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Clive Ansley: "Anything That Can Expose What Beijing Has Been Doing Is Worthwhile Pursuing"

(Clearwisdom.net) The Global Human Rights Torch Relay torch was lit in Athens, Greece, on August 9, 2007. It relayed to the European countries and has raised many concerns in the international community. In a recent interview, Clive Ansley, the president of the US and Canadian based group The Coalition to Investigate the Persecution of Falun Gong (CIPFG), and the organizer of the Global Human Rights Torch Relay commented on the human rights issues that currently plague China.



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It Is Impossible for the Chinese Communist Party to Improve the Human Rights Situation in China

When asked if there was any way to improve human rights under communist rule in China, Clive Ansley stated his belief that it is impossible for the Chinese Communist Party (CCP) to improve the country's human rights situation.

Clive Ansley said, "As long as this government is in power, you're never going to have any real respect for fundamental human rights. That is an important thing to recognize. However, by embarrassing them, by maybe threatening to take away the Olympics, by trade measures in the future, basically by pressure, we may force them to at least abandon the most vicious, the most diabolical, and the most bestial of their practices, such as this killing of innocent human beings in order to steal their organs.

"If we expose it and we horrify enough people with conscience around the world, we may be able to put enough pressure on the Chinese government so they say, 'We can't do that anymore.'

"It's not that they're going to go out and improve human rights generally. This government is opposed to due process, fundamentally opposed to the rule of law, fundamentally opposed to implementing the rule of law, or to implementing any system that really recognizes any human rights. Just as with the extermination of the Jews in Nazi Germany, for example, we were not ever going to turn Hitler into a democrat, we were not ever going to turn Adolf Hitler into a crusader for human rights. But had we done the right and moral thing and had we known about what was happening at the time, we may well had been able to stop Adolf Hitler from killing six million Jews."

Mr. Ansley believes that if the Beijing government sincerely wants to improve the human rights situation in China, they can do it today instead of waiting twenty years.

He continued, "It is a governmental decision at the very top that underlines another thing that very few people really consider.

"The kind of abuses we're talking about in China, the Beijing government often says, 'Well you can't fix things over night. We've had problems in China for many, many years, you have to remember we have hundreds of thousands of police officers throughout the country and they have not been properly trained. We're trying to bring in the training now, we're trying to teach our police officers about human rights principles and the rights of prisoners and so forth. We've got a thousand and something judges in China,

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and most of them don't have much training, we're bringing over Western judges and lawyers to teach them. The same thing with prosecutors and so forth, all these people lack training. Of course we're not going to have a perfect human rights record over night,' and that's all very convincing.

"The problem is when you take something like what is happening with the Falun Gong, it's not a problem of the police and prosecutors and the courts throughout the country. It's right at the very top. It's a policy, a carefully, rationally decided upon policy of the Beijing government. It is total, utter nonsense to accept assurances from a government that they have decided to make improvements in human rights, when they're the ones carrying out the policies. You don't have to improve it over a twenty year period.

"Let's stick to the example of Falun Gong. You have a practice, even before the organ harvesting, even before we discovered that, you have a practice of taking away all civil rights of Falun Gong practitioners, taking away their property, forbidding employers to employ them, making sure they can't support themselves, announcing they virtually have no rights under the constitution, they have no right to a lawyer, they have no right to defend themselves in a court of law, they have no right to bring a lawsuit, and then jailing them without any legal procedure. When that's happening, day after day and year after year, we don't look to Beijing and say 'Can you improve on this?' 'Do you think by next year you'll be a little bit better?' And they say, 'Yes, maybe, because in ten years or in twenty years our judges will be better trained, etc, etc...'

"It's not the judges. As a matter of fact, the government of Beijing has forbidden the courts to accept any lawsuits on behalf of a Falun Gong practitioner. We don't have to talk about it in terms of improving over twenty years. If you're really sincere about improving in human rights, then stop these things right now, today."

China's Legal System Today Is Worst Than It Was Twenty Years Ago

Someone asked Mr. Ansley the following question: "One of the requests put forward by the CIPFG is to release the lawyers who defend Falun Gong. If a lawyer is persecuted for choosing his own client, if a lawyer cannot make the decision as to whom he is going to represent, what kind legal system is it?"

Clive Ansley answered, "It's not a legal system at all. You have to define what you're talking about just as we did with human rights.

"Sometimes we'll have a big argument, where somebody says, 'Human rights is going backwards in China,' and somebody else says, 'What are you talking about? Nobody can possibly live in China now who has lived there before and say that there's no progress in human rights.' Usually the problem is that they're talking about two different things, they're defining human rights in different ways. The same here with the so-called 'legal system.' I say often that the legal system today is worst than it was twenty years ago. Most lawyers who have worked in China would be astonished by that statement. They would say, 'What are you talking about? Of course we have improved since twenty years ago. It's improved hugely in the last twenty years, because twenty years ago we hardly even had any statutes, we hardly had any regulations, there was no written law.'

"I'm willing to agree with that, that the legal system has hugely improved if you're willing to recognize that you're defining the legal system strictly in terms of how complete are the written laws and regulations. If that's what we're talking about, they've made great progress.

"But the judicial system is a different thing entirely. When we're looking at written statutes we're not talking about the rule of law, because the statutes have no authority themselves. The statutes are just tools the government uses to govern.

"They're saying, 'We used to have no written laws, we just use to put people in prison. Half of the time they may not have known why, they may not have known what law they were breaking because we didn't have any laws. '

"Now just like a high school principle putting up the rules of the school on a blackboard, we say, 'Here's the criminal law, there's the law of criminal procedure, here's the law governing foreign invested enterprises, here's the detailed implementing regulations governing foreign invested enterprises.' That gives a guideline to the people being ruled over as to what the government says you can do and what you can't do on this particular day. But if you do something tomorrow or next week, and the government has changed it's mind and they don't like that law anymore, they'll do something to you and you'll defend yourself by saying, 'Wait a minute, it's right there in the law.'

