule of law.” But 19 years after its bloody suppression of protesters in Tiananmen Square, China will also be displaying its human-rights record for all to judge. Human-rights advocates say the sheen of Chinese progress and prosperity hides repression and brutality by the Chinese Communist Party, including the violent repression of pro-independence protesters in Tibet, forced abortions stemming from China’s one-child policy and the trampling of basic freedoms of speech, religion and assembly. Chinese government officials say their nation of 1.3 billion people has made huge strides on the legal and human-rights fronts and that the West has no business interfering in China’s internal affairs.



A Tibetan protester in Brussels, Belgium, last April calls for a boycott of the Summer Olympics in Beijing following a violent crackdown by Chinese security forces on pro-independence demonstrators in Tibet.

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MANAGING EDITOR: Thomas J. Colin
 tcolin@cqpress.com

ASSISTANT MANAGING EDITOR: Kathy Koch
 kkoch@cqpress.com

ASSOCIATE EDITOR: Kenneth Jost

STAFF WRITERS: Thomas J. Billitteri,
 Marcia Clemmitt, Peter Katel

CONTRIBUTING WRITERS: Rachel S. Cox,
 Sarah Glazer, Alan Greenblatt,
 Barbara Mantel, Patrick Marshall,
 Tom Price, Jennifer Weeks

DESIGN/PRODUCTION EDITOR: Olu B. Davis

ASSISTANT EDITOR: Darrell Dela Rosa

FACT-CHECKER/PROOFREADER: Eugene J. Gabler



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PRESIDENT AND PUBLISHER:
 John A. Jenkins

EXECUTIVE DIRECTOR,
 REFERENCE INFORMATION GROUP:
 Alix B. Vance

DIRECTOR, ONLINE PRODUCT DEVELOPMENT:
 Jennifer Q. Ryan

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Human Rights in China

BY THOMAS J. BILLITTERI

THE ISSUES

At a ceremony in March in flower-bedecked Tiananmen Square, Vice President Xi Jinping suggested the Beijing Olympics would lead China and people the world over to join hands in creating “a more harmonious and better future.”¹

The event underscored China’s hope that 19 years after its violent suppression of protesters in Tiananmen Square, it could present a new face to the world. China’s nationalistic pride in its rise as a global power is palpable, and the country is clearly anxious to showcase its hypersonic economic growth and its embrace of what communist officials call the “rule of law.”

But human-rights advocates say that while some facets of Chinese society have indeed improved in recent years, repression and inequity still affect millions of people. The critics say that behind the sheen of progress and prosperity — the ubiquitous construction cranes and thousands of new factories — the Chinese Communist Party (CCP) still stifles dissent and tramples basic freedoms of speech, religion and assembly at home and abets human-rights abuses in places like Sudan’s Darfur region.

“When you come to the Olympic Games in Beijing, you will see skyscrapers, spacious streets, modern stadiums and enthusiastic people,” Teng Biao and Hu Jia, two of China’s most prominent human-rights activists, wrote last year. “You will see the truth, but not the whole truth. . . . You may not know that the flowers, smiles, harmony and prosperity are built on a



AFP/Getty Images/Mark Ralston

Policemen train outside the Olympic Stadium in Beijing on July 21. Concern about terrorism during the Games has led China to take the kinds of actions that have outraged the West and sparked internal unrest, such as the recent public execution of three young men reportedly with terrorist ties. China is hoping the Olympics will showcase its economic and social gains, but critics say the Communist Party still stifles dissent and tramples basic freedoms.

base of grievances, tears, imprisonment, torture and blood.”²

In April Hu was sentenced to three-and-a-half years in prison. A month before his arrest, he had deplored the “human-rights disaster” in China during testimony via the Internet to the European Parliament’s Subcommittee on Human Rights.³

In many ways, China’s rigid societal control is at odds with its economic revolution and the accompanying rapidly expanding middle class, dynamic new urban architecture and thousands of new laws and regulations. By 2006 the nation boasted 11 million private en-

trepreneurs and 4.3 million private firms, banned until the early 1980s. China’s middle class, barely evident in the early 1990s, had exploded to 80 million people by 2002, and by 2025 is expected to number an astonishing 520 million.⁴

Yet a litany of serious abuses by the Chinese government persists, according to the U.S. advocacy group Freedom House and others, including:

- Imprisoning more journalists than any other country;
- Maintaining one of the world’s most sophisticated systems of blocking Web-site access and monitoring e-mail;
- Prescribing the death penalty for scores of non-violent crimes, including tax fraud and “the vague offense of ‘undermining national unity.’” Amnesty International estimated 470 people were executed death last year, based on public reports, but said the true figure is thought to be far higher;
- Maintaining a one-child policy that sometimes leads to forced abortions and human trafficking; and
- Repressing religious freedom of Falun Gong adherents, Tibetan Buddhists, Christians, Muslims and others.⁵

Security threats related to the Olympics have led China to take the kind of actions that have outraged the West and sparked internal unrest. In July, an execution squad publicly shot three young men in the public square of the city of Yengishahar. They had been convicted of having ties to terrorist plots, which authorities said were part of an effort to disrupt the Games by a separatist group seeking independence on behalf of Muslim Uyghurs.⁶ The executions did not quell fears of terrorism as the Olympics drew nearer, however. At least

China Gets Low Human-Rights Rating

In a survey of citizens in 24 nations, China received lower marks for respecting its citizens' rights than the United States and France but higher marks than Russia, Saudi Arabia and Iran. China's approval ratings were highest among Pakistanis, Nigerians and Tanzanians and lowest in Europe, Japan and the Americas.

Percentage in Selected Countries Who Say Governments Respect the Personal Freedoms of Their People

	United States	France	China	Russia	Saudi Arabia	Iran
United States	75%	66%	14%	23%	13%	8%
Germany	70	86	13	16	24	6
Great Britain	69	78	12	18	14	12
France	65	77	7	14	20	5
Russia	66	67	39	45	23	22
Lebanon	55	87	48	38	64	29
Egypt	44	50	34	29	60	28
Japan	80	78	6	22	24	10
China	50	58	n/a	52	34	38
Pakistan	45	34	66	33	67	56
Brazil	51	53	22	26	11	5
Mexico	50	45	33	28	10	8
Nigeria	72	60	72	40	54	39
Tanzania	67	68	65	50	35	31
Median*	65%	63%	30%	28%	24%	10%

* Median percentages are shown for all 24 countries in the survey, but not all countries surveyed are shown above.

Source: "Some Positive Signs for U.S. Image," Pew Global Attitudes Project, June 2008

two died and 14 were injured in a pair of bus bombings in the city of Kunming as authorities tightened security for the Games.⁷

Meanwhile, a scramble this summer to clear Beijing's air and regatta waters in preparation for the Olympics highlighted China's colossal environmental woes, which have sparked thousands of mass protests throughout the country over health and safety issues.

Reconciling the two faces of China — repressive yet forward-looking — is not easy. Many experts note that Beijing's overriding goal is to develop the

country as a world power and push its economy into the 21st century while keeping a lid on internal dissent that could weaken the Communist Party — a difficult balancing act given the country's unprecedented speed of change.

Chinese embassy officials in Washington declined to discuss the status of human rights in their country. But in April, Luo Haocai, director of the China Society for Human Rights Studies, said that after three decades of rapid economic development, China is on a path to developing human rights with Chinese characteristics.

"China believes human rights like other rights are not 'absolute' and the rights enjoyed should conform to obligations fulfilled," he said. "The country deems human rights not only refer to civil rights and political rights but also include the economic, social and cultural rights. These rights are inter-related."⁸

The upcoming Olympics — and President George W. Bush's decision to attend the opening ceremonies despite China's human-rights record — has focused attention on the question of how far the West should go in pressing China to improve its human rights. Asked whether Bush's attendance would induce China to concede on its human-rights issues, Foreign Ministry spokesman Qin Gang suggested that any changes would not be influenced by Western pressure.

"We have been committed to improving human rights not on the premise of the will of any nation, group, organization or individual, nor because of a certain activity to be held that makes us concede to the human-rights issue," he said. Still, Qin said, a human-rights dialogue between China and the United States held in May — the first since 2002 — was "positive" and "constructive."⁹

Wu Jianmin, a professor at China Foreign Affairs University and former ambassador to France, said that in trying to modernize, China is "striking a delicate balance" among stability, development and reform. Stability is a "known condition for development," and development is "the aim," he said. "We are facing many problems. I believe that only development can provide solutions. Reform is a driving force. We can't afford to go too fast. Too fast will disturb stability."¹⁰

Experts caution that China's human-rights picture is highly complex and difficult to characterize without nuance and historical perspective. "Things are moving forward and backward at the same time at different paces at different places," says John Kamm, executive director of the Dui Hua Foundation, a human-rights group in San Francisco and Hong Kong.

China's human rights present a "moving target," adds Margaret Woo, a professor at Northeastern University School of Law and co-editor of the forthcoming book, *Chinese Justice: Civil Dispute Resolution in China*. "It really depends on what time you're talking about, what particular topic, whether you're looking at it in terms of its progress vs. where it is today. It's not an easy, simple yes-or-no answer."

