Xu Zhiyong

A Beautiful China

Nine

The Citizens’ Alliance, or Gongmeng

Part One

‘Open Constitutional Initiative’

Before the Citizen’s Alliance (公盟), there was “Open Constitutional Initiative” (阳光宪政), a name that reflected our original aspirations.

The name of the company we registered in October 2003 was “Beijing Sunlight Constitutional Path Social Science Research Center,” but in English we became better known as the Open Constitutionalism Initiative (OCI). In China’s political environment, many NGOs, such as Friends of the Earth (自然之友) or the Unirule Institute of Economics (天则经济研究所), have no choice but to register as commercial companies. It’s impossible for a truly independent NGO to register as a social organization. But registering as a company leaves open the risk of being accused of “tax evasion.” As such, a lot of NGOs exist outside the bounds of the law in our post-totalitarian society.

The stronger and more rational the independent political forces outside the system grow, the lower the cost of China’s transition to a modern political culture. The forces of democracy and freedom must unite and mature through concrete action.

I was already thinking about how to build up these democratic forces while in university. At one point, I thought about opening a law firm. A few years later, I realized that there needed to be a clear separation between livelihood and ideals to avoid cross-contamination between profit-making and public interest work. Putting a legal façade on it would make no real difference. After all, as the Daoists say: “The great principles of the universe have no material form in the world.”

OCI started up in 2003. That year, more than 100 Chinese media outlets launched or expanded their opinion sections. “Towards the Republic” (《走向共和》), a drama about the collapse of the Qing Dynasty and the early years of the Republic of China, was one of the most popular programs on television. The tragic and devastating effects of the SARS epidemic helped punch holes in the system of information blackouts.

That was the year that the “custody and repatriation” system of detention was abolished. Citizens
stood for election as people’s congress delegates. Liberal-minded figures in fields such as the media and the legal profession unleashed a wave of support for constitutional rights. A group of legal professionals who wanted to defend citizens’ rights appeared on the public stage.

This was the year of the short-lived “new governance” of Hu Jintao and Wen Jiabao. The ensuing decade was relatively moderate. Those in power did not actively pursue political reform, but they didn’t crack down too hard on China’s nascent civil society, either. Social currents gently pushed history forward.

The first item on OCI’s agenda after its establishment was to promote people’s congress elections. In November and December 2003, elections were to be held throughout the country to choose delegates to the next session of local people’s congresses at the level of rural counties and urban districts. Our focus was on developing the pre-election process. In legislative elections in many countries, there is no need for a primary or so-called “incubation” process. If there are too many candidates, they hold a second “run off” election. There are many problems with the design of China’s election of people’s congress delegates. One is the requirement that a candidate must win a majority of votes to be elected. For this reason, the list of official candidates must be narrowed down to a very small number. For example, if there are three delegate seats to fill, they will only put forward four formal candidates. This means that how the slate of official candidates is created has become an important question in practice.

We discussed this issue with Tian Xiaoan (田晓安) of the Tsinghua Center on Citizen Rights. Based on a division of labor, I wrote “Primary Elections are the Fairest Way to Determine Official Candidates: Letter to the Electoral Offices in Beijing.” In it, we recommended using primary elections to determine official candidates. We sent it to some of the election offices in Haidian District and posted it online.

Guo Yushan (郭玉闪) and Wang Yan (王彦) and their team distributed 1,500 questionnaires on the Peking University campus. The results showed that 88.7% of respondents supported primary elections. We sent the results to the electoral office at Peking University. More importantly, we were able to mobilize students at Peking University to actively participate in elections.

We held a seminar on the subject of primary elections. South Reviews (《南风窗》), Beijing News (《新京报》), and China Newsweekly (《中国新闻周刊》) published articles about our promotion of primaries. The media were our allies in amplifying our voice and promoting social progress.

On the occasion of the fourth set of revisions to the Chinese constitution in early 2004, we, together with legal scholars such as He Weifang (贺卫方) and Ji Weidong (季卫东), drafted “Recommendations for Improving Human Rights Protection in the Chinese Constitution.” In it, we proposed a comprehensive revision of the constitutional provisions for human rights protection and establishment of a complete human rights protection system. We held an academic seminar and mailed copies to the National People’s Congress. We got no results, but citizen participation in constitutional reform is at least a form of social awareness-raising.