"That is totally meaningless.

"The law only means what the communist government says it means on any given day. When we look now at their so-called judicial system and the issue of lawyers defending clients of their choice, or being able to take on a case when a client chooses them, there is absolutely no improvement."

Clive Ansley continued, "I'm the country monitor for China for the Lawyers Rights Watch in Canada, and we calculate that there are somewhere between 100 and 200 Chinese lawyers in jail today, just for speaking

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out against the government or taking on unpopular causes.

"It's not just Falun Gong practitioners. Even people who are convicted as ordinary criminals in the Chinese system, a huge number convicted as ordinary criminals, are not criminals at all. There is no proper system--police investigations consist mostly of beating people up and torturing them and getting confessions out of them. The trial process--there is no due process whatsoever, they have virtually no rights, and there is a 100 percent conviction rate in the courts.

"They are executed in huge numbers, and again, for their organs. There's all kinds of human rights abuses in China. I accept the fact that, of these figures, two-thirds of them right now are Falun Gong practitioners.

"I would just make two points really. All human rights violations in China should be exposed and opposed. Secondly, what is being done to these Falun Gong practitioners in particular--it was already a policy of genocide--in accordance with the legal definition of that word before we ever got to organ theft. Genocide and organ theft are simply crimes against humanity that go beyond the pale--they almost go beyond human imagination. They can't be compared to any other kinds of crimes or human rights abuses."

"Anything That Can Expose What Beijing Has Been Doing Is Worthwhile Pursuing"

In commenting on the significance of boycotting the 2008 Olympics in Beijing, Mr. Ansley said, "In general, the key thing is information. People around the world have to know, they have to have information and understand it before they can act on it. Anything that can expose what Beijing has been doing is worthwhile pursuing.

"On the issue of the Olympics itself, there is something particularly shameful and disgusting about the participation of the International Olympic Committee in all of this. The parallels with Nazi Germany in 1936 are quite eerie. The Nazis were without a doubt the worst violators of human rights on the planet. So the International Olympics Committee awarded them the games, in Berlin, in 1936. Later people said, 'Well, we didn't really know. We knew he said a lot of bad things about the Jews, we knew he was suppressing free speech in Germany, but we had no idea he was going to put all these Jews in ovens and in crematoriums and so forth.'"

Clive Ansley also said, "In my view, maybe I just have a too favorable of an impression of human beings. You know the old debate in ancient China, primarily between Fa Jia and Confucius, about whether the basic nature of man is good or the basic nature of man is evil. I guess I'm optimistic. I tend to think the basic nature of man is good, and man will do the right thing. The issue today is information--most ordinary people in the West don't have the information. In the West, in large measure--and this certainly applies to previous governments in Canada--we unfortunately have had totally unprincipled politicians that are allied with business interests, that see great prospects of making huge profits in China, and they don't want any publicity about human rights abuses in China.

"Until very recently they have been able to keep the lid on, and the ordinary person doesn't hear about any of these things or have not in the past. The situation is changing now. Ordinary Canadians have never heard about these kinds of things, and they have had a very favorable image of the Beijing government, because the liberal government, the biggest corporations in Canada, and the mainstream media all have a wonderful, glorified image of Beijing, of China, of the tremendous progress it has made on every front. The average person even has the impression that human rights are being improved.

"I don't think it's true that ordinary people have a hard time choosing between conscience and money. They've never had the choice, they've never received the information.

"Now, although the knowledge is out there, not everybody knows, and we have to keep working on spreading it.

"But basically the outside world cannot say about Beijing today, 'We handed them the Olympics, but we didn't know what they were doing, we didn't know what was going on, we didn't know about the organ theft.' The information is out there. I think the only moral thing to do, on the part of the Olympic Committee, even at this late stage, would be to move the Olympics.

"We should not be involved in this huge program, with all the world's media...they're all over in Beijing right now, running programs about the all glorious dancers and the costume people, exhibiting Chinese traditional culture and the incredible buildings they've put up, and the bird's nest stadium in Beijing, and all the rest of it. We should not be participating in a public relations program for the most bestial and vicious regime that has existed on this earth since Hitler.

"The parallel torch run is an ingenious way of publicizing that. The traditional lighting of the Olympic flame one year in advance and running around the world--that is glorifying Beijing.

"The idea of running a parallel torch relay hammers home and keeps in the minds of people around the world: 'Wait a minute. On the one hand, here's the Olympics and you can see a newscast of the regular torch run to end up in Beijing, because the Olympics is taking place in Beijing.'" Because we have a parallel run, hopefully the message will get across, and people will be saying, 'Well should we be doing this? Wait a

minute, here's the human rights torch relay. This is the protest against the bloody harvest Olympics, which is the name now being attributed to the games in Beijing in 2008.' Having that parallel is a great way to get people to start comparing these two things that should not be together. We should not have the Olympics in a place that slaughters human beings for the theft of their organs."

Clive Ansley is a solicitor and barrister and the Country Monitor for China for the "Lawyers' Rights Watch Canada." He has been actively involved with China and Sino-Canadian relations for more than forty years. He practiced law in China for fourteen years. Clive Ansley has served as an expert witness on the Chinese legal system on a number of occasions in different countries, including Canada, the United States, and European countries. He can read and speak Chinese and is considered a China expert. Mr. Ansley is the current President for the US and Canada Leading Group of the Coalition to Investigate the Persecution of Falun Gong (CIPFG).

Chinese version available at <http://minghui.ca/mh/articles/2007/8/31/161883.html>



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