The tension in China between progress and repression emerged in full force after the massive earthquake in Sichuan Province in May, killing nearly 70,000 Chinese. Prime Minister Wen Jiabao and President Hu Jintao both toured the disaster zone, with Wen visiting an aid station and exhorting rescue workers not to give up on saving lives, and Hu clasping hands with survivors.¹¹ But behind the scenes, local Chinese officials have tried to stifle complaints of parents whose children died in collapsed schools, reminding them that disturbing the social order is against the law.¹²

Despite concern over China's human-rights behavior, its rising prominence as an economic powerhouse and national-security ally has led U.S. policy makers to act in ways that satisfy neither Chinese officials nor Western human-rights advocates. In March, just as a massive pro-independence protest erupted in Tibet, leading to violent clashes with Chinese security forces, the State Department removed China from its list of the world's 10 worst human-rights violators. Activists denounced the move, and *The New York Times* opined that removing China from the list "looked like a political payoff to a government whose help America desperately needs on difficult problems."¹³ Yet the State Department's annual report on global human rights called China an "authoritarian state" whose record remained "poor."¹⁴ It cited:

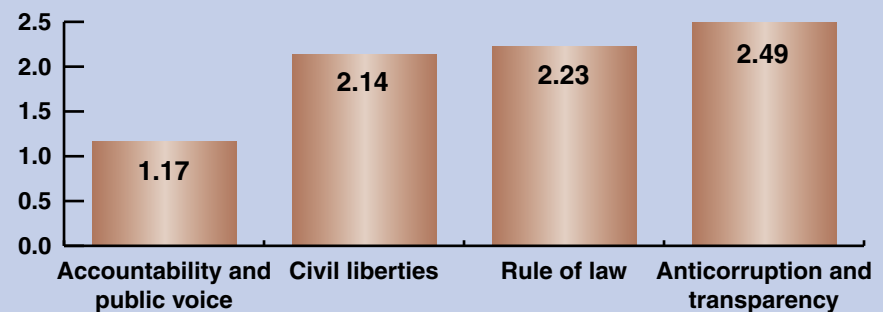
- Extrajudicial killings, torture and coerced confessions of prisoners;
- Coercive birth-limitation policies sometimes resulting in forced abortions;

China's Human-Rights Record Is Lackluster

China performs poorly in all four human-rights categories studied by the pro-democracy group Freedom House. On a scale of 0 to 7— with 7 representing the best performance — China scored less than 3 in all four categories and lowest (1.17) in "accountability and public voice" (free elections, media independence and freedom of expression).

China's Human Rights Report Card, 2007

(on a scale of 0 to 7, with 7 representing the strongest performance)



Source: "Country Report — China," Freedom House, 2007

- Severe repression of minorities;
- Use of forced labor, and other violations;
- Judicial decision-making often influenced by bribery, abuse of power and other corruption and a criminal-justice system biased toward a presumption of guilt, especially in high-profile or politically sensitive cases.

In another report in May, the State Department charged that China "continued to deny its citizens basic democratic rights" and called for the government to bring its practices in line with international norms.¹⁵

Foreign Ministry spokesman Qin called the May report "unreasonable." "We remind the U.S. side to pay more attention to its own human-rights problems, stop interfering in the internal affairs of other countries with such issues as democracy and human rights, and do more things that are conducive to the advancement of Sino-U.S. mutual trust and bilateral relations."¹⁶

As thousands of foreigners descend upon Beijing for the Olympic Games,

here are some of the main questions surrounding human rights in China:

Is China's human-rights record improving?

China is making strides toward protecting personal rights, though experts say the gains are uneven, incomplete and driven by political pragmatism.

"It really depends on how you break it down," says Minxin Pei, a senior associate in the China Program at the Carnegie Endowment for International Peace. The government has, for example, loosened up in recent years on personal freedoms, such as the freedom to travel, while civil or political rights remain "very limited," he says.

It is now "fair game" to discuss public-policy issues such as health care, housing, the environment and education, Pei says, and even to "take government to task for not doing a good job." But, "you cannot challenge the Communist Party in a frontal way and call for democratic elections."

"On balance, human rights are improving because the pressure from

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society is so enormous,” Pei said. “Also, the legitimacy of repression is declining. Even the government understands there are certain things you cannot use force to deal with, and international pressure is also rising.”

Cheng Li, a senior fellow at the Brookings Institution think tank in Washington who moved from Shanghai to the United States in 1985, says compared to decades past, human rights in China “are improving, there’s no question about that.”

Cheng, also a professor of government at Hamilton College, points out that during the Cultural Revolution in the 1960s and ’70s, China was “like a prison,” and human suffering was widespread. Even 20 years ago, around the time of the Tiananmen Square crackdown, Cheng says, Chinese authorities viewed discussions about human rights as “propaganda or Western hypocrisy.”

But in recent years, China gradually has loosened up on some fronts, according to Cheng. He notes that dissidents have been able to give interviews to foreign media, some intellectuals have been critical of the Chinese government and significant progress has occurred toward instituting legal and economic reforms. Although “no fundamental breakthrough” has occurred on such issues as ethnic freedom, Tibet and treatment of the outlawed Falun Gong spiritual movement, “in general terms, China is more open and freer than at anytime in recent history,” Cheng says.

Wang Chen, director of the Information Office of China’s State Council, said human rights do not advance

overnight but rather through “a gradual process.”

“China is a developing country with a population of 1.3 billion, and China’s human-rights development still faces many problems and difficulties,” Wang said. “To respect and protect human rights and promote all-round development of human rights is a long-term arduous task for the Chinese government and Chinese people.”¹⁷

But many China experts are doubtful significant progress will occur in

in the truest political sense — the right to oppose the government, the right to dissent — then they’ve made remarkably little progress over the last 30 years. Each time you think there’s been a step forward, you see retrogression.”

Kirk Donahoe, assistant director of the Washington-based Laogai Research Foundation, which monitors Chinese human-rights violations, including in the prison system, is similarly downbeat. “The political progress has just not kept pace with the economic progress,” he says.

“Sure, people’s living standards have improved, and a lot of times when you talk to the Chinese people they’ll mention living standards and health and medication as being indicative of a better human-rights situation.”

But, Donahoe says, “the basic situation has not improved” when measured in traditional Western terms: freedom of speech and religion, the right to criticize the government and dissent from official policy, free elections, and so on.

While China’s constitution guarantees certain rights, such as freedom

of speech and religion, Donahoe says, “as long as there’s a one-party system in place, these reforms don’t carry much weight.”

Human-rights advocates have voiced particular concern over violations in the months leading up to the Olympics. “Over the past year, we have continued to document not only chronic human-rights abuses inside China, such as restrictions on basic freedoms of speech, assembly and political participation, but also abuses that are taking place specifically as a result of China’s hosting the 2008 Summer Games,” said Sophie Richardson, advocacy director of Human Rights Watch’s Asia Division.



AFP/Getty Images/Frederic J. Brown

Prominent human-rights activist Hu Jia, right, with his wife Zeng Jinyan in 2007, was sentenced to three-and-a-half years in prison. A month before his arrest, he had deplored the “human-rights disaster” in China.

the immediate future. James Mann, a former diplomatic correspondent for the *Los Angeles Times* and now author in residence at Johns Hopkins University’s Paul H. Nitze School of Advanced International Studies, says that despite some gains in recent years, China still lacks the freedoms that form the bedrock of civil society in the West.

“If you define human rights to include personal freedoms such as what people can wear and what music they can listen to, then human rights have definitely expanded,” says Mann, author of *The China Fantasy: How Our Leaders Explain Away Chinese Repression*. But, “if you define human rights

“Those include an increasing use of house arrest and charges of ‘inciting subversion’ as [a] means of silencing dissent, ongoing harassment of foreign journalists despite new regulations protecting them and abuses of migrant construction workers without whose labors Beijing’s gleaming new skyline would not exist.”¹⁸

“People do have more choice in their daily lives” than in decades past, says Minky Worden, media director of Human Rights Watch and editor of *China’s Great Leap: The Beijing Games and Olympian Human Rights Challenges*. “But if they try to cross one of the invisible red lines by posting something on the Internet, criticizing the government, if they fall afoul of a corrupt party official in their village, the political situation can still be very harsh.”

During the one-year run-up to the Olympics, Worden says, Human Rights Watch has seen “a fairly systematic deterioration of human rights across most of the measurable areas. After a couple of decades of progress, we’re seeing a retrenchment.”

Will China’s exploding growth lead to Western-style democracy?

Some China experts say the middle class is the key to China’s future.

“If the middle class believes that its interests are being adequately tended to by the state, then there will be less pressure for democracy,” says Harry Harding, university professor of international affairs at The George Washington University (GWU). “If they think the state is violating or ignoring their interest, then the desire for democracy can become extremely powerful.”

For now, many analysts argue, China’s expanding middle class tends to be highly nationalistic, supportive of the central government and concerned that if Western-style rights are given to the country’s massive poor population, the interests of wealthier Chinese could suffer.

