Human Rights in China Fall 2009

Introduction By Hsiu-lun Teng Ph.D. Candidate Josef Korbel School of International Studies, University of Denver

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.

Included in this Digest:

Trafficking of Women and the Harmonious Society: The Chinese National Plan of Action on Combating Trafficking in Women and Children within the Context of Chinese Patriarchy and Reform

By Sean Michael Barbezat

Tibet under Chinese Rule

By Dina Buck

Uyghurs under the Chinese State: Religious Policy and Practice in China

By Katie Corradini

Chinese Women and Economic Human Rights

By Lisa Fry

The One-Child Policy, Gay Rights, and Social Reorganization in China

By Kody Gerkin

Education For All Children

By Sharon Harrall

Economic Incentives Preempt Independence Movements:

A Case Study of the Xinjiang Uyghur Autonomous Region in China

By Iman Jafarynejad

The Continuation of Slavery in the Modern World:

The People's Republic of China and Forced Labor Practices

By Jasmine Koehn

Institutionalizing Torture:

The Case of Hospitals and Prisons in China

By LeighAnn McChesney

The Challenges of Change: Causes and Consequences of Child Labor in China

By Andrea Morley

The Past, Present, and Future of Freedom of Speech and Expression in the People's Republic of China

By Liza Negriff

"How Much for a Boy?" Infant and Child Trafficking in the People's Republic of China

By Jake Orr

China's Relationship with Sudan—and Human Rights Consequences

By Tessa Li Powell

A Legal System That Compromises Due Process and Promotes Organ Harvesting & Human Rights Abuse Of Prisoners: A Case Study Of China

By Shivani Ramdeo

Uighurs in Xinjiang: A General Assessment of the Roots of Unrest

By Vladislav Shchukin

Why China Supports Burma's Dictators

By Dustin Stokes

China's Infanticide Epidemic

By Winter Wall

Human Rights in China: 2008 Beijing Summer Olympics

By Allison Welch

Trafficking of Women and the Harmonious Society: The Chinese National Plan of Action on Combating Trafficking in Women and Children within the Context of Chinese Patriarchy and Reform

By Sean Michael Barbezat

Introduction

The Chinese National Plan of Action on Combating Trafficking in Women and Children, an evolution of prior regional cooperative work in coordination with the United Nations Inter-Agency Project on Trafficking (UNIAP), is a considerable accomplishment. It represents a comprehensive, practical foundation for counter-trafficking work, and addresses the most serious concerns raised by Chinese and international anti-trafficking research over the last dozen years. However, a statement of this magnitude produced by a state not known for its sweeping human rights instruments leads to suspicion. Anthropologist Tiantian Zheng, in her 1998 ethnography exploring prostitution, relates how Chinese officials warned that her research risked exposing government complicity and thus disrupting "the 'superior socialist morality' that China had endeavored to construct in the world" (Zheng 2009: 28-29). Is the National Plan part of such a façade or a genuine movement in China toward a "harmonious" state and greater international cooperation? By exploring the trafficking of women in China and their treatment under traditional Chinese norms of harmony, this paper will bring the National Plan into context with Chinese culture and the Hu-Wen administration's recent "Harmonious Society" initiative, in order to examine the Plan's legitimacy as a significant instrument of human rights reform.

The Trafficking of Women in China

The National Plan addresses internal trafficking of women and children, but no Chinese policy yet addresses the labor exploitation of Chinese men, internally or overseas. This failure has resulted in many outside observers criticizing the National Plan for its narrow focus. While data from international organizations operating in the region suggests that ninety percent of internal trafficking involves women and children, it seems doubtful that the dramatic skew of this statistic is not a reflection of an extraordinary lack of transparency in Chinese labor practices.

The National Plan also offers little acknowledgment of the plight of foreign nationals trafficked into China. Though China's Mekong sub-region, where UNIAP's main efforts are located, has been the focus of significant efforts to rescue and repatriate trafficked women from neighboring states, such concentrated effort has not manifested elsewhere in China. Most striking in this regard is the North Korean border. An estimated 100,000 migrants crossed from North Korea into China before 2004, fleeing starvation. More than 50,000 remain in China today. China identifies these people not as refugees, but as economic migrants, and subjects them to summary deportation. North Korea punishes returning migrants as "defectors," seldom with execution, but usually by internment in detention centers or forced labor camps, where torture and murders are commonplace.

International refugee protocols, generally recognized as international customary law, mandate a review process for threatened refugees, leading either to asylum or to resettlement within a third country. China is a signed party to these protocols, but claims bilateral agreements with North Korea trump its international obligations. North Koreans in China are thus certain of severe

punishment if discovered, and this strips them of legal recourse against abuse. Understanding this helplessness, traffickers have capitalized on the situation by enslaving tens of thousands of North Korean female migrants in prostitution and forced marriages.

Forced marriage, or bride trafficking, is also widespread throughout China's other border regions and rural provinces, where the gender gap is prominent. This gender gap is caused by China's one-child policy, and is exacerbated by a trend among rural women toward urbanization. A significant number of Chinese women also transfer from poorer to wealthier rural districts, ensuring the gender gap is stratified not just by a rural/urban dichotomy, but also economically, with the greatest disparities impacting the poorest men. These men fuel the primary demand for bride trafficking.

For women kidnapped by traffickers, there is little chance of being found or rescued. Most have never traveled outside their villages, and many are illiterate. Without knowledge of their legal rights, how to contact their families, or where they are in relation to home, there is little opportunity to escape. Raised under traditional values of female subordination, most submit. Those who do not submit find little support within their new communities, as entrenched patriarchy combined with a strong imperative to find wives for unmarried sons has resulted in many villages supporting forced marriages, passively or actively—sometimes attacking investigators who arrive searching for kidnapped women.

Patriarchy and Prostitution

Practices resulting from patriarchy are a significant factor in the trafficking of women. Strongest in the countryside, late-Confucian traditions allowed the commoditization of unmarried daughters who, without worth outside of bride price, might be sold into prostitution to settle debts. After the Cultural Revolution, the Chinese government sought to end such traditions and to implement gender equality based on Marxism, but traditional hierarchies remained entrenched, reemerging with market reform in the 1970s.

Today, a mix of Dao and Confucian thought exists, in which natural harmony, partially achieved by adherence to gender expectations, is greatly valued. Sexual responsibility is expected of women, while both sexes express belief that the satisfaction of male desires is a natural need beyond male control. Inability to satisfy this need can result in the disruption of men's personal harmony. Rape, though condemned, is often seen as a product of male disharmony: unbalanced men respond to stimuli created by irresponsible women who dress or behave too provocatively.

Within marriage, men act with impunity, while women are expected to be dutiful. The use of domestic violence by males to reconcile loss of face is widely considered excusable. Until recently, wives could not legally refuse married sex. Since most men feel that condoms are not masculine, and China's one-child policy laws are severe, many women received numerous abortions. Spousal abuse, male infidelity, and female victimization are often perceived by the public and the authorities as the result of women's disharmony and failure to properly fulfill their gendered roles, including expectations of premarital chastity and post-marital fidelity.

Prostitution, embedded in modern Chinese society, is another product of patriarchy. It answers the social paradox created by expectations of female chastity, the imbalanced ratio of men to women, and the perceived inability of men to control their sexual impulses. Though the government has sought to eliminate prostitution in the past, it appears that the phenomenon is now being

tolerated. Prostitution in China comprises an informal institution; patronage has become part of conspicuous consumerism, a display of status. Frequent clients of prostitution include provincial government officials, successful entrepreneurs, and foreign businessmen. Research suggests that most sex workers who serve these upper echelons enter the profession by choice, but the institutionalization of prostitution in elite circles guarantees its prevalence in lower-tiered, less controlled environments, where trafficked women likely predominate. Complicating this situation is a government bureaucracy unforgiving of women perceived to lack virtue. Prostitutes thus lack recourse to legal protection, and trafficking victims, usually undereducated rural migrants, are faced with the daunting task of proving victim status in order to gain legal support.

Conclusion: The Harmonious Society

Since coming to power in 2002, the Hu-Wen administration, under President Hu Jintao and Premier Wen Jiabao, has launched a series of significant reforms under China's "Scientific Development Concept." These reforms are meant to increase government control over the economic and social environment. In 2005, the "Harmonious Society" concept was introduced as the end goal of the reforms. This idea has become central to both Chinese international and national policy. The concept seeks to balance economic growth with social justice. A response to crime and corruption, it is also a promise of greater justice for those parts of Chinese society that have been marginalized by economic expansion; rural reform and women's rights have been significant points of focus.

Inclusive and appealing, the term "harmonious" is also vague, meaning different things to different interests, from entrepreneurial classes to poor farmers and foreign governments (Delury 2008). To the government, harmony prioritizes society over the individual: achievement of personal values comes through the realization of the social values identified by the Chinese Communist Party (CCP). Individual freedom, as addressed in the Universal Declaration of Human Rights, remains a rejected concept. Instead, the Chinese leadership refers to human rights in the context of Chinese "realities," which allow for social harmony to be preserved through force.

Reforms that have followed from the Harmonious Society concept may be selectively based on the perceived interests of the CCP. The Harmonious Society seems to be an honest approach, as it is firmly rooted in traditional and socialist values, but these roots are likely to convolute reforms. Significantly, gender values embedded in patriarchy are a direct threat to the effectiveness of the National Plan. If ideas of social harmony are not carefully weeded of gender imbalances, the National Plan's outcomes will be nullified by traditional sexist practices.

Likewise, China's long efforts to enforce social harmony through information control have crippled institutional transparency and promoted the extensive use of propaganda. Civil society organizations, which have been essential to counter-trafficking efforts elsewhere, remain compromised by government control and mistrust in China. Ultimately, unless civil society is unfettered and transparency greatly increased, the National Plan will never become an effective instrument of reform.

If China is earnest in seeking solutions to its most pressing human rights issues, the government should demonstrate a willingness to face its shortcomings and engage international criticism with constructive responses. Adhering to international standards, protecting the rights of foreign trafficking victims, and increasing the value placed on the rights of all its citizens would result in international trust and cooperation, greatly enhancing China's global prominence.

Annotated Bibliography

Agarwal, Ritu. 2002. "Marriage Law in China Revised." China Review 38 (3): 407-413.

Annotation: This article covers marriage law reform in 2001, coinciding with a shift in government outlook toward the family, a clear move toward Hu's Harmonious Society. The legal reform and outlook shift ultimately conflict. Women's rights are legally strengthened, but government efforts to consolidate the family come at their expense. State pressure on women to leave the workforce and fulfill gender-specified roles within the family compromises the reforms by increasing the dependence of wives upon husbands, reinforcing traditional patriarchy. This strengthens the conditions that the Harmonious Society concept is meant to address. Zheng's writings (see bibliographic entry) illustrate how economically successful married men often keep mistresses in separate households. In an attempt to stem divorce rates, these reforms attempt to make such adultery a criminal offense. Agarwal states that, despite these measures, the broadness of the reformed law has caused confusion over its application, resulting in judicial inability to enforce it.

Broadhurst, Roderic G., and Jianhong Liu. 2004. "Introduction: Crime, Law and Criminology in China." *The Australian and New Zealand Journal of Criminology* 37 (Supplement): 1-12.

Annotation: The authors present a contrast in this article, comparing the evolution of law in China with the pressing needs of policing a state in the throes of rapid economic development. They conclude that, while there has been laudable effort by the Chinese government to take on new forms of crime and corruption, their efforts are stymied by a lack of refined institutions or government focus, as well as the fear of public and international scrutiny. Still, these appear to be transitory problems that will likely fade under continued government reform. The Chinese government acknowledges that the increase of economic crime, which includes human trafficking and transnational criminal networks, requires international cooperation and political responsibility. The Chinese have attempted to critically examine policy, to create a professional, formal police force, and to work with other nations to develop the critical research capacity they currently lack.

Chan, Ko Ling. 2009. "Sexual Violence Against Women and Children in Chinese Societies." *Trauma, Violence, & Abuse* 10 (1): 69-85.

Annotation: In this article, Chan reviews a wide body of research on sexual violence, spanning Chinese culture on the mainland as well as in Taiwan, Hong Kong, and Macau. She triangulates analytical research with the findings of surveys and focus groups, resulting in strongly supported conclusions. Chan's data regarding strictness of household hierarchical expression and cultural emphasis on "filial piety" is reinforced especially by Zheng's research. Chan claims that "Chinese people have been reported to relate to others by first defining their relationships based on their cultural norms" (81). The government of mainland China still refuses to publicly acknowledge the existence of institutionalized prostitution or to publish criminal statistics regarding rape, but Chan notes a marked increase in the openness of the Hu-Wen administration toward research on social problems.

Davin, Delia. 2007. "Marriage Migration in China and East Asia." *Journal of Contemporary China* 16 (50): 83-95.

Annotation: Davin, former professor of Chinese Social Studies at the University of Leeds, pulls together a body of quantitative data to present a fact-dense examination of bride migration in China. Davin displays her statistical evidence and cross-references her data throughout the essay. Her conclusions are pertinent to the bride slavery aspect of sex trafficking. She demonstrates that bride migration is often parallel to labor migration, as a primary method Chinese women employ to gain upward social mobility. This migration pattern flows from poor to rich provinces, transferring "the shortage of brides down the social scale." Though ninety-five percent of Chinese people are married by their late thirties, those unmarried are disproportionately men, especially among the poor. Around one third of illiterate men remain unmarried by their late thirties. The problem is becoming worse, and is exacerbated by increased bride migration out of the country altogether, to places like Japan and Taiwan.

Delury, John. 2008. "Harmonious' in China: the Ancient Sources of Modern Doctrine." *Policy Review* 148: 36-41.

Annotation: Delury's short article is an assessment of the term 'harmonious' as it is has been used by the Chinese, historically and presently. A professor of Chinese history, Delury notes the attention the Chinese paid to foreign influences before choosing this present discourse. Singapore especially, he notes, was an illiberal model that inspired Chinese government thought on the subject. The ultimate choice of the modern Chinese government to build a paradigm around the term, Delury suggests, has to do with the "strategic ambiguity" of the notion of harmony, which at once appeals to disparate elements of society while reserving its ultimate interpretation for the government. While writers such as Dr. Ai Guo Han write of the humanism behind the term, Delury cautions that it is something of a velvet fist. "Leniency balances out harshness, and harshness balances out leniency," he quotes Confucius as saying. "This is the way for government to achieve harmony."

Han, Ai Guo. 2008. "Building a Harmonious Society and Achieving Individual Harmony." *Journal of Chinese Political Science* 13 (2): 143-164.

Annotation: Professor Ai Guo Han reflects on the meaning of harmony within contemporary Chinese society. He believes that President Hu has centered a form of humanism within his policies, and Han appreciates this considering the disorder that is currently taking place within Chinese society. Han begins by noting that desire for harmony is centuries old in China. He then explores the disorder that has led to the urgency of President Hu's "Harmonious Society" introduction. Han examines harmony in terms of individual wants versus social wants, noting that in ancient Chinese traditions as well as modern traditions surrounding harmony, one must give up individual wants for societal

wants if individual wants are to be obtained. This tradition is 2,500 years old in China. Han also explores the clash of perceptions regarding harmony and scarcity, but ultimately he believes that harmony can be achieved when people modify their wants to reflect reality.

Hanser, Amy. 2005. "The Gendered Rice Bowl: The Sexual Politics of Service Work in Urban China." Gender & Society 19 (5): 581-600.

Annotation: Hanser, an anthropologist specializing in social inequality and gender identity, compares three conceptions of the feminine within the capital of Heilongjiang province in northeast China, Harbin, which is part of China's expanding industrial belt despite its remote location. To facilitate her study, Hanser practiced participant observation within three markets utilizing different classes of women. Her conclusions point to three distinct classes of the feminine: an older more robust feminine that exemplifies outdated Maoist ideals of gender equality; a mostly young rural feminine that is seen as uncultured, unproductive, and morally compromised; and a young urban feminine idealized as modest, subtly sexy, and upwardly mobile. This urban feminine represents the "commodification and sexualization" of women that is the socioeconomic ideal of modern China. The subtext can be sinister. Hanser reveals that rural women migrants, the demographic most highly at risk for trafficking, are seen by the urban classes as both socially worthless and sexually loose.

Lagon, M. P. 2008. "Human Trafficking in China." DISAM Journal of International Security Assistance Management 30: 40-41.

Annotation: This is a transcript from a briefing conducted by Lagon, the director of the Office to Monitor and Combat Trafficking in Persons, for the Congressional Human Rights Caucus. Lagon summarizes Chinese anti-trafficking efforts and emphasizes that China hinders the situation as much as helps it, largely due to its complete lack of transparency. He highlights the brick kiln incident, in which one thousand Chinese, many of whom were children and teenagers as well as physically or mentally handicapped, were forced to work in deplorable conditions before their eventual discovery and rescue. He notes that the prominent sex trade in China has led to increased opportunities for the exploitation of women, and emphasizes the importance of civil society in global counter-trafficking work. China, however, continues to repress its civil society organizations, such as the highly successful All-China Women's Federation, despite the fact that these organizations are controlled by, and divisions of, the government.

Marshall, Phil, and Susu Thatun. 2005. "Miles Away: The Trouble with Prevention in the Greater Mekong Sub-region," in K. Kempadoo (ed.), <u>Trafficking and Prostitution Reconsidered:</u>
New Perspectives on Migration, <u>Sex Work</u>, and <u>Human Rights</u>. Boulder: Paradigm Publishers.

Annotation: In this essay, Marshall and Thatun, senior advisor and Deputy Regional Programme Manager for UNIAP respectively, concentrate on dispelling false ideas regarding migration and its relationship to trafficking. The issues here spring from the specific nature

of the problem in the Mekong sub-region, but are important to trafficking in general. One prescient conclusion is that anti-trafficking efforts are hindered by a lack of reform in migration policies. Typical attempts to combat the problem by preventing migration are at best misguided and at worst anti-migrant. Citing studies by prominent international organizations, Marshall and Thatun effectively make the case that historically, migration has continued unaffected and unabated despite attempts to control it. Anti-trafficking efforts are better suited to governing safe and effective migration instead of curtailing it. Marshal and Thatun also criticize the US TIP report for its emphasis on source states. They call for an increased emphasis on the culpability of destination states.

Mucio, Norma Kang. 2005. "An Absence of Choice: The Sexual Exploitation of North Korean Women in China." London: Anti-Slavery International. <u>Available online:</u>
http://www.antislavery.org/english/resources/reports/download antislavery publications/trafficking reports.aspx.

Annotation: Within a preponderance of surface reports regarding the crisis faced by North Korean refugees in China, Mucio's report for Anti-Slavery International, where she serves as Education and Advocacy Officer, stands out as a clearheaded and thorough effort. She describes the early history of the North Korean attempt for self-sustainability and how this effort eventually led the country into the famine that killed one tenth of its population in the 1990s. Mucio goes on to describe the personal motivations that continue to lead North Koreans over the border, their experiences in China, and the deprivations they face when caught and deported home. In conclusion, she examines the body of international law regarding refugees, in an attempt to advocate its use in pressuring China into adherence. The report is interspersed with firsthand accounts and quotes of the refugees affected, making this a very poignant and powerful piece.

Otis, Eileen M. 2008. "The Dignity of Working Women: Service, Sex, and the Labor Politics of Localization in China's City of Eternal Spring." *American Behavioral Scientist* 52 (3): 356-376.

Annotation: Otis, like Amy Hanser (also in this bibliography), explores the so-called "spring rice bowl" of Chinese society, the job market that focuses on attractive young women for customer service positions. The hotel workers in Otis's study are in a delicate position due to their status as ethnic minorities in China (natives of the tourist province in which they are working), and the prevalence of sex services within their province and place of employment. The article focuses on the ways these women retain self-dignity while navigating between severe and elitist non-local managers and racist and lecherous male sex tourists, who do not differentiate between prostitutes and the regular staff. As with Hanser's upwardly mobile subjects, the women here cultivate a sense of what Otis refers to as "virtuous professionalism." Otis's study reinforces the notions of gender imbalance between males and females and the institutionalization of the sex industry in China.

Schuckman, Emily E. 2006. "Antitrafficking Policies in Asia and the Russian Far East: A Comparative Perspective." *Demokratizatsiya* 14 (1): 85-102.

Annotation: Schuckman's essay focuses on the ability of international and national civil society sector organizations to effectively implement successful anti-trafficking efforts. She illustrates this through the organization "Tsunami" of the Amurski Oblast region of far-east Russia, as well as by portraying highly successful efforts in South Korea. Schuckman succeeds in making a strong argument for this kind of action, which has direct ramifications for China. Since the Tienanmen Square protest, government paranoia of grassroots movements in China has greatly hindered existing civil society and kept new civil society organizations from forming. Though Schuckman's primary focus is Russia, she also gives summaries of women's movements in several Asian states and notes the effect they have had on trafficking. The research reinforces evidence from other essays that China is a major destination point for trafficked Russian women.

Shelley, Louise. 2000. "Post-Communist Transitions and the Illegal Movement of People: Chinese Smuggling and Russian Trafficking in Women." *Annals of Scholarship* 14 (2): 15.

Annotation: Louise Shelley, director of the Transnational Crime and Corruption Center, presents a comparison between Russian and Chinese trafficking in this essay. In both cases, Shelley highlights that efforts to control the situation are hampered by dwindling state capacity moving away from their respective capitals. This is especially acute in China. Regional economic disparities and the subsequent effect on migration generation is emphasized, while the porous Russian-Chinese border is explored. Shelley, given her expertise, is primarily concerned with organized crime networks, and her study benefits greatly from cooperation with international organizations such as Interpol.

Shelley, Louise. 2003. "The trade in people in and from the former Soviet Union." Crime, Law and Social Change 40: 18.

Annotation: Shelley compares the Russian and Chinese trafficking situation given the regional ties between the two states. The most important difference is the investment nature of human trafficking. Criminal trafficking groups in the former Soviet Union are focused on humans as a short-term, disposable, high profit resource. This approach lends itself to sex trafficking. Chinese trafficking groups focus primarily on contract labor slavery as a long-term investment strategy. This necessitates outcomes that are more beneficial to the resource exploited, and also the need to retain the respect of source communities. Shelley further provides clear differentiations between trafficking and smuggling enterprises and regional variants. Her expertise on organized crime syndicates allows her to present a detailed description of target populations, techniques, and operational areas. Lastly, she gives detailed information on the root causes that developed into the current situations.

State Council of China. 2007. "China National Plan of Action on Combating Trafficking in Women and Children (2008-2012)." In *Policies and Plans, National*. Beijing: UNIAP China Office.

Available online: http://www.notip.org.cn/article/Details.asp?LanFlag=2&NewsId=1109&classid=32&BID=41.

Annotation: The Chinese National Plan of Action addresses key elements needed in counter-human trafficking, such as the call for increased focus on prevention and rehabilitation as opposed to more typical, costly, and ineffective attempts to address the problem through police action, as is done by many states. The plan also emphasizes a focus on poverty support, empowering vulnerable segments of the population, disseminating information to high incident regions and public spaces, and combating the buyer's market. The National Plan intends to mobilize China's immense bureaucracy in an integrated fashion, delegating clear objectives and roles to some two-dozen state agencies that will utilize their specific expertise and knowledge bases. These are to be coordinated under an umbrella organization headed by the Ministry of Public Security. China notes that the subject is "not to be viewed optimistically," as trafficking is becoming more covert, but nevertheless emphasizes the need for broad confrontation.

Tang, Catherine So-Kum, Day Wong, and Fanny Mui-Ching Cheung. 2002. "Social Construction of Women as Legitimate Victims of Violence in Chinese Societies." *Violence Against Women* 8 (8): 968-996.

Annotation: In this article, Tang et al. focus on a feminist perspective regarding violence against women. Violence is both condemned and condoned in the Chinese perspective, which values harmony and restraint but adheres to expectations of female familial duty. Traditionally, failure in this duty necessitates discipline. Even though physical discipline is now criminalized, expectations of female submissiveness usually lead to women not reporting domestic violence, since doing so is further violation of social expectation. The double standards applied to women and men regarding sexual norms and the notion of the "disharmonized" rapist are specifically highlighted.

Thatun, Susu. 2006. "Mekong sub-region committed to ending trafficking." Forced Migration Review (25): 20-21.

Annotation: Some of the conclusions reached in Marshall and Thatun, above, are seen in the COMMIT (Coordinated Mekong Ministerial Initiative Against Trafficking) plan, regionally implemented by the countries of the Mekong sub-region: China, Cambodia, Laos, Myanmar, Thailand, and Vietnam. This plan was implemented in response to the fact that "more actors did not necessarily lead to concerted actions but rather added to disarray in the whole spectrum of anti-trafficking initiatives." Thatun lays out the principles that the thirty-four articles of the plan are based on, along with their primary functions. The articles focus on labor laws, migratory policies, and victim identification utilizing a "rights-based and 'victim-centered' approach" while remaining committed to internationally recognized covenants such as the Palermo Protocol, the United Nations Convention on the Rights of the Child, the Convention on the Elimination of all Forms of Discrimination against Women, and the Universal Declaration of Human Rights.

Tucker, Joseph D., et al. 2008. "Surplus men, sex work, and the spread of HIV in China." AIDS 19 (6): 539-547.

Annotation: This article by a team of medical and social scientists examines AIDS epidemics in China and predicts infection dispersal trends during the coming years. These trends are entwined with the population of unmarried Chinese males, especially the *guang gun*, "bare branch" segment: those males who, because of lack of education and income, are considered unmarriageable. The institutionalization of the sex industry and the infrequency of condom use all factors here. Less than thirty percent of sex workers report regular use of condoms, and more than fifty percent report no use at all (refer to the Zheng entry). Sex worker numbers have grown exponentially to between four and ten million as of 2001. The authors project internal spread based on the age and mobility of high-risk populations, but it is clear that these same populations will also contribute to external spread, through migration and business travel.

United Nations Inter-Agency Project on Human Trafficking. 2009. "The Trafficking Situation in China." In *Where We Work*. Beijing: UNIAP China Office. Available online: http://www.no-trafficking.org/china.html.

Annotation: This reference is a series of three sequential informational web pages from the main UNIAP website. Despite its informal nature, it is up to date and fact-heavy, an important preliminary information base or point of verification for statistics. UNIAP assists the governments of the greater Mekong sub-region. The organization also benefits from highly versed regional-topical experts (such as Thatun and Marshall) among its staff, as well as consistent field presence. It is one of few reference points available for assessment of Chinese National Action Plan progress. Unfortunately, a full critique cannot be assumed, given UNIAP's need to maintain close relations with the Chinese government. Despite this, UNIAP continues to prominently criticize lack of Chinese attention regarding the trafficking of male labor. Some of the statistics in their report include demographics and surprising ratios (at least ten percent of the Chinese population is migratory), brief cause identification, and current Chinese counter-trafficking efforts.

United Nations Inter-Agency Project on Human Trafficking. 2008. "SIREN Human Trafficking Data Sheet." In *Strategic Information Response Network Reports*. Beijing: UNIAP China Office. Available online: http://www.no-trafficking.org/siren-reports.html.

Annotation: SIREN is the data analysis branch of UNIAP. The SIREN data sheet on China is a summary of the trafficking situation in the country. It provides quantitative information on migration statistics, general information concerning what is known, and theories based on these facts. The data sheet also keeps track of China's annual efforts related to the COMMIT process (Coordinated Mekong Ministerial Initiative Against Trafficking), which includes the 2008-2012 National Action Plan. Quantitative data is summarized regarding prosecution and prevention efforts. From this, it appears China has taken the anti-trafficking

stance extremely seriously. China has worked to recognize its internal trafficking problem, has identified the primary demographics (agricultural families), and has worked to inform this population of potential dangers they may face if they choose to migrate. SIREN points out areas of continued weakness within the government's policy, such as men's labor issues, which have still not been addressed.

United Nations Inter-Agency Project on Human Trafficking. 2008. "The State of Counter-Trafficking: A Tool for Donors." In *Strategic Information Response Network Reports.* Bangkok: UNIAP. Available online: http://www.no-trafficking.org/siren_reports.html.

Annotation: This report, issued by SIREN to summarize the results of an inter-agency conference, highlights achievements made in the region, what direction counter-trafficking efforts in east and southeast Asia need to take, and misconceptions that still need to be addressed. Evident within this report is a synthesis of arguments made regarding trafficking and migration issues earlier in the decade. It is apparent that a body of conventional wisdom has appeared and that significant normative progress has been achieved in this first decade of counter-human trafficking work. SIREN identifies a need to refocus efforts against the organizations that benefit from trafficking victims, as opposed to prior efforts that concentrated on the trafficker. The report ends with a comprehensive checklist to aid potential donors seeking awareness as to whether the organizations and efforts they target their money toward are legitimate and/or effective.

Plant, Roger. 2006. "Human Trafficking in China: ILO Activities and Lessons for International Policy Coordination." In *Presentation to the Hearing on "Combating Human Trafficking in China: Domestic and International Efforts," US Congressional- Executive Commission on China, Washington DC, 6 March 2006.* Washington DC: Congressional- Executive Commission on China. Available online: http://www.cecc.gov/pages/hearings/2006/20060306/RogerPlant.php.

Annotation: Plant, the Head of the International Labor Office's Special Action Program to Combat Forced Labor, in an address to the US Congressional Executive Commission on China, discusses joint International Labor Organization/Chinese government efforts to confront the problem of human trafficking from 2002 to 2006. The address was meant to deliver vital statistics on the situation in China, as well as spotlight the ILO's role. The statistical information is detailed, and successes and failures are summarized efficiently. The address especially illustrates where Chinese efforts have been centered and what efforts they have made to expand their scope on the subject.

US Committee for Refugees and Immigrants. 2009. Country Reports: China. In *World Refugee Survey*. Washington DC: USCRI. Available online: http://www.refugees.org/countryreports.aspx?__VIEWSTATE=dDwtOTMxNDcwOTk7 O2w8Q291bnRyeUREOkdvQnV0dG9uOz4%2BUwqzZxIYLI0SfZCZue2XtA0UFEQ%3 D&cid=2352&subm=&ssm=&map=&searchtext=.

Annotation: The USCRI country report on China primarily focuses on the refugee situation at the North Korean border, though it makes clear that China is generally uncooperative in upholding refugee rights. A fact-heavy recent update, the report serves as a more conservative complement to the older but more detailed report by N.K. Mucio that appears above in this bibliography. While China has done nothing to meet its international obligations since Mucio's report in 2005, it has increased border security, installing fences and electronic sensors on its borders with North Korea and Mongolia, offered rewards for informants over the current bribe rate for safe passage, and encouraged Thai government complicity in capturing immigrants who make it over the border in the south. North Korea, meanwhile, continues to exacerbate the problem by making food and supplies inaccessible to "as much as a quarter of the population that it deemed hostile."

Wei, Bu. 2006. "Looking for the 'Insider's Perspective': Human Trafficking in Sichuan," in Maria Heimer and Stig Thogerson (eds.), <u>Doing Fieldwork in China</u>. Honolulu: University of Hawaii Press.

Annotation: Bu Wei, a professor in the Institute of Journalism and Communication at the Chinese Academy of Social Sciences, presents a summary of her research on human trafficking, conducted in 1999 for UNICEF. Ostensibly, this essay is about qualitative field technique and the role of insider/outsider perspectives in field research, and is meant for the field research practitioner. However, it is also a useful ground-level account that summarizes trafficking from the perspective of vulnerable migrant women. In what is expressed as well as unexpressed, the rationale of various women for involving themselves in risky labor practices, as well as self-identification of risk and means of self-protection, are revealed.

Yu, Bin. 2008. "China's Harmonious World: Beyond Cultural Interpretations." *Journal of Chinese Political Science* 13 (2): 119-141.

Annotation: This article concerns international relations and theory, examining the global level of China's emphasis on harmony, the "harmonious world." Professor Yu argues against interpretations of China's actions by two schools of theory, the strategic cultural school and the more recent hierarchy-stability school. Both emphasize China's Confucian-Mencian inheritance, but the former believes this to be purely ideological, while the latter believes it retains predictive power for China. Yu rejects both viewpoints, arguing that tradition cannot be considered separately from present conditions. From this perspective, he sees much to suggest that China, having suffered through foreign ideologies of both socialism and capitalism, has shifted to a self-defined framework from which it hopes to prosperously engage the world. China, since the 1980s, has stabilized relations with its neighbors and kept within norms of the international institutional system, and Yu believes its recent shift from passive to active participation expresses an ongoing intention toward peaceful relations.

Zhao, Gracie Ming. 2003. "Trafficking of Women for Marriage in China: Policy and Practice." Criminal Justice 3 (1): 19. Annotation: Zhao presents a comprehensive overview of bride trafficking in China. She gives careful definitions before summarizing its historical and present conditions, including government policies and reform needs. Zhao's emphasis is on the increasing demand for brides and the fact that the cost/benefit analysis of the situation is fueling its prevalence. For instance, extreme income differences exist between families of similar social standing between regions, and this fuels migration and desperation. Due to traditional views that hold women as resources while men are expected to produce progeny, traditional villages will often act as a unit to enforce marriages under duress, and have even attacked police investigators. Zhao's primary conclusion is that China would do well to encourage grassroots women's movements to deal with this issue. Doing so would help empower women against traditional female devaluation, aid victims over the long term, and greatly increase the efficiency of governmental top-down efforts.

Zhao, Linda Shuo. 2008. "Anomie Theory and Crime in a Transitional China (1978—)." *International Criminal Justice Review* 12 (2): 137-157.

Annotation: This article presents anomie, or strain-based theory of criminology in the context of China, a theoretical approach focusing on societal pressures that encourage criminal activity of citizens. The components of this theory are highly pertinent to understanding Chinese corruption and trafficking trends. Zhao also provides detailed descriptions of relevant Chinese cultural attitudes and social conditions, including the plight of the rural classes and internal migrants. The virility of Chinese government corruption is made plain. Following from strain theory, Zhao theorizes on the pressures placed on government officials by the rise of rich entrepreneurs who had begun to outclass them. Fearful of losing social prestige and comparative wealth, but fettered by set functions and salaries, officials quickly turned to corrupt measures. This eventually pervaded to the upper levels of Chinese government, and has cost China tens of billions of dollars annually, coinciding with epidemic crime rates in the general population that increased twenty-fold between 1978 and 2000.

Zheng, Tiantian. 2009. <u>Red Lights: The Lives of Sex Workers in Postsocialist China</u>. Minneapolis: University of Minnesota Press.

Annotation: In Red Lights, Zheng presents the core of her ethnographic research into the lives of sex workers in the city of Dalian in northeast China. Originally intending to research female factory workers, Zheng befriended various Chinese officials, one of whom took her to a karaoke bar where she became intrigued by the "hostesses," employed there. She switched her research focus and eventually (in non-sexual parameters) worked and lived with these women. In her study, Zheng illustrates their lives, as well as the men who were their clients, while weaving in her own personal narrative as an embedded anthropologist. Zheng's observations strongly support and are reinforced in turn by the greater body of research, but her perspective is nevertheless clarifying. Insightful, introspective, courageous, and empathetic, this book should be highly valuable to anyone interested or involved in Chinese

cultural research, sex trafficking research, anthropological field work, gender studies, or sociology.

Zheng, Tiantian. 2009. Ethnographies of Prostitution in Contemporary China: Gender Relations, HIV/AIDS, and Nationalism. New York: Palgrave Macmillan.

Annotation: In her second book, Zheng explores more specific themes based on her ethnographic research, regarding condom use, disease control, and power relationships between clients and sex workers. To illustrate her work while clarifying a statistic in Tucker et al. (see above), Zheng notes that sex workers in Dalian who insisted on condom use lost clients. The sex trade was highly competitive; plenty of women were willing to forgo condoms. Regardless, when a client relationship repeated itself, it was considered insulting by clients to be asked to use condoms. As repeat relationships were an important step toward establishment of "husbands," long term client relationships which might lead to significant support (many Chinese men keep second homes for mistresses), there was powerful incentive to refrain from insisting on anything. Zheng's work indicates that prostitution solicitation is as much about power as it is about sex.

Tibet under Chinese Rule

By Dina Buck

Introduction

The struggle between Tibet and China has been a long and intractable one. How China chooses to deal with Tibet, commonly referred to as the "Tibet Question," is a point of controversy both within China and for the international community at large. The two main points of concern are Tibet's quest for self-determination and Tibetan quality of life under Chinese rule. While Tibet's struggle for self-determination can be linked with the questionable treatment Tibetans face under the Chinese government (hereafter referred to as Beijing), the two issues are not exactly the same. Tibet's quest for self-determination has its roots in Beijing's invasion and takeover in 1950. No doubt this has contributed to the grievances the Tibetan Government in Exile (TGIE) and the Tibetan people have with current Beijing rule. The important role self-determination plays in the psychological well-being of Tibetans can be deciphered from the current Dalai Lama's discussions with the international community, as well as from his persistent efforts to negotiate with Beijing for greater self-determination allowances. The Tibetan people's strong support of the Dalai Lama can be interpreted as collective agreement with his views. The quest for self-determination also leaves open the question of whether or not Tibetans and the TGIE would seek greater autonomy even if they felt they were treated fairly by Beijing. However, it is clear Tibetans are not always treated well or fairly. In many ways, Tibetans are marginalized and oppressed, both intentionally and inadvertently, by Beijing and the hegemony of Chinese culture. Resentment over Beijing's historical takeover likely exacerbates the Tibetans' sense of being wronged, but the present day human rights problems Tibetans experience at the hands of Beijing are issues in their own right.

Tibet's Quest for Self-determination

Tibetan national sovereignty is one of the festering disputes between China and Tibet. Tibet had all the characteristics of a sovereign nation, with its own system of governance, culture, religion, and ethnically distinct population prior to Beijing's invasion of Tibetan territory in 1950. Tibet also conducted its international relations separately from China, even signing its own treaties and agreements with other nations. Since invading, Beijing asserts Tibet has been a part of China for several centuries and, therefore, China is its proper ruler. Furthermore, Beijing asserts its invasion was meant to free an oppressed people from a cruel system of feudal serfdom and pro-imperialism that went against the desires of the Tibetan people. Consequently, Beijing paints itself as Tibet's liberator, though the veracity of this claim is questionable. In 1951, Tibetan delegates sent to Beijing to negotiate for Tibetan independence were tricked and intimidated into signing a "17 Point Agreement." The agreement, while stating that Tibet would retain most of its culture and practices, also included a provision stating Tibet would become part of the People's Republic of China. This was not clear to the delegates and when they tried to question Chinese authorities on contradictory aspects of the agreement, they were told that failure to sign would result in the dispatching of the People's Liberation Army (Blondeau 2008).

Since 1950, China has enacted a number of development projects and policy reforms in an effort to stabilize Tibet and bring it into its fold. Many of these policies and projects had disastrous effects for the Tibetan people. The Cultural Revolution of the late 1960s and 1970s, which promoted secularism, had a particularly devastating effect on Tibetan culture, which is rooted in religion.

Economic gains for Tibetans, most of which have only occurred since the 1980s, still leave them in positions of relative disadvantage when compared to their Han Chinese counterparts.

Though their leader is in exile, Tibetans still look to the current Dalai Lama for direction. One of his main endeavors since his escape from Tibet in 1958 has been his struggle for Tibetan self-rule. While he has sought full independence in the past, the Dalai Lama tried to find compromise in 1988 by offering the Strasbourg or "Middle Way" Proposal. This proposal forgoes independence, allowing China to determine international relations and security issues, but asks Beijing for true autonomy to self-govern in all other areas including, but not limited to, education, religion, economy, environment, and culture. Beijing has not accepted this offer and, in fact, has tirelessly continued to assert its claims of sovereignty over Tibet. While the international community treats Tibet as part of China and does not officially recognize it as a sovereign nation, there is at least some international sentiment that Beijing's claim to Tibet is invalid. Unfortunately, Beijing considers the international community's treatment of Tibet as part of China to be one of the validating reasons for its right to govern the region.

Chinese Hegemony

Beijing regularly points to various laws it has enacted purportedly to benefit Tibet, as well as to several other concessions it has granted Tibetans. One law meant to benefit minorities is the Law on Regional National Autonomy (LRNA). Article 15 of the LRNA allows for "protection of minority concerns in the areas of language, education, political representation, administrative appointments, local economic and financial policies, and the use of local and natural resources" (Davis 2008). However, these allowances fall under the overarching control of Beijing, which can, and does, intervene in these protections when it deems certain activities go against its idea of national unity.

An additional challenge for Tibetans is that the rights and benefits they are afforded come with the stipulation of having to be done the "Chinese Way." As a result, many of Tibet's cultural traditions have been manipulated or diluted. For example, though China claims it gives Tibetans religious freedom, religion was banned until 1976. Although religious expression has since been allowed, Tibetans complain that their freedom in this area remains limited (Métraux and Yoxall 2007). In the Tibet Autonomous Region (TAR), Tibetans are not allowed to display photos of the Dalai Lama, and China has interfered in Tibet's process of choosing reincarnated lamas. The standardized education system, which some claim Beijing uses as a tool for assimilation, is also problematic. Though Beijing can point to increased literacy rates and school attendance in Tibet, Tibetans still struggle to complete school in part because they have trouble passing the Mandarin language exams required to advance through the education system. Unsurprisingly, situations like these serve to strengthen Tibetan national identity.

To perpetuate the notion that Tibetans ought to be part of China, the government released six State Council White Papers between 1991 and 2006 that reiterate China's proper claim to Tibet and its role as liberator. These papers also include various statistics and facts supporting Beijing's argument that Tibetans' circumstances have drastically improved under Beijing's rule (Smith 2008). However, one must ask why the TGIE and the Tibetan people continue to fight for greater self-determination if Beijing's claims of liberating and significantly improving the lives of Tibetans are true. Though some Tibetans, mainly those in urban areas, have indeed experienced quality of life improvements, this does not mean Beijing's efforts have been a success. It has been speculated that, were Tibet a nation, it would rank at or near the bottom of the United Nation's Human Development Index (Goldstein et al 2003). This is exacerbated by the fact that most development efforts in the TAR have been concentrated in the urban areas where Han Chinese are the majority.

Since most Tibetans live in rural areas, this makes it difficult for them to reap any substantial gains from Beijing's modernization efforts.

Concluding Remarks: Why the "Tibet Question" Remains Intractable

It is important for the international community to realize that both Tibet and China view the "Tibet Question" through their own subjective lens. This does not mean there are not factual incidents of oppression and human rights abuse; nor does it mean there have not been measurable efforts on behalf of Beijing to improve the lives of Tibetans. Though Tibetans have been undeniably oppressed and marginalized, it would be unfair to claim Beijing has not attempted to improve living standards in the TAR, even if its motivation is largely to harmonize Tibet with the rest of China.

There is a strong disconnect between the TGIE and Beijing's political philosophies, which is perhaps the main reason the "Tibet Question" stands at an impasse. The current Dalai Lama supports democratic policy in the TAR and the character of his negotiation efforts with Beijing serve as an example of his belief in conducting government affairs democratically. Simultaneously, Beijing's laws and its treatment of its citizens stem from its strong belief in communist ideology, which holds that individual rights are secondary to the state's right to uphold social order and protect society's interest as a whole. This means the government will often ignore individual rights and proper legal proceedings whenever it believes doing so will protect the state's goals (Li2007). Setting the historical invasion aside, if we look at Beijing's efforts to handle the "Tibet Question," it becomes clear its policies toward Tibet stem from its inability to view governance outside communist parameters. This suggests it would take international pressure to get Beijing to reconsider its stance on Tibet. However, given China's increasing economic and political power, this does not appear to be a possibility waiting on the horizon.

Annotated Bibliography

Blondeau, Anne-Marie, and Katia Buffetrille (eds.). 2008. <u>Authenticating Tibet: Answers to China's 100 Questions</u>. Berkeley and Los Angeles: University of California Press.

Annotation: This book was inspired by a 1989 pamphlet disseminated to Westerners by the Chinese government that contained "100 questions about Tibet" along with the government's answers. The editors gathered 15 leading experts on Tibet from different countries to give objective answers to the same 100 questions in the pamphlet, including a summary of the original answers. The book is divided into topic sections that include human rights, policies toward the Dalai Lama, Tibet's right to autonomy, and more. The result is a comprehensive summary of China-Tibet relations that corrects the Chinese propaganda.

Carlson, Allen. 2004. "Beijing's Tibet Policy: Securing Sovereignty and Legitimacy," in The East-West Center of Washington's Policy Studies. Washington, DC.

Annotation: In this extensively researched and well-written report, the author examines Beijing's policies on Tibet from the 1970's onward. The author contends that at no time did Beijing have any true intention of giving Tibet genuine autonomy, as all legal allowances for autonomy were subordinate to overarching Chinese rule. He argues that, while Beijing appeared to have a more flexible position towards Tibet and Tibetan autonomy in the 1970's

and 1980's, both internal and external criticism of Beijing's stance on Tibet caused the government to clamp down on its "Tibet policy." The author believes that, at bottom, the issue of sovereignty and its importance in the international political arena, and the fact that China would harm its "advantageous position in South and Central Asia" were it to give Tibet autonomy, are the reasons why China has never truly intended to relinquish its claim to Tibet.

The Chinese Government. 2009. "Protection and Development of Tibetan Culture." *Chinese Journal of International Law* 8 (1): 233-249.

Annotation: This government White Paper, released by the State Council Information Office of China, reports on the improvements for Tibetans and their culture in the areas of written and visual media, educational opportunities, cultural relic and traditions preservation, modernization, and freedom of religious expression and practice. The report strongly criticizes the current Dalai Lama and emphasizes China's role in saving Tibetans from an intense, oppressive feudal system via peaceful means in 1951. The report further claims that, had China not stepped in to liberate the Tibetan people, they would still be living under conditions akin to the Middle Ages. It is difficult to ignore the extreme one-sidedness of this report. Understood within the context of the extensive body of literature on Tibet-China relations refuting the self-proclaimed stellar treatment of Tibet by China, one has to conclude that the information contained within this report is largely propaganda.

Davis, Michael C. 2001. "The Future of Tibet: A Chinese Dilemma." Human Rights Review 2 (2): 7-17.

Annotation: This article convincingly discusses the benefits China stands to gain if it agrees to a confederal arrangement with its "peripheral communities," including Tibet, Taiwan, and Hong Kong. It also points out how the Chinese government's current top-down approach to Tibet, and its failure to enact human rights covenants it has signed, demonstrate that China does not have any genuine intentions of allowing Tibet autonomy. The author also posits that, even if autonomy were granted, Tibet's lack of local governmental institutions would make sustainable autonomy unlikely.

Davis, Michael C. 2007. "Quest for Self-Rule in Tibet." Journal of Democracy 18 (4): 157-171.

Annotation: This focused and concise article examines how China's existing national minority policies have failed to give Tibet any substantive autonomy. Davis, who is well-versed in China's various laws involving minority rights, demonstrates how the laws China currently uses in dealing with Tibetan rights (e.g., the Law on Regional National Autonomy) seem to give, but then take away rights. The laws do this by requiring that all legal decisions exercised by autonomous regions go through an approval process headed by Beijing. He proposes that Tibet might use Article 31 in the PRC's 1983 Constitution to gain greater autonomy, since Article 31 would allow Beijing to exercise greater flexibility in its approach to Tibet.

Davis, Michael C. 2008. "Establishing a Workable Autonomy in Tibet." *Human Rights Quarterly* 30 (2): 222-258.

Annotation: In this article, Davis provides a good overview of the Chinese government's legal policies towards Tibet and discusses how the government's preference for using its national minority autonomy policies in lieu of the Chinese Constitution when handling its Tibet relations is motivated by its desire to maintain control over Tibetan affairs. The national minority policies have central government authority built into them and, thus, remove any genuine allowance for self-determination. Davis points out that Article 31 in the Chinese Constitution provides flexibility that would allow China to create a customized approach to Tibet and could be the solution to Tibetan autonomy without secession. Because Article 31 has been fairly successful in terms of China's relationship with Hong Kong, Macau, and Taiwan, Davis argues, there is no reason for it not to be applied to Tibet as well.

Dillon, Michael. 2009. Contemporary China - An Introduction. London: Routledge.

Annotation: This book provides an overall perspective on modern day China and helps the reader understand China's politics and culture from a neutral point of view. The author includes chapters on religious and ethnic minorities, Tibet, and law and human rights. The author's lack of partisanship lends clarity to the "facts on the ground" in contemporary China and makes this book a valuable source for those wanting to gain a rhetoric-free overall understanding of the many aspects of China.

Dreyer, June Teufel. 2006. "Tibetan Economic Development under the PRC," in <u>Barry Sautman</u> and <u>June Teufel Dreyer (eds.)</u>, <u>Contemporary Tibet: Politics</u>, <u>Development</u>, and <u>Society in a Disputed Region</u>. New York: M.E. Sharpe, Inc.

Annotation: The author discusses the development efforts the Chinese government has attempted in Tibet since 1951. The discussion clearly demonstrates that many, if not most, of the Chinese government's development efforts had unintended negative consequences for Tibetans and their culture. The development efforts, based not on sustainable concepts but, rather, on top-down approaches by the Chinese government, have created a situation of dependency for Tibet. Examples of dictatorial political control of Tibet offer the reader a perspective on how the marginalization of Tibetans has evolved.

Goldstein, Melvyn C., Ben Jiao, Cynthia M. Beall, and Phuntsog Tsering. 2003. "Development and Change in Rural Tibet." *Asian Survey* 43 (5): 758-779.

Annotation: The authors of this article examine the impact China's economic reforms have had on the quality of life for Tibetans living in four rural townships. Reforms studied include

land division and de-collectivization, family planning, labor migration, and economic development in the rural areas. The study includes 13 villages and 780 households. The authors found that, while Tibetans have gained from some reforms, such as decollectivization, they have been adversely impacted by many of the others. They conclude that, unless China is willing to make changes to development policy, rural Tibetan populations may lose any current gains, or even slide backwards in progress.

Hanrahan, Clare (ed.). 2009. Tibet: Opposing Viewpoints. Farmington Hills: Greenhaven Press.

Annotation: The editor of this book has compiled articles on Tibet-China relations covering the following issues: Tibetan independence and Chinese sovereignty; Tibetan cultural preservation; whether or not Tibet has benefited from Chinese governmental policies; and natural resource extraction on the Tibetan plateau. Articles arguing opposing positions on each issue are presented. The book is formatted for educational use through questions posed for reader consideration and a summary of each author's position is provided at the end of the book. The result is an accessible and balanced compilation covering some of the most pressing Tibet-China controversies.

He, Baogang. 2006. "The Dalai Lama's Autonomy Proposal," in <u>Barry Sautman and June Teufel</u>
<u>Dreyer (eds.), Contemporary Tibet: Politics, Development, and Society in a Disputed</u>
<u>Region</u>. New York: M.E. Sharpe, Inc.

Annotation: In this chapter, the author examines the Dalai Lama's proposal for independence and Beijing's rejection to it.. The author discusses various reasons Beijing has not accepted the proposal, including the following: China and Tibet have different political interpretations of what "autonomous" means and what it should afford; there is disagreement about what regions should be included in an autonomous Tibet; the fact that some Tibetan commentary still includes the word "independence" leads Beijing to believe that autonomy will lead to a full-blown grab at independence in the future; and the Dalai Lama refuses to make a public statement agreeing that Tibet is an inalienable part of China. The article offers a fair-minded attempt to assess the Dalai Lama's proposal through the eyes of the Chinese government and demonstrate why it sees the proposal for autonomy as problematic.

Heath, John. 2005. Tibet and China in the 21st Century. London: Saqi Books.

Annotation: This book is written from a position of strong support for Tibetans and for their desire for autonomy. It includes a foreword by the Dalai Lama and offers a comprehensive and informative discussion of the political history of Tibet, as well as chapters on modern day development, economics, and human rights. While the book is pro-Tibet, it offers substantive information on the long-standing Tibet-China struggle and would serve as an informative resource for anyone wanting to gain a solid understand of why and how Tibet fights for autonomy.

Hillman, Ben. 2008. "Money Can't Buy Tibetans' Love." Far Eastern Economic Review 171 (3): 60-63.

Annotation: In this article, the author looks at how Tibetans have benefited from the Chinese government's modernization efforts in Tibet and concludes that, despite increases in education spending, business growth, infrastructure development, tourism, etc., Tibetans are still being left behind. Han Chinese business owners readily admit that they hire other Han because Tibetans often lack the skills necessary for existing opportunities. The school system often lacks qualified teachers due to reluctance to locate to "remote posts," and language continues to be a barrier. The author also points out how a dearth of skills-training organizations in the region, in part due to the Chinese government's suspicious attitude toward what are largely seen as Tibet-sympathetic Western NGOs, further exacerbates the problem. The article is especially convincing because the author's material comes, in part, from observations he made while traveling in Tibet.

Johnson, Bonnie. 2000. "The Politics, Policies, and Practices in Linguistic Minority Education in the People's Republic of China: The Case of Tibet." *International Journal of Educational Research* 33 (6): 593-600.

Annotation: The author of this article discusses the challenges Tibetan children face when they are required to go through a standardized education system that emphasizes the Mandarin language. Though policies have been put in place to accommodate minority languages in schools, the standardized Chinese curriculum still leaves little flexibility for teachers and students. Lack of qualified teachers, a passing grades requirement on examinations given in Mandarin to advance through the system, and cultural beliefs on behalf of both Tibetans and Han Chinese exacerbate the problem. The author posits that China has an interest in assimilating Tibetan students into Chinese culture for purposes of national harmony. At the same time, Tibetans, who are highly-religious, are suspicious of secularized education and have trouble seeing its relevance to their lives. The author proposes that a truly bi-lingual educational system could help improve the situation.

Lafitte, Gabriel. 1999. "Tibetan Futures: Imagining Collective Destinies." Futures 31 (2): 155-169.

