

## Chen Guangcheng Media Roundup VI – April 29

RELEASE IN  
FULL**PRESS****• The New York Times, In Crisis Over Dissident, U.S. Sends Official to Beijing (4/29)**

<http://www.nytimes.com/2012/04/30/world/asia/us-official-in-beijing-to-discuss-chen-guangcheng.html>

The Obama administration scrambled on Sunday to contain a growing diplomatic crisis between the United States and China, sending a senior diplomat to Beijing to discuss the fate of a blind dissident who fled house arrest last week.

Amid intense secrecy, including a nearly blanket refusal to comment, the administration sought to negotiate over the safety of the dissident, Chen Guangcheng, who is said to be in American hands in Beijing — though it remained unclear late Sunday whether he was in the embassy, in a diplomatic residence or somewhere else.

The senior diplomat, Kurt M. Campbell, an assistant secretary of state, arrived Sunday to meet with Chinese officials concerning Mr. Chen's case, and to try to keep the matter from undermining the administration's longstanding effort to improve economic and security relations with China, senior officials and diplomats in Washington and Beijing said.

A senior American official said that China's leadership met Sunday to work out their response to Mr. Chen's escape before scheduled meetings this week with Secretary of State Hillary Rodham Clinton and Treasury Secretary Timothy F. Geithner. Mrs. Clinton is scheduled to leave Washington for China on Monday night, assuming the trip proceeds.

"They're trying to figure out what they're going to tell Hillary Clinton," the official said of the Chinese leaders, speaking on condition of anonymity because of the diplomatic sensitivity surrounding the case. "We'd like to know as much as we can before she leaves."

The administration's only public comment so far on Mr. Chen's case came Sunday from an unexpected quarter: Mr. Obama's top counterterrorism adviser, John O. Brennan.

Asked about the matter on "Fox News Sunday," Mr. Brennan declined to discuss Mr. Chen's whereabouts in any detail, but he acknowledged that "we are working very closely with the individuals involved in this."

He went on to say that the administration sought "an appropriate balance" when advocating for human rights in strategically important countries like China.

"I think, in all instances, the president tries to balance our commitment to human rights, making sure that the people throughout the world have the ability to express themselves freely and openly," he said, "but also that we can continue to carry out our relationships with key countries overseas."

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In the only comment by a Chinese official so far, Vice Foreign Minister Cui Tiankai said Saturday that he did not believe the Chen case would “occupy much time” at the talks.

Other advocates who have spoken to him since he fled say he does not want asylum that would force him to leave China.

That could create an opening for resolving a standoff with the United States, the officials said. “The federal government doesn’t have to take this as a threat,” the senior American official said Sunday, noting that Mr. Chen had not escaped from official detention, but rather from harassment at the hands of the local authorities.

It was possible, however, that Mr. Chen was not in the fortresslike embassy itself, but in an apartment or some other building, and thus still vulnerable to arrest, diplomats in Beijing said. That could explain the administration’s refusal to discuss his case or his precise whereabouts.

Officials in Washington and Beijing refused Sunday to talk about Mr. Campbell’s mission or any negotiations he may be conducting. The senior American official said that much remained unclear, including China’s response to what has become a major embarrassment to Beijing. “It’s not something that’s going to be resolved quickly,” the official said.

- **The Washington Post, Obama wants to strike ‘appropriate balance’ on Chinese dissident, official says (4/29)**

[http://www.washingtonpost.com/world/national-security/obama-wants-to-strike-appropriate-balance-on-chinese-dissident-official-says/2012/04/29/gIQABzthpT\\_story.html?hpid=z2](http://www.washingtonpost.com/world/national-security/obama-wants-to-strike-appropriate-balance-on-chinese-dissident-official-says/2012/04/29/gIQABzthpT_story.html?hpid=z2)

A senior White House official said Sunday that President Obama wants to strike the “appropriate balance” in dealing with a Chinese dissident who fled house arrest last Sunday and reportedly is under American protection inside the U.S. Embassy in Beijing.

Comments by John O. Brennan, Obama’s top counterterrorism adviser, were the closest the administration has come to confirming the whereabouts of dissident lawyer Chen Guangcheng, and the difficulty it poses for U.S. policymakers.