Johns Hopkins University’s Mann says “people tend to assume that as a country becomes more prosperous it will develop an independent civil society. . . . But China seems to be developing a new political model in which the emerging middle class, which as a percentage of the overall population is still small, has much closer ties to the existing regime than we’ve seen elsewhere. It’s not just that they may not be independent enough to push for democracy. They may be threatened by democracy because in China, where you have 500-800 million poor peasants or migrant workers either in the countryside or the edges of cities, there is fear among the emerging middle class that with democracy they will be outvoted, and that their interests will not emerge on top.”

Nevertheless, democracy — at least focused on the local level and in a form shaped to Chinese political culture — has been a hot topic within the administration of President Hu. Writing before the 17th Congress of China’s Communist Party last fall, Brookings scholar David Shambaugh alerted readers to “expect lots of ‘democracy’ initiatives.”

“While these initiatives do not constitute democratic institutions and procedures as recognized in real democracies, they nonetheless represent serious efforts to broaden what the Chinese describe as ‘inner-party democracy,’ ‘electoral democracy’ and extra-party ‘consultative democracy,” he wrote. “All of these forms go under the broad rubric of ‘socialist democracy’ or ‘democracy with Chinese characteristics.’ ”¹⁹

Scholars say that while China allows — and sometimes even encourages — criticism of corrupt local party officials, it keeps a tight lid on dissent aimed at the central government out of fear that it could lead to chaos and threaten the party’s control.

“At this point in China’s political development, there isn’t a lively multi-

party system, and there isn’t an established political institution for political transition,” says Northeastern University’s Woo. “So imagine if your sole source of legitimacy goes out the window. What’s going to happen to the country? They’ve never been able to figure that one out yet.”

Some China scholars argue that China inevitably will move toward some kind of democracy that includes a multiparty political system. “The question for China is not whether, but when and how,” says Pei, of the Carnegie Endowment for International Peace. “You can definitely say 20 years from now, China probably will be democratic and will have a multiparty system.”

But others are doubtful. In *The China Fantasy*, Mann critiques scenarios often held by policy elites in the West — that capitalism will lead to democracy in China or that social or economic upheavals will undermine the current regime. He poses a third scenario: that China will continue to grow stronger economically but retain its authoritarian ways. The West should not continue to overlook China’s human-rights violations at home and its support for repressive regimes elsewhere, he argues.

“[W]e should not assume China is headed for democracy or far-reaching political liberalization,” Mann writes. “China will probably, instead, retain a repressive one-party political system for a long time. In fact, such an outcome may not bother the American or European business and government leaders who deal regularly with China; it may indeed be just the China they want.

“But they rarely acknowledge that they would be content with a permanently repressive and undemocratic China. . . . Instead, they foster an elaborate set of illusions about China, centered on the belief that commerce will lead inevitably to political change and democracy.”²⁰

China Holds More Than 700 Political Prisoners

China is detaining or imprisoning 734 political prisoners, according to the Congressional-Executive Commission on China. Many were convicted of overstepping government speech or media regulations or inciting separatism — as occurred recently in Tibet and Xinjiang Province. Prisoners representing a range of offenses are profiled below.*

Selected Political Prisoners in China

Name	Ethnic group	Date of detention	Length of sentence
Adrug Lupoe	Tibetan	Aug. 21, 2007	10 years
Lupoe and other protesters climbed onto a stage where Chinese officials were speaking and called for the Dalai Lama's return to Tibet, freedom of religion and the return of exiled figure Gedun Choekyi Nyima. The Ganzi Intermediate People's Court convicted him of espionage and inciting "splittism."			
Abdulghani Memetemin	Uiyghur	July 26, 2002	9 years
Memetemin provided information to the East Turkistan Information Center, a Munich-based organization advocating independence for Xinjiang Province. The group is designated by China as a terrorist organization. He was sentenced by the Kashgar Intermediate People's Court for "supplying state secrets to an organization outside the country." On top of his prison sentence, he received three years' deprivation of political rights.			
Chi Jianwei	Han	Oct. 18, 2006	3 years
Chi was detained for participating in a sit-in and distributing materials from the Falun Gong spiritual group, which were found in his home. Shangcheng District People's Court charged him with "using a cult to undermine implementation of the law."			
Shi Tao	Han	Nov. 24, 2004	10 years
Shi was convicted of disclosing state secrets to foreigners after disobeying a government order limiting journalists' reports during the 15th anniversary of the Tiananmen democracy protests. Shi e-mailed his notes to the <i>Democracy Forum</i> , a U.S.-based online newspaper. His conviction was based in part on evidence provided by the China office of Yahoo!, which agreed to pay his legal expenses.			
Tenzin Deleg	Tibetan	April 7, 2002	20 years
Deleg was convicted of exploding bombs and scattering separatist leaflets. Deleg and an accomplice were sentenced to death, but Deleg's sentence was commuted to life imprisonment. He is reportedly being treated for heart disease in Chuandong Prison in Sichuan Province.			

** Congress created the commission in 2000 to monitor human rights and the development of the rule of law in China. It consists of nine senators, nine House members and five senior administration officials.*

Source: "Political Prisoner Database," Congressional-Executive Commission on China, June 26, 2008

Should U.S. companies in China push for human-rights reforms?

In April, actress Mia Farrow, chairwoman of the humanitarian group Dream for Darfur, criticized most of the major corporate sponsors of the Beijing Olympics, including Visa and Coca-Cola, for their alleged failure to take meaningful steps to pressure China to

help end human-rights abuses in war-ravaged Darfur.

"Because sponsors are desperate to win the hearts and minds of 1.3 billion potential consumers in China, they have been frozen into silence on Darfur," Farrow said. "If the Summer Games go down in history as the Genocide Olympics, it will be because

of the Chinese government's support of the regime in Sudan, abetted by the moral cowardice of the sponsors who would not speak out publicly about the genocide in Darfur."²¹

China's growing thirst for oil has led it to deal with resource-rich nations that have been ostracized by the West for human-rights abuses. Sudan,

for instance, where more than 200,000 people have died in fighting in the Darfur region since 2003, is one of China's biggest oil suppliers. China repeatedly has blocked efforts by the West to impose sanctions against Sudan and until recently was reluctant even to pressure the Sudanese government to curb the fighting.²²

But some companies returned fire on Dream for Darfur. Coca-Cola's chief executive called its approach "flawed." "It judges concern by one narrow measure — the degree to which one pushes a sovereign government in public — while ignoring what we and others are doing every day to help ease the suffering in Darfur," wrote Coke CEO Neville Isdell. He added: "Our approach encompasses: immediate relief to those on the ground; investments to address water, one of the conflict's underlying causes; and efforts to bring local and international stakeholders together to develop long-term solutions."²³

While many scholars and human-rights activists say corporations have an important role to play in pushing China toward human-rights and political reforms, some recommend a more low-key dialogue with Chinese officials while ensuring that their own corporate operations within China are clean of any taint of abuse.

"Private discussion and dialogue instead of finger pointing" is the best approach says the Brookings Institution's Cheng.

In a commentary in *Condé Nast Portfolio*, New York University business Professor Tunku Varadarajan explored the question of whether companies receiving global exposure from sponsoring the Olympics should press for human-rights improvement in China.²⁴ "At the very least," he wrote, the corporations "owe it to us to show that they are not wholly blind to human-rights issues." While they "cannot be asked to entirely subordinate the interest of their stockholders to those of a more amorphous

group of stakeholders," he wrote, "the global practice of capitalism is not a morality-free exercise."

As a first step, advises Georges Endlerle, a professor of international business ethics at the University of Notre Dame, companies "should keep their own house in order in China [and] treat their employees decently and according to American standards."

U.S. and foreign companies can help bolster the rule of law in China, he says, by following a major, new labor law in China and help explain to Chinese companies why the law is important. The law requires employers to provide workers with written contracts, restricts the use of temporary workers and makes it more difficult to lay off employees. It also strengthens the role of the Communist Party's monopoly union and allows collective bargaining for pay and benefits.²⁵

The law was developed despite stiff objections from many multinational companies, who said it would significantly increase labor costs and reduce flexibility. As passed, the measure softened some controversial provisions but kept others.²⁶

While it has drawn wide international attention, the law nonetheless "may fall short of improving working conditions for the tens of millions of low-wage workers who need the most help," said *The New York Times* — "unless it is enforced more rigorously than existing laws, which already offer protections that on paper are similar to those in developed economies."²⁷

The *Times* pointed out that "abuses of migrant laborers have been endemic in boom-time China" and noted the labor law was passed shortly after Chinese officials and state media exposed the widespread use of slave labor in brick kilns and coal mines.²⁸

Michael A. Santoro, a professor of ethics at the Rutgers University business school and author of *Profits and Principles: Global Capitalism and Human Rights in China*, says preach-

ing to the Chinese about human rights simply engenders hostility toward Westerners. But foreign companies, he argues, should be far more aggressive in holding the Chinese government to trade and business standards that China itself committed to when it became a member of the World Trade Organization (WTO) in 2002.

By aggressively enforcing those standards and exercising the rights granted to them under the WTO, he argues, foreign companies could help promote the rule of law in China and provide moral support to citizens who are challenging China's government on political and human-rights issues.

