

# China's victimisation of Gao Zhisheng violates timeless Lunar New Year rites as well as its own laws, writes Beth Schwanke

## Ritual abuse

This week, as the Year of the Tiger dawns across China, hundreds of millions of people will have travelled thousands of kilometres to see their families, traversing the country – and the world – to spend the most important holiday of the year with their loved ones. It is as ancient a ritual as China itself. The young Chinese student in Melbourne will have made his most expensive purchase of the year, a ticket back to Shanghai. The migrant worker in Guangdong will have slept in line to book the last seat of the last train back to her village in Sichuan (四川). Even Premier Wen Jiabao (温家宝) will have excused himself from official business to share lavish meals and give red packets to his grandchildren.

But somewhere in China – and only the government knows where – Gao Zhisheng (高智晟) is languishing alone, halfway across the world from his wife and two children. Gao has been missing for more than a year now. On February 4 last year, a gang of Chinese security agents seized Gao from

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his ancestral home in Shaanxi province (陕西) without producing a warrant or charging him with any crime. One year later, in clear violation of China's Criminal Procedure Law, authorities still have not notified Gao's family of his location, or given the reasons behind his detention. There is a word for this type of insidious state action: Gao has been "disappeared".

Last week, the Chinese Embassy in Washington insisted that Gao is working in Urumqi (乌鲁木齐). They also said that his wife, Geng He (耿和), had been in contact with Gao. Yet, Geng has not heard from Gao since she fled China and he was "disappeared". If Gao is in Urumqi, the authorities should provide verification of his well-being. And, in accordance with Chinese law, they should either charge him with a crime or release him.

Those who know of Gao don't need to be told why he was "disappeared". The reasons, though unspoken and unlawful, are obvious. A self-taught lawyer who rose

to prominence in the 1990s by representing poor claimants from China's restive rural areas, Gao has been a watched man ever since he began taking on religious freedom cases almost a decade ago. He has risked his career and his life defending persecuted religious minorities and their right to "enjoy freedom of religious belief", enshrined in article 36 of the constitution.

When Chinese courts refused in 2005 to even accept these politically charged cases, Gao wrote open letters to both the National People's Congress and the leadership in Beijing, including President Hu Jintao (胡锦涛), publicly calling for an end to the torture of religious minorities, such as underground Christians. Chinese authorities responded by revoking Gao's licence to practise, shutting down his law firm, and placing his family – including his then 12-year-old daughter – under surveillance.

By the end of 2006, Gao himself became a victim of torture. He endured 54 days in prison for "inciting subversion" and, after a forced confession set him free, Gao revealed that he had been continuously electrocuted and beaten while in custody. But he was not free for long. In September 2007, Gao was once again apprehended after he detailed China's human rights violations in letters to the US Congress and the international community. This time, the duration was shorter but the punishment more severe: Gao's face and eyes were burned with lit cigarettes and his genitals pierced by electric shocks and toothpicks. Gao returned home a broken man.

Fearful of their family's safety, Geng and the couple's two young children made a perilous overland escape to Thailand, and were eventually given refuge in the United States. It was around this same time, early last year, that Gao was spirited away from his ancestral home in Shaanxi.



And so this week, as Chinese all over China and around the world celebrate the promise of a new year with their families, Geng and her children instead mark the year that has passed without their husband and father.

By continuing to hold Gao incommunicado, China is renegeing on its own commitment to improving the rule of law. It is violating its own Criminal Procedure Law, to say nothing of international human rights norms to punish a man for defending freedoms protected by its own constitution. And even as Chinese authorities dismiss foreign human rights concerns as the naive misunderstandings of a culture 5,000 years old, they nonchalantly deny one of their

own citizens the most timeless of Chinese cultural rites.