The president tries to “balance our commitment to human rights” while continuing “to carry out our relationships with key countries overseas,” Brennan said on “Fox News Sunday.” “We’re going to make sure that we do this in the appropriate way and that appropriate balance is struck.” Obama “has faced similar situations in the past in terms of this balancing requirement,” Brennan said, and “will do whatever he thinks is in the best interest of the United States as well as the individuals involved.”

Brennan made the rounds of three Sunday talk shows to mark the first anniversary of the U.S. Navy SEAL raid in Pakistan that killed al-Qaeda leader Osama bin Laden.

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- **The Washington Post, Dissident drama recalls story of Fang Lizhi (4/28)**

[http://www.washingtonpost.com/world/asia\\_pacific/dissident-drama-recalls-story-of-fang-lizhi/2012/04/28/gIQA3WSeoT\\_story.html](http://www.washingtonpost.com/world/asia_pacific/dissident-drama-recalls-story-of-fang-lizhi/2012/04/28/gIQA3WSeoT_story.html)

“When somebody comes to ask for asylum, you have to make sure they have really thought through what they are undertaking,” said the former diplomat, who spoke on the condition of anonymity. “You run through a checklist of things to discourage them.”

Chen, the blind legal activist, is a far less contentious figure than Fang, against whom Deng, China’s paramount leader until his death in 1997, bore a deep personal animus. China’s quarrel with Chen, by contrast, involves mostly low-ranking officials in Shandong province.

Fang, denounced as a “black hand” behind the Tiananmen protests and pilloried as a dangerous criminal by party--controlled media, faced a formal Chinese arrest warrant. Chen has been technically free — though closely monitored — since his release from prison in 2010. This, said John Kamm, a longtime campaigner on behalf of Chinese political prisoners, “means there should be no legal impediment for him to leave the country.”

Nonetheless, any U.S. role in protecting Chen will likely set up an acrimonious and possibly long tug of war between Washington and Beijing. A foreign dissident seeking refuge, added the former U.S. diplomat who was involved in Fang’s case, is “something enormously unwelcome. It creates huge problems politically and, also, logistically.”

Chen, the blind lawyer, is the “real McCoy,” said Princeton’s Link, and “is a completely different case” from the former police chief, who presided over a brutal crackdown on alleged gangsters, trampled due process and deployed torture to force people to confess.

“The U.S. was right not to get involved with Wang Lijun,” Link said. If Washington rebuffs Chen, however, “I’ll be the first to write an op-ed article denouncing the decision.”

- **The Washington Post, In China, Chen Guangcheng case poses test for Premier Wen Jiabao’s reform talk (4/29)**

[http://www.washingtonpost.com/world/asia\\_pacific/in-china-chen-guangcheng-case-poses-test-for-premier-wen-jiabaos-reform-talk/2012/04/29/gIQANMTdpT\\_story.html](http://www.washingtonpost.com/world/asia_pacific/in-china-chen-guangcheng-case-poses-test-for-premier-wen-jiabaos-reform-talk/2012/04/29/gIQANMTdpT_story.html)

Chen’s case also poses an immediate quandary for Premier Wen Jiabao, who has repeatedly advocated putting China under the rule of law and making this authoritarian Communist regime more accountable to the people.

By appealing personally to Wen, Chen was deftly avoiding the accusation, often used against dissidents in China, that he was “subverting state authority.” To the contrary, Chen was pointing the finger at abusive, corrupt local officials and calling on the premier — a self-styled reformist

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— to assert the power of the state over the local government and over a security apparatus that many critics feel has run amok.

...

Since March 14, when Wen appeared at a lengthy news conference at the close of the national legislature, the premier has been forcefully advocating a reform agenda, including the importance of establishing a law-based society in China.

...

“The rule of law is the foundation of the governance of the CPC and critical for realizing long-term stability,” the People’s Daily, the Communist Party’s main mouthpiece, wrote in an editorial that was widely reprinted in all the state media. “Anyone who breaks the law shall be convicted and punished.”

Now Chen, through his escape and in the videotape, is directly using that same argument in appealing for Wen and the central government to take action against those who abused him and his family members and illegally held him captive for 19 months.

- **The Washington Post (Opinion – China Aid’s Bob Fu), With the Chen case, U.S. credibility is on the line (4/29)**

[http://www.washingtonpost.com/opinions/saving-chen-guangcheng/2012/04/29/gIQAHUwtpT\\_story.html](http://www.washingtonpost.com/opinions/saving-chen-guangcheng/2012/04/29/gIQAHUwtpT_story.html)

Chen is my hero and friend. He is under the protection of the U.S. Embassy in Beijing. His status and safety present a pivotal test for freedom in China and for U.S. credibility as a defender of freedom.

