

Institutionalizing Torture: The Case of Hospitals and Prisons in China

By LeighAnn McChesney

Introduction

The People's Republic of China (PRC) has a notorious reputation, especially within the international human rights community, concerning its state-implemented practices of torture. Although the government of China has been charged by many international organizations with having a gruesome human rights record, on anything from freedom of speech to freedom of religion, the accusations of state-sanctioned torture undoubtedly have caused some of the strongest reactions around the world. This article seeks to address the various manifestations of torture that take place inside two of the most prominent public institutions in China: the prisons and the mental hospitals. By utilizing these institutions as tools of torture, the government is able to stifle political and religious freedoms.

Defining Torture

To understand how the use of torture is constructed through the exploitation of public institutions, it is first necessary to define the term torture. According to the United Nations Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment (UNCAT), "torture means any act by which severe pain or suffering, whether physical or mental, is intentionally inflicted on a person for such purposes as obtaining from him or a third person information or a confession, punishing him for an act he or a third person has committed or is suspected of having committed, or intimidating or coercing him or a third person, or for any reason based on discrimination of any kind, when such pain or suffering is inflicted by or at the instigation of or with the consent or acquiescence of a public official or other person acting in an official capacity. It does not include pain or suffering arising only from, inherent in or incidental to lawful sanctions." This definition is applicable to China both because it is a member of the United Nations and because the Chinese government ratified the Convention against Torture in 1987.

Justifying Torture: The "Counterrevolution" and Crimes of "Social Dangerousness"

Despite the fact that the release of information to the world community is tightly controlled inside China, the testimony of Chinese torture survivors and reports from various journalists have revealed many instances of state-sanctioned torture. These sources, as well as reports from international organizations, have made it clear that China utilizes torture as a tool to oppress individual rights and to punish political oppositionists. Legal norms inside China that support this oppression are exemplified through crimes of "counterrevolution" or "social dangerousness." The internationally accepted definition of "dangerousness" refers to the degree to which a person poses a physical danger to either himself or others. In China, however, this term refers also to those who pose a threat to the social order of the country. The Chinese government utilizes torture as a means to secure the compliance of citizens who have dissenting ideological or political opinions. Medical explanations for how ideological differences can constitute illnesses are incredibly common in China. These citizens are often diagnosed with "paranoid psychosis," which suggests that their political mania or political delusions concern the policies of the State Party. Chinese citizens can be charged with this "disease" even if they engage in rigorous political research and especially if they

propose theories that differ from those of the Party. It is obvious to many members of the international community that many Chinese citizens are being psychiatrically misdiagnosed or arrested for behaviors that are not recognized as crimes under international standards.

Torture in China: The Cultural Debate

To understand why China utilizes widespread and systematic torture, it is important to examine the historical and cultural aspects of this practice. Especially essential is the concept of the individual in Chinese culture. After World War II, the United Nations adopted the Universal Declaration of Human Rights (UDHR), which focuses solely on protecting the rights of the individual and asserts that human beings are entitled to human rights simply because they are human. It is through the UDHR that the international community currently judges human rights abuse world-wide. This explains why the use of torture in China has been condemned by so many members of the international community. But from the Chinese perspective, it is the well-being of the group or the whole, not of the individual, that holds precedence, and this significant cultural difference is vital in realizing why achieving individual rights in China has been so difficult.

State Prisons

One of the most common means of utilizing a public establishment to carry out torture activities in China is through extracted confessions from persons held in custody inside the state prisons. As reported by numerous human rights organizations, torture inside prisons, often conducted with the goal of securing a confession, occurs in different forms, such as beatings, electric shock treatments, sleep deprivation, the denial of food supplies, cigarette burns, submersion in water or even sewage, and forcing bound prisoners to stay in one position for extended periods of time. Additionally, prisoners who confess (often untruthfully) face the possibility of being sentenced to serve time in one of the various labor camps run by the Chinese government. In many cases, those who confess are subjected to extreme sentences for small crimes, or even sentenced to death. Often, it is the police officers who are perpetrating these crimes due to pressure from higher authorities to gain a confession and close the case or even to advance their personal careers. While these occurrences are still pervasive, according to the United Nations, it is important to note that the Chinese government has officially made obtaining confessions through the use of torture illegal, and that the rates of torture do seem to be slowly declining.