In late January, after nearly a year of silence, Chinese officials acknowledged for the first time that they knew where Gao was. Responding to a reporter's question about Gao's whereabouts, the spokesman for the Ministry of Foreign Affairs simply stated that Gao "is where he should be". The spokesman was wrong. Like most every other person in China, there is only one place Gao should be right now: with his family. But he is not.

**Beth Schwanke is legislative counsel of Freedom Now, which represents Gao Zhisheng as his international pro bono counsel**

### Voices: Hong Kong

## Mother-tongue instruction as educational apartheid

**Richard Sheung**

The fine-tuning of the teaching-language policy provides new flexibility for schools to choose the language of instruction that matches the ability and aspiration of their students. It will predictably result in a proliferation of English classes in the Chinese-medium schools. Critics see this as auguring the end of mother-tongue education. But mandatory mother-tongue education, because it targets the weaker students and denies them equal access to English, was doomed from the start.

The benefits of mother-tongue education are hard to deny. Yet it is mind-boggling that it is only prescribed for schools whose teachers are not the best qualified in English and whose students are not the most privileged in Hong Kong.

If mother-tongue education can spare students who are less capable in English the pain of learning through a foreign language, how much better it must be as a tool of learning for the more capable students. Students who are able to benefit from instruction in English must benefit even more from being taught in their mother tongue.

The obvious question is, curiously, not asked: why were the traditional elite schools not invited to pilot the scheme to switch to mother-tongue education in the first place? These schools should be in the best position to demonstrate that mother-tongue education need not mean sacrificing already achieved English standards: they already have the better English teachers and students with the best support from families.

If mother-tongue education had

proved a big success at our elite schools, the resistance of parents and students would have faded, clearing the way for its wider implementation.

Instead, the decision of who should be taught in their mother tongue is based on the predicted ability of students to benefit from English instruction, which is in turn based on the English proficiency of their teachers. This is not only manifestly unfair, but wrong. Motivated students achieve largely through their own

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efforts. If English is what they need to be successful, they should be given more exposure to better English rather than told that the middling English at their schools is not worth learning.

No one will seriously believe that English is more efficient than the mother tongue as the language of instruction. The champions of mother-tongue education are quite right that the problems local teachers have teaching in English are by no means only restricted to the lesser schools.

The fact that English is still the preferred language of instruction for parents and students is due not so much to masochism as to its global dominance in higher education and international business. Whether anyone will benefit from English, and at what cost, is therefore a matter better

left to individual choice than decided by government decree, if only to ensure a fair chance for all.

The exemption of elite schools from the mother-tongue scheme may, understandably, be so as not to jeopardise their hard-won English standards. But what chance do the less-advantaged schools, now teaching in the mother tongue, have in maintaining, let alone improving, theirs? The English commonly available in Hong Kong is rather like Western food served at a *cha chaan teng* (Hong Kong tea café). Haute cuisine it is not, but to the common folk that is their first Western dining experience, and one they can afford.

It is easy to dismiss the "pretensions" of the "so-called" English schools, especially those in the lower tiers. But these schools are the great majority and have educated generations of Hongkongers unable to afford anything better.

Mother-tongue education has been implemented as a relief measure for less-advantaged students predetermined to be unfit for English. There is no faith in its benefit for all students. We risk losing the huge supply of bilingual talent we need as an international city.

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### Voices: Thailand

## Rumblings in the army hint at further unrest

**Pavin Chachavalpongpun**

The political turmoil in Thailand shows no sign of abating. On February 26, the Supreme Court is scheduled to deliver its verdict on whether to seize the frozen assets – worth 76 billion baht (HK\$17.75 billion) – of former prime minister Thaksin Shinawatra and his family. Some analysts predict that his fortune will be confiscated, as the court appears to have been pressured to do so by Thaksin's rivals, especially those in the current government of Abhisit Vejjajiva.