...

One netizen, He “Pearl” Peirong, provided logistic support for Chen’s escape, picking him up in Shandong province — where Chen and I both hail from — and taking him to Beijing.

I am awed by the courage of those who helped Chen escape. Pearl told me she is willing to die with Chen because he is such a “pure-hearted courageous person.”

...

Chen is often described as a “dissident,” but that is a misnomer. Despite years of brutal treatment for seeking to bring attention to those victimized by China’s “one-child” policy, he has never established a political party or organization. He has never advocated overthrowing the Communist Party. In the video he posted online after his escape, he says that the injustices his family experienced “hurt the image of our Party.” And the first thing he did after escaping was tell me that he wanted the outside the world to know that he was not going to leave China but to “fight to the end for the freedom of my family. . . . I want to live a normal life as a Chinese citizen with my family.”

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This is a pivotal moment for U.S. human rights diplomacy. The United States must stand firmly with this broadly popular individual or risk losing credibility as a defender of freedom and the rule of law. There is a reason Chinese dissidents revere this country.

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**The New York Times**

April 29, 2012

#### **In Crisis Over Dissident, U.S. Sends Official to Beijing**

By STEVEN LEE MYERS and JANE PERLEZ

WASHINGTON — The Obama administration scrambled on Sunday to contain a growing diplomatic crisis between the United States and China, sending a senior diplomat to Beijing to discuss the fate of a blind dissident who fled house arrest last week.

Amid intense secrecy, including a nearly blanket refusal to comment, the administration sought to negotiate over the safety of the dissident, Chen Guangcheng, who is said to be in American hands in Beijing — though it remained unclear late Sunday whether he was in the embassy, in a diplomatic residence or somewhere else.

The senior diplomat, Kurt M. Campbell, an assistant secretary of state, arrived Sunday to meet with Chinese officials concerning Mr. Chen's case, and to try to keep the matter from undermining the administration's longstanding effort to improve economic and security relations with China, senior officials and diplomats in Washington and Beijing said.

A senior American official said that China's leadership met Sunday to work out their response to Mr. Chen's escape before scheduled meetings this week with Secretary of State Hillary Rodham Clinton and Treasury Secretary Timothy F. Geithner. Mrs. Clinton is scheduled to leave Washington for China on Monday night, assuming the trip proceeds.

"They're trying to figure out what they're going to tell Hillary Clinton," the official said of the Chinese leaders, speaking on condition of anonymity because of the diplomatic sensitivity surrounding the case. "We'd like to know as much as we can before she leaves."

The administration's effort to contain the crisis — the State Department declined to confirm that Mr. Campbell was in China even though he was photographed in a Marriott hotel in Beijing — underscored the fraught political challenge facing President Obama, at home and abroad.

"This is the greatest test in bilateral relations in years, probably going back to '89," said Christopher K. Johnson, until recently a senior China analyst at the Central Intelligence Agency, referring to the year of the brutal crackdown on student protests in Tiananmen Square.

Mitt Romney, the presumptive Republican presidential nominee, called Sunday for the administration to "take every measure" to protect Mr. Chen and his family. While he did not address the handling of the case so far, he said the matter demonstrated the need for unflinching American support for human rights in China.

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“Any serious U.S. policy toward China must confront the facts of the Chinese government’s denial of political liberties, its one-child policy and other violation of human rights,” Mr. Romney said in a statement on Sunday, his first remarks on the issue since Mr. Chen’s escape was reported Friday.

Mr. Chen, 40, became famous because of his strong opposition to forced abortions and sterilizations conducted as part of China’s policy of limiting families to one child per couple. “Our country must play a strong role in urging reform in China and supporting those fighting for the freedoms we enjoy,” Mr. Romney said.

The administration’s only public comment so far on Mr. Chen’s case came Sunday from an unexpected quarter: Mr. Obama’s top counterterrorism adviser, John O. Brennan.

Asked about the matter on “Fox News Sunday,” Mr. Brennan declined to discuss Mr. Chen’s whereabouts in any detail, but he acknowledged that “we are working very closely with the individuals involved in this.”

He went on to say that the administration sought “an appropriate balance” when advocating for human rights in strategically important countries like China.