State Mental Hospitals

One of the most internationally well-known cases of the use of psychiatric torture inside the People's Republic of China is the case of Wang Wanxing. Wang was immediately arrested in 1992 after displaying a banner in Tiananmen Square that called for greater human rights respect and democracy inside the PRC. Immediately after his arrest, Wang was transferred and held for seven years in an institution for the mentally and criminally insane because of his "diagnosis" as a "paranoid psychotic." Upon his release, Wang asked the government for permission to hold a press conference detailing his experience, but instead he was immediately recommitted and held until 2005, when pressure from the international community finally helped to secure his release. Wang's thirteen-year incarceration involved torture through the application of electric shock treatments and the consumption of psychoactive drugs. His experience is only one of the many stories that have escaped the veil of silence surrounding the People's Republic of China and its practice of arrests based on ideological dissension.

Among the most prominent targets of psychiatric torture are members of the spiritual movement, Falun Gong. Many of these political dissenters have reportedly been confined in specific forensic hospitals known as Ankang, operated by the Ministry of Public Security. International human rights groups and Falun Gong organizations abroad believe that hundreds of members of this group have been wrongfully detained in these “hospitals” and claim that some of them have even died as a result of their treatment. Because of their often unjust confinements, patients have become mentally unstable due to “prison psychosis.” Historically, a principal contributor to this has been the forced daily written confessions to crimes that patients often did not commit, but over time came to believe that they did. Interrogations and forced written confessions are forms of mental torture that are used in tandem with physical abuse, such as in the prominent case of Chen Lining, who was a Party member arrested for opposing the policies of the Mao regime. Chen described his detention in a psychiatric facility, saying that he was “subjected to numerous bouts of drug interrogations, given electric-convulsive therapy more than 40 times, insulin-coma shock therapy 29 times, and fed large quantities of chlorpromazine.”

The Consequences of Torture

One important consequence of securing the confessions of prisoners through the use of torture is the high rate of convicted persons inside the PRC. Many human rights organizations suggest that China executes more people annually than the rest of the entire world combined. It is reasonable to assume that many of these executions occur because political prisoners, after being tortured in state prisons or hospitals, admit to crimes that they did not truly commit. This high number of executions ironically seems to coincide with the extremely high number of former prisoners’ bodies frequently used for harvesting organs sold to desperate buyers worldwide. Unfortunately, the physical consequences of torture that affect Chinese citizens are only one effect of this policy. Psychiatric torture also creates the stigma of mental illness directed at the followers of political and spiritual dissent groups, discouraging their continued practices inside China. By stigmatizing political dissidents, the government not only tortures and punishes individual practitioners, but also socially marginalizes the dissenting communities more effectively than through general criminal imprisonment. People who observe their neighbors being branded as mentally ill and incarcerated in asylums are therefore deterred from practicing the beliefs of the oppositional group.

Conclusion

Today, China holds an unprecedented position in the international community as a global economic leader. Although it enjoys an increased amount of power on the world stage, by no means should this power ensure the PRC government the right to violate international norms and laws. In fact, the increased amount of international interaction should inspire and pressure the Chinese government to improve their human rights policies. If any more progress is to be made, there must be decisive action on the part of the Chinese government to strictly outlaw any form of torture inside state institutions and to earnestly endeavor to guarantee the human rights of the Chinese citizenry.

Annotated Bibliography

Amnesty International. 2001. "A Growing Scourge in China: Time for Action." London, UK.

Annotation: This official report by Amnesty International explains which actors inside the state of China are most often using torture and for what purpose. The author uses many specific examples of cases that have been reported to Amnesty International and analyzes how torture continues to be tolerated under Chinese law. The report is incredibly detailed regarding all of the motivations for the use of torture and encompasses a wide range of social as well as governmental institutions that suppress Chinese citizens with the fear of reprisal.

Appelbaum, Paul S. 2001. "Abuses of Law and Psychiatry in China." *Psychiatric Services* 51 (10): 1297-1298.