The verdict will surely further polarise Thailand's politics. Throughout the past few years, Thais have witnessed the emergence of "the state within a state"; factions in the army and police, for example, have refused to respond to the civilian leadership of the incumbent regime. Instead, they have chosen to work with the opposition, namely Peua Thai and the Thaksin-backed "red shirts" of the National United Front of Democracy against Dictatorship (UDD), and in some cases even supported street protests to weaken the government.

But since the new year, Thailand appears to have entered another phase of even more troublesome politics. There is some evidence to suggest there has been an attempt by the red shirts to create "an army within an army", reaffirming the fragmentation of the military. Such polarisation could be catastrophic for Thai politics. There are rumours of a coup.

General Panlop Pimmanee, former deputy director of the Internal Security Operations Command and a Peua Thai member, recently stated that he wished to transform the red-shirt

movement into a "people's army", with former prime minister and Thaksin ally General Chavalit Yongchaiyudh as commander.

Panlop initially claimed Chavalit agreed with his proposal. On February 3, Panlop travelled to Dubai to meet Thaksin. On his return, he told Thai media that Thaksin had instructed him to set up a people's army to confront the government. But Thaksin has failed to explain in greater detail what he has in mind. Since then, Chavalit has said he has no intention of dividing the army. Core leaders of the UDD have also refused Panlop's idea.

A similar plan has also emerged. On February 5, Major General Khattiyi Sawasdiapol said about 200 former military rangers had volunteered to protect the UDD demonstrations. Khattiyi claimed to have recruited about 5,000 people to join the protection force, to fight against injustice in Thai society.

The two ideas might well be just a fantasy, but they illustrate that the military is no longer a unified force designed to support the regime of the day. The loyalty of Panlop and Khattiyi to Thaksin is seen as a slap in the face for the army, which overthrew Thaksin in a coup in 2006.

The plans could have been to scare the Abhisit government into holding peace talks with Thaksin ahead of the verdict on the seizure of his assets. But threatening the use of force against the government could spiral out of control. An armed struggle is the last thing Thailand needs right now.

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**Alex Lo**

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## One man's meat ...

I often wake up with a bad back from sleeping in prolonged contorted positions to make space for my dogs and cats on my bed. My wife and I keep three dogs and five cats. We religiously keep the ashes of pets that have departed to the Rainbow Bridge. Let's just say we love cats and dogs as much as any person we know. And if you offer us cat and dog meat to eat, we would be revolted.

But, however hard I tried, I could not find myself condemning their consumption as food, in China and elsewhere. A new draft animal rights legislation has been prepared on the mainland that would outlaw their consumption. It would also criminalise the torture and indiscriminate killing of animals, the feeding of zoo animals with live poultry, and circus acts such as forcing animals to jump through rings of fire. For example, the often cruel culling of dogs in periodic government-sponsored campaigns to eradicate rabies would be outlawed.

The draft has attracted nationwide attention, but it should be observed that it has very little chance of being enacted. It has, nevertheless, served as a good starting point for debate. The mainland desperately needs effective animal welfare and protection laws, and I agree with all the other provisions in the draft, except one. Until we outlaw the eating of meat in general, I fail to see why we should single out cat and dog meat. And before readers shout that I should worry more about human rights than animal rights, yes, I agree that China's records are appalling and need to improve – but that's a topic for another day. Still, I don't keep humans as pets and feel much less attached to most of them.

In China and Korea, dog meat is considered a delicacy. The South Korean government briefly pulled dogs off the menu for the 1988 Seoul Olympics; likewise the Beijing Olympics in 2008. That was to placate the sentiments of foreigners. But why should we eat beef, pork and lamb, and not cat and dog meat, just because these are the cultural or culinary preferences of Western countries?

In fact, the case against livestock – or home meat consumption – in terms of the threat this global food industry poses to the environment is overwhelming. All the key statistics – and they are shocking – can be found in a 2007 report titled "Livestock's long shadow", produced by the UN Food and Agriculture Organisation. The raising of cats and dogs for their meat is not remotely comparable in its destructiveness.