Annotation: Lafitte, who has worked with Tibetans for more than two decades and served as a consultant to the Tibet Government in Exile's (TGIE's) Planning Council, discusses the challenges the Planning Council faced when commissioned by the Dalai Lama in 1995 to come up with a future vision for Tibet based on his own call for "an indigenous model of development" that allows Tibet to modernize, but in a way the preserves Tibetan values rather than incorporating China's version of modernization. Lafitte makes clear that, though Tibetans desire autonomy and self-direction, they have faced challenges in the form of prescriptive recommendations, generational changes in attitudes, and the concern that the TGIE Planning Council cannot speak for the almost six million Tibetans living in Tibet.

Lafitte also provides unique insight into the attitudes and psychology of the Tibetans serving in the TGIE, including the pressure they feel to live up to an idealized standard of "Tibetanness" commonly touted by Westerners and even by Tibetans themselves. There is also sentiment amongst older Tibetans that they are more "truly" Tibetan because they are a generation closer to being birthed and reared on Tibetan territory.

Li, Jiefen. 2007. "Human Rights versus State Interests in China: Case Studies." New Zealand Journal of Asian Studies 9 (2): 147-168.

Annotation: The author argues that human rights abuse in China is widespread and rampant due to a variety of factors, including China's emphasis on social stability, abuse of local control policies by police who are given unsupervised freedom to administer policies as they see fit, the cultural belief that individuals are secondary to the state's welfare, a flawed legal system that allows local policies to override larger bodies of law (including the Chinese Constitution), and a changing economy in China that is leading to greater illegal migration of rural citizens into cities. Case studies provide tangible examples of human rights abuse under these circumstances.

Métraux, Daniel A., and James W. Yoxall. 2007. <u>China Today: A Brief Introduction</u>. Staunton: Virginia Review of Asian Studies.

Annotation: This work gives a brief overview of Tibet-China relations and then discusses observations of Tibetan life and attitudes toward China. Most interesting and insightful are points made about China's military and economic incentives for wanting sovereignty over Tibet and the fact that any Tibetan wanting to rise up the economic ladder must "work through a Chinese system." While the authors observed that many Tibetans seem to be doing well and that Tibetan culture seems to be thriving, they also observed oppressive tactics put in place by the Chinese government and encountered overwhelming Tibetan sentiment that China is indeed trying to overtake their cultural identity.

Mountcastle, Amy. 2006. "The Tibet Question and the Politics of the 'Real," in <u>Barry Sautman and June Teufel Dreyer (eds.)</u>, <u>Contemporary Tibet: Politics</u>, <u>Development</u>, and <u>Society in a Disputed Region</u>. New York: M.E. Sharpe, Inc.

Annotation: In this insightful and well-written chapter, the author argues that human rights issues are often pegged as idealistic and therefore outside the arena of "real" politics. Critics of Tibet's fight for human rights, including academics and the Chinese government, have used this mindset to discredit and dismiss Tibet's concerns about self-governance and cultural marginalization. Those who point to statistics, laws, and other more factual evidence as a way to define the Tibet-China situation reduce the issue into something that entirely misses the point. Tibet has valid grievances that cannot be argued away by demonstrating that, for example, some of the policies enacted by the Chinese government have improved the material situation for some Tibetans. The author reminds us that, politically and socially,

Tibet has been secondary to the Chinese hegemon and argues that one of Tibet's main issues, human rights, holds a valid position within the realm of politics.

None listed. 2006. "What Is the Dalai Lama's Middle Way?" China Daily (July 26).

Annotation: This newspaper article takes a stand in support of Beijing by criticizing the Dalai Lama's "Middle Way" proposal. The author criticizes the Dalai Lama for various reasons, including the fact that he has not publicly conceded that Tibet is an integral part of China; that he wants a demilitarized "peace zone" in Tibet; and that he would like Tibetans to live in areas that are not inundated by Han Chinese (which, according to the author, suggests the Dalai Lama would kick Han Chinese out of Tibet). The author contends that the Dalai Lama had not really given up on the idea of full independence because he has changed his stance on various issues and made comments suggesting that independence may be the only alternative left if China will not grant self-determination.

Sautman, Barry. 2006. "Colonialism, Genocide, and Tibet." Asian Ethnicity 7 (3): 243-265.

Annotation: In this article, the author refutes common and widespread claims that Tibet is enduring, or has endured, physical and cultural genocide; that it has, in effect, been colonized by China; and that it is undergoing resource exploitation for China's material gain. The author argues that such hyperbolic abuse of terminology does a disservice to effectively handling the China-Tibet issue and urges the reader to look at factual evidence pointing to various benefits, rights, and material gains Tibetans have reaped since China began modernizing the region.

Sautman, Barry (ed.). 2006. "Tibet and the (Mis-) Representation of Cultural Genocide," in <u>Cultural Genocide and Asian State Peripheries</u>. New York: Palgrave MacMillan.

Annotation: Sautman argues that Tibet is not undergoing the "cultural genocide" so widely claimed by Tibetans and their Western supporters, but is instead facing cultural change due to the forces of modernization. He argues that China has not demonstrated a purposeful effort to deny or, more seriously, erase Tibetan culture. Rather, the Tibetan Government in Exile is operating under an agenda of "ethnonationalism" and has resorted to hyperbolic claims about China's intentions toward Tibet. Sautman provides discussion on Chinese policies toward Tibet as well as statistics and examples demonstrating that the Tibetan population is being given freedoms to preserve its identity.

Singh, Sonal. 2004. "Tears from the Land of Snow: Health and Human Rights in Tibet." *The Lancet* 364 (9438): 1009.

Annotation: This article summarizes the health conditions of Tibetans in the TAR region. Data demonstrates that the health of Tibetans is far behind that of Han Chinese due to factors that include lack of infrastructure, nutritional deficiencies, and high medical fees in regional hospitals. While it is clear Tibetans health lags behind, this fact is hidden by the practice of lumping in Tibetan health data with Chinese data.

Smith, Jr., Warren W. 2008. <u>China's Tibet? Autonomy or Assimilation</u>. Lanham, Maryland: Rowman and Littlefield Publishers, Inc.

Annotation: The author of this book argues that China will not grant Tibet autonomy. He provides a history of China-Tibet relations and discusses various political agreements between the two regions to give the reader context and to support his claim. The author argues that China's actions have shown that any autonomy granted thus far is in name only, though Tibetans continue to hope true autonomy will, at some point, be realized.

Sperling, Elliot. 2004. "The Tibet-China Conflict: History and Polemics." in The East-West Center of Washington's <u>Policy Studies</u>. Washington, DC.

Annotation: The author of this article describes the China-Tibet controversy as a dispute over history. He explores the veracity of modern day claims about historical territory and the nature of China and Tibet's relationship. The author examines China's claim that Tibet has been part of its territory since the 13th century, Tibet's position that it had a "priest-patron" religious relationship with China, and the Dalai Lama's claim that China invaded Tibetan territory in 1949. He finds claims from both sides suspect and provides detailed evidence supporting his reasoning.

Sperling, Elliot. 2009. "China Digs in Its Heels in Tibet." Far Eastern Economic Review 172 (3): 48-51.

Annotation: In this well-written and convincing article, the author discusses how, in January 2009, the Chinese government revealed its plans to create "Serfs Emancipation Day" to commemorate the 1959 disbanding of the Tibetan government. The author points out how this gesture underscores the Chinese government's insistence on framing their "Tibet Policy" in their own terms, i.e., one that uncompromisingly touts China as Tibet's savior. The author discusses pre-1959 conditions in Tibet and argues that Tibetans were not in the "hell on earth" situation the Chinese government continually insists upon. Furthermore, China ignores its own questionable human rights issues as it points its finger at Tibet's historical government.

Sudbury, Jill. 2008. "Apparitions of Red Horses: Narratives of Destruction in Bodongpa Monasteries in Central Tibet," in F. Pirie and T. Huber (eds.), <u>Conflict and Social Order in Tibet and Inner Asia</u>. Leiden, The Netherlands: Koninklijke Brill, NV.

Annotation: This chapter in a larger book of essays discusses the longstanding impact the destruction of monasteries in Tibet during the 1950s and the Cultural Revolution of the 1960s had on Tibetans and Tibetan monks. Short case studies are given to demonstrate how the destruction of monasteries, central to Tibetan Buddhism, reinforced Tibetan attitudes of antipathy toward the Chinese. The author also discusses how Tibetans view these events through the lens of their religion.

The Associated Press. 2009. "China Tells US to Back Off After Dalai Lama Award." *The Washington Post* (October 9).

Annotation: The Associated Press reports that China was angered over American lawmakers giving the Dalai Lama an award for his human rights efforts. China felt the United States was "meddling in its domestic affairs" and has been urging foreign governments to refuse to meet the Dalai Lama. This article is interesting in that it brings to light recent action on behalf of the Chinese government to suppress the Dalai Lama's message and to turn international community leaders against him.

US Senate, 110th Congress. 2008. "The Crisis in Tibet: Finding a Path to Peace." Subcommittee on East Asian and Pacific Affairs. Washington DC: US Government Printing Office. Available online: http://www.gpoaccess.gov/congress/index.html

Annotation: This government publication is a verbatim record of a hearing before the Subcommittee on East Asian and Pacific Affairs of the Committee on Foreign Relations that took place on April 23, 2008. The hearing addressed China's human rights abuses towards Tibetans in light of the March 2008 protests on the 49th anniversary of the Tibetan uprising that began in 1959. Various senators, actor Richard Gere, the envoy of the Dalai Lama, and others presented their case to the chairman of the committee, Senator Barbara Boxer. The testimonials are strongly pro-Tibetan with consensus that China's human rights abuses towards Tibetans are unacceptable.

Wong, Edward. 2009. "Chinese Rule in Tibet Creates Specter of Dueling Dalai Lamas." *The New York Times* (June 7).

Annotation: This article summarizes the attempt of the Chinese government to override the 14th Dalai Lama and his exiled government's chosen successor. The Chinese government has, in the past, selected its own Tibetan lamas who are willing to support the Chinese Communist Party. Though the Chinese government claims that all Dalai Lamas in the past have traditionally undergone a government approval process before becoming official, the Tibetan community fears the true intention behind China's uninvited involvement in the selection of the 15th Dalai Lama is to further its control over Tibetans and their culture.

Yan, Hao. 2000. "Tibetan Population in China: Myths and Facts Re-examined." Asian Ethnicity 1 (1): 11-36.

Annotation: There is much controversy over claims of a diminishing Tibetan population, genocide, forced birth control, and intentional migration of Han Chinese into Tibet. At the same time, the author of this article notes that demographers have paid little attention to these issues. The author presents evidence of poor data collection methods and provides what the he believes is more accurate data that contradicts most of the above claims. The author concludes that what are commonly considered "facts" about Tibet-China relations are unsupported by data, and proposes that the true conflict lies between China's modernization and Tibetan nationalist desires to preserve Tibet. At the same time, the author agrees that Tibet should be allowed cultural preservation.

Yi, Lin. 2008. Cultural Exclusion in China: State Education, Social Mobility, and Cultural Difference. Abingdon, England: Routledge.

Annotation: The author addresses the struggles minority groups in China face within the standardized educational system that is predicated on Han majority culture. He argues that it is difficult for minority groups to advance in school and/or use their education to advance their positions in society due to a lack of "cultural capital" that relegates minorities to the periphery of mainstream Chinese educational and social realms. For example, Tibetan children face racism in school and, as a result, view their people as less capable and their culture as backward and inferior. Tibetans also face the dilemma of receiving education in mainstream schools that can dilute Tibetan identity. The author addresses the disconnect between law and action on the part of the Chinese government. Though laws are in place to protect minorities and their cultural rights, the enforcement of these laws is sorely lacking. This book offers an insightful and in-depth look into the social mobility challenges minorities in China face.

Uyghurs under the Chinese State: Religious Policy and Practice in China By Katie Corradini

Introduction

The government of the People's Republic of China (PRC) is notorious for committing human rights violations. These violations include infanticide, human trafficking, violent enforcement of the one-child policy, and religious persecution. The international community commonly overlooks religious persecution of the Uyghurs, who are targeted and often oppressed by the Chinese government. China is arguably the center of the political and economic international system but, as the Uyghur diaspora expands to developed countries, including the United States, the rest of the world must understand the issues at the forefront of the conflict.

Who are the Uyghurs?

The Uyghurs are the Turkic Muslim minority who live primarily in the Xinjiang region of Western China and constitute approximately forty-five percent of Xinjiang. Religious freedom is perhaps the most prevalent mode of repression endured by the Uyghurs. The Chinese government, while officially declaring all religions equal and free, continues to put harsh restrictions on Uyghurs. Muslims in China must endure terrorist labels, public harassment, and stringent religious regulations. Much of the world, especially the United States, is turning a blind eye to the human rights abuses that the Uyghurs face. While the Uyghurs have at times resorted to violence, their goal is to practice religion freely in China without fear of persecution or death.

A major obstacle facing Uyghurs today is the lack of support from the international community. Many Uyghurs who lived in the Middle East after the September 11 attacks were suspected of being al Qaeda operatives. The United States military arrested Uyghurs after China declared the East Turkestan Islamic Movement a terrorist organization. Because of Sino-American foreign policy, the United States was obligated to capture the Turkic Muslims. Approximately twenty-two Uyghurs were detained in Guantanamo Bay and, of those, many were not released until this year. To date, seventeen countries have agreed to give asylum to the prisoners after their release, since they cannot return to China.

Today, Uyghurs are in two groups: those who want an independent Uyghur state and those who realize that it is easier to conform to traditional Chinese culture. It seems that the Uyghur youth want to be able to practice their religion without worrying about persecution, but they also believe that going to Chinese schools, wearing traditional Chinese clothing, and living comfortably with Han Chinese in Xinjiang are more acceptable than constantly being targeted by the Chinese government. This trend has undoubtedly reinforced the Chinese government's efforts to continue its political and cultural pressure on the Muslim minorities in Xinjiang. As more Uyghurs conform to the traditional Chinese way of life, the government believes that its restrictions are working and the Uyghur independence movement is getting smaller.

Uyghur Culture Versus Traditional Chinese Culture

Traditional Chinese culture relies heavily on a rigid set of social and political values, which include, but are not limited to, a strict education system, the one-child policy, and adherence to

religious practices as outlined in the Chinese Constitution. Article 36 of the Constitution states, "[c]itizens of the People's Republic of China enjoy freedom of religious belief. No state organ, public organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion..." (Constitution of the People's Republic of China). Although Islam is one of the five official religions in China, the Chinese government reserves the right to refuse equal protection to any religious group. The Uyghurs are treated more unfairly than other Islamic groups in China.

China's goal is to reinforce traditional Chinese culture for all those living in the PRC. The government has made it close to impossible for Uyghurs to practice their religion by closing Islamic schools and mosques and forbidding traditional Muslim clothing. Although Uyghurs are officially exempt from abiding by China's one-child policy, pregnant Uyghur women are forced into late-term abortions at a rate much higher than Han Chinese women. Being forced to go against their religious beliefs is yet another catalyst for Uyghur unrest in Xinjiang. In response to this situation, China has enforced its policies even more harshly. For example, parents are not permitted to allow their children to participate in religious activities, and imams must pledge allegiance to the Communist party.

Response from the Chinese Government

On July 5, 2009, riots broke out in Urumqi, the capital of the Xinjiang province. According to official reports, 192 people were killed and 1,721 were injured. The Chinese government blamed the Uyghurs for instigating the riots and called the event a terrorist attack. The riots, though tragic, were another attempt by the Uyghurs to seek the religious freedom forbidden in China. Chinese law officially prohibits discrimination against any ethnic or minority group and allows Muslims to practice Islam freely throughout the country. Unofficially, however, the Chinese government is notorious for persecuting those who practice any religion not condoned by the state. As of November 9, 2009, nine rioters—eight Uyghurs and one Han—had been executed, and many more sentences are expected to be handed down in the coming months. Under international law, the Chinese government must allow those arrested the rights to obtain their own defense counsel and to see all evidence against them, as well as the chance to appeal when necessary. Based on the government's decisions thus far, it is difficult to believe that China will allow the defendants all their rights.

Like many minority groups throughout world, the Uyghurs feel that resorting to violence is one of the only ways to reach their goals and defend their rights. Because China controls the media, the outside world only hears China's side of the story and, because some Uyghur organizations are labeled as terrorist groups, the international community often sides with China without taking the time to understand the other side of the conflict.

Conclusion

If China continues to violate its citizen's human rights, it will be increasingly difficult for this Asian country to continue its policy of engagement with the international human rights system. Furthermore, China, now a member of the Human Rights Council, clearly lags behind in actual implementation of human rights standards. As this paper illustrates, religious persecution and discrimination against the Uyghur minority is a clear example of the precarious human rights situation within Chinese territory.

Implementing the specific recommendations made to China by various UN bodies represents a crucial step in advancing individual and systemic protections and respect for human rights in this country. China must stop its egregious human rights violations, not only against the Uyghurs, but against all its citizens. China's position as a political economic powerhouse does not excuse it from committing these violations, nor does it excuse it from being held accountable by the international community.

Annotated Bibliography

Anonymous. 2009. "Urumqi Riot: Backstory." *China Today* (July). Available online: http://www.chinatoday.com.cn/ctenglish/se/txt/2009-07/30/content 209831.htm?intx=july+2009.

Annotation: This article is a brief synopsis of the Urumqi riots that erupted in July, 2009. The author of this article explains the role of the Chinese government and what steps it took to stop the violence. According to the article, the World Uyghur Congress instigated the riot and the Chinese government simply defended itself. The article does not fault China for the riots; rather, they place sole blame on the Uyghurs. Regardless of whose side the reader takes, the article is very informative.

——. 2009. "Is China Fraying?" The Economist (July 9).

Annotation: On July 5, 2009, a riot broke out between the Uyghurs and the Chinese government in the capital of Xinjiang Province, Urumqi. By the time the violence ended, more than 150 people had been killed. Although the article is very critical toward the Chinese government, it also comments that China's quick action following the riot was responsible. The article thoroughly explains the events leading up to the violence. It also compares China's policies in Xinjiang and Tibet. This article is relevant for a person who does not know much about the Uyghurs in the Xinjiang region or the history of Islam in China.

——. 2009. "Troubles across Turkestan." The Economist (July 14).

Annotation: Riots in the Xinjiang region of China left roughly fifty Turkic-speaking Uyghurs dead. The author claims that the attacks were instigated by the Uyghurs but believes the response by the Chinese government was not proportional. Turkey must support the Uyghur movement because many Chinese Uyghurs live in Turkey to escape the repression of the Chinese government. Central Asian countries like Kazakhstan and Kyrgyzstan are pressured by China to remain silent about Uyghur unrest, and some Uyghurs have even been sent back to Xinjiang. Anyone who is interested in current Chinese foreign policy will find this article beneficial.

Balci, Bayram. 2007. "Central Asian Refugees in Saudi Arabia: Religious Evolution and Contributing to the Reislamization of Their Motherland." Refugee Survey Quarterly 26 (2): 12-21.

Annotation: Balci's article is about Islamic refugees, including Uyghurs, who have left their home country for Saudi Arabia. Balci claims that, once living in Saudi Arabia, the refugees tend to convert to Saudi religions like wahhabism and salafism. He chronicles the migration of Central Asian and Western Chinese Muslims to Saudi Arabia during the twentieth century. Balci also argues that refugee Muslims who practice religion in Saudi Arabia take a very different form of Islam home to their families in Central Asia and Western China. The reader who is very knowledgeable about Central Asian and Islamic history will find this article interesting.

Baranovitch, N. 2007. "From Resistance to Adaptation: Uyghur Popular Music and Changing Attitudes Among Uyghur Youth." *China Journal* (58): 59-82.

Annotation: Baranovitch's article is unique, in that it explores Uyghur culture through the music that the Uyghur youth listen to. He argues that music is a great portal into the lives of those who are oppressed. He writes about a Uyghur musician named Askar who sings about his Uyghur heritage and, as a result, strengthens Uyghur culture, especially in Xinjiang. The other aspect of Baranovitch's article is the current attitude of Uyghur youth. Many believe that fighting for independence is pointless, and perhaps life will be better (and free from persecution) if they integrate into Chinese culture.

Bhattacharji, P. 2008. "Religion in China." *Council on Foreign Relations*, (May 16). Available online: http://www.cfr.org/publication/16272/religion in china.html.

Annotation: Bhattacharji provides a thorough and extensive background on religion in China. The author details Christianity, Islam through the Uyghurs, Buddhism through Tibetans, and Falun Gong and Falun Dafa. Bhattacharji briefly explains the groups' ongoing struggles against the Chinese Communist Party. The website has several links to other helpful organizations and documents concerning religious policy in China.

Becquelin, N. 2000. "Xinjiang in the Nineties." The China Journal (44): 65-90.

Annotation: With the fall of the Soviet Union in the early 1990s, the Chinese government recognized the volatility of the region and tried to reign in Uyghur culture in the Xinjiang province to align it more with ethnic Chinese culture and politics. Additionally, China aligned itself by forming an alliance called the "group of five" with other Central Asian states to control the sociopolitical atmosphere in the region. Becquelin writes a very informative historical sketch of Xinjiang during the 1990s, specifically after the fall of the Soviet Union. The article would be very useful for someone who wants to learn how the political, economic, and social aspects of Xinjiang society evolved over the last two decades.

Buszynski, L. 2005. "Russia's New Role in Central Asia." Asian Survey 45 (4): 546-565.

Annotation: Buszynski explores the economic, political, and militaristic relationship between Russia and Central Asia. He notes how the relationship has changed after the fall of the Soviet Union. He argues that, post-9/11, the American military presence in the Middle East and Central Asia emasculated Russia and weakened its authority over Central Asia. Buszynski references Central Asian and Middle Eastern experts like Ahmed Rashid, so a reader who is familiar with Rashid's work should find this article equally valuable. Though the article does not focus on the Xinjiang province, it provides a thorough background of how the conflict between Uyghurs and the Chinese government could easily expand into neighboring nations.

Chien-Peng, C. 2004. "The Shanghai Co-operation Organization: China's Changing Influence in Central Asia." *China Quarterly* (180): 989-1009.

Annotation: In 2001, China, Russia, Kazakhstan, Kyrgyzstan, Tajikistan, and Uzbekistan formed the Shanghai Co-operation for the purpose of resisting American influence in the Central Asian States and ensuring China's control remained strong. Chien-Peng's paper is an in-depth look at Chinese foreign policy and how it has been shaped by the September 11 attacks. The author also notes the importance of a strong relationship between China and Russia in light of the war on terror and Islamic extremism, as well as the region's natural resources, especially oil.

Clarke, M. 2003. "Xinjiang and China's Relations with Central Asia, 1991-2001: Across the 'Domestic-Foreign Frontier'?" *Asian Ethnicity* 4 (2): 207.

Annotation: Clarke argues that there is a direct relationship between China's foreign policies with Central Asia and its domestic policies regarding ethnic minorities in the Xinjiang region. Clarke assumes that the reader of this article already has some knowledge of Chinese foreign policy in Central Asia and the Uyghurs' plight in Western China. He also questions the current relationship between economic development and ethnic stability in the Xinjiang region. The overload of information in the article can be a bit overwhelming, but Clarke includes good specifics necessary for understanding China's relations with Central Asia.

——. 2008. "China's 'War on Terror' in Xinjiang: Human Security and the Causes of Violent Uighur Separatism." *Terrorism & Political Violence* (20): 271-301.

Annotation: Clarke's article is about the consequences of the "terrorist" label placed on the Uyghurs in Xinjiang by the Chinese government. Clarke shows that, throughout history, the primary violent uprisings in Xinjiang have been in response to changing policies regarding

the Uyghurs, whether during Maoist China or today's current administration. The violence has not been acts of terrorism, contrary to what China and other nations claim. Additionally, the "terrorist" label has done little to increase awareness of their struggles within the international community. If anything, that label has hindered any developments they have achieved during the past two decades. This article makes it clear that Chinese political and economic policies make it very difficult, if not impossible, for Uyghurs to maintain their own culture and identity within China.

Davis, E. V. W. 2008. "Uyghur Muslim Ethnic Separatism in Xinjiang, China." *Asian Affairs: An American Review* 35 (1): 15-30.

Annotation: Davis's article is a brief history of China's policies toward Muslim groups in Western China, and an analysis of how that history has contributed to present day politics. This article is helpful for someone who is interested specifically in the relationship between Western China and Central Asia. Additionally, this article explains the changing relationship between China and its Muslim population post-9/11. While this article mainly focuses on China and the Middle East, the author also discusses US foreign policy.

Dittmer, L. 2005. "Power Politics in the Himalaya and Beyond: Introduction." *Asian Survey* 45 (4): 497-502.

Annotation: Dittmer's article refers to many minority groups within China, not just the Uyghurs. One of his arguments is that, if the minority groups are able to modernize, then they stand a chance at improving their status within China. Dittmer also refers to Haider's article about the Sino-Pakistan relations on the Karakoram highway. His main point is that we live in a globalized world that has many socioeconomic benefits. However, at the same time, the globalization has caused much more political discontent, militant sectarianism, and trafficking, all of which especially affect minority groups living in the center of our global economy.

Finley, J. S. 2007. "Chinese Oppression in Xinjiang, Middle Eastern Conflicts and Global Islamic Solidarities among the Uyghurs." *Journal of Contemporary China* 16 (53): 627-654.

Annotation: Joanne Smith Finley, lecturer in Chinese at Newcastle University, writes about the sense of solidarity among Muslim Uyghurs and how outside influences have formed that solidarity. Finley acknowledges that bonds were forged through violence and riots, and she does not deny that some Uyghurs used militant Islamic ideologies to gain independence. However, she says that the violence is only one ideology behind Uyghur resistance movements. She also writes about modern- day technology, such as CDs, DVDs, and the internet, and what role they play in strengthening the Uyghur independence movement. This article would be useful for someone who wants to learn more about Islamic renewal in the Far East and its impact on Chinese policies.

Goldman, M. 1986. "Religion in Post-Mao China." Annals of the American Academy of Political and Social Science 483: 146-156.

Annotation: In Maoist China, religious practice was all but forbidden in the country. During the Xiaoping era, religion was slowly allowed back into society, although it was still controlled by the state. After the Soviet Union fell, the Chinese government was more focused on the spread of Islamic fundamentalism in Western China, so Muslims were allowed to practice as long as they abided by the guidelines set out by the government. Goldman argues that, as China's control on religion got tighter, those who practiced the targeted religions went underground even further. This was the exact opposite response the Chinese government wanted after making religion a faction of the government.

Goldstein, R. 2009. "Is China Spying on Uyghurs Abroad?" *Christian Science Monitor* (July 14). Available online: http://www.csmonitor.com/World/Asia-Pacific/2009/0714/p06s12-woap.html.

Annotation: The author of this article claims that China has an international espionage system in place to keep track of Uyghurs across the world. This accusation comes after a Uyghur was arrested in Sweden for "unlawful acquisition and distribution of information relating to individuals for the benefit of a foreign power," i.e. China. The brief article shows a different perspective on China's foreign policy and its desire to maintain control of Uyghurs regardless of where they live. It also shows the extent to which the government will go for that control. This article is informative and broadens the scope of Uyghur nationalism and Chinese repression, proving that oppression is not limited to Chinese soil.

Goossaert, V. 2005. "The Concept of religion in China and the West." Diogenes 52 (1): 13-20.

Annotation: The author wrote this article for someone who wants to learn about the modern history of religion in China, and how that history led to current policies and practices. Goossaert explains the five religions in China—Catholicism, Protestantism, Islam, Buddhism, and Taoism—and the policies China used to control these religions during the last century. He argues that China's stance on religion is heavily based on superstition, making it nearly impossible to practice religions in China. This article was not written in an attempt to explain the role of religion in Chinese culture; rather, Goossaert seeks to explain how religion has shaped political, social, and humanitarian crises in China.

Haider, Z. 2005. "Sino-Pakistan Relations and Xinjiang's Uyghurs: Politics, Trade, and Islam along the Karakoram Highway." *Asian Survey* 45 (4): 522-545.

Annotation: In 1982, a 500-mile highway opened between the Xinjiang province in China and Islamabad in Pakistan. Haider claims that increased trade between China and Pakistan drove a wedge in the Uyghur community, straining Muslim relations between Pakistan and

the Uyghurs in Western China. This article is very useful for someone who is researching Chinese and Middle Eastern policies. Haider does not show bias towards either group. He acknowledges that the Chinese government and Uyghurs alike are responsible for unrest and violence in Xinjiang.

Hastings, J. V. 2005. "Perceiving a Single Chinese State." Problems of Post-Communism 52 (1): 28-38.

Annotation: Hastings breaks the Uyghur violence up into two categories: episode unrest and insurgent activity. He looks into why some episodes of unrest have escalated into violent riots. Hastings does not believe that calls for Uyghur independence were the primary reason violence broke out. Rather, he indicates that demands that have gone unanswered by the Chinese government have led to independence movements. One demand includes halting the Chinese government's exploitation of natural resources, specifically oil, located in the Xinjiang region, which causes relocation and economic disruption among the Uyghurs. Another demand made by the Uyghurs is to stop the Chinese government from sending Han Chinese into Xinjiang for the sole purpose of spreading traditional Chinese culture. Hastings's article is very useful for someone who wants to research specific reasons for periods of unrest in Xinjiang.

Hierman, B. 2007. "The Pacification of Xinjiang: Uyghur Protest and the Chinese State, 1988-2002." Problems of Post-Communism 54 (3): 48-62.

Annotation: Hierman writes an in-depth, historical piece on Chinese-Uyghur relations from 1988-2002. His focus is China's ability (or inability) to effectively rule the Xinjiang region in Western China. The article is broken down into time periods and is relatively easy to follow, even for a reader who has little knowledge of the issue. He also includes detailed charts and graphs to show levels of contentious events by year in each region. Hierman believes that, if enough Uyghurs work together to overcome Chinese oppression, then they have great potential to "resist repressive measures taken by coercive states."

Hilton, I. 2004. "God in China." Index on Censorship 33 (4): 200-204.

Annotation: Isabel Hilton says that China opened itself up to religious groups after the death of Mao in order to bring peace and stability, as long as the religious beliefs were kept under "Party control." She claims that the Uyghurs and Tibetans practice religions that are "indistinguishable from national movements that challenge the legitimacy of Chinese rule." She also believes that Chinese people are turning to religion to find a moral compass that the Chinese government cannot provide. A reader who wants to learn more about the history of religion in China and its potential to be transformed into a political movement will find this article very informative.

Huang, M. 2001. "U.S. Human Rights Policy Towards China." Foreign Policy in Focus 6 (8): 8.

Annotation: Huang writes about the current human rights situation (as of 2001) in China and the hypocrisy of US policies towards China. She notes that the United States has not ratified the Convention to Eliminate all Forms of Discrimination Against Women (CEFDAW) or the Convention on the Rights of the Child (CRC), both of which have been ratified by China. Yet, for political reasons, the United States continues to pressure the Chinese government to improve its human rights records. Huang also refers to egregious human rights violations committed against the Uyghurs and other minority groups within China. She argues that the United States can pressure China to improve its human rights record through trade and security policies.

Human Rights Watch. 2005. "China: Religious Repression of Uighur Muslims." Available online: http://www.hrw.org/en/news/2005/04/10/china-religious-repression-uyghur-muslims

Annotation: This article details a Human Rights Watch report called "Devastating Blows: Religious Repression of Uyghurs in Xinjiang." The Chinese government is using the war on terror as an excuse to violate the human rights of more than eight million Uyghurs in Xinjiang. The government not only bans all Uyghurs from practicing their religion, but is also ensuring the migration of millions of ethnic Chinese into Xinjiang in order to have a stronger traditional Chinese culture. Though the plight of the Uyghurs dates back to pre-9/11, the Chinese government is using the attacks to label Uyghurs as terrorists and arrest them under the guise of legality.

——. 2009. "China: Security Build-Up Foreshadows Large-Scale Crackdown." Available online: http://www.hrw.org/en/news/2009/07/10/china-security-build-foreshadows-large-scale-crackdown.

Annotation: The authors of this report predict the widespread crackdown on Uyghur nationalists by the Chinese government in the days following the 2009 riots. The media accounts of the violence are in support of the Han Chinese and the Chinese government singles out Uyghurs who they believe instigated the attacks. The report also refers to the whereabouts of Uyghur detainees the government has taken into custody. Sophie Richardson, the director of Asia advocacy at Human Rights Watch, states that the only reliable investigation is an international one.

—. 2009. "China: President Should Ease Tension by Acknowledging Grievances." Available online: http://www.hrw.org/en/news/2009/07/08/china-president-should-ease-tension-acknowledging-grievances

Annotation: Human Rights Watch, which has documented hundreds of human rights violations in Xinjiang, argues that the Chinese government should be more transparent in

cases like the Urumqi riots, as well as episodes of violence involving Tibetans and other minorities in China. Although China vowed to follow the rule of law after the riots in Urumqi, Human Rights Watch has witnessed arbitrary arrests and the denial of basic rights such as right to counsel. It is the position of Human Rights Watch that, if China does not fulfill its obligation to provide basic legal rights to those arrested, then the United Nations and other international organizations must take over the investigations and arrests of those involved in the riots.

Hyer, E. 2006. "China's policy towards Uyghur nationalism." *Journal of Muslim Minority Affairs* 26 (1): 75-86.

Annotation: Hyer discusses how Chinese policy against the Uyghurs after WWII has led to the current state of affairs between the government and this minority group. He details specific uprisings in each decade to document Chinese foreign policy regarding the Middle East and Central Asia. The argument is that several countries, like Pakistan, Turkey, and Kazakhstan, have solid economic relations with China; therefore, the countries do not want to disrupt anything by supporting the Muslim Uyghurs. This article would be useful for a reader who wants a comprehensive look at twentieth century Chinese policies.

Kung, L. Y. 2006. "National Identity and Ethno-Religious Identity: A Critical Inquiry into Chinese Religious Policy, with Reference to the Uyghurs in Xinjiang." Religion, State & Society 34 (4): 375-391.

Annotation: Kung begins with a brief history of religion in China and an analysis of how it has progressed to what it is today. He calls Chinese religious policy a "policy of control." While noting that China's religious policy is regulated by law, he is quick to point out that the government understands religious policy is entwined with political issues, such as China using religion to increase social morality. This article would be beneficial to anyone who wants to learn more about religious rights in China. The author assumes the reader does not have a large background in Chinese policies.

Lillis, J. 2009. "Kazakhstan: Solidarity and Rage." Transitions Online: 3-3.

Annotation: Lillis writes about the support of Kazakh Uyghurs for Uyghurs living in the Xinjiang region. After the protests in July 2009, Kazakhs have shown strong support for Uyghurs fighting Chinese oppression. They argue that China is encouraging Han migration into Xinjiang to instigate violence and unrest. Lillis takes the side of the Uyghurs, claiming that the Chinese government used unnecessary force against unarmed Uyghurs during the riots in July 2009.

Mackerras, C. 2005. "Some Issues of Ethnic and Religious Identity among China's Islamic Peoples." Asian Ethnicity 6 (1): 3-18. Annotation: Mackerras's article discusses the changes of ethnic and religious debates after major world events. He gives a history of Islam in China, but spends much time on Muslim rights after the fall of the Soviet Union and after the September 11 attacks. He notes that China claims to have found Uyghurs fighting with al Qaeda in Afghanistan, thus posing the question of China's right to target specific Muslim groups due to their link with terrorists.

Paperny, A. M. 2008. "China's Wild West." Maclean's 121 (49): 24-26.

Annotation: Paperny discusses the possibility of economic development and investment to appease the dissenters in the Xinjiang region. China has invested a lot of time and money in oil exploration in Xinjiang and, as a result, new factions have broken off within the Uyghurs between the poor and middle-income families. She also talks about the paranoia surrounding Uyghurs, many of whom think that the Chinese government has spies all over Xinjiang and that one wrong move could land them in jail. This article is brief but informative if someone wants to learn more about the consequences of economic development in the northwestern regions of China, specifically Xinjiang.

Petersen, K. 2006. "Usurping the Nation: Cyber-Leadership in the Uyghur Nationalist Movement." Journal of Muslim Minority Affairs 26 (1): 63-73.

Annotation: Peterson writes the article assuming the reader already knows about the Uyghur nationalist movement. She explores how the internet has helped the movement, specifically discussing how it has increased the call for the creation of "East Turkistan," the Uyghur's independent nation. Peterson argues that, through the internet, Uyghurs are separating themselves from China and growing closer to creating their own independent nation. Websites give Uyghurs from around the world the chance to unite and fight for a common goal. Peterson definitely favors the Uyghur movement and sometimes harshly criticizes the Chinese government for its oppression of Muslims in China.

Potter, P. B. 2005. "Governance of China's Periphery: Balancing Local Autonomy and National Unity." *Columbia Journal of Asian Law* 19 (1): 293-322.

Annotation: Potter, an attorney and Director of the Institute of Asian Research at the University of British Columbia, writes about the challenges of local development when the centralized government keeps getting involved. He also writes about China's changing relationship with its inner periphery areas of Mongolia, Xinjiang, and Tibet. He compares the inner periphery to the outer periphery areas of Macao, Hong Kong, and Taiwan. Although parts of the article are written in a legal jargon, it provides plenty of information about China's policies toward ethnic minorities and repressed groups. The average reader may find the article tedious but useful.

——. 2003. "Belief in Control: Regulation of Religion in China." The China Quarterly (174): 317-337.

Annotation: Potter's article deals with how China controls religion while maintaining a positive international reputation. He argues that China will lose its legitimacy as it continues to suppress religious freedom. Throughout China's modern history, especially post-Mao, religious freedom or control were always the responsibility of the Chinese government, though some regimes were more rigid than others. Potter refers to documents released by the Chinese government that explicitly say religion must be accommodating to a socialist society. Potter's article serves as a good resource for someone who would like a basic history of religious oppression in twentieth century China.

Thrall, N. 2009. "Eastern Promises." New Republic 240 (16): 15-17.

Annotation: This article brings to light the plight of Uyghurs who were wrongfully detained and put in Guantanamo Bay. Abubakkar Qassim, a Uyghur, was arrested in China and, after his release seven months later, was sold to Pakistani authorities while on a trip to Afghanistan to visit a Uyghur village. He was suspected of being an al Qaeda operative and was taken to Guantanamo Bay. Thrall interviewed Qassim, who now lives in Albania, about his experiences in Guantanamo.

Zhao, Y. 2001. "Pivot or Periphery? Xinjiang's Regional Development." *Asian Ethnicity* 2 (2): 197-224.

Annotation: This article was written just before 9/11. The author writes about Chinese-Islamic policy from an objective point of view. The beginning of the article focuses on the history of China and Central Asia, specifically the former Soviet Union throughout the Cold War. The second half of the article focuses on Chinese foreign policy and development. Zhao also details the economic plans implemented by China during the 1990s. This article would be useful for someone who already has a solid background in Chinese/Middle Eastern policy.

Zhou, J. 2009. "Doomed to Failure." Beijing Review 52 (28): 2-2.

Annotation: This article is very brief, but it is also interesting, in that it takes the side of the Chinese government and defends their actions during the Urumqi riots. Zhou condemns the anti-China acts of violence that happened in July, 2009 and cites evidence that the World Uyghur Congress is responsible for instigating the riots. Zhou says that any Xinjiang independence sought will never be received if anti-Chinese tactics show a complete disregard for human rights. Zhou wrote the article for someone who wants a dissenting view of the conflict between China and the Uyghurs.

Chinese Women and Economic Human Rights

By Lisa Fry

Women's human rights in China have an intriguing history and a challenging present. In ancient China, Confucianism espoused the virtues of silent women who stayed at home. During the Maoist period, on the other hand, gender equality was prioritized by the state, and women were equally appointed to leadership positions and agricultural collectives with men. After Mao's death, the country transitioned to a social market economic system that resulted in a loss of state support for gender equity. Today, the rights of women in China are not clearly defined, protected, or promoted. China's patriarchal traditions have reasserted themselves, obstructing women's economic human rights, such as the right to land and the right to work. There is a wide gap between the rhetoric of the Chinese government regarding women's rights and the actual experiences of women.

Gender-based discrimination in China violates several international conventions to which the country is signatory. These include the United Nations Declaration on Human Rights (UNDHR) and the Convention on Elimination of All Forms of Discrimination against Women (CEDAW). Both of these declarations call for women's rights to be honored equally with those of men, but in practice they often are not. Gender discrimination in human rights is notably prevalent in China, which does not have a particularly strong human rights record.

The right to own property is guaranteed by the UNDHR. However, a recent change in land tenure policy in China has resulted in a systematic denial of land to women. The new policy was designed to encourage investment through thirty-year land tenure for households. This change has especially impacted married women. It has ended the periodic reallocations that allowed recently married women who had moved to a new village to acquire a plot of land in that village. With the policy change, women still technically have land rights in their natal village, but in practice they lose access to that land after marriage as a result of Chinese cultural norms that consider married women to no longer be a part of their natal family.

The thirty-year tenure policy also denies land to women through the titling process. Since land is generally titled to a household as a whole, the name of the man, assumed to be the household head, will appear on the paperwork. In practice, women work with (or instead of) their husbands on the household plot, but in the case of separation, divorce, or widowhood, the woman can be denied access to the land since her name is not on the title. This is a problem that particularly affects women with dependents, since a loss of land can lead to a loss of livelihood. When women do receive land in allocations, it is generally of the poorest quality in the least desirable area. Urbanization is also linked to denial of land to women, because rapid urbanization is causing rural landowners to be forced off their land. Land that is being expropriated for urban expansion is frequently not recompensed. While communities may vote to have land expropriated, women, even if they are land holders, are usually not included in the decision-making process.

The other key economic human right that women in China are being denied is the right to work. Gender discrimination in the workforce is less a result of government policy (as it is with property rights), and more a result of cultural and economic factors. As China has transitioned to a more open economy, increased efficiency has resulted in layoffs, as fewer workers are needed despite greater economic output. Married women are, again, the most affected. Of all workers, they are most likely to face involuntary termination or family-oriented job changes, such as working part-time or

leaving a job for domestic duties. The gender disparity in layoffs is the result of employers' greater freedom over labor and their discrimination against women.

Rural women who migrate to urban areas to look for work face challenges to employment rights that urban women do not. Women are less likely to migrate than men but, when they do, they usually are employed in unskilled labor positions. They also work domestic, canteen, or shop jobs—jobs which urban women consider low-status positions. Another disadvantage to rural women is that business owners must give priority in employment to urban dwellers. Women from rural areas tend to have less education as well, which contributes to their inability to find work.

Despite systematic discrimination, women in China are beginning to fight for their rights. In 2005, the state revised the Women's Protection Law, although there are still major weaknesses; its language is strong, but its suggestions for implementation are weak. The law also speaks of women in a subtly condescending manner that reinforces unequal gender relations. Women are encouraged to express grievances in mediatory rather than legal processes, a policy which reinforces the notion that women are subordinate and also denies them their legal rights. The Chinese Communist Party discourages civil society, particularly feminist organizations, from gaining true power; however, it may not be able to exert authority over even party-approved organizations for much longer. The 1995 Fourth World Conference on Women in Beijing brought together women's organizations from all over China and the world to promote women's human rights. Preparation for the conference gave Chinese women the opportunity to speak out about oppression and their human rights needs. Although women are being discouraged from political participation at all levels, thus weakening their ability to have their economic rights recognized, some are finding other ways to speak out.

Overall, women's human rights in China seem to be increasing despite the best efforts of the government and the traditional patriarchal culture. Although the government claims that, as China develops, the situation of women will improve, some Chinese women have seen that this is not the case, and are fighting for their rights. Unfortunately, the systematic denial of women's rights is so embedded in Chinese society that it is very difficult even for women who are aware of the problem to mobilize domestic support against it.

Annotations

Agarwal, Bina. 1994. <u>A field of one's own: Gender and land rights in South Asia</u>. Cambridge: Cambridge University Press.

Annotation: In this groundbreaking book, Agarwal argues that the most important economic human right for women is the right to property. Property rights are presented as key to welfare and efficiency of the community as well as to the equality and empowerment of women. She draws on extensive field research throughout South Asia as well as economic, cultural, legal, and political sources to support this argument. In her study, she also examines women's resistance to gender inequality in relation to land struggles. The book represents the first major study on the relationship between gender and property rights. It is an important text for anyone interested in women's rights, gender relations, issues in property rights, or South Asia.

Apodoca, Clair. 2006. "Measuring Women's Economic and Social Rights Achievement," in B. B. Lockwood (ed.), <u>Women's Rights: A Human Rights Quarterly Reader</u>. Baltimore: The Johns Hopkins University Press.

Annotation: This piece emphasizes the importance of measuring women's economic and social rights separately from the aggregated measures typically used in rights measurement. Apodoca analyzes several indices that measure women's development: the Gender-related Development Index; the Gender Empowerment Measure; and the Women's Economic and Social Rights measure. It is important to use the indices in development and policy work to ensure that women's rights are being addressed and to focus policy on weaknesses. The article is a good overview of metrics relating to women's rights. It is written for policymakers and researchers to address the importance of measuring gender-differentiated indicators, but it is easily accessible to the educated reader.

Appleton, Simon, John Knight, Lina Song, and Quingjie Xia. 2002. "Labor retrenchment in China: Detriments and consequences." *China Economic Review* 13: 257-275.

Annotation: The authors use econometric and probit models to determine what social groups were at greater risk for retrenchment though recent policy regarding state-owned enterprises in China. They use data from a 1999-2000 household survey to build their models. The authors conclude that there were several factors that made a worker more likely to be retrenched. These include gender, low education level, low skill level, age, and local employment. The authors also wished to determine the likely duration of unemployment after retrenchment. Through their models, they determine that the same factors contributing to retrenchment also contributed to longer unemployment periods. The article is an interesting analysis of the gendered impacts a supposedly gender-neutral policy can have. However, the article relies heavily on econometrics, so it will be challenging for anyone unfamiliar with high-level economics.

Berik, Gunseli, Dong Xiao-yuan, and Gale Summerfield. 2007. "China's Transition and Feminist Economics." Feminist Economics 13 (3/4): 1-33.

Annotation: This article is a synopsis of the gendered aspects of China's transition to a social market economy. The authors argue that women's economic opportunities have expanded as China's economy has opened, but also that disparities in entitlements and capabilities have emerged as well. In conclusion, they advocate policy reforms to promote gender equality. They also suggest that more research needs to be done on feminist economics of China. The article is a good, fairly straightforward overview of current feminist economic issues in China.

Brandt, Loren, Jikun Huang, Guo Li, and Scott Rozelle. 2002. "Land Rights in Rural China: Facts, Fictions, and Issues." *The China Journal* 47: 67-97.

Annotation: Brandt et al. examine the impact of China's land rights policies on rural citizens. They note that surveys have determined that farmers in some regions prefer a system of periodic land reallocation rather than the privatization or extended tenure that the new policies require. The article then examines reasons for land redistribution in rural villages. The authors make a policy recommendation based on their analysis of the current land rights policies and practices. They find that the current change in policy to thirty-year contracts is a step in the right direction for development, because it encourages farmers to invest in the land since they have security of tenure. The information and studies are presented in a logical, organized manner, and quantitative data is presented graphically to make it easy for the reader to understand. However, there is not a gender dimension to any of the data or analysis, and the reasons for farmers' preference of periodic reallocation over extended tenure is not explored in depth.

Brems, Eva. 2006. "Enemies or Allies? Feminism and Cultural Relativism as Dissident Voices in Human Rights Discourse," in B. B. Lockwood (ed.), <u>Women's Rights: A Human Rights Quarterly Reader</u>. Baltimore: The Johns Hopkins University Press.

Annotation: This piece analyzes the common ground between feminism and cultural relativism—two alternate views of human rights that are in conflict. Brems notes that both groups feel they have been excluded from the "universal" nature of human rights created by a dominant group. Both dislike the current human rights discourse's emphasis on civil and political rights. However, it is there that the similarities identified by Brems end. Feminists, she argues, tend to consider cultural relativists as anti-women, since women are dominated by men in so many cultures. On the other hand, cultural relativists tend to consider feminists a product of Western dominant thought. The author pleads that the two groups emphasize their similarities and work together to challenge dominant human rights thinking. This essay is repetitive; it ends up focusing more on the differences between the two groups and begging for them to join forces.

Bunch, Charlotte. 2006. "Women's Rights as Human Rights: Toward a Re-Vision of Human Rights," in B. B. Lockwood (ed.), <u>Women's Rights: A Human Rights Quarterly Reader</u>. . Baltimore: The Johns Hopkins University Press.

Annotation: Bunch examines human rights violations that are perpetrated specifically against women via gender discrimination and violence. She analyzes and then addresses the four main excuses offered by governments and organizations for not addressing human rights violations against women. These excuses include: gender discrimination is trivial and will be addressed with further development; abuse of women is a cultural rather than political issue; women's rights are not human rights; and that women's abuse is so pervasive that it is impossible to address. As part of her proposition, Bunch makes four excellent suggestions to link women's rights to human rights. These linkages will promote women's rights as both attainable through policy and necessary to development. Her recommendations are realistic and logical. The article is easily accessible to any interested human rights student.

Burda, Julien. 2007. "Chinese women after the accession to the world trade organization: A legal perspective on women's labor rights." *Feminist Economics* 13 (3/4): 259-285.

Annotation: Burda analyzes the potential for China's World Trade Organization (WTO) accession to be used as leverage to improve women's labor rights in China. He points out that, although China has labor laws and labor unions, the laws are frequently not enforced and the unions are not independent of the government. Thus, the country's WTO membership and increasingly open economy is detrimental to workers, especially women. Burda uses a legal analysis to argue that the WTO is not, in fact, the best forum to address women's labor conditions in China. Instead, he concludes that an incentive approach, based on integrated cooperation among multilateral organizations, is the best option. The article is a fresh approach to the much-debated issue of labor standards in China. Although Burda does not make any specific policy recommendations, he does lay the groundwork for future research and policy-making.

Chan, Jenny Wai-ling. 2006. "Chinese Women Workers Organize In The Export Zones." New Labor Forum 15 (1): 19-27.

Annotation: In this article, Chan reviews the negative experiences rural migrant women encounter while working in urban factories. As a result of lax labor law enforcement, working conditions are harsh and workers are treated abusively. Women workers frequently do not sign labor contracts, leaving them vulnerable if they become ill or are laid off. However, Chan reports that women workers are now organizing to fight for their rights with the help of the Chinese Working Women Network (CWWN). CWWN educates women about their rights and helps to create democratically-elected worker committees to monitor factory conditions. The article is a good overview of the condition of urban women workers in China and what they are doing to change it.

Chen, Junjie, and Gale Summerfield. 2007. "Gender and rural reforms in China: A case study of population control and land rights policies in northern Liaoning." Feminist Economics 13 (3/4): 63-92.

Annotation: Chen and Summerfield discuss the interactions between population policy and land policy that reinforce traditional gender inequalities at a practical level. Both policies implicitly disadvantage women, although, in recent years, both policies have been less strictly-enforced. The authors also note that disparities in power, class, and health also impact the gendered lives of villagers. The article is an illustration of the gendered impacts of the two policies and disparities through a report of ethnographic fieldwork in a rural village in Northern China. It is presented as a case study and does not present a detailed analysis. However, it is a practical illustration of how population and land policies contribute to gender discrimination.

Edwards, Louise. 2000. "Women in the People's Republic of China: new challenges to the grand gender narrative," in L. Edwards and M. Roces (eds.), <u>Women in Asia: tradition, modernity and globalization</u>. Ann Arbor: The University of Michigan.

Annotation: In this chapter, Edwards provides an analysis of the modern history of women's rights in China based on the disconnect between government rhetoric and women's actual experiences. She argues that, during the communist period, women were encouraged to participate in economic and political development, but that the "Great Leap Forward" and the Cultural Revolution undercut any gains women may have experienced. Edwards also argues that, after the transition to a market economy, the state retreated from its role as the "liberator and protector of women" without a corresponding increase in the role of civil society to continue to support women. Thus, women's rights have been pushed aside, and the gender situation remains unequal with regard to unemployment, job retrenchment, sexual discrimination, female infanticide, and domestic violence. Edwards points out that the government's argument that women's situation will improve as China develops is flawed, given the continued disadvantage of women and the economic and political development of the state. This chapter is a good starting point for the scholar interested in gender issues in China.

Fan, C. Cindy. 2003. "Rural-Urban Migration and Gender Division of Labor in Transitional China." International Journal of Urban and Regional Research 21 (1): 24-47.

Annotation: This article focuses on the relationship between migration and the gender division of labor in China. Fan argues that men and women are channeled into gender-segregated jobs in urban areas as a result of a combination of a capitalist-like labor regime and Confucian patriarchal traditions. Gender segmentation is further fostered by the prioritization of economic goals over human development, as well as the state's continued control over labor and the economy. Fan uses both qualitative and quantitative data from macro-level studies and field studies to support her argument. The article is detailed and statistical, making it somewhat challenging to read. However, it is an important contribution to gender and labor studies of China and is well worth the effort required.

Fleisher, Belton M., and Dennis T. Yang. 2003. "Labor laws and regulations in China." *China Economic Review* 14: 426-433.

Annotation: This piece traces the evolution of China's labor laws and regulations throughout the transition from strict communism to a social market economy. These laws and regulations include the dissolution of communes, the mobility of excess agricultural labor, and a change in grain procurement policy. Each of the changes has led to an increase in nonagricultural activities in rural areas. However, there are still inequalities within and between rural and urban labor opportunities. Fleisher and Yang argue that a reorganization of legal restrictions on migration and of social policies is still necessary for sustained economic growth through labor mobility. The article is concise and presents a strong analysis of the policy changes thus far. Unfortunately, gender is not discussed in relation to the labor policies, but the impact of these policies on women's labor can be inferred.