“I think, in all instances, the president tries to balance our commitment to human rights, making sure that the people throughout the world have the ability to express themselves freely and openly,” he said, “but also that we can continue to carry out our relationships with key countries overseas.”

The two-days annual round of talks to be held in Beijing this week — known as the Strategic and Economic Dialogue — has been a key element of the administration’s policy to manage America’s increasingly complex relations with China by regularly discussing a wide spectrum of issues. In recent months, administration officials say they have seen this policy bear fruit, with signs of greater Chinese cooperation on security issues involving Iran, Syria and North Korea and on economic concerns like China’s exchange rate.

Mr. Chen’s daring escape, which took American officials by surprise, will surely overshadow this week’s negotiations, though both sides suggested that the talks would go ahead. In the only comment by a Chinese official so far, Vice Foreign Minister Cui Tiankai said Saturday that he did not believe the Chen case would “occupy much time” at the talks.

His statement did not preclude the possibility that a senior Chinese leader would hold a meeting with Mrs. Clinton separately from the planned sessions and deliver a sharp message about American involvement in Mr. Chen’s case, or a broader condemnation of American support for dissidents in China.

The Chinese government regards foreign criticism of its human rights policies and practices as undue interference in its internal affairs, and it will almost certainly use the occasion of the talks

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to drive that point home, diplomats in Beijing said. In fact, the Chinese might go forward with the planned talks specifically to have the chance to confront Mrs. Clinton about it.

Mr. Chen's case is the second in recent months that has drawn the Obama administration into the affairs of the Chinese government without any intention on Washington's part. In February a provincial official showed up in the American Consulate in Chengdu, seeking protection from a powerful party leader, Bo Xilai. The State Department instead arranged for him to be transferred to the national authorities in Beijing. Evidence that the provincial official claimed to have apparently caused Mr. Bo's political downfall and prompted an investigation of Mr. Bo's wife for the murder of a British businessman.

Mr. Chen's case is different. A self-taught lawyer, he has called attention to human rights abuses against the disabled and women who have been forcibly sterilized. In 2006 he was sentenced to 51 months in prison on charges of destroying property and assembling a crowd to disrupt traffic, charges his supporters say were trumped up.

After he was released from prison, the local authorities held him under an extralegal form of house arrest, with cordons of police officers surrounding his family's farmhouse. In an audacious video released Friday, Mr. Chen did not call for a change of government, but rather appealed to Prime Minister Wen Jiabao to investigate and halt the abuse of his family. Other advocates who have spoken to him since he fled say he does not want asylum that would force him to leave China.

That could create an opening for resolving a standoff with the United States, the officials said. "The federal government doesn't have to take this as a threat," the senior American official said Sunday, noting that Mr. Chen had not escaped from official detention, but rather from harassment at the hands of the local authorities.

Mr. Chen's supporters and Chinese officials have said that he is now in the American Embassy. More than the usual number of security vehicles, containing men in uniform and plain clothes patrolled the area near the embassy over the weekend, but there was no sign of a major security presence at the gates or entrances to the compound.

It was possible, however, that Mr. Chen was not in the fortresslike embassy itself, but in an apartment or some other building, and thus still vulnerable to arrest, diplomats in Beijing said. That could explain the administration's refusal to discuss his case or his precise whereabouts.

Officials in Washington and Beijing refused Sunday to talk about Mr. Campbell's mission or any negotiations he may be conducting. The senior American official said that much remained unclear, including China's response to what has become a major embarrassment to Beijing. "It's not something that's going to be resolved quickly," the official said.

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### **The Washington Post**

Updated: Sunday, April 29, 2:05 PM

### **Obama wants to strike 'appropriate balance' on Chinese dissident, official says**

By Karen DeYoung

A senior White House official said Sunday that President Obama wants to strike the “appropriate balance” in dealing with a Chinese dissident who fled house arrest last Sunday and reportedly is under American protection inside the U.S. Embassy in Beijing.

Comments by John O. Brennan, Obama’s top counterterrorism adviser, were the closest the administration has come to confirming the whereabouts of dissident lawyer Chen Guangcheng, and the difficulty it poses for U.S. policymakers.

The president tries to “balance our commitment to human rights” while continuing “to carry out our relationships with key countries overseas,” Brennan said on “Fox News Sunday.” “We’re going to make sure that we do this in the appropriate way and that appropriate balance is struck.”