Annotation: Paul Appelbaum addresses the role that psychiatric hospitals play as a tool of the Chinese government to control political and religious dissenters. Central to his argument is his view that Chinese patients who are incarcerated in Ankang prisons are often held there for reasons that are not considered criminal in most other countries. Another primary concern the author addresses in this article is the psychiatric confinement of members of Falun Gong, a spiritual minority group. In this well-written and succinct journal submission, Dr. Appelbaum addresses the charges of "political mania" and "counterrevolutionary activities," for which many people have been detained and imprisoned. This article is very helpful not only in understanding how psychiatric hospitals are playing a role in the state-sponsored abuse of Chinese citizens, but also in looking to the future and discerning how China's advancing economic and political position in the international community could potentially support a positive change in the current repressiveness of the state-party regime.

Birley, Jim. 2002. "Political Abuse of Psychiatry in the Soviet Union and China: A Rough Guide for Bystanders." *Journal of the American Academy of Psychiatry Law* 30: 145-147.

Annotation: The medical profession of Chinese psychiatry inside the People's Republic of China remains a "low-status speciality in Chinese medicine," and Jim Birley explains how the management role the police play in directing psychiatric hospitals produces grave concerns of abuse in the international community. Birley acknowledges that many schools of medicine in different countries treat ailments in varying ways, yet elaborates that psychiatry in China is not a case of varying practice, but of state abuse. He explains that, "In China, the medical profession remains under the control of the state, and the long history of political influence on its psychiatrists" greatly affects how it is viewed inside the People's Republic. In this article, Birley argues that, because the government perceives many challengers to the ruling party, especially practitioners of the spiritual movement Falun Gong, it has utilized mental hospitals as institutions in which torture can be used on dissenters. This practice not only serves to punish the convicted offenders personally, but also creates a social stigma of mental instability regarding Falun Gong. In conclusion, Birley lists suggestions for

improvement, such as having an international psychiatric team access Chinese records to determine what level of abuses are occurring and report back to the United Nations. Although Birley's suggestions are indeed noble, they seem to be idealistic, due especially to the tightly-controlled amount of information that the Party lets out of the country.

Brook, Timothy, Jerome Bourgon, and Gregory Blue. 2008. *Death by a Thousand Cuts*. Cambridge: Harvard University Press.

Annotation: In this book, the authors address the history of the use of torture in China. Specifically, they discuss the form of torture known as lingchi, which involves cutting the flesh of the victim. This book highlights the importance of the cultural and historical context of torture in China. The authors address topics such as punishment in Imperial China, the view of Chinese torture in the Western world, as well as the lingering effects that lingchi has had on Chinese culture. Overall, although this book helps to illuminate the use of torture in Chinese history, it does not focus on how history directly influences the use of torture today inside the prisons and mental hospitals in the PRC.

Cohen, Irwin M., and Raymond R. Corrado. 2005. "State Torture in the Contemporary World." *International Journal of Comparative Sociology* 46 (1-2): 103-131.

Annotation: The authors of this article define state torture as "...the infliction of physical or mental pain, or both, as a political act implemented with the consent or tolerance of the state as a part of national policy to respond to real or perceived internal threats." Through the use of this definition, Cohen and Corrado examine what political and economic conditions must exist to induce a state to use torture as a means of control over its own citizens. Their central argument is that countries with an agrarian-based economy could be likely to reduce their implementation of state torture if their monetary wealth is threatened by the "loss of foreign market access."

Cohen, Roberta. 1987. "People's Republic of China: The Human Rights Exception." *Human Rights Quarterly* 9 (4): 447-549.

Annotation: Roberta Cohen is an internationally recognized human rights specialist, specifically as an advisor to the UN Secretary-General regarding internally displaced persons. Although this article on China is not as current as others that are cited in this bibliography, her in-depth work helps the reader to understand the basic reasons why China acts as it does and, more relevantly, why it is not held more accountable in the international arena. The role of non-governmental organizations, as well as the governmental structures that influence human rights abuse, are two of the most telling topics the author covers.

Committee on International Relations. 2004. "China: Human Rights Violations and Coercion in One-Child Policy Enforcement." Hearing Before the Committee on International Relations, House of Representatives. One Hundred Eighth Congress, Second Session, December 14. Washington: US Government Printing Office.

