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Chinese Regime Fundamentally Opposed to Rule of Law, Says Canadian Lawyer

'The law only means what the communist government says it means on any particular day.'

The Epoch Times

Oct 09, 2007

Want to know how the Chinese legal system works? Ask an expert.

The first foreign lawyer to establish a legal practice in China, Clive Ansley is a foremost authority on the Chinese legal system. As a professor of Chinese law both in Canada and China, and with more than 40 years experience in Sino-Canadian relationships, he has been called to testify on the Chinese legal system by various countries including Canada, the United States, and several European nations.

An outspoken critic of human rights violations in China, Ansley monitors China for Lawyers' Rights Watch Canada. Following allegations that [China is harvesting organs from living prisoners of conscience—Falun Gong practitioners in particular](#)— Ansley joined the Coalition to Investigate the Persecution of Falun Gong (CIPFG) as co-chair of the organization's U.S. - Canada Chapter.

In an interview with *The Epoch Times'* Cathy Liu, Ansley comments on the Chinese legal system, the allegations of [illicit organ harvesting](#), and the [Global Human Rights Torch Relay](#), launched by CIPFG in the run-up to the 2008 Beijing Olympics. CIPFG's goal is to pressure China to end its human rights abuses, especially the persecution of Falun Gong.

Epoch Times: The International Olympic Committee awarded Beijing the 2008 Olympic Games in 2001 with the expectation that the Chinese Communist Party would improve its human rights record. Has it kept its promise?

Clive Ansley: It is blatantly obvious that not only have they not kept any promise to improve the situation, but that the human rights abuses are worse today than they have even been in the past. My position is that you haven't even spoken to the issue of human rights if people do not have freedom of speech. If you do not have freedom of speech, if you cannot oppose the government of the day, if you don't have freedom of assembly, if you don't have freedom of religion, then you don't really have any fundamental human rights.

My point in talking about the organ trade is that if you have something that is as blatantly bestial and uncivilized as this, how can you even discuss the improvement in human rights? David Matas and David Kilgour in their report said this is "a new kind of evil." Even the Nazis in Germany didn't come up with this.

ET: Do you think there is any way to improve human rights under communism?

CA: As long as this government's 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



Clive M. Ansley, an international human rights attorney and a professor of Chinese law. (Lori Har-El/The Epoch Times)

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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, 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 our conscious around the world, we may be able to put enough pressure on the Chinese government so they say "we can't do that any more."

It's not that they're going to go out and improve human rights generally, this government is opposed to due process, fundamentally opposed the rule of law, fundamentally opposed to implementing the rule of law, or to implementing any system which really recognizes any human rights. Just as the extermination of Jews in Nazi Germany, for example, we were not ever going to turn Hitler into a democrat, we were not ever going to turn Adolph 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 Adolph Hitler from killing six million Jews.

ET: When people are more fully aware of what is happening in China, they are going to have to make a difficult decision between conscience and money.

CA: I'm optimistic, I tend to think the basic nature of man is good, and to do the right thing. The issue today is information; most ordinary people in the West don't have the information. Ordinary Canadians never heard about these kinds of things, they have a very favourable 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, and the tremendous progress made on every front. They even have the impression that human rights is 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.

ET: One of the requests put forward by CIPFG is to release the lawyers who have defended Falun Gong. If a lawyer is prosecuted for choosing his own client, if a lawyer cannot make the decision of who to represent, what kind of legal system is it?

CA: It's not a legal system at all. The law only means what the communist government says it means on any particular day. When we look now at the so-called judicial system, and lawyers defending clients of their choice, or being able to take on a case when a client chooses them, there is absolutely no improvement. I'm the country monitor for China for Lawyers Rights Watch Canada, and we figure there's somewhere between 100 and 200 Chinese lawyers in jail today, just for speaking out against the government or taking on unpopular causes.

ET: What is the significance of boycotting the 2008 Olympics?

CA: 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. In 1936, the Nazis were without a doubt the worst violators of human rights upon 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 know 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.

Now the knowledge is out there, not everybody knows yet, and we have to keep working on spreading it. But basically the outside world cannot say today about Beijing that when we gave them the Olympics, 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.

ET: Tell us more about the [Global Human Rights Torch Relay](#).

CA: [The Human Rights Torch Relay](#) 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 regular Olympics together with the slaughter of human beings for the theft of their organs.

[Bloody Harvest](#) is the title of a report by human rights lawyer David Matas and former Parliamentarian David Kilgour, both Canadians, on the illicit organ trade in China.