Obama “has faced similar situations in the past in terms of this balancing requirement,” Brennan said, and “will do whatever he thinks is in the best interest of the United States as well as the individuals involved.”

Both the U.S. and Chinese governments have studiously avoided confirming Chen’s whereabouts, adhering to uniform “no information” comments.

Mitt Romney, the presumptive Republican presidential nominee, said in a statement Sunday that he hoped that the United States “will take every measure to ensure that Chen and his family members are protected from further persecution.” He said U.S. policy toward China must address human rights violations: “Our country must play a strong role in urging reform in China and supporting those fighting for the freedoms we enjoy.”

The incident comes at a particularly dicey time for U.S.-China relations, on the heels of the appearance of a senior Chinese law enforcement official at the U.S. consulate in Chengdu with information that brought down a senior Communist Party boss, and on the eve of this week’s visit to Beijing by Secretary of State Hillary Rodham Clinton and Treasury Secretary Timothy F. Geithner for high-level economic and strategy talks.

Brennan made the rounds of three Sunday talk shows to mark the first anniversary of the U.S. Navy SEAL raid in Pakistan that killed al-Qaeda leader Osama bin Laden.

Although the administration had indicated U.S. security was on heightened vigilance against a terrorist attack to mark the date, “at this time, we don’t see any active plot that is underway,” Brennan said on ABC’s “This Week.”

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Bin Laden's death "made a tremendous difference," he said. "It's taken away the founding leader of that organization who was . . . a symbol of al-Qaeda's sort of murderous agenda worldwide." But although that and other numerous gains have been made against the organization, he said, "I don't look at it as a victory. I think . . . we have to destroy the organization. We have to take all of their operatives, their leaders, their training camps, take away their safe havens. And we're not going to rest."

Hosts on ABC, Fox and CNN's "State of the Union" tried to get Brennan to respond to an Obama campaign video suggesting that bin Laden might be alive today had Romney been president. Sen. John McCain (R-Ariz.), a Romney backer, called the ad "a shameless end zone dance to help [Obama] get reelected."

Brennan repeatedly refused the bait. "I don't do politics," he told ABC. "I don't do the campaign. I am not a Democrat or Republican. I'm a counterterrorism adviser to the president. All I know is that the president made the decision when he was given the opportunity to take a gutsy decision. . . . We're safer today as a result."

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### **The Washington Post**

April 28, 2012

### **Dissident drama recalls story of Fang Lizhi**

By Andrew Higgins

After the high drama of a 400-mile dash to freedom across northern China, Chen Guangcheng, a blind legal activist now reportedly under the protection of U.S. diplomats in Beijing, confronts more mundane challenges: filling in forms, listening to warnings about potential peril ahead, and waiting while U.S. and Chinese officials haggle over his fate.

That, at least, is what happened back in the summer of 1989 when Fang Lizhi, a dissident Chinese astrophysicist, entered the U.S. mission in Beijing a day after the June 4 Tiananmen Square massacre and asked diplomats there for protection.

The diplomats “were mildly discouraging but didn’t rule out helping,” recalled Perry Link, a Princeton University China scholar who accompanied Fang. They explained that Fang would need to get to American soil before he could request political asylum.

To get the ball rolling, Fang filled in a visa application, the first step in what he hoped would be a swift journey to safety. It was more than a year before he got to the United States, ostensibly for medical treatment.

Worried that taking refuge with American diplomats would allow China’s Communist Party to portray the Tiananmen protest as a U.S.-orchestrated conspiracy, Fang decided after his first meeting at the embassy that he didn’t want U.S. help after all. He left the embassy with his wife, Li Shuxian, to spend the night at a nearby Beijing hotel in the room of an absent Washington Post journalist.

“We didn’t turn him away. We just talked him into giving things some more thought,” said a U.S. diplomat who was involved in the discussions.

They told Fang, for example, about the case of Hungary’s Cardinal Jozsef Mindszenty, an outspoken foe of communism who spent almost 15 years stuck in the U.S. Embassy in Budapest after Soviet troops crushed the 1956 Hungarian uprising.

“When somebody comes to ask for asylum, you have to make sure they have really thought through what they are undertaking,” said the former diplomat, who spoke on the condition of anonymity. “You run through a checklist of things to discourage them.”

Fang later returned to the embassy in the middle of the night after U.S. diplomats sent word that President George H.W. Bush had personally approved giving him, his wife and son, Fang De, sanctuary.