Gao Xiaoxian. 2008. "Women and Development in China." Chinese Sociology & Anthropology 40 (4): 13-26.

Annotation: In this article, the author traces the history of women's participation in the rural labor force in China from the communes of the 1950s to the present restructured rural economy. Gao notes that women were mobilized to participate equally in rural development and agriculture throughout the Maoist period. They became the majority of the rural labor force as men were moved to large-scale infrastructure projects, but still encountered lower pay and still had full responsibility for domestic duties. Since the market transition, women's role in rural development has continued to be promoted by the state, but the state no longer officially supports it through policy and programs. Gao argues that women are still considered to be subordinate to men throughout China, despite their prominent role in the rural economy. As a result, Gao claimes that the state should continue to intervene by guaranteeing women's status in national development plans and laws. The article is a strong overview of the changing status of women in rural China throughout its economic growth.

Han, Jialing. 2004. "Economic Growth and Women's Development in China's Western Areas: A Case Study," in T. Jie, Z. Bijun, and S. L. Mow (eds.), <u>Holding Up Half the Sky: Chinese</u> Women Past, Present, and Future. New York: The Feminist Press.

Annotation: This short piece uses a weakly-defined case study to determine the deficiencies in development polices in China that infringe upon women's rights rather than promoting them. Despite the brevity of the article, Han makes several important points. First, there is a marked reluctance for government spending on low-cost, long-term development projects. Instead, most funds go toward quick-fix projects that do not have much impact on the underlying causes of poverty. Another issue is that infrastructure improvements can be costly for the intended beneficiaries. They can have strings attached that prevent them from benefiting those who need assistances the most. Finally, Han notes that development projects can increase the work of women instead of empowering them. Han then makes the suggestion that education, healthcare, and access to credit be increased in order to empower women. This article is accessible to any reader, but does not contain any surprising insights into the relationship between development and women's rights.

Hare, Denise. 1999. "Women's Economic Status in Rural China: Household Contributions to Male-Female Disparities in the Wage-Labor Market." World Development 27 (6): 1011-1029.

Annotation: Hare uses economic analysis to determine the relationship between rural women's work opportunities outside the household and wages. She finds that, while women have increased work opportunities, they still receive lower wages than men. Hare argues that the wage difference can reinforce the gender inequality within households. Her argument is a different take on the usual view by feminist economists that women working outside their home are empowered by earning a wage. Hare notes that her research sample was small, so the results may not be representative of all rural Chinese communities. While the article

contains economic analysis, the graphs and statistics are well-explained, making the article accessible to any interested scholar.

Hare, Denise, Yang Li, and Daniel Englander. 2007. "Land management in rural China and its gender implications." *Feminist Economics* 13 (3/4): 35-61.

Annotation: This article looks at the dynamics between gendered access to land resources and property rights policy. Since women have a significant role in Chinese agriculture, their access to land is a key component of development. Hare and her colleagues analyze empirical data collected from a survey in two provinces to determine what characteristics and practices create gender disparities in land ownership. They conclude that marriage is the most influential factor contributing to women's landlessness. The authors also find that policies implemented during China's WTO accession, intended to improve agricultural efficiency, have in fact contributed to gender inequalities in regards to land access. This detailed article is accessible to any interested scholar.

Jiang Yongping. 2004. "Employment and Chinese Urban Women Under Two Systems," in T. Jie, Z. Bijun and S. L. Mow (eds.), <u>Holding Up Half the Sky: Chinese Women Past, Present, and Future</u>. New York: The Feminist Press.

Annotation: Jiang analyzes the status of women's employment under China's centrally-planned system from 1949-1978 and after the transition to a market-oriented economy. By the late 1970s, as a result of the communist government's focus on women's equality in all things, including employment, more than ninety percent of women were employed. However, the transition removed the government structures that guaranteed employment to women, and women's employment quickly fell as a result. Uneducated women have a particularly difficult time finding work. Jiang argues that the elimination of low-skilled workers as businesses streamlined, followed by a return to a patriarchal system, combined to undermine all the gains made in women's employment. However, Jiang also argues that some men are used to the double income and that the political and historical history of women's employment will continue to sustain working women. The article is well-written and accessible to all readers.

Judd, Ellen R. 1994. Gender and Power in Rural North China. Stanford: Stanford University Press.

Annotation: Judd's book is the result of extensive field work on the gender aspects of three areas in which the political economy of rural Chinese villages has changed since the policy transformation. The areas are agriculture, village-level enterprises, and household commodity production. She examines the relationship between supposedly gender-neutral official policies and the observed and reported experience of actual activities. Judd concludes that state-driven women's empowerment has largely failed. Interestingly, she also concludes that patriarchy is not based in the family, but is in fact only one part of complex hierarchical relations in China. The book is a comprehensive analysis of the gender issues facing rural North China in terms of gendered economic and political rights. Judd's straightforward, detailed style is easily accessible to any interested scholar.

Judd, Ellen R. 2007. "No Change for Thirty Years: The Renewed Question of Women's Land Rights in Rural China." *Development & Change* 38 (4): 689-710.

Annotation: In this piece, Judd analyzes the impact of China's 1994 land tenure policy, which provides for thirty years tenure for the landholder, on women's access to and control of land in rural China. During the early 1980s, Judd explains, villages were in charge of allocating land to households based on a per capita calculation. Land was periodically reallocated as household composition changed through marriage, births, and deaths. The 1994 policy ended these reallocations. Judd argues that there have been two major effects on women's land rights. First, if they marry patrilocally, they lose access to their allocated land, which is usually in their natal village. Second, children are excluded from land rights for up to thirty years. Judd also argues that the policy has resulted in uneven household land rights and wider changes in rural society. This article is an important analysis of the land tenure policy's effects on women and society.

Kai-sing Kung, James. 2006. "Do Secure Land Use Rights Reduce Fertility? The Case of Meitan County in China." *Land Economics* 82 (1): 36-55.

Annotation: Kai-sing Kung discusses the effects of an experiment in Meitan County conducted by the Chinese government to lower rural fertility rates by increasing security of tenure through prohibiting land reallocation. The author argues that this policy was ineffective because there are numerous factors that impact the decision to have children. He feels that land tenure is a weaker factor than the cultural desire to have a son and the mother's education level. His small-scale study confirms that there is not a significant comparative reduction in fertility between families that were part of the land reallocation experiment and those who were not.

Li, Xiaoyun, Dong Qiang, Liu Xiaoqian, and Wu Jie. 2008. "Gender Inequality and Poverty in Asset Ownership." *Chinese Sociology & Anthropology* 40 (4): 49-63.

Annotation: The authors analyze the asset-based distribution of resources in rural households and the gendered dimension of decision-making regarding those resources. They argue that land is the most gender-unequal resource, and that lack of control of household resources can increase vulnerability. Gender inequality is primarily found in four dimensions of land control: the land-distribution system; ownership of land contracts; decision-making about land cultivation and contracts; and transfer of contracts. The article is based on research conducted in five poor regions of China with a variety of different methodologies. It is easily accessible to any interested reader and provides strong support for not considering the household as a unit with mutual interests.

Li Zongmin. 1999. "Changing Land and Housing Use by Rural Women in Northern China," in I. Tinker and G. Summerfield (eds.), Women's Rights to House and Land: China, Laos, Vietnam. Edited by Boulder: Lynne Rienner Publishers, Inc.

Annotation: This article focuses on how changes in Chinese rural land and housing rights have affected the gendered distribution of labor and resources within the household. Li uses a case study from a village outside Beijing to explore the link between farmers, the new land tenure system, and how it impacts women's agriculture. The system, Li argues, disadvantages young married women and divorced women. However, it has changed the power relationships within the household: many of the couples interviewed said that the wife was included in decisions about the household land. Overall, Li found that women's roles were expanding, but this led to an increased, rather than decreased, workload because they were still doing traditional work as well as non-traditional work. The article is well-written and accessible to anyone interested. However, it does quote some irrelevant statistics, such as how much the village paid to renovate its school.

Lin, Zhibin, and Zhang Lixin. 2006. "Gender, Land and Local Heterogeneity." *Journal of Contemporary China* 15 (49): 637-650.

Annotation: This article discusses the myriad land allocation practices even within one village in rural China. It analyzes the impact of the Rural Land Contract Law of 2003 on the gendered dimensions of land reallocation. Li and Zhang's research supports the previous author's arguments that marital relations, kinship, social networks, and low political representation contribute to women's lack of access to land. They find that the relationship between women and land is also changing as a result of cultural, economic, and political institutions. This an interesting article because of the unique qualities of the village studied: it has a local theatre group that campaigns for gender equality in land allocation, for example. However, this means that the findings from the study may not apply to other villages in China.

Matthews, Rebecca, and Victor Nee. 2000. "Gender Inequality and Economic Growth in Rural China." *Social Science Research* 29: 606-632.

Annotation: Matthews and Nee analyze the changes in gender relations that have occurred in rural China since the transition to a market economy. They use data from the China-Cornell-Oxford survey of rural China and the Fujian Rural Survey to determine employment opportunities for rural women off their farms, their relative contribution to the household income with off-farm work, and the power that women remaining on the farm wield within the household. Matthews and Nee conclude that there are several contexts in which market-driven economic growth does benefit women in relation to empowerment and labor opportunities. For example, sustained market-driven growth provides more job opportunities for women, significant income contribution to the household, and increased household power for women with migrant worker husbands. Readers unfamiliar with statistical analysis may have difficulty with this article, as data results and methodology are painstakingly recorded. Overall, however, this source is an excellent analysis of the benefits that economic growth can have on women's rights.

Milwertz, Cecilia, and Wei Bu. 2007. "Non-Governmental Organising for Gender Equality in China - Joining a Global Emancipatory Epistemic Community." *International Journal of Human Rights* 11 (1): 131-149.

Annotation: In this article, the authors explore feminist non-governmental organizations (NGOs) in China and how interactions with international feminist NGOs have strengthened the Chinese feminist movement. The authors argue that the Chinese NGOs learned about women's human rights and how to advocate for them through both their engagement with outside women's movements and through their experiences of discrimination and violence. They also note that the years leading up to the 1995 World Women's Conference in Beijing gave Chinese women's organizations the impetus to strengthen and increase activism. The article is an excellent discussion of the transformation of women's NGOs in China from weak, government-directed organizations to grassroots-driven members of the international feminist community. While the article uses some technical language, it is still accessible to interested scholars.

Palmer, Michael. 2007. "On China's Slow Boat to Women's Rights: Revisions to the Women's Protection Law, 2005." *International Journal of Human Rights* 11 (1): 151-177.

Annotation: This article is an overview and discussion of the 2005 revisions to the Chinese Women's Protection Law. The author argues that, while the law is an attempt to increase women's human rights in China, it is still very weak and limited in the extent of reforms it creates. Palmer argues that these limits are a result of several factors. The first is the continued paternalistic attitude of the state. Second, the party-state discourages the emergence of civil society. Finally, the language of the law is primarily exhortatory rather than a concrete plan of action. Palmer feels that the law reinforces women's traditionally subordinate position in Chinese society. The article is a thorough analysis of the legislation that is useful for any gender scholar focusing on China.

Sargeson, Sally. 2006. "Introduction: women and policy and institutional change in rural China." *Journal of Contemporary China* 15 (49): 575-583.

Annotation: Sargeson uses this piece to introduce a series of articles regarding the interaction between policy and institutional change and women, a relationship she feels is missing from the body of work on women in China. She argues that the Chinese Communist Party has already done much to reduce gender inequalities and empower rural women. Sargeson uses the case studies presented in the series to make her argument. She presents the idea that institutions can reinforce or change gender roles. This article is a good introduction to the idea that institutions impact gender equality, particularly in rural China. It is accessible to any reader interested in the interactions between policy, institutions, and women.

———. 2007. "Governing Women's Capabilities in China's Urban Expansion." *International Feminist Journal of Politics* 9 (2): 154-175.

Annotation: In this article, Sargeson discusses the effect of urban expansion on the capabilities of rural Chinese women. She argues that rural women have been excluded from planning the incorporation of their areas into urban spaces. Further, she finds that this exclusion reduces women's capabilities, as they have no ownership or control over assets, particularly land. Sargeson's argument is based on an analysis of Amartya Sen's capabilities approach as it relates to the plight of rural women in China, as well as interviews with government officials and government and press documents. One shortcoming of the research is that it does not include the views of the impacted women themselves. Overall, however, this article illustrates the gendered impact of China's rapid urbanization.

—. 2008. "Women's Property, Women's Agency in China's 'New Enclosure Movement': Evidence from Zhejiang." *Development & Change* 39 (4): 641-665.

Annotation: Sargeson explores the gendered impacts of land expropriation for Chinese urban expansion in this intriguing article. Using qualitative methods, she argues that geopolitical institutions give women an extra disadvantage when it comes to land expropriation and compensation. However, Chinese women in Zhejiang have been using selective laws and norms to manipulate the amount of compensation they receive and to ensure its distribution to the villagers on an equal gender basis. Sargeson argues that it is precisely because of the regulatory and social environment in which women advocate for increased equality in compensation that they are able to be effective. The article is well-written and clearly shows that, while women may appear to lack agency, they are able to work within cultural and legal constraints to produce positive results.

Shenjing, He, Liu Yuting, Chris Webster, and Wu Fulong. 2009. "Property Rights Redistribution, Entitlement Failure and the Impoverishment of Landless Farmers in China." *Urban Studies* (Sage) 46 (9): 1925-1949.

Annotation: The authors discuss the difficulties farmers in peri-urban villages face from rapid urban expansion. Some farmers become impoverished because they lose their land, a source of livelihood, and are unprepared for the urban job market. The authors argue that urbanization has a negative impact primarily where there is weak industry or weak kinship networks. They argue that clearly-defined property rights would strengthen the prospects of farmers who are in danger of losing their land. These arguments are supported by empirical data. This article is detailed and examines several theories relating to land rights and urbanization.

Sudo, Mizuyo. 2006. "Concepts of Women's Rights in Modern China." Gender & History 18 (3): 472-489.

Annotation: In this piece, Sudo provides an interesting discussion of the history of the idea of "women's rights" in China in the early 1900s. Sudo notes that the concepts of "human rights," "civil rights," and "women's rights" came to China from the West through Japan, a path that influenced Chinese perception of these concepts. There are four images of women's rights that Sudo presents. The first is women as mothers; the second regards

women as equals of men; the third finds women in search of new societal roles; and the last is the rejection of women as citizens. Sudo argues that these paths form the roots of each of the major paths of feminist thought. Finally, Sudo argues that the only difference between each conception of women's rights is the perception of gender roles. The article is an unusual perspective of gender in China.

Tinker, Irene. 1999. "Women's Empowerment through Rights to House and Land," in I. Tinker and G. Summerfield (eds.), Women's Rights to House and Land: China, Laos, Vietnam. Boulder: Lynne Rienner Publishers, Inc.

Annotation: Through this engaging analysis, Tinker reviews women's rights to land and shelter in developing countries. Gender roles and household structures are changing as a result of rapid economic growth. Thus, the usual assumption that households are maleheaded, and therefore that only men should have property rights, is increasingly outdated. Tinker suggests laws and practices that can increase women's land and housing rights. She also emphasizes that women's property rights are important because women without husbands or kin networks to fall back on are usually mothers with children, making their shelter needs urgent. This is a strong review of women's land and housing rights and their importance in developing countries.

United Nations. 1948. "United Nations Declaration on Human Rights." Available online: http://www.un.org/en/documents/udhr/.

Annotation: This declaration is the most important international document of the past century. It affirms the equality of the rights of all individuals, regardless of age, gender, nationality, or class. The document calls for recognition of the rights acknowledged in its thirty articles for the dignity and worth of all human beings. It continues to be highly relevant in its call for a universal equal treatment of all people.

United Nations. 1979. "Convention on the Elimination of All Forms of Discrimination against Women (CEDAW)." Available online: http://www.un.org/womenwatch/daw/cedaw/text/econvention.htm.

Annotation: This United Nations Convention, known as CEDAW, was created in 1979 in response to the growing women's movement throughout the world. CEDAW proclaims women's rights to be human rights. The document defines gender equality. It outlines an international women's bill of rights and sets out a plan of action for signatory countries to follow in order to improve gender equality among their citizens. This is a key document for any gender scholar or for any woman seeking to know her rights. China signed the Convention in 1980.

United Nations. 1995. "Beijing Declaration and Platform for Action." Fourth World Conference on Women. Available online:

http://www.un.org/womenwatch/daw/beijing/beijingdeclaration.html.

Annotation: This Declaration was created and adopted by the United Nations Fourth World Conference on Women in Beijing. It is considered a landmark, not only for the promotion of women's human rights throughout the world, but for the Chinese recognition of women's human rights as well, since the conference was held in China. The Declaration emphasizes the importance of the equality of women and men in regards to human rights. Women's empowerment and advancement in rights, opportunities, and access to resources have been linked to poverty reduction and the consolidation of democracy. The Platform for Action lays out the mission, critical areas of concern, and institutional and financial frameworks to promote women's equality in human rights and other aspects of the socio-political structure. The document is well-organized and presents an organized plan for governments to adopt for promoting the position of women.

West, Jackie, Zhao Minghua, Chang Xiangquin, and Cheng Yuan, (eds.). 1999. Women of China: Economic and Social Transformation. Hampshire: MacMillan Press, Ltd.

Annotation: This book is an excellent overview of many of the issues that have faced Chinese women since 1978. Each of the chapters discusses a different aspect of the disconnect between the state's propaganda of equality and the reality that women in China's economic and political arenas experience. Most of the chapters focus on the variety of economic changes that women have experienced, such as decreased employment, increased role in the household, the feminization of agriculture, and the class division between urban and rural women seeking work in urban areas. Other chapters focus on the return of social and political rights of women to their former Confucian-based patriarchal ideals after the collapse of the state structure of gender equality. The book it a good review that is accessible to educated readers. While several chapters are based on data analysis and calculations, they are not complicated and are well-explained.

Xiaorong, Li. 1995. "Gender Inequality in China and Cultural Relativism," in M. C. Nussbaum and J. Glover. (eds.), <u>Women, Culture, and Development: A Study of Human Capabilities</u>. Oxford: Clarendon Press.

Annotation: Xiaorong argues that the capabilities approach (advocated by Nobel Laureate in economics, Amartya Sen, and his colleague Martha Nussbaum) is a way to address the issues that cultural relativists raise in relation to women's rights. Xiaorong identifies three cultural expressions of the role of women in China: the government, Confucianism and Taoism, and women themselves, noting that each of these expressions creates a "false consciousness" that reinforces the patriarchal status quo. The article argues that culture reinforces inequality rather than acknowledging women as human beings deserving of human rights. In contrast, Xiaorong argues, while citing Nussbaum extensively, the capabilities approach reflects culture in a way that acknowledges women as human beings with rights. The article is repetitive and somewhat dense and difficult to read. Unfortunately, Xiaorong advances no new thinking in the rights versus culture debate.

Yang, Cao, and Chiung-Yin Hu. 2007. "Gender and Job Mobility in Postsocialist China: A Longitudinal Study of Job Changes in Six Coastal Cities." *Social Forces* 85 (4): 1535-1560.

Annotation: This piece is a discussion of the job market restructuring that has occurred in China during the economic transition and the specific impacts that the changes have had on women. Yang and Chiung-Yin find that women's participation in the workforce is shrinking in the six cities in which their research was conducted. The authors feel that there are two complementary theories that explain the decrease in female labor force participation. The first is the market transition theory, which states that a transition to a market economy favors human capital and entrepreneurship in the labor force. The second theory is that the role of the state in promoting gender labor equality has decreased, thus allowing traditional patriarchal practices to resurface. Yang and Chiung-Yin use an empirical evaluation of their longitudinal data to support their argument. The article is clear and articulate. It is a valuable resource for any gender or labor scholar.

Yang, Li, and Xi Yin-Sheng. 2006. "Married Women's Rights to Land in China's Traditional Farming Areas." *Journal of Contemporary China* 15 (49): 621-636.

Annotation: This article provides an interesting insight into the differences between *de jure* and *de facto* land rights of recently married women in rural China. The authors argue that, as a result of the land policy changes of 1994, in practice, women are denied land rights when they leave their natal villages as a result of marriage. The 1994 policy did not take into account the importance of periodic reallocations as village populations shifted. While the policy calls for women to retain their land rights in their native villages, this does not occur in reality because of the traditional practice that a married woman is no longer a member of her natal family. This article is easily accessible to the average reader interested in land rights in China.

Zhang, Heather Xiaoquan. 2003. "Gender difference in inheritance rights: observations from a Chinese village." *The Journal of Peasant Studies* 30 (3-4): 252-277.

Annotation: In this article, Zhang uses her own qualitative field research and the results of a national Chinese survey to argue that inheritance practices in rural China are highly gender-unequal. While women and men have equal inheritance rights under the law, in practice, men are much more likely to inherit land and other resources in all situations. However, as economic and household structures change, women have greater power to bargain for equality in inheritance rights, particularly if they are in an uxorilocal marriage. Unfortunately, Zhang notes, the laws remain limited and gender power relationships remain unequal, thus reinforcing the structural issues that limit women's equal inheritance. This article, while an important part of the body of literature about women's property rights in China, is needlessly jargon-filled. The argument is difficult to understand without a thorough grounding in the topic.

Zhang, Ye. 2002. "Hope for China's Migrant Women Workers." China Business Review 29 (3): 30-36.

Annotation: This article is a discussion of migrant labor in China's Guangdong Province. Zhang notes that, throughout China, male migrant workers generally outnumber female

migrant workers two-to-one, except in Guangdong, where the numbers are reversed. Zhang argues that civil society groups are emerging to help women migrants with the myriad issues they face, both in regards to rights violations that all workers experience, as well as those that only happen to women. Zhang presents the causes of the particular problems for women in Guangdong factories and the solutions that are being applied, such as increased rights of education. Although the article is short, it is thorough in its coverage of the subject and the current work being done to address it. It is recommended not only for scholars, but also for entrepreneurs seeking to do business in China.

The One-Child Policy, Gay Rights, and Social Reorganization in China By Kody Gerkin

China's youth are becoming adults in an unprecedented era. The Chinese have achieved rapid, sustained economic growth under a Communist government that has simultaneously been initiating a wide range of social planning initiatives. China's one-child policy (OCP) was instituted in 1979 and is arguably the most controversial social policy that the government has implemented in recent history. The OCP requires that couples from China's ethnic Han majority have no more than one child. While the policy has been enforced differently across time, socio-economic class, and different regions, it has spared China an estimated additional 250-300 million people. These hundreds of millions would have undoubtedly strained China economically, socially, and environmentally. While the policy remains largely popular in China, it has produced several unexpected "side effects." China's youth, particularly in urban areas, are part of a generation of "onlies," only children who are experiencing life in a unique milieu. One example of this phenomenon is that, in urban areas of China, the word "cousin" is completely losing meaning—if one's parents are only children, then it is impossible to have cousins, aunts, or uncles. This increases pressure on "only children" because networking with large extended families has been an important tradition in China, particularly as a tool for upward socio-economic mobility.

The One-Child Policy and the History of Gay Men in China

Due to cultural norms dating back to the teachings of the ancient Chinese philosopher Confucius, male children are preferred to female children in Chinese society. Therefore, if a family can only have one child, they will, until a male is born, practice sex-selective abortion, neglect female babies, fail to register female births, or put female babies up for adoption. This has resulted in an imbalanced sex-ratio within Chinese society—there are more men of marrying age in China than there are women. In a culture where the pressure to marry is already very high, men now face the prospect of marrying and having children as a cultural, social, and familial necessity in an environment where there are not enough women for every man to marry. One interesting possibility is the notion that homosexual men may not feel compelled to "pass"—i.e. submit to societal pressures to get married and produce children despite the fact that they are homosexuals. If Chinese men cannot all marry because there simply are not enough women, would gay men in China find it easier to escape the pressure to enter into a traditional, heterosexual relationship? If so, will China's OCP create a society more tolerant towards gay men?

To contextualize this question, homosexual culture and the history of gay tolerance in China warrants a detailed examination, particularly with regard to gay men. Ancient texts, novels from the Qing and Ming dynasties (1368-1911), and cultural myths and stories present a long, detailed history of homosexuality among men in China. Two such examples are "the love of the shared peach," and "the cut sleeve." The "love of the shared peach," a common euphemism for male homosexual relationships in modern China, is derived from a story dating back to the third century B.C., when Duke Ling of Wei shared a delicious peach with his minister and lover, Ni Xia. "The cut sleeve" comes from the story of the last emperor of the Han Dynasty (6-1 B.C.), who had many male lovers. Once, when napping on the couch with one of his most beloved homosexual partners, the emperor was called away to a meeting. According to the legend, the emperor cut the sleeve of his suit off to remove himself from the quiet embrace without awakening his lover. "The cut sleeve" remains a

popular literary term for male homosexuality. During the seventeenth century, references to homosexual acts among men within popular Chinese literature rose to previously unseen levels. In 1740, homosexuality figured so prominently in the public consciousness that the newly empowered Qing dynasty drafted a law that prohibited consensual sodomy. This law, as recorded in court records from the era, targeted acts of sodomy between men. The drafting and application of the sodomy law implied that female homosexuality or sodomy between men and women were perceived as less dangerous to the maintenance of society than coital expressions of male homosexuality.

The omnipotence of Confucian thought in the history of Chinese culture is worth noting. Confucius was a Chinese philosopher who wrote and lectured during the fourth and fifth century B.C. Undoubtedly, Confucianism has fundamentally shaped and colored Chinese culture. The clarity with which Confucian thought defines the roles of men, women, and children—if society is to function properly—leaves no space for expressions of homosexuality among men. Filial piety is a strict code of conduct described by Confucius with regard to the role of men, women, children, and elders within the familial structure. Confucian thought, specifically the notion of filial piety, inherently favors the birth of male children, who are seen as more capable than women of carrying on the family name. While homosexuality is never mentioned by Confucius, he does make clear the role of man, first as an obedient son, and later as a faithful husband and father. Chinese culture, influenced profoundly by Confucianism, allows men in modern China the option of entering into private homosexual relationships, as long as they publicly enter into heterosexual relationships, marry, and bear at least one child. This creates unsatisfying social arrangements for gay men, the women who gay men marry, and the children these couples bear.

Chinese Tolerance toward Gay Men: Is This a Human Rights Issue?

In 1995, the first official pamphlet to acknowledge homosexuality in China was released in response to growing incidences of HIV/AIDS in mainland China. The Chinese government's longstanding inability to admit that homosexuality exists in China complicates their approach to reducing HIV/AIDS transmissions among gay men. The denial surrounding Chinese homosexuality affects the nature of both the government's approach to promoting the rights of gay men and their efforts to fight the spread of HIV/AIDS. It cannot be assumed that, in publishing this pamphlet and other similar literature, the government's official recognition of homosexuality translates to healthier sexual, cultural, and social interactions among gay men. In fact, the opposite may be true. When the government releases pamphlets and information that allude to homosexual practices, the literature reflects the government's naïve presuppositions regarding homosexuality among men in modern China: namely, that homosexuality is immoral, anti-Chinese, and a medical condition or, worse yet, a disease. The government cannot be a trusted expert on homosexuality when, by and large, it pretends that homosexuality is not a natural tendency among human beings. The implicit ideology of the 1995 pamphlet, for example, implies that if gay men are armed with knowledge about HIV/AIDS—specifically the increased prevalence of the disease among homosexuals and the increased likelihood of transmitting the disease during anal sex—they will stop being gay.

Chinese policy's focus on homosexuality as a disease is an ineffective and dangerous approach to reducing the transmission rates of HIV/AIDS. Furthermore, it places a storied subset of the Chinese population in a state of chronic isolation. The Chinese government sponsors HIV/AIDS testing in China, not to identify the ill for medical treatment, but to expose dangerous carriers who pose a serious threat to public health. This provides little to no motivation for those who fear they may be infected to seek testing. If the Chinese government is not willing to accept the notion that

homosexuality, with its long history in Chinese culture, remains a practice among men in modern China, then society as a whole is being denied the fundamental human right of having access to the information and tools necessary to combat the spread of lethal diseases such as HIV/AIDS. Furthermore, as long as homosexuality is seen as an anti-Chinese disease, gay men and women will not have the personal freedom to express love, lust, and companionship in a safe environment that is free from government oppression.

Hope for the Future

The government has largely succeeded in convincing the Chinese population that homosexuality in China is not a condition that exists naturally among humans. This helps the government frame homosexuality as a disease. Given the rich history of the practice of homosexuality among men in China, this approach must change. Government policy impacts both sexes—if the government refuses to recognize homosexuality as a natural component of the human capacity to love, then gay men will continue to marry women. These men, bowing to social pressures, will have the allotted one child, and likely will continue to practice homosexuality in private places. This leaves the women and children to lives of sorrow and grief, trapped in hollow, unsatisfying familial arrangements. Guided research on the OCP's potential impact on the gay community would create the possibility for promoting safer cultural and social spaces for homosexuality among men. With increased tolerance towards homosexuality, Chinese men and women would not suffer due to needless stigma, discrimination, and oppression.

Annotations

Arnold, Fred, and Liu Zhaoxiang. 1986. "Sex Preference, Fertility, and Family Planning in China." *Population and Development Review* 12 (2): 221-246.

Annotation: Arnold and Zhaoxiang used extensive field research and compiled data from more than one million interviews while researching for this article. They examine the effects of China's one-child policy on the rising gender imbalance among the Chinese population. The authors examine practical aspects of the phenomena, such as the use of contraceptives and gender selective abortion in modern China. They also take into account long-standing cultural traditions, particularly the widespread practice of Confucian customs in rural areas, which tend to motivate families to have male children. Arnold and Zhaoxiang examine the extent to which any of these factors have a real or perceived effect on the gender imbalance in China. Far-reaching and data heavy, the article makes a clear case for altering Chinese family planning strategies to favor gender equity among birth rates, particularly in rural China.

Aird, John S. 1990. <u>Slaughter of the Innocents: Coercive Birth Control in China</u>. Washington, DC: American Enterprise Institute (AEI) Press.

Annotation: Aird makes a compelling case that population control policies in China started long before the adoption of the one-child policy. Drawing from primary resources, mainly

official government documents and directives, Aird divides the book into three major sections: the use of coercion and human rights concerns with regard to China's one-child policy; birth control policies from 1949-1983; and finally, the contradictions and different interpretations of Party Document Numbers seven and thirteen. Aird contends that the Chinese government has shielded both the domestic population and the international community from the more brutal aspects of Chinese population control measures. The book is informative and includes extensive bibliographic information; it is fitting for anyone interested in exploring the harsh reality of China's one-child policy.

Blum, Susan Debra, and Lionel M. Jensen. 2002. <u>China Off Center: Mapping the Margins of the Middle Kingdom</u>. Honolulu: University of Hawai'i Press.

Annotation: The goal of this extensive volume is to illustrate that China is more diverse in ideology, language, ethnicity, region, and religion than Western scholars typically assume. The authors of the various essays highlight China's ability to manufacture a homogenous image to foreigners while simultaneously recognizing the Western tendency to view China as a "centered" empire. However, the authors hope that, through a focus on the "particular, the local and the puzzling," a picture may emerge of many Chinas, wherein "flux is the only constant." Readers with an interest in Chinese-specific ideologies concerning sexual behavior will find Liu, Ng, Zhou, and Haebele's essay, "Sexual Behavior in Modern China" particularly fascinating. The authors' extensive research on sexual norms and "premarital and extramarital relations, homosexual relations…satisfaction with sexual practices and so forth," is of interest to anyone looking to deepen their understanding of China's diverse opinions on human sexuality.

Dalsimer, M. and L. Nisonoff. 1987. "The Implications of the New Agricultural and One-Child Family Policies for Rural Chinese Women." *Feminist Studies* 13 (3): 583-607.

Annotation: Laurie Nisonoff, a professor of economics at Hampshire College in Amherst, and Marlyn Dalsimer, a professor at Dartmouth, have collaborated extensively on works relating to women's issues in rural China. In this piece, they argue that the lack of effectiveness of China's one-child policy becomes clear when one examines the impact the policy has had on rural Chinese women in terms of their "work, family life, and fertility." The authors' succinct review of the policy's history and presentation of possible alternative strategies for population control are accessible and should be of interest to anyone concerned with issues affecting rural Chinese women.

Duberman, Martin B., Martha Vicinus, and George Chauncey (eds.). 1989. <u>Hidden from History:</u>
Reclaiming the Gay and Lesbian Past. New York: New American Library.

Annotation: Editors Duberman, Vicinus, and Chauncey spent four years collecting various essays in an attempt to fill the void of comprehensive analysis on the development of gay culture around the world. The editors insist that, "for a century, the history of homosexuality

has been constrained by the intolerance of governments and academics alike." In the essay "Homosexuality and the State in Late Imperial China," Vivien W. Ng uses political writings, novels, and scholarly journal entries to explain the rising interest in male homosexuality that China experienced in the fifteenth and sixteenth centuries. Ng concludes by examining the legislative backlash that the implicit acceptance of homosexuality inspired in the Chinese political bureaucracy. Both the essay and the book provide valuable insights for anyone interested in deepening their grasp of homosexuality as expressed in national and cultural contexts around the globe

Falbo, Toni, and Dudley L. Poston, Jr. 1993. "The Academic, Personality, and Physical Outcomes of Only Children in China." *Child Development* 64 (1): 18-35.

Annotation: Falbo and Poston examine representative samples of four thousand children from four different Chinese provinces with the aim of revealing differences between children in single versus multiple child families. Through their extensive analysis of the data collected, the authors ultimately establish that China is not creating a generation of only children who are fundamentally different from their peers who have siblings. They note that Western scholarship may have created the myth of "little emperors," a phrase used domestically and internationally to connote children born into single child Chinese families. To explain the rise of this notion, which their research refutes, the authors discuss cultural differences between the West and China. For example, Chinese youth introduce themselves to strangers not by name, but by their rank within the familial structure, i.e. "I am my father's second daughter." Social scientists will find the detailed explanations of the pair's research methodologies insightful and informative.

Fong, V. L. 2007. "Parent-Child Communication Problems and the Perceived Inadequacies of Chinese Only Children." *Ethos* 35 (1): 85-127.

Annotation: Harvard Professor Vanessa Fong is well-known for her extensive research on what will undoubtedly be the lasting effects of China's one-child policy. In this article, she asserts that China's youth, particularly those born into one child families, have chronic behavioral problems and "unsatisfactory personalities." She supports these claims through the presentation of five longitudinal case studies of Chinese families. These children's behavioral problems, she contends, result from mixed messages and unclear guidance that Chinese parents give their children. Of particular consequence is the dissonance that develops between only children and their parents, who were brought up in a different familial structure. This is relevant in terms of the only child's perceived ability to achieve upward mobility within modern Chinese society, a society of only children. Scholars, students, and all parties interested in the one-child policy's effect on youth will find this study useful.

Gil, Vincent E. 1992. "The Cut Sleeve Revisited: A Brief Ethnographic Interview with a Male Homosexual in Mainland China." *The Journal of Sex Research* 29 (4): 569-577.

Annotation: Vincent Gil uses one interview with an openly homosexual singer in a major, mainland Chinese city to open theoretical space on the subject of homosexuality in China. The transcribed and translated interview accounts for about half of the article. Gil maintains that homosexuality is frowned upon, stating that this is a result of cultural remnants left over from Confucian notions of the roles of men in families. He states that, "even now in the post-Maoist period, it is argued that no 'homosexual tradition' as such exists today or is known, even among the educated. In mainland China there is an adherence to seeing the sexual world according to moral ideals rather than empirical realities." The interview is useful insofar as it illustrates the connections between the male homosexual experience in mainland China versus other cultural and national settings around the world, particularly the United States. The interviewee's story would suggest that men in mainland China adapt their homosexual behavior to the cultural, legal, and social norms of their environment.

Greenhalgh, S., and J. Bongaarts. 1987. "Fertility Policy in China: Future Options." *Science* 235 (4793): 1167-1172.

Annotation: The authors, an associate and senior associate, respectively, of the Center for Policy Studies in New York, employ a broad range of demographic, social, and economic measures to present alternatives to China's one-child policy. Relying on mathematical projections, Greenhalgh and Bongaarts explore outcomes of one and two-child models in addition to models such as "stop at two and delay and space." The authors explore both the macro and micro-deficiencies of the current policy and demonstrate how alternative models would better suit the Chinese economy, the rights of women, and the ability of families to support the elderly. Scholars and social scientists would find the article's in-depth analysis useful as a tool for understanding population projections and the history of alternative strategies to the one-child policy.

Hesketh, Therese, Lu Li, and Wei Xing Zhu. 2005. "The Effect of China's One-Child Family Policy after 25 Years." New England Journal of Medicine 353 (11): 1171-1176.

Annotation: Hesketh, Li, and Zhu present a succinct account of the history of China's one-child policy and the myriad ways it has affected China in the twenty-five years since its inception. The authors draw primarily on statistics gathered from census data and other scholarly articles written on the topic. Specific impacts that are covered in the article include the policy's effect on population growth, the use of contraceptives, the sex-ratio, and old-age dependency in China. The authors conclude with a brief section on the future of the one-child policy. The format is such that graphs and easily-accessible charts are presented and followed by broad, clear analysis. Readers of any kind will find the article a useful, concise introduction to the policy's varied effects on Chinese society.

Hinsch, B. 1990. Passions of the Cut Sleeve: The Male Homosexual Tradition in China. Berkeley, University of California Press.

Annotation: Bret Hinsch has published extensively on the history of sexual and other traditions in Chinese culture. Hinsch's approach to the study of male homosexuality in China is refreshing, and any interested scholar will find it a well-researched introduction to the topic. What is unique about Hinsch's approach is that he refuses an imposition of Western values in his study, seeking an understanding of male homosexuality that is Chinese-specific. Hinsch relies primarily on available Chinese texts, from ancient to modern times, and he weaves aspects of Chinese culture from "romance and lewdness, tolerance and violence, power and poverty," into a narrative of homosexual identity. He explores the meaning and implication of homosexuality in society from political dynasty to political dynasty. By framing his account within cultural myths and romanticized stories of homosexual love, Hinsch succeeds in revealing the import and relevance of the male homosexual tradition in Chinese society.

Hull, Terence H. 1990. "Recent Trends in Sex Ratios at Birth in China." *Population and Development Review* 16 (1): 63-83.

Annotation: Terence Hull presents three plausible theories as to why the sex ratio in China has been rising, "reaching 111 males per 100 females in 1986-87." According to the author, infanticide, abortion, "faulty statistical reporting," or, more likely, a combination of all three practices accounts for the sex ratio disparity. Either way, Hull argues, women are suffering as a result. Hull reasons that, if women have been left out of census data and are hidden away from the government's sight, then they are likely not enrolled in school or involved in formal healthcare. Hull utilizes scant data but presents it in concise, readable graphs. His analysis consists mostly of hypotheses and conjecture, but his logical explanations and commonsense analysis make his article an appealing read for anyone interested in a historical overview of the growing sex ratio disparity in modern China.

Jones, Rodney H. 1999. "Mediated Action and Sexual Risk: Searching for 'Culture' in Discourses of Homosexuality and AIDS Prevention in China." *Culture, Health & Sexuality* 1 (2): 161-180.

Annotation: Jones examines homosexual culture in China within the view of the Chinese government, specifically in the context of the ways in which HIV/AIDS education and prevention campaigns are coordinated and implemented. In terms of how to combat the HIV/AIDS epidemic in China, Jones hopes that, by avoiding Western and Chinese cultural and social definitions of homosexuality, one could "reframe the question from one which sees individuals as parts of culture to one which sees cultures as parts of individuals." Through analysis of government documents regarding HIV/AIDS education and prevention, Jones reveals the multi-layered nature of China's official view of homosexuality. For example, when discussing the condom, he notes how it is often mentioned that condoms are not one hundred percent effective. Whereas abortion is an option to avoid

unwanted pregnancy within heterosexual relations, there is "no turning back," with respect to AIDS, if a condom fails. Therefore, "preserving moral integrity" is the only way that avoiding AIDS is assured. This article is useful for anyone who seeks to explore HIV/AIDS prevention and education in cross-cultural contexts.

Kane, P., E. J. Croll, et al. 1985. <u>China's One-Child Family Policy</u>. Basingstoke, Hampshire: Macmillan.

Annotation: Written by a group of experts in topics ranging from feminism in China to Chinese elderly persons and population control, this book explores several phenomena already observable in the early 1980s as a result of China's one-child policy. The book resulted from a meeting of experts in 1983, when the policy was only four years old. Suggesting that the findings may be tentative, the editors note that the work gives an extensive overview of the history of the policy and the government's justification for it. These features make the collection of essays an excellent introduction to the topic, which most readers will find useful.

Louie, Kam, and Morris Low. 2003. Asian Masculinities: The Meaning and Practice of Manhood in China and Japan. London; New York: Routledge.

Annotation: Louie and Low's work makes a significant contribution to the exploration of masculinity in a specifically Asian context. The authors deliberately disconnect their own analysis from traditional discussions on masculinity, claiming that the majority of Western literature is of little value when searching for meanings of masculinity in China or Japan. Through an examination of ancient texts and more recent studies on patterns among varied social groups, including male soldiers, athletes, artists, and businessmen in both China and Japan, the authors explore how masculinity has evolved over time and in different ways between the two nations. Their findings would be useful for academics interested in the construction of masculinity within cross-cultural contexts.

McBeath, Jerry, and Jenifer McBeath. 2009. "Environmental Stressors and Food Security in China." Journal of Chinese Political Science 14 (1): 49-80.

Annotation: In this article, the McBeaths present a succinct overview of some of China's most pressing environmental stress factors. More specifically, they focus on the Chinese government's attempts to address these problems in order to ensure sufficient grain production and food security. Extensive citation of China's state-controlled, daily English language newspaper may draw criticism from some readers; the paper is censored heavily and known for its favorable portrayal of the Chinese government. The McBeaths contend that China's one-child policy is the "single most important reduction of environmental stress to have occurred globally in the past generation." Their analysis of the government's efforts to mollify environmental stressors from the 1970s through 2008 offers a well-rounded introduction to the proposed efficiency of the Chinese government's initiatives.

Mosher, S. W. 1993. A Mother's Ordeal: One Woman's Fight against China's One-Child Policy. New York: Perennial.

Annotation: Mosher is the president of Virginia's Population Research Institute, and the book reflects his pro-life stance. Mosher is also fluent in both Mandarin and Cantonese. Here, he relays a harrowing first-person account of the life of Chi An, a Chinese woman. Chi An was born in rural China shortly before Mao's creation of a New China in 1949. Mosher's first-person narrative follows her through her ascendency to a career in nursing and her involvement in the abortions which resulted from China's one-child policy. Through Mosher, the reader follows Chi An through several illicit births and her eventual asylum in the United States. Chi An's story is unique, and the format of A Mother's Ordeal makes it a fitting introduction to the personal side of China's one-child policy. Any reader with an interest in the abortion debate or nationalist population control policies would find Mosher's work worth reading.

Neilands, Torsten, Wayne Steward, and Kyung-Hee Choi. 2008. "Assessment of Stigma Towards Homosexuality in China: A Study of Men Who Have Sex with Men." *Archives of Sexual Behavior* 37 (5): 838-844.

Annotation: Neilands, Steward, and Choi explore the role that stigma plays within Chinese society, specifically in terms of how it impacts the effectiveness of HIV/AIDS education and prevention campaigns in modern China. More specifically, the authors investigate social and cultural stigma associated with men who have sex with men (MSM) behavior, as well as the stigma experienced by MSM as a result of the Chinese government's quasi-official stance on homosexuality. Until recently, homosexuality was classified by the government as a medical condition. The authors note that the Confucian notion of man's role in society as the principle courier of ancestral lineage creates a China-specific context for the perpetuation of stigma towards homosexuals. Through a combination of small cash payments and HIV/AIDS and syphilis testing and counseling, the authors conducted half-hour interviews with nearly five hundred MSM. Their findings, presented in a readable, accessible manner, will prove useful for any reader interested in social interpretations of homosexual behavior in China and the effects of stigma on MSM in modern China.

Ogilvy, J. A., P. Schwartz, et al. 2000. China's Futures: Scenarios for the World's Fastest Growing Economy, Ecology, and Society. San Francisco: Jossey-Bass.

Annotation: Schwartz and Ogilvy have each made significant commercial, political, and social impacts through their ability to "spin scenarios" in an attempt to predict patterns in future business and political processes. In <u>China's Futures</u>, the authors set their sights on China. We may, according to the authors, be entering "China's century." Their work is a summation of potential future scenarios for China's political, social, economic, and

ecological futures. Topics range from the role of the internet in China's future, a case study of the hypothetical question, "Would the U.S. go to war for Taiwan?" and potential social impacts of China's one-child policy, including the possibility that a skewed sex-ratio could impact the tolerance of homosexuality in China. Of interest to anyone curious about Chinese possibilities and their potential to have global effects, Schwartz and Ogilvy's work is accessible and engaging.

Dunn, Robert, Leo A. Orleans, and Hsiang-yang Han. 1979. <u>Chinese Approaches to Family Planning</u>. White Plains, NY: M. E. Sharpe.

Annotation: Leo A. Orleans, former China Specialist at the Library of Congress, has helped craft a judgment-free revision of the propaganda, scientific justifications, and social implications of China's one-child policy. Interestingly, the book stands apart from other literature in the field, in that it is a collection of essays written almost exclusively by Chinese scholars. Orleans et al. contend that the Chinese are, by nature, planners—the Chinese plan nearly every other facet of their lives with rigor, and so "it is only natural for them to plan births." In the book, Orleans et al. present several translated brochures and other propaganda distributed by the Chinese government in China's rural countryside. The materials were meant to serve as inspiration for stage shows and community sing-alongs in what Orleans refers to as "the entertainment starved countryside." The messages the government sought to promote were embedded within the stories and anecdotes, which had similar "problem, ideological struggle, happy ending plots." The book concludes with some more scientific pieces about the nature of feminine health, abortions, and a brief, judgment-free revision of the policy's history.

Poston, Dudley L., Jr., and Toni Falbo. 1990. "Academic Performance and Personality Traits of Chinese Children: 'Onlies' Versus Others." *The American Journal of Sociology* 96 (2): 433-451.

Annotation: This article is the result of extensive research performed to compare and contrast children born into one-child families in China and the West, primarily the United States. Of particular emphasis in the study are the academic performance indicators and personality traits exhibited by only children. The study included 1,460 Chinese schoolchildren, their parents, and their teachers. The authors relied primarily on conclusions drawn from empirical evidence based on studies performed in the United States for comparison. Ultimately, the researchers found very little disparity between Chinese only children and their American counterparts. However, they do point to disparities between rural "onlies" and urban "onlies." This study would be helpful for scholars and students interested in cross-cultural child development and familial studies.

Rofel, L. 2007. Desiring China: Experiments in Neoliberalism, Sexuality, and Public Culture. Durham: Duke University Press.

Annotation: Rofel's work examines the emergence of gay culture in China in a post-socialist, post-Cold War world. She builds on works of previous theorists of sexuality, combining social, political, and economic analysis to reveal how a new, urban China defines itself sexually. Rather than rely on Western value projections, she works directly with gay members of Chinese society and investigates recent court cases dealing with homosexuality. Ultimately, she seeks to illuminate desire and its Chinese manifestations within an increasingly globalized world. In post-Mao, urban China, Rofel asserts that these values are at once local and global. Rofel's work would be suited for those with a sincere interest in sexuality and progressive elements of modern Chinese culture; the book's breadth and length make it an appropriate read for serious scholars.

Ruan, F. F., and Y. M. Tsai. 1988. "Male Homosexuality in Contemporary Mainland China." *Archives of Sexual Behavior* 17 (2): 189-99.

Annotation: Ruan and Tsai recognize that literature and research on homosexuality in China since 1949 leave much to be desired. The Chinese government's implicit rejection of homosexuality as a legitimate practice, combined with a social and cultural lack of recognition of homosexuals leaves little room for open male expressions of love and companionship in China. In 1985, a relatively progressive article was published in a widely-circulated health magazine in China that supported the rights of Chinese homosexuals. The article received overwhelmingly positive responses and was reprinted in the most widely-read magazine in China, "The Reader's Digest." In all, sixty letters were written in response to the article, almost exclusively by male homosexuals in China who appreciated the letter's contention that gays in China should be free from oppression and accepted in society, largely because, as the article pointed out, homosexuals exist in all human societies across time and space. Ruan and Tsai provide an overview of the main currents that run throughout the letters and present a thorough investigation on the diversity of male homosexual practitioners in modern China.

Scharping, T. 2005. Birth Control in China, 1949-2000: Population Policy and Demographic Development. London; New York: Routledge.

Annotation: Noted German demographer Dr. Thomas Scharping makes a considerable contribution to the study of population problems facing China. Based on extensive field research and several studies stretching from the late 1980s through the early years of the new millennium, Scharping's work attempts to explore Chinese population problems that resulted from official state policies of the latter half of the twentieth century. Sharping's voluminous contribution to the study of China's One-Child Policy includes analysis of the policy's impacts on social, economic, and political developments in modern China. An important work in the field, Scharping's work is of interest to scholars and academics searching for an in-depth study of population control dilemmas in modern China.

Short, Susan E., and Zhai Fengying. 1998. "Looking Locally at China's One-Child Policy." *Studies in family planning* 29 (4): 373.

Annotation: Drawing primarily from data collected in three separate studies performed in 1989, 1991, and 1993 by the China Health and Nutrition Survey (CHNS), the authors seek to examine the effectiveness of the one-child policy in different areas and within different socio-economic classes in China. The authors claim that, despite having been enforced for over a decade, very little reliable information has emerged about how the one-child policy affects the Chinese population in different local communities in rural China. To illustrate their point, Short and Fengying report inaccuracies within the CHNS data, the vast differences between the communities examined, and several changes that took place within the examined communities in the two year intervals between studies. Making generalizations about nationwide trends or patterns which hold true across communities with regard to the success or failure of China's one-child policy becomes difficult. Anyone interested in questioning the effectiveness of China's one-child policy would find the authors' argument a useful and relevant one.

Tsui, Anne S., Claudia Bird Schoonhoven, Marshall W. Meyer, Chung-Ming Lau, and George T. Milkovich. 2004. "Organization and Management in the Midst of Societal Transformation: The People's Republic of China." *Organization Science* 15 (2): 133-144.

Annotation: China's meteoric economic rise illuminates interesting enigmas for scholars of management. This is the premise of Tsui et al.'s article on Chinese management structure. The authors focus on how elements of Chinese society have impacted China's rise to the status of an economic superpower. While they never mention the one-child policy, it is interesting that the new economic era and the one-child policy started at essentially the same point in Chinese history. The article provides "a close examination of how massive corporate transformation in China has influenced inter-firm relationships, affected opportunity structures and social processes, and modified individual behaviors within firms." The authors present a brief overview of the nine articles contained within this edition of Organizational Science, asking readers and scholars to explore the articles through the lens of Chinese development. This article is accessible to anyone interested in China's rapid economic development. That this boom occurred—during the same period of time that China's one-child policy began to be enforced—and has its own set of political and social ramifications will help any interested reader understand the prevailing socio-economic culture over the last several decades.

von Falkenhausen, Lothar. 2006. <u>Chinese Society in the Age of Confucius (1000-250 BC): The Archaeological Evidence</u>. Los Angeles: Cotsen Institute of Archaeology, University of California.

Annotation: von Falkenhausen takes a unique approach in his study of the influence that Confucius has had on Chinese society. The author attempts to use archaeology to prove that Confucius was not an innovative thinker so much as he was a recycler of older notions of

Chinese social organization, particularly in ways that resonated with the China of his lifetime (circa 551-479 BC). "Straddling" the humanities and the social sciences, with a focus on the latter, the author traces the archaeological evidence that suggests that Confucius was in fact "a transmitter, not a creator." The history of Confucian notions, Falkenhausen's archeological evidence suggests, began in the Zhou and Shang dynasties and dates back to 1600 BC. Falkenhausen's work will be of interest to anyone who seeks clarity on Confucian impact on the evolution of Chinese social structure. The evidence is technical in nature, so those readers with an interest or background in archaeology will find it particularly useful.

Wang, Feng. 2005. "Can China Afford to Continue its One-Child Policy?" Asia-Pacific Issues No. 77.

Annotation: Readers from all disciplines will find Wang's overview of the major problems associated with China's one-child policy both accessible and informative. Wang uses graphs and straightforward analysis to demonstrate some of the havoc that the one-child policy is beginning to wreak on the Chinese economy, society, and culture. These problems include rapidly increasing age and gender imbalances, high economic and political costs, and the potential for marriage to return to its status as a privilege for wealthy men (the gender imbalance results in there being more Chinese men than Chinese women). Wang claims that the government needs to revisit the policy and loosen population control legislation. He warns that "bureaucratic inertia and political caution" within the Chinese political system are dangerous because "Chinese demographic profiles show that a further delay will result in higher long-term costs."

Wu, Cuncun. 2004. Homoerotic Sensibilities in Late Imperial China. London; New York: Routledge.

Annotation: Wu reviews literature from the late Imperial (1500-1911) time period in China to argue that homosexuality has a long and storied history, particularly among the elite literati. Drawing on primary sources as diverse as poetry, diaries, letters, and fictional works, Wu provides an accessible guide to navigating the evolution of meanings of homosexuality in late Imperial China. He dismisses the notion that homoeroticism and homosexual acts among men disappeared during this time, and reviews examples within each dynasty to prove that, at least as a trend among the literati in Beijing, homosexual references and practices among men were prevalent during this time. After the ban on female prostitutes was enforced during the Xuande reign (1425-35), elite writers, politicians, and scholars in mainland China turned to song boys as an acceptable outlet for their sexual yearnings. Wu's work will enlighten any reader with an interest in the evolution of homosexual thought and practice in the late Imperial era in China.