Annotation: This document consists of expert witness testimony, as well as written documents, which were presented to the House of Representatives regarding torture and human rights abuse against Chinese citizens who failed to comply with the government-enacted one-child policy. This report is very helpful to the reader in that it cites specific examples of abuse and refers to numerous experts on the subject who presented at the congressional meeting. One of the most pertinent pieces of testimony refers to the experiences of Chinese women who have gained asylum in the United States and have described the abuses they endured under the stringent policies of the government in Beijing.

Diflo, Thomas. 2004. "Use of Organs from Executed Chinese Prisoners." *Lancet* 364: 30-31.

Annotation: This article addresses the enormous number of prisoners who are executed every year in China, often for minor crimes such as stealing a car or discharging a firearm, and how their organs are sold postmortem. The author of this article presents the topic from a medical standpoint and offers an example of the cooperation between the human rights community and the medical community in applying pressure on China to stop these occurrences. The article makes reference to many reports suggesting that prisoners do not always undergo a complete death (that is, the death of the brain) when their organs are harvested. Obviously these charges are of serious infractions of human rights abuse. The medical expertise this author offers helps the reader to better understand exactly how heinous these alleged crimes really are.

Drukier, Cindy. 2007. "International Society for Human Rights Report on China." Vienna: Organization for Security and Cooperation in Europe.

Annotation: This report was presented to the Organization for Security and Cooperation in Europe during a plenary session on "The Rule of Law." It calls on member countries to condemn China for its use of torture and human rights abuse, especially regarding the organ harvesting of political prisoners. The scathing report describes how torture is used to extract confessions for crimes and how many prisoners never get a chance to appeal their cases in the judicial system—they are simply executed.

Duranti, Marco. 1988. "Stains of Red." *Harvard International Review* 21 (1): 44.

Annotation: The historical influence of socialism on human rights is represented in this comparison of human rights abuses in Russia and China during the late 1980s. While this description is obviously not a timely representation of the current problems facing human rights activists in China, it nevertheless portrays the difficulties of procuring such rights in a

communist state. An interesting facet of this article is the presentation of the importance of the international community in condemning China for its human rights abuses. In contrast to many recent articles, which worry that many international organizations have had limited success, this article argues that China made great strides in the past under the eye of these international watchdogs. This contradiction poses many questions as to why reform in China seems to have reached a ceiling, or at least to be moving very slowly, with more international human rights organizations applying external pressure than ever before.

Edwards, R. Randle, Louis Henkin, and Andrew J. Nathan. 1986. Human Rights in Contemporary China. New York: Columbia University Press.

Annotation: These authors define exactly what is meant by the term “human rights” in the international community, specifically by citing the importance and international recognition of the Universal Declaration of Human Rights. In their explanation of human rights in China, the authors stress the importance of recognizing that the traditional Western emphasis on the rights of the individual is not common in Chinese culture and politics. One of the most important discrepancies in the Chinese constitution with regard to human rights is the lack of legal protection for citizens, especially in reference to permitted methods of interrogation. This book is a very helpful tool for those readers who may not be well versed in Chinese political and legal culture, and it is very thorough in its explanation of human rights under the Chinese regime.

Hausman, Ken. 2004. “WPA, Chinese Psychiatrists Agree on Psychiatry Abuse Charges.” *Psychiatric News* 39 (15): 2.

Annotation: While most articles regarding human rights abuse in China lack statistically significant data due to the political policies of the country, this article is a great source because it contains information from a report by The Chinese Society of Psychiatrists (CSP). The investigation conducted by the CSP identified “instances in which some Chinese psychiatrists failed to distinguish between spiritual-cultural beliefs and delusions, as a result of which persons were misdiagnosed and mistreated.” The official statement attributed these acts to “lack of training and professional skills of some psychiatrists rather than to the systematic abuse of psychiatry.” Especially unique and encouraging is the agreement by the CSP to take steps to educate its members about problems that can lead to misdiagnosis and its welcoming of the World Psychiatric Association (WPA) to assist in improving the psychiatric diagnoses and treatments throughout the People’s Republic of China. While the author does attempt to spotlight China’s attempt to interact with the world psychiatric community, he also highlights the fact that the WPA and other groups have heard reports that, “Falun Gong adherents were, without hearings or trials, being confined in psychiatric hospitals—usually forensic hospitals—and prison labor camps as a result of refusing to renounce their beliefs.”

Hom, Sharon, and Stacy Mosher (eds.). 2007. Challenging China: Struggle and Hope in an Era of Change. New York: The New Press.

