



# Chinese rights lawyers say they're persecuted along with clients

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By **Calum MacLeod**, USA TODAY



AP

Chinese paramilitary police march past the Intermediate People's Court in Urumqi on Sept. 12.

BEIJING — One of the most hazardous jobs one can have in China is human rights lawyer. And it's getting worse, experts and the lawyers say.

About 50 of the 143,000 lawyers in China regularly take on cases in which people fight jail terms for speaking their minds or practicing their faith, or sue the government over corruption and malfeasance.

Increasingly, these lawyers find themselves being targeted along with their clients by a Communist Party that directs all manner of Chinese justice.

Jailings, beatings and harassment make their lives "the worst time in a decade," says **Albert Ho** Chunyan, chairman of the China Human Rights Lawyers Concern Group.

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Human rights lawyers in China "raise a sword to a system which is rotten to the root, and the government chooses to oppress them. The situation is getting worse, but this also shows they have a growing influence.

"They cause an impact on the system," he says.

Thursday, Ho's group launched a book titled *A Sword and a Shield: China's Human Rights Lawyers* to publicize their plight and mark the **United Nations'** annual Human Rights Day.

**Beijing** has made strides toward building a legal system. In the 1960s, the court system and other bureaucracies were obliterated during the Cultural Revolution, in which **Mao Zedong** demanded the elimination of anything that smacked of Chinese culture before its takeover by socialism.

Since then, China has adopted a constitution and created hundreds of laws administered by judges. But many of those laws are not enforced. The constitution enshrines the supremacy of the Communist Party, and the rule of law often is used as a tool for social control.

Often the only thing standing in the way is the cadre of lawyers, mostly based in Beijing, who dare to tackle the most sensitive human rights cases.

"They are the heroes of our time," says Ho, a lawyer and member of the legislative council in Hong Kong, a special administrative district of China that enjoys more freedoms than the rest of the country.

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Human rights lawyers have represented Tibetan political activists, people accusing police of brutality and torture, parents suing the government for negligence in the death of their child, practitioners of the banned belief system called Falun Gong, and critics of party officials.

Pressure on rights lawyers "has been more severe than ever before," says Teng Biao, a Beijing lawyer and law lecturer who lost his license to practice last year and whose employer, the China University of Politics and Law in Beijing, banned him from lecturing.

Last year, authorities shut down for six months the law firm of Li Jinsong, who has handled several high-profile political cases. He says authorities are trying to wreck his business for petitioning for direct elections of the Beijing Bar Association, whose leaders are decided by the government.

From late last year, rights lawyers have suffered "more frequent harassment, and it's become more personal and direct," says Fu Hualing, a law professor at the University of Hong Kong.

Ethan Michelson, an associate professor at Indiana University who studies China's legal profession, says China's most outspoken rights lawyers "are on the lunatic fringe, almost guaranteed to get arrested or detained."

Even the rank and file among China's lawyers face huge challenges, he says. In a survey of the profession this year, Michelson found the problems of judicial corruption had worsened since his last survey in 2000. "I don't know why anyone would want to be a lawyer in China," he says.

Lawyer Lan Zhixue says his brethren are determined to keep after the authorities.

"As you take on more cases, you feel a greater sense of duty and responsibility to help," Lan says. "There will be more and more lawyers like me, so there is hope that China will increasingly handle affairs and govern the country according to the law."

Li has appealed to the United States for funding, so human rights lawyers can continue their work despite the government's attempt to force them into destitution. He says that the United States typically funds academic organizations but that they have

close ties to the Communist Party.

He says he has seen progress on Chinese tolerance. "I have publicly criticized government officials, but I have not been jailed," Li says.

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