Back then, nobody would be penalized for “improper discussion." Citizens care about China’s
constitution, and we seized every opportunity to promote reform.

Many people were still oriented towards reforming the existing system back then.

When I defended Yu Huafeng (喻华峰) in the Southern Metropolis Daily case, there was a team working hard in the background. Zhang Xingshui (张星水) organized a discussion among a group of legal experts. Teng Biao (滕彪) and Yu Jiang (俞江) wrote articles expressing support. Guo Yushan organized online discussions.

For this, we came under pressure for the first time and the OCI website was shut down three times.

Not long after legal experts like Jiang Ping (江平) published their opinions, we received a call from the police unit in charge of monitoring the internet. They demanded that we take down articles related to the Southern Metropolis Daily case. We gave in and removed a portion of them. On May 30, we were suddenly unable to open the OCI website. We registered a new domain, but it, too, was shut down a few days later. The day before Yu Huafeng’s sentencing, our backup domain also became unusable.

In response to our website getting shut down, I wrote a piece called “We Remain True”:

Perhaps OCI will face even more difficulties in the future. We are clearly aware of the 2,000-year-old autocratic tradition in this ancient land, and we know that the road to constitutional government will be a slow and difficult one. But someone must pursue the cause of justice, so we’ll continue to do so in earnest.

We take citizens’ rights seriously, we take our laws seriously, and we take the history and current situation of China seriously. We believe that this is the era to put democracy and the rule of law into practice, and we believe in the ability of our great country to make progress in its political culture. We believe in so, so much of this solemn and sacred stuff — even though people have been telling us since we were young that all those moral-sounding things that had been written down on paper were just there to fool people. We are a devout bunch of believers, clinging tightly to a sincere promise, a voice that has been calling out for more than a century. We cannot lose hope or give up just because others have. We believe in the future of our motherland and will remain steadfast and persevering in the pursuit of happiness for ourselves and, more importantly, for the people of China.

On April 26, 2004, China Youth Daily reported that the Beijing Zoo would be relocated to a distant suburb of the city. Who behind the scenes had been vying for this piece of land in the city’s prime location? In China, it’s always necessary to ask these kinds of questions.

The zoo is a public asset, a place for children to have fun and a home for animals. Countless people have formative and indelible memories of the place. As an important public good for the people of Beijing, any decision to relocate the zoo should be made through a legal process in which the people of Beijing participate fully. This was the legal basis on which we decided to publicly engage in this matter.
We decided to take action. We registered a website, drafted a letter of appeal, and collected signatures of support inside the zoo. On May 22, together with other NGOs such as Green Earth Volunteers (绿家园), Green Island Environmental Protection Association (绿岛), Environmental Development Research Center (环境发展研究所), Friends of Nature (自然之友), and Global Village (地球村), we held a conference made up of environmental and legal experts, academics, and people’s congress delegates.

The conference consisted of two seminars held simultaneously in different locations. Green Earth Volunteers led a child-focused discussion that was broadcast on Beijing Radio (北京广播电台) so that the public could hear the voices of children. Our seminar was focused on the issue of the government’s public decision-making process.

The next day, China Youth Daily (《中国青年报》) and other media outlets reported on our conference, and an official from the Ministry of Construction issued a response, saying that the zoo should not be moved. The issue of the zoo’s relocation was never raised again.

This was a classic example of NGOs organizing to influence the public decision-making process, a common occurrence in democratic countries. But this phenomenon would become less and less common in China as time went on.

In June 2004, Yu Huafeng’s sentence was reduced on appeal and, in August, Cheng Yizhong and others were released without trial. The clouds over Southern Metropolis Daily dissipated. In July, I went to Yale University as a visiting scholar. Guo Yushan invited people’s congress delegates from Haidian District and Beijing Municipality to participate in a series of forums on public participation, part of an effort to open up a path for reform within the system.

‘Yi Ta Hu Tu’ BBS and Color Revolutions

I have many fond memories of the “Yi Ta Hu Tu” bulletin board system (YTHT BBS, 一塌糊涂, homophonic for 一塔湖图) at Peking University, where I posted my first online article in March 2000. I made many liberal online friends on the YTHT BBS and stayed active there even after I had graduated. During the SARS crisis we used it to obtain information about the epidemic. We discussed what to do about Sun Zhigang’s death in the “Citizen Life” section of the forum.