Education For All Children

By Sharon Harrall

The UN Declaration of Human Rights, ratified in 1948, declared for the first time the right to education as a human right. Article 26 (1) states that "everyone has the right to education. Education shall be free, at least in the elementary and fundamental stages. Elementary education shall be compulsory." Since then, the right to education has been reaffirmed in subsequent treaties and global conferences. These treaties have also highlighted the need to provide education to all children without discrimination, and particularly to ensure equal access for girls. Historically, we have seen great gender disparities in the enrollment rates of primary schools, but through these treaties the international community has committed to overcoming such inequality.

China is a signatory to the UN Declaration of Human Rights, the Convention on the Elimination of All Forms of Discrimination against Women (1981), and the Convention on the Rights of the Child (1989). Since the People's Republic of China (PRC) was established in 1949, China has made remarkable achievements in improving primary school enrollment rates and in reducing the gender gap. In an effort to ensure free and compulsory education for all, the Compulsory Education Law of the People's Republic of China came into effect on July 1, 1986. The law establishes a system of nine-year compulsory education for all children. However, many children, particularly girls, are still not receiving even the most basic level of education. Some of the major factors keeping children out of primary school include: the expense of school fees, the actual and opportunity cost of school, gender norms, consequences of the hykou system, and the one-child policy.

School Fees

Education was decentralized as part of China's educational reforms that began in 1985. This meant that the responsibility of implementing the Compulsory Education Law was given to the authorities of provinces, autonomous regions, and municipalities. One of the challenges faced by local authorities is that of funding. Due to inadequate budgetary funding, local authorities charge school fees, despite explicit wording in Article 10 of the Compulsory Education Law declaring: "the state shall not charge tuition for students receiving compulsory education." Although schools are not charging for tuition, they are still charging payment in the form of desk fees, exam-paper fees, and homework correction fees, among others. It is often the poorest regions of the country that suffer the greatest consequences from inadequate funding. Those with the greatest need for free education are being denied access due to financial constraints. Despite the PRC's commitments to address the issue of school fees, it continues to regulate and approve the fees. The result is that China is failing in its commitment to provide free education.

The Actual and Opportunity Cost

Many families, particularly those in rural China, must consider the opportunity cost as well as the actual cost of sending their child to school. The opportunity cost of a child in school is one less pair of hands around the house or in the field. This investment may seem more feasible if the child is a boy. Boys are more likely to continue their education, to attain a job with greater earning potential, and to be able to take care of their parents in their old age. However, for girls the path is not so

clear. The decision to invest in a girl's education may not receive the same return on investment. In a patriarchal society such as China, a daughter will often move into the home of her husband's family upon marriage. Therefore, any long-term benefit from investing in her education will go to the husband's family despite the girl's family paying the upfront cost of school.

Gender Norms

When these financial considerations are coupled with a family that subscribes to traditional gender norms, a girl may have an even slimmer chance of receiving an education. While gender norms have changed substantially since 1949, many families still hold traditional Confucian beliefs, particularly in rural China. While Confucian thought greatly values education and intellectual development, this belief is not extended to women. Confucian tenets teach that an uneducated woman, inferior in both social status and knowledge, makes a much more desirable wife. Traditionally, in China, women have been viewed as subservient to men. These gender norms often lead to a family's reluctance to educate their daughter. Education is not valued as highly for girls and, in some areas of rural China, an educated girl means a higher dowry. The good news is that, in many parts of urban China, we are witnessing a shift in this gender norm.

The Effect of the Hykou System

The *hykou* system is a government policy that requires registration at birth in order to receive a local residence permit. This residence permit grants access to education and health services. There are many reasons that may prevent parents from registering their child at birth, including financial restrictions, bureaucratic difficulties, and the one-child policy. If a family is unable, or chooses not to register their child, the child is then unable to attend school. Consequently, children are being denied their right to an education as a result of their parents' failure to adhere to government policies. As part of its commitment to provide free and compulsory education for all children, the PRC must be willing to make adjustments to such policies that are preventing children from attending school.

Effects of the One-Child Policy

The one-child policy, implemented in China in 1979, is yet another policy that has consequences for girls' access to education. China now has a disproportionate number of male births due to sex-selective abortion and has seen an increase in female infant and child mortality rates. Of the girls who are carried to term and survive, many of them are simply not registered due to a preference for boys. As reported by Wang Feng in his article, "Can China Afford to Continue its One-Child Policy," the 2000 census showed more surviving individuals aged 10-14 than individuals who were reported between the ages 0-4 in the 1990 census. Families will hide their girls from authorities, with the hope that their second child will be a boy. The unregistered girls never have the opportunity to receive an education.

Children of Migrant Workers

Aside from the existing gender disparities in China, there is also another group of children who are getting left out of China's educational system—the children of migrant workers. According to a "Human Rights In China" report, approximately 1.8 million children are not attending school because they are not officially registered in their new cities, and are therefore denied access to

primary schools. When migrant families move into new towns and cities, they are faced with costly procedures to register in their new place of residence. Schools have been known to request up to five different forms of documentation from migrant families before accepting their children. When schools do accept these children, they will often charge their families higher fees. Local authorities have also been accused of unjustly closing down private schools that are set up specifically for children of migrant workers. While the authorities claim that closures are due to substandard or unregistered schools, school operators disagree and say it is purely a result of discrimination.

Conclusion

While the PRC has made great improvements to the accessibility of education, including reducing the gender gap, since 1949, there is still a long way to go. Legislating free and compulsory education has increased primary school enrollment rates, but greater attention and transparency need to be given to the implementation of these laws. The PRC needs to ensure that all children have access to free education, and that "free" really means free. Many have called for the eradication of school fees. China only spends 2.5% of its GDP on education, well below the recommended level. An increase in spending would allow schools to eradicate fees, breaking down this financial barrier to education. In addition, gender norms still play a role in the accessibility of education for girls. The PRC needs to be taking a proactive role in changing these gender norms to continue to reduce gender disparities.

The PRC also needs to reassess policies such as the hykou system and the one-child policy. Greater assistance must be provided for families facing difficulties attaining their residence permit. While the one-child policy and the hykou system are Chinese law, children should not be punished for their parents' discrepancies. Children have a right to education, and this includes the marginalized and vulnerable children of China. The PRC must take greater steps to ensure that this right is extended to all children.

Annotated Bibliography

Bauer, John, Wang Feng, Nancy E. Riley, and Zhao Xiaohua. 1992. "Gender Inequality in Urban China: Education and Employment." *Modern China* 18 (3): 333-370.

Annotation: In this article, the authors look at gender equality in China, particularly in the areas of education, employment, and occupational opportunities. They begin by acknowledging the improvements in literacy rates and school enrollment since 1949, but focus on examining possible reasons for the existing gender gap. They use data from the 1987 One Percent Population Survey for their analysis and try to find correlations between various socialization processes and gender inequality. They conclude that the educational level attained by parents as well as parents' occupation have a substantial effect on the enrollment of children in education. This article gives a good overview of issues affecting women's access to education and occupational opportunities, but uses data that is now outdated. Also note that the article focuses on urban China and does not include a detailed analysis of issues pertaining to rural China.

Buchmann, Claudia, and Emily Hannum. 2001. "Education and Stratification in Developing Countries: A Review of Theories and Research." *Annual Review of Sociology* 27: 77-102.

Annotation: In this article, Buchmann and Hannum provide an overview of research and literature on education and stratification in developing countries. They focus on four areas of research: macro-structural forces, such as the state and international organizations; family influences, including socioeconomic status and family structure; school factors, such as classroom size and available supplies; and finally, the effect of education on economic outcomes and social mobility. This review gives the reader a solid understanding of the main issues that have been studied and their findings. The research reviewed covers social, economic, demographic, and educational disciplines.

Cavicchioni, Vittoria, and Albert Motivans. 2001. "Monitoring Educational Disparities in Less Developed Countries," in W. Hutmacher, D. Cochrane, and N. Bottani (eds.), <u>In Pursuit of Equity in Education</u>. Boston: Kluwer Academic Publishers.

Annotation: The goal of this book is to look at issues of inequality in education. It starts by taking a theoretical approach and then focuses on equity indicators and their effect on educational policies. The book primarily looks at issues within Western developed countries, but in Chapter Eight, Cavucchioni and Motivans examine educational inequalities in less-developed countries. They discuss the relationship between education and development, particularly the intersection of human rights and development programs and policies. They provide evidence of existing inequalities and suggest some reasons this is occurring in these regions. They conclude by examining ways to improve the use of equity indicators in educational policies.

China Institute for Reform and Development. 2008. "China Human Development Report - Access for All: Basic Public Services for 1.3 Billion People." Beijing, China: United Nations Development Program.

Annotation: This report on China's progress in human development was published by a Chinese institution, the China Institute for Reform and Development (CIRD), in collaboration with the United Nations Development Program. The authors provide a history of the country's human development over the past thirty years, as well as present the current challenges they face and their policy recommendations. They discuss the goal of providing equitable development, particularly in the public services of: compulsory education; public health and basic medical care; basic social services; and public employment services. The report provides a good overview of these public services and of China's attempts to face the challenges. However, the report does have the characteristic optimism of a piece written by a Chinese institute and contains little criticism of the government.

Feng, Wang. 2005. "Can China Afford to Continue Its One-Child Policy?" Asia Pacific Issues 77: 1-12.

Annotation: Feng begins by dispelling some of the myths about China's one-child policy and highlights some of the changes that have been made to the policy since its inception. Feng talks about the benefits to China as a result of the policy before explaining some of the social disadvantages: the growing population of the elderly; the disproportionate number of male births; and the impact the policy has had on the government's birth reporting system. Of particular interest was the number of "missing girls": girls who were not registered at birth but appear on censuses after the age of ten. Feng makes a case that the one-child policy needs to be amended if China is to avoid further damaging consequences.

Fordham, Paul. 1991. <u>Education for All: An Expanded Vision</u>. Paris, France: United Nations Educational, Scientific and Cultural Organization.

Annotation: The World Conference on Education for All was held in Thailand in 1990. This series of three books, or monographs, summarizes information that was presented and discussed at the conference. It focuses on issues that were discussed in various "roundtables." The conference was sponsored by the United Nations Development Program, the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund, and the World Bank. During the conference, an "expanded vision" was proposed to combat some of the problems facing universal education. The second monograph of the Education for All series outlines the five components of the expanded vision: universalizing access and promoting equity; focusing on learning; broadening the means and scope of basic education; enhancing the environment for learning; and strengthening partnerships. Issues of equity, the learning environment, and educational effectiveness are all analyzed. The topics covered in this series are relevant and applicable to the issues we still face today in providing education for all.

Global Campaign for Education. 2005. "Girls Can't Wait: Why Girls' Education Matters and How to Make It Happen Now." *Reproductive Health Matters* 13 (25): 19-22.

Annotation: This briefing paper by the Global Campaign for Education highlights the fact that, as of 2005, many developing nations were still not ensuring equality for girls in education. Despite improvements in female enrollment rates, girls' enrollment still lags behind that of boys. The report reminds its readers of the potential benefits of providing equal access to girls, for example, having a positive effect on a country's economic growth and decreasing malnutrition rates. It highlights some of the reasons the goal of educational equality has not been reached and makes recommendations for governments and the international community. The report serves as a reminder of the distance still to be traveled and, though it addresses some of the issues and makes recommendations, it does so in a very broad and general manner.

Haggis, Shelia M. 1991. <u>Education For All: Purpose and Context</u>. Paris, France: United Nations Educational, Scientific and Cultural Organization.

Annotation: The World Conference on Education for All was held in Thailand in 1990. This series of three books, or monographs, summarizes information that was presented and discussed at the conference. It focuses on issues that were discussed in various "roundtables." The conference was sponsored by the United Nations Development Program, the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund, and the World Bank. This first monograph focuses on the purpose and context of the conference and looks at issues such as: the impact of culture on education; environmental and health education; adult literacy; and the relationship between economic and social development. Although this is a dated source, it discusses timeless issues that are still relevant today.

Hannum, Emily. 2002. "Educational Stratification by Ethnicity in China: Enrollment and Attainment in the Early Reform Years." *Demography* 39 (1): 95-117.

Annotation: Hannum discusses and analyzes ethnic disparities in education using statistical evidence, including the 1992 National Sample Survey on the Situation of Chinese Children. She proposes three hypotheses: first, geographical differentiation and poverty play a crucial role in creating educational disparities by ethnicity; second, the gender gap is greater among minority groups, and this greater disparity is largely attributable to the poorer socioeconomic backgrounds of minorities; and finally, the onset of market reforms through the 1980s increased educational disparities by ethnicity.

——. 2005. "Market Transition, Educational Disparities, and Family Strategies in Rural China: New Evidence on Gender Stratification and Development." *Demography* 42 (2): 275-299.

Annotation: In this article, we see a continuation of Hannum's research on gender stratification. She sets out to analyze the relevance and viability of two theoretical approaches to gender stratification and development: the modernization theory and the women in development perspective. The first approach theorizes that, with increased development, a country will experience a decrease in gender inequalities. The "women in development perspective" argues that, with increased development comes an initial widening of the gender gap. Hannum attempts to analyze these theories and investigates various issues, such as the impact of economic circumstances on gender bias in household educational choices, and the trend in gender disparities in the years of market reforms. This article is of particular use to those who are interested in the relationship between development and gender disparities in education.

Hawkins, John N. 2000. "Centralization, Decentralization, Recentralization: Educational Reform in China." *Journal of Educational Administration* 38 (5): 442.

Annotation: Hawkins examines the development of China's educational reform since it began in 1985. He looks at the motivations of China's move towards decentralizing

education, as well as the relationship between educational reform on the one hand and the economic reforms and new economic opportunities that were occurring on the other hand. He examines the types of decentralization that China used and examines how much power was really delegated. Within the education reform, Hawkins takes a detailed look at fiscal and management reforms, as well as curriculum reforms. The article provides a good account of the strategy and possible motives of China's decentralization within the education sector.

Higgins, Louise T., Zheng Mo, Yali Liu, and Chun Hui Sun. 2002. "Attitudes to Marriage and Sexual Behaviors: A Survey of Gender and Culture Differences in China and United Kingdom." Sex Roles 46 (3/4): 75-89.

Annotation: The authors review the changing attitudes towards marriage and sexual behavior in China from the teaching of Confucianism to Neo-Confucianism, the reforms of the People's Republic of China, the Cultural Revolution, and finally, the Open Door Policy of the 1980s and the effect of modernization and "westernization." They claim that, despite efforts such as the Marriage Laws of 1981, thousands of years of traditional Confucianism still impact current-day attitudes. The study carried out was designed and administered by a joint team of Chinese and British psychologists. They surveyed university students studying in the UK and university students studying in China, questioning them on issues such as mate selection processes, attitudes towards premarital sexual relations, and homosexuality. They conclude that, while perceived gender differences still exist in both countries, they are more prominent in traditional societies like China. The study provides an interesting comparison; the authors acknowledge that Chinese university students do not provide a representative sample of today's China, but they hope the results of this study will provide baseline data for future comparison.

Human Rights in China. 2002. "Shutting Out the Poorest: Discrimination Against the Most Disadvantaged Migrant Children in City Schools." New York: Human Rights in China.

Annotation: This report by Human Rights in China provides an account of the true accessibility of education to children of migrant workers. Using official Chinese publications and interviews, it examines how official policies are causing discrimination to migrant families who cannot afford to register in their new cities. These policies then enable local governments to charge higher fees from migrant families, often deterring them from enrolling their children in school.

Human Rights Watch. 2006. "China: Beijing Closes Schools for Migrant Children in Pre-Olympic Clean Up." Available online: http://www.hrw.org/en/news/2006/09/25/china-beijing-closes-schools-migrant-children-pre-olympic-clean.

Annotation: This article discusses the closing of private, self-run migrant schools in Beijing in the run-up to the Olympics. While Beijing authorities claimed the closures were due to schools being substandard or unregistered, school operators disagreed. Although the article lacks statistical data to support its claim, the authors raise awareness of a human rights abuse

that China is often accused of. Closing down migrant schools, this article claims, is another example of the Chinese government failing to provide education for all. Administrative and financial policies create great difficulty for migrant families to send their children to school. Now, the government is closing the very schools that have made education possible.

Lan, Ye. 2008. "Comprehensive School Improvement in the Context of Social Transformation in China: A Case of New Basic Education Project," in J. U. Landowe (ed.), <u>Education in China</u>. New York: Nova Scotia Publishers, Inc.

Annotation: While surveying education reform in China, the authors highlight the "New Basic Education Project," carried out by East China Normal University. This was one of many projects carried out by Chinese universities concerned with school-level improvements. The primary focus of the project was to research and make improvements to classroom teaching and class construction. Practical changes were made in four classroom areas: curriculum and instruction; class construction; school administration; and teacher development. It is instructive to see the research and recommendations of Chinese universities in a field where much of the research tends to come from outside the country.

Levine, Michael H. 2005. "Take a Giant Step: Investing in Preschool Education In Emerging Nations." *Phi Delta Kappan* 87 (3): 196-200.

Annotation: Michael Levine proposes that the international community and, in particular, emerging nations need to place greater emphasis on early childhood care and education. In development efforts, the focus has been on universal access to primary school education, but Levine claims this is insufficient. Many early childhood initiatives have focused around health promotion and disease prevention, but not on education and preparation for primary school. Levine looks at the psychological and emotional development of children in preschool years and makes the argument that investing in children at this age will assist countries in future economic and social development. This article aims to encourage the idea of investing in preschool education, but lacks strong empirical or theoretical support.

Lu, Jie, and Desheng Gao. 2004. "New Directions in the Moral Education Curriculum in Chinese Primary Schools." *Journal of Moral Education* 33 (4): 495-510.

Annotation: The authors examine the problems that have arisen in China's Moral Education courses in primary schools over the past 20 years. They argue that the courses have a strong emphasis on instilling the moral principles that the state wants children to learn. The textbooks have used examples that are far removed from the lives of these children. This top-down approach has not allowed children to relate the lessons they are learning to their everyday lives. The authors also criticize traditional methods of teaching, such as lectures and textbook memorization. The Ministry of Education is looking to reform these Moral Education courses, so Lu and Gao prepared and tested a new moral education curriculum. They have implemented a more bottom-up process that is centered on the lives of the

children and their everyday problems. This article looks at the innovations in their curriculum and at the lessons they are learning from testing the curriculum in primary schools around China.

United Nations. 1995. "Beijing Declaration." Fourth World Conference on Women. Beijing, China.

Annotation: The Fourth World Conference on Women was held in Beijing in 1995. The conference was sponsored by the United Nations and attended by 189 governments "determined to advance the goals of equality, development and peace for all women everywhere in the interest of all humanity" (Article 3). The Beijing Declaration reaffirms commitments to the advancement and empowerment of women, including the provision of and equal access to basic education.

Padgett-Cross, Molly. 2000. "The Sky is Falling: Market Reforms and the Re-Emergence of Discrimination Against Women in China." New York, NY: Ralph Bunche Institute for International Studies, City University of New York.

Annotation: Padgett-Cross makes the case that, as a result of market reforms in 1978, the advancement of gender equality in China began to reverse. She argues that many of the steps the Mao regime took towards equality for women in education and the workplace were suddenly enforced through government policies, and therefore became dependent on the state. When the level of state interference decreased after 1978, more traditional beliefs and attitudes towards women returned. The author examines the levels of working women, attitudes within the workplace, as well as differences in urban and rural trends. She looks at the impact of an increased number of private schools on education, claiming that the cost of private and even public schools encourages discrimination, particularly in rural areas, where parents will often choose to educate a boy rather than a girl if forced to pick one child. Padgett-Cross concludes by looking at the role of non-governmental organizations in China, women's involvement within them, and the level of state control over their work.

People's Republic of China. 1995. "The Right of Citizens to Education." Government White Papers. Beijing, China.

Annotation: In this report, the Chinese government outlines the various ways in which it is supporting the principle of providing Chinese citizens "a steadily increased right to education." It highlights the Law on Compulsory Education that was passed in 1995, as well as the Regulations for the Work of Eliminating Illiteracy and the Nine-Year Compulsory Education Plan. This report also gives statistics from the State Education Commission on the effectiveness of these measures on enrollment rates, particularly looking at the differences in enrollment rates between girls and boys, urban and rural areas, and various ethnic minorities. While it must be considered that this is a government document when looking at the statistics, it is helpful to see the State's effort to be accountable for the commitment to the right to education.

Rao, Nirmala, Kai-Ming Cheng, and Kirti Narain. 2003. "Primary Schooling in China and India: Understanding How Socio-Contextual Factors Moderate the Role of State." *International Review of Education*, 49 (1/2): 153-176.

Annotation: This article compares the efficiency of primary school education in China and India since the political transitions in both countries in the late 1940s. The authors examine the efforts of the two states in improving primary education and the socio-contextual factors that have impacted them. The article provides an interesting comparison of two countries with comparable levels of primary school enrollment in the 1940s, and the direction they took with China becoming a socialist state and India a liberal democracy. Along with examining the role and nature of the state, the authors look at the impact of cultural beliefs on education, women and teaching, and the ideology behind the effort to improve primary education. The authors provide a good introduction to political and cultural factors that could underlie further research.

Selden, Mark. 1999. "Poverty Alleviation, Inequality and Welfare in Rural China." *Economic and Political Weekly* 34 (45): 3183-3190.

Annotation: This article looks at the plight of the rural poor in China in the post-Mao era. The author makes the argument that, despite Chinese developmental gains in both urban and rural areas, rural welfare has not received the attention that it needs. Selden claims that the relative neglect of rural social welfare will eventually threaten China's development. While not a great deal of attention is given to education specifically, it is mentioned in the context of increasing inequality and unaddressed forms of poverty.

Shu, Xiaoling. 2004. "Education and Gender Egalitarianism: The Case of China." *Sociology of Education* 77 (4): 311-336.

Annotation: In this article, Shu sets out to examine the relationship between education and gender attitudes in China. He begins by looking at historical evidence of the impact that education has had on gender egalitarianism. He talks of the changes in post-1949 China, when the government began using formal education as a vehicle for socialization. He argues that it is not education alone (whether at a micro or macro level) that changes attitudes, but rather the social environment of which education is indicative, that brings about changes in attitudes and values. The formal education system of China post-1949 has been used to promote the official culture supported by the government and the values of the influential state elite. Shu makes a number of hypotheses that he tests through a survey of 9,033 married couples living in both rural and urban regions of China. These hypotheses include: "the higher an individual's education, the more egalitarian the individual's gender attitudes," and "the larger the gender gap in education in a community, the more traditional women's

gender attitudes are." He provides an in-depth analysis of the results of his study, concluding that egalitarian gender attitudes are unevenly distributed in the Chinese population.

Spring, Joel. 2000. <u>The Universal Right to Education</u>. Mahwah, NJ: Lawrence Erlbaum Associates, Inc.

Annotation: Spring takes a unique approach to the topic of education for all and, specifically, the right to education. Whereas most books and articles on this topic begin with the assumption that readers acknowledge and understand the right to education, Spring starts by defining and justifying the right to education. He also discusses children's rights, touching on other issues that are affecting children worldwide, and links children's rights to the right to education. Spring spends a good deal of time looking at cultural differences and how they affect the perception of the right to education. He also focuses on globalization and the impact of the global economy on education. He provides a different approach to the topic that is a helpful addition to the available literature.

Subrahmanian, Ramya. 2007. <u>Gender in Primary and Secondary Education</u>. London, UK: Commonwealth Secretariat.

Annotation: The author looks at the continuing gender disparity that exists in education today. Writing to an audience of policymakers, particularly at the state level, she highlights the economic and social development problems the gender gap causes. She argues for the need to build on rising enrollment rates and to increase attention to secondary and higher education. Proposals include increasing investment in: health education (particularly reproductive health); public awareness within local communities about the importance of women's education; and early childhood education.

The Education for All Global Monitoring Report Team. 2008. "Education for All Global Monitoring Report 2008," in *EFA Global Monitoring Report*. Paris, France: United Nations Educational, Scientific and Cultural Organization.

Annotation: In 2001, 164 governments participated in the World Education Forum in Dakar, Senegal. They committed to a number of educational goals to achieve an expansion of educational opportunities. The six goals that countries agreed to focus on are: early childhood care and education; universal primary education; learning needs of young people and adults; adult literacy; gender; and quality of education. This report assesses to what extent these measures are being met. It analyzes the impact of specific policies and discusses major developments since 2001. The statistical reports and analysis are particularly helpful for the reader who is interested in the Education For All goals, but the report also provides a good overview of the issues affecting educational expansion around the world.

Tomasevski, Katarina. 2003. "Economic, Social and Cultural Rights: The Right to Education." New York, NY: United Nations Economic and Social Council.

Annotation: This report was submitted by special rapporteur, Katarina Tomasevski, after a "mission to china" to investigate China's implementation of the right to education. In the report, she highlights areas where China is failing to meet its international commitment. She looks at legislation and how China's policies are played out in various areas. She examines the issues that are preventing free and compulsory primary education, specifically: budgetary allocations; school fees; and discrimination against girls, children of migrant families, and the disabled. Throughout the report, she makes strong recommendations to the Chinese government in all of the above areas.

Tsui, Ming, and Lynne Rich. 2002. "The Only Child and Educational Opportunity for Girls in Urban China." *Gender and Society* 16 (1): 74-92.

Annotation: Tsui and Rich use data from a study they conducted from 1998-1999 to examine educational gender differences between single-boy and single-girl families in urban China. The study surveyed 1, 040 eighth graders in Wuhan, China, and looked at parental expectations and investment in their child's education, as well as children's educational aspirations and achievements. The authors conclude that there is no educational gender inequality in single-child families in urban China. The article presents a positive, if unintended, consequence of the one-child policy. The authors' findings are interesting and relevant to studies of gender disparities in modern day China; however, the study uses a small sample. It would be interesting to see if the findings are repeated on a larger scale and to see the same study carried out in areas of rural China.

Turner, Yvonne. 2006. "Swinging Open or Slamming Shut? The Implications of China's Open-Door Policy for Women, Educational Choice and Work." *Journal of Education & Work* 19 (1): 47-65.

Annotation: Yvonne Turner looks at the relationship between tertiary education and attitudes about women and work in contemporary China. She provides a good cultural context, examining the accessibility of education to women since the establishment of the People's Republic of China in 1949, as well as the impact of the Cultural Revolution and the Market and Political Reforms of the 1980s. This article gives a helpful overview of some of the practical problems facing women seeking education at every level, including the beliefs of Confucianism and the consequences of a patriarchal mindset. Turner uses interview extracts from two longitudinal studies, in which participants who were studying for a UK Business Degree shared their views on gender relations in China; women in the study shared experiences they have had in the Chinese work environment. Participants of the first study were attending university in the UK, and participants of the second study were studying in China. The review of these small studies was not overly helpful, as the studies only

represented the attitudes of a small number of Chinese citizens. However, the article does provide a good overview of the issue of women's education and attitudes to women at work.

United Nations Children's Fund. 2007. <u>A Human Rights-Based Approach to Education for All.</u> New York: United Nations Children's Fund.

Annotation: The United Nations Children's Fund and the United Nations Educational, Scientific and Cultural Organization use this book to delineate a very specific human rights approach to providing universal health care. They begin by laying out why education is a human right and the principles of a human rights-based approach. With that foundation, they propose a framework for program planning, implementation, monitoring, and evaluation. Issues include: accessibility and equality of opportunity; the quality of education; rights within education; and poverty. While informative, this report is primarily a resource for government officials, civil society organizations, and those involved in developing educational policies and programs.

Windham, Douglas M. 1991. <u>Education For All: the Requirements</u>. Paris, France: United Nations Educational, Scientific and Cultural Organization.

Annotation: The World Conference on Education for All was held in Thailand in 1990. This series of three books, or monographs, summarizes much of the information that was presented and discussed at the conference. It focuses on issues that were discussed in various "roundtables." The conference was sponsored by the United Nations Development Program, the United Nations Educational, Scientific and Cultural Organization, the United Nations Children's Fund and the World Bank. This third monograph in the series is a more practical approach for policymakers, non-governmental organizations, and teachers. It takes various elements that were discussed at the conference and attempts to propose ways to turn the rhetoric into reality. Four themes are discussed: developing and supporting policy context; mobilizing resources; building national technical capacity; and strengthening international solidarity. It is a helpful resource for those actively involved in implementing universal education, or for those interested in the practical rather than theoretical side of the issue.

UN Committee on the Elimination of Discrimination Against Women (C EDAW). 2009.
"Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women: combined 5th and 6th periodic reports of States parties." Available online:
http://www.unhcr.org/refworld/publisher,CEDAW,STATEPARTIESREP,4aba1e6c2,0.html.

Annotation: This is the combined fifth and sixth periodic report submitted by the People's Republic of China. In accordance with Article 18, Paragraph 1 of the Convention on the Elimination of All Forms of Discrimination against Women, governments are required to

report on their progress of implementation of the Convention. Looking at the period of 1998 to 2002, the report provides an extremely positive view on the steps taken to implement this convention. China reaffirms its commitment to women's development and gender equality, and highlights different government policies and their effectiveness in eliminating discrimination against women. The authors have provided information on implementation of individual articles along with statistical data.

Economic Incentives Preempt Independence Movements: A Case Study of the Xinjiang Uyghur Autonomous Region in China

By Iman Jafarynejad

Introduction

Self-determination and freedom from foreign territorial acquisition and annexation still are core issues in the international arena and a source of human rights struggles. Through the consolidation of economies in the twenty-first century, there has, however, been a shift in the importance of these issues and in the meaning of "occupied" territories. This paper challenges the idea that the status quo of self-determination is the most important element of the human rights agenda of the indigenous Uyghur community in the Xinjiang Uyghur Autonomous Region of Western China. Economic development and justice are more important to the Uyghurs. By addressing economic and social demands, China can curb separatist desires and civil unrest in Xinjiang. An analysis of the current education system and popular culture will demonstrate the responsiveness of the Uyghur youth to the possibility of achieving economic prosperity rather than pursuing a path of independence.

Self-Determination as a Human Right

The United Nations General Assembly has addressed the topic of indigenous rights to self-determination, because that issue has been at the forefront of several national ands international conflicts throughout history. The Universal Declaration of Human Rights and the Declaration for the Rights of Indigenous Peoples both explicitly describe the right of self-determination and freedom from foreign intervention. The rights granted in these international instruments are intended to promote freedom from oppressive regimes that annex or occupy territories inhabited by indigenous populations.

In the Xinjiang Uyghur Autonomous Region (XUAR) of Western China, these liberties have been in dispute for over a half-century. From the 1950s, when the People's Liberation Army took control of the region, up through current events, such as the summer uprising of 2009, there has been a history of political and social discontent with the Chinese government's influence over the region. There is no question that political independence is important for the Uyghur community. Political independence can provide better conditions for citizens and potentially strengthen a society. There are tangible economic and political issues that affect societies' capacity for prosperity when political independence is at stake. For example, without autonomy, there is no opportunity for democratic political representation or economic distributive justice. Both of these examples can be observed in the XUAR.

The Chinese government's response to the Uyghurs' dissatisfaction with the current situation has been violent confrontation. This has escalated the hostility toward the government and has made the situation even more volatile. The government shows no sign of willingness to negotiate any demands over territory, and the radical elements of the Uyghur population show no sign of backing down. There can, however, be a compromise forged between the Chinese government and the younger Uyghurs. The Chinese government can deflect the secessionist desires of the population by offering economic opportunities and social inclusion to the younger generation of Uyghurs. Those younger Uyghurs have shown a more positive response to Chinese policies that are more open to their inclusion, a tendency that can be observed in the current trends in education and pop culture.

The youth have an inclination towards being educated in Han Chinese (the ethnic majority in China) schools, rather than Uyghur schools, and prefer music that is apolitical, as opposed to the politically charged songs that were popular during the 1990s. These social trends point to the next generation of Uyghurs' responsiveness to modernity and unity, rather than opposition and resistance to the past.

Education

The education choices for Uyghur students are another indicator of a changing population. The current education system in China entails a trilingual policy for minority students, who are to be taught in their ethnic language during primary school and in Chinese during secondary, while also learning English in order to complete proficiency requirements for post-secondary schools. This system handicaps Uyghur students who must learn three languages during the course of their studies, and who are often taught Chinese by Uyghur teachers who do not have a strong background in the language.

There is also a disparity in the quality of education between *minkaohan* and *minkaomin* schools. *Minkaohan* are Uyghurs who are taught in Han schools, and *minkaomin* are Uyghurs who are taught in Uyghur schools. The utility of the education received in *minkaomin* schools is minimal, as these schools do not adequately prepare students for higher education in Han schools and are often based on cultural and religious teachings rather than practical topics. There is a current tendency for Uyghur students to prefer Han Chinese education.

Pop Music

Preferences in popular music in Xinjiang have changed over the past two decades, as the youth choose to listen to and support artists who are not critical of the Chinese government. This is contrary to the previous generations, which followed artists such as Askar, the singer of the most popular Uyghur rock group of the 1990s. Askar's band, Grey Wolf, gained international attention for their advocacy of Uyghur independence and nationalism. The anti-Han sentiments are prevalent in Askar's lyrics, such as in the song "Play," where Askar appeals to Uyghurs to unite and rid Xinjiang of the "stinky air" that is ruining their homeland. The stinky air is an allegory of the Han Chinese and their culture.

Askar and Grey Wolf have increasingly lost their popularity among the younger Uyghurs, who have begun listening to artists, such as Arken, whose songs are about contentment and enjoying life. Arken is fifteen years younger than Askar, and his support among the younger demographic reflects his appeal to adolescent Uyghurs. Arken's music videos are regularly aired on MTV, and he has become a pop icon since the 2000s. His songs, such as the popular love song "Boy," are devoid of controversial themes and contain lyrics in Chinese—even though Arken was educated in Uyghur schools and did not learn Chinese until he was an adult. In a survey of four colleges and universities in China, one in Xinjiang and three elsewhere, there were significant correlations in musical preference among students. Arken was preferred over Askar and the students stated they preferred non-politicized music.

Final Remarks

In order to quell the separatist sentiments within the Uyghur community in Xinjiang, the Chinese government could offer alternatives to the currently bleak economic future of the younger generation. Currently, Uyghurs are disproportionately underrepresented in political offices and less employed in industries. A uniform education system for students would alleviate the inequality of skills attainment and prepare the next generation's workforce and leaders. There must be equal hiring practices for industries in Xinjiang, which could be enacted through a policy of equal opportunity and adequate incentives.

It is in the Chinese government's best interest to work towards the improvement of the Uyghur community and to work with Uyghurs as part of a larger society rather than oppose and marginalize them. The opportunity is present but it will require the will of policymakers in Beijing to promote economic development for the Uyghurs rather than a reactionary policy of containing opposition.

Annotated Bibliography

Adamson, Bob, and Feng Anwei. 2009. "A Comparison of Trilingual Education Policies for Ethnic Minorities in China." *Compare: A Journal of Comparative & International Education* 39 (3): 321-333.

Annotation: This article outlines the difficulties of China's "trilingual" language policy for minority students. Historically, China has gone through different levels of tolerance, promotion, and opposition to minority languages being taught in schools. At first, the Chinese Communist Party was highly supportive of minorities and their desire to teach their children their mother tongue. Around the time of the Cultural Revolution, this advocacy turned to backlash as priorities were changed to promote state unity and assimilation. The current situation has been further complicated as the Chinese government is again supporting minorities' right to pass on their language while also trying to promote economic development across the country. The problem lies in the fact that there must be a uniform state language, respect for minorities' cultures, and a workforce that can communicate internationally through the use of English. This creates the problem of trilingual proficiency for minorities. Minority students find themselves in a predicament, using their native language for their primary education, learning the state language in secondary school, and having to know English for any type of higher education.

Anonymous. 1999. "Forgotten Province: China's Oppression furthers Uyghur Separatist Sentiment." *New Internationalist* (318). Available online: http://www.newint.org/issue318/update.htm.

Annotation: This article recounts a briefing to the United States Congress by Amnesty International describing the human rights violations taking place in the Xinjiang Uyghur Autonomous Region (XUAR). The title of this piece is taken from the Amnesty International USA director, who calls XUAR the "forgotten province," due to the tough travel and security measures placed on the region. Forced abortions, economic oppression, resource gouging, little to no political representation, unequal hiring practices, government-sponsored Han migration, execution of political prisoners, torture, and rape are described in

witness testimonies. The article describes how the Uyghurs draw inspiration from the liberation of Kazakhstan, Uzbekistan, and Kyrgyzstan from the former Soviet Union in their own struggle for independence.

Baranovitch, Nimrod. 2003. "From the Margins to the Centre: The Uyghur Challenge in Beijing." *The China Quarterly* (175): 726-750.

Annotation: This article discusses the small but influential Uyghur population that resides in China's capital, Beijing, and their important role as representatives of their ethnic minority to the Chinese people. Highlighted within this article are examples of business owners, artists, and politically influential Uyghurs who have transcended their ethnic class, impacting views of their heritage among Chinese Han and worldwide. This article demonstrates how internal migrants in China have the ability to achieve class ascension within Chinese society. Baranovitch portrays China in a different light, demonstrating how there are opportunities for individualism and national and ethnic pride within the Chinese system.

— 2007. "From Resistance To Adaptation: Uyghur Popular Music and Changing Attitudes Among Uyghur Youth." *China Journal* (58): 59-82.

Annotation: This article demonstrates the shift of Uyghur youth's musical preference from political and nationalistic songs of resistance and oppression that were popular during the 1990s to the apolitical and "everything's okay" attitudes that are prevalent in Uyghur pop music today. The author attributes this to several factors, including: China's suppression of the Uyghur resistance songs; Uyghur youth's desire to connect outwardly to the rest of the world; and the new Uyghur generation's desire to advance within the Chinese system rather than confronting it. The author references a survey of Uyghur university students who liked the new, apolitical style and singers rather than the nationalistic and opposition style popular among the older generation. The results, the author suggests, represent the Uyghur youth's desire for modernity and contentment rather than independence and ethnic divisions.

Barber, Hollis W. 1975. "Decolonization: The Committee of Twenty-Four." World Affairs 138 (2): 128.

Annotation: This article describes the Committee of Twenty-Four's attempts in the 1960s to promote nations' rights for self-determination and independence. The committee, also known as the Committee on Decolonization, was created in 1961 by the United Nations General Assembly in order to implement the UN Declaration of Human Rights. The committee was highly critical of Western states' claims over minority populations and colonies, such as Puerto Rico, Rhodesia, and South Africa. The same criticisms were not directed at developing countries' claims over territories that they felt were rightfully theirs,

such as China's claims to Hong Kong and Macau, which were claimed by Britain and Portugal.

Beller-Hann, I. 2001. "Making the Oil Fragrant': Dealings with the Supernatural among the Uyghurs in Xinjiang." *Asian Ethnicity* 2 (1): 9-23.

Annotation: This article describes the Uyghur traditions surrounding death through the scope of Islamic and ethnic traditions. The author describes how the rituals practiced by the Uyghurs are a combination of local customs and traditional Islamic beliefs. The Uyghurs are allowed to practice their traditions by the Chinese government because it is seen as adding to the ethnic diversity of China's population. The rituals practiced by Chinese ethnic minorities that are deemed harmless to the dominant culture are actually promoted and even romanticized by the government, in what the author calls the "folklorisation" of local customs. The Chinese government does, however, discourage the practice of Islam, as it is viewed as being incompatible with China's Communist ideology and supportive of separatism.

Bob, Clifford. 2002. "Merchants of Morality." Foreign Policy (129): 36-45.

Annotation: This article describes the trend of indigenous rights movements compromising their ideals in order to draw international attention and funding for their organizations. The author argues that these groups compromise their principles and alienate the people they are supposed to represent in the process of pandering for monetary contributions, recognition, and support. The author makes the point that support for indigenous rights groups is not based on the justness of their cause, but rather on their public relations apparatus and popularity among celebrities. He uses the example of the popularity of the Tibetan cause for greater autonomy from the Chinese government compared to the similar struggle of the Uyghurs, who are not as popular and thus are less publicized.

Bovingdon, Gardner. 2002. "The Not-So-Silent Majority: Uyghur Resistance to Han Rule in Xinjiang." *Modern China* 28 (1): 39.

Annotation: In this article, the author describes the hostilities between the indigenous Uyghurs and the migrant Han in China's Xinjiang region. The author claims that the problems between the two ethnic groups can be attributed to a lack of understanding of the Uyghurs' grievances and their desire for a separate nation-state. He claims that the situation is exacerbated by suppression of Uyghur dissent through classification as sympathizing with separatists. The Uyghurs, however, have found alternative forms of expressing their grievances—through nuanced messages in music and conversations and debates in their native language, for example—in what has been termed, "infra-politics."

Box, Dan. 2003. "Xinjiang." Ecologist 33 (7): 20-22.

Annotation: In this article, the author describes the impact of oil drilling on the Uyghur population of Kashgar in the Xinjiang Autonomous Region in northwestern China. Caught between foreign and Chinese drilling interests, the Uyghurs have been subjected to political, religious, linguistic, and educational oppression by the Chinese government. The name of Xinjiang Autonomous Region is only a façade, as the region is under the strict and total control of the Chinese. The Uyghurs feel their heritage will soon be lost as they are forced to assimilate and integrate into Chinese culture. This is especially difficult for the Uyghur youth, who feel they must make a choice between their culture and the opportunity for a better life in Chinese society.

Caplan, Richard. 1998. "International Diplomacy and the Crisis in Kosovo." *International Affairs*, Royal Institute of International Affairs 74 (4): 745-761.

Annotation: In this article, the author contends that the conflict in Kosovo in the 1990s was due to a lack of international participation and recognition of the ethnic Albanians' claim to autonomy over the Kosovo region. The author's argument is that diplomacy and recognition of Kosovo as an autonomous region by the international community could have prevented the ethnic clashes that occurred there. The author claims that the lack of redress of the ethnic Albanians' grievances left the conflict to "smolder." The Serbian forces that invaded the area were claiming they were protecting the ethnic Serbs from the ethnic Albanians who were committing violence against them. The author contends that international powers could have quelled the violent spats before there was an all-out assault on the Albanians by Serb military forces.

Davis, Elizabeth Van Wie. 2008. "Uyghur Muslim Ethnic Separatism in Xinjiang, China." Asian Affairs: An American Review 35 (1): 15-30.

Annotation: This article describes the influence of Islamic separatist movements in Central Asia on the current unrest in the Xinjiang Uyghur Autonomous Region (XUAR). The author makes the point that the extraction of oil from the XUAR, in addition to the fact that few of the remittances reach the Uyghurs there, fuels the unrest and compounds the already problematic separatist movements in the region. The international cooperation and expedition treaties between China the Central Asian countries—such as Pakistan, Afghanistan, Kazakhstan, Tajikistan, and Kyrgyzstan—fuel the Islamic separatist movements. The economic ties between these countries and China also allow for easier movement of fighters, arms, and propaganda, as roads and other transportation avenues are opened for easier access between states.

Diehl, Keila. 2005. "Central Asia: China: Regions: Xinjiang Uyghur Autonomous Region," in <u>Continuum Encyclopedia of Popular Music of the World</u>. New York: Continuum International Publishing Group Ltd/Books.

Annotation: This article describes the importance of musical tradition for the Uyghur ethnic group in the Xinjiang Uyghur Autonomous Region (XUAR). The author describes how music plays an intricate role in Uyghur society as a form of cultural continuity. The music in the XUAR has been historically repressed and censored by Chinese authorities with the aim of silencing discontent within Uyghur society. There have been, however, instances where the music released by Uyghur artists has made references to the oppression and violence the Uyghurs face in the XUAR. These messages must be carefully orchestrated in metaphors and allegories, as there is the danger of being targeted by Chinese authorities as a separatist and for breeding discontent among the Uyghurs.

Finley, Joanne Smith. 2007. "Chinese Oppression in Xinjiang, Middle Eastern Conflicts and Global Islamic Solidarities among the Uyghurs." *Journal of Contemporary China* 16 (53): 627-654.

Annotation: This article describes the formation of Uyghur identity through the "Islamification" of the ethnic minority group in the Xinjiang Uyghur Autonomous Region (XUAR) in northwestern China. The Uyghurs have historically avoided mixing or assimilating with the Han Chinese as a form of protection against losing their culture and symbolically opposing Chinese rule over their indigenous homeland. With internal and external world developments, the Uyghurs have, in the past few decades, turned toward Islam as a way to distinguish themselves from the Chinese. The Chinese, in turn, have used this "Islamification" of the Uyghurs as an excuse to crush any type of resistance to Chinese rule as part of the "War on Terror." Chinese authorities claim all opposition as being supported by outside Muslim extremist groups.

Gladney, Dru C. 1997. "Rumblings from the Uyghur." Current History 96 (611): 287.

Annotation: This article describes the two-pronged approach that the Chinese government is taking toward the Xinjiang Uyghur Autonomous Region (XUAR) economic development and political oppression. While the XUAR is an oil-producing region, the economic well-being of the indigenous Uyghur peoples is not rising. Their job market has been flooded by migrant Han Chinese, who have an advantage in getting jobs, as they are better educated and receive preferential treatment. In response to this type of discrimination in what they feel is their homeland, Uyghur separatists used bombings and assassinations to cause trouble for Chinese interests in the region during the 1990s. The result was a Chinese policy of "striking hard," leading to hundreds of arrests, as well as executions of suspected separatists. The author contends that there is a possibility of reconciliation if the Uyghur receive benefits from economic development.

^{———. 2003. &}quot;Islam in China: Accommodation or Separatism?" The China Quarterly (174): 451-467.

Annotation: This article outlines the history of Muslims in China and their struggle to preserve their religion, heritage, and cultural identity in the face of hostility on the part of the Chinese. Islam is not seen as compatible with the Communist ideology of the Chinese government. The hostility toward Islam in the Xinjiang Uyghur Autonomous Region (XUAR) has increased significantly since the beginning of the 2000s after the start of the "War on Terror." The Chinese government now justifies religious discrimination and oppression of Muslims as a battle against internal and external separatist extremists who must be crushed. The author also makes the point that accommodation of Muslim minorities in other countries has proved beneficial in increasing internal state support and relations.

Harris, Rachel. 2005. "Reggae on the Silk Road: The Globalization of Uyghur Pop." *China Quarterly* (183): 627-643.

Annotation: In this article, the author contends that the Uyghurs' pop music genre has had great impact in the socio-political arena in the Xinjiang Uyghur Autonomous Region (XUAR) of China. She argues that Uyghur music has been successful in portraying the discontentment of the people over what they feel has been a loss of their homeland and culture. The author also points out the influences of international forms of music on Uyghur pop music, such as Reggae, the flamenco guitar styling of the Gypsy Kings, and Madonna. The author breaks down musical styles (i.e. strum patterns, lyrical metaphors, etc.) to demonstrate the different influences and political messages the music incorporates and the relevance it has to the Uyghur people.

Hierman, Brent. 2007. "The Pacification of Xinjiang: Uighur Protest and the Chinese State, 1988-2002." *Problems of Post-Communism* 54 (3): 48-62.

Annotation: In this article, the author describes the state of Uyghur opposition to Chinese rule from the mid-twentieth to the beginning of the twenty-first century. The author contends that, although the "waves" of opposition and violent crackdowns from the government are becoming less common—indicative of the government's successful "strike hard" military campaign against separatists—they are still a factor to be scrutinized because of the ambiguity of their effectiveness in the long term. The author suggests that violent repression of social unrest in the Xinjiang Region will only foster resentment against the Chinese government, whereas acceptance of cultural and religious identity and diversity will result in greater pacification and popular support from the more radical elements of the Uyghur population.

Hilpold, Peter. 2009. "The Kosovo Case and International Law: Looking for Applicable Theories." Chinese Journal of International Law 8 (1): 47-61. Annotation: This article describes the legal circumstances surrounding Kosovo's unilateral declaration of independence and its legitimacy as a country in relation to international law. The article contends that, if a country can unilaterally declare independence as long as there is an acceptance among the community of states, there will be upheaval of world order, which will present an onslaught of new problems for the international community. In Kosovo's case, the United Nations Security Council asked the International Court of Justice to review the legality of Kosovar independence at the request of Serbia. The case is yet to be settled, but the results of the Court's findings are highly anticipated to set precedents in similar matters.

Hoh, Erling. 2005. "Interview with Sultan Kurash." New Internationalist 383 (October 1): 33.

Annotation: In this interview, popular Uyghur singer Sultan Kurash speaks of the Chinese government's disapproval of the nationalist themes of his songs and his calls for independence. The Chinese government has essentially banned his music and made it a crime to possess it. He speaks of how he has inspired Uyghurs to demand independence from Chinese rule.

Hyer, Eric. 2006. "China's policy towards Uighur Nationalism." *Journal of Muslim Minority Affairs* 26 (1): 75-86.

Annotation: This article explains the Uyghurs' desire for an autonomous state in Western China, examining their grievances and China's reasons for not granting them independence. The Chinese government views the Uyghurs as a separatist group, which is contrary to their national belief of assimilation, and therefore it dissuades neighboring countries, such as Russia and India, from supporting the Uyghurs. The Uyghurs, in turn, believe in their right to self-determination as legal and just. This article looks at the external, as well as internal, factors of this conflict, giving a broader context in which to view the problem.

Reny, Marie-Eve. 2009. "The Political Salience of Language and Religion: Patterns of Ethnic Mobilization among Uyghurs in Xinjiang and Sikhs in Punjab." *Ethnic & Racial Studies* 32 (3): 490-521.

Annotation: The author of this article contends that language has historically been less divisive than religion when used as a rallying tool for government opposition from a minority group within a greater nation-state. The author highlights this occurrence by examining the cases of the Uyghurs in China and the Sikhs in India. The author believes that language rights are more likely than religious freedoms to be accommodated by governments, and that issues of religious freedom are therefore more often at the center of ethnic minority grievances.

Robins, Philip. 1993. "The Overlord State: Turkish Policy and the Kurdish Issue." *International Affairs*, Royal Institute of International Affairs 69 (4): 657-676.

Annotation: This article delves into the topic of Turkish domination of the Kurdish region, located in the border region it shares with Iraq. This article contends that the NATO countries should not blindly support Turkey when it comes to this issue just because Turkey presents itself as an ally in this unstable region. The author argues that long-term prosperity and peace between all of the involved parties requires a more in-depth analysis of the situation and the multi-faceted dimensions surrounding relations in the region.

Shichor, Yitzhak. 2009. "Ethno-Diplomacy: The Uyghur Hitch in Sino-Turkish Relations." *Policy Studies Series*, East-West Center (53): 1-53. Available online: http://www.eastwestcenter.org/fileadmin/stored/pdfs/ps053.pdf.

Annotation: This article reviews the history of Turkish and Chinese relations surrounding the issue of East Turkmenistan independence through ethno-diplomacy. Turkey has historically supported the Uyghur people and their goal of sovereignty. That support, however, has dwindled in the last few decades as China has increased its presence in Turkey through commerce and political influence. Turkish politicians now face a tough dilemma, as they feel pressure from both China to quell the powerful opposition movement in Ankara, and from their constituents, who openly support the Uyghurs with whom they share a cultural and historical connection.

———. 2005. "Blow Up: Internal and External Challenges of Uyghur Separatism and Islamic Radicalism to Chinese Rule in Xinjiang." *Asian Affairs: An American Review* 32 (2): 119-135.

Annotation: The author describes the issues of Islamism and external pressures that are exacerbating the Uyghur separatist movement in the Xinjiang province in Western China. This paper contends that increased use of media and loosening of travel restrictions has added to this problem. The author reports on the situation using the context of historic grievances that inspire separatist sentiments in the region.

Smith, Joanne N. 2002. "Making Culture Matter': Symbolic, Spatial and Social Boundaries between Uyghurs and Han Chinese." *Asian Ethnicity* 3 (2): 153-174.

Annotation: This article describes how the Uyghurs in the Xinjiang region of Western China create differences between themselves and the Han Chinese living in the area in order to maintain a level of distinction between them. The author uses the example the Uyghurs not consuming pork products in order to retain differences between themselves and the Han. This situation is exacerbated by growing anti-Han sentiment among the Uyghurs due to their lower socio-economic standing in relation to the Han.

United Nations. 2007. United Nations Declaration on the Rights of Indigenous Peoples.

Annotation: The United Nations General Assembly released the Declaration on the Rights of Indigenous Peoples in 2007. This document established certain human rights for people who are of a nationality different than those of the predominating culture within a given state. These rights include: self-determination; freedom of religion; economic, social, and cultural determination; and freedom from persecution, racism, forced assimilation, political oppression, and social exclusion. The declaration also includes the right to territories and the right to access resources within ancestral lands. This document is intended to reflect the rights of indigenous people under international law and emphasizes the responsibility of the United Nations to uphold these laws.

The Continuation of Slavery in the Modern World: The People's Republic of China and Forced Labor Practices

By Jasmine Koehn

The age-old scourge of slavery has returned to plague the modern world. Though updated to match societal advances, the basic premise remains: human beings degraded to the point of becoming a mere commodity. Today's world calls modern day slavery human trafficking, and it can take many forms, including forced labor. In the People's Republic of China (PRC), two distinct forms of forced labor exist. One form is the more traditional master-slave system, wherein people are bought and sold, or kidnapped, and subsequently forced to work, often in intense and dangerous manual labor. The second form exists legally under the Chinese penal system. Both situations involve denying human beings their rights to freedom of movement and freedom to work. In discussions of human trafficking and forced labor, many inaccuracies exist. People often equate sweatshops (where workers are exploited, but are paid and allowed freedom of movement) with cases of forced labor and slavery. In the modern abolitionist movement, the defining element for slavery and trafficking is restricted movement. As such, sweatshops and other forms of labor exploitation will not be discussed.