Fang, with his wife, then spent nearly 13 months holed up in a windowless room that had previously served as an embassy clinic while senior U.S. officials and others, including former

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secretary of state Henry Kissinger, trooped to Beijing to beg Chinese leaders to let the dissident leave China unmolested. The son, fed up with being confined to the embassy, left after just a few days and returned to his university studies without trouble.

The presence of Fang and his wife was cloaked in such deep secrecy that “only about six people in the embassy” knew of their whereabouts, James R. Lilley, the ambassador at the time, recalled in his memoir, “China Hands: Nine Decades of Adventure, Espionage, and Diplomacy in Asia.” Lilley’s wife found out when she stumbled on a high wall of books shielding Fang’s sleeping quarters.

### A contentious figure

Deng Xiaoping, who blamed Fang for seven weeks of tumultuous student-led protests at Tiananmen, demanded that the scientist write a confession before he leave China. Lilley, meanwhile, became a “pariah for shielding Fang Lizhi,” the ambassador wrote in his book. The whole episode, noted Lilley, badly “complicated” relations already battered by the military assault on Tiananmen.

Getting Chinese leaders to agree to let Fang go took so long that the scientist managed to complete a scientific paper on “the periodicity of redshift distribution.” He used an aged Apple computer provided by the embassy and listed the U.S. Beijing mission as his “temporary mailing address” when he submitted the article to the Fermi National Accelerator Laboratory for publication.

Fang continued his scientific work after he left China, ending his career as a professor of physics at the University of Arizona. He died this month at his home in Tucson. He was 76.

Chen, the blind legal activist, is a far less contentious figure than Fang, against whom Deng, China’s paramount leader until his death in 1997, bore a deep personal animus. China’s quarrel with Chen, by contrast, involves mostly low-ranking officials in Shandong province.

Fang, denounced as a “black hand” behind the Tiananmen protests and pilloried as a dangerous criminal by party--controlled media, faced a formal Chinese arrest warrant. Chen has been technically free — though closely monitored — since his release from prison in 2010. This, said John Kamm, a longtime campaigner on behalf of Chinese political prisoners, “means there should be no legal impediment for him to leave the country.”

Nonetheless, any U.S. role in protecting Chen will likely set up an acrimonious and possibly long tug of war between Washington and Beijing. A foreign dissident seeking refuge, added the former U.S. diplomat who was involved in Fang’s case, is “something enormously unwelcome. It creates huge problems politically and, also, logistically.”

### The ‘real McCoy’

China Aid, a Christian group based in Texas that helped facilitate Chen’s escape from de facto house arrest in Shandong, said in a statement issued early Saturday that Chen “is under U.S.

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protection and high level talks are currently underway between U.S. and Chinese officials regarding Chen's status."

Bob Fu, the group's president, described it as "a pivotal moment for U.S. human rights diplomacy" and urged that Chen be "handled like Professor Fang Lizhi" and not like Wang Lijun, a former Chongqing police chief who fled to the U.S. consulate in Chengdu in early February, triggering a political earthquake whose aftershocks are still shaking the party.

Wang spent 30 hours in the consulate and, when he left after failing to secure an offer of protection, was quickly hustled to Beijing by state-security officials. He has not been seen or heard from since. His former boss, Bo Xilai, has since been purged in China's biggest political crisis since Tiananmen.

Chen, the blind lawyer, is the "real McCoy," said Princeton's Link, and "is a completely different case" from the former police chief, who presided over a brutal crackdown on alleged gangsters, trampled due process and deployed torture to force people to confess.

"The U.S. was right not to get involved with Wang Lijun," Link said. If Washington rebuffs Chen, however, "I'll be the first to write an op-ed article denouncing the decision."

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### **The Washington Post**

Sunday, April 29, 11:48 AM

### **In China, Chen Guangcheng case poses test for Premier Wen Jiabao's reform talk**

By Keith B. Richburg

BEIJING — The dramatic escape of the blind activist lawyer Chen Guangcheng, and his apparent decision to seek protection from U.S. diplomats in Beijing, has cast a spotlight on the Chinese government's growing use of unlawful home detentions, disappearances, "black jails," and other, often brutal, extra-judicial methods to try to silence its internal critics and stamp out dissent.

Chen's case also poses an immediate quandary for Premier Wen Jiabao, who has repeatedly advocated putting China under the rule of law and making this authoritarian Communist regime more accountable to the people.