Those were the early days of the internet, and BBS services were playing an important role in the exchange of ideas and transmission of information. People outside campus were free to register accounts and post opinions on the YTHT BBS. Peking University had its official “Weiming” BBS (未名 BBS), and Tsinghua University had its official “Shuimu Tsinghua” BBS (水木清华). But YTHT was set up by Peking University students themselves and became one of the largest BBS sites in China. At that time, Tianya (天涯) and Kaidi (凯迪) were other sites that attracted liberal-minded new netizens.

There were constant rumors that the BBS would be “rectified.” On August 19, 2004, the site was
Yu Jiang, Teng Biao, and I issued an open letter protesting this attack on freedom of expression. A small rally was held on the Peking University campus, after which plainclothes police trailed several of the participants to the OCI office in Wudaokou (五道口). From that point on, OCI was under surveillance.

Under intense pressure, we were forced to stop holding the people’s congress delegate forums. By the winter of 2004, the office had virtually ceased to function. In March 2005, I was summoned to a meeting at the Haidian District Office of Industry and Commerce, where I was told that our company’s business registration had been revoked. I asked for the reason and the legal basis for the decision but was told that it was a decision made by officials higher up. When I persisted, a deputy director told me he didn’t know what was going on either and that was as far as he could explain things.

I later learned that it was all because of revolutions far, far away.

In November 2003, anti-government protesters in Georgia took to the streets to protest disputed parliamentary elections. They carried roses, the national flower. President Eduard Shevardnadze was forced to resign and was replaced by Mikhail Saakashvili in what became known as the Rose Revolution. In Ukraine, supporters of Viktor Yushchenko, winner of that country’s contentious 2004 presidential election, took the orange of the chestnut flower as their color. In March 2005, demonstrators wore yellow headbands or carried tulips to protest the disputed parliamentary elections in Kyrgyzstan that sent President Askar Akayev into exile.

Colorful flowers such as roses, chestnuts, and tulips came to symbolize the nonviolent political opposition movements that overthrew semi-autocratic regimes in post-Soviet countries. These democratic revolutions thus became known as “color revolutions.”

These color revolutions irritated the autocrats back in China. As a result, six NGOs, including OCI, Friends of Nature, and the Hongfan Institute of Law and Economics (上海洪范经济社会研究所), founded by renowned scholars Jiang Ping and Wu Jinglian (吴敬琏), were all shut down at the same time.

For many years after that, the regime went from talking about the need to guard against “peaceful evolution” (a reference to the peaceful end of communism in Eastern Europe) to the need to guard against “color revolution.”

**The Citizens’ Alliance, or Gongmeng**

We weren’t too bothered by the deregistration of OCI. Most of the time we just focused on
moving forward. As long as there was still space, we tried not to hang up on the details.

In June 2005, we registered “Beijing Gongmeng Consulting Limited” (北京公盟咨询有限责任公司) under which we set up the Gongmeng Law Research Center (公盟法律研究中心). For short, we just called it Gongmeng (公盟), which means “Citizens’ Alliance.”

I came up with the name when I was studying at Yale and learned about the American Civil Liberties Union (ACLU), the civil society organization known for defending constitutional rights of citizens in the United States. Most of its members were left-leaning lawyers and intellectuals, and its focus was on using litigation to defend individual rights, especially freedom of expression, association, and religion.

The ACLU has its origins in the American pacifist movement during World War I. It grew out of the American Union Against Militarism, founded in 1915 to oppose conscription. The ACLU was formally established in 1920 with the purpose of “struggle to defend the constitutional rights of citizens.”

With a strong faith in freedom, the ACLU defended the rights of minorities, such as Communist Party members, members of the Ku Klux Klan, racists, and extremist religious believers — freedoms often considered extreme or “unconventional.” Many people considered the ACLU too radical, and it was controversial even for an open society like the United States. After a century of hard work, many people came to understand the value of freedom and tolerance, and the ACLU gained more and more support.

In ideals and actions, we were like them — helping the poor and disadvantaged and defending constitutional rights, even though the constitution we have in China was a terrible one.