Legal Framework

Human trafficking, in theory, was outlawed in the late 1800s worldwide when the last vestiges of the original slave and serf systems were abolished. In reality, the laws simply pushed the practice underground. The end of the Cold War had to occur before people recognized the continuation of human slavery. In 2000, the world convened and passed the Palermo Protocols, which defined human trafficking and outlawed it internationally. That same year, the United States passed the Trafficking Victims Protection Act (TVPA). In addition, many organizations, including the International Labor Organization (ILO), have passed conventions banning slavery. In conjunction with the international legal framework against trafficking, there are several domestic laws in place guaranteeing basic freedoms, which by nature exclude enslavement.

The Chinese Constitution supposedly provides citizens with the right to work, rest, and freedom. The legal framework provides protection for the victims and grounds for prosecutors to establish illegal activity. Unfortunately, as will be shown through case studies of trafficking in China, all too often the national government plays some role in the trafficking of its citizens. The implications of such actions range from crimes of omission to crimes against humanity.

Forced Labor

As is the case for most of the world, in-depth academic research does not exist regarding forced labor trafficking in China. As a result, most of the information available comes in the form of anecdotes, or unofficial data. The two forced labor cases that follow exemplify common forms of slavery and highlight human trafficking as a global phenomenon, rather than a practice unique to China. In 2007, the world's eyes were opened to slave labor practices in China. What has become known as the "Black Brick Kiln" incident came to light as a result of the efforts of a determined Chinese reporter. In the Shanxi province, thousands of slaves were discovered after a reporter began looking into the growing number of missing children. Brick kiln owners in the rural areas of Shanxi

had been using mainly children and mentally handicapped individuals to work the kilns for no pay and under horrendous conditions. As more investigation occurred, it became apparent that the local government officials and police forces were aware of the abuses of the kiln owners and were ignoring the slavery situation because of bribes. The government in Beijing pledged to investigate and prosecute the slave masters. Based on another slave kiln bust in 2009, it appears that Chinese efforts have not significantly changed the situation yet. In addition to the kilns, a footwear company was using forced labor to work the factories. The company employed the bonded labor system, whereby the laborers were indebted to the company and could not pay back the debt. Freedom of movement was nonexistent for many of these workers and, in many cases, the slaves' documents had been confiscated, thus making them vulnerable to arrest by the police forces. In China, all citizens must carry travel documentation and can be stopped and searched without warning. Not having the proper documentation is grounds for immediate detention and often results in time spent in the Chinese penal system.

Penal system

The Chinese penal system employs an extensive network of forced labor camps in order to reform criminals through labor. Known as Labor Reform Camps (LRCs), these institutions are divided into two subsets to deal with different levels of crime: Reeducation through Labor and Laogai. Reeducation through Labor camps (RTL) hold petty criminals and less outspoken political dissidents. RTL camps are distinct from Lagai in that they lack due process; those detained by police forces have no trial and are often sentenced by the same police force that initially performed the arrest. The other subset, Criminal Labor Reform camps, or Laggai, hold those convicted of major crimes as well as more active political dissidents. Although the ways in which people find themselves in the two camps differ, the treatment in both camps is essentially the same. Both RTL and Laogai camps require the prisoners to perform strenuous work for more than twelve hours a day, with little or no pay. In addition to the labor aspect, prisoners are often subjected to political pressures and torture. The penal system was created for the purposes of removing political opposition and simultaneously improving the economy. Every camp produces goods for the domestic or international markets, or participates in public works projects. According to international law and treaties, the items produced by penal labor cannot be exported; however, accounts exist of such goods being sold in America. The fact that the Chinese penal system is used to quell political opposition and exploit the criminal population in order to help the economy undermines the value of the system as a form of domestic security and justice.

Moving Forward

Despite legislation banning forced labor and human trafficking, this is a particularly acute problem in China, as well as other areas of the world. The kinds of slavery cases discussed are not unique to China, but the Chinese cases do require a different approach than similar cases in Africa. National idiosyncrasies do not justify slavery, but they do force non-governmental organizations (NGOs) and national legislative bodies to find answers that fit different national cultures and societies. China presents a uniquely difficult situation to NGOs monitoring human trafficking. China has historically been wary of perceived Western intrusion on its domestic policies and problems. Despite the opening of China to the global market and easier access for international visitors, NGOs still struggle to gain access to those in need of international assistance. China refuses to acknowledge domestic trafficking and labels the LRCs as State secrets. The result of China's resistance is a lack of

international knowledge about the real situation inside the country. In order for any change to occur, NGOs must be allowed access to data and victims, so that assistance can be provided and information can be gathered.

Annotated Bibliography

Legal and Governmental Sources

Government of the People's Republic of China. 1982. <u>The Constitution of the People's Republic of China</u>. Available online: http://english.gov.cn/2005-08/05/content_20813.htm.

Annotation: The Constitution of China is an invaluable source for understanding the legal protections that the Chinese government claims to provide its citizens. The second chapter of the Constitution delineates these rights. Although slavery, forced labor, and trafficking are not specified in the Constitution, the rights to freedom, work, and rest are listed. The Chinese Constitution also claims to protect gender equality and religious freedom, yet these rights are repeatedly violated by the State. The Chinese Constitution may list rights, but the government does not always protect those rights. Despite the disconnect between law and enforcement, the Constitution does provide prosecutors a legal foundation on which to build cases against slavers.

-. 1994. <u>Labor Law of the People's Republic of China</u>. Available online: http://www.jus.uio.no/lm/china.labor.law.1994/doc.html.

Annotation: In 1994, the People's Republic of China (PRC) passed the nation's first labor law, to become effective in 1995. Chapter four of the law is dedicated to rest, leave time, and hours. The PRC limits hours to a maximum of forty-four per week and requires that all laborers have one day off per week. The national law concerning wages comes in chapter five and requires that employers not pay their laborers less than the local minimum wage. Despite the existence of this law, slavery persists in China, as evidenced by the Black Brick Kiln incidents.

 1997. <u>Criminal Law of the People's Republic of China</u>. Available online: http://www.cecc.gov/pages/newLaws/criminalLawENG.php.

Annotation: This law modifies and updates the penal system of China. It codifies and enumerates the crimes for which one can be arrested and the expected sentences. The enumerated acts reveal the ease with which the Chinese government can falsify charges. Several charges are ambiguous by nature, allowing for a broad application of the charge and, thus, the ability to use the law and the penal system as a means to eliminate political opposition—specifically articles 105, 111, 278, 291, and 292.

International Labour Organization (ILO). 1930. <u>Forced Labor Convention</u>. Available online: http://www.ilo.org/ilolex/cgi-lex/convde.pl?C029.

Annotation: This Convention lays out the definitions of forced labor and requires the signatory states to abolish the defined forms of forced labor. China is not a signatory of this convention; as such, the laws do not necessarily apply to its workforce. However, the definitions and international assessment of forced labor continue to build the legal framework concerning labor trafficking.

 —. 1957. <u>Abolition of Forced Labor Convention</u>. Available online: <u>http://www.ilo.org/ilolex/cgi-lex/convde.pl?C105</u>.

Annotation: This convention consolidated all the previous conventions on slavery, forced labor, and wages into one concise document requiring the abolition of any and all forms of forced labor. China is not a signatory of this convention either but, again, the convention further builds upon international law regarding forced labor. It should be noted that China is a member state of the ILO.

Annotation: This report provides information on different projects handled by the International Labor Organization (ILO), and specifically addresses actions that have been taken by the ILO in China. It outlines different types of forced labor that persist in China, and includes a small report on trends in Asian trafficking. The report focuses heavily on actions taken by the ILO and on policy and private options that are available to combat forced labor.

United Nations. 2000. Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime. Available online:

http://www.unodc.org/documents/treaties/UNTOC/Publications/TOC%20Convention/TOCebook-e.pdf.

Annotation: This protocol, also known as the Palermo protocols, provides the current working international definition of human trafficking, as well as setting forth the correct punishment of traffickers and protection of victims. Unlike other United Nations documents, which provide the foundation for basic human rights, the Palermo documents specifically mandate how nations are to handle victims and perpetrators of trafficking. As a source, the Palermo protocols define trafficking as well as providing information on the legal framework for prosecutors and researchers.

United States Congress. 2000. <u>Victims of Trafficking and Violence Protection Act of 2000</u>. Available online: http://www.thomas.gov/cgi-bin/query/F?c106:52:./temp/~mdbs2VF8mC:e7368.

Annotation: The Trafficking Victims Protection Act (TVPA) and its subsequent reauthorizations created the Trafficking in Persons (TIP) office, as well as a domestic approach to trafficking and international requirements for combating trafficking. Depending on their compliance with those requirements, nations can be placed on tiers; the lower the tier, the worse the compliance. The TVPA also mandates an annual TIP Report, which researches and analyzes the efforts of different nations worldwide to comply with international requirements.

United States Congress. 2005. <u>Congressional-Executive Commission on China Annual Report</u>.

Available online:

http://www.cecc.gov/pages/annualRpt/annualRpt05/CECCannRpt2005.pdf.

Annotation: This 2005 report addresses the multiple alleged human rights violations in China. The report includes basic information on forced labor issues in China. The value of the report is the background information and an appendix listing the actions of the commission from 2004-2005.

United States Department of State. 2009. Office to Monitor and Combat the Trafficking in Persons, TIP Report. Available online: http://www.state.gov/g/tip/.

Annotation: This report is mandated by the Trafficking Victims Protection Act (TVPA) and analyzes trafficking in nations around the world. Each report has a specific section on the different nations researched. The Chinese section gives an overview of the different types of trafficking observed, including forced labor practices within the penal and school systems. In addition to documenting observed trafficking violations, the report also analyzes the government's efforts to prevent and prosecute trafficking while protecting victims, as required by the TVPA and the Palermo protocol. The 2009 report lists China as a Tier 2 Watch List country for the fifth year in a row. Although not very detailed, the report provides a concise starting point for further research.

Slave Labor Sources

Anonymous. 2007. "China 'will catch slave owners." *BBC News* (June 16). Available online: http://news.bbc.co.uk/2/hi/asia-pacific/6759399.stm.

Annotation: This BBC article reports on the Shanxi Black Brick Kiln scandal involving slave labor and kidnappings. The article relies on statistics and firsthand accounts, including an

interview with the wife of one of the kiln owners. The interview allows the reader to glimpse the mindset of the kiln owners and the larger problem involving police complicity.

Bales, Kevin. 1999. <u>Disposable People: New Slavery in the Global Economy</u>. Berkley: California University Press.

Annotation: Kevin Bales founded the organization "Free the Slaves," a well-known trafficking research and advocacy institution that gave him the opportunity to do research on this subject. In this book, Bales seeks to shatter the public perception that slavery no longer exists. He argues that slavery has reemerged, but in a modern form in which violence and control over disadvantaged people occur in the absence of formal slave ownership. The book offers detailed and often heart-wrenching insights into the new slavery and explicitly seeks to encourage grassroots pressure for change.

Chan, Anita. 1998. "Labor Standards and Human Rights: The Case of Chinese Workers under Market Socialism." *Human Rights Quarterly* 20 (4): 886-904.

Annotation: Chan researched the migrant worker population in China, numbering over one hundred million. In her research, she discovered forced labor being perpetrated by the Guangdong's Zhaojie Footwear Company. Twenty slaves wrote a letter detailing their treatment, which Chan found and used as a case study for labor rights in China. A section of the article is focused on the issues of forced and bonded labor. Bonded labor is a common form of modern day slavery, whereby the slaver creates unnecessary debt that the laborer can never pay back.

Datong, Li. 2007. "The Root of Slave Labor in China." *Open Democracy* (June 26). Available online: http://www.opendemocracy.net/democracy_power/china_inside/slave_labour_china.

Annotation: This article was written by Li Datong, a former Chinese journalist, who was fired for his criticisms of the Chinese government. In this article, Li reflects on the Shanxi slave scandal, most notably the issues of governmental involvement or at least knowledge of slave labor systems. Li informs readers that the Black Brick Kiln case is only one of many forms of slave labor being utilized throughout China and overlooked by the Chinese government.

French, Howard W. 2007. "Reports of Forced Labor Unsettle China." New York Times (June 16). Available online:

http://www.nytimes.com/2007/06/16/world/asia/16china.html?pagewanted=2&_r=2&ref =world

Annotation: Following reports of a slave labor scandal in the Shanxi province in China, international media outlets provided their own reports. This article uses the stories of several

families whose children were kidnapped and enslaved to set the emotional tone of the article. The author does not include government or legal reports, but provides firsthand accounts of the slave sites from rescuers. Since it can be difficult to find government or legal information coming out of China, first person reports from respected news sources have to suffice.

Lam, Willy. 2007. "China's Slavery Scandal Reveals Weaknesses in Governance." Association for Asian Research. Available online: http://www.asianresearch.org/articles/3082.html.

Annotation: This article looks more closely at the actions of the Chinese government to ignore, cover up, or support the Black Brick Kilns in Shanxi. According to Lam, the horror of the slave scandals exposes the inaction of the government to proactively prevent such labor violations. Although not focused on forced labor specifically, this article extends the scope of labor violations from the realm of slaveholders to government officials.

Quanlin, Qiu. 2009. "32 Freed as Second Slave Labor Racket Busted." *China Daily* (May 23).

Available online: http://www.chinadaily.com.cn/china/2009-05/23/content 7934675.htm.

Annotation: Following the Black Brick Kiln scandal in Shanxi in 2007, another case was reported in 2009. More slave workers were located in an unauthorized brick kiln. The slaves were mentally disabled and the owner was arrested. The author describes the rescues and arrest conducted by the local police. Although the article is not an investigative piece, it reflects China's continuing struggles with slave labor and the exploitation of the disabled and weak.

Solidarity Center. 2004. <u>Justice for All: The Struggle for Worker Rights in China</u>. Washington, DC: The Solidarity Center. Available online: http://www.solidaritycenter.org/files/JusticeforAllChinaFrontMatter.pdf.

Annotation: This report comes from the Solidarity Center and has a chapter dealing specifically with the issue of forced labor in China. The report deals with issues of migrant and emigrant workers and how China is exporting workers to other Asian nations and the Middle East. In addition to the treatment of migrant workers, the report focuses heavily on the penal system in China.

China's Labor Reform Camps Sources

Carlton, Richard K. 1955. <u>Forced Labor in the "People's Democracies."</u> New York: Mid-European Studies Center, Free Europe Committee.

Annotation: Although this book was written in 1955, it is still useful as a modern source. The appendix provides the reader with a copy of the Chinese Regulations on Reform through Labor, the original legal document allowing for forced labor within the penal system. The document lays out the rules for whom to arrest and what "crimes" qualify an individual for reform through labor. The author examines the policies of both the Soviets and the People's Republic of China regarding forced labor in their respective penal systems.

Human Rights in China. 2005. "Petitioner Wang Qiaojuan Sentenced to RTL." Available online: http://www.hrichina.org/public/contents/press?revision_id=24481&item_id=24478.

Annotation: The NGO, Human Rights in China (HRIC) focuses on informing the world about human rights violations being perpetrated by the Chinese government. The organization has press releases, which provide accounts of the arrests and treatment of alleged Chinese criminals. In this case, a young woman was sentenced to Reeducation through Labor after she participated in a political rally. HRIC provides the conflicting police and eye-witness reports regarding the incident. This report allows the reader to see the degree to which the Chinese penal system can be abused for political purposes and how these abuses can lead to forced labor violations.

 -. 2010. "Reeducation through Labor (RTL): A Summary of Regulatory Issues and Concerns." Available online: http://www.hrichina.org/fs/banners/REEDUCATION THROUGH LABOR.pdf?revisionid=14199.

Annotation: Human Rights in China (HRIC) prepared several evaluations of the Reeducation through Labor (RTL) system in China. HRIC goes through the human rights issues within the RTL, ranging from the lack of judicial process to abuses in the RTL camps. In addition to a basic assessment of the RTL itself, HRIC also analyzes larger legal implications based on additional legislation passed at the end of the 1990s. The end of the report lists recommendations from the organization, the most stringent being the abolition of the RTL. This article is clear and concise in its approach to both the legislation and violations.

Hung, Veron. 2003. "Reassessing Reeducation Through Labor." *China Rights Forum* 2 (35): 35-41. Available online:

http://www.hrichina.org/fs/downloadables/video/vhung.pdf?revision_id=9045

Annotation: The Reeducation through Labor (RTL) system employed by China is used to punish lower-level criminal activity and some political dissidents. Hung examines the evolution of RTL legislation and discusses the human rights violations inherent in the system. Hung discusses possible reform options but concludes that RTL should be abolished based on China's inability to reform the system. The article is well-written and easy to follow. It provides a historical background of the RTL and its use as a political weapon.

Laogai Research Foundation. 2008. <u>Laogai Handbook 2007-2008</u>. Washington DC: Laogai Research Foundation.

Annotation: The Laogai Research Foundation focuses specifically on the penal system (Labor Reform Camps) in China, which use forced labor as part of the rehabilitation of offenders. The introduction section gives a basic history of the Labor Reform Camps (LRCs) as well as the Reeducation through Labor (RTL) sub-system. The Foundation clearly does not support the Laogai System, and provides comprehensive historical information as evidence that the system is more about politics than rehabilitation or justice. The report provides an overview of different elements of the system, from forced labor to the economic and political benefits. In addition to the basic overview, the report goes into detail concerning the known Laogai camps in specific provinces. A caveat is given to all readers by the Foundation that there may be factual errors in the report based on the Chinese government labeling the LRCs a State secret and thus keeping information from researchers.

United States Congress. 2005. "Forced Labor in China." Roundtable before the Congressional-Executive Commission on China, One Hundred-Ninth Congress, First Session, June 22. Washington DC: US Government Printing Office.

Annotation: The Congressional-Executive Commission on China met with three experts on forced labor violations in China, most notably Gregory Xu, who has done research on the treatment of Falun Gong practitioners under the Laogai penal system. Xu provided the commission with evidence concerning the treatment of practitioners and answered questions from commission members. Even though the report provides factual evidence concerning the penal system, the subjectivity of the report must be acknowledged.

Whyte, Martin King. 1973. "Corrective Labor Camps in China." Asian Survey 13 (3): 253-269.

Annotation: This article is dated, but provides information on China that is still relevant.. The value of this piece is the background information provided concerning development and implementation of the Laogai and Reeducation through Labor systems within China. In addition, the article uses interviews with former laborers to inform readers of the conditions within the camps.

Williams, Philip F., and Yenna Wu. 2004. The Great Wall of Confinement: the Chinese Prison Camp through Contemporary Fiction and Reportage. Berkeley: University of California Press.

Annotation: This book includes real and fictional accounts of the camps in order to express the horrors from a firsthand perspective. In addition to the stories, the book reports on the camps' day-to-day structure. The authors explain the processes by which individuals may be detained, transported, and treated in the camps. The book is not as detailed in terms of the different types of camps as is <u>Laogai: The Chinese Gulag</u> (Wu, 1992), but does have additional insights regarding events outside the camp walls. This book is one of the most up-to-date sources on forced labor, taking into account new legislation that has passed since 1992.

Wu, Hongda Harry. 1992. Laogai: the Chinese Gulag. Boulder, CO; Oxford: Westview Press, Inc.

Annotation: Harry Wu was imprisoned in the Labor Reform Camps (LRCs) of China for almost two decades. After he left the camps and fled to the United States, Wu chose to dedicate himself to researching the LRCs. This book is a comprehensive look at the make-up of the penal system. Wu addresses the theoretical, historical, and political background of the camps. The book is broken up into chapters, with one chapter per type of camp and a detailed introduction. The information is dated, since the book was written in 1992; however, it is the most extensive work available on this particular subject. Legal changes in China have occurred since the book's release; thus, additional research is required to understand the information provided in Wu's book in the context of the current legal system.

Wu, Hongda Harry, and Carolyn Wakeman. 1994. <u>Bitter Winds: a memoir of my years in China's Gulag</u>. New York: J. Wiley.

Annotation: Harry Wu, founder of the Laogai Research Foundation and author of <u>Laogai</u>: <u>The Chinese Gulag</u>, uses this book to recall his time in the Chinese penal system. The book chronicles Wu's experiences, starting with his early years and continuing until the final realization of his freedom by fleeing to America. The book ends with an epilogue pointing towards his next book, <u>Troublemaker</u>. This book provides one of the few comprehensive first-person reports of the terrors of the Chinese labor camps.

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 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 succint journal submission, Dr. Appelbaum addresses the charges of "political mania" and "counterrevolutionary activites," 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 statesponsored 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 repressivness 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 practioners 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 occuring 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. <u>Death by a Thousand Cuts</u>. 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 arugument 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 occurences. 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. <u>Human Rights in Contemporary China</u>. 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 discrepencies 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 ecourgaing 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. <u>Challenging China: Struggle and Hope in an Era of Change</u>. 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 Crimnal 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 achievment 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 inChina 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 Confuscianisn 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 undlerlying 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 relevent 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 succeded 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 minimun 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. <u>Debating Human Rights in China: A Conceptual and Political History</u>. Lanham: Rowman & Littlefield Publishers, Inc.

Annotation: The last chapter in Marina Svennson'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. Avaiable 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 reformsthat 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 documen 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.

The Challenges of Change: Causes and Consequences of Child Labor in China By Andrea Morley

The government of China opened its doors to the global economy in the late 1970s, with gradually but steadily increasing competition, trade, and production. The 'Asian Tiger' was fueled by export-led development as the number of factories and production facilities spread rapidly across the country. This rapid economic growth exacerbated labor violations, primarily due to the increased incentives for profits and demands of production on Chinese factories. In order to be more competitive, China required a strong labor force; its citizens were thrust into the global economy.

As the rate of growth in China accelerates, it does so at the cost of strong labor laws and human rights standards. It is estimated that, of the 250 million children aged 5-14 years who are illegally employed worldwide, 61 percent are in Asia. As China has one of the largest Asian economies and has rapidly transformed its economy in recent years, the issue of child labor is of particular significance within the country. Children are illegally employed to work in dangerous, hazardous conditions, such as the fireworks industry or labor-intensive brick-kilns. Data regarding the use of child labor is extremely difficult to uncover in China. Not only does the Chinese government prohibit the collection of such statistics; there are few, if any, active Chinese and foreign advocacy groups in most of the regions employing children. Even major organizations like UNICEF do not have any accurate numbers on the use of child labor in China.

With the establishment of the Open-Door Policy in the 1970s, it became clear to China's lawmakers that highly skilled and educated workers were essential if the country was to move toward the competitive global market. As a result, China's legislation implemented the "9-Year Compulsory Educational Plan" for primary education, requiring at least nine years of school enrollment for all children. Although this plan has been very successful in increasing literacy and basic school reenrollment, the fact remains that "compulsory" education is not without its flaws. The International Labor Organization (ILO) reports that dropouts among children aged 12-16 years have been increasing, although compulsory education is mandatory for those under sixteen. With a national average of 2.2 percent dropout rate, many Chinese provinces (especially within the south) have seen dropout rates rise as high as 9 percent, which points to the likelihood of increasing child labor. This is of specific concern because many of the economic zones with previous cases of child labor use (namely, Hong Kong, Guangdong, Sichuan, and Hainan) are where the higher dropout rates occur.

The lack of education in China is therefore a primary cause of child labor. Throughout the country, educational fees are high, access to schooling can be limited, and many schools lack crucial resources. In rural areas, families cannot afford the costs of education for their children or make the long journeys to the nearest schools, and, in many cases, parents see greater value in sending only their son to school. Children in these areas are often forced to enter the labor force to begin making financial contributions to the family. Therefore, the problems arising from educational weaknesses are two-fold: a lack of strong government enforcement and support, and conflicting cultural and social norms that prevent children from attending school. These issues cause an increase in child labor as more children are out of school, on the streets, and forcefully employed.

Girls in China face rising demands and expectations because of the influence of widening gender gaps, social stratification, and the worsening attitudes of parents. Child labor becomes more common as these trends intensify. As Emily Hannum observes, "applying this theory to the case of

education, investment and socialization decisions made by parents are colored by cultural perspectives about essential abilities, rights and roles of men and women; these cultural perspectives become reified in the different investments, and ultimately educational opportunities, made available to boys and girls." (Hannum 2009) What is even more shocking regarding the attitudes of parents is that, in some cases, children (especially females) have been sold by their parents into forced labor. Although some of these parents may not be aware of working conditions, these children are forced to work in extremely inhumane conditions for little or no wages.

In one report, an explosion at a fireworks factory in Hebei killed one girl and injured 34 more. Investigations found that girls at this "school" were being forced to work for slave wages. The structure and expectations of Chinese society, not to mention the effects of the One Child Policy, place a higher value on having sons. As school costs increase, sons experience greater educational opportunities while female children are often forced to make financial contributions to families through work. Unfortunately, these cultural tendencies have also significantly increased the rate at which female children are given up to orphanages. With few opportunities, these children are most frequently employed in questionable labor positions once they are out of orphanages or, in the worst cases, they are never even formally placed within the system.

As the International Labor Rights Forum (2008) states, "rising costs of labor, energy and raw material, and labor shortages...have forced some factory owners to cut costs or find new sources of cheap labor, including child labor." The rising pressures on the labor supply will, as a result, increasingly encourage the illegal use of children because of the consequences of population control (a drastically declining population since the implementation of the One Child Policy). As the previous generation hits retirement age, the younger generation will be expected to supply the growing needs of the labor force. The challenge here is that there will be significantly fewer workers entering than leaving employment. Children, especially street children and orphans, will be forced or compelled to join the labor force as a way of survival. In many of these situations, children are even being tricked or kidnapped by "employment agencies" and then sold to factories. Even with police teams being formed to investigate alleged cases of child labor abuse, the system is permeated by bribery, corruption, lack of disclosure, and ineffective implementation of labor regulations. Even though Chinese officials have acknowledged these severe human rights abuses, they have yet to take any action that would result in drastic changes. In addition to impeding investigations of reported cases, the Chinese government's lack of accountability and transparency prevents access to records and documentation of child labor.

The One Child Policy has created a workforce shortage that is increasing illegal child labor, a situation that is also driven by economic incentives and worsened by gender inequality. Without a stricter, sounder anti-child labor policy, increased accountability and monitoring practices from the government and advocacy groups, and a cross-cultural analysis of the root causes, the use of child labor will persist. An examination of the underdeveloped regions suffering from extreme poverty should be conducted, as these are the areas from where laborers tend to migrate in search of paid work. In addition, the social values attached to gender should be evaluated, as child labor is a consequence of the devaluation not only of children, but of female children in particular. Advocacy leaders and civil society groups also must call for increased government transparency and accountability, as well as emphasize government reformation of the educational system. Without active government participation in the elimination of child labor, few meaningful steps can be taken

toward the eradication of this illegal market. China does have legislation and regulations in place that govern many aspects of child labor; however, there is a lack of enforcement and implementation of these laws. Without frequent labor inspections, strict labor policy, and rigorous enforcement from local authorities, child labor unfortunately will continue.

Annotated Bibliography

Comment [JP1]: These are not ordered properly

Hong Kong Liaison Office (IHLO), Play Fair Campain. 2007. "Child Labour, Forced Labour and Work Experience' in China—The Blurred Lines of Illegality." Available online: http://www.playfair2008.org/docs/Child Labour July 2007.pdf

Annotation: This report focuses on the worst types of labor in China that employ children. Referencing the China Labor Bulletin, the author examines how there is a growing effort to conduct research through a bottom-up approach. Going directly to the source of the problem—children working in factories and the regions in which they are employed—the conductors of this report interview children instead of just relying on professionals in the field of child labor. The author makes a clear point of emphasizing that advocates in China and the international community should place more emphasis on conducting research from this perspective. The author also cites legislation that does exist in China, which lacks the crucial, strong enforcement of the law. Furthermore, the lack of transparency exacerbates the worsening conditions, as documentation of child labor cases is not released by the government or is unrecorded.

Basu, Kaushik, and Zafiris Tzannatos. 2003. "The Global Labor Problem: What Do We Know and What Can We Do?" *World Bank Economic Review* 17 (2): 147-73.

Annotation: Basu's work focuses on the empirical, theoretical, and strategic aspects of eliminating child labor. The author emphasizes finding solutions that do not cause damage to the regional economies or leave lasting, negative effects on children. Basu's aim is to uncover policies and laws that can be enforced without also exacerbating poverty in states. The author analyzes the causes of the now-global dilemma by discussing the current literature that exists on the subject of child labor. He further examines the suggestions of economists and politicians that countries crack down on child labor by involving trading partners and making the use of child labor punishable in those developing nations.

Cigno, Alessandro, and Furio C. Rosati. 2005. <u>The Economics of Child Labour</u>. Oxford: Oxford University Press.

Annotation: Cigno and Rosati focus on what treaties and conventions identify as the unconditionally worst forms of global child labor. As the authors consider such labor conditions to be child abuse, they concentrate on particular cases that show how limited access to basic utilities cause children to be out of school. In order to assist families, children are forced to work on rural farms or travel elsewhere to work in factories. As a result, the authors demonstrate how children are kept from attending school, but also show that in

some cases, working children and their families may be better off under these conditions than being without work.

Chunli, Xia. 2006. "Migrant Children and the Right to Compulsory Education in China." *Asia-Pacific Journal on Human Rights and the Law* 7 (2): 29-74.

Annotation: Chunli discusses the social division and stratification of the East-West divide that has occurred as a result of the rapid pace of growth and globalization in China. The challenges that migrant workers face are examined in addition to these responses to development. By using the study, "A Survey on the Situations of Migrant Children in China's Nine Cities," Chunli analyzes the astonishing statistics of children who cannot afford to attend school and are forced into labor. Finally, the author examines the various media, advocacy, NGOs, and international institutions and their conventions that have pushed for greater children's rights and stricter enforcement of labor laws. This report provides valuable assistance to those seeking relevant information regarding active anti-child labor groups in China.

Dinopoulos, Elias, and Laixun Zhao. 2007. "Child Labour and Globalization." *Journal of Labor Economics* 25 (3): 553-79.

Annotation: In their work, Dinopoulos and Laixun explain how the use of child labor is prevalent in market economics. By using a comparative study of the effects of child labor from case to case, the authors' aim is to present the idea that child labor can eventually be eliminated through a standard general-equilibrium model of trade. While this study is quite valuable to the application of economics and study of child labor, it does provide readers a denser, more comprehensive perspective on common social, cultural, and politically-focused works of many leading researchers.

Dongfang, Han. 2007. "Small Hands: A Survey Report on Child Labour in China." *China Labour Bulletin*. Available online: http://www.clb.org.hk

Annotation: This report by the *China Labour Bulletin* focuses on the various divisions and types of child labor in China. Rather than just giving the factual statistics of specific cases of the illegal use of child labor, the author breaks down the work by region, gender, and categories of labor. The report is further supported by individual interviews with child workers and analyzes the root causes of child labor in China. It allows for a greater multi-dimensional understanding of why child labor exists in China, why is has persisted and perhaps increased in frequency, and also establishes why child labor use in China is different from the types used in other countries.

Edmonds, Eric, and Nina Pavcnik. 2004. "International Trade and Child Labor: Cross-Country Evidence." *Journal of International Economics* 68 (1): 115-140.

Annotation: In a cross-cultural context, Edmonds analyzes the relationship between exposure to trade and child labor measured by openness. By using statistics from the ILO and studying the association between child labor and geographic variation in trade, he argues that trade flows are endogenous to child labor. In addition, he observes that "cross-country data does not substantiate assertions that trade per se plays a significant role in perpetuating the high levels of child labor that pervade low income countries." Finally, Edmonds concludes that this relationship shows that labor structures are largely attributable to a constructive connection between trade and income. This work would be helpful to anyone attempting to quantify the relationship between trade, income, and child labor.

_____. 2007. "Trade and Child Labor." Vox: Research-Based Policy Analysis and Commentary from Leading Economists. Available online: http://www.voxeu.org/index.php?q=node/399

Annotation: According to statistics (2007), over 191 million, or 16 percent of children worldwide, are currently in the labor force. Although many of these are at work on farms or in family households, many more are illegally working in factories and industrial plants. Edmonds questions why these children are working and examines the links between international trade and the growing trend of child labor. He argues that, although children are less likely to be working in countries that have more international trade, eliminating these trade-linked jobs does not change the conditions that lead to child labor. By evaluating these issues, the authors find that, in order to decrease or eliminate child labor, we must eliminate the motives for child labor by reducing poverty, reducing high costs of schooling, and improving school systems and access to educational opportunities. This work would be useful for students who want to examine the root causes of child labor through a global finance and economics perspective.

Edmonds, Eric, and Salil Sharma. 2006. "Institutional Influences on Human Capital Accumulation: Micro Evidence from Children Vulnerable to Bondage." Dartmouth College Department of Economics. Available online: http://www.dartmouth.edu/%7Eeedmonds/kamaiya.pdf

Annotation: By examining the case of debt-bondage prevalent in western Nepal, the authors examine how institutional influences on human capital accumulation affect vulnerable children. They question how human capital investment decisions are influenced by differences in weak, private property institutions. Using an analysis of the debt-bondage system and a review of its mechanisms, income, credit, and the value of female and child time, the authors argue that there are decreased returns on education, a lack of protected property rights, increased use of child labor, and lower school attendance and attainment. Finally, they conclude that there is a "large, negative association between vulnerability to bondage and both schooling attendance and educational attainment and a positive association between vulnerability and both fertility and child labor." Any professional or

student would be interested in this work in order to study a more broadly-focused examination of the institutional influence of child labor.

French, Howard. 2007. "Fast Growing China Says Little of Child Slavery's Role." New York Times (June 20). Available online: http://www.nytimes.com/2007/06/21/world/asia/21china.html

Annotation: The Chinese community was shocked in mid-2007 upon the release of information regarding the use of hundreds of people, many of them children, in the brick kilns of China. Instead of making an effort to address and investigate the issue, the Chinese government promptly evaded the press and prohibited further release of information. French argues that, although child labor is a recognized and severely under-addressed issue in China, the government has directly allowed it to persist through its blatant disregard of such horrific cases and its lethargic implementation of legislation. Many parents are also disgusted by these revelations, as they were tricked into allowing their children to participate in "internship" programs. Economic growth here has, in many cases, become the priority over the rights of children.

___. 2007. "Ideals and Reality Conflict on Chinese Child Labor." *New York Times* (June 18). Available online: http://www.nytimes.com/2007/06/18/world/asia/18iht-china.4.6192697.html.

Annotation: French examines the reaction of the Chinese and international community to the discovery of forced labor at Chinese brick kilns. As human rights are forfeited for profit, he refers to the case of factories in China as a form of "brutal capitalism." This case, says French, highlights the sacrifices that have been made by the Chinese and what those sacrifices have led to: child labor. Most illuminating in this report is the attitude of the government, whose official comment on the matter was that "harmful information that uses [the brick kiln] event to attack the party and the government" should be prohibited from release. This article by French supports many sources' claims that information about child labor in China is severely undocumented or unreleased, thus making the process of elimination all the more challenging.

Hannum, Emily, Peggy Kong, and Yuping Zhang. 2009. "Family Sources of Educational Gender Inequality in Rural China: A Critical Assessment." *International Journal of Educational Development* 29 (5): 474-486.

Annotation: In this article, the author examines the rural gender gap, analyzing disparities in educational investments in children, parental attitudes and concerns, and the effects on children's subsequent educational attainment. This study is conducted through a survey of 9-12 year old children and their families, the seven-year follow-up, and two case studies comprised of eleven months of fieldwork. The authors also ascertain that not all views of female education are negative; many parents believe that girls would perform much higher

than boys academically, but are concerned about proper gender roles as well as which children will be better able to provide for them in old age.

Huang, Shirlena, and Brenda Yeoh. 2005. "Transnational Families and Their Children's Education: China's 'Study Mothers' in Singapore." *Global Networks* 5 (4): 379-400.

Annotation: Huang and Yeoh focus on the effects of the transnational project of education on the 'sacrificial mother' and 'study mothers' in Singapore. The authors argue that, in Western society, these mothers frequently are able to return to their previous lifestyle, while in Asian countries these women's lives (and their families' lives) are disrupted. Furthermore, the authors discuss the relationship between these mothers and the continuance of the project of education. The effects of such migration on the lives of families and the influence of globalization are each discussed. Various case studies, literature, interviews, and surveys are utilized in order to examine these issues.

International Labor Organization (ILO). 2002. "A Future Without Child Labor." Available online: http://www.ilo.org/wcmsp5/groups/public/---dgreports/---dcomm/----publ/documents/publication/wcms-publ-9221124169-en.pdf

Annotation: This 153-page ILO report is an extremely comprehensive account of many of the aspects of child labor and what the steps toward eliminating it may be. Presented at the International Labor Conference, it focuses on how abolishing child labor should be a worldwide effort in this new millennium. Like many other important articles and reports, it examines the different treatment of girls and boys, especially within categories of labor. Using a three-pillar approach to support the actions of the ILO, it most importantly "clarifies the boundaries of child labor for abolition," which many other reports fail to do. This report provides a good historical background of child labor and cites the most influential advocates of the elimination of child labor.

Law, Wing-Wah. 2007. "Legislation and Educational Change: The Struggle for Social Justice and Quality in China's Compulsory Schooling." *Education and the Law* 19 (3/4): 177-199.

Annotation: In this article, Law analyzes the purpose and restrictions of the use of law to affect educational change. He questions the reasons for solely relying on outdated and ineffective legislation to transform and correct unresolved problems. The author examines how the law, if enforced and implemented thoroughly, can be used as an aid to expand and support children's rights in China. Law argues, "...the realization of legislative change requires favorable economic, social and/or cultural conditions, the support of extra-legal means and a concerted effort by all actors in interpreting and enforcing the law."

Liebel, Manfred. 2004. A Will of Their Own: Cross-Cultural Perspectives on Working Children. London: Zed Books. Annotation: Manfred Liebel produces a very unique analysis of global child labor: that of the conditions of child labor from the perspective of children. Unlike many works regarding this topic, Liebel's work seeks to discover the solution to child labor from the very individuals who suffer from and are exploited by it. Using strong empirical findings and giving children an opportunity to contribute to the global dialogue, Liebel engages in direct conversation with the youngest workers of the global economy. Instead of just portraying them as victims, however, the author allows the children to communicate their own observations and experiences and thus contribute to the public discourse. The definitions of work versus labor are reexamined here based on those first hand accounts. Liebel's research would be useful to someone who wishes to conduct an objective, impartial review of the issues of child labor in China and examine many viewpoints on those subjects.

Lyle, Fay (ed.). 2004. "Child Labor." In Justice for All: The Struggle for Worker's Rights in China, 59-67. Solidarity Center: American Federation of Labor and Congress of Industrial Organizations (AFL-CIO). Available online: http://www.solidaritycenter.org/files/JusticeforAllChinaChapter4.pdf.

Annotation: This chapter focuses on the measures that have been used within China to discourage child labor. In particular, it discusses whether or not the practices and enforcement of law by the Chinese government comply with international standards. The author discusses, in the context of measuring the successful or failing implementation of legislation, the lack of empirical data within the country to support the claims of authorities that all possible methods are being utilized to deter the use of child labor. Although useful in its examination of child labor in China, the chapter only provides statistical and evidentiary proof of child labor without suggesting any solutions or addressing major developments and efforts currently being made.

Naftali, Orna. 2009. "Empowering the Child: Children's Rights, Citizenship and the State in Contemporary China." *The China Journal* 61: 79-103.

Annotation: The author's purpose here is to illuminate "the often latent relationship between changes in childrearing views and practices and governing ideologies in modernity." Naftali discusses the recent development of children's rights and the increasingly prominent dialogue regarding these entitlements. Parents are now the most crucial advocates of these rights, as the proper treatment of children should begin at home. She also argues that the historical attitude that children should be able to care for and account for themselves is outdated, and actually leads to the continued neglect of children and their rights. For a more in-depth understanding of the reasons behind child labor, the author provides a unique perspective on the domestically-influenced causes.

Ngai, Pun. 2007. "Gendering the Dormitory Labor System: Production, Reproduction, and Migrant Labor in South China." *Feminist Economics* 13(3/4): 239-258.

Annotation: Pun Ngai, of the Hong Kong University of Science and Technology, examines the use of dormitory labor in China and how it shapes migrant workers' lives. Ngai analyzes the results of a 2003-2004 case study of an electronics factory in South China to demonstrate how dormitories act as settings of "control and resistance...and provides workers with the opportunities to resist management practices and achieve some victories in improving working conditions." The paper is broken down into the situations of workers in dormitories, the formation and establishment, and the various categories of dormitories and their regulations. This article provides a concise overview of a specific case of labor in China.

Qiao, D. P., and Y.C. Chan. 2005. "Child Abuse in China: A Yet-to-be-Acknowledged 'Social Problem' in the Chinese Mainland." *Child and Family Social Work* 10 (1): 21-27.

Annotation: The authors' main goal is to show how the problem of child abuse is misunderstood and mistreated and why the issue has not been thoroughly recognized by the government. As China is a signatory of the UN Convention on the Rights of the Child, there needs to be a greater effort by leaders to achieve effective dialogue, legislation, and enforcement. The authors question whether or not this is just a social problem and what the punishment for parents who abuse their children should be. Finally, they cite several main causes to this problem, namely: inadequate public concern; differences in understanding about child mistreatment within a historical and cultural context; family as the private sphere; policy agenda and priority; state of socio-economic development; and the construction of social problems.

Samuels, Harriet. 1997. "Child Victims of Immigration Law and Policy: A Study of the Effect of Hong Kong Immigration Law on Children and Their Families." *The International Journal of Children's Rights* 5 (1): 97-122.

Annotation: Although several entitlements of children are now protected by the Convention on the Rights of the Child, Samuels argues that immigration law and policy have been neglected as states attempt to maintain their power over entry, regardless of the main statutes and articles of the Convention. The author calls for a better understanding of the context and scope of Hong Kong's history in order to conceptualize current immigration regulations. She claims that the stringent nationality laws in place are "contrary to human rights because of the serious implications leading to marriage difficulties and children being left to fend for themselves." An advocate trying to eliminate child labor or a student examining the causes of child labor would be greatly aided by the information that Samuels provides.

Schlemmer, Bernard. 2000. The Exploited Child. London: Zed Books.

Annotation: In his book, Schlemmer compiles several works from leading scholars linking the use of child labor, how it relates to economic systems, the structure of exploitation, societal family structures as a cause of child labor, and the pursuit of profit in the global market. The author uses much of this research to sustain his argument that, although international treaties and conventions are well-intentioned, they do not create strong enough mechanisms to deter the use of child labor or enforce child labor regulations. Schlemmer also claims that there are very few professionals working whole-heartedly toward creating a resolution eliminating the use of child labor, but he neglects to acknowledge the positive effects of international organizations and advocacy groups.

Tong, Xiaojun, and Shizhen Lu. 2004. "China.", In Cathryne L. Schmitz, Elizabeth KimJin Traver, and Desi Larson (eds.), Child Labor: A Global View. Westpoint: Greenwood Press.

Annotation: Xiaojun and Shizhen review the history of child labor in China, beginning with the mid-1800s. As this kind of analysis is lacking in many works today, the historical outline provides important context within which to examine the case of Chinese child labor. Readers are not limited to a purely statistically or politically-driven commentary. In addition, the authors concentrate on many of the social views and customs that led to the continuation of child labor in the country.

UNICEF. 2007. "China: Statistics." Available online: http://www.unicef.org/infobycountry/china statistics.html.

Annotation: This is an in-depth report of the statistics regarding children in China. Of particular concern is the data about child labor, for which there are no figures. Although there are statistics for all other categories, it is important to note that the lack of information concerning child labor stems from the corresponding lack of documentation in the country. If UNICEF, a well-known and prominent organization, is unable to collect data regarding child labor, then it is important to question how accurate most reports of child labor in China are and what kinds of barriers prevent UNICEF from attaining such data.

Veeck, Ann, Laura Flurry, and Naihua Jiang. 2003. "Equal Dreams: The One Child Policy and the Consumption of Education in Urban China." *Consumption, Markets and Culture* 6 (1): 81-94.

Annotation: The authors analyze how public policy initiatives and economic growth change the elements of gender equality, particularly the educational opportunities given to sons and daughters. Through a multi-faceted analysis of the different factors leading to educational opportunity, the authors have found that males and females in urban areas experience relatively similar opportunities. Their examination is threefold: literature of past and present gender equality and educational opportunities in China, theoretical support for the observed

changes in urban china through gender stratification theory, and the results of a survey of 220 households in the Yangzhou region.

West, Andy. 2002. "Childhood and Children's Rights in China." In Bob Franklin (ed.), <u>The New Handbook of Children's Rights: Comparative Policy and Practice</u>. New York: Routledge.

Annotation: West focuses on the social and historical context of children, childhood, and children's rights in China. By outlining the geographic, demographic, and historic aspects that have continually affected children, West asserts that, in analyzing the lives of children, "there are difficulties because of local differences in culture, society, environment etc., but there are also benefits, in obvious cross-locality issues, and in a macro-perspective on economic and other policies." He further supports his argument by referring to the influence of globalization, international business, and trade policies. He criticizes the historical prevalence of a Western-focused discussion regarding children's issues in China, claiming this has created a counterproductive, externally-centered dialogue. Western images have been heavily used and have resulted in both a desire for and rejection of Western ideals. West's work provides a greater understanding of the influence of the West on the situation of child labor in China.

Weston, Burns H. (ed.). 2005. <u>Child Labor and Human Rights: Making Children Matter</u>. London: Lynne Rienner Publishers.

Annotation: This book draws upon the knowledge and research of leading human rights professionals. Using the idea of the application of human rights as a solution to child labor, Weston analyzes multiple cases around the world as a foundation for building the human rights argument against child labor, specifically abusive child labor. By focusing on rights guaranteed through major treaties and conventions, and advocated by leading international organizations, this book addresses several of the boundaries (not just political ones) that must be overcome in an effort to end the illegal use of child labor.

White, Ben. 1994. "Children, Work and 'Child Labour': Changing Responses to the Employment of Children." *Development and Change* 25 (4): 849-978.

Annotation: White provides an analysis of the changing global responses to the employment of children and how this issue is perceived and addressed by international institutions and state governments. He argues that the various national and international assumptions regarding child labor are contrary to the perceptions and needs of children. White claims that lobbyists who push for stricter regulations and legislation toward countries using child labor are actually exacerbating the situation, as employers within these countries continue to make efforts to hide such criminalized actions. Any type of children's rights legislation, therefore, does not take effect in these regions because the existence of child labor is not officially acknowledged. White analyzes historical myths of child labor eradication, attitudes and

responses to employment, and the challenges faced by governments and activists in light of the rapid opening of trade and markets in the 1990s.

Zhao, Yaohui. 1997. "Labor Migration and Returns to Rural Education in China." *American Journal of Agricultural Economics* 79 (4): 1278-1287.

Annotation: An analysis of low returns and schooling rates in China is conducted in this work. Zhao examines the relationship between labor migration from the rural to urban areas and accessibility to schooling, and finds that there is a large urban-rural income difference and incentive for secondary education. Through the use of household survey data, the author provides information on government policies and a framework for analyzing the demand for schooling. She estimates effects of schooling on labor migration, calculates the rate of return to school, observes recent trends in schooling rate, and concludes with the summarized findings.

The Past, Present, and Future of Freedom of Speech and Expression in the People's Republic of China

By Liza Negriff

Introduction

The international community has been criticizing China for its human rights violations for years. However, one human rights violation has received less attention than some other rights issues both inside and outside of China: censorship and restrictions on freedom of speech and expression. This scantiness of attention is largely attributed to the fact that acquiring reliable information about censorship and freedom of expression in China is challenging. The Chinese Communist Party (CCP) has never officially recognized the existence of censorship since its inception in 1949. Even with impediments to obtaining information on censorship, the lack of international attention is unusual since few human rights violations affect the lives of Chinese citizens as much as the censorship of speech and restrictions on freedom of expression.

Chinese control over speech and expression has occurred in waves. Political events and ideologies have essentially shaped the features of the controlled press, media, publishing, and Internet that exist in China today. In the 1980s, publishing was liberalized to a certain degree for the first time, due to the demand of the private sector. However, the iron fist came down again in 1989, when a new law was passed to strengthen censorship and crack down on admissible content of published books. These tight restrictions have been maintained through the present day. The CCP's efforts to censor free speech have resulted in the most extensive and sophisticated system of censorship and surveillance in the world, especially for the Internet. This censorship violates laws under the international human rights law framework. Thus, the international community has maintained a constant call for the CCP to lift its strict control and restore free speech and expression to its citizens.

Legal "Protection" of Freedom of Speech and Expression

Surprisingly, freedom of expression is well-protected under the Chinese Constitution. By carrying out various types of media and speech censorship, the CCP is actually violating its own constitution. The CCP's censorship has created a significant gap between the guarantees awarded to Chinese citizens in the constitution and the enjoyment of these guarantees in reality. The term "disturbing social order," which appears in both civil and criminal laws, creates a vagueness that, combined with the national culture of censorship, undermines the constitutional provisions guaranteeing free speech and expression. The vagueness implied in the term "disturbing social order" has led to a disproportionate and inconsistent enforcement of the laws, creating continual suppression of non-violent political speech and expression. An array of repercussions has surfaced for "violations" of CCP directives and restrictions, including: sanctions; criminal and financial liabilities; imprisonment; and business license termination.

Further, the vagueness has created self-censorship and self-regulation, as the government does not give Chinese citizens enough information about what they can and cannot do or say. The fear of saying or doing something that may turn out to be prohibited has caused Chinese citizens to be effective self-censors, which is exactly what the CCP was hoping would occur. If Chinese lawmakers chose to do so, they could decrease the continual suppression of non-violent dissent and expression by clearly defining the term "disturbing social order." If the CCP wishes to regain the Chinese

people's faith, to increase China's political legitimacy worldwide, and to continue China's political and economic success, it will need to take such a measure.

Internet Censorship

With the recent rise of the Internet in China, the CCP has found yet another medium to censor and control. The vastness of the Internet poses a significant threat, compelling the CCP to strengthen legal and physical restrictions on its use. Currently, the CCP uses four modalities to control the Internet: the law, infrastructure, social norms, and the market. By using these components, the CCP has been able to create a web that generally keeps undesired content from being published. The Internet's nature makes it difficult to regulate, but the CCP has still managed to establish many effective controls.

Although it is heavily regulated, the Internet has provided the CCP with its biggest challenge to censorship. As the Internet revolution has continued to grow, so has the amount of restricted or "illegal" information that has been able to bypass the government's regulatory system. The increasing availability of restricted information has aided in the rise of an underground backlash and resistance to restrictions on distribution of unacceptable content. This backlash began when domestic companies started to test the limits of information aggregation and dissemination. As a result of the expanded dissemination of information, Chinese Internet users are gaining a much larger perspective on current events and the "truth" than those who still rely on traditional media sources.

The CCP continues to enforce censorship mechanisms, yet it has begun to encourage the use and spread of the Internet since its realization that no other medium offers a more promising future for China than that of the Internet. By fostering a network economy and simultaneously using that economy's resources and collaborators to monitor and regulate "dangerous, destabilizing, or antithetical" internet content, the CCP has been able to capitalize on the Internet's economic benefits while evading its risks. Consequently, the Internet is a double-edged sword with the potential to significantly expand the freedom of expression that the Chinese people have continuously been denied, while also prompting the CCP to become even more repressive on freedom of expression. Hence, in China today, liberation, empowerment, and optimism co-exist with suppression, censorship, and regulation.

The Future of Chinese Censorship

The CCP is aware that it will not be able to control and regulate Internet activity, the expression of its citizens, and the media forever, yet it has been unwilling to let go of its stronghold on information generation and dissemination for fear of a breakdown in social and political order. Because of the vast commercial power of the Internet to further incorporate China into the world economy, foreign investment, and trade, the CCP has loosened its stronghold, allowing the media to be more autonomous and diverse. The loosened constraints have led to growing prosperity and social development. However, until the CCP's strict political controls are lifted, the CCP will not be able to fully benefit from the internet's potential.

The backlash, resistance, and reform that have been occurring in the media will likely continue to cause a dynamic tension between the media and the CCP, weakening the CCP's power. Therefore, a continued effort by the CCP to censor the Internet may shorten the days of communist

rule. In the long run, the CCP will have to lift its control and implement an overhauling political reform if it wants to retain its power and secure the commercial interests of China. Whatever the future may hold, relationships are already transforming between the media, political subjectivity, and citizenship. Thus, while the CCP voices its rhetoric from the past, Chinese citizens are beginning to drive their own visions of the future and are forcing the CCP to engage in new kinds of media and expression censorship.

Opposing Viewpoints: The CCP's Actions as Violations of Human Rights?

Even though it appears irrefutable that the CCP's actions constitute a violation of the right to free speech and expression, skeptics assert that, under Asian philosophical values and Chinese ideology, the CCP's actions do not constitute a violation of human rights. The argument of the skeptics is fueled by the fact that almost all countries carry out censorship in some form, according to how their respective ideologies dictate what constitutes acceptable content. Accordingly, the characteristics of a country's media depend on the culture in which they operate, and therefore China's emphasis on collectivism, hierarchy, and social harmony has influenced the country's overt information constraints. Skeptics assert that these constraints should not be judged under the Western lens of international human rights laws, which disregard China's differing philosophical values and traditions.