Chen escaped on a moonless night last weekend from 19 months under a de facto form of house arrest, with his farmhouse in Dongshigu village surrounded by gangs of armed thugs with no legal authority to keep him there. Chen had already served more than four years in prison on charges — largely considered bogus — of "obstructing traffic."

The thugs who kept Chen contained in his farmhouse, who beat him and his wife, and who harassed journalists and activists trying to see him were operating as an extrajudicial force, with no official standing. But they were clearly doing the bidding of local party bosses who wanted to keep Chen silenced and isolated.

When Chen finally escaped, climbing over a high wall and walking hours alone at night to evade detection, the blind activist had not committed any crime. And members of the activist network who assisted Chen — driving him to Beijing, shuttling him around to avoid capture — also were not committing crimes, since Chen was not charged with anything. Yet police have been rounding them all up.

Chen made a video that was broadcast on YouTube, directly appealing to Wen to take action against those who abused him and his family, to protect his family and to investigate corruption in Linyi city, where his village is.

By appealing personally to Wen, Chen was deftly avoiding the accusation, often used against dissidents in China, that he was "subverting state authority." To the contrary, Chen was pointing the finger at abusive, corrupt local officials and calling on the premier — a self-styled reformist — to assert the power of the state over the local government and over a security apparatus that many critics feel has run amok.

"Chen Guangcheng's escape is really the most visceral example of the lack of rule of law in China and the really out-of-control abuses of the security agencies," said Phelim Kine, senior Asia researcher for the group Human Rights Watch. "Chen Guangcheng's case is going to

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definitely reveal the reality of Wen Jiabao and his longtime advocacy for protection of the poor, the marginalized and the abused, and the application of the rule of law.”

Since March 14, when Wen appeared at a lengthy news conference at the close of the national legislature, the premier has been forcefully advocating a reform agenda, including the importance of establishing a law-based society in China.

That news conference was followed by the sudden ouster of once-rising star Bo Xilai from his job as the Communist Party chief in Chongqing, and then by Bo's removal from the Party Central Committee and the Politburo. Bo is being investigated for “severe violations” of the party's disciplinary rules, and his wife, Gu Kailai, is suspected, along with a Bo household aide, in the slaying of a British businessman.

As the Bo scandal has unfolded, China's state-run media have repeatedly picked up Wen's mantra, eager to show that Bo was not the subject of a political purge or personal vendetta. The Chongqing case showed that China was developing into a country where the law was paramount, according to the official refrain, and even a powerful figure such as Bo was subject to it.

“The rule of law is the foundation of the governance of the CPC and critical for realizing long-term stability,” the People's Daily, the Communist Party's main mouthpiece, wrote in an editorial that was widely reprinted in all the state media. “Anyone who breaks the law shall be convicted and punished.”

Now Chen, through his escape and in the videotape, is directly using that same argument in appealing for Wen and the central government to take action against those who abused him and his family members and illegally held him captive for 19 months.

“The money of our ordinary people and the taxpayers should not be used by some local officials who break the law to hurt people or hurt the image of our party,” Chen says in his videotaped message. “Many people don't understand whether all of these illegal acts are just law-breaking by the local party officials or whether it was ordered by the Central Committee. I think you should give a clear answer to people before long.”

While Chen was in hiding last week between various safe houses in Beijing, Michael H. Posner, the U.S. assistant secretary of state for democracy, human rights and labor, was also in the Chinese capital, leading the American delegation to a meeting on legal issues with Chinese officials, including senior judges. Posner said afterward that the meeting touched on U.S. concerns about problems of extrajudicial punishments like house arrest and residential surveillance.

Such techniques have expanded greatly in recent years, with extrajudicial means increasingly used as the security apparatus has expanded its power and reach, and as the country's Communist rulers have reacted nervously to the Arab uprisings that have challenged entrenched authoritarian regimes in the Middle East.

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For example, Liu Xia, the wife of Liu Xiaobo, the imprisoned 2010 Nobel Peace Prize winner Liu Xiaobo, was herself put under house arrest and prohibited from communicating with the outside world, even though she was not accused or convicted of any crime, and although there is no such thing as “house arrest” under Chinese law.

The dissident artist Ai Weiwei was arrested last April and held for more than two months without charges, also in violation of Chinese law. He was later charged with evading taxes on a company he controls, but his supporters believe he was detained for his increasing anti-government statements and posts on Twitter. His house is now regularly monitored by surveillance cameras.