Some people called us “rightists.” But for me there is no right or left, only freedom, justice, and love. Much of what we have done has been in pursuit of social equality and aligned with leftist ideals. We are all working towards the better society we see in our minds; the differences are in the paths we take to make it a reality. We oppose class dictatorship and believe in democracy, the rule of law, freedom, and constitutional government.

China is not like the United States. Beijing under a dictatorship, there is no independent legal system, free media, or multiparty competition. We’re not strong enough to defend extreme or unconventional freedoms. We usually chose individual cases that were most likely to have broad resonance and attract strong support. We constantly reminded ourselves that we were standing on the side of the people. Most of the time, we didn’t get the justice we were seeking.

The legal system isn’t a balance to promote equality and justice, but rather the “dagger handle” of class rule and a minor player overshadowed by power. Defense attorneys often have no choice but to use public opinion in an effort to appeal to the little that remains of judges’ independence and dignity.

The ACLU defends the frontiers of freedom by protecting the rights of minorities. We were creating space for freedom by protecting the rights of the majority. They realize rights within a
mature democratic and constitutional order. Our mission was to build a democratic and constitutional order and seek the rebirth of Chinese civilization.

**Idealism in Action**

True idealists have their heads in the clouds and their feet on the ground.

In 2005, we officially launched an investigation into the petitioning system. Guo Yushan, Yao Yao (姚遥), and I went to three counties in Fujian, Hubei, and Henan provinces to examine the factors that led people there to petition. We also spent time in the “petitioner village” near Beijing South Railway Station. The result was a 200,000-character report entitled *Investigation into Petitioning in China* (《中国信访调查》), which was completed in late 2006.

We weren’t just researchers. During the investigation, I got a personal taste of the kind of brutal violence petitioners routinely experience outside the entrance to the State Office of Letters and Visits as I tried to help petitioners improve their situations. Later, we tried to visit black jails and brought warm clothes to petitioners camped out in underground passageways in the dead of winter. These were all natural outgrowths of our project.

In late 2005, Yao Yao was responsible for the “Report on Chinese Human Rights Development in 2005” (《中国人权发展报告 2005》). Every year there are two reports on the human rights situation in China. The first is the United States government’s country report on China, which is 90 percent devoted to human rights problems. Then, the Chinese government publishes its own human rights report, which only mentions so-called achievements in this field.

We felt that neither report was sufficiently objective, honest, or constructive. Why couldn’t Chinese citizens make an objective assessment of the human rights situation in their own country and offer sincere recommendations for improvement?

The project team worked hard to complete a report of nearly 100,000 characters. Chapter 1 dealt with the right to life and security. Chapter 2 concerned personal rights and their protection within the legal system. Chapter 3 examined economic, social, and cultural rights. Chapter 4 focused on political rights, and Chapter 5 dealt with protection of the rights of disadvantaged groups. Each chapter was divided into three sections: one dealing with progress, one about problems, and one offering recommendations. There were some sensitive issues that we actively avoided discussing.

We took the report seriously and hoped to publish one annually to promote human rights in our country. But no matter how sincere our intentions, the regime couldn’t tolerate the existence of such reporting and so we were forced to abandon the project.

Gongmeng participated in a series of major, influential cases in 2005.

Cai Zhuohua (蔡卓华) was a Christian house church pastor who was charged with “illegal business activity” for printing Bibles and sentenced to three years in prison. As part of his defense team, I wrote about Cai Zhuohua and his persistence and devotion in “Prayer for the
Village on the Hill." In it, I expressed hope that China’s house churches would no longer be forced to exist underground or think that they were far removed from politics. The power of good should be manifested in the earthly realm.

I also got involved in a private oil drilling case in northern Shaanxi province that involved a conflict between the rights of state-owned and private enterprises. A private oil company jointly owned by hundreds of families was suddenly taken over by the state in the name of environmental protection. When the owners tried to protest, they were arrested.

Private enterprise in China has always had the sword of Damocles hanging over its head. Private assets were always at risk of being “communized” in the name of things like environmental protection, public interest, or national security. Everyone knows the intentions of the Party. A system in which the state controls all assets and power resides in the hands of a few is frightening indeed!

I wrote an investigative report entitled “In the State’s Name: Investigation into the North Shaanxi Private Oil Well Case." In it, I described the owners’ plight and their resistance. In public incidents, it is very important to find the news “hook” and accurately describe the true situation.