"How many cases do you think foreign companies have brought" against China so far under the WTO rules? Santoro asks. "Try zero." Even if China retaliated, WTO provisions entitle companies to resolve their disputes with the Chinese government through a fair and independent court system in China, Santoro says. And if that fails, he adds, a dispute becomes an international trade case.

"We have this whole legal mechanism in place, and nobody's using it." Instead, business leaders continue "to work within the old paradigm of power in China," using personal connections rather than international law to resolve business disputes.

While not suggesting that multinational businesses always deal with China in the most confrontational way, Santoro says "they need to start thinking about the fact that they have economic rights — and not economic privileges that the [Chinese] government is granting to them."

As flawed as China's judicial system is, Santoro says, "we see very brave Chinese citizens pushing the envelope" on labor, environmental and economic-rights issues in the Chinese judiciary. But he says, "the foreign business community and the foreign legal community are not doing nearly enough to promote the rule of law in China." ■

BACKGROUND

Mao's Legacy

China's human-rights practices have been under scrutiny for generations. Some scholars have painted Chairman Mao Zedong, who founded the People's Republic of China, as one of history's worst monsters. A controversial 2005 biography claims he was responsible for more than 70 million deaths in peacetime, with nearly 38 million dying of starvation and overwork during the Great Leap Forward and an accompanying famine.²⁹

Whatever the true death figure, and notwithstanding that some Chinese continue to revere him, Mao's legacy is widely viewed as shameful. During his disastrous 10-year Cultural Revolution in the 1960s and '70s, even top political and military leaders were subject to arbitrary arrest, torture and extrajudicial execution.³⁰ Young intellectuals were forced into "re-education" camps to work alongside peasants, Red Guards beat citizens for perceived slights to the authorities and Western music and other cultural expressions were suppressed.

In February 1972 Mao and President Richard M. Nixon met in Beijing in a spectacle that gave American television viewers a window on a China they had not seen for more than two decades. The visit, the first by a U.S. president to China, marked the first steps toward normalizing relations between the two countries and helped lay the groundwork for China's opening to the West.

Following Mao's death in 1976, hopes for democracy grew in China. In 1978 — 30 years ago this year — China adopted a "Reform and Opening" policy, which, while fostering dramatic economic and cultural changes also led to a vast chasm between rich and poor

and what critics say has been a legacy of human-rights violations, including relocations of Chinese citizens to make way for new development, government corruption and other abuses.

The push for greater freedom suffered its most notorious setback in 1989, when Chinese tanks crushed a pro-democracy movement in Tiananmen Square and the nearby Avenue of Eternal Peace.

Ma Jian, a well-known Chinese writer, described what happened: "The protests had been set off by the death of the reform-minded party leader Hu Yaobang. College students had camped out in the square — the symbolic heart of the nation — to demand freedom, democracy and an end to government corruption. There they fell in love, danced to Bob Dylan tapes and discussed Thomas Paine's 'Rights of Man.'

"The city had come out to support the protesters: workers, entrepreneurs, writers, petty thieves. After the tanks drove the students from the square in the early hours of June 4, 1989, nearby shop owners turned up with baskets of sneakers to hand out to protesters who'd lost their shoes in the confrontation. As soldiers opened fire in the streets, civilians rushed to the wounded to carry them to the hospital."³¹

According to the PBS TV program "Frontline," the Chinese Red Cross initially reported 2,600 were killed, then quickly retracted that figure under intense pressure from the government. The official Chinese government figure is 241 dead, including soldiers, and 7,000 wounded.³²

Ma went on to say that the Communist Party in China rewrote history and "branded the peaceful democracy movement a 'counterrevolutionary riot' and maintained that the brutal crackdown was the only way of restoring order. . . .

"Realizing that their much vaunted mandate to rule had been nullified by the massacre, the party focused on economic growth to quell demands for po-

litical change. Thanks to its cheap, industrious and non-unionized labor force, China has since become a world economic power, while the Communist Party has become the world's best friend."

About 130 prisoners are still being held for their role in the Tiananmen protests, according to Human Rights Watch.³³

The Tiananmen massacre isolated China on the global stage for years afterwards and helped defeat its bid to host the 2000 Olympics. "[W]hen the application was made in 1993, the sounds of the gunshots in Beijing were still ringing in people's ears," according to Chinese journalist Li Datong.³⁴

In the nearly two decades since Tiananmen, experts say, China has changed in some significant ways, including the attitude of its youth toward the government. "In 1989," says Kamm of the Dui Hua Foundation, "young people were very critical of the government, and that was in line with international outrage over Tiananmen. Today the situation is radically different. You still have international concern over the bad human-rights record, but in China you have extreme nationalism, which basically says 'my country right or wrong' and 'how dare you criticize my government because in doing so you criticize China and by doing that you criticize me.'"

A University of Hong Kong survey this spring found that most Hong Kong residents continue to believe that Chinese students were right to protest at Tiananmen and that the government's reaction was wrong, but 85 percent said human rights in China had improved since 1989.³⁵

Catalog of Abuses

China's selection to host the 2008 Games was predicated in part on promises to improve its human rights. Beijing Mayor Liu Qi told the International Olympic Committee the Games

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Chronology

1890s-1970s

Mao Zedong founds People's Republic of China.

1893

Mao is born in Hunan province.

1949

Mao leads Communists to power.

1958

Mao launches Great Leap Forward to increase industrial and agricultural production, causes deadly famine.

1959

Great Leap Forward opponent Liu Shaoqi replaces Mao as chairman of the People's Republic.

1966

To reassert his power, Mao launches Cultural Revolution; repression of human rights and religion causes political and social chaos.

1972

President Nixon visits China.

1976

Mao dies; power fight ensues.

1978

China adopts "reform and opening up" policy spurring economic growth and progress on human rights.

1980s-1990s

Economic reforms stimulate development, but pro-democracy efforts meet resistance.

1982

New Chinese constitution promises to protect freedom of speech, press, assembly, association and other rights, but crackdowns persist.

1987

China sets up China Academic Network, its first computer network.

1989

Military brutally clears pro-democracy demonstration in and around Beijing's Tiananmen Square, resulting in hundreds of deaths.

1991

China's State Council issues white paper on human-rights record.

1993

European Parliament denounces repression in Tibet and opposes China's bid to host 2000 Olympics.

1994

Advocacy groups complain about President Bill Clinton's decision to delink human rights and trade in dealing with China.

1999

Beijing bans Falun Gong spiritual movement as part of continuing repression of Christian house churches, Muslim Uyghurs and others.

2000s *Human-rights abuses continue to mar China's international image.*

2001

Beijing wins bid to host 2008 Summer Olympics. . . . China receives formal approval to join World Trade Organization.

2002

Hu Jintao elected general secretary of Chinese Communist Party.

2002-2004

China suppresses media coverage of SARS outbreak.

2003

Hu Jintao becomes China's president; Wen Jiabao becomes premier.

2004

Zhao Yan, a Chinese researcher working for *The New York Times* in China, is charged with disclosing state secrets to the newspaper; charges are later dismissed.

2007

President Bush meets with President Hu in Australia and emphasizes U.S. concern about human rights. . . . Yahoo! officials defend company's role in jailing of Chinese journalist Shi Tao, sentenced in 2005 to 10 years. . . . Human-rights activist Hu Jia arrested. . . . Dozens of women in southwest China reportedly forced to have abortions.

March 2008

Foreign journalists restricted from traveling to Tibet as monks and other pro-independence demonstrators engage in deadly clashes with Chinese police. . . . State Department removes China from list of top 10 human-rights violators but says its record remains "poor."

April 2008

Olympic Torch Relay hit by anti-China protesters around the world.

May 2008

Earthquake kills nearly 70,000 in central China, opening country to scrutiny by Western reporters and leading to charges of poor building standards and government corruption.

July 2008

China scrambles to deal with environmental woes and prepare the country for start of Olympic Games.

Aug. 8-24

Olympics to be held in Beijing.

Intimidation of Press Said to Be Widespread

But private media continue to push boundaries.

With the Olympic Games approaching, media representatives and human-rights advocates have stepped up their perennial calls for greater press freedom for both Chinese reporters and foreign correspondents working in China.

Press advocates say China has violated temporary regulations it established 18 months ago that allow foreign correspondents more latitude in covering the country before and during the Games. The rules, which took effect in January 2007, expire in October. In early July China repeated its pledge to abide by the rules, with Li Changchun, a high-ranking Chinese official, encouraging foreign journalists to report “extensively” on the games.¹

But free-press advocates say reporting efforts by foreign and domestic journalists, Chinese cyber-dissidents, bloggers and others have been anything but unfettered. Shortly before Li’s statement, Human Rights Watch released a report concluding that China continued to thwart and threaten foreign journalists.

Drawing on more than 60 interviews with correspondents in China between December 2007 and this past June, the report said correspondents and their sources continued to experience intimidation and obstruction when pursuing articles that could embarrass authorities, uncover official wrongdoing or chronicle social unrest.²

Chris Buckley, a senior correspondent for Reuters, was beaten and detained by “plainclothes thugs” last September after interviewing rural citizens seeking redress for abuses by local authorities, Human Rights Watch said. In October, it said, a Eu-

ropean TV correspondent experienced similar treatment when trying to report on provincial unrest.