Annotation: This collection of works, which was published in conjunction with Human Rights in China, addresses many issues that have historically affected (and continue to affect) the People's Republic of China. Specifically, "Resurrection Exposes Confession under Torture," by Leng Wanbao, and "The Falun Gong Phenomenon," by Hu Ping, address issues of the use of state-sanctioned torture and prosecution based on political and religious ideals. Both chapters tell the story of a particular case in which Chinese citizens were abused by state officials and in state institutions. These firsthand accounts are helpful in understanding how the use of torture by Chinese officials affects the citizenry.

Human Rights in China. 2001. "Empty Promises: Human Rights Protections and China's Criminal Procedure Law in Practice." Available online: <http://www.hrichina.org/public/PDFs/Reports/HRIC-Empty-Promises.pdf>

Annotation: With this article, Human Rights in China (HRIC) continues its research regarding the legal procedure that was previously examined in 1997 in a report about the criminal code in China. The authors of this report argue that, in the four years since its implementation, the revised Criminal Procedure Law (CPL) is simply regarded as a physical document and is rarely implemented in practice. In reality, HRIC reports that lawyers have limited access to case information, criminals can be held in detention for extremely long periods of time without being officially charged, and judicial and legal independence are severely compromised by the overarching control of the state party. One of the most troubling factors of this report is the discovery of a huge proportion of cases that describe the use of torture on prisoners, even though it has been officially outlawed in the revised CPL.

Human Rights in China. 2000. "Impunity for Torturers Continues Despite Changes in the Law: Report on Implementation of the Convention Against Torture in The People's Republic of China." Available online: <http://hrichina.org/public/PDFs/Reports/HRIC-Torture.pdf>

Annotation: The authors of this report have attempted to examine the success of the Chinese government in implementing the ideals of the Convention Against Torture. In their exploration of this topic, they have come to the conclusion that the China's achievement of the standards set in the Convention is entirely inadequate. The conclusion of this report is substantiated through the examination of laws, political policies, and the reports of abuse that have managed to escape the stringent media laws inside the country. One exceptional note regarding this report is that the authors propose questions which could be presented to legislators in China regarding violations of human rights and offer suggestions on how to improve the situation, especially regarding the torture of prisoners.

Human Rights Watch. 1997. "Whose Security? 'State Security' in China's New Criminal Code." New York: Human Rights Watch/Asia.

Annotation: The authors of this report stress the importance of examining the criminal code (adopted by the Chinese government in the late 1990s) to understand the role of human rights and law in China. Although this report may not be completely relevant to the current Chinese laws regarding human rights, it is a useful tool for those who seek to understand how the role of human rights has changed over time. One of the updates in the criminal code that the authors address in this report is the change from the use of the term "counterrevolution" to the term "endangering state security." Through the description of numerous cases regarding the political imprisonment of Chinese citizens, this report demonstrates how the criminal code in China not only fails to protect its citizens, but indeed facilitates the use of torture and abuse as a state tool.

Kausikan, Bilahari. 1993. "Asia's Different Standard." *Foreign Policy* 92: 24-41.

Annotation: Bilahari Kausikan states that China, although it undeniably has much progress yet to make, has made great strides for human rights protection since the Cultural Revolution. The author argues that the progress China has made is indeed more than just a nod to Western pressures for reform and that, in reality, China comes from a very different historical standard for human rights and has made great progress for its region. Regarding torture and human rights, this article is helpful in that it represents a view of China that is rarely taken by other scholars and can, if not excuse, at least help to explain how the historical culture of China influences the state-sanctioned use of violence.

Kolodner, Eric. 1994. "Religious Rights in China: A Comparison of International Human Rights Law and Chinese Domestic Legislation." *Human Rights Quarterly* 16 (3): 455-490.

Annotation: Through his study of religion and human rights in China, Eric Kolodner argues that, because religious freedom and the prohibition of discrimination are not a part of Chinese law or culture, the Chinese are not really violating international customary law. This article is interesting because it argues for the importance of comparing international law with domestic law to determine which laws may apply to specific countries. It is a helpful article in presenting an opposing view to the widespread opinion that China violates human rights. However, it seems important to note that this argument could most likely not be upheld in an international court, as has been established in previous cases such as the genocide in Rwanda or the crimes charged against individuals at the International Criminal Tribunal for the Former Yugoslavia.