We went to rescue Zhu Jiuhu (朱久虎), a lawyer who had earlier been involved in the case and was arrested as part of a frame-up. There’s a photo of Teng Biao, Gao Zhisheng (高智晟), and Li Heping (李和平) intervening with a group of armed police who were blocking our way as we left the jail where Zhu Jiuhu was being held. I was standing on the sidelines when I took the photo.

With the Yuhuafeng case, we filed a post-conviction appeal, and Pu Zhiqiang and I went to Guangzhou to collect evidence but the appeal got nowhere. Many cases are like this. There won’t be justice until the dictatorship ends.

We assisted Chen Xintao (陈信滔), a victim of a robbery and murder case involving police collusion in Fuzhou. Chen ran a used car lot when he was threatened by a competitor named Xu Chengping who wanted him out of the way. Chen’s older brother asked Bian Lizhong to mediate in the dispute. Xu bribed the deputy police chief in Fuzhou, Wang Zhenzhong (who later sought political asylum in the United States), and Liu Xiong, to invite Bian Lizhong for a “chat." That evening, Bian went to a glass house arranged ahead of time by Xu Chengping. Xu pretended to be furious and left. Then six police officers hiding in the shadows burst in and fired more than 150 shots, hitting Bian 47 times. After that, police placed a handgun and scattered 90,000 yuan in cash around the scene. That night, the police towed away all of the vehicles in Chen Xintao’s parking lot.

The next day, Fuzhou Daily published a front-page story claiming that Bian Lizhong had resisted arrest for armed robbery and was fatally shot at the scene. The story was accompanied by a large crime-scene photo showing the handgun and scattered cash, all of which was designed to paint a clear picture of what had supposedly happened.

I remember the news about how the Chongqing police chief, Wang Lijun (王立军), was slapped by the city’s Communist Party boss Bo Xilai (薄熙来) when he threatened him evidence that
Bo’s wife, Gu Kailai (谷开来), had committed murder. Wang later fled to the American consulate and then ended up on trial in a wheelchair. So many things that happen in this country are far more extraordinary and thrilling than what you see in the movies.

In 2005, we were brutally attacked in Linyi, Shandong. Many courageous citizens were violently attacked that year, including Guo Feixiong (郭飞雄), Ai Xiaoming (艾晓明), Guo Yan (郭艳), and Lü Banglie (吕邦列) in Taishi Village, Guangdong; Yao Lifa (姚立法) in Hubei; and Zhao Xin (赵昕) in Sichuan. They all paid a price for promoting grassroots democracy and defending basic human rights.

At the end of 2005, the Hong Kong magazine Asia Weekly (《亚洲周刊》) named China’s rights defense lawyers its “Persons of the Year." Teng Biao, Zhang Xingshui, Gao Zhisheng, Li Heping, and I were among them. During that era of change, Chinese lawyers worked together on a number of important cases and found themselves ahead of the curve.

**Difficult Appeals in Chengde**

Much of our legal aid work came in the form of post-conviction appeals. Such cases are very difficult to win in China. For example, it took more than 20 years to resolve the wrongful conviction case of Chen Guoqing (陈国清) and three others — the “Chengde Four.”

In the summer of 1994, there were two robbery-murder cases involving taxi drivers in Chengde, Hebei province. The second of these occurred on the outskirts of a village. Police interrogated nearly all the adult males in that village, and some who were under suspicion were tortured into making confessions. In those days, this was a common way to “solve” a criminal case.

Chen Guoqing, a simple, inarticulate man, was unable to bear the abuse and confessed to murder, implicating more than 20 accomplices in the process. In the end, the police named Chen Guoqing, Yang Shiliang (杨士亮), He Guoqiang (何国强), and Zhu Yanqiang (朱彦强) as the “problem youths” responsible for the crimes. Local media were filled with reports about how the case was solved and the police officers involved received official commendations.

At trial, the four men were sentenced to death. On appeal, the Hebei High People’s Court sent the case back for retrial after finding more than 20 questionable points, including a lack of evidence to establish the time of the crime, a record that Chen Guoqing had signed in for work that day, and evidence that Zhu Yanqiang was injured so badly that he needed intravenous treatment at his home. The lower court convened the same panel of judges to rehear the case and again sentenced the four defendants to death. There was another appeal and another remand for retrial. By the time attorney Lü Baoxiang (吕宝祥) asked for our help in February 2004, the case had already gone back and forth four times and 10 years had passed.