Other groups also have voiced strong complaints about China’s disregard for free expression. In a report reissued this year, the New York-based Committee to Protect Journalists cited a “ yawning gap between China’s poor press-freedom record and promises made in 2001 when Beijing was awarded the Olympic Games.”³ As of early July, more than two dozen Chinese journalists remained in prison, the group said.⁴

Reporters Without Borders, a Paris-based press-advocacy group, said China jails more journalists, cyber-dissidents, Internet users and freedom of expression campaigners than any other country.⁵

But China’s journalistic scene is not uniformly bleak. As the nation’s economy has boomed, a climate of spirited competitiveness has developed among private Chinese newspapers and magazines, some with a zest for investigative reporting and the willingness and ability to push censorship boundaries. Also, the temporary rules established for the Olympics have helped open a window on China. The rules coincided with this year’s massive earthquake in Sichuan Province, which was heavily covered by both Western and Chinese media.

Still, journalists have experienced harassment. They were banished from strife-torn Tibet, where riots last March generated some of the biggest international news of the year.⁶ And after the earthquake, the *Wall Street Journal* reported, officials in Xianger, a coal-mining town, “prevented foreign reporters from entering areas

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“will help promote our economic and social progress and will also benefit the further development of our human-rights cause.”³⁶ Yet, critics charge that China has not lived up to its word.

Some of the criticism stems from its crackdown this spring in Tibet and widely perceived failure to do more to stem abuses in places like Darfur. But rights advocates also express a more general concern over practices within China, despite the economic gains of some citizens in recent years.

“In some limited aspects, there has been some progress” on human rights, says Sharon Hom, executive director of Human Rights in China, an international organization founded in 1989

by Chinese students and scholars. For example, she cites “the 400 million lifted out of absolute poverty.”

“However, for the vast majority — the migrants, the rural inhabitants, the urban poor, ethnic-minority groups, Tibetans, Uyghurs, Mongols — which together comprise the vast majority of the 1.3-billion population — the human-rights situation has not only not improved, it has absolutely deteriorated in the last 20 years with respect to the right of individuals to have . . . religious [freedom], cultural freedom [and] the freedom of expression and association.”

What’s more, Hom says most Chinese continue to lack decent housing, jobs, education and health care and that the problems are so severe the Communist Party has recognized the

need for improvement because of the social unrest they have generated.

Hom cautions that it is impossible to know the full extent of human-rights abuses in China because of the centralized control exerted under the one-party system, the state-of-the-art technology to monitor and filter information and the pervasive state-secrets system.

A detailed report last year by Human Rights in China said the state-secrets system “perpetuates a culture of secrecy that is not only harmful but deadly to Chinese society.”³⁷ The system controls the flow of data on everything from the effects of environmental damage in urban industrial areas to forced abortions and deaths among political prisoners, Hom explains. “Anything and everything

where schools collapsed, stopped parents from speaking with reporters elsewhere and in some case have threatened parents trying to voice their anger.”⁷

Chinese journalists face particular challenges in reporting on issues that government authorities deem threatening to state security or the Communist Party. The Committee to Protect Journalists noted in its report that censorship of domestic reporters in China “remains in force across all regions and types of media,” with “all news outlets . . . subject to orders from the Central Propaganda Department” and provincial authorities blocking coverage of sensitive local issues.

Journalists must avoid reporting on the military, ethnic conflict, religion issues (especially the outlawed Falun Gong movement) and the internal workings of the government and Communist Party, the committee said. “Coverage directives are issued regularly on matters large and small. Authorities close publications and reassign personnel as penalties for violating censorship orders.”⁸

The committee also noted that even Western Internet service providers have yielded to government pressure, pointing out that Yahoo turned over e-mail account information that led to the imprisonment of a journalist and several dissidents, Microsoft deleted a reporter’s blog, and Google “launched a self-censoring Chinese search engine.”⁹

In a new book on China, Philip P. Pan, former Beijing bureau chief for *The Washington Post*, describes how Cheng Yizhong, editor in chief of *The Southern Metropolis Daily*, ran

an exposé on the *shourong* system, a detention-center network used to enforce a passport policy designed to keep “undesirables” out of cities. After *The Daily* reported on a detainee’s death, it was announced that Premier Wen had done away with the *shourong* regulations and was going to shut the detention centers. But *The Daily* paid a high price for its success: Advertisers were directed away from the paper, its general manager was sentenced to prison and Cheng himself was arrested and held for five months.¹⁰

¹ “China pledges media freedom at Olympic Games,” The Associated Press, July 11, 2008.

² See “China’s Forbidden Zones: Shutting the Media out of Tibet and other ‘Sensitive’ Stories,” Human Rights Watch, July 2008, <http://hrw.org/reports/2008/china0708/>.

³ “Falling Short,” Committee to Protect Journalists, updated and reissued June 2008, p. 8, http://cpj.org/Briefings/2007/Falling_Short/China/china_updated.pdf.

⁴ “One month before the Olympics, media face huge hurdles,” Committee to Protect Journalists, July 8, 2008.

⁵ “2008 Annual report — Asia-Pacific: China,” Reporters Without Borders, p. 79, www.rsf.org/IMG/pdf/rapport_en_asie.pdf.

⁶ For background, see Brian Beary, “Separatist Movements,” *CQ Global Researcher*, April 2008, pp. 85-114.

⁷ James T. Areddy, “China Stifles Parents’ Complaints About Collapsed Schools,” *The Wall Street Journal*, June 18, 2008, p. 10A.

⁸ “Falling Short,” *op. cit.*, p. 8.

⁹ *Ibid.*, p. 9.

¹⁰ Michiko Kakutani, “Dispatches From Capitalist China,” *The New York Times*, July 15, 2008. See Philip P. Pan, *Out of Mao’s Shadow* (2008).

could be deemed a state secret, even retroactively,” she says.

Despite the lack of reliable data, journalists and Western governments have nonetheless compiled thousands of pages of documentation in recent years on human-rights abuses in China. Amnesty International, for example, says it believes a “significant drop in executions” is likely to have occurred since the Supreme People’s Court review of death sentences was restored in 2007, but that China remains the world leader in the use of the death penalty, with roughly 68 offenses punishable by death, including non-violent ones such as embezzling and certain drug-related crimes.³⁸

In its 2008 report on global human rights, Amnesty estimates that at least 470 people were executed and 1,860

sentenced to death in 2007, based on public reports, “although the true figures were believed to be much higher.”³⁹ Kamm of the Dui Hua Foundation estimates there were 5,000 executions last year, compared with perhaps 15,000 in the late 1990s.

“[D]eath penalty trials continued to be held behind closed doors, police often resorted to torture to obtain ‘confessions,’ and detainees were denied prompt and regular access to lawyers,” the Amnesty report said.

Amnesty’s catalog of abuses is far broader than the death penalty. For example, it said “torture in detention remained widespread.” Also, “while space for civil society activities continued to grow, the targeting of human-rights defenders who raised issues deemed to be

politically sensitive intensified.” China continued to tightly control the flow of news and information, Amnesty said, noting that around 30 journalists were known to be in prison along with at least 50 individuals for posting their views on the Internet. (*See sidebar, p. 612.*)

In addition, millions of Chinese were impeded in their quest for religious freedom, with Falun Gong practitioners, Uyghur Muslims, Tibetan Buddhists and underground Christian groups “among those most harshly persecuted.”

One-Child Policy

Advocates also point to threats to women’s rights in China, including forced abortions, a problem long

Environmental Problems Spark Unrest, Health Woes

Protests reflect rise of citizen activism, hope for future.

In 2005, thousands rioted in a village in southeastern China, breaking windows and overturning police cars to protest factory pollution.

"The air stinks from the factories," said villager Wang Yuehe. "We can't grow our crops. The factories had promised to do a good environmental job, but they have done almost nothing."¹

The episode marked one of numerous pollution-related protests — many peaceful but some violent — that have occurred in China in recent years as the nation's exploding economic growth has led to some of the world's worst environmental damage in history.

Experts say the problem has had massive human-rights consequences, including an alarming rate of cancer deaths, shrinking access to clean water and forced relocations of citizens to make way for new buildings and infrastructure.

Pollution has haunted the Olympics, too. In the city of Qingdao, for example, thousands of people were mobilized this summer to clean algae from the Yellow Sea, where the Olympic sailing regatta was planned. Concerns arose that the foul-smelling algae would impede sailing competitions. And marathoners have worried that they would have trouble breathing in Beijing's smog-saturated air. To counter the pollution, Beijing officials removed 300,000 high-polluting vehicles from local roads and then temporarily removed half of all vehicles as the Games drew nearer. They also were preparing contingency plans to temporarily close factories in northern China if necessary.²

But the problems surrounding the Olympics are only a small drop in a much bigger ocean of ecological blight in China.