Lenning, Emily. 2007. "Execution for Body Parts: A Case of State Crime." *Contemporary Justice Review* 10 (2): 173-191.

Annotation: Emily Lenning uses sources such as the text of Chinese laws and the reports of non-governmental organizations to discuss how organ harvesting has become a widespread abuse in China. She takes a unique view of the situation and argues that it is hard to call harvesting a crime in China because of sovereignty and several domestic pieces of legislation which sanction this activity. Still, proponents of international law may argue that it is indeed a crime, as China has ratified the UN Convention against Torture. Currently, Chinese law says that the family of the deceased must approve the organ removal and that only unclaimed criminal bodies may be used for organ harvesting. One interesting point which Lenning addresses is how strange it is that so many families would approve of this practice, as both Buddhism and Confucianism say that bodies should be kept whole after death. This would suggest that, in reality, organ harvesting should be taboo in China. In this article, the author explains how judges are often hand-selected and how the political atmosphere in China determines the legal system. In this type of system, policies centered on retribution and the widespread use of torture to extract confessions thrive, with a huge conviction rate and a broad definition of what constitutes a capital crime.

Ling, L. H. M. 1994. "Rationalizations for State Violence in Chinese Politics: The Hegemony of Parental Governance." *Journal of Peace Research* 31 (4): 393-405.

Annotation: In this article, the author argues that there is a unique and underlying reason that the state government in China reverts to the use of violence against dissenters. The argument is based on the deeply-rooted influence of parental-child relations in Confucian discourse and Chinese society. Based on this concept, Chinese state officials feel justified in using whatever means necessary to secure authority over the masses, including the use of physical violence. The empirical support for this claim is based on four protest movements in China's history, beginning in 1898. Overall, the article is helpful in understanding the cultural impacts that are relevant to the use of torture by the state, but could prove to be a difficult read for those not well-versed in the subject matter.

Lu, Sunny Y., and Vivianna B. Galli. 2002. "Psychiatric Abuse of the Falun Gong Practitioners in China." *The Journal of the American Academy of Psychiatry and the Law* 30 (1): 126-130.

Annotation: The authors of this article explain how the Chinese government has tortured followers of the spiritual practice of Falun Gong. While the article does touch on all forms of torture believed to be used against members of Falun Gong, the most specific is the act of committing these people to psychiatric hospitals with no medically substantial charges. Lu and Galli clarify that this policy not only inspires fear within the populations of those practicing the spiritual movement, but sends an idea that there must be something mentally wrong with all those who do follow it, creating a national stigma. In this article, specific cases of people who have undergone torture in these facilities are cited. Through this article, the authors have succeeded in informing the reader about a very specific and less well-known topic of psychiatric torture and abuse in the People's Republic of China.

Munro, Robin. 2000. "Judicial Psychiatry in China and its Political Abuses." *Columbia Journal of Asian Law* 14 (1): 1-101.

Annotation: Robin Munro's article on the use of torture in psychiatric institutions is an incredibly well-written and informative piece. The author addresses the ramifications that await political and ideological dissidents and discusses how torture is utilized as a tool by the state party. In this article, Munro not only uses specific political case studies to support his claims about Chinese psychiatric abuse, but he also details the abuse of the spiritual dissenters of Falun Gong. To support his claims, the author describes the detailed history that involves the misuse of psychiatry as well as the legal frameworks that govern the scientific practice. This article is an exceptional source for the study of psychiatric abuse in China and has a plethora of useful information.

Neier, Aryeh. 1997. "The New Double Standard." *Foreign Policy* 105: 95-101.

Annotation: The author of this article attempts to bring to light a new double standard that is taking place in the international arena of human rights. While Western countries in particular strongly condemn human rights, these condemnations are limited only to those states that are not significant stakeholders in the international arena, specifically in the economic arena. China is a perfect example of this phenomenon: Neier cites the willingness of the United States in particular to trade and foster fruitful relations with a country that continues to violate human rights standards that should be upheld universally. The author argues that the role of international organizations must become more important in educating the world about human rights abuse, especially when dominant countries are willing to turn a blind eye to their own standards when it is in their best interest to do so. This article is especially helpful in understanding how international organizations are limited in their ability to apply pressure to states that violate international norms.