In March 2004, the Hebei High People’s Court finally rendered a decision, suspending three of the death sentences and reducing one defendant’s sentence to life in prison. The lack of evidence should have resulted in their acquittal and release, but this was a very Chinese way of resolving the situation by handing down a decision that “leaves room for maneuver,” to use a phrase from
their internal jargon.

We carefully analyzed 13 thick binders of documents related to the case. After interviewing the four men in prison, the defense attorneys who first handled the case, prosecutors, judges, and police, we were convinced of the innocence of the Chengde Four and agreed to provide them with legal assistance.

I met with one of the judges who had heard the case in the Chengde court. An acquaintance introduced me as a scholar doing academic research. After discussing many details about the evidence, I asked him, “Setting aside the law for the moment and speaking only from your conscience, do you think there was a problem with the verdict in this case?”

He gave a small chuckle and replied, “In my view, they should have just been executed already.” To him, it would have saved a lot of trouble if they had just been executed as originally sentenced. The deaths of four men didn’t matter much to him. So many people lose their conscience when they become part of the system!

Wrongful imprisonments are all too common under a dictatorship. Systemic factors are at the heart of the problem. Police, prosecution, and courts are supposed to be independent from each other, but in a party-state the party’s politico-legal committees direct the work of all three. The head of public security has a higher rank within the Party than either the chief prosecutor or the head of the court. Once the police have decided how to handle a case, neither the prosecution nor the court dares to disagree. This is especially true during political campaigns that target crime or gangs — during which wrongful convictions become even more common.

One day in Yang Shiliang’s house, I happened to see a letter on the table that had been sent from prison. The sender was a man named Liu Chengjin (刘成金). The gist was that he’d named the real culprits in this case twice and all we could do was waiting for the case to be reviewed. He’d done everything he could possibly do.

Later, we went to the prison several times to meet with Liu Chengjin. Since 1997, he had given police the names of the three others responsible for the crime. He and the other three had been stealing things together and had once discussed committing a robbery, but he didn’t end up participating because his wife was about to give birth. The other three committed three robberies, the last of which was discovered by the police. Two were sentenced to death and another to life in prison. Liu Chengjin was being held in the same prison as the Chengde Four.

Our next steps focused on investigating the truth of the case. In China, to reopen a criminal case after a conviction, it is not enough to show that there was insufficient evidence to convict the defendant. So, we had to not only perform the role of lawyers, but also that of detectives and help the police find the real culprits.

We went to Chengde many times. We found the beeper that was taken during the robbery, which the family said their child had been playing with afterward. We found the knife that had been used in the robbery at the bottom of a well. The wife of one of the real perpetrators told us that she happened to see her husband being transported to the execution ground while she was on her
way to the bank. In the short time he had left, he told her that he’d signed an agreement to donate his organs and that their family would receive 50,000 yuan. But no one had ever given her any money following his execution.

Actually, finding the real perpetrators wouldn’t necessarily lead to the case being overturned. In another case of wrongful conviction, Nie Shubin (聂树斌) was executed for rape and murder in 1995. In 2005, the actual culprit was apprehended in another case and insisted that he was the person who had committed the crimes. Only due to the widespread publicity surrounding the case was Nie Shubin finally exonerated 11 years after his death.

It was easier to overturn cases in which alleged murder victims miraculously “rose from the dead.” In April 1994, an unidentified female corpse was found on the outskirts of a village in Jingshan, Hubei. She bore a striking resemblance to the disappeared wife of She Xianglin (佘祥林). After being tortured and deprived of sleep for more than 10 days, She Xianglin broke down and confessed to killing his wife, for which he was sentenced to 15 years in prison. In March 2005, his wife, who that year had gone off to Shandong and remarried, returned “just to have a quiet look around.” She never imagined that her former husband had already spent 11 years in prison. She wrote a poem for She Xianglin: “You and I were never lucky / But we should be proud / In our short time together / We experienced all the good and bad life has to offer …”

In March 2005, we held a press conference to discuss the case of the Chengde Four. We analyzed the details of the case, described the truth of what had happened behind the scenes of the miscarriage of justice, and presented leads and evidence about the real perpetrators to the media and the Supreme People’s Court and Ministry of Justice. In attendance were dozens of prominent legal experts, such as Professors Chen Weidong (陈卫东) and Xu Ligen (徐立根) of Renmin University, lawyers, and reporters from more than 20 news outlets, including Southern Weekend, Xinhua News Service, and China Youth Daily.