Elizabeth Economy, author of *The River Runs Black: The Environmental Challenges to China's Future*, wrote recently in *Foreign Affairs* that "fully 190 million Chinese are sick from drinking contaminated water. All along China's major rivers, villages report skyrocketing rates of diarrheal diseases, cancer, tumors, leukemia and stunted growth."³

Economy, who is director for Asia Studies at the Council on Foreign Relations, also noted that in a survey of 30 cities and 78 counties released in 2007, China's Ministry of Public Health blamed worsening air and water pollution for drastic increases in cancer — a 19 percent rise in urban areas and 23 percent rise in rural areas since 2005.

Moreover, Economy wrote, a research institute affiliated with China's State Environmental Protection Administration estimated that 400,000 premature deaths occur each year due to air-pollution-related respiratory diseases — a number she said could be conservative. Indeed, she noted, a joint research project of the World Bank and Chinese government put the figure at 750,000, but Beijing reportedly did not want to release the figure, fearing it would incite social unrest.

China's environmental woes have led to so many stability-threatening mass protests that officials have backed away from some controversial industrial projects.

"China's greatest environmental achievement over the past decade has been the growth of environmental activism among the Chinese people," said Economy. "They have pushed the boundaries of environmental protection well beyond anything imaginable a decade ago."⁴

associated with the government's "one-child" family-planning policy, which restricts the rights of parents to choose the number of children they will have and the interval between births.⁴⁰

The law gives married couples the right to have one birth but allows eligible couples to apply for permission to have a second child if they meet conditions in local and provincial regulations, according to the U.S. State Department's annual review of human rights in China for 2007. Enforcement varied from place to place, and was more strictly applied in cities than rural areas, the report says.⁴¹

Couples who have an unapproved child must pay a "social compensation fee" up to 10 times a person's

annual disposable income. "The law requires family-planning officials to obtain court approval before taking 'forcible' action, such as detaining family members or confiscating and destroying property of families who refuse to pay social compensation fees," the report said. "However, in practice this requirement was not always followed."

Hom says that while fines for having an unapproved child are legal under Chinese law, forced abortions are not, and property destruction is not a legal enforcement mechanism set forth in the one-child population policy. "It is the coercive and often illegal implementation of the policy that produces these abuses," she says.

The State Department review drew attention to the role that incentives play in enforcement of the one-child policy. "Officials at all levels remained subject to rewards or penalties based on meeting the population goals set by their administrative region," it said. "Promotions for local officials depended in part on meeting population targets."

Hom says that "of all the policies introduced by the Communist Party, the one-child population policy is the most hated and the most resisted. The vast majority of the people, meaning the rural-area people — really hate it."

She says she has visited villages where parents have more than one child and even as many as four or five. Those unable to pay the penalty may give

In her *Foreign Affairs* article, Economy wrote that China's explosive development "has become an environmental disaster."

"Clearly, something has got to give," she wrote. "The costs of inaction to China's economy, public health and international reputation are growing. And perhaps more important, social discontent is rising. The Chinese people have clearly run out of patience with the government's inability or unwillingness to turn the environmental situation around. And the government is well aware of the increasing potential for environmental protest to ignite broader social unrest."⁵

Yet, some observers — even within the ecological arena itself — see reason for hope. In a response to Economy's article entitled "China's Coming Environmental Renaissance," Yingling Liu, China program manager at the Worldwatch Institute, an environmental advocacy group, said Economy "underestimates the level of efforts now under way to address these problems, both in the Chinese government and in the growing private sector, as well as the degree to which the United States and other industrial countries are complicit in China's environmental woes."



Heavy pollution envelops Beijing during morning rush hour in June. Officials are temporarily removing half the vehicles from the city before Olympic Games begin in August.

AFP/Getty Images/Mark Ralston

"As a Chinese citizen and researcher who has followed these developments for many years, I am more optimistic that China is beginning to turn the corner on its monumental environmental challenges," she wrote.⁶

Also cautiously hopeful is James Fallows, a national correspondent for *The Atlantic Monthly* who lives in China. After visiting a cement plant in Shandong Province that recycles its heat to help generate electricity and re-

searching other "green" projects, Fallows wrote, "China's environmental situation is disastrous. And it is improving. Everyone knows about the first part. The second part is important, too."⁷

¹ Jim Yardley, "Thousands of Chinese Villagers Protest Factory Pollution," *The New York Times*, April 13, 2005.

² Jim Yardley, "Chinese Algae threatens Olympic Sailing," *The New York Times*, July 1, 2008, p. A6.

³ Elizabeth C. Economy, "The Great Leap Backward?" *Foreign Affairs*, September/October 2007.

⁴ Quoted in James Fallows, "China's Silver Lining," *The Atlantic Monthly*, June 2008.

⁵ Economy, *op. cit.*

⁶ Yingling Liu, "China's Coming Environmental Renaissance," Worldwatch Institute, Nov. 29, 2007, www.worldwatch.org/node/5510.

⁷ Fallows, *op. cit.*

birth outside the village and bring the child back later, she says.

While enforcement of China's family-planning policy can vary by place and circumstance, the State Department said that "there continued to be sporadic reports of violations of citizens' rights by local officials attempting to reduce the number of births in their region."

In southwest China, dozens of women were forced to have abortions in 2007 even as late as their ninth month of pregnancy, according to evidence uncovered and reported by National Public Radio.⁴²

"I was scared," Wei Linrong told NPR, after 10 family-planning officials came to her home in Guangxi Province in April 2007 and told her and her husband,

who already have one child, that they would have to abort their 7-month-old fetus. "If you don't go [to the hospital], we'll carry you," they told her. Wei said the hospital was "full of women who'd been brought in forcibly." After the baby was aborted, she said, the nurses "wrapped it up in a black plastic bag and threw it in the trash."

In the U.S. Congress, one of the most vocal critics of China's human-rights record has been Rep. Chris Smith, R-N.J. "The one-child policy makes brothers and sisters illegal in China," he said in Beijing this summer. It "relies on forced abortion, ruinous fines and other forms of coercion to achieve its goals. . . . The one-child-per-couple policy has not only killed

tens of millions of children and wounded their mothers but has led to a serious disparity between the number of boys and girls. The missing girls [phenomenon] is not only a heartbreaking consequence of the one-child policy but is catastrophic for China."⁴³

Laws and regulations in China forbid terminating pregnancies based on a fetus's gender, the State Department report said, "but because of the intersection of birth limitations with the traditional preference for male children, particularly in rural areas, many families used ultrasound technology to identify female fetuses and terminate these pregnancies."

China's male-to-female birth ratio for first births in rural areas was about

123 to 100, the report said. The national average in China was about 120 to 100. For second births, the national ratio was 152 to 100.

China's National Population and Family Planning Commission denied a direct connection between family planning and skewed gender ratios at birth, but it promoted expanded programs to raise awareness of the imbalance and improve protection of the rights of girls, the State Department reported.

Great "Walk" Forward

Despite what often appears as a depressing litany of abuses against China's vast population, especially its poor, many Western observers are guardedly optimistic. George J. Gilboy, a senior fellow at the MIT Center for International Studies, and Benjamin L. Read, an assistant professor in the politics department of the University of California-Santa Cruz, wrote recently that "in contrast to those who see a stagnant China, political and social dynamism is at work."

They point out that to preserve its power, the Chinese Communist Party "has chosen to revitalize itself and to adjust to new social realities, efforts that have intensified since the leadership team of President Hu Jintao and Premier Wen Jiabao came to power in 2002-2003." Still, the authors note that changes are "uneven and fragile" and that "political and social reform in China continues to 'walk,' not march, forward."⁴⁴

Wu, at China Foreign Affairs University, when asked this year what the West doesn't understand about China, replied, "First, they don't like our system. They say, look, your system's not democratic, you don't respect human rights." But, Wu added, "You know why Chinese started the revolution? For human rights. Before 1949 [the] Chinese population [was] 500 million people. Four hundred million people were hungry. And they couldn't go on like that."

The former ambassador to France went on to say that China's massive modernization effort is occurring "for human rights" — "to make Chinese, every Chinese, better." People in the West see China "with Western eyes," he said. "They believe — some of them — we have to behave like them. It's impossible. You are American and I'm Chinese." The Chinese people, he said, are "used to strong central authorities. More than 2,000 years."

Noting America's own long road to women's suffrage and civil rights for blacks, he added, "You are where you are after more than two centuries of revolution. How can you expect others to do the same thing as you? It's impossible."⁴⁵

Wu rejected the notion that people in China are afraid to speak about issues in ways that appear to challenge the country's leadership. "People are expressing themselves," he said — maybe not in the way people in the United States do, he added, "but . . . you are where you are after more than centuries of evolution." ■

CURRENT SITUATION

Olympic Heat

As the Aug. 8 start of the Olympic Games approaches, emotions over China's human-rights record are rising with the temperature.

