

Human Rights in China

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The People's Republic of China has experienced rapid and cardinal changes in its political, economic, and societal realms over the past thirty years. These changes, in conjunction with China's political and economic policies abroad, have left recognizable imprints on a variety of human rights issues. The human rights issues discussed in this digest cover both domestic and international dimensions. Most of the issues are interrelated, sharing three major factors that have emerged since China's 1979 reform and economic opening: conservative and slow improvement in political and legal institutions; aggressive and vast yet uneven economic development; and the revival of traditional values such as Confucianism, which oftentimes inform social policies and political doctrines. Internationally, China's growing economic muscle and its political weight also bring criticism from human rights organizations, movements, and activists. This criticism arises in opposition to China's human rights abuses, in addition to the ways in which China engages with some corrupt and abusive regimes.

China's "One child policy" is arguably one of the most controversial policies—one that arouses a wide array of human rights concerns. The direct consequences of this policy include notorious sex-selective abortions and female infanticides, which are practiced under traditional gender norms and patriarchic social customs that favor boys over girls in most Chinese families. In the long run, Chinese society suffers from an imbalanced sex-ratio problem, which has wide ranging social ramifications. Issues such as trafficking in woman and children for forced marriage or sex slavery have become apparent both internally and throughout China's bordering regions. Stringent gender disparities also remind us of the ways in which homosexuality is stigmatized as unnatural and framed as a public health question, particularly with regard to HIV/AIDS. Gender discrimination expresses itself in many societal realms. In the workforce, women are deprived of an equal entitlement to land and a right to work; in education, the opportunities of primary education for many girls are limited, given the unevenness and scarcity of education resources.

China's failure to realize its commitment to provide free compulsory education for children is exacerbated by the large number of migrant families who enter China in pursuit of economic opportunities. Costly and complicated procedures of educational registration hamper the continuation of education for children of migrant families. This lack of education, in conjunction with a workforce shortage thanks to China's one child policy, is a primary cause of both child labor and child trafficking. The latter is worsened by organized crime and governmental corruption. Fast growing economic opportunities put demands on the labor force, while simultaneously helping to generate a widespread and desperate desire to get rich. Thus, the trafficking of infants and children becomes a lucrative business in which orphanage officials, corrupt police, and governmental officials are either directly involved or complicit.

The involvement of governmental officials in the businesses that abuse human rights reflects only a fraction of the problem that permeates China's political and legal systems. International human rights treaties and the domestic codification of various rights protections do not guarantee that the corresponding rights are or will ever be under proper protection by the government. Although this neglect can be partially attributed to corruption and non-transparency, the inherent nature of China's penal system and of the communist regime is far from innocent in issues such as forced labor, slavery, torture, and the notorious process of harvesting organs from prisoners and

mental patients. The Chinese penal system, which lacks a fair judicial process, employs an extensive network of forced labor camps in order to “reform” criminals through labor. Its purpose, however, is to remove political opposition from society while simultaneously improving the economy. Worse, as an institutional tool for the government to stifle political opposition, the penal system almost inevitably employs the use of both physical and psychiatric torture. In such a penal system, torture is justified as a means to secure confessions and the compliance of political dissidents. In the absence of due process and improper criminal procedures, coupled with the enticement of profit-making, prisoners are susceptible to illegal organ harvesting and trafficking globally.

The institutional shortcomings of China’s penal and political systems are underpinned by the traditional priority of collective order and wellbeing over individual rights. In contrast to China’s aggressive economic opening, political reform is more conservative, establishing legislation for rights protections in name only. This political conservatism can be encapsulated in China’s most recent political doctrine, “Harmonious Society,” which was initiated in 2005 for the purpose of balancing economic growth with social justice. With its alleged root in Confucianism, the idea of social harmony may be used as justification for curbing and generating tension with freedom of speech and other individual rights. This tension is also illustrated through the relationships that the Chinese central government has with Tibet and the Xingjiang Uyghur autonomous regions, as well. Issues such as the proper scope of autonomy, cultural preservation, religious freedom, economic opportunities, freedom of expression, among others, are most critical. Although international outcry for Tibetans and Uyghurs is oftentimes less pronounced than it is for other issues, these issues are, in some ways, more sensitive both internationally and politically than China’s domestic human rights abuses.

The international voices that help to uncover and disseminate information about China’s human rights issues should not be dismissed. As China gains greater economic and political visibility internationally, its engagements with some abusive regimes in Asia and Africa are under international scrutiny. Insofar as its internal economic momentum is to be fueled and the principle of sovereign integrity upheld, China’s engagements with abusive regimes such as Burma and Sudan are said to be justified by policies of non-interference and “no-strings-attached.” These approaches have aroused widespread criticism from the international community, out of both moral and political concern. As exemplified before and during the Beijing Olympics in 2008, such criticisms have generated pressure on the Chinese government as it pursues greater international status and visibility. This criticism will continue to haunt China, given its unparalleled tensions between political reform and economic pursuit.

The essays and annotated bibliographies in this digest are not all encompassing, nor are the factors identified all-inclusive. Moreover, given the vastness and regional variations inherent in China, the human rights issues under concern present only a snapshot of a much larger picture. Nevertheless, the digest offers a compelling overview of the interrelated and complicated human rights issues in China from both domestic and international dimensions. The essays reveal the significance of the societal, economic, and political dynamics that underlie China’s reform and economic opening, presenting the reader with an array of options for understanding human rights issues in China today.