More than 1,200 legal professionals signed a letter asking the Supreme People’s Court to rehear the case. On my computer I see a photo of the fourth page of signatures, including He Weifang (贺卫方), Zhang Sizhi (张思之), Li Hui (李辉), Jia Xuesheng (贾学胜), Pu Zhiqiang (浦志强), Wang Xixin (王锡锌), and Li Heping (李和平). Over the course of 20 years, countless justice-minded legal practitioners have participated.

From May to July, we applied three times to march in protest of the failure of the SPC and MPS to take action. The third application finally drew the attention of the “relevant departments,” and Teng Biao and I received warnings from the police. The SPC ordered the Hebei High Court to launch a review of the case, but after several months there was no news.

In January 2006, parents of the Chengde Four were detained for 10 days after attempting to “gate-crash” the Zhongnanhai compound in Beijing, where the country’s top leaders live and work. This is just one of many such examples of people who have tried to get attention this way. They were lucky — many petitioners have been sentenced to prison for kneeling outside the gate or jumping into the moat that surrounds the compound.

The petitioner’s journey is long and slow. For more than 20 years, the four sets of parents went
to Beijing almost every month. I accompanied them 36 times to petition the Supreme People’s Court. Once, coming out of the Letters and Visits Office, Zhu Yanqiang’s mother’s lips suddenly turned purple. Fortunately, she had some fast-acting heart medicine with her. Over 10 years, I watched these parents gradually grow old.

After I was imprisoned [in 2014 over the New Citizens Movement], Wu Lei (伍雷) and others continued to help with the Chengde Four case. We never gave up. By the end of 2018, the four of them had spent 24 years in prison.

**Free Chen Guangcheng**

One day in July 2005, a very unique individual came to seek our help at the Gongmeng office.

His name was Chen Guangcheng (陈光诚), and he was quite a legend around his hometown of Linyi, Shandong province. Chen had lost sight in both eyes after suffering a high fever at the age of one. After graduating from the Nanjing University of Traditional Chinese Medicine, he taught himself law and began helping defend the rights of villagers, who referred to him affectionately as “Lawyer Chen.” He could use the telephone, type, and speak some English. In 2003, he was named one of Linyi’s 10 outstanding young people by the state media.

Family planning (also known as the one-child policy) is one of the most absurd forms of totalitarian control, and the enormous damage it has done to China is only now coming to light. It embodies the barbaric, backward logic that autocrats deploy, treating the people as a burden rather than as something to treasure.

In 1993, I once accompanied a family planning team to go to the countryside. The villagers watching us enter their villages saw us as an invasion of demons. Carrying wooden beams and shouting, the team demolished a house that had just been built. There were terrifying slogans everywhere you looked: “We’ll give you the rope to hang yourself or the poison to drink,” “Better to have a river of blood than allow one birth over the limit,” “If you don’t tie your tubes when you should, we’ll turn your house into rubble! If you don’t have an abortion when you ought to, we’ll demolish your house and take away your oxen!”

By 2005, these barbaric practices had been toned down in many places, but Shandong was an exception. There, an “illegal birth” could result in collective punishment of a person’s relatives and neighbors. The authorities would lock up nearly 100 people — men and women, young and old — and deny them access to a toilet. Elderly siblings would be forced to slap each other in the face. It’s hard to believe that human beings living in the 21st century would be treated this way.

After Chen Guangcheng came to Beijing seeking our help, Teng Biao and Guo Yushan decided they would go to Linyi to investigate the abuses of family planning policy Chen had told us about.

In August, we released a report detailing the investigation. It revealed the horrifying truth about what was happening. In September, the National Population and Family Planning Commission acknowledged that barbaric enforcement of the one-child policy had taken place in Linyi. Shortly
thereafter, Chen Guangcheng lost his freedom.