Wrap your head around this fact: it takes about 16 parts of grain to produce one part of meat. This means that the amount of food used to feed cattle is roughly enough to feed the whole world. As observed by Tristram Stuart, author of the by-now classic *Waste: Uncovering the Global Food Scandal*, the fact that "beef cattle are raised on maize and soya turns the entire rationale of the domestication of animals on its head".

Global livestock produces more greenhouse gases than transport, much of which these gases come from the manure of cattle and sheep. The ammonia contributes to acid rain. Thirty-three per cent of the world's arable land is used to produce feed for livestock; forests are being destroyed and turned into grazing land. Land degradation is caused by overgrazing, resulting in compaction and soil erosion. Desertification is often the result. The livestock industry also uses up valuable water resources, as well as causing water pollution and eutrophication – the overenrichment of water sources causing the excessive growth of plants and algae. The report argues that livestock is more polluting than all the world's sewage systems put together and is contributing to the disappearance of biodiversity.

So, isn't it far more offensive to eat beef and lamb than cat and dog meat? Yet many, if not most, Westerners and Western-educated Asians find the former normal but the latter offensive and disgusting. Isn't this solely based on cultural prejudice and scientific ignorance? Actually, I believe the only consistently logical and moral position to take is to stop eating meat altogether. There is an overwhelming case for vegetarianism. Alas, I still eat meat. The spirit is willing, but the flesh, so to speak, is weak.

**Alex Lo is a senior writer at the Post**

### Voices: Climate change

## Time for real science to set the record straight

**Thomas Friedman**

Of the festivals of nonsense that periodically overtake US politics, surely the silliest is the argument that, because Washington is having a particularly snowy winter, it proves that climate change is a hoax and, therefore, we need not bother with all this stuff like renewable energy, solar panels and carbon taxes. Just drill, baby, drill.

The climate-science community is not blameless. It knew it was up against formidable forces – from the oil and coal companies that finance the studies sceptical of climate change, to conservatives who hate anything that will lead to more government regulations. So, climate experts can't leave themselves vulnerable by citing non-peer-reviewed research or not responding to legitimate questions.

Although a mountain of research from multiple institutions supports the reality of climate change, the public has grown uneasy. What's real? In my view, the climate-science community should convene its top experts and produce a simple 50-page report. They could call it "What We Know", summarising everything in language that a sixth grader could understand, with unimpeachable peer-reviewed footnotes.

At the same time, they should add a summary of all the errors and wild exaggerations made by the climate sceptics – and where they get their funding.

Here are the points I'd like to stress. First, avoid the term "global warming". I'd say "global weirding", because that is what really happens as global temperatures rise and the climate changes. The weather gets weird. The hots are expected to get hotter, the wets wetter, the dries

drier and the most violent storms more numerous.

Second, historically, we know that the climate has warmed and cooled slowly. What the current debate is about is whether humans are rapidly exacerbating nature's natural warming cycles in ways that lead to dangerous disruptions.

Third, those who favour taking action are saying: "Because the warming humans are doing is irreversible and potentially catastrophic, let's buy insurance by investing in renewable energy, energy efficiency and mass transit." This insurance will also make us richer and more secure – the US will import less oil, invent and export more clean-tech products, spend fewer dollars buying oil and, most importantly, diminish the dollars that are sustaining petro-dictators who indirectly fund terrorists and the schools that nurture them.

Fourth, even if climate change proves less catastrophic than some fear, in a world that is forecast to grow from 6.7 billion to 9.2 billion people by 2050, demand for renewable energy and clean water will soar. Obviously it will be the next great global industry.

China, of course, understands that, which is why it is investing heavily in clean-tech, efficiency and high-speed rail. I suspect China is quietly laughing at the US right now. And Iran, Russia, Venezuela and the Opec gang are high-fiving each other. Nothing better serves their interests than to see Americans confused about climate change and, so, less inclined to move towards clean-tech – and more certain to remain addicted to oil.

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