The prominent human rights lawyer and activist Gao Zhisheng — who has also not been charged with any crime — repeatedly “disappeared” for lengthy periods in the hands of the security services, which admitted only in December that Gao was officially in custody.

In March, China’s rubber-stamp legislature approved changes to the country’s criminal code that will allow police to legally hold government critics for six months in secret detention centers, or “black jails.” The change essentially codified what was already a widespread practice and will apply to anyone accused of threatening “state security,” a catch-all term used to snare anyone advocating more democracy or an end to Communist Party rule.

Posner, speaking April 25 at the U.S. Embassy after the U.S.-China legal dialogue, said some on the Chinese side seem to be moving toward the view that the country needs a credible, transparent legal system and a criminal process that is open and fair.

“It’s a recognition that to compete in the modern world, there needs to be a rules-based foundation,” Posner said. “I think there’s a demand internally, from the Chinese people. The government is undoubtedly hearing that and responding to it.”

“In the long term, I feel a sense of optimism that the trend globally . . . for a law-based, rights-based structure is going to prevail here as well,” Posner said.

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### **The Washington Post (Opinion)**

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### **With the Chen case, U.S. credibility is on the line**

By Bob Fu

The blind lawyer Chen Guangcheng climbed over the back wall of his home April 22 — and escaped nearly six years of torture, malnutrition and isolation. During his detention, Chen became a global star, his dark glasses emblematic of the embattled movement of human rights defenders in China. Chen is my hero and friend. He is under the protection of the U.S. Embassy in Beijing. His status and safety present a pivotal test for freedom in China and for U.S. credibility as a defender of freedom.

Chen's escape was planned carefully for many months. The actor Christian Bale was the most prominent person who tried to visit Chen during his years of house detention, but hundreds of Chinese citizens sought a similar audience and were forcibly turned away by police. Chen's most passionate supporters were the Chinese netizen community. One netizen, He "Pearl" Peirong, provided logistic support for Chen's escape, picking him up in Shandong province — where Chen and I both hail from — and taking him to Beijing.

I am awed by the courage of those who helped Chen escape. Pearl told me she is willing to die with Chen because he is such a "pure-hearted courageous person." I was talking to her when she said "guo bao lai le," that state security had arrived. Now, she is under arrest at an undisclosed location and her blog has been erased.

Chen is often described as a "dissident," but that is a misnomer. Despite years of brutal treatment for seeking to bring attention to those victimized by China's "one-child" policy, he has never established a political party or organization. He has never advocated overthrowing the Communist Party. In the video he posted online after his escape, he says that the injustices his family experienced "hurt the image of our Party." And the first thing he did after escaping was tell me that he wanted the outside the world to know that he was not going to leave China but to "fight to the end for the freedom of my family. . . . I want to live a normal life as a Chinese citizen with my family."

Chen's escape prompted a predictable brutal response. After police in Shandong realized, four days after Chen got away, that he was gone, they took Chen's older brother and his nephew, Chen Guangfu and Chen Kegui, into custody. Media reports indicate that Chen's mother, wife and 6-year-old daughter are tightly guarded by Chinese security forces.

This is a pivotal moment for U.S. human rights diplomacy. The United States must stand firmly with this broadly popular individual or risk losing credibility as a defender of freedom and the rule of law. There is a reason Chinese dissidents revere this country. President Obama promised in his inauguration address: "to those who cling to power through corruption and deceit and the silencing of dissent, know that you are on the wrong side of history; but that we will extend a hand if you are willing to unclench your fist."

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This blind lawyer whose first name, “Guang Cheng,” means “light” and “integrity” has been silenced for almost six years because the Chinese government views his assistance to the vulnerable as a threat. Chen’s desire for justice and freedom should put him firmly on the “right side” of history.

By extending the United States’s hand to Chen, the Obama administration can help the dictators of Beijing unclench their fist. Secretary of State Hillary Clinton has spoken out for Chen in the past and advocated his release. Her visit to Beijing this week is a chance to connect words and deeds. I hope that Clinton will press China to guarantee the safety of Chen and his family.

China’s future will be built by those who act with Chen’s integrity and work to ensure the light of justice, equality and freedom for all Chinese citizens. China will move toward the “right side of history” only when it recognizes that people like Chen are its strength, not its enemy.