One afternoon in early October, I went with lawyers Li Fangping (李方平) and Li Subin (李苏滨) to Dongshigu Village to see Chen Guangcheng. I slipped into the village on a borrowed bicycle, unnoticed by the men standing guard at the side of the highway and at the entrance to the village. I rode right up to Chen’s house, where I found eight or nine men and women sitting outside the gate in two rows on small wooden stools.

Taking me for an intruder, the guards attacked me and drove me all the way back to the entrance to the village. People from the village began gathering around us. Hearing all the commotion, Chen Guangcheng pushed his way through the crowd to where I was standing. As we embraced warmly, I noticed he had fresh wounds on his face and legs.

On March 11, 2006, Chen Guangcheng was placed under criminal detention on charges of gathering a crowd to disrupt traffic. The truth was that Chen’s brother had been beaten up after an argument with the people holding him captive. Chen rushed out of the house and tried to go to the county seat to file a petition. The people holding him captive surrounded him on the highway, blocking traffic.

On July 19, the day that the Yi’nan County Court was originally scheduled to try Chen, lawyer Gao Zhisheng (高智晟) led a group of more than 20 supporters through the streets of Yi’nan wearing T-shirts emblazoned with Guangcheng’s face. The court abruptly postponed the trial until August 17.

The night before the trial began in August, we were leaving a restaurant when we were surrounded by a group of people. A tall man deliberately bumped into me, and I said, “Excuse me!” He then pushed me, but I kept my cool and apologized.

There was an uncomfortable silence, and then a short man accused me of stealing his wallet. I told him my name was Xu Zhiyong and that I had come to defend Chen Guangcheng. He shouted, “Yes, you’re the one — Xu Zhiyong!”

I figured out what was going on. I gave my laptop to Li Fangping, who was beside me, and allowed them to push me into the shadows, where they began to attack me. I felt calm inside, knowing that resistance would only lead to even more brutal violence. I had no idea what would happen to me in this savage place, but I guess I trusted fate. That was the beginning of my deep belief in nonviolent resistance.

A police car came, and I was taken to the station on suspicion of theft. The station chief was actually honest when he told me: “You’ll just have to wait here until the hearing is over tomorrow afternoon.”

I had actually thought I’d be accused of taking drugs or soliciting prostitutes, but I never thought I’d be accused of stealing a wallet. That night, as I lay on a long bench in the police station, I quietly chuckled to myself, “Me, a petty thief? No, I’m more like Prometheus, stealing the fire of hope for the benefit of this hopeless place.”
Chen Guangcheng was sentenced to four years and three months. This blind man served the entire sentence in prison.

In January 2010, Xiao Shu (笑蜀) published a column in Southern Weekend entitled “Attention is Power, Watching Will Change China.” “Watching” (“围观”) became a popular phrase online. Some people refer to 2010 as the year Weibo was born. There were people who posted photos to try to help kidnapped children forced to become beggars. There were so many incidents that attracted public attention — the thefts at the Forbidden City; the bombings of government buildings in Fuzhou, Jiangxi province; the case of street vendor Xia Junfeng (夏俊峰), who was sentenced to death for killing an enforcement officer who tried to confiscate his food cart. People followed the independent candidacy of Liu Ping (刘萍), the scandal involving internet celebrity Guo Meimei (郭美美) and the Red Cross, the high-speed rail collision in Wenzhou. Weibo lit the fuse that made all these stories explode. Although Weibo was heavily censored, news about Chen Guangcheng occasionally still appeared there.

Chen was released from prison in September 2010, but then his home became a prison. Day and night, dozens of people surrounded his house and stood guard at the entrance to the village. They even installed something to block access to the mobile phone signal. The only time Chen Guangcheng was able to make a phone call was one stormy night when lightning damaged the signal jammer.

For a blind man to endure such unfathomable darkness is like a nail on the cross that pierces the conscience of every Chinese person. Wave after wave of courageous citizens broke through this darkness and gradually formed a social movement.

In the middle of the night on April 20, 2012, Chen Guangcheng managed to elude his captors and scale the wall surrounding his home. With the help of fellow villagers, he fled the village and met up with a friend who had driven from Beijing to meet him. On April 26, with the help of Guo Yushan and others, he entered the American embassy.