Conclusion - Restoring the Right to Free Speech and Expression in China

Censorship in China has been occurring for centuries. It is time for the CCP to heed the call to reinstate the right to free speech and expression in China. Chinese citizens have the right to receive uncensored information concerning any topic to which they desire access. Although the generation and dissemination of information is framed differently in every country, the CCP's censorship of any and all politically sensitive topics constitutes a blatant violation of the right to free speech and expression protected in the Chinese Constitution and numerous human rights treaties. The rise of the Internet may be just what the Chinese people need to weaken the CCP's power and finally eliminate the seemingly eternal suppression and control of freedom of speech and expression.

Annotated Bibliography

-. 2007. Freedom of Expression: Reprinted from the 2007 Annual Report of the Congressional-Executive Commission on China. One Hundred Tenth Congress, First Session, October 10. Washington: US Government Printing Office.

Annotation: This comprehensive report on freedom of expression by the Congressional-Executive Commission on China addresses improvements and obstacles to government transparency regarding the free flow of information, the idea of no free press, party and government control over the media, roles the media is expected to play, consequences of a lack of free press, limited prospects that a free press will emerge, internet censorship and China's internet policy, challenges to media control, government policy towards publishing, banning and confiscating illegal publications, and developments concerning political prisoners. While the report may present the viewpoint of the United States government, it offers an up-to-date and comprehensive reading of all aspects of freedom of expression in China, and will be useful to readers interested in the topic.

— 2007. "The Mechanics of Censorship: A Report on the Regulations for Print Media of the People's Republic of China." Article 19: Global Campaign for Free Expression. London.

Annotation: As of December 1, 2005, the CCP established new regulations on print media, as well as repercussions stemming from violations of the new regulations. The report seeks to explore the mechanics of the new Chinese censorship regime and evaluates each of the components of that regime based on international and comparative human rights law and practice. The report offers well-founded arguments and in-depth analysis as to why the new media regulations violate human rights and why they should be repealed. It discusses each component of the regulations under international law and foreign countries' national customs to demonstrate why the regulations violate the fundamental human rights of the Chinese people.

—. 2002. Media Freedom in China: Roundtable before the United States House of Representatives Congressional-Executive Commission on China. One Hundred Seventh Congress, Second Session, June 24. Washington: US Government Printing Office.

Annotation: This roundtable hearing includes statements from a writer for the Center for Strategic and International Studies (CSIS), a Chinese journalist, and a representative of the Committee to Protect Journalists (CPJ). The speakers address the topic of restrictions on media freedom in China, since media censorship is a key Chinese human rights violation. The writer from CSIS claims that the notion that things are getting better in China is propelled by strong strategic and commercial interests that have little to do with political freedom and freedom of expression. Over-emphasis on the rule of law, as well as the interests of international media corporations may end up excluding freedom of expression. The Chinese journalist discusses the differences in the way the media is controlled today versus how it was controlled in the past. The representative from CPJ argues that the Chinese government does not tolerate press freedom, concluding that, while the Chinese government may not have perfect control, it remains unwilling to cede the battle. After these statements, the Committee follows by posing various questions to the speakers, giving the reader a breadth of views and opinions on the topic.

— 2006. United States House of Representatives Congressional-Executive Commission on China Annual Report 2006. One Hundred Ninth Congress, Second Session, September 20. Washington: US Government Printing Office.

Annotation: The Committee's Annual Report from 2006 focuses on freedom of expression, stating that the Chinese government's content-based restriction controls political opinion and religious literature that are not prescribed by law, and aims to protect the ideological and political dominance of the Communist Party. The report examines pervasiveness, scope, and effectiveness of the Chinese government's censorship; government licensing for print media; restrictions on political and religious publishing; restrictions not prescribed by law; restrictions on political speech that disagrees with the government; intent to form an

ideological uniformity; and restrictions on religious speech. The report concludes with a list of recommendations. The information in the report is some of the most up-to-date in existing sources and provides the reader with a relatively recent and complete discussion of censorship in China.

Amnesty International. 2006. "Undermining Freedom of Expression in China: The Role of Yahoo!, Microsoft and Google." Available online:

 $\frac{\text{http://www.amnesty.org/en/library/asset/POL30/026/2006/en/1ce1ac2d-d41b-11dd-8743-d305bea2b2c7/pol300262006en.pdf.}{\text{pol300262006en.pdf}}.$

Annotation: This report provides an overview of the use of internet censorship as a tool to deny freedom of expression both through the Chinese government's suppression and through Yahoo!, Microsoft, and Google's collaboration with the authorities. Amnesty International claims that US Internet companies have complied with the Chinese government's censorship demands, thereby aiding in the control of the free flow of information with resulting repercussions. Although the report focuses on the complicity of US internet companies in Chinese censorship and does not go into great depth in many of the sections, it does a good job of giving the reader a basic idea of the human rights violations occurring in China today regarding freedom of expression and censorship.

Anonymous. 2009. "China and the Internet: An Uphill Fight for Freedom." *Harvard International Review* 31 (2): 68-73.

Annotation: This article discusses the internet in China as of 2008 and the current status of control and censorship. The Chinese Communist Party (CCP) uses four distinct mechanisms of control: technical filtering, pre-publication censorship, post-publication censorship, and proactive manipulation. Chinese citizens face repercussions for violating party regulations, despite a constitutionally-protected freedom of expression, and resistance to state policies is beginning to emerge. Overall, this article does a very good job of giving a short, but detailed, description of the issues surrounding internet censorship in China.

Brook, Timothy. 1988. "Censorship in Eighteenth-Century China: A View from the Book Trade." Canadian Journal of History 23 (2): 177-196.

Annotation: This journal article discusses the beginning of censorship in China in the eighteenth century under the Qianlong emperor. The Qianlong emperor began to burn all books that contained rebellious or anti-dynastic words. The author argues that the history of printing in China had a major influence on the literary inquisition. While the article does a good job of describing the history of the circulation and publication of books during this period, the crackdown on the book trade, and why certain books were banned under the inquisition, it is not incredibly informative on the history of censorship in China.

Cannici, William J, Jr. 2007. "The Global Online Freedom Act: A Critique of its Objectives, Methods, and Ultimate Effectiveness Combating American Businesses that Facilitate Internet Censorship in the People's Republic of China." Seton Hall Legislative Journal 32 (1):123-166.

Annotation: In its critique of the Global Online Freedom Act (GOFA), this law journal article first addresses how and why China controls the internet, introducing the concepts of self-censorship and self-regulation, internet police who monitor what people say and provide viewpoints to help shape public opinion, and automatic censorship. The author gives a background of the beginning of the internet as we know it today and goes on to complete an in-depth analysis of both the Global Internet Freedom Act and the GOFA, comparing and contrasting them. The article concludes that the GOFA should not be enacted. Although this article completes its analysis through the lens of the GOFA, it is also quite critical of the United States and looks at the issues through the viewpoint of the Chinese themselves, providing insight into the issue that many other articles fail to present.

Chen, Yi. 1992. "Publishing in China in the Post-Mao Era: The Case of Lady Chatterley's Lover." Asian Survey 32 (6): 568-582.

Annotation: The Chinese Communist Party has not officially recognized the existence of censorship since its inception in 1949, meaning that this "non-existence" of censorship and the near impossibility of acquiring information on the subject have caused an absence of attention to publishing and censorship in contemporary China both inside and outside of the country. This article uses the publication of *Lady Chatterley's Lover* to demonstrate the changing role of state censorship, including the "liberalization" of publishing to a certain degree in the 1980s with a renewed strengthening of censorship in 1989 that has lasted until today. While the example is specific and does not give the reader an overall idea of the censorship situation in China, the detailed example of the censorship of one book gives the reader an up-close look at how the system functions.

Chin-Chaun, Lee (ed.). 1990. <u>Voices of China: The Interplay of Politics and Journalism</u>. New York: Guilford Press.

Annotation: This volume of *Voices in China* is a compilation of dialogue between scholars and journalists specializing in China, as well as a blend of American and Chinese perspectives. The compilation focuses on the interplay between the journalism of politics and the political economy of journalism, both in and around China. In presenting this focus, the volume addresses two principle themes: the uneven gains and setbacks for Chinese media in the era of economic reform during the 1980s; and how US media coverage of China is embedded in the oscillating assumptions of America's China policy. The most beneficial aspect of this book to the reader is that it portrays numerous different viewpoints and allows the reader to see how the situation in China may not be entirely portrayed correctly in the American media.

Deva, Surya. 2007. "Corporate Complicity in Internet Censorship in China: Who Cares for the Global Compact or the Global Online Freedom Act?" *George Washington International Law Review* 39 (2): 255-319.

Annotation: The author discusses the concept of corporate complicity through the alleged involvement of Yahoo!, Microsoft, Google, and Cisco in internet censorship in China. The author attempts to add a new dimension to the existing debate by evaluating the efficacy of the United Nations Global Compact and the Global Online Freedom Act, and determining whether these two regulatory initiatives really ensure that corporations will take their human rights responsibilities seriously. The article concludes that the initiatives would not effectively push corporations to undertake and fulfill their human right obligations, and that, while the initiatives may tame the acts of some corporations, it is unlikely that they would successfully combat censorship by authoritarian foreign governments or achieve the goal of internet freedom.

D'Jaen, Miriam D. 2008. "Breaching the Great Firewall of China: Congress Overreaches in Attacking Chinese Internet Censorship." *Seattle University Law Review* 31 (2): 327-351.

Annotation: The efforts of the Chinese government have resulted in the world's most advanced system of internet censorship and surveillance, supported by tens of thousands of employees and extensive corporate and private sector cooperation. This article addresses the complicity of several US corporations in internet censorship in China and possible ways of holding them accountable. The actions of these US corporations led to the drafting of the Global Online Freedom Act (GOFA). The author concludes that Congress has overstepped its authority in attempting to impose US standards on countries with different political ideologies and claims that instead, a push should be made toward creating an industry-wide code of conduct. The article is pretty narrow in scope and mainly focuses on the nature and problems of GOFA as well as suggestions for its improvement.

Eastwood, Lindsay. 2008. ""Don't be Evil": Google Faces the Chinese Internet Market and the Global Online Freedom Act of 2007." Minnesota Journal of Law, Science & Technology 9 (1): 287-316.

Annotation: The creation of the internet has established a new challenge for the Chinese Communist Party in its attempt to censor speech and expression in China. The breadth of the internet has proved to be a threat to the CCP and, therefore, the CCP has implemented legal and physical restrictions on its use. Because many US companies want to take advantage of the new growth opportunities available in China, the CCP has enticed these companies to aid in large-scale censorship by threatening to exclude them from the market. The author explores the attempt of Congress to prevent this complicity of American companies in foreign restriction of internet-based free speech. The author determines that current US legislation, the Global Online Freedom Act, is ineffective in combating an

evolving system, and concludes that, ultimately, governments around the world will need to recognize that the internet cannot be regulated.

Endeshaw, Assafa. 2004. "Internet Regulation in China: The Never-ending Cat and Mouse Game." Information & Communications Technology Law 13 (1): 41-57.

Annotation: The Chinese Communist Party (CCP) developed its internet regulation system mainly because it perceived the internet as a pernicious tool to break down its social and political order and did not want to let go of the stronghold it had on information generation and dissemination. The author claims that, although the CCP loosened its stronghold on internet regulation once it realized that such censorship clashed with its desire and commitment to open its economy to foreign investment and trade, China still has not succeeded in finding an appropriate formula for dealing with the internet. The author concludes that the CCP cannot win this battle forever and, in the near future, internet censorship may actually shorten the days of the dictatorship. The organization, structure, and contents of this article will be very useful to readers interested in the CCP's censorship of the internet; however, the article's outlook on the future may be somewhat unfounded.

Gorman, G. E. 2005. "China-Bashing in the Internet Censorship Wars." Online Information Review 29 (5): 453-456.

Annotation: This short editorial takes a viewpoint that most other articles fail to acknowledge: that the current "China-bashing" that is occurring with respect to internet censorship is misleading, unfair, and, to some extent, inaccurate. The author aims to convince the reader that published works currently available on Chinese internet censorship "bash" China without ever considering that almost all societies carry out internet censorship in some form or another. The author's main argument is that there are differing national and regional interpretations of what constitutes acceptable content, and Western countries should not attempt to control what other countries censor for their own reasons and ideologies, since Western countries, too, monitor content that they deem harmful to society. While this editorial is a thought-provoking personal view of internet censorship in China, it does not provide much depth into the subject.

Hachigian, Nina. 2001. "China's Cyber-Strategy." Foreign Affairs 80 (2): 118-133.

Annotation: China has fallen in love with the vast commercial potential of the internet and, therefore, the government has sought to attain complete state control over Chinese internet. Yet, the author argues that, contrary to Western media portrayals, use of internet is frequently encouraged since the Chinese Communist Party (CCP) has realized that no other economic model offers a more promising future than that of the internet. Accordingly, the author dedicates a significant amount of space to discussing the current extent of internet censorship in China, including self-censorship, regulation, physical force, and intimidation. However, the CCP will not be able to censor internet users forever and, at that point, the

internet will be used for the exact purpose the CCP has worked so hard to evade. The author concludes that the only way the CCP can stop such a scenario from happening is if a real political reform is implemented. Although this piece presents a different viewpoint from most existing literature, the author fails to satisfactorily back up many of the arguments presented.

Hazelbarth, Todd. 1997. "The Chinese Media: More Autonomous and Diverse—Within Limits." Washington, DC: Central Intelligence Agency, Center for the Study of Intelligence.

Annotation: This monograph on the Chinese media, published by the Central Intelligence Agency, argues that the media has become more autonomous and diverse in recent years, driven by profit motive and confidence, aiding in China's growing prosperity and social development. Yet, at the same time, the autonomy and diversification of the media continue to be constrained by the State. The report supports this claim by examining data and figures for television, radio, newspapers, and journals, as well as the media reform and positive impacts of greater autonomy and diversity in the media. The report concludes that complete media autonomy is unlikely to materialize in China in the near future, or until China undergoes overarching political change, and that without autonomy, the media will continue to lack the power and credibility to influence the political transformation in China. This report provides the reader with an excellent comparison between the ways in which the media is and is not being censored.

Healy, Shawn. 2007. "The Great Firewall of China." Social Education 71 (3): 158-163.

Annotation: Senators John McCain and John Kyl have argued that the internet promotes grassroots democracy by its very nature. This argument was aimed at the People's Republic of China and the American technology companies that aid in government censorship. In this essay, the author describes existing censorship in China, the reaction of Chinese citizens regarding this censorship, and the complicity of American companies in the process. The article describes the breadth of current internet censorship in China at a micro-level with specific examples, allowing the reader to see what is really going on at the local level in China. This micro-level analysis is maintained throughout the paper and is effective in discussing blogs, the complicity of major American companies in facilitating the censorship process, the alternatives to complicity, and the cracks developing in the censorship system in China.

Kalathil, Shanthi. 2003. "China's New Media Sector: Keeping the State In." *The Pacific Review* 16 (4): 489-501.

Annotation: The author claims that domestic internet companies in China are playing a complex role in information aggregation and dissemination, but that in general the companies are sacrificing the market demand for interesting and timely information in order to appease the Chinese Communist Party's requirements for "political correctness." The author states that, although there are signs that more companies are testing the limits of

acceptable content, these changes are still taking place within the overall framework for media sector development set out by the central government. The author concludes that the expectations of the Chinese people that domestic and foreign internet companies will lead to a more liberal political environment are unfounded. Overall, the paper is well-written and the author provides well-founded arguments.

Kissel, Trina K. 2007. "License to Blog: Internet Regulation in the People's Republic of China." Indiana International and Comparative Law Review 17 (1): 229-269.

Annotation: Although the Chinese Communist Party (CCP) has welcomed technological advances because of the increased opportunity of economic growth, it has also seen the internet as a threat and therefore has implemented a stringent set of control mechanisms. The author examines the CCP's recent internet regulations in the context of the three methods used to control the internet: imposing civil and criminal liability through internet content regulation; employing technological mechanisms to restrict website content and enforce legal regulations; and restricting citizens' ability to access the internet through personal registration requirements and strict regulation of internet cafes. The author concludes that, although the methods of control are currently effective, the existing methods will likely no longer function with expanding access and increasing number of users. This paper provides an excellent overview of internet regulation in China and why it is done.

Lacharite, Jason. 2002. "Electronic Decentralisation in China: A Critical Analysis of Internet Filtering Policies in the People's Republic of China." *Australian Journal of Political Science* 37 (2): 333-346.

Annotation: As the internet revolution in China continues to grow, the flow of undesirable or "illegal" information continues to bypass the government's attempts to control internet content through a primitive regulatory system. The author examines the administrative and technical difficulties involved in internet regulation in China, concluding that the digital censorship the Chinese government aims to achieve is not possible. In reaching his conclusion, the author examines whether it is possible to regulate the internet, as well as China's data infrastructure and internet censorship framework. The author does a good job in presenting his arguments, but fails to address the prominent counter-argument in existing literature that states the Chinese censorship program is indeed working successfully.

Latham, Kevin. 2007. "SMS, Communication, and Citizenship in China's Information Society." Critical Asian Studies 39 (2): 295-214.

Annotation: This article investigates the transforming relationships between the Chinese media, power, political subjectivity, and citizenship. The author argues that, while the government voices its own rhetoric from the past, many Chinese citizens are driving their own alternative visions of the future and forcing the authorities to engage in entirely new kinds of media practices that pose different challenges than those of the past. This article

does an excellent job of demonstrating how the new information age is altering decades or centuries-old rhetoric. The focus on orderly and disorderly media adds a new twist to a general topic that is extensively covered. The author concludes that we must begin to loosen the straps of the old understanding to conceptualize the modern Chinese media and its relations to society and citizenship.

Link, Perry. 2001. "The Anaconda in the Chandelier: Censorship in China Today." Paper presented at the Woodrow Wilson International Center for Scholars' meeting, titled: "Scholars Under Siege? Academic and Media Freedom in China." Washington, DC, October 24.

Annotation: The author states that freedom of expression in China has become much freer in recent years; yet, with the Chinese Communist Party's (CCP's) long-standing priority of maintaining its grip on power, the CCP has effectively been able to continue censoring the Chinese public through a more invisible role. The author claims that the Chinese government's censorial authority in recent times has resembled a giant anaconda coiled overhead in a chandelier, meaning that the "vagueness" regarding the prohibitions in the censorship system has created very effective self-censorship in Chinese society. As China continues to become more connected with the rest of the word, the author concludes that we shall see precisely how far the anaconda can project its power; furthermore, censorship will harm the flow of information and continue to distort Western perceptions of China, and vice versa.

Longanecker, Mindy Kristin. 2009. "No Room for Dissent: China's Laws Against Disturbing Social Order Undermine its Commitments to Free Speech and Hamper the Rule of Law." *Pacific Rim Law & Policy Journal* 18 (2): 373-403.

Annotation: The author argues that the term "disturbing social order" that appears in many Chinese civil and criminal laws creates a vagueness that, when combined with the national culture of censorship, undermines various legal provisions that guarantee free speech in China by leading to disproportionate, irregular, and inconsistent enforcement of the laws. The author concludes that Chinese lawmakers can protect free speech and nonviolent dissent through clearly defining the term "disturbing social order" and that such a measure is necessary to regain the Chinese people's faith in their government, to increase the country's political legitimacy worldwide, and to aid in the continued political and economic success of China. This source gives a clear and concise background of the legal aspects of the censorship issue in China.

MacKinnon, Rebecca. 2008. "Cyber Zone." Index on Censorship 37 (2): 82-89.

Annotation: The Chinese internet censorship system is the most extensive and sophisticated in the world; even so, the author argues that liberation, empowerment, and optimism coexist with suppression, censorship, and compromise. This co-existence means that, even with the strict regulations on internet content, the Chinese population that uses the internet is gaining a much larger perspective on current events than those who rely on traditional media

sources. The author uses the example of blogging to demonstrate the push on the limitations of censorship, as well as the scope of the suppression that still exists. Thus, while the scope of the article is somewhat narrow, focusing almost entirely on blogging, the fact that it addresses both the positive and negative aspects of the existing situation in China makes the article useful to the reader.

Martinsons, Maris G., Stephanie N.G., Winnie Wong, and Richard Yuen. 2005. "State Censorship of the Internet in China." *Communications of the ACM* 48 (4): 67-67.

Annotation: This brief article gives the reader a broad overview of the Chinese government's internet censorship. The aim of the article is to demonstrate that the internet represents a double-edged sword: a cornerstone of the drive for economic development, as well as a medium where the principles of free speech and self-governance can be realized. Thus, while the internet has broken the Chinese Communist Party's (CCP's) monopoly on public information, the CCP still closely regulates and monitors internet content and usage. The article concludes that, while the state goes to great lengths to control internet use, the internet enables economic growth, expands freedom of speech and transforms information exchange. As time passes, the authors argue that suppressing information will become increasingly difficult.

Polumbaum, Judy. 2001. "China's Media: Between Politics and the Market." *Current History* 100 (647): 269-277.

Annotation: The author claims that the persistent images of the severe restriction on freedom of expression in China are faulty and, in reality, a steady erosion of limits on the production and dissemination of news, entertainment, and information has been occurring for more than two decades. The author concludes that only a facade of state control exists, since the Chinese people are actively interpreting content, the media is expanding and diversifying, new technologies are being developed, the media is being reformed, new organizational structures are forming, and new money is being added. As the expansion of communications continues, the repercussions are not likely to be seen in ideological spheres, but rather in the ways the Chinese live, learn, and work. Although the article advocates that censorship is not as big of an issue as it is often portrayed, the author gives the reader a good idea of both sides of the argument, as well as the evolution of censorship in China.

Shyu, Jennifer. 2008. "Speak No Evil: Circumventing Chinese Censorship." San Diego Law Review 45 (1): 211-249.

Annotation: The author claims that the increased freedom of speech granted by the internet has been curtailed by state-sponsored censorship that requires complicity by American corporations if they wish to do business in China. Although the internet is considered uncontrollable by many professionals and academics, the author argues that, as China's firewall has grown in complexity and sophistication through the aid of American

corporations, China has succeeded in creating a censored internet. The author concludes that the complicity of American corporations has made it necessary for the international community to create and implement a solution to reintroduce freedom of speech in China. However, the author determines that the correct solution is not the Global Online Freedom Act, but rather a combination of proxy-blocking services and international economic pressure.

Sun, Xupei C. 2001. Orchestra of Voices: Making the Argument for Greater Speech and Press Freedom in the People's Republic of China. E. C. Michel and Eric B. Easton (eds.). Westport, CT: Praeger Publishers.

Annotation: The author argues that, if China's people hope to be successful in constructing and developing a socialist democracy, journalism theory must be perfected and the operation of the media reformed. The author admits that his discussion of socialist press freedom may not be adequate, but that every press system has its strengths and weaknesses and that China should find its own way to reform. The author concludes that the ultimate goal should be to develop a scientific and rational model for media communications. This book is a useful source for anyone interested in the issue of free press in China. Not only is the book excellently written, but the author is Chinese, and it is difficult to get an "insider's" viewpoint very often, as the topic is a forbidden subject in China.

Wacker, Gudrun. 2003. "The Internet and Censorship in China." In Huges, Christopher R. and Gudrun Wacker (eds.), <u>China and the Internet: Politics of the Digital Leap Forward</u>. New York: RoutledgeCurzon.

Annotation: This chapter addresses the Chinese government's censorship of the internet. The authors discuss the paradox of a government that encourages the spread of the internet, while at the same time using its resources and collaborators to monitor and censor those aspects of the internet that it sees as destabilizing, dangerous, or unhealthy to the people and the government. The chapter first discusses the possibility of regulation of the internet by governments, stating that, even if complete control cannot be obtained, there are many effective controls that can be put in place. While this section has some useful information, it could be a bit less abstract. Second, the authors discuss the national regulations put in place by the Chinese government. Third, the authors discuss the influence over norms of behavior, which includes the history of punishment for violators. Fourth, the chapter addresses the role that the market plays in censorship. And lastly, the chapter discusses counter-strategies and whether or not resistance is futile.

Winfield, Betty H., Takeya Mizuno, and Christopher E. Beaudoin. 2000. "Confucianism, Collectivism and Constitutions: Press Systems in China and Japan." *Communication Law & Policy* 5 (3): 323-347.

Annotation: The authors argue that political events and ideologies in the twentieth century shaped the features of the controlled press system in China and the libertarian press system

in Japan. Characteristics of a country's media depend on the culture in which they operate, and thus the authors claim that the Asian philosophical emphases on collectivism, hierarchy, and social harmony have influenced the overt information constraints in China. Because the West looks at the world from a differing perspective, Westerners disregard the cultures, philosophies, and traditions that distinguish Asian mass media. The authors conclude that there is a need for an increased understanding of Asian philosophies that relate to press systems in China and Japan, as these philosophies help explain how and why the press systems of these two nations are different from their Western counterparts. This study presents a viewpoint on Chinese censorship that has not been widely addressed by existing scholars: that the West merely sees censorship in China as bad because it is looking at it through the wrong lens.

Xuecan, Wu. 2001. "Turning Everyone into a Censor: The Chinese Communist Party's All-Directional Control over the Media." US-China Economic and Security Review Commission: Commission Contracted Research Papers. Available online: http://www.uscc.gov/researchpapers/2000/2003/pdfs/censorship_ym.pdf.

Annotation: Although the Chinese Communist Party (CCP) has loosened its grip on controlling the various aspects of the lives of its citizens, it has adamantly maintained control of one thing: the media. The CCP has used schemes to enforce an all-directional control over the media, meaning that every person involved in the media has, in one way or another, become an effective and voluntary self-censor. The author concludes that all journalists should become careful and cautious media censors since, to control ideology and to achieve the most effective control without setting up laws, the CCP must make every media professional a careful and conscientious self-censor. This article is written by a Chinese journalist who worked for the Communist Party, so the piece is a rarely seen inside view of the inner-workings of the CCP's media censorship.

Yuezhi, Zhao. 1998. Media, Market, and Democracy in China: Between Party Line and the Bottom Line. Urbana and Chicago: University of Illinois Press.

Annotation: In this book, the author focuses on the current interlocking of party control and market forces in the Chinese news media by addressing the dominant and emerging forms and practices in the journalistic aspects of the news media operations. The author completes an overview and critique of the Chinese Communist Party's (CCP's) model of political communication and of its journalism theories and practices by describing the general structure and characteristics of the media under party domination. The author then goes on to address: the different ways in which market forces influence existing media institutions and practices; the newly established commercialized media institutions, formats, and content in broadcast and newspaper sectors; and the implications of the intertwining of party control and market forces in the Chinese news media. The author concludes by presenting a speculative and hypothetical discussion regarding those who advocate further

commercialization of the news media in China, outlining a theoretical framework for the democratization of news media and alternative possibilities.

Zhu, Jianlan. 2009. "Roadblock and Roadmap: Circumventing Press Censorship in China in the New Media Dimension." *University of La Verne Law Review* 30 (2): 404-466.

Annotation: A general consensus exists worldwide that free press is a fundamental prerequisite for societies to resolve their conflicts, promote their own well-being, and protect their liberty by creating a "check" on the government. This paper examines the impact of the new media on the freedom of the press in China, a nation which historically has been closed to press freedom. The author concludes that the new media has influenced the way information is gathered and distributed, beginning to defeat the dominant monopoly of state-owned traditional media, and making Chinese authorities realize that sometimes isolation is not a viable option. Thus, the new media has made Chinese media more accessible, participatory, and conducive to social dialogue, meaning that it provides a great opportunity for the government to improve its fundamental political relationship with the citizens of China by opening the door to the freedom of press.

"How Much for a Boy?" Infant and Child Trafficking in the People's Republic of China

By Jake Orr

Introduction: Hunan Province, 17 November 2005.

On this day in the southern Chinese province, two women carrying three infants came out of the local train station and placed the three infants in a car parked at the station. Chinese police, on alert for baby traffickers, especially at train stations, intervened. The police were probably not surprised to learn the women were professional baby traffickers; however, they were likely surprised to discover who planned to buy the babies. Sitting inside the car were top officials from a local orphanage.

This case in Hunan Province illustrates the nature of child trafficking in China. As was later revealed, officials from the orphanage in question had been buying trafficked children since 2002. Why were orphanage officials involved in a human trafficking operation? Where do the children come from and where do they end up? Who is trafficking children? And who is purchasing them?

Causes, Conditions, and Forms

The causes of child trafficking in China are complex and multivariate. However, the government's "one-child policy," which first came into effect in the early 1980s, along with a millennia-old tradition of favoring male children, has greatly contributed to the current state of child trafficking in China.

Organized crime and government corruption also exacerbate child trafficking. In the case mentioned above, the orphanage officials had initially acted as baby brokers, selling the children to other orphanages that arranged international adoptions for children and collected US \$3,000 per child in mandatory donations from adoptive parents. In 2004, the orphanage in question obtained permission to participate in China's intercountry adoption program, at which point it began placing the trafficked children directly with foreign adoptive parents and collecting the donations. Since the early 1990s, over 80,000 Chinese-born babies, the vast majority of them female, have been adopted overseas. A large percentage of these adoptions have been to the United States. Currently, there is no way of determining how many of these infants could have been trafficked.

Traffickers come to possess children through several means. Birth parents who already have a child, or who have not completed the procedures to have a child legally, often sell or give these children (colloquially referred to as "black children," as they legally do not receive government recognition or benefits) to traffickers, who in turn sell them to orphanages such as the one in Hunan Province.

Additionally, traffickers (including corrupt government officials) have been known to forcibly take infants away from their parents, as well as abduct young children. A report from the Chinese government estimates that over 10,000 children were abducted and trafficked domestically from 1980-2000, with boys constituting two thirds of the total. However, other reports estimate that as many as 70,000 children are trafficked domestically or internationally each year. Boys have been purchased for as much as US \$6,000, while girls typically are priced in the hundreds of dollars.

Destinations for trafficked children vary significantly; many end up in scenarios of domestic servitude, forced labor, commercial sexual exploitation, forced marriage, or forced organ removal.

Perpetrators, Enforcers, and Activists

Typically, child traffickers in China are part of informal networks, which include parents and other individuals willing to buy and sell children. Often, corrupt police and government officials are involved or complicit with the activities of such networks. Over the past few years, several governmental and non-government organizations within China and abroad have emerged to identify and eradicate these trafficking rings, as well as to rehabilitate trafficking victims.

Trafficking is illegal in China. At the national level, the Ministry of Public Security oversees trafficking investigations, and the National Plan of Action on Combating Trafficking in Women and Children was created in 2007. However, the plan does not allocate appropriate funds or provide adequate training for local law enforcement. The government has also created a website (Babies Looking for Home), where pictures and descriptions of missing children are posted and, controversially, a nationwide DNA database to help identify missing children.

The All-China Women's Federation, partnering with the International Labor Organization (ILO), has created the most prominent anti-trafficking presence in China. Additionally, several grassroots organizations of parents seeking information about their abducted children have also emerged. "Orphan Net" and "Babies Come Back Home" are two web-based networks created by non-profit organizations to provide families a place to post information about lost children. Parents post pictures hoping that people might recognize their children and report the sightings to officials. However, government regulations currently prevent non-profit organizations working on the same or similar activities from operating in the same region, limiting the potential effects of such efforts.

At the international level, several legal mechanisms have been implemented to protect children. The United Nations Convention on the Rights of the Child, especially articles 1, 11, 21, and 32-36, outline the basic legal foundation guaranteeing the protection of children from sale into slavery, forced labor scenarios, child prostitution, and pornography.

Three Hague conventions on 1) the Protection of Children and Co-operation with Respect to Intercountry Adoption; 2) the Civil Aspect of Child Abduction; and 3) the Jurisdiction, Applicable Law, Recognition, Enforcement, and Co-operation in Respect of Parental Responsibility and Measures for the Protection of Children offer additional international legal weapons to combat transnational child abduction and illegal adoption.

Five countries in the region (China, Vietnam, Cambodia, Laos, and Thailand) have partnered with the United Nations to create the UN Inter-Agency Project on Human Trafficking in the Greater Mekong Sub-region (UNIAP).

Recommendations

Like other forms of trafficking, human trafficking must be dealt with on three fronts: supply, demand, and distribution. Although China has been increasingly active in investigating and prosecuting cases of infant and child trafficking, it has done little to address the underlying forces that propel this illegal activity. The massive fees levied against couples who have more than one child, which are often the equivalent of several years' salary, are perhaps the most significant cause of infant and child trafficking in China. Parents who already have a child feel that the only way to

avoid being fined is to somehow dispose of any subsequent children. This often means selling children to traffickers.

In its current state, China's legal system focuses on punishing those who abandon, steal, or sell children, but not necessarily those who purchase them. If strong laws were passed to criminalize child-buying, they could provide more disincentives to child trafficking in general. Foreign nationals who are trafficked into China are typically treated as illegal aliens and either deported or arrested. China can implement training programs for immigration officers and law enforcement to better recognize human trafficking scenarios, as well as establish more rehabilitation centers for victims of domestic and international trafficking. High levels of corruption and/or complicity in local government and law enforcement present a massive barrier to formulating effective and enduring solutions to child trafficking.

The current male-female ratio in China, which is also an effect of the one-child policy, is another root cause of child trafficking. Countrywide, the ratio is three males to every one female, while in some provinces it is as high as nine to one. This massive shortage of females has created a huge demand for both prostitution and forced marriages, causing many young girls to be trafficked into either of these two scenarios. The government needs to devote significantly more time and resources to developing viable long-term solutions to this debilitating social problem.

Finally, the Chinese government's unwillingness to share information with foreign governments, immigration agencies, and anti-trafficking NGOs makes any attempt to combat human trafficking in China even more difficult. The government continues to publish unrealistically low statistics about human trafficking, and has banned press coverage on many trafficking cases. Greater international transparency and involvement, a more active presence of NGOs aimed at eradicating child trafficking and rehabilitating its victims, and an honest reassessment of the consequences of the one-child policy would substantially improve the enforcement and prevention of child trafficking in China.

Annotated Bibliography

Chin, James K. 2003. "Reducing Irregular Migration from China." *International Migration* 41 (3): 49-72.

Annotation: Based on fieldwork conducted in southern China from 1995-2003, this paper examines recent Chinese irregular migration trends. It presents the government's response regarding the migratory modus operandi and policy implications with the aim of offering policy-makers an empirical insight into the most active region of emigration in China. Because of the difficulty and sensitivity involved in collecting data on this topic, materials in this paper are mainly based on a content analysis of local Chinese newspapers and the author's interviews with various people involved in irregular migration activities, such as "snakeheads," illegal migrants and their family members, and police, local, and government officials at different levels.

Colm, Sara, Smita Narula, and Mickey Spiegel. 2002. "The Invisible Exodus: North Koreans in the People's Republic of China." *Human Rights Watch* 14 (8): 1-38.

Annotation: This report details the massive human rights abuses perpetrated against North Koreans attempting to enter China seeking political asylum. The authors outline the extreme risks involved in attempting to cross the border, including torture in Chinese prisons, repatriation back to North Korea (where illegal exodus is tantamount to treason), and high vulnerability to trafficking, especially among North Korean women. The authors state that China does not tolerate illegal North Korean migrants, regardless of claims for asylum, but summarily repatriates North Koreans, which typically results in extensive imprisonment and often death. Narula et al. cite various sources that place the number of North Koreans illegally in China from as low as 10,000 to as high as 300,000.

de Meyer, Tim, Hans van de Gilnd, and Zhang Jing. 2005. "Report of Proceedings: Partner Meeting on Safe Migration as Alternative to Trafficking." Paper presented at Partner Meeting on Safe Migration as Alternative to Trafficking. Changsha, China. Co-organized by ACWF and ILO. Available online:

http://www.preventtraffickingchina.org/english/Website Files/Changsha%20report%20Dec05%20-%20safe%20migration(1).pdf.

Annotation: A detailed summary of a 2005 conference session of CP-TING partner organizations. This document offers progress reports of numerous ongoing anti-trafficking initiatives enacted by the CP-TING project. The report details projects undertaken by the ILO, ACWF (All China Women's Federation), and other anti-trafficking NGOs active in China. As the ACWF is mainly concerned with preventing internal trafficking of girls and young women, most of the report details specific initiatives aimed at this goal. Main themes include education and empowerment of girls and young women with respect to the dangers of rural-urban migration, as well as working to further cultivate migrant-led networks and organizations aimed at spreading awareness about trafficking, victim rehabilitation, and prevention.

ECPAT International. 2006. "Global Monitoring Report on the Status of Action against Commercial Sexual Exploitation: Taiwan." Hong Kong: ECPAT International. Available online:

http://www.humantrafficking.org/uploads/publications/Global Monitoring Report-TAIWAN.pdf.

Annotation: This report, written by End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes (ECPAT), details the state of child trafficking in Taiwan. The authors identify the most popular forms of sexual exploitation of Taiwanese minors. They name "enjo kosai," a Japanese term for compensated "companionship" through dating websites, as the most ubiquitous form of child prostitution currently in Taiwan. Participation in this practice generally involves the provision of sex for remuneration. The authors also provide, via case studies of trafficking victims, a broader picture of the role that Taiwan plays in both importing foreigners for prostitution and

exporting wealthy Taiwanese "sex tourists" to fuel child trafficking and sexual slavery in other areas of East and Southeast Asia.

ECPAT International. 2009. "Sex Trafficking of Children in Hong Kong." Hong Kong: ECPAT International. Available online:

http://www.ecpat.net/EI/Publications/Trafficking/Factsheet Hongkong.pdf.

Annotation: This report provides a concise overview of some of the main factors in Hong Kong and the broader region that continue to create the appropriate conditions for the trafficking of children in and out of Hong Kong for sexual exploitation. The authors state that Hong Kong is a point of transit and destination for persons trafficked for sexual exploitation from mainland China and Southeast Asia. They also claim that Hong Kong is believed to be the second biggest market, after India, for Nepali women and girls being trafficked outside the country. The report also includes an analysis of how Hong Kong functions in wider regional trafficking rings, concluding that it is mainly a transit and destination country for persons being trafficked for sexual purposes.

Emerton, Robyn. 2001. "Trafficking of Women into Hong Kong for the Purpose of Prostitution: Preliminary Research Findings." Occasional paper 3 (February). University of Hong Kong Centre for Comparative and Public Law.

Annotation: This paper offers significant research concerning the trafficking of foreign women to Hong Kong for purposes of sexual exploitation. Emerton offers substantial analysis of relevant international and domestic laws pertinent to sex trafficking, as well as detailed case studies of the numerous methods employed by traffickers (in most cases triad crime syndicates) to transport foreign women to Hong Kong. Emerton also offers several policy and legal recommendations for the government of Hong Kong aimed at strengthening enforcement, prosecution, and trafficking victim protection measures.

Emmers, Ralf, Beth Greener-Barcham, and Nicholas Thomas. 2006. "Institutional Arrangements to Counter Human Trafficking in the Asia Pacific." *Contemporary Southeast Asia* 28 (3): 490-511.

Annotation: In recent years, there has been a marked increase in human trafficking across the borders of Asia Pacific states. In addressing this problem, regional states have found that unilateral actions are insufficient to stem the flows of trafficked persons. In response to this shortfall in capacity, a number of arrangements have been initiated by regional institutions. The purpose of this article is to analyze the efficacy of these institutional arrangements. This article discusses the problem of human trafficking and its patterns within the region, before assessing the current anti-trafficking programs and policies developed by regional institutions in East Asia and the South Pacific. The article then reviews trans-regional efforts being undertaken through the ASEAN Regional Forum, including the Asia-Europe Meeting and the Bali Process. It concludes by suggesting that, although the regional institutions remain

constrained by state interests, they are nonetheless an important vehicle in combating human trafficking in the Asia Pacific.

Fong, V. L. 2004. Only Hope: Coming of Age under China's One-Child Policy. Stanford, California: Stanford University Press.

Annotation: Professor Fong is well known among China experts for her extensive research on the lasting effects of China's one child policy. This book is written in an informative, accessible way and will appeal to readers from any discipline. Fong uses personal narratives, aided by useful graphs and other data based on extensive ethnographic research, in order to outline the "social, economic and psychological consequences of the government's decision to accelerate the fertility tradition." The pressures and stresses faced by Chinese children and their families are exemplified through the use of stories about one child families, particularly as these children draw closer to adulthood.

Government of the People's Republic of China. 2008. "China's Brief Report on Achievements during the First Year of Phase III of UNIAP Project." In Country Delegation Reports to COMMIT Senior Officials, November 5-7. Vientiane: UN Inter-Agency Project on Human Trafficking.

Annotation: This report outlines the Chinese government's anti-trafficking activities since becoming signatories to UNIAP's COMMIT (The Coordinated Mekong Ministerial Initiative against Trafficking). The report covers the activities of federal, regional, and local anti-trafficking trainings and capacity-building conferences, and includes updates on China's National Plan of Action on Combating Trafficking in Women and Children, as well as other anti-trafficking legislation. It also covers specific government and law enforcement programs in trafficking victim identification, protection, recovery, reintegration, and future prevention of human trafficking. The report concludes with a list of recommendations for areas where the government can improve and revise its anti-trafficking legislation, enforcement, and prevention methods.

International Labour Organization. 2006. "Situation Analysis on Trafficking in Girls and Young Women for Labour Exploitation in China." Beijing, China. Available online: http://www.womenldl.com.cn/upload/2/SITAN%20-%20E.pdf

Annotation: This is a joint report from the International Labour Organization (ILO) and the ACWF's (All-China Women's Federation) CP-TING project. The goal of the CP-TING project is to prevent girls and young women from being trafficked into labor and sexual exploitation. This report mainly focuses on internal trafficking trends between five provinces in central and Southern China: Anhui, Henan, Hunan, Jiangsu, and Guangdong. Highlighting the ever-growing trend of rural-urban migration within China, the report is attempting to adequately assess the levels of trafficking extant between the target provinces as well as the

differing popular perceptions of trafficking and provincial governmental initiatives to combat internal trafficking.

Kyle, David and Liang Zai. 2001. "Migration Merchants: Human Smuggling from Ecuador and China." Working paper, Center for Comparative Immigration Studies, University of California San Diego.

Annotation: This paper questions the assumption that illegal migrants are like any other illegal commodity crossing state borders. Kyle and Liang argue that most migrant smugglers are social bandits who may be considered unsavory and even dangerous by their native societies, but are not considered to be "criminals." Even states that are "victims" of human smugglers do not uniformly paint them as criminal and evil. In contrast to common thieves and smugglers, there is a highly politicized historical dimension to both the motivations of social bandits and to those who see them as either criminals (i.e., participants in transnational organized crime) or "freedom fighters." The authors conclude that current migration theory does not sufficiently explain the sharp rise in human smuggling around the world, especially in terms of how it conceptualizes demand.

Lagon, Mark P. 2007. "Human Trafficking in China." Paper presented at Congressional Human Rights Caucus Briefing, Washington DC.

Annotation: Lagon, the former director of the US State Department's Office to Monitor and Combat Trafficking in Persons, summarizes the nature and scope of human trafficking trends and prevention in this report to the Human Rights Caucus. Covering forced and bonded labor, trafficking for sexual exploitation, and the trafficking of North Koreans seeking asylum, Lagon then discusses the current status of the Chinese government's response to the numerous ongoing human trafficking problems within its borders. Lagon concludes with a list of recommendations for the Chinese government to better combat human trafficking, including: better victim identification and protection/rehabilitation services; expanding the capacities of non-profits and civil society to combat trafficking; and allowing international organizations and foreign governments to establish joint programs and have better access to human trafficking information.

Liang, Sharon. 2003. "Walking the Tightrope: Civil Society Organizations in China." China Rights Forum: *Seeds of Change* 3: 11-15. Available online: http://www.hrichina.org/public/PDFs/CRF.3.2003/Sharon_Liang.pdf

Annotation: Liang offers an insightful look at how civil society and the relationship between the government and the people have changed in China over the past several decades. Examining national and local social organizations, Liang concludes that the current number of organizations is far too low to satisfy the population's growing demand for organized activities. Liang concludes by calling on the government of China to seriously reform the

registration requirements currently in place for non-profit and other social organizations, and to genuinely acknowledge the constitutional right of free assembly.

Marshall, Phil. 2001. "Globalization, Migration and Trafficking: Some Thoughts from the South-east Asian Region." Paper presented at the Globalization Workshop in Kuala Lumpur, Office UN Coordinator in Thailand, May 8-10. Available online: http://www.childtrafficking.com/Docs/marshall-uniap-mekong-2001.pdf

Annotation: Marshall employs the negative consequences of globalization for his explanation of increased human trafficking in the Mekong Delta Sub-region (Cambodia, Southern China, Lao PDR, Myanmar, Thailand, and Vietnam). Citing numerous factors, such as rapid and varying economic and political developments; gender relations; improvements in transport infrastructure across borders; and widening disparities caused by the economic crisis of the early 2000's, Marshall recommends reforming migration laws and attitudes as the best way to combat human trafficking in the region.

Meyer, Patricia J. and Xiaole Zhang. 2009. "The Baby Market: Sold Into Adoption: The Hunan Baby Scandal Exposes Vulnerabilities in Chinese Adoptions to the United States." *Cumberland Law Review* 87 (39): 50.

Annotation: Beginning with an overview detailing an adoption scandal involving several orphanages in Hunan Province from 2002 to 2005, Meier and Zhang then explore the wider trend of trafficked Chinese babies being adopted by foreign, mainly American, foster families. They highlight how the current domestic and international adoption laws in China facilitate inter-country adoptions, while impeding those wishing to adopt within China itself. They also cite numerous legal loopholes and legislative problems with US anti-trafficking legislation as another cause of continuing infant trafficking to the United States. Ending with numerous recommendations to the governments of China and the United States, Meier and Zhang conclude that the US government must redefine the TVPA to include the buying and selling of babies for adoption as a type of human trafficking.

Olsen, Harald Haugom. 2008. "The Snake from Fujian Province to Morecambe Bay: An Analysis of the Problem of Human Trafficking in Sweated Labour." European Journal of Crime, Criminal Law and Justice 16 (1): 37.

Annotation: This article analyzes legislation and international definitions of human trafficking and forced labor and applies them to the case of Chinese cockle pickers who drowned in Morecambe Bay in 2004.. Various sources are also utilized to consider Chinese migrant cultural and political background as a factor distinguishing their attitudes and views on human trafficking and forced labor from those of the West.

Pearson, Elaine. 2006. "Safe Migration within China: Protecting Girls and Young Women to Prevent Trafficking." Discussion Paper, CP-TING Project. Beijing: International Labour Organization.

Annotation: After a brief overview of internal trafficking trends in China, Pearson focuses attention on recommending numerous government and civil society policy initiatives to limit the irregular migration and trafficking of girls and young women within China. Drawing from relevant international standards and migration laws, as well as examples of national programs in other Asian countries, Pearson offers a multivalent analysis of rural-urban migration issues in China and concludes with suggestions for further developing institutional frameworks of bilateral agreements between sending and receiving provinces.

Pochagina, Olga. 2007. "Trafficking in Women and Children in Present-Day China." Far Eastern Affairs 35 (1): 82-101.

Annotation: Pochagina examines the domestic features in China that play a role in the increase in trafficking of women and children.. Trafficking women in China is described before looking at supply-and-demand factors. Attention is given to trafficking children in terms of the impact of Chinese population policy, traditional child sex preferences, and the market economy. Illegal adoption is identified as another form of child trafficking, and the ways Russian-Chinese criminal groups pursue Russian women and children is addressed. Pochagina contends that China's efforts to stop this form of trafficking have failed, in large part because socioeconomic motivations drive formation and sustenance of the sex service markets.

Ren, Xin. 2009. "A Trade in Misery: Trafficking in Children in China and Asia." Paper presented at the annual meeting of the American Society of Criminology, Royal York, Toronto, October 26.

Annotation: This paper examines the trafficking of children for sexual exploitation, child pornography, and slave labor in Mekong Sub-regional countries, including Thailand, Laos, Vietnam, Cambodia, and Yunnan and Guangxi provinces of China. The issues discussed in the paper are derived from filed research work with UN agencies, inter-government working groups, and NGOs in China and Southeast Asia. The paper focuses on the international legal instruments concerning trafficking in children, the purposes of trafficking in children, the magnitude of trafficking in children and young girls in the region, and the characteristics of victims of trafficking in the region.

Rosenthal, Elisabeth. 2003. "Bias for Boys Leads to Sale of Baby Girls in China." New York Times (July 20): 16.

Annotation: In this article, Rosenthal highlights a case where police in a rural area of Southern China found twenty-eight baby girls, aging from two to five months, who had been sold to a trafficker by their parents. She states that eighty percent of trafficked infants are girls. Rosenthal takes a regional approach to the problem of infant trafficking in China, stating that many provinces are lax in enforcing the one-child policy, which means that families may be allowed to have multiple children with no fines being assessed. However, she states that family planning officials in Guangxi Province are notorious for strictly adhering to the one child policy, rigorously monitoring and fining families who have more than one child. This, according to Rosenthal, creates a large supply of illegal infants, colloquially referred to as "black children," who parents sell to infant traffickers for purchase by wealthy, childless Chinese or unknowing foreign adoptive parents.

Schuckman, Emily K. 2006. "Anti-trafficking Policies in Asia and the Russian Far East: A Comparative Perspective." *Demokratizatsiya* 14 (1): 85-102.

Annotation: This article examines the trafficking situation in the Russian Far East and its Asian neighbors. It focuses specifically on the role of women's organizations in anti-trafficking efforts in China, Japan, South Korea, and Russia. Schuckman argues that grassroots women's organizations are the lynchpin to a successful anti-trafficking policy. These organizations most effectively address the social and economic factors that make women vulnerable to traffickers. The author concludes that funding women's organizations and encouraging civil society development must be a part of anti-trafficking policy in Russia and East Asia.

State Council of China. 2007. "China National Plan of Action on Combating Trafficking in Women and Children." Beijing: Government of China, December 13. Available online:

http://www.humantrafficking.org/uploads/publications/China National Plan of Action on Combating Trafficking in Women and Children December 2007.pdf.

Annotation: This is a government document issued by the State Council of China outlining the PRC's official "five-year plan" to combat internal and international human trafficking in and out of the PRC. Offering a brief overview of the government's most pressing concerns in relation to trafficking, the report also includes the government's guiding principles, goals, and strategic measures that will be implemented and executed in the five year period of 2008-2012. Under the auspices of an Inter-ministerial Joint Conference System for Anti-Trafficking in Women and Children (IMCS), the government aims to toughen and refine investigation and prosecution of traffickers, strengthen victim services and rehabilitation, and increase international cooperation. As this initiative is currently unfolding, the results cannot yet be adequately assessed, but government action and involvement in trafficking initiatives to date has been low.

Wang, Feng. 2005. "Can China Afford to Continue its One-Child Policy?" *Asia-Pacific Issues* 77 (March): 1-12 Available online: https://scholarspace.manoa.hawaii.edu/bitstream/10125/3796/1/api077.pdf.

Annotation: Readers will find Wang's overview of the major problems associated with China's one child policy informative and accessible. Wang uses graphs and analysis to demonstrate some of the major issues emerging in economics, society, and culture due to the one child policy. Rapidly increasing age and gender imbalances, high economic and political costs, and the potential for marriage to return to its former status as a privilege for wealthy men (the gender imbalance results in there being more Chinese men than Chinese women) are some of the issues Wang covers. He concludes that the government needs to revisit the policy and loosen population control legislation; further, he warns that "bureaucratic inertia and political caution" within the Chinese political system are dangerous because "Chinese demographic profiles show that a further delay will result in higher long-term costs."

Yiping, Cai. 2006. "New Challenges in Eliminating Violence Against Women within China: Trafficking in Girls and Young Women for Labour Exploitation." Available online: http://www.womenldl.com.cn/upload/3/Beijing%20+10%20paper%20-%20E.pdf.

Annotation: This report lays out a thorough argument aimed at linking trends in gender-based violence and the trafficking of women and girls in China. Yiping examines the extant anti-trafficking laws and initiatives in place in China, and recommends that the government pursue a more expansive incorporation of foreign anti-trafficking organizations to aid it in its fight against the trafficking of women and children within China.

Zhang, Sheldon X., and Ko-lin Chin. 2006. "Snakeheads, Mules, and Protective Umbrellas: A Review of Current Research on Chinese Organized Crime." *Crime, Law and Social Change* 50 (3): 117-195.

Annotation: Zhang and Chin begin with a review of recently published literature and conclude that two types of transnational criminal activities, human smuggling and drug trafficking, have received the most academic attention over the past several years. Zhang and Chin continue by dispelling the notion that traditional Chinese crime syndicates dominate the majority of transnational criminal activities. Rather, most of those involved in transnational crimes (at least in human smuggling and drug trafficking) were found to be otherwise ordinary individuals who exploit their social or familial networks to take advantage of emerging opportunities. The authors conclude that the criminal network in China appears to be growing along two separate tracks: transnational organized crime syndicates and locally-based criminal organizations.

Zhao, Gracie Ming. 2004. "Challenging Traditions: Human Rights and Trafficking of Women in China." *Journal of Law & Social Challenges*, 6 (167).

Annotation: Zhao begins with a theoretical examination of the universality of human rights versus cultural relativism, especially in terms of the trafficking of women for sexual exploitation. She continues by highlighting the relevant international and domestic Chinese legislation currently in force concerning human trafficking and special measures designed for women who have been trafficked. Zhao calls on the Chinese government to truly enforce women's substantive rights by giving meaning to its commitments to international and domestic legal instruments.

China's Relationship with Sudan—and Human Rights Consequences By Tessa Li Powell

Introduction

China is the largest country in the world and has a rapidly expanding economy. Its streets are starting to crowd with cars instead of bicycles and there is an increasing demand for the luxuries of developed nations. The desire to keep up with major international players has pushed the Chinese government to overlook whatever human rights abuses may be occurring inside and outside of its borders. China has taken steps to support Sudan despite its use of child soldiers and the genocide in Darfur that has been occurring for years. By criticizing and withdrawing support from President al-Bashir, China could serve as a major player in curtailing the human rights abuses in Sudan.