"Tragically, the Olympics has triggered a massive crackdown designed to silence and put beyond reach all those whose views differ from the official 'harmonious' government line," said Rep. Smith in Beijing in early July.⁴⁶

He and Rep. Frank R. Wolf, R-Va., said they had come to meet with Chinese citizens pressing for greater polit-

ical and religious freedoms, but the Chinese authorities pressured or prevented nine activists from meeting with them, according to documents the lawmakers handed out. Wolf and Smith presented officials with a list of 734 Chinese prisoners whom they said were jailed for dissent and urged President Bush not to attend the Games unless major progress on human rights occurred quickly.⁴⁷

But China reacted sharply, saying Smith and Wolf's attempted meetings violated the purported reason for their visit. "The two U.S. congressmen came to China as guests of the United States Embassy to engage in internal communications and consultations" and "should not engage in activities incompatible with the objective of their visit and with their status," said Foreign Ministry spokesman Liu Jianchao. Wolf later called his point "simply ridiculous."⁴⁸

The harsh exchange underscored the degree to which the Olympics have become a major rallying point for Western critics of China's human-rights practices. Some of the sharpest barbs have been reserved for the government's handling of journalists. (See sidebar, p. 612.)

Human Rights Watch charges that despite promises to lift media restrictions leading up to the games, China continues to thwart foreign journalists. "[S]ystematic surveillance, obstruction, intimidation of sources and pressure on local assistants are hobbling foreign correspondents' efforts to pursue investigative stories," the group said in early July.⁴⁹

Human Rights Watch added that temporary government regulations in effect until Oct. 17 allow foreign journalists to conduct interviews with consenting Chinese organizations or citizens but do not grant similar freedoms to Chinese reporters. While some correspondents say the regulations have spurred improvements, most say they "have done little to enable them to

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At Issue:

Should the U.S. use trade sanctions against China to promote human rights?



TIENCHI MARTIN-LIAO
*DIRECTOR, LAOGAI RESEARCH
FOUNDATION*

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it is widely believed that U.S. trade sanctions against Cuba, Iraq, Iran and North Korea have been ineffective. Using economic means to achieve political ends usually fails.

Nevertheless, sanctions have been applied repeatedly because they send a clear, disapproving message to the targeted country.

But with China, trade sanctions could be more fruitful. Unlike North Korea or Iran, China is not an isolated country harboring strong anti-American sentiment. It is an emerging superpower intent upon gaining international respect and has gone to great lengths to promote a positive image. If the United States could convince some of its European and Asian allies to support sanctions, the pressure on China would be substantial.

Moreover, communist ideology is bankrupt, and China's leadership now derives its legitimacy almost solely from the booming economy. While a disruption to the enormous U.S.-China trade would affect both countries, the U.S. economy is more flexible than the Chinese economy and probably could more quickly adapt to a sudden fluctuation in trade. Conceivably, just the threat of trade sanctions could convince the Chinese leadership to grant some concessions.

Now, with the Olympics rapidly approaching, China's human-rights situation is worsening. Because President Hu Jintao wants China to be seen as a "harmonious society," peasant workers, environmentalists, human-rights defenders, vagabonds and those with criticisms or grievances are being silenced. The 80,000 protests that occur annually are being crushed at the first sign of trouble. Earlier this year the world saw China crack down on mass demonstrations in Tibet and grieving parents protesting shoddy school construction in Sichuan after the earthquake. The Chinese Communist Party controls the army, police, courts, media, banks and all manufacturing, as well as China's only pseudo-union. It also decides who leaves the country or goes to jail and what can be said, read and heard.

If the United States had made permanent, normalized trade relations with China conditional upon China making reasonable progress on human rights, we might be witnessing the rise of a very different China today. But the Bush administration has adopted a friendly — sometimes almost embracing — China policy. Meanwhile, the suppression of so-called troublemakers and religious and ethnic groups has intensified.

Thus, China is denying freedom to a fifth of the world's population — a problem the United States will have to address at some point. When it does so, economic sanctions should not be out of the question.



JAMES A. DORN
*CHINA SPECIALIST AND VICE PRESIDENT
FOR ACADEMIC AFFAIRS, CATO INSTITUTE*

WRITTEN FOR *CQ RESEARCHER*, JULY 2008

using trade sanctions against China to promote human rights would do the opposite. Unlike trade, protectionism denies individuals the freedom to expand their effective alternatives, thus limiting their choices. Sanctions would fuel the flames of economic nationalism, harm U.S. consumers and embolden hard-liners in Beijing.

Before China opened to the outside world in 1978, the state dominated the economic landscape, private property was outlawed and capitalists were considered criminals. Today millions of people engage in trade, private ownership is widespread and civil society is advancing, as was evident in the spontaneous response to the Sichuan earthquake.

In 1995, Jianying Zha wrote in her book *China Pop*, "The economic reforms have created new opportunities, new dreams and to some extent a new atmosphere and new mindsets. . . . There is a growing sense of increased space for personal freedom." That is even truer today as a growing proportion of urban residents own their own homes, and more than 200 million people use the Internet — increasingly to challenge government power.

A 2005 GlobeScan poll of 20 countries found that China had the highest percentage of respondents (74 percent) who agreed that the "free-market economy is the best system on which to base the future of the world." And a 2006 Chicago Council on Global Affairs poll found that 87 percent of those surveyed in China had a favorable view of globalization. That positive attitude toward economic liberalism is good for China and good for the world.

Increasing commercial ties has helped spread the flow of information about alternative forms of government as well as improve living standards in China. Isolating China would do little to advance human rights — as we have learned from North Korea and Cuba. Instead, sanctions would be an act of economic suicide, endanger U.S.-China relations and threaten world peace.

It makes no sense to use such a blunt instrument in an attempt to "advance" human rights in China when trade itself is an important human right. Instead, the United States should continue its policy of engagement and avoid destructive protectionism.

It would be more constructive to welcome China as a normal rising power, admit it to the G-8 and continue the Strategic Economic Dialogue initiated by Presidents Bush and Hu. At the same time, we should not ignore the human rights violations that do occur and use diplomatic pressure to help move China toward a legitimate rule of law.

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report on issues government officials are determined to conceal,” Human Rights Watch said. “Those include high-level corruption, ethnic conflicts, social unrest, public health crises and the workings of China’s large detention system, including prisons, labor camps, mental hospitals and police stations.”⁵⁰

Wang Baodong, the Chinese Embassy’s spokesman in Washington, wrote in June that the regulations had “given foreign journalists full freedom to report from China in the run-up to and during the Beijing Olympics,” noting that more than 25,000 foreign correspondents were expected to cover the event. “Of course,” he added, “they are expected to follow China’s law, and to present to the world a real China with their pens and lenses.”⁵¹

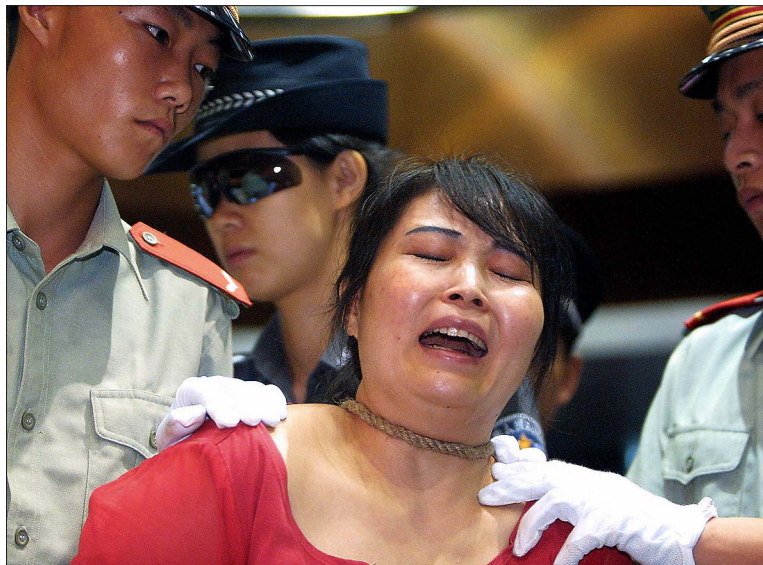
Johns Hopkins University’s Mann doubts the Olympics — or media coverage of the Games — will move China toward greater freedom and human rights.

“I actually thought — wrongly — that in the year or so moving up to the Olympics, there might be some political opening in China,” he says. “My frame of reference was a period of about four to six months before [President] Bill Clinton visited China in 1998, when there was a great relaxation in China.”

But, Mann continues, the current period “isn’t the same. Last fall and this spring, China really got threatened by a series of different events and decided to tighten up the climate. It became more afraid of upheaval. So the reality is, we’re going to have an Olympics where the Chinese govern-

ment now sees it as something to get through,” rather than an opportunity for greater opening.

The upheaval in Tibet, the controversy over China’s alleged lack of action on Darfur and protests during the Olympic-torch relay are among the events over which the regime felt threatened, Mann says.



Drug peddler Wang Xiongyin cries after being sentenced to death in Guangzhou. China imposes the death penalty for many non-violent crimes, including “undermining national unity.” Amnesty International estimates 470 people were sentenced to death last year but said the true figure may be far higher.