Santoro, Michael A. 2000. *Profits and Principles: Global Capitalism and Human Rights in China*. Ithaca: Cornell University Press.

Annotation: This book addresses how the forces of global capitalism can sometimes lead to human rights abuses. Specifically, Santoro cites the occurrence of "forced labor, physical mistreatment, violations of minimum wage and overtime laws, as well as unconscionable health risks" that have occurred in the southern and coastal regions of China. The concept of corporate responsibility in China highlights the complexity of abuse in multinational companies. One of the most central concepts addressed by the author is the universality of human rights. Human rights as an international principle, Santoro argues, has often proved to be at odds with different cultures and with state sovereignty, as exemplified by the Chinese case.

Svensson, Marina. 2002. Debating Human Rights in China: A Conceptual and Political History. Lanham: Rowman & Littlefield Publishers, Inc.

Annotation: The last chapter in Marina Svensson's book helps the reader to understand overall how the concept of human rights abuse in China has been a subject of contention for decades. Of specific note in this chapter are the abuses of the rights of the people of Taiwan, and the author outlines a possible goal for future interaction between the two governments. On a more positive note than most literature on the topic of torture and human rights abuse in China, Svensson claims that, although China has a long way to go regarding their human rights record, it is important to remember that it is a developing country and has indeed attempted to make some strides to improve the situation.

United Nations. 2008. "Consideration of Reports Submitted by States Parties under Article 19 of the Convention: Concluding Observations of the Committee Against Torture—China." Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment. Geneva. Available online: <http://www.unhcr.org/refworld/pdfid/496c854b2.pdf>.

Annotation: This United Nations (UN) report is separated into two distinct sections: one applauding the state of China for reforms it has made since the last United Nations Committee against Torture; and the other presenting concerns and suggestions the Committee has regarding torture in China. Some reforms that are applauded in the report include legal measures that will help to guarantee the rights of prisoners as well as amendments to take measures to combat domestic abuse. Although the reforms that China has explained to the international community are a step in the right direction, the UN report notes that it still has grave concerns regarding the widespread use of torture, especially in cases regarding detainees and the criminal justice system. It is important to note that this document lacks adequate statistical data due to the closed nature of the Chinese government and its refusal to allow international envoys to personally evaluate the human rights situation.

United Nations. 1985. *The United Nations Convention Against Torture and other Cruel, Inhuman, or Degrading Treatment or Punishment*. Geneva.

Annotation: This convention is a critical source in the exploration of the use of torture and abuse of human rights in China. Specifically, the Convention addresses in great detail what is meant by the term torture. This is a relevant and helpful source not only because it explains an international norm regarding the interpretation of what it means to engage in acts of torture, but also because China has ratified the Convention and should be held to its standards in its state policies.

Tibetan Center for Human Rights and Democracy. 2004. "Unjust Sentence: A Special Report on Tulku Tenzin Delek." Available online: http://www.tchrd.org/publications/topical_reports/unjust_sentence-trulku_tenzin_delek-2004/trulku.pdf.

Annotation: This report makes an example of how the war on terrorism, which the international community has embraced, has given the People's Republic of China an excuse to further violate human rights in Tibet and other regions with minority groups by labeling those groups as terrorist organizations. This report follows the experience of one Tibetan social activist and lama and shows how he was charged with crimes and given no outlet to defend himself. This report gives the reader a personalized and specific example of how the legal system in China abuses its power and how those who are convicted are rarely represented and often sentenced immediately.

Welsh, James. 2001. "Torture Widespread in China." *Lancet* 357 (9257): 713.

Annotation: This source is a short response to the report issued by Amnesty International regarding the widespread and systematic use of torture in China. Although this work by Welsh is not lengthy, it is helpful as a summary of how state institutions are utilized for torture in the People's Republic of China. It is relevant because Welsh explains the use of torture, not only in prisons, but in mental hospitals as well. This provides a very helpful overview of the issue of torture in China without becoming bogged down with too many specific details. The author also uses examples of specific cases of Chinese citizens who have become well-known internationally and have provided valuable first-hand experience with state actions. These cases support the many allegations of human rights abuse and are helpful tools to understand what torture inside China specifically means.