Child Soldiers

Sudan has been suffering from internal conflicts for years, and boys are often drafted into militia and government armies. At a young age, boys are forcibly drafted and brainwashed into committing acts of violence throughout the country. These orphaned children are already vulnerable because their parents have been killed in the violent conflict; serving in the army or militia provides protection and a sense of belonging in a unified group. The leaders of these armies convince the boys that the opposing side is responsible for the death of their family members and force them into a life of violence. The militias also provide the children with protection, basic needs, and a sense of solidarity in an otherwise unstable life. For many children, the only alternative to serving in the army or militia is living alone, unprotected, and uncertain of where their next meal will come from.

Genocide

In 2004, President George W. Bush and Secretary of State Colin Powell acknowledged that the conflict in the Darfur region of Sudan was genocide. The Arab militia, the Janjaweed, was systematically attacking the non-Arab Sudanese and driving them from their homes. Many victims fled to refugee camps along the Sudan-Chad border. The destruction left by the militia eerily echoed the genocide that took place in Rwanda only ten years earlier. With grassroots movements springing up from young activists, public awareness of the conflict in Darfur has spread nationwide, and the push for government action has increased. While some have called for economic divestment from Sudan and Sudanese partners, others feel that military intervention is the answer.

Firsthand accounts from survivors claim that President Omar al-Bashir and the government of Sudan were either participating in the genocide or at least playing an active role by providing weapons to the Janjaweed and by not taking concrete steps to alleviate the growing conflict in Darfur. In March 2009, the International Criminal Court (ICC) indicted al-Bashir on five counts of crimes against humanity—murder, extermination, forcible transfer, torture, and rape—and two counts of war crimes. This is a major step in the fight against the genocide in Darfur. Article 59 of the Rome Statute, which governs the ICC, states that it is the responsibility of any government that is party to the ICC to turn over anyone who is under indictment. However, because al-Bashir controls the Sudanese government and military, he has not been turned over to proper authorities.

China

China has a rapidly growing economy and an expansive population, with well over 1.3 billion citizens. With this burgeoning economy comes a need for more natural resources. More factories need more fuel, and as citizens earn enough money to make major purchases—such as buying a car—the demand for oil drastically increases. In the competitive world market, the price of oil and other natural resources continues to rise.

To meet the demand for oil and other natural resources, China has taken steps to form and build on relationships with African states. Rich in mineral resources, but plagued by poverty and corruption, many of these states rely on oil and natural gas exports to sustain their economies. This is the case in Sudan. China has partnered with Omar al-Bashir and has traded weapons for oil. These weapons are supplied to the military and militias in Sudan, who then use them to systematically kill the non-Arabs in the Darfur region of southern Sudan.

The genocide in Darfur is not an unknown problem to those in power in China. However, it is clear the Chinese government will do whatever it takes to support and maintain China's economic growth. Because the Chinese government is focused on this one goal, it is more willing to turn a blind eye to corruption and oppression within the Sudanese regime.

The resulting criticism from states, particularly in Europe and North America, is based on the determination that certain regimes support or in some ways are responsible for corruption, oppression, and even death within their states. It would be hypocritical for China—guilty of human rights abuses in its own state—to refuse to buy oil or any other commodity from a state that is guilty of the same oppression. Because individual human rights are not given high value or priority in China, the government is more likely to buy from other oppressive regimes as long as doing so supports the Chinese state.

The need for energy resources is a major reason for China's growing trade relationship with African nations. By establishing an economic relationship, China secures a possible future ally should any conflict arise. The hesitance of Western states to trade with oppressive regimes allows China the opportunity to import oil at a cheaper price while establishing a relationship without much competition.

Many researchers in the field assert that China has been pressuring Omar al-Bashir to make changes within his regime, but that it has done so out of the public eye. "China has been pushing the Sudan government behind the scenes for at least two years now," says Alex De Waal, a Sudan expert at Harvard University. "They were a driving force behind the hybrid force of the United Nations and African Union (AU) peacekeepers." Due to the quiet nature of these talks, China has faced severe public criticism.

Public Reaction

The public has been very vocal in its condemnation of Omar al-Bashir and the actions of the Janjaweed in the Darfur region of Sudan. Civil society groups call for more action on the part of states that have signed the Genocide Convention. Once governments have recognized the violence of genocide, they have a degree of responsibility for taking steps to stop it. Many feel that economic divestment from Sudan and its largest supporters—namely China—would make a large enough statement that trading in arms would decrease. While this seems like an easy solution, the United States is in a delicate balance with China, which has lent and continues to lend billions of dollars to the United States.

At the 2008 Olympic Games, many came out to protest the myriad human rights abuses committed by the Chinese government. Some referred to the event as the "genocide games." The

hope was that enough political pressure during such a high-visibility event would lead China to rethink some of its human rights policies and trade relationships.

Conclusion

Despite small steps on the part of the Chinese government to criticize the administration of President al-Bashir, China continues to support Sudan. Human rights abuses occur throughout the world, and without anyone holding complicit states accountable, these abuses will persist. In addition to examining its own human rights record, China also needs to support human rights among its economic partners and strategic allies. With public criticism and economic pressure from China, the Sudanese government would be more likely to take steps to correct human rights abuses within its borders.

Annotated Bibliography

Ahmed, G. K. 2008. "China's developing foreign policy initiatives towards major international issues (North Korean and Iranian nuclear issues and the question of the Western Sudan Darfur region)." *Journal of Middle Eastern and Islamic Studies (in Asia)* 2 (2): 16.

Annotation: This article focuses on China's foreign policy with other states. It focuses particularly on China's relationship with oppressive regimes and those that have been accused of committing human rights abuses. It covers relations with Iran and North Korea, as well as Sudan. China trades arms for oil with Sudan, and it is particularly relevant to examine the nature of Chinese foreign policy with the Sudanese regime. It is also key to understand what drives China to continue to support these types of regimes. In doing so, we may better understand what steps must be taken to alleviate the problem.

Bahgat, Gawdat. 2007. "Africa's oil: potential and implications." OPEC Review: Energy Economics & Related Issues 31 (2): 13.

Annotation: The article examines the growing strength of the Organization of the Petroleum Exporting Countries (OPEC) and the increasing oil demand of the United States, China, and the European Union. As demand grows in high energy-consuming states, many governments find they need to purchase oil from states which they may not support politically. This article reviews the outlook for the economic balance between these major forces. This is of particular interest because China is trading arms for oil in Sudan, an oil-rich state in Africa. As China's economy continues to grow, the demand for oil increases. China continues trade for oil with Sudan despite public outcry and criticism of the genocide in the Darfur region.

Chen, M. E. 2007. "Chinese national oil companies and human rights." Orbis: A Journal of World Affairs 51 (1): 13.

Annotation: The author of this article asserts that states need to negotiate not only with the government of China, but also with the oil companies in China. China has been internationally criticized for its economic support of the oppressive regimes of Burma

(Myanmar) and Sudan. As Chinese companies continue to trade with Burma and Sudan, the denial of rights to citizens in those countries remains constant or continues to increase. The author also argues that if major states like China continue to support these regimes, other states are likely to fall in line in an effort to maintain or increase the national energy supply.

Committee on Financial Services. 2008. "Negative Implications of the President's Signing Statement on the Sudan Accountability and Divestment Act." Washington, DC: Government Printing Office.

Annotation: The sixty-seven members of the House Committee on Financial Services held a hearing to consider the economic implications of divestment from Sudan. While a bill passed in both the House and the Senate, President George W. Bush was opposed to it. The purpose of the hearing was to examine the reasons President Bush was against the legislation and to present arguments to change his mind. Non-governmental organizations (such as the Save Darfur Coalition), lawyers, a judge, and the General Treasurer of Rhode Island (which had successfully passed divestment legislation in 2007) all submitted statements. Correspondence between the executive branch, federal agencies, and members of Congress are included to highlight positive and negative reactions to the idea of divestment from Sudan.

Committee on Foreign Relations. 2005. "Darfur Revisited: The International Response." Washington, DC: Government Printing Office.

Annotation: In 2004, the United States recognized the crisis in Darfur as genocide and began taking steps to slow and possibly stop the violence. These steps were taken through economic, diplomatic, and humanitarian channels, and this hearing before the Committee on Foreign Relations in the US Senate was held to review the progress the United States is making with regards to Sudan. The Committee reviewed policy relations with the African Union and ways in which the United States could foster stronger nations in the area, thus increasing regional stability and security.

Committee on International Relations. 2005. "China's Influence in Africa." Washington, DC: Government Printing Office.

Annotation: The Subcommittee on Africa, Global Human Rights, and International Operations in the US House of Representatives convened this hearing to discuss China's growing influence in Africa. Several academics, members of Congress, and representatives from the executive branch joined together to examine the rapidly growing economy of China and its effect on African nations. There is a fear that China's growing influence and rapid consumption of natural resources necessitate a strong trade relationship with resource-rich countries in Africa. The concern is that China may form relationships with oppressive political regimes and may hinder the development of freedom and democracy in Africa.

Congressional-Executive Commission on China. 2006. "Human Rights and the Rule of Law in China." Washington, DC: Government Printing Office.

Annotation: Bringing together representatives from the Department of State, Department of Labor, Department of Commerce, as well as members of the House of Representatives and Senate, this hearing recognized the improvement of the rule of law in China. At the same time, members asserted that simply passing a law is not significant enough; China needs to have significant implementation as well. The panelists came together to discuss the real status of the rule of law and human rights in China and how the United States should proceed in dealing with China in light of these facts. Representatives from Columbia Law School, Human Rights Watch, and a law firm were present to provide additional information that would help determine what policy steps should be taken next.

———. 2009. "UN Human Rights Council's Review of China's Record: Process and Challenges." Washington, DC: Government Printing Office.

Annotation: This roundtable, held before the Congressional-Executive Commission on China, consisted of several experts in the fields of human rights, humanitarian law, public policy, and Asian studies. The roundtable was held as a forum prior to the United Nations Human Rights Council Review of China's human rights record. The experts review and critique the human rights issues and the challenges nations face when criticizing China's record. It is clear that China does not have a strong history of freedom for its people, though it is pointed out that, at present, the government provides more human rights to its citizens than any Chinese government of the past.

Friedman, Thomas. 2006. "The First Law of Petropolitics." Foreign Policy 154: 28-36.

Annotation: In this article, the author asserts that there is a direct correlation between freedom within a state and the price of crude oil. He argues that as oil prices decrease, freedoms increase in a given state. If a state relies on oil for a large portion of its income, then it is more likely to change politically with the changes in the price of oil. If demand and price are high, then the government of that state sees that it is not necessary to concede particular human rights concerns. In fact, the author cites Mahmoud Ahmadinejad and Hugo Chávez as leaders who are more likely to deny freedoms now that the price and demand for oil are on the rise. Should oil prices begin to lower, then these leaders, among many others, would be resigned to bowing to the political pressures of the states that wish to buy the oil. In the same way, as demand for oil grows, less importance is placed on human rights. The push for humanitarian action is reduced, as major energy consumers need to buy oil to support states and industry.

Herbst, M. 2008. "Oil for China, Guns for Darfur." BusinessWeek Online. 1.

Annotation: The author of this article highlights the statistics that back the argument that China is trading arms for oil with Sudan. He argues that in 2007, China purchased forty

percent of Sudan's oil exports, while arms sales went up in China. This article was published as a forerunner to the 2008 Olympic Games in Beijing. Herbst points out that China denies any responsibility and claims that it was the first major nation to send peacekeepers to the Darfur region of Sudan. The author does highlight that while it may be obvious that human rights abuses are occurring in Sudan, it is difficult to place blame on those who trade with the oppressive regime and to hold them accountable.

Holslag, J. 2008. "China's Diplomatic Maneuvering on the Question of Darfur." *Journal of Contemporary China* 17 (54): 13.

Annotation: This article examines China's foreign policy maneuvering regarding the situation in Darfur. China has come under fire for its economic relationship with Sudan; the government has been accused of crimes against humanity and—in the public eye—has been seen as complicit in the genocide of the Darfur region. China faces a difficult situation, balancing the growing need for energy sources for the state and international criticism and accusations of human rights abuses. Not only is the state facing criticism for human rights abuses within its own borders, but it is also being criticized for supporting regimes that are guilty of similar crimes.

International Federation for Human Rights. 2009. "The Case Against Bashir." New African (484): 22-25.

Annotation: This article is a review of the atrocities and human rights abuses committed (or abetted by) President Omar al-Bashir. It highlights the charges that the International Criminal Court brought against al-Bashir and why he was charged with crimes against humanity but not with genocide. The author also looks at the forced migration and displacement of native Sudanese into neighboring countries such as Chad. The International Federation for Human Rights and Amnesty International are active voices pushing for justice for the Sudanese people.

Jakobson, L., and D. Zha. 2006. "China and the Worldwide Search for Oil Security." Asia-Pacific Review 13 (2): 13.

Annotation: In this article, the authors examine the energy policy of China. As the demand for oil grows throughout the world, states need to find resources wherever necessary. This has led to a strong relationship between China and Sudan. Jakobson and Daujiong explore the geo-strategic and geo-economic motivations behind China's continued investment in Sudan despite public criticism. The Chinese government established an energy ministry in 2005 to evaluate growing energy needs and to take steps to prevent geopolitical consequences for China. The authors are both professionals who live in China. Daujiong directs the Center for International Energy Security at Renmin University of China.

Kindiki, Kithure. 2007. "International Law on Trial: The Darfur Crisis and the Responsibility to Protect Civilians." *International Community Law Review* 9 (4): 445-473.

Annotation: The author explores the human rights abuses that are occurring in Sudan. The article focuses specifically on the origin of the genocide. Kindiki examines what steps the international community needs to take when dealing with a humanitarian crisis on the scale of genocide. The article also highlights international law and conventions that bind Sudan and its economic and political partners.

Large, Daniel. 2007. "A 'Chinese Scramble'? The Politics of Contemporary China-Africa Relations." African Affairs 106 (422): 3.

Annotation: Daniel Large summarizes a conference held at Sidney Sussex College in Cambridge. He states that the relationship between China and Africa is often misunderstood, clouded by a standard media image. He argues that there needs to be more of a joint effort between academics in Asian studies and those in African studies. When these two fields come together, people can begin to understand the true nature of the relationship. By bringing academics together at this conference, hot topics involving Africa and China were covered, including the growing need of the Chinese government to continue increasing oil imports from Africa.

Large, Daniel. 2009. "China's Sudan Engagement: Changing Northern and Southern Political Trajectories in Peace and War." *China Quarterly* (199): 17.

Annotation: Daniel Large, a leading academic in China-Africa relations, explores the developing relationship between China and Sudan. He explores two different components of the relationship. First, he examines the ruling National Congress Party in Sudan and China's growing political influence on it. Large also looks at the difficulty China is facing in its relationship with Sudan. China needs to maintain a strong trade relationship with Sudan, but is aware of the violence and instability of the region. In order to keep up with its growing energy demand, China must rely on strategic political and economic steps.

McCannon, A. 2008. "Activists Target the 'Genocide Olympics." Business Week Online: 1.

Annotation: The author of this article brings to light the role that major international corporations can and should play in denouncing China's human rights abuses prior to the 2008 Olympic Games in Beijing. In an effort to protest the abuses, Mia Farrow's nonprofit, Dream for Darfur, called on major sponsors of the games to start speaking out against human rights abuses committed by the Chinese government. The organization targeted General Electric, Adidas, and McDonalds. These efforts also led Steven Spielberg to resign from his role in directing the opening ceremonies of the Olympic Games.

Mills, Kurt. 2008. "Which Responsibility in Darfur?" Peace Review 20 (2): 175-183.

Annotation: In this article, the author examines the responsibility of the international community in dealing with mass violence, crimes against humanity, and genocide in the

world. Not only are nations bound by law not to commit such atrocities, but it is also the responsibility of the international community to take steps to end genocide when it does occur. After charging those responsible for the genocide, major countries send humanitarian assistance to help rebuild a torn nation. The author looks specifically at the case of Darfur, but acknowledges the broader applicability of the argument in the future.

Pannel, C. W. 2008. "China's Economic and Political Penetration in Africa." Eurasian Geography & Economics 49 (6): 24.

Annotation: In this article, Pannel presents three reasons for the growing relationship between China and African nations. Unlike many other authors, he argues that energy and mineral resources are only part of the reason for the fostering of diplomatic and economic ties. As China continues to grow economically, it is important for the government to establish alliances with several countries. The more states that support China's position internationally, the more strength China has to do what is necessary to continue its growth. Interaction with Africa also expands market options for trade. China is focused on unity and sustained economic growth. Established lines of trade and political support, in addition to friendly relations with energy and mineral-rich states, will only contribute to China's international strength and success.

Patey, L. A. 2007. "State rules: Oil companies and armed conflict in Sudan." *Third World Quarterly* 28 (5): 19.

Annotation: Patey examines the complex nature of multinational corporations (MNCs) and their historical role in armed conflict throughout the world. As political pressure increased with the genocide being committed in the southern Darfur region of Sudan, American oil companies pulled out of the country. Canadian and European companies soon followed suit. The difficulty with this reaction to human rights abuses is that the profits to be made in the region fall to nations that are less concerned with human rights and are willing to get energy from any source. Patey argues that MNC investment in foreign energy sources can lead to continuing tensions in regions of conflict because the money goes to the elite class.

Subcommittee on African Affairs, Committee on Foreign Relations. 2008. "China in Africa: Implications for US Policy." Washington, DC: Government Printing Office.

Annotation: This hearing was held before the US Senate Subcommittee on African Affairs of the Committee on Foreign Relations. In recognition of growing Chinese interest in Africa—specifically Sub-Saharan Africa—the subcommittee convened to examine the balance of interests between the United States, China, and Africa. Recognizing the need of stronger economic powers to support the development of China, Senator Feingold calls on the subcommittee to determine how the growing relationship between China and Africa may affect the US economy and foreign policy. Two panels presented before the subcommittee, including representatives from the Office of the Secretary of State and international non-governmental organizations. The testimony of these people will aid the US Congress in deciding on any necessary adjustments to foreign policy with regards to China and Africa.

Subcommittee on Human Rights and the Law, Committee on the Judiciary. 2008. "From Nuremberg to Darfur: Accountability for Crimes Against Humanity." Washington, DC: Government Printing Office.

Annotation: This hearing before the Subcommittee on Human Rights and the Law of the Committee on the Judiciary explores the crimes against humanity that have been committed over the past sixty years and the accountability of nations in those crimes. Senator Durbin points out that while the United States has a history of standing up to injustice, the government itself has no formal law for crimes against humanity, and therefore a perpetrator who escaped to the United States would be free from prosecution for those crimes. Taking statements from senators, law professors, NGOs, and a refugee from Darfur, the subcommittee urges the executive and legislative branches to impose more economic sanctions against Sudan and to create a federal law for crimes against humanity.

Taylor, Ian. 2006. "China's oil diplomacy in Africa." International Affairs 82 (5): 23.

Annotation: Taylor looks at the steps China has taken to establish ties in Africa. Since the end of colonization, many African countries have experienced drastic poverty and instability. Many, however, have natural resources that can be sold to developed countries. By establishing relationships with developed nations, African states can find a way to support a weak economy. China has taken advantage of this and has established economic and political ties to Africa, thus securing natural resources and possible allies for the future.

US House of Representatives. 2008. 110 H.Res. 1370. Washington, DC: Government Printing Office.

Annotation: The US House of Representatives drafted this legislation in an effort to bring attention to the myriad human rights abuses by the Chinese government prior to the 2008 Olympics in Beijing. The House calls on the government of China to continue with the Olympic Games, but also to take steps to correct human rights abuses within the state. The legislation highlights China's support of the Sudanese and Burmese (Myanmar) regimes, the one-child policy, the oppression of the Uighur and Tibetan people, and abused labor regulation within China. As no consequences are attached to the document, it is more of a statement that members of the US Congress recognize the abuses suffered at the hands of the Chinese government and the need to correct them.

US-China Economic and Security Review Commission. 2006. "China's Role in the World: Is China a Responsible Stakeholder?" Washington, DC: Government Printing Office.

Annotation: As China continues to rise as an economic power, foreign policy with China and with international trade partners must be reconsidered. This extensive hearing looks at policy questions from an administrative and legislative standpoint. Not only is China's economic growth considered, but also the rapid increase in energy consumption. As the demand for

fuel in China increases, the Chinese relationship with nations rich in fossil fuels becomes more important. Sometimes these relationships are maintained despite human rights abuses (as is the case with Sudan) and international criticism. China's relationship with multinational companies and diplomacy towards other nations is also examined.

———. 2008. "China's Expanding Global Influence: Foreign Policy Goals, Practices, and Tools." Washington, DC: Government Printing Office.

Annotation: This hearing provides an extensive overview of foreign policy approaches in dealing with China. Pulling resources from multiple academic and policy fields, the commission addresses issues from administrative, security, military, economic, trade, and diplomacy standpoints. Reports are given by members of the federal government (the Deputy Assistant Secretary of State and the Deputy Assistant Secretary of War), academics in the fields of Asian studies and public policy, and organizations such as The Heritage Foundation and the Carnegie Endowment for International Peace. The hearing was held to inform those in the federal government of China's foreign policy changes and how they affect the United States.

United Nations. 1948. "The Universal Declaration of Human Rights." Paris: United Nations.

Annotation: Ratified in 1948 by forty-eight members of the United Nations, the Universal Declaration of Human Rights lays out the inherent rights held by all people. The document outlines thirty specific articles detailing the rights of mankind. Although the document does not legally bind those who ratified it, it sets in place a standard of ideals that every country should strive to attain for the betterment of its citizens. More than sixty years after its adoption, the Declaration continues to be an important guideline for governments and NGOs alike in promoting justice for the citizens of the world.

A Legal System That Compromises Due Process and Promotes Organ Harvesting & Human Rights Abuse Of Prisoners: A Case Study Of China By Shivani Ramdeo

On June 21, 1989, three men were executed in Shanghai two weeks after their arrests. The Xinhua News Agency reported that Bian Hanwu, Xu Guoming and Yan Xuerong were arrested, charged and convicted for sabotaging transportation. Upon rejection of their appeals by the Shanghai People's High Court, they were executed. Again, Xinhua reported on January 26, 2003, the execution of Lobsang Dondruh, (who was found guilty of inciting a split in the country and illegally possessing firearms and ammunition), hours after his death sentence was approved by the Sichuan Province Higher People's Court, despite an assurance to a US delegation that a thorough review of his sentence would have been undertaken.

In the Peoples' Republic of China (PRC), the Death Penalty is utilized for many criminal offences apart from homicide and treason. As is indicated above, the speed at which executions occur raises concerns regarding violations of prisoners' rights. The situation shows that the nature of the Chinese legal system serves to subvert justice by having prisoners executed by a compromise of due process. A legal system such as this, would serve to promote organ harvesting. There is no prima facie evidence suggesting that China is deliberately seeking to participate in organ harvesting and organ trafficking; however, due to the inherent nature of Chinese Criminal Procedure Law and the high demand and profit in organ harvesting and trafficking globally, it can be inferred that such a trade can infiltrate and grow within China. This essay examines the fairness of China's Criminal Justice System to show how an absence of due process and improper criminal procedures can accentuate the abuse of prisoners' rights with specific reference to organ harvesting.

Liu Renwen, Professor of the National Institute of Law at the Chinese Academy of Social Sciences, once disclosed in an interview that academic estimates put China's executions at around 8000 per year. China's current legal system, coupled with the high levels of executions, indicates an environment that is more susceptible to the harvesting and trafficking of organs. The long periods of detention, lack of instruments facilitating due process, and the speed of the trial and appeal process allows for the violation of prisoners' human rights and by extension gives the State the autonomy to participate in the illegal organ trade without any hindrance should the State choose to embark on such a venture.

It is important at this point to establish that the PRC is a signatory to the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights and the UN Convention Against Torture & other Cruel and Inhuman or Degrading Treatment or Punishment. Although legal protections exist within the 1979 Criminal Procedure Law (CPL) and it is in compliance with International Conventions, it is disregarded or ignored due to ambiguity. Furthermore, Timothy Gelatt states that in some instances, abuse results from the law themselves, or manipulation of same. The absence of a fair judicial process that includes long periods of detention and arrests, the use of torture, the absence of a presumption of innocence and the right to counsel are all policies that would promote the harvesting of organs from executed prisoners. This is further intensified by the speed that matters are processed by the courts. These violations are now examined.

In accordance with Article 9 of the International Convention on Civil and Political Rights, a person upon detention or arrest in criminal matters has to be brought promptly before a judge or other officer authorized to exercise judicial power. Practice in China is such that one can be detained (according to the CPL Article 48) for up to 10 days and the issue of notification to relatives can be bypassed if the authorities believe that this would pose an obstacle to the investigation (article 46 CPL). Once the procuracy determines that the offender could be punished he/she may be formally arrested within 10 days. This is a clear violation of due process standards regarding detention, as 10 days according to international standards cannot be classified as 'prompt'. Gelatt states that this is compounded by the absence of a habeas corpus proceeding whereby an individual may challenge the validity of detention before the Courts.

There are other violations that are linked to detention periods, such as the use of torture. Clarke and Feinerman indicate that despite being a signatory to the International Conventions mentioned above—which all explicitly state that no person should be subject to torture—and the endorsement of same standards within the Criminal Law and Criminal Proceedings, there continues to be documented evidence of torture to extract statements and or confessions. The absence of a legal representative present upon arrest facilitates the use of improper techniques during the interrogation period. In addition Belkin, Gelatt and Amnesty International all attest to the fact that statements extracted from the initial interrogation is acceptable in Court as evidence as there is no law that denies the use of torture as being inadmissible.

This situation is further exacerbated by the fact that an offender is only entitled to legal representation after the first interrogation. It is only after the procuracy decides to initiate public prosecution that a defense attorney can be obtained as stipulated in CPL article 103. The time frame for this is limited and in most instances the Counsel only has 7 days to become familiar with the case. Such a practice can cripple any defense especially in instances where there are already confessions of guilt derived from questionable means. Furthermore it is in direct violation of the UN Basic Principle on the Role of Lawyers which states that anyone charged with a criminal offence is entitled to prompt legal representation upon arrest, and not later than forty eight hours from the time of arrest or detention. This UN Basic Principle is not legally binding but it sets standards regarding the right of Counsel and ensures that all individual have access to legal representation so that their rights would not be violated. The CPL however contradicts these Principles as there is no immediate access to a lawyer and the detainee is not informed of any right to legal representation of their choice. The limit placed upon the accused for an appropriate legal council allows for a stronger prosecution and weaker defense, and result in conviction and death.

In addition, Chinese Law does not recognize the notion of the presumption of innocence or guilt. This falls short of Article 14 of the International Covenant on Civil and Political Rights that implies that everyone charged with a criminal offence shall have the right to be presumed innocent until proven guilty according to law. Thus in this situation one charged is already presumed as being guilty and this is a questionable practice because it raises concerns as to whether the trial would bring about a fair or impartial judgement. Such a practice lends itself to grave violations and favors the State, making it more convenient to manipulate the results of cases for a conviction. Furthermore, appeals under the CPL are limited to 10 days for minor offences and 3 days for serious offences that involves public security. More so, the right to review all death penalty cases is held by the Supreme Court in China. The swiftness of this process complimented by the lack of the proper criminal procedure practices allows for particularly high cases of guilty convictions for the death penalty and questions the fairness of the legal system.

Although Chinese Authorities have not openly declared the practice of harvesting and trafficking of human organs, Vice Health Minister, Huang Jiefu, has stated that the majority of transplant organs have been taken from convicted prisoners, but with previous consent. The integrity of this consent however can be reasonably questioned, given the structure of the legal system and the practices discussed above. The circumstances present within the Chinese Criminal Procedure Law are fertile ground for the illegal harvesting of organs. Whether one considers the alleged consent for organ harvesting legitimate or not, human organ harvesting has been admitted by at least one Chinese official. Also given the fact that the practices of organ harvesting and trafficking are quite profitable, that there is a limit to the transparency and accountability of criminal law procedures from outside perusal, and a limit placed upon accused persons within the legal process, the likelihood of a frugal organ trade facilitated by Chinese authorities may very well exist. Yet, with the lack of prima facie evidence, the Western practice of innocent until proven guilty must be extended to the State of China, and as such, a clear statement cannot be made, unless appropriate, impartial evidence is provided. The 'secrecy' within which the Chinese legal system operates adds to conspiracy.

Annotated Bibliography

Abrahamson, Daniel N. 1992. "Capital Punishment in Post Colonial Hong Kong: Issues, Answers & Options." New York University Journal of International Law & Politics 24 (3):1219-1252.

Annotation: The article examines the transition of Hong Kong as a Special Administrative Region under the direct authority of the Peoples' Republic of China and the implications for the legal system in Hong Kong with regard to the Death Penalty. The author identifies a contrast in the legal system that dominated Colonial Hong Kong (British legal system/ common law system) and the People's Republic of China (based on statutory law). While he is by no means supportive of China's stance on Capital Punishment, he makes a genuine attempt to understand the origin of China's Capital Punishment. He identifies that capital Punishment in China has been shaped by "ancient schools of Legalism and Confucianism which rejected the concept of fixed and universal human rights and that the ruler's right to make law is absolute." As a result, no individual rights can limit the power of the state. Capital punishment the author says is based on utilitarian grounds in that execution serves as a tool to deter individuals from committing crime, thus maintaining order, making China safer and preserves the citizen's faith in the power of the State. The author's examination of the issue raises questions as to whether Capital punishment is legitimately immoral or is that the view of the West. The validity of his arguments are compromised by his questionable choice and use of particular sources of data namely Amnesty International's Index on the Death Penalty in China.

Amnesty International Canada. 2004. "The Death Penalty in China: Executed According to Law". Amnesty International, Available online: http://www.amnesty.ca/take_action/actions/chinadeath_penalty.php.

Annotation: In this article, Amnesty International examines the secretive nature of the Death Penalty in China and more importantly violations in the legal proceedings, which lead to innocents being executed. The report documents certain abuses of legal rights that include no immediate access to lawyers and inadequate legal representation, the use of torture to extract confessions for use of evidence in court and minimal or legal training of judges, which in turn make capital punishment more convenient for the Chinese government to enforce. Furthermore it examines the violations of prisoners' rights. While in the Report Amnesty International uses a number of documented cases, there is a lack of quantitative data (statistics regarding number of inmates who have been executed). Its findings are more qualitative in nature. This is as a result of Chinese secret legislation that allows them to keep such information undisclosed. The article concludes with recommendations on international standards and law that the Chinese government should comply with and legal reform of the Chinese Judicial system.

Anderson, Mark F. 2000. "The Prisoner as an Organ Donor." Syracuse Law Review 50:951-956.

Annotation: The author is not in favor of the death penalty and so is against the use of prisoners' organs on moral and ethical grounds. He believes that the implementation of such a program will encourage the use of capital punishment. He argues that it is morally unjustifiable to kill someone to save the life of another.

Angle, Stephen & Svensson, Marina, (ed.) 2001. <u>The Chinese Human Rights Reader: Documents and Commentary, 1900-2001</u>. New York: M.E. Sharpe Inc.

Annotation: This book utilizes a historical approach to examining human rights in China. It traces the human rights discourse from the beginning of the 20th century to present times through a series of essays. These essays highlight various interpretations of rights. In addition close attention is paid to the civil rights of individuals in China. The authors all endorse the call for the reform of the Chinese government and the Criminal Procedure so as to improve the human rights condition. In addition, the authors believe that International Organizations can play a huge part in lobbying for reforms.

Belkin, Ira. 2000. "China's Criminal Justice System: A Work in Progress." Washington Journal of Modern China: 61-87.

Annotation: The author, Ira Belkin is an American Prosecutor who was on an exchange programme in China working with Chinese prosecutors about their Criminal Justice system. She makes a critical appraisal of Chinese Criminal Justice System, acknowledging that China has been making attempts to reform the legal system. The author gives a clear indication of how the current legal system works and details the procedures for criminal prosecution. She also notes that the Chinese legal system is "a civil society system as opposed to a common law system, with only statutory laws, not case laws and judicial decisions do not have any legally binding precedential effect." While the author believes that China is genuinely attempting to reform the legal system, it is indicated that the current system is not one based on fairness or up to international standards. As a result of this it would be uncomplicated for

the Chinese government to abuse the use of organ harvesting in prisoners and other violations against them. The author cleverly admits that through Western eyes, it is easy to see deficiencies and understand the uproar that is being made with regard to the violation of prisoners' rights, the paper is in no way written with a bias but rather she states the facts and tries to give plausible answers for the state of China's legal system.

Branigan, Tania. 2009. "China admits that Executed Prisoners provide most of the Countries Donated Organs." *The New York Daily News*, (August 26).

Annotation: In this article, dated August 26th, 2009, the journalists quotes the Vice health Minister Huang Jiefu as reporting that "Most transplant organs are taken from executed prisoners but with prior consent." Through this article, the issue at hand gains credibility, but with the Minister mentioning that consent to harvest organs is given prior to the sentence being carried out, this leaves a question mark as to whether there is indeed a violation or ethical concern. Moreover the article states that the Red Cross is trying to effect change by encouraging donations or organs from the public. This is perhaps an excellent example of how solutions can be found at the level of civil society by networking. Thus developing a holistic approach, that is at the national and international level is what is needed to effect change and ensure that human rights are not violated.

British Medical Association. 1992. Medicine Betrayed: The Participation of Doctors in Human Rights Abuses. London: Zed Books.

Annotation: The book examines different of human rights abuses that medical practitioners engage in a number of countries. The author uses the ethical standards and International law to show how doctors who engage in various practices are violating human rights and the obligation to guarantee the safety and health of their patients. The chapter on Corporal and Capital punishment suggest that the use of prisoners' organs in China is not a theoretical suggestion but a practical reality and that direct medical involvement is a real possibility. Utilizing a study done by a surgeon at Hong Kong University they solidify their claim by identifying that the fact that prospective recipients can be given appointments for their transplant indicated either that they were schedule to receive live donors or from executed prisoners. This book gives credibility to the issue of illegal organ harvesting in China.

Cameron J.S, Hoffenberg R. 1999. "The Ethics of Organ Transplantation Reconsidered: Paid Organ Donation and the Use of Executed Prisoners as Donors." *Kidney International* (55):724-732.

Annotation: In Cameron and Hoffenberg's commentary, they examine the arguments for and against the practice of paid organ donation and the use of organs from judicially executed prisoners. In their paper, they solicit that the current ethical debate be reasoned on both issues. The main argument of the paper is that the overall disgust and revulsion of the practices has arisen largely from the abuse of the process, rather than the acts themselves,

coupled with mass opposition to the death penalty. This paper is very academic in nature and does not show any partiality to the concerns raised.

Clarke, D.C. Feinerman, J.V 1995. "Antagonistic Contradictions: Criminal Law & Human Rights in China." *The China Quarterly* 141:135-154.

Annotation: This article gives an overview of issues of criminal law and human rights as they affect Chinese society. It first gives a concise description of the Chinese legal system, describing in detail its Criminal Law and Criminal Procedures. In examining the Criminal law and Proceedings they show there is serious potential for abuse of civil liberties especially with regard to the current criminal procedures. They then look at China within the International Human Rights Framework. The author indicates that while China has documented in their Constitution provisions that allow for freedom of speech, religion, elimination of racism, freedom of assembly and association that are also found in the Universal Declaration on Human Rights, there are many breaches. The articles states the view that the proper development of a human rights consciousness in China is difficult to achieve due to the contradictions within their legal system and more so due to the law and its institutions being tied to party and politics.

Coplan, Arthur. 2004. Ethics for Organ Transplantation. http://www.ahc.umn.edu/img/assets/26104/Organ Transplantation.pdf.

Annotation: Essentially this is a bioethical article that examines medical, ethical and legal concerns surrounding the transplantation of organs. However provides good detailed information on the use of cadaveric (dead body) organ donation and identifies the uses of organs from prisoners who are put to death as a strategy under consideration to increase the number of available cadaveric organs. He examines the arguments both for and against the use of executed prisoners' organs. Arguments in favor include the following; that it is the execution that is morally unsound and not the organ removal; in light of organ shortage, not to use the organs for transplant would be wasteful, that it is allowable once there is legal consent and not the means by which the prisoner is killed, that it is justifiable if a presumed consent donation practice is enforced. On the negative side, some of the concerns are centered on the notion that it is a morally, objectionable practice. The article takes a very academic stance and credibly backs up any arguments or concerns raised.

The Eighth National People's Congress of China. 1977. "Criminal Law of the People's Republic of China." Available online: http://www.cecc.gov/pages/newlaws/criminal/LawENG.php.

Annotation: This article was translated by the US Congress Department and of particular interest was Section 5 on the death penalty, Article 48-51. Overall the source gives a clear and simple overview of the law to such an extent that those unfamiliar with legal jargon can comprehend it without much difficulty. However, though the simplicity of the writing may have achieved its goal at reaching the uninformed and legally unattached reader, this technique has oversimplified and has diluted proper comprehension of the law. An example

of the peril of oversimplification is Article 48, which is not appropriately explained. It uses the expression "extremely serious crimes" which is not sufficient for the proper appreciation of the law. It should have specified the crimes deserving of the death penalty, which was very much applicable for the knowledge of the reader. Nonetheless, the document gives a summary of the bodies responsible for deciding cases for the death penalty and mitigating factors associated with such a crime in China. It speaks on suspended sentences and situations that may mitigate or aggravate said sentences.

Gelatt, Timothy. 1993. Criminal Justice with Chinese Characteristics: China's Criminal Process and Violations of Human Rights. New York: Lawyers Committee for Human Rights.

Annotation: The author examines the repressive nature of criminal law in China and raises concerns that such a legal structure violates fundamental human rights. He identifies key institutions within the Chinese legal system and shows that by nature they are repressive. Gelatt also addresses human rights issues and makes recommendations for reform.

Hedges, Stephen & Gaines, William. 2000. "Donor Bodies Milled into Growing Profits." *Chicago Tribune*, (May 21).

Annotation: In this newspaper article, from the Chicago Tribune, the journalists identify that the tissue transplant industry is a predatory and unregulated one with few checks and balances. Furthermore there are huge profits to be made. Organ and tissue transplants is identified as a lucrative business not because of the benefits to genuinely sick victims but rather for more superficial uses such as knee replacements, cosmetic surgery and the testing and manufacturing of new drugs. While the article is drawing strongly on the situation in America, it makes the reader aware of how alarming any situation involving organ and tissue transplant can become if not properly monitored. This is very pertinent to examining the organ harvesting trade in China because it not only raises questions about the unethical practices but it also gives credibility to the point that given the profit to be made there is reasonable evidence to suggest the growing trend in China's organ trade and by extension an increase in executions.

Hinkle, W. 2002. "Giving Until It Hurts: Prisoners Are Not the Answer to the National Organ Shortage." *Indiana Law Review* 53 (35):593-619.

Annotation: While Hinkle recognizes that there is a shortage of transplantable organs, he does not believe that the answer to the problem is the utilization of prisoners' organs whether they are living or dead. He believes that such a consideration is "irrational". In this article he examines procurement practices for organs in China, legislation regarding organ harvesting from executed prisoners in the United States, the arguments of medical physicians such as the practice has a high risk of transmittable diseases and the overall negative effect it would have on the public's view of organ harvesting. He believes that other solutions should

be utilized to solve the problem of organ shortage. His arguments indicate that the sale of organs exploits and support execution of prisoners.

International Committee for the Red Cross. 1997. "The Bellagio Task Force Report on Transplantation, Bodily Integrity & the International Traffic in Organs."

http://www.icrc.org/Web/eng/siteeng0.nsf/iwpList302/87DC95FCA3C3D63EC1256B66

005B3F6C.

Annotation: The Bellagio Task Force report addresses two main issues namely the commercialization of organs from paid donors and the use of organs taken from either executed or voluntary living prisoners. The Report states that commercialization of organ trade puts deprived people further at risks. Executed prisoners form part of the group that becomes vulnerable members of society with the commercialization of organ transplants especially in a country like China. In addition it states that transparency and fairness cannot be assured. The report highlights that while International Humanitarian Law agrees that the issue is unethical, these instruments do not properly address the concerns in a significant manner. They fail to provide a rationale for their position; there are no supporting arguments, they contain no provisions for enforcement or how policies should be implemented or penalties imposed for violations. The article therefore identifies clearly the lack of proper international legal instruments to deal with the dilemma of illegal organ harvesting. In scrutinizing the issue in China, the report brings to light the arguments put forward in favor of the harvesting of organs from prisoners, namely, that death will occur anyway, if not utilized, the organs will be wasted, the state has the legal right to not only execute the prisoner but also remove organs for a socially constructive purpose and that it gives the criminals a chance to redeem themselves. But the report implicitly states that the objects outweigh the benefits and this is promulgated by the fact that in China the process is hidden and therefore subject to gross abuse.

Kuhn, Jeffrey. 2003. "Three Views of Organ Procurement Policy: Moving Ahead or Giving up?" Kennedy Institute of Ethics Journal 13 (1):45-50.

Annotation: Jeffery Kuhn, demonstrates in his articles that there is an inadequate supply of organs for transplant and as a result there is a long waiting lists of patients. It is his opinion that schemes can be introduced to allow for the sale of organs, by advocating a market approach and change in social culture. But like most individuals writing from the bioethical perspective, the fact remains that any policy implemented may encourage the exploitation of those donors both living and dead.

Matas, David & Kilgour, David. 2006. "Report into Allegations of Organ Harvesting of Falun Gong Practitioners in China" Ottawa: Falun Dafa Information Centre. Available online: http://www.david-kilgour.com/2006/Kilgour-Matas-organ-harvesting-rpt-July6-eng.pdf.

Annotation: While the title of this document speaks for itself, the authors also identify that many prisoners who are practitioners of Falun Gong are victims of organ harvesting. They

highlight the difficulty in gathering solid evidence and they identify that this is due to China's no access to information legislation and prohibition of meeting prisoners.

Miller, R.B. 1999. "Ethics of Paid Organ Donation and the Use of Executed Prisoners as Donors: A Dialectic with Professors Cameron and Hoffenberg." *Kidney International* (55):733-737.

Annotation: Miller's article gives a commentary on Cameron and Hoffenberg's article.. He takes a slightly different slant and believes that only under certain conditions should the practice be allowed. Miller states that it could be argued to be ethically permissible for death row prisoners to donate an organ upon execution to a relative or friend, but not to a stranger or unrelated individual. He states his position as, "I would allow the transplantation of deceased prisoners' organs if, and only if, the society had a universal presumed-consent policy for all members of the society."

National Attorneys' Committee for Transplant Awareness Inc. 2001. "Organ and Tissue Donation and Transplantation: A Legal Perspective." Available online: http://www.transweb.org/reference/articles/donation/nacta.html.

Annotation: The author identifies that China has vehemently denied the existence of the 1984 Rule because acknowledgement of this would be an admission of financial gains from prisoner's organs. While the author recognizes that the World Health Organization regards the trade in body parts as a violation, "The human body and its parts cannot be the subject of Commercial transactions" and that various Medical Associations supports this view, the writer contends that lack of international conventions has a huge impact on the unregulated trade in China. The author presses for transparency and fairness and reiterates that this can only be achieved with the introduction of proper international human rights law. While the article raises some deep questions in dealing with the situation, it doesn't directly target the legal implications of the situation.

Palmer, L.J. 1998. "Capital Punishment A Utilitarian Proposal for Recycling Transplantable Organs As Part of a Capital Felon's Death Sentence." *University of West Los Angeles Law Review* 29 (1).

Annotation: Palmer argues in favor for the consideration of harvesting organs from executed prisoners. By examining the history of rights or corpses and the current practice in China, he makes a case for organ harvesting. He is of the firm opinion that not utilizing the organs from prisoners is seen as wasting and he believes that more individuals would benefit in the long run from utilizing prisoners' organs. For example he notes, "One executed prisoner can save at least 8 lives and help as many as 75 others." He recommends that organ transplantation should be used as part of a convicted offender's sentence. He justifies his proposal with three fundamental principles of punishment currently in place: deterrence, retribution and restitution.

Patton, L.M. 1996. "A Call for Common Sense: Organ Donation & the Executed Prisoner." Virginia Journal of Social Policy and Laws 3:432-443.

Annotation: The main thesis of her discussion centers on the viability and potential that the death penalty carries in conjunction with an organ procurement plan. She adopts a historical approach with regard to the practice in the United States. Then she makes a comparison with current methods of execution. The author believes that prisoners' organs can be harvested but she affirms that the method of execution must be changed to be compatible with organ procurement. She concludes by examining the ethical and practical issues doctors would face in being involved in such procedures. While the article gives credible and justifiable reasons to implement such a policy, it does not look at the negative implications in detail. Moreover she provides policy considerations and recommendations and this serves to oversimplify the process.

Potter, Pitman. 2001. The Chinese Legal System: Globalization and Local Legal Culture. New York: Routledge.

Annotation: The book examines the major features of the Chinese Legal System and identifies changes and reforms that it has undergone since 1978. Potter indicates that China's policies and practices are not keeping its claim to respect human rights and many of its judicial practices fall short of international standards. The author is impartial in his writing as he acknowledges that China has come a long way in legal reform and is continuing to do so.

Scheper-Hughes, Nancy & Wacquant, Loic, (ed). 2004. <u>Commodifying Bodies</u>. London: Sage Publications.

Annotation: The contributors to this book deals with various aspects of organ harvesting such as cells, sperm banks and kidneys and a central theme is the notion of the human body as profitable merchandise. However, the piece in this book that was most important to this paper was "Bodies for Sale -Whole or in Parts" by Nancy Scheper-Hughes. She argues that medical practitioners and recent advancement in medical sciences has aided in commodifying organ harvesting and thus is has become a lucrative business for anyone who has the resources to indulge. She identifies the development or transplant tourism as a result of international trafficking in organs. The general theme of the book is centered on the moral and ethical concerns of organ harvesting.

Svensson, Marina. 2002. <u>Debating Human Rights in China: Conceptual and Political History.</u>
Maryland: Rowman & Littlefield Publishers Inc.

Annotation: The author argues that if one is to trace the history of China, the concept of Human Rights has always been prevalent in the political discourse. She examines the relationships that exist between current domestic laws in China and international human

rights instruments. This book gives a comprehensive idea of human rights in China as it gives both the Western perspective and Chinese view.

The United Nations General Assembly. 1990. A/Res/45/III: "The Basic Principles for the Treatment of Prisoners." United Nations.

Annotation: In seeking to document some of the basic principles to be subscribed to for the treatment of prisoners, this Resolution – building upon previous resolutions and submissions from various International civil bodies outlines inter alia, that a prisoner should not be discriminated against, and should be allowed certain rights to allow for successful restorative and re-integrative purposes. Sections 1 and 5 of this document speak with greater pertinence to this essay as it emphasizes the fundamental principles of treatment as outlined by the Universal Declaration of Human Rights.

The United States House of Representatives. 2001. "Organs for Sale: China's Growing Trade and Ultimate Violation of Prisoners rights: Hearing before the Sub-committee on International Operations and Human Rights." United States House of Congress.

Annotation: The document speaks on allegations of organ trade particularly in China before the first Session of the 107th Congress. Though there is mention of cases to highlight an alleged growing trend of executing prisoners in Chinese prisons and harvesting their body organs for profit, there is no sufficient evidence to meet the claims on this issue. The document identifies witnesses who in some way gained knowledge of alleged human rights infringements relative to organ harvesting. However, the report provides no evidence to adequately convince the reasonable reader of the scale of organ harvesting practice in China's prisons. While the document gives an initial outline of the alleged practice, it cannot on its own be used as a proper source for substantiating the question of the practice.

Wan, Ming. 2001. Human Rights in Chinese Foreign Relations: Defining and Defending National Interests. Philadelphia: University of Pennsylvania Press.

Annotation: The author examines the discourse between the West and China regarding the issue of human rights. The book evaluates China's human rights relations with the United States, Western Europe, Japan and the United Nations' human rights system. The author indicates that whenever there is external pressure due to domestic human rights abuses, China is able to deflect from the situation by making compromises and offering economic enticements to some of the states that are exercising international pressure on them. In sum, China is able to use economic power to digress from human rights concerns in the international arena and so continue with its violating practices.

Uighurs in Xinjiang: A General Assessment of the Roots of Unrest By Vladislav Shchukin

Introduction

Chinese governmental repression in Xinjiang against the Uighur *minzu*, or ethnic group, constitutes a significant infringement on human rights. The atmosphere of repression in Xinjiang is perhaps unmatched even by that of Tibet, and it is virtually the only region in China where execution of political prisoners is still common. Uighurs are subject to severe censorship, arbitrary arrest and the denial of due process, torture and inhumane treatment, and punishment disproportionate to their crimes. The Chinese government justifies its actions as measures taken to maintain stability in the face of terrorist activity. Though the capability of Uighur terrorist groups is uncertain, it is clear that China has extended its "anti-terrorist" measures to combat any form of dissent by Uighurs and has instituted what amounts to the criminalization of the Uighur culture. State repression in Xinjiang stems from the ethnic tensions in the region, which play on China's fear of losing control of that crucial territory. Resolving these tensions and ameliorating China's fears will improve the human rights situation and lessen Chinese repression.

Human Rights Abuses in Xinjiang

Since the incident in Baren in 1990, the Uighurs in Xinjiang have been exposed to repressive policies. Protesters are treated severely. After the incident of July 5th, scores of persons, mainly Uighur, have been imprisoned; China has already executed twelve of these prisoners, eleven of them Uighur. Many protesters get long prison terms and others are summarily killed in group executions. In addition to legal executions, rioters are frequently killed by the police in *extra-judicial executions*—on the scene of the crime when it is unclear that they pose a danger. The Chinese government has admitted to twelve such fatalities in the July 5th riot.

Repression, however, is not limited to post-riot measures. The majority of the judicial punishments handed out in Xinjiang are to Uighurs for crimes related to "splittism." Through the manipulation of the "War on Terror," China has equated any form of criticism or dissent with terrorism, separatism, and extremism. In these terms, advocating independence and calling Xinjiang Eastern Turkistan are both considered forms of terrorism. Many Uighurs have been arrested for practicing Islam "illegally," and scores have been arrested for publishing, writing, or expressing thoughts publicly and privately that are against the Chinese party line.

The Chinese government justifies its policies in the region as anti-terrorist. According to the Chinese Communist Party (CCP), violent outbreaks like the July 5th riots are attributed to a small number of instigators who want to disturb unity among ethnic groups and undermine China's territorial integrity. It must be admitted that there are Uighur terrorist groups and that some have connections to al-Qaeda. However, these groups are small in number, resources, and capacity. They do not constitute a common front and are not able to bring about Uighur independence. The connection these groups have to Muslim extremism and groups such as al-Qaeda are tenuous and indirect. Most importantly, it seems that violent activity by these organizations has actually diminished since the 1990s.

A serious reaction to events such as the July 5th riot is understandable. Yet the Chinese response is cruel, oppressive, illegal, and does not resolve the root of the problem. The violence in Xinjiang is not, as the Chinese government claims, brought about by a handful of extremists, but stems from a general sentiment of the Uighur population. The July 5th riots came about from a peaceful demonstration to protest a brawl that took place in a toy factory, in which Han residents killed several Uighurs and injured others.

History of Uighurs in Xinjiang and Uighur Identity

The unrest in Xinjiang is undoubtedly ethnic in nature. The PRC official line is that Xinjiang has been a part of China for two millennia and that the Uighurs are not autochthonous. The Chinese claim, however, that anyone possessed the territory as a coherent unit before the eighteenth century is contentious. Xinjiang contains the vast majority of the Uighur population, and no comparable Uighur concentration exists outside of the region. Thus, Uighurs consider Xinjiang their native homeland. Though the Chinese downplay this fact, Uighurs had two independent republics within living memory of the older generations, the second of which was still very much in existence when the communists annexed the territory.

In large part, this unrest is due to careless policies of the PRC. First, Uighur identity was solidified by the state. The term "Uighur" was not common until the twentieth century, and by recognizing this group the Chinese government gave it legitimacy and made it into an umbrella identity for non-recognized groups in Xinjiang. Furthermore, the strife with this group was created by policies that disregarded its members. Initially, Mao recognized *minzu* identities and promised them significant benefits, but upon securing political power in the region, he broke these promises. This reneging of promised autonomy, along with the unfulfilled political and civil rights promised to *minzu* in the Chinese constitution and wide inequalities between Uighurs and Han in Xinjiang are what make Uighurs feel exploited and angry.

Current Factors Motivating Violence

Minzu are granted significant political and cultural freedoms in the Chinese constitution, and since 1955 Xinjiang has been established as a Uighur Autonomous Region (XUAR).. The Chinese official stance is that the *minzu* in XUAR are content and united, and the Chinese party line has been that development will mollify the region. However, the violence on July 5th calls into question the success of Chinese policies there.

Though Xinjiang has had a rapid pace of growth since the 1990s—its economy is number one among non-coastal provinces in China—the majority of Uighurs have been excluded from development. The creation of new jobs has been centered in cities, while the majority of Uighurs live in rural areas. Much of the economic improvement has been in the government center from which Uighurs are largely excluded. The new private businesses owned by Han people tend not to hire Uighurs, whom the owners see in a negative light. The educational system, though undergoing improvement, gives Uighurs significantly less education than their Han counterparts. Further, since Mandarin is the language of upward mobility and Mandarin language schools are better equipped, the improvement of the educational system has been detrimental to Uighur culture.