AFP/Getty Images/STR

Others point to last fall’s 17th National Congress of the Communist Party, held every five years in China to praise past leaders, welcome new ones and help shape the country’s future direction. In the meeting, President Hu vowed to address social, environmental and corruption problems in China and called for “intra-party democracy” that allows more party officials to participate in decision making. But Hu said the Communist Party must remain “the core that directs the overall situation and coordinates the efforts of all quarters.”⁵²

In the months leading up to the meeting, says Worden of Human Rights Watch, a “chill . . . went into place” as government officials sought to fore-

stall disruption and protests. For example, she said, the government emptied the “Petitioner’s Village” in Beijing, where citizens living outside the capital gathered to seek help from the central government in grievances against local officials.

“At one point [the village] had as many as 10,000 petitioners in Beijing. The last several thousand were cleared out in September before the Party Congress. These are people who have the legal right to petition the government dating back centuries, and they travel from the provinces to do so, often because of egregious cases of corruption, and then the local officials with whom they have the grievances will often send thugs to beat them up and haul them back to their home provinces. That’s what’s happened to most of them before the Olympics.”

Authorities also reportedly cracked down on the Internet, closing tens of thousands of Web sites on which visitors could post opinions.⁵³

Despite what many see as China’s tightening political atmosphere, many China-watchers say the Olympics inevitably will have some effect on China’s internal policies.

In a piece comparing the Beijing Olympics and the 1988 Games in Seoul, South Korea, Richard Pound, a longtime member of the International Olympic Committee, wrote that “no host country of the Olympic Games has ever been the same after the Games . . . especially countries that had been closed or particularly authoritarian. China will not be unaffected. . . . Its size and present governance

may mean that the change does not occur as quickly as it might in other countries. Its lack of transparency may also mean that the elements of change are not easily apparent, which will not mean that they are not occurring. Patience and firmness on the part of the international community can be effective catalysts — as can the Olympic Games.”⁵⁴

Internet's Impact

China has some 223 million Internet users, almost as many as in the United States.⁵⁵ And many think the Internet will continue discomforting Communist authorities and may ultimately bring about human-rights reforms. Despite the government's efforts to control its use, the Internet remains a powerful and pervasive force for change.

For instance, in southwest China's Guizhou Province some 30,000 rioters torched government buildings this summer to protest officials' handling of a teenage girl's death, a case chronicled by Chinese journalists and Internet bloggers. News reports said police called the death a suicide, angering people who believed she was raped and murdered, possibly by someone close to local authorities.⁵⁶

In the ensuing days, however, authorities announced that four officials had been fired for “severe malfeasance” over an alleged cover-up in the case, *The Wall Street Journal* reported. The shift appeared to have resulted from pressure exerted by Chinese journalists and bloggers. When mainstream Web sites began to delete posts on the case, some bloggers got creative, the *Journal* noted, including by writing their postings backward to avert censorship.⁵⁷

While tech-savvy dissidents may be fighting creatively against local corruption and other ills, it is not at all clear

how much educated young Chinese will stir things up on the human-rights front, including on tinderbox issues such as Tibetan independence and China's role in the Darfur crisis.

“Educated young Chinese, far from being embarrassed or upset by their government's human-rights record, rank among the most patriotic, establishment-supporting people you'll meet,” wrote Matthew Forney, a former Beijing bureau chief for *Time*.⁵⁸ He went on to say “most young, ethnic Chinese strongly support their government's suppression of the recent Tibetan uprising.”

Forney said the most obvious explanation for young people's unquestioning support of the government is China's education system, “which can accurately be described as indoctrination.” He also suggested that few young people experience political repression, most are too young to remember the Tiananmen Square massacre and many lack life experiences that would help them gain perspectives other than the government's viewpoint.

“Educated young Chinese are . . . the biggest beneficiaries of policies that have brought China more peace and prosperity than at any time in the past thousands years,” Forney wrote. “They can't imagine why Tibetans would turn up their noses at rising incomes and the promise of a more prosperous future. The loss of a homeland just doesn't compute as a valid concern.”

Unless big changes occur in China's education system or economy, Forney concluded, Westerners won't find allies among most Chinese on issues like Tibet and Darfur for some time to come. “If the debate over Tibet turns this summer's contests in Beijing into the Human Rights Games . . .,” he wrote, “Western ticket-holders expecting to find Chinese angry at their government will instead find Chinese angry at them.” ■

OUTLOOK

Chinese-style Change

The West's immediate focus on China may fade once the Olympic Games end, but concern about human-rights reform is likely to persist long into the future.

While China has made “great progress in human-rights construction,” said Luo of the China Society for Human Rights Studies, “China's political and economic systems are not perfect.”⁵⁹

“The democracy and the legal system are not complete,” he continued, “and urban and rural development are imbalanced. There are still problems in employment, education, medical care, housing, social welfare, income distribution, production safety and environmental protection.”

But China had never ignored those problems, Luo insisted. “Some Western countries have always adopted a double standard on the human-rights issue and condemned China and other developing countries, but turned a blind eye to their own human-rights problems.”

Western experts are variously optimistic and pessimistic about China's human-rights picture, but many agree the Communist Party is likely to pay more attention to citizens' grievances in coming years out of a pragmatic desire to maintain supremacy and keep the country from spinning out of control.

“Over time the government will become more responsive to the demands of its people, and the judicial system will afford more protections for people who are arrested,” says the Dui Hua Foundation's Kamm. “We should first be looking at those things, rather than jumping in and saying, will China fully respect human rights by a certain date or be a democracy.”

Pointing to the recent Guizhou uprising over the girl's death, Kamm notes

that “if that had happened in 1989, it would have been suppressed incredibly hard [and] called a counterrevolutionary riot and the perpetrators put in prison for 20 years or life. Now it’s called a mass incident, and the [state-controlled press] has given it extraordinary coverage by Chinese standards.”

Still, Kamm says government officials are not acting out of altruism in such cases. They are “being forced to respond more and more to the people . . . in order to stay in power,” he says

Northeastern University law Professor Woo says China is trying to move not toward Western-style democracy but toward a model of “soft authoritarianism,” in which officials relax some controls to build support for the governing regime.

She notes, for example, the passage in 2007 of a landmark property-rights law designed to provide citizens with a grievance process and adequate compensation when the government takes property for economic development — a huge issue in recent years given the countless Chinese who have been forced out of their homes.

Nonetheless, Woo says, economic reforms have also led China to pull back from health, welfare and labor protections, widening the gap between the rural poor and rising urban middle class and increasing social unrest.

Ultimately, she says, the outlook for human rights in China is mixed. “I don’t ever think China will be the same kind of democracy you see in this country,” she says. “But I think it has changed a lot.” ■

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About the Author

Thomas J. Billitteri is a *CQ Researcher* staff writer based in Fairfield, Pa., who has more than 30 years’ experience covering business, nonprofit institutions and public policy for newspapers and other publications. He has written previously for *CQ Researcher* on “Domestic Poverty,” “Curb-ing CEO Pay” and “Mass Transit.” He holds a BA in English and an MA in journalism from Indiana University.

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Committee to Protect Journalists, 330 7th Ave., 11th Floor, New York, NY 10001; (212) 465-1004; www.cpj.org. Promotes press freedom around the world.

Dui Hua Foundation, 450 Sutter St., Suite 900, San Francisco, CA 94108; (415) 986-0536; www.duihua.org. Promotes human rights through dialogue with China.

Embassy of the People's Republic of China in the United States, 2300 Conn. Ave., N.W., Washington, DC 20008; (202) 328-2500; www.china-embassy.org/eng. Provides news and other information on China.

Human Rights in China, 350 Fifth Ave., Suite 3311, New York, NY 10118; (212) 239-4495; www.hrichina.org. Founded in 1989 by Chinese students and scholars to promote human rights in China and worldwide.

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Cody, Edward, "Chinese Editor Freed After 4 Years," *The Washington Post*, Feb. 10, 2008, p. A17.

A senior editor at a Chinese newspaper was released from prison after serving four years for corruption charges that journalists say were trumped up by officials in retaliation for aggressive reporting.

Cody, Edward, "One Year Out From Olympics, A Test of

Openness in Beijing," *The Washington Post*, Aug. 7, 2007, p. A1.

International human-rights groups have accused the Chinese government of reneging on promises of press freedom.

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China has decided to release a Hong Kong journalist jailed on charges of spying on Taiwan after an international campaign called for his release.

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"A Lama in Sheep's Clothing?" *The Economist*, May 10, 2008.

China's attitude toward Tibet and its people is based on fear and distrust, according to the Dalai Lama.

Demick, Barbara, "Protests in Tibet Unnerve an Already Besieged China," *Los Angeles Times*, March 13, 2008, p. A3.

Pro-independence demonstrations in Tibet have rattled the Chinese government as it tries to contain growing criticism over its human-rights record.

Fimrite, Peter, "China Official Raps Western Media 'Bias' on Tibet," *The San Francisco Chronicle*, May 1, 2008, p. B3.

A Chinese consular official in San Francisco has lashed out at the Western media for taking the Dalai Lama's side on the Tibet issue.

Mahbubani, Kishore, "Tibet Through Chinese Eyes," *Newsweek International*, May 5, 2008.

Until the West starts trying to understand the Chinese perspective on Tibet, friction will continue to grow, and Tibetans themselves will be the biggest victims.

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