Despite overall institutional progress, the health of Uighurs is especially dismal in Xinjiang. Endemic alcoholism, drug abuse, and HIV/AIDS (caused by sharing needles) associated with poor

living conditions in the region have caused the Uighur life expectancy to plummet. Moreover, most clinics are run in Mandarin and located in areas of Han concentration, thus making them inaccessible to Uighurs.

Development has removed many Uighurs from traditional ways of money making. Economic improvement has caused a deluge of Han immigration. This not only has made Uighurs a minority in their homeland, but it is also possibly causing irreversible environmental damage.

Most problematically, Uighurs do not actually have autonomy. Though the PRC has made efforts to hire Uighur cadres, they are underrepresented in the regional government in comparison to their population, and those hired do not have equal standing to their Han counterparts. The regional government is headed by a Uighur, but Chinese divide-and-rule tactics curtail that government's power, thus subordinating it to the Han party structure. Because of its jockeying with the Han party structure, the Uighur government has little legitimacy in the eyes of the people. It is powerless to enforce the policies nominally granted to the Uighur *minzu*. Most importantly, this imbalance of power makes the Uighurs feel unable to control their future and impotent in the face of their problems. This structure makes them feel like abandoned denizens of a colonizing power that aims at the exploitation (rather than the improvement) of their homeland and its inhabitants.

Resolutions and Their Feasibility

The Chinese government has justified its policies in Xinjiang by claiming that it is battling separatism, terrorism, and extremism there. This is true if one defines these terms (as the PRC does) as any action on the part of Uighurs *perceived* as dissent. However, this claim could be clearly contested when considering that Uighur demands come from a very specific political and economic context of detrimental policies towards them. The Chinese government is not suppressing a small number of extremists, but rather a major portion of the Uighur population. These policies may work indefinitely in suppressing unrest, but they do not address its underlying causes. Until the Chinese government effectively addresses the reasons behind the Uighurs' protests, offers some type of meaningful autonomy to the region, or at least begins to treat Uighurs with human dignity, the problem will not be resolved.

Annotations

Amnesty International. 1999. "People's Republic of China: Gross Violations of Human Rights in Xinjiang Uighur Autonomous Region." London. Available online: http://www.amnesty.org/en/library/info/ASA17/018/1999

Annotation: This rather lengthy report by Amnesty International insightfully details the human rights abuses in Xinjiang. In particular, its focus is on many of the abuses Uighurs suffer due to the Chinese government's aim to create stability and crack down on separatism. Among these abuses are arbitrary arrest, inordinate punishments, torture, mass executions, and the so-called "extra-judicial" executions—arbitrary murder by state forces. The report goes into great detail, particularly describing the abuses following the Gulja and the Khotan incidents, in addition to having numerous firsthand accounts of the mistreatment.

Bachman, David. 2004. "Making Xinjiang Safe for the Han? Contradictions and Ironies of Chinese Governance in China's Northwest," in M. Rossabi (ed.), <u>Governing China's Multiethnic Frontiers</u>. Seattle: University of Washington Press.

Annotation: Bachman's chapter is an intriguing new look into the policy in Xinjiang as a manifestation of China's internal or economic imperialism. This point is argued through a comparison between the economic structure of the coastal areas and that of Xinjiang. Compared to the coastal areas, the economy in Xinjiang is largely state-owned, despite years of economic reform; the Xinjiang Production and Construction Corps can be seen very clearly as a colonial apparatus used to resettle Han and to initiate production in the less inhabited areas of Xinjiang. The nature of development has done little to improve manufacturing in the province, and instead has been focused on exportation and exploitation of its resources. Despite the fact that the overall GDP of the province has improved, the major beneficiaries have been Han Chinese immigrants.

Becquelin, Nicolas. 2004. "Criminalizing Ethnicity: Political Repression in Xinjiang." *China rights forum.* Available online:

www.hrichina.org/public/PDFs/CRF.1.2004/b1_Criminalizing1.2004.pdf.

Annotation: In this brief and insightful article, the author demonstrates how the Chinese government has used the guise of the "War on Terror" to overhaul its strategy of suppression of Uighurs in Xinjiang. In three public relations "offensives," the Chinese government has attempted to gain the acceptance and sympathy of the world community by equating Uighur "splittism" with terrorism. This has had a degree of success with the United States, which added the East Turkestan Islamic Movement (likely chosen solely for its name's symbolic value) as a terrorist organization, as well as with China's Central Asian neighbors, including Russia, which joined the Shanghai Cooperation Organization. However, as it has gathered world approval for battling terrorism, China has not only equated terrorism with any type of dissent, but has used this strength to approve laws to criminalize Uighur culture.

Benson, Linda. 2004. "Education and Social Mobility among Minority Populations in Xinjiang," in S. F. Starr (ed.), Xinjiang: China's Muslim Borderland. London, England: M. E. Sharpe.

Annotation: This chapter describes the historical developments of the educational system in Xinjiang from the late nineteenth century to the present. Although it demonstrates the CCP's tangible accomplishments in education, Benson's chapter reveals serious problems in the area when it comes to minorities. In addition to the fact that minorities get less education on average than do the Han, the quality of the education itself is problematic. First, Uighur parents face a serious choice between sending their children to *minzu* or to Chinese language schools. Further, school completion is contingent upon familiarity with the curriculum dictated by the state. The government has offered affirmative action programs to aid minority education and the acceptance of minorities into government positions; however,

the minority cadres in the government apparatus are not seen as equals of the Han. The chapter concludes by adding that in addition to the problems in education, the lack of priority of social problems in the government's development plan is a source of tension in Xinjiang.

Bovingdon, Gardner. 2002. "The Not-So-Silent Majority: Uyghur Resistance to Han Rule in Xinjiang." *Modern China* 28 (1): 39-78. Available online: http://mcx.sagepub.com/cgi/content/refs/28/1/39

Annotation: In this article, Gardner Bovingdon, a widely cited Xinjiang scholar, uses his indepth personal experience in the region to outline the non-traditional forms of political resistance to Han rule on the part of the Uighurs in Xinjiang. Since open political disagreement is severely punished by the Communist state, Uighur discontent has taken place deep within Uighur culture: in songs, literature, jokes, and idioms.

———. 2004. "Contested Histories," in S. F. Starr (ed.), <u>Xinjiang: China's Muslim Borderland</u>. London, England: M. E. Sharpe.

Annotation: This book section explores the various perspectives on the Xinjiang conflict by examining the incompatible histories that Beijing officials and Uighur scholars have authored. Both versions are full of extravagant claims. Though incompatible, both histories make largely the same claims for the same reasons: that each respective ethnic group has been in Xinjiang since time immortal (and that those from the other side are newer arrivals) and that these historical roots legitimize their current presence.

——. 2004. "Heteronomy and Its Discontents: "Minzu Regional Autonomy in Xinjiang," in M. Rossabi (ed.), <u>Governing China's Multiethnic Frontiers</u>. Seattle: University of Washington Press.

Annotation: In this book section, Bovingdon discusses Chinese actions in Xinjiang in terms of two goals: maintaining the province as an integral part of China and mitigating ethnic hostilities. After discussing how China has achieved its first goal through military and population policies, Bovingdon begins a multifaceted approach to evaluate its success on the second goal. He concludes that ethnic unity, especially with the Uighurs, has not been accomplished; rather, it has been often rejected through central and local policies. Most importantly, the chapter finds that instead of fostering autonomy in Xinjiang, the Chinese government has imposed a heteronomy through its policies and alienated the Uighurs. Despite the fact that some preferential policies make the treatment of Uighurs in Xinjiang better compared to their treatment in the rest of China, Bovingdon stresses that their treatment is not what was promised by the creation of the Xinjiang Uyghur Autonomous Region.

Congressional-Executive Commission on China. 2005. "China's Regional Ethnic Autonomy Law: Does it Protect Human Rights." Washington, DC. Available online: http://www.cecc.gov/pages/roundtables/041105/index.php

Annotation: This is a roundtable between three scholars of Chinese Regional Autonomy Law. The speakers discuss the implementation of three autonomous regions: Xinjiang, Tibet, and Inner Mongolia. Gardner Bovington, the speaker on Xinjiang, concludes that the so-called autonomy law in the region ironically precludes Xinjiang from being autonomous. This is the result of implementation procedures and not of the law itself, which gives significant nominal freedoms to the three ethnic groups.

———. 2005. "China's Changing Strategic Concerns: The Impact on Human Rights in Xinjiang." Washington, DC. Available online: http://www.cecc.gov/pages/roundtables/111605/index.php.

Annotation: This document includes the minutes of a roundtable, including speeches, the question and answer segment, and the prepared statements of three scholars, including Fredrick Starr and James Millward, on the subject of human rights in Xinjiang. The statement of James Millward outlines the historical reasoning and the (perhaps irrational) mindset of the Chinese government, which is shared by many of the Han, and which it uses to justify its actions in Xinjiang. Fredrick Starr outlines a list of ten points guaranteed by the Chinese constitution that are not implemented in Xinjiang. Daniel Southerland outlines the repression directly aimed at curbing separatism; however, his conclusion is that the goal of the Uighurs is not independence and that much of the unrest would cease if the promises of the Chinese constitution were implemented.

Conner, Walker. 1994. "Ethnonationalism," in W. Conner (ed.), Ethnonationalism: The quest for understanding. Princeton: Princeton University Press.

Annotation: This article seeks to properly define the phenomenon of ethnonationalism. It takes an in-depth look at the non-rational essence of ethnonational underpinnings, the differences between ethnic and interest groups, and the emotional depth of ethnic attachment. The article also describes the manifestation of ethnonationalism within a state's minority population and scrutinizes the options of independence and autonomy.

Dautcher, Jay. 2004. "Public Health and Social Pathologies in Xinjiang," in S. F. Starr(ed.), Xinjiang: China's Muslim Borderland. London, England: M. E. Sharpe.

Annotation: This chapter reveals that although the Chinese healthcare system has grown in tandem with the development of Xinjiang, it has failed to meet expectations in that region. Though general health in Xinjiang is on the level of the national average, there are meaningful distinctions between ethnic groups. The Uighurs are discriminated against by the health system because facilities operate in Mandarin and are not found in areas with Uighur

concentrations. Alcohol consumption, heroin abuse, and the concomitant HIV/AIDS epidemic are severe problems in Xinjiang.

Davis, Elizabeth Van Wie. 2008. "Uyghur Muslim Ethnic Separatism in Xinjiang, China." *Asia Affairs: An American Review* 35 (1): 15-30.

Annotation: This article outlines the form of Uighur resistance in Xinjiang. The PRC government policy is that separatism in Xinjiang is confined to a small group of foreign and domestic perpetrators and is thus inseparable from extremism and terrorism. To cut down the support for such groups, the PRC government has moved to develop the infrastructure and increase the standard of living in the region. The effect of this policy is questionable, since greater connection between Xinjiang and Central Asia may facilitate greater connections to terrorist groups. Further, the economic development has been responsible for a deluge of Han Chinese in Xinjiang and the sharpening of economic distinction between Han and other groups.

Dillon, Michael. 2006. "Uyghur separatism and nationalism in Xinjiang," in B. Cole (ed.), <u>Conflict, Terrorism and the Media in Asia</u>. London: Routledge.

Annotation: Though the presence of typographic errors undermine its academic credibility, this piece offers a unique (though brief) discussion of the role of the media in the Xinjiang conflict, as well as a useful general summary of the development of the conflict. Starting with the formation of the autonomous region, it relates in some detail the major developments in the Uighur question. These include outbreaks of violence (starting with the 1954 Khotan riots), China state policies, and major figures in the conflict.

Gladney, Dru C. 2004. "Responses to Chinese Rule: Patterns of Cooperation and Opposition," in S. F. Starr (ed.), Xinjiang: China's Muslim Borderland. London, England: M. E. Sharpe.

Annotation: This chapter outlines the reactions of the Uighurs to Chinese rule. Gladney divides the responses into three categories: loyalty, voice, and exit. The first reaction was more common in the period right after the Maoist era, during the Deng reforms. In the late 1980s and early 1990s, Uighurs began to voice their concerns more, and major outbreaks of violence ensued. In the current period, violent resistance to CCP has decreased. Yet the number of groups concerned with the treatment of Uighurs, both abroad and within the region, shows that China will not be able to easily rid itself of the Uighur question. Gladney warns that without a significant change in policy, it is likely that ethnic issues will escalate and latent tensions will become manifest.

———. 2004. "The Chinese Program of Development and Control, 1978-2001," in S. F. Starr (ed.), <u>Xinjiang: China's Muslim Borderland</u>. London, England: M. E. Sharpe. Annotation: This chapter describes the PRC's policy in Xinjiang. Although it is somewhat of a misnomer, since it deals with a period that starts in the 1940s, the chapter is nevertheless a worthwhile overview. It describes how the CCP's initial policy was to pay heed to ethnic groups in order to gain their support in the revolutionary period. Once the CCP established its power, it moved to begin integrating and assimilating minorities. Yet, since the 1980s, the regime had become increasingly open to the world community, and this has put major restrictions on its ability to assimilate its minorities. Additionally, the article remarks that although the recognition of minority groups may have been utilized only as a temporary strategy by the CCP, it has had permanent consequences in solidifying and emboldening groups such as the Uighurs.

Kuhn, Anthony. 2009. "Racial Tensions High After Riots In Western China." *National Public Radio*. Available online:

http://www.npr.org/templates/story/story.php?storyId=106358235.

Annotation: This article outlines the ethnic unrest in Urumchi following the July 5th riots. Ethnic Han Chinese took to the streets organized in bands and wreaked havoc on Uighurs and their property. In some places, the riot police had to separate the Han and Uighur protestors to prevent them from clashing. The Uighurs were out protesting the government action in response to previous unrest, including the jailing of over one thousand Uighurs.

Lee, Joy R.. 2006. "The Islamic Republic of Eastern Turkestan and the Formation of Modern Uyghur Identity in Xinjiang." MA Thesis: Kansas State University. Available online: http://handle.dtic.mil/100.2/ADA455923.

Annotation: The piece is a thesis by a Master's student from Kansas State University. Although at times Lee lacks the academic clarity of more experienced writers, the thesis offers a valuable historical approach to the formation of the Uighur identity. The piece is divided into three chapters dealing with the formation of the Uighur identity from the late nineteenth century to the early twentieth. Lee describes the role of pan-Islamism, pan-Turkism, Turanianism, and Jadidism in the formation of the Uighur identity in the rebellions against Chinese rule.

Millward, James A., and Nabijan Tursun. 2004. "Political History and Strategies of Control, 1884-1978," in S. F. Starr (ed.), <u>Xinjiang: China's Muslim Borderland</u>. London, England: M. E. Sharpe.

Annotation: This chapter deals with the history of Xinjiang province starting in the late nineteenth century during the reconquering of Xinjiang by the Qing and the annexation of the territory as an official province. This event started a period of more direct rule in the province. The chapter gives a good illustration of China's control over Xinjiang in the period of the Civil War (1911-1949) and the rise and demise of the two Eastern Turkestan republics

during this period. It ends with a description of the CCP's policies in Xinjiang up to the end of the Maoist era.

Millward, James A., and Peter C. Perdue. 2004. "Political and Cultural History of the Xinjiang Region through the Late Nineteenth Century," in S. F. Starr (ed.), Xinjiang: China's Muslim Borderland. London, England: M. E. Sharpe.

Annotation: This chapter looks in-depth at the convoluted history of control in Xinjiang. First, it addresses the historical origins of the Uighur identity in the Uighur and the Karakhanid kingdoms. Second, it debunks the theory that Xinjiang has belonged to China since the Han dynasty by presenting the complex history of rule in its vast terrain. Lastly, it describes the beginning of formal Chinese rule in the territory in the middle of the eighteenth century.

Rahman, Anwar. 2005. Sinicization Beyond The Great Wall: China's Xinjiang Uighur Autonomous Region. Leicester, UK: Troubador Publishing.

Annotation: This work offers a unique inside perspective on the Uighur situation in Xinjiang. The author is a Uighur born in Xinjiang who lived there for thirty-four years before seeking political asylum in Switzerland. Though the book has an obvious bias and at times fails to meet a high academic standard of writing, it is a worthwhile source of information. Rahman draws on Chinese state documents and his own personal experience as a Uighur in China as well as an employee of Chinese civil service in Xinjiang. The work attempts to give a comprehensive review of the relevant issues on Xinjiang, yet its most illuminating contribution is the anecdotal description of what it means to be a Uighur in Xinjiang.

Roberts, Sean R. 2004. "A 'Land of Borderlands': Implications of Xinjiang's Trans-border Interactions," in S. F. Starr (ed.), Xinjiang: China's Muslim Borderland. London, England: M. E. Sharpe.

Annotation: This section describes the consequences of Xinjiang's unique geopolitical situation. Xinjiang is where Central Asia merges into the Middle East. Because of its location, Xinjiang is susceptible to various influences and has had a history of interaction with Russia and Russia's central Asian republics, as well as the Middle East. The dilemma that the chapter deals with is that, on the one hand, such a location is an economic advantage for China. On the other hand, it is a serious liability. China's program to develop the west and Xinjiang's economic viability hinges on trade with near neighbors. However, as China moves to create infrastructure to integrate Xinjiang into the region, it may facilitate the entrance of undesired influences into the province.

Rossabi, Morris (ed.). 2004. <u>Governing China's Multiethnic Frontiers</u>. Seattle: University of Washington Press.

Annotation: This book focuses on the repercussions of the expansionism of the Qing dynasty, which put under Chinese rule many persons who are not ethnically Chinese. Upon gaining power, the Chinese Communist Party accepted the boundaries of the Qing Empire. This work discusses the problems in policies of the Chinese government in Mongolia, Tibet, and Xinjiang. In Tibet, the policies have been mainly military; in Mongolia, control was cemented through Han settlement. Xinjiang experienced a combination of the two. In all these regions, China used its economic capability to expand its influence, domestically by investing in infrastructure and globally by using its economic weight to move neighbors into amiable positions.

Rudelson, Justin, and William Jankowiak. 2004. "Acculturation and Resistance: Xinjiang Identities in Flux," in S. F. Starr (ed.), Xinjiang: China's Muslim Borderland. London, England: M. E. Sharpe.

Annotation: This brief chapter deals with the prospects of Uighur acculturation. As things stand, Uighurs can neither fully acculturate nor become independent. The authors describe differences that prevent Uighur acculturation in spite of the improbability of political independence. In describing the Chinese government policies and Uighur responses, the most valuable insight the chapter offers is the reactionary nature of Uighur identity. As it demonstrates, the role of the Chinese state in aggregating the various component peoples under the Uighur umbrella identity was indispensable.

Starr, S. Frederick (ed.). 2004. Xinjiang: China's Muslim Borderland. London, England: M. E. Sharpe.

Annotation: This book provides a detailed analysis of the various facets of the problems in Xinjiang, including historical developments, education, economy, government policy, and cultural issues. It is a compilation of articles from many of the best scholars on the region and represents a tremendous amount of work as a comprehensive whole. It is an invaluable source to those searching for breadth on the Xinjiang situation. The majority of the chapters are annotated in detail in this bibliography.

Toops, Stanley W. 2004. "The Demography of Xinjiang," in S. F. Starr (ed.), <u>Xinjiang: China's Muslim Borderland</u>. London, England: M. E. Sharpe.

Annotation: This chapter offers a plenitude of charts and tables to explain the historic trends and the current situation of the demography in Xinjiang province. According to the author, there are currently two major demographic trends in Xinjiang: a deluge of Han immigration and a move from the rural to the urban areas. The article states that it is possible that the Han outnumber the Uighurs in Xinjiang and that the current demographic trends leave only a few select areas where the Uighurs constitute a majority. Significantly, however, the current migration of Han is circular (growth in the Han population happens because the inflow

outnumbers the significant outflow) and is not necessarily permanent; a change of the conditions in Xinjiang could significantly reduce Han proportions in the region.

Wiemer, Calla. 2004. "The Economy of Xinjiang," in S. F. Starr (ed.), Xinjiang: China's Muslim Borderland. London, England: M. E. Sharpe.

Annotation: This article is a clear account of the history of the Xinjiang economy as well as its particular characteristics and its significance to China. The economy of Xinjiang is ranked number one among the inland provinces in China (twelfth overall). Although its staggering economic growth has been on par with China's national growth, the source of its income is different from China's: it is based significantly on extractive resources and trade with the central Asian republics. Despite its robust growth, Xinjiang's economy remains a source tension because of ethnic disparities.

Wong, Edward. 2009. "China Says Its Forces Killed 12 in Xinjiang." *The New York Times*, (July 20). Available online:

http://www.nytimes.com/2009/07/21/world/asia/21china.html?_r=3&scp=3&sq=july%2 08%20xinjiang&st=cse.

Annotation: In this article, the Chinese government confirms that its security forces were responsible for the deaths of twelve out of the 200 people killed in the July 5th riot. Uighurs claim that the number of Uighur deaths is underestimated and does not account for the actions of roving bands of Han Chinese subsequent to the incident. The Chinese government states that caches of simple weapons were pre-made, yet witnesses claim they saw no traces of organization in the riot. Rabiya Kadeer, whom the PRC government has dubbed responsible for the orchestration of the riot, denied the allegation.

Why China Supports Burma's Dictators

By Dustin Stokes

Introduction

Burma, also known as Myanmar, is governed by a repressive dictatorship that is guilty of numerous human rights abuses. Political prisoners, oppressed women and ethnic minorities, and child soldiers are examples of human rights violations in Burma. Burma's government benefits from its relationship with China, whose support for the dictatorship is motivated by its own economic and strategic interests. The United States and its Western allies must alter their existing Burma policy, which has been part of the problem, in order to help end the suffering of the Burmese people.

China's Support for Burma's Repressive Dictatorship

Extent of Relationship between China and Burma

China is Burma's most significant supporter. The two governments maintain diplomatic contacts at the highest levels, and Burma is home to more than one million Chinese nationals. China is also Burma's largest source of investment and trade. No fewer than sixty-nine Chinese companies are engaged in at least ninety energy-related projects in Burma (EarthRights International 2008). Moreover, China has given Burma \$2 billion in military aid; it has provided military advisors and is actively training Burmese soldiers. China's military presence in Burma represents its most significant presence in a foreign country since the Vietnam War. The strong Chinese presence in Burma indicates how important this country is to the Chinese Communist Party (CCP).

Why Relations with Burma are Important to China

The CCP's support for Burma is motivated by its urgent need for energy to supply its rapidly growing economy. The CCP realizes that its survival depends on its ability to maintain China's growth, which has lifted hundreds of millions out of poverty in recent decades. Consequently, the CCP is willing to subordinate what it views as abstract notions of human rights to its primary goals of domestic growth and stability.

China's growth means increasing energy demands; therefore, a central CCP objective is locating new sources of energy. China and Burma have agreed to a pipeline deal that will bring oil from Burma's coast to China. The pipeline will end Chinese dependence on the Malacca Strait route, which is dominated by India's navy and lies between China and its primary source of oil—the Persian Gulf. The CCP's goal of national development drives China's pursuit of energy in Burma.

Human Rights Abuses in Burma

Driven by self-interest, China has developed close relations with Burma's government despite the latter's many human rights abuses. There are about 2250 political prisoners in Burma, largely due to the government's ban on peaceful protest. This ban has figured prominently in recent years due to the government's response to two events: an anti-government protest in 2007 and a devastating cyclone in 2008 (Mathieson 2009).

First, the government violently repressed protests led by thousands of Buddhist monks, who are revered in Burma, leaving dozens of people dead, more injured, and many in prison. Second, the government rejected foreign aid directed toward Cyclone Nargis's victims, and even imprisoned Burmese citizens who tried to provide aid. For example, popular Burmese comedian Zarganar was sentenced to forty-five years in prison for spearheading efforts to raise money for cyclone victims. Furthermore, the government conditioned what little aid it did provide on whether or not would-be recipients voted for its constitution.

The most well-known political prisoner in Burma, Aung San Suu Kyi, the 2009 Amnesty International Ambassador of Conscience Award winner, has been detained fourteen of the last twenty years. First imprisoned in July 1989, following the government's crackdown on peaceful prodemocracy protests, Aung San Suu Kyi had her sentence, scheduled to expire in May 2009, extended another eighteen months by the government after an uninvited American stranger appeared at her residence earlier that month.

Other human rights problems in Burma include the oppression of women and ethnic minorities. Burma's military uses rape and other sexual crimes against women as a weapon of war. Moreover, many displaced Burmese women end up as sex slaves in neighboring Thailand. Women who are members of Burma's ethnic minorities are especially vulnerable. The men and children are not much better off, as ethnic minorities in general are targeted by Burma's military. For example, researchers found that the mortality rate of ethnic Karens was twice that found in an average developing country (Checchi et al. 2003).

Finally, with 75,000 child soldiers, Burma's military junta has been identified as the world's largest employer of child soldiers (Singer 2005: 27). Through abduction and brainwashing—and under the threat of death—these innocent children are forced to wage war against their fellow citizens.

China's View of Sovereignty and its Support for Burma

Despite these abuses, China continues to support Burma, as the CCP does not think that foreign governments should interfere in the internal affairs of a sovereign nation. This view of sovereignty leads China to protect Burma in the United Nations Security Council. In 2007, China (along with Russia) vetoed a UN resolution, which it had twice previously kept off the UN ballot that condemned Burma's government and called for it to end human rights abuses. China's stringent view of sovereignty largely stems from its fear that other global powers might one day intervene in Chinese territory. China opposes almost any intervention in other parts of the world—even in the case of massive human rights violations—due to the precedent such intervention might set.

Western Policy Impact on China's Role in Burma

Impact of Past Policies

China's support for Burma's repressive government undermines Western policies aimed at promoting human rights in other countries. However, at least part of the blame may lie with the policies themselves. One reason China and Burma have developed close ties is that, by seeking to isolate and punish the Burmese government, the West has ostracized Burma and left it nowhere else to turn.

Similarly, China's willingness to support Burma may have roots in certain US actions. The Sino-Burma relationship deepened after two important developments. First, "color revolutions" occurred in multiple countries in the former Soviet Union. China perceived the United States to be an important catalyst in these revolutions. Secondly, US foreign policy became more unilateralist and anti-China during the first term of the George W. Bush administration.

Because of these two developments, the CCP felt compelled to find allies wherever it could. China's leadership was especially worried about nations on their borders—such as Burma. If Burma was drawn too close to the West, then a "color revolution" could be fomented there. Moreover, political change in Burma could inspire similar changes, not only on its borders, but also within China's autonomous regions. Such fears strengthened the hand of China's hard-liners, who advocated support for Burma's dictatorship.

Adding credence to this argument are China's actions in the last two years. After the United States decreased its hostility toward China and began to encourage China to become a "responsible stakeholder" in the international system, China showed more willingness to cooperate with the West. Realizing that unconditional support for dictatorships may not be in its long-term interest, China became less willing to turn a blind eye to repression in Burma. In response to the new US approach, China condemned human rights violations in Burma and even met with Burma's antigovernment, pro-democracy opposition.

Recommendations for Future Policy

The failure of the West's Burma policy suggests the need for a new approach. First, the United States should lead a more coordinated international effort to deal with Burma. This effort should recognize that China must play a critical role in any effective approach. The coalition should be as broad as possible—it might include the UN Security Council, Burma's neighbors, and ASEAN—because China does not want to be seen as giving in to unilateral US pressure.

The US-led coalition's goal should be to push China (in a way that does not trigger Chinese nationalism and empower the nation's hard-liners) to respect international human rights norms in its relationship with Burma. This may require high-level diplomatic meetings between key actors on all sides to reassure China that political reform in Burma would not threaten Chinese security.

The US-led coalition should engage Burma's government, as talking to Burma's dictators is not an abandonment of US values. Rather, it would represent a more effective method of promoting those values. After all, the ten-year policy of isolation has not alleviated human rights abuse in Burma. Instead, it has strengthened the dictatorship's hold on power, while cutting off Burma's people from the rest of the world. A policy of engagement would lead to an increase in economic and social ties between Burma and the West, which would give the West more leverage to promote incremental human rights improvements.

In a promising development, the Obama administration, which called the policy of isolating Burma a failure, has begun engaging with Burma's political leaders. Through engagement, the administration may be able to gradually bring Burma into the community of responsible nations, which could allow the suffering Burmese people to enjoy increased freedom and prosperity. Such an outcome will depend on the success of US-led efforts to persuade China to exert its great influence over the Burmese dictatorship and to conform to global human rights norms.

Annotated Bibliography

Amnesty International. 2009. "Daw Aung San Suu Kyi's new sentence 'shameful'." Available online: http://www.amnesty.org/en/news-and-updates/news/daw-aung-san-suu-kyi-sentence-shameful-20090811.

Annotation: The article explains the plight of Burmese political prisoner, Daw Aung San Suu Kyi, the National League for Democracy's leader, who has been in Burmese government custody for thirteen of the last twenty years—mostly under house arrest. She was scheduled to be released in May of 2009. However, after an uninvited American stranger unexpectedly showed up at her house earlier that month, Daw Aung San Suu Kyi was sentenced to eighteen more months of house arrest. She was first imprisoned in July of 1989 following the government's crackdown on pro-democracy protests. Amnesty International considers her a "prisoner of conscience," honoring her with the 2009 Amnesty International Ambassador of Conscience Award.

Amnesty International. 2009. "Human Rights in Union of Myanmar." Available online: http://www.amnesty.org/en/region/myanmar/report-2009.

Annotation: Amnesty International reports that Burma's government refused foreign aid for the victims of Cyclone Nargis, which killed 84,500 people, injured 19,000, and left 54,000 unaccounted for. Moreover, the government often conditioned survivors' access to aid on their having voted for the government's constitution. Meanwhile, Myanmar's armed forces continued a military campaign against ethnic Karens, committing crimes of humanity, which included extrajudicial executions, forced displacement, and torture. Individuals faced lengthy prison terms for violating Myanmar's laws against peaceful political activity. For example, comedian Zarganar was sentenced to forty-five years simply for leading the private donor movement and providing information about Cyclone Nargis victims. Also, blogger Nay Phone Latt received more than twenty years because of images and cartoons that appeared in his blogs. The violence and repression has led to 500,000 internally displaced people in Myanmar.

Bert, Wayne. 2004. "Burma, China and the U.S.A." Pacific Affairs 77 (2): 263-282.

Annotation: Bert explains how China is growing closer to Burma for both economic and strategic purposes. This has negatively impacted human rights in Burma. Moreover, he says that the United States' misguided policy has strengthened China's position vis-à-vis Burma as well as led to even worse human rights problems. Bert asserts that the United States should reengage the Burmese government and pursue incremental progress in the human rights situation through its increased leverage. Writing authoritatively and for a mostly academic audience, Bert not only demonstrates impressive knowledge of the problem but also convincingly argues for potential solutions.

Beyrer, C. 2001. "Shan women and girls and the sex industry in Southeast Asia; political causes and human rights implications." *Social Science and Medicine* 53 (4): 543-550.

Annotation: The author explains how, during civil conflicts, women are vulnerable to sexual violence, including rape and prostitution. More specifically, the article addresses how the Shan women of Burma are often ensnared in human trafficking in Thailand. The Shan state makes up a fourth of Burma's land mass. The decades-long civil conflict between Burma's ruling military junta and rebel groups has been particularly devastating for the Shan state, and especially for its women. Addressing an academic audience, the author makes a compelling argument that a key reason a disproportionate number of Thailand's sex workers are from Burma's Shan state is the military's strategy of targeting the women of that state as a weapon of war.

Checchi, F., G. Elder, M. Schäfer, E. Drouhin, and D. Legros. 2003. "Consequences of armed conflict for an ethnic Karen population." *Lancet* 362 (9377): 74-75.

Annotation: The authors address the effects on the civilian population of the long-standing conflict between Burma's military junta and armed Karen opposition groups. The authors conducted a survey of displaced ethnic Karens who were taking refuge in camps on the border of Thailand. The findings validated the fears of researchers and human rights activists who thought that Burmese military attacks were taking a toll on the Karen population: results of the survey showed a mortality rate within that population of twice the normal rate for developing countries. The authors convincingly argue that major human rights violations are being carried out by Burma's ruling junta in the Karen region and that humanitarian assistance is desperately needed.

Chen, Matthew E. 2007. "Chinese National Oil Companies and Human Rights." Orbis 51 (1): 41-54.

Annotation: Chen explains how China's urgent need to find new energy sources for its rapidly growing economy is leading it to support repressive governments in countries like Burma. To counter China's strategy, Chen says that the United States must not only engage the Chinese government, but also convince China's national oil companies to become stakeholders in the international energy market. Chen makes a strong case that, if the United States is unwilling or unable to take such measures to change China's current policy in Burma, then Beijing's strategy could encourage similar alliances with other developing nations, with terrible consequences for human rights around the world.

Cole, Bernard D. 2008. "Chinese military modernization and energy security: Conflict or cooperation?" in S. Zhao (ed.), <u>China-U.S. Relations Transformed</u>. New York: Routledge.

Annotation: In this chapter, Cole discusses the energy security concerns of rising China. He says China's pursuit of energy is motivated by the need to supply its growing economy as well as its efforts to modernize its navy—which, in turn, is motivated by China's concern over the US presence in Asia. This does not, according to the author, necessarily mean that

China's energy pursuit will cause conflict between the United States and China. The author also discusses how China's need for energy affects its relationships with its neighbors, including Myanmar. Writing for an academic audience, the author offers a useful explanation of China's energy security concerns.

Council on Foreign Relations. 2009. "U.S. Policy Shift on Myanmar." New York: Council on Foreign Relations. Available online: http://www.cfr.org/publication/20325/us-policy-shift on myanmar.html.

Annotation: This is a summary of an interview with Kara C. McDonald, in which she describes a shift in US policy towards Myanmar. Following a seven-month review of US policy on Myanmar, the Obama administration decided to adopt a new policy of engaging Myanmar's dictatorial leaders through direct talks, as Secretary of State Hilary Clinton says that the policy of isolating Myanmar has failed. McDonald says reviewing the failed policy is a positive step, although she is skeptical that engaging Myanmar's military junta will lead to reform in the country. She says that the United States should use the 2010 election in Myanmar to measure the progress of the regime's reforms. Finally, she indicates that the United States must work with the other Security Council members—such as China—as well as with Myanmar's neighbors to create a multilateral consensus on how to deal with the military regime.

Diamond, Larry Jay. 2008. The Spirit of Democracy: The Struggle to Build Free Societies throughout the World. New York: Times Books/Henry Holt and Co.

Annotation: In his book, Larry Diamond discusses how democracy spread throughout the world in recent decades. He admits that the spread of democracy has recently slowed and even reversed; however, he offers a hopeful and intelligent analysis of how scholars, policymakers, and citizens can once again bring about the expansion of democratic freedom around the globe. He discusses the factors that help create and sustain democratization, and he analyzes the prospects for democracy in every region of the world. Finally, he effectively demonstrates the steps democracy proponents—both inside and outside a country—can take to effect democratic change within an authoritarian state.

Earth Rights International. 2008. "China in Burma: The Increasing Investment of Chinese Multinational Corporations in Burma's Hydropower, Oil & Gas, and Mining Sectors." Available online: http://www.earthrights.org/sites/default/files/publications/China-in-Burma-update-2008-English.pdf.

Annotation: Earth Rights International, in this forty-seven-page report, discusses China's involvement in Burma. Burma's government, guilty of countless human rights abuses, has been condemned by the international community. Therefore, China—Burma's top supporter—has also drawn harsh criticism for its role in Burma. The report provides a detailed account of current projects being carried out by Chinese companies in Burma. Because of China's need to fuel its growing economy, there are sixty-nine Chinese

companies currently engaged in at least ninety energy-related projects. These include hydropower, oil and natural gas, and mining.

Global Agenda. 2007. "China winks at the West." Global Agenda (ISSN 1038-8451): 23-23.

Annotation: The article asserts that the interests of China and the United States are aligned on Burma—as well as on North Korea and Sudan. It claims that, in addition to helping the United States deal with North Korea and Sudan, China has successfully pressured Burma's military junta to stop abusing its own people. The article effectively explains the diplomatic efforts of China and the United States as well as the human rights situation in Burma. It demonstrates that the United States and China have many common interests, and its optimistic outlook on the situation involving China, the United States, and Burma is refreshing. However, the article overestimates the degree to which the United States and China have already realized what could—and should—be common ground.

Green, Michael, and Derek Mitchell. 2007. "Asia's Forgotten Crisis." Foreign Affairs 86 (6): 147-158.

Annotation: Michael Green and Derek Mitchell explain that the poor human rights situation in Burma is partly due to the approach taken by the United States and its Western allies. While the West has imposed sanctions on Burma, China and Russia have engaged the Burmese government more constructively, allowing both nations greater influence on the behavior of Burma's junta than that enjoyed by America and its allies. The authors suggest that America should lead a more proactive and coordinated international approach to dealing with human rights abuse in Burma. The authors are writing for an audience made up of foreign policy academics and practitioners, but the article's style would appeal to anyone interested in the human rights situation in Burma or in Chinese foreign policy. While short and not overly-detailed, the article offers a good introduction to the history of the problem, contemporary issues, and new approaches that could potentially be constructive.

Hafner-Burton, E. M. 2005. "Trading human rights: How preferential trade agreements influence government repression." *International Organization* 59 (3): 593-629.

Annotation: The author uses qualitative and quantitative analysis to argue that human rights agreements which lack a coercive element are ineffective. She says that, while Preferential Trade Agreements (PTAs) do not represent an ideal solution to human rights abuses, such agreements are one of the only ways of effectively pressuring repressive governments to alter their behavior. This is because PTAs, unlike human rights agreements (HRAs), link compliance with human rights standards with the benefits of integration into the global system of free trade. The author uses several case studies over the last three decades as well as statistical evidence to make a compelling argument that persuasion alone is less effective than agreements that utilize some element of coercion—withholding of the benefits that come with free trade agreements, for example. The article would appeal mainly to those with

an academic background who are interested in how the international community could influence the behavior of repressive governments.

Heppner, K., and J. Becker. 2002. "My gun was as tall as me: child soldiers in Burma." Human Rights Watch. Available online: http://www.hrw.org/legacy/reports/2002/burma/Burma0902.pdf.

Annotation: The authors of this report address the issue of child soldiers in Burma. As the title suggests, very young children are often forced into military service against their will and subsequently brainwashed and turned into trained killers. The book offers a very detailed account of the use of child soldiers by the Burmese military as well as by ethnic minority groups who oppose the government. Moreover, the authors recommend solutions to the various governments associated with the conflict as well as to international organizations that could help solve the problem. They say that the international community must put more pressure on the Burmese government to halt the use of child soldiers. The authors conclude by saying that, while many in the international community make the mistake of assuming that child soldiers are used by non-state actors, the Burmese government is actually the world's most prolific employer of child soldiers.

International Crisis Group. 2008. "Burma/Myanmar: After the Crackdown." Brussels: International Crisis Group. Available online: http://www.crisisgroup.org/home/index.cfm?id=5273&l=1.

Annotation: This report discusses the crackdown and aftermath of anti-government protests led by Buddhist monks in Burma. It also analyzes the responses of the international community and individual countries, concluding with recommendations on what each actor should do in the future. In September 2007, thousands of Burma's revered monks were joined by other dissidents in a protest against Burma's ruling party. The subsequent government crackdown—the most severe since thousands were shot dead in 1988—resulted in dozens of deaths. The crackdown caused international outrage; the United States and its allies increased sanctions, and China and the ASEAN nations—which usually back Burma—were moved to support UN measures to condemn the Burmese government. Rather than calling only for sanctions and other punitive measures, the report also recommends long term reconciliation and incremental reform in Burma.

Kleine-Ahlbrandt, Stephanie, and Andrew Small. 2008. "China's New Dictatorship Diplomacy." Foreign Affairs 87 (1): 38-56.

Annotation: Stephanie Kleine-Ahlbrandt and Andrew Small argue that China is slowly becoming more constructive and helpful in dealing with repressive regimes like Burma's. They say that, while China's pursuit of energy has caused it to cooperate with Burma's repressive military junta even as the government brutalizes its own people, China has begun to rethink this strategy in recent years. While China's economic and political interests have kept it from completely altering its approach to Burma, it has begun to work with the United States and the international community to address the worst excesses of the junta. The

authors also note that, in changing its policy, China is not merely (or temporarily) acquiescing to international pressure, but also beginning to see that unquestioned support for brutal dictatorships may not be in its own long-term best interest. The authors think the United States should carefully manage China's evolving worldview by pushing China further toward international human rights norms without triggering a nationalist backlash. Kleine-Ahlbrandt and Small not only do an excellent job of explaining the core issues involved in the Burma problem, but they also cogently argue for how best to reach a solution.

Lampton, David M. 2008. <u>The three faces of Chinese power: might, money, and minds</u>. Berkeley: University of California Press.

Annotation: In this book, the author evaluates the rise of Chinese power and how it affects the world. His analysis is largely based on interviews with foreign policy elites in China, in the United States, and in Asian nations surrounding China. He explains how China's impact on the world is growing in the arenas of military, economic, and intellectual power. Among other things, he discusses how China provides foreign aid to nations based on little more than China's own economic and strategic interests. For example, China has extensive and growing ties with Myanmar despite governmental human rights abuses, basically due to China's economic and strategic interests. Chinese support for the ruling military junta undermines US sanctions and leverage over Myanmar.

Leiter, K., V. Suwanvanichkij, I. Taimn, V. Iacopino, and C. Beyrer. 2006. "Human Rights Abuses and Vulnerability to HIV/AIDS: The Experiences of Burmese." *Health and human rights* 9 (2): 88-111.

Annotation: The authors address the issue of Burmese sexual crime victims in Thailand. These victims are female refugees fleeing conflict and human rights abuses in Burma. Unfortunately, Thailand's government is not doing enough to address the problem. Trafficking, sexual exploitation, and denial of basic rights are among the injustices faced by these displaced Burmese women. Due to the Burmese military junta's repression of its people (especially minorities), one million Burmese citizens are thought to be living in Thailand. Unfortunately, after successfully escaping Burma, these people often find more injustice in Thailand. The authors effectively make this argument by presenting the results of interviews they conducted with Burmese refugees in Thailand.

Leow, Jason. 2008. "China Is Urged to Use Influence With Junta." Wall Street Journal - Eastern Edition (May 12): A10.

Annotation: Leow's article reports that Human Rights Watch called for China to pressure Burma to accept the aid that foreign governments and NGOs were trying to provide for Burma's cyclone victims. China has utilized its cozy relationship with Burma's military junta to gain access to Burma's energy resources. However, fear of angering the Burmese government and losing its cooperation rendered China reluctant to join the world effort to pressure the Burmese government to allow foreign aid to reach cyclone victims.

Mathieson, David. 2009."Burma: Surge in Political Prisoners." Washington, DC: Human Rights Watch. Available online: http://www.hrw.org/en/news/2009/09/15/burma-surge-political-prisoners.

Annotation: The report reveals that there has been a more than 100 percent increase in the number of political prisoners in Burma over the last 2 years. Because freedom of expression and independent organizations are outlawed in Burma, there are some 2250 political prisoners in the country overall. The prisoners include monks, journalists, activists, and artists who have been imprisoned because of their participation in peaceful demonstrations in 2007 and for trying to ease the suffering wrought by Cyclone Nargis in 2008. The recent trial of Aung San Suu Kyi, who was sentenced to an additional eighteen months after an uninvited stranger intruded upon her property, is a case in point. HRW says she and other political prisoners must be released if Burma's 2010 elections are going to have any credibility. In the report, Human Rights Watch says that the United States, China, and Burma's other neighbors should pressure the Burmese government to release these prisoners as a central tenet of their relations with Burma.

Pedersen, M. B. 2007. Promoting Human Rights in Burma: A Critique of Western Sanctions Policy. Lanham: Rowman & Littlefield.

Annotation: As one of the few foreign journalists living in Burma over the last decade, the author is able to provide an insightful look at the current situation in that nation. He details Burma's human rights abuses and current political situation. But his central argument is that Western policy has failed the Burmese people. He says that, despite producing no tangible results for over nineteen years, the West continues to pursue the same failed policies. Because of this, the Burmese government was recently able to strengthen its hold on power, while the political opposition in Burma has only gotten weaker. Meanwhile, poverty, HIV/AIDS, and human rights abuses are becoming even bigger problems. The author concludes by offering several possible solutions whereby the West can revise its approach and help alleviate the suffering of the Burmese people.

Petersen, H. D., L. Worm, M. Z. Olsen, B. Ussing, and O. J. Hartling. 2000. "Human rights violations in Burma/Myanmar. A two year follow-up examination." *Danish Medical Bulletin* 47 (5): 359.

Annotation: The authors investigated whether or not the human rights situation in Burma had improved in recent years. They did this by interviewing refugee members of a particular ethnic minority, the Mon people. The aim was to compare the refugees who fled recently with refugees who fled two to three years ago, in terms of both groups' exposure to human rights violations. This allowed the authors to evaluate whether or not the situation of Burmese ethnic minority groups has changed during the last few years. The authors conclude that human rights abuses in Burma are no less acute than in previous years. Further, they conclude that the Burmese military is directly responsible for all but a few of these shameful abuses.

Power, Samantha. 2007. "The Human-Rights Vacuum." *Time* (October 11). Available online: http://www.time.com/time/magazine/article/0,9171,1670504,00.html.

Annotation: Power explains how the human rights situation in Burma has deteriorated in recent years. She blames, in part, the policies and actions of the United States. The US position in Burma and around the world has been weakened by its actions in Iraq as well as its policy of isolating Burma's government. As a result, China's influence has grown in Burma, and this development has coincided with a worsening human rights situation in that country. In her short article, Power does not offer detailed solutions for policymakers. However, due to Power's reputation as an advocate for human rights, her article could inspire American scholars and policymakers to pay more attention to Burma's human rights problem.

Schairer-Vertannes, R. 2001. "Politics of Human Rights: How the World Has Failed Burma." <u>Asia Pacific Journal on Human Rights and the Law</u> 2 (1): 77-118.

Annotation: The author explores in detail the history of Burma, the current human rights situation, and the failures of the international community in addressing the problems in this country. Authoritarian military rule followed a coup that ended Burma's democratic experiment a decade and a half after it started. Ever since, the people of Burma have suffered at the hands of a repressive military junta. Nonviolent opposition to the junta is met with brutal violence. Free speech and other political rights do not exist. Tragically, this unfortunate situation has persisted for decades in the face of ineffectual efforts by the international community to halt the human rights abuses in Burma. The article, heavily footnoted and meant for an academic audience, is full of compelling and useful insights on the human rights situation in Burma.

Schmertz Jr., John R., and Mike Meier (eds.). 2007. "China and Russia veto U.S. measure in U.N. Security Council to deplore Burmese human rights abuses." *International Law Update* 13: 18.

Annotation: This brief article states that the United States led an effort in the United Nations to bring the international community together in opposition to the Burmese government's human rights abuses. However, China and Russia vetoed the UN resolution, blocking US-led efforts to hold Burma's military junta accountable. In vetoing the measure, China and Russia expressed their belief that the Burmese government's treatment of its own people is an internal matter over which the international community has no jurisdiction. China and Russia are staunch defenders of state sovereignty due to their fear that interventionist policies could be used to justify action within what they consider to be their own territory. The article reports the latest news on the human rights situation in Burma from a legal perspective, but it does not offer much in the way of political and economic analysis.

Seekins, Donald M. 2005. "Burma and U.S. Sanctions: Punishing an Authoritarian Regime." *Asian Survey* 45 (3): 437-452.

Annotation: Seekins argues that current US policy—both sanctions and engagement—have failed. Rather than ignore Burma, he says the United States and the international community should work even harder to alleviate the suffering of the Burmese people. He says the world must provide the people with the humanitarian aid they urgently need—even if this temporarily bolsters the repressive military junta that is running the country. However, he indicates, this does not mean the United States and others should provide aid indiscriminately. Instead, the United States must help create a unified policy in the UN among all nations, wherein military aid to Burma is eliminated. The article is very useful for foreign policy academics and policymakers, and would appeal to anyone interested in this issue; however, it is somewhat vague on precise solutions.

Singer, P. W. 2005. Children at War. Berkeley: University of California Press.

Annotation: The author explains how large numbers of children all over the world are forced participants in armed combat. Nearly a quarter of the almost 400 armed organizations in the world use children. Forced into combat through abduction and under the threat of death, some of these children are so young that they do not even know how old they are. This is happening in many nations in every part of the world. However, there are few countries with more child soldiers than Burma. Burma has 75,000 child soldiers, some as young as eleven years old. While many serve in rebel groups, the vast majority are forced into war by the repressive military junta that has governed Burma for decades. The author, writing in an accessible style that would appeal to anyone interested in this topic, does an excellent job informing the reader of this tragic problem plaguing the globe.

Steinberg, David I. 2005. "China's Burma Connection." Brown Journal of World Affairs 12 (2): 69.

Annotation: In this interview, Steinberg explains the extent of and motivation for China's relationship with Burma. He claims that the two countries maintain close contacts at the upper levels of government, and he reports that China has provided Burma with \$2 billion in military aid as well as helped train Burmese soldiers. He says that China is probably also the leading source of investment and trade in Burma, especially when taking into account significant unofficial exchanges. Partly due to its relationship with China, Burma has increased its foreign exchange holdings from \$30 million in 1988 to \$720 million in 2005. China's motivation for having close ties with Burma is China's need for energy—hydroelectric power, oil and gas, and minerals (nickel). Another reason for the close relationship, according to Steinberg, is the failure of US policy vis-a-vis Burma. He claims that US isolation of and sanctions against Burma have not only failed, but also have pushed Burma closer to China. The United States should engage Burma in talks and pressure them privately, because public pressure allows Burma's government to appeal to the country's nationalism.

The Economist. "No strings." 2008. Economist 386 (8571): 14-17.

Annotation: This article explains how the relationship between China and Burma benefits both countries. It says China gains from its access to Burma's energy supplies, while Burma

benefits from Chinese protection from international pressure to stop its human rights abuses, which the military junta relies upon to stay in power. The article states that China has a close partnership with only those nations that are ostracized by the rest of the international community. Moreover, Burma is able to successfully resist international human rights norms thanks to Chinese support. Although it does not offer many solutions, the article does a great job of explaining and assessing the background and current issues involved with Chinese support for Burma's government.

Walmsley, R. 2003. "World Prison Population List." King's College London – School of Law.

Available online: http://kcl.ac.uk/depsta/law/research/icps/downloads/wppl-8th_41.pdf.

Annotation: The World Prison Population List, published by King's College London's International Centre for Prison Studies, reveals that over 9.8 million people are incarcerated throughout the world. Moreover, the rate of imprisonment in the world is growing; the current world prison population rate is 145 per 100,000. With 65,063 people in prison, Burma ranks 126th in the world in terms of prison population rate. As many of those imprisoned are political prisoners of Burma's repressive military junta, these numbers are a testament to the poor human rights situation in Burma.

Webb, Jim. 2009. "We Can't Afford to Ignore Myanmar." New York Times (August 25). Available online:

 $\underline{\text{http://www.nytimes.com/2009/08/26/opinion/26webb.html?pagewanted=1\& r=1}.$

Annotation: In this op-ed piece, Senator Jim Webb of Virginia gives an account of his August 2009 visit to Myanmar, the first by an American political leader in ten years. He says that the West's decade-long sanctions against Myanmar, while motivated by commendable intentions, have merely served to hurt ordinary citizens while strengthening their oppressive government's hold on power. This is partly because China has not joined the sanctions and instead has taken the opportunity to expand its influence in Myanmar. He says that continuing to isolate Myanmar's dictators would be to delude ourselves that we are helping the citizens of that nation. Instead, we should engage—and convince China to act more responsibly in its relationship with—Myanmar's dictators. According to Webb, this is the best way to bring Myanmar into the community of responsible nations.

China's Infanticide Epidemic By Winter Wall

China's one-child policy, initiated to curtail China's rapid population growth, has resulted in fundamental human rights abuses. Due to the cultural stigma of having female children, the stringent policy has led to millions of female infants being aborted, abandoned, or killed. As China struggles with population control, families are faced with the necessity of bearing male children, who are perceived as being more valuable to the family and who are often charged with the care of their elderly parents. Consequently, the elimination of female infants has created a skewed sex ratio in China's population—the social, economic, and physical repercussions of which are yet to be fully realized. Female infanticide, sex-selective abortion, drowning, and the withholding of health care and nutrition are only a few consequences of the restrictive one-child policy.

Ramifications

The historical preference of sons that drives many families to exterminate their daughters remains an integral dimension of Chinese society. Many believe that a preference to bear a son will diminish with the influx of urbanization and education; however, that myth has been debunked by the prevalence of female infanticide in its many forms. The majority of the modern Chinese population identifies with cultural norms, fierce state loyalty, stigmas, and social constructions of gender that condone female infanticide. The intricate interface of women's fertility and family status has led many Chinese to take severe measures to manipulate their offspring.

It is believed that nearly half of all Chinese women of reproductive age (or their husbands) have been sterilized as a result of the government's insistence on family planning. The Chinese government has encouraged sterilization, intra-uterine device (IUD) insertions, and abortions in countrywide campaigns that started in 1973. Despite the laws against sex-selective abortion in China, abortions are still widely executed with impunity.

The government has denied the prevalence of female infanticide as a direct result of the birth planning policy. It has been declared that such practices are only found in the most "backward" regions of the countryside that still subscribe to a feudalistic mentality. However, statistics indicate that this problematic pattern spans across the country, resulting in an entirely skewed sex ratio. The sex ratio at birth is defined as the number of male live births per 100 female births. There are several environmental and demographic factors that can possibly skew a country's sex ratio at birth, such as disease outbreaks and wars. In the last several decades, China's sex ratio at birth has steadily increased from 106:100 in 1979 to 111:100 in 1990 and to 117:100 in 2001, with an increase as high as 130:100 reported in some rural areas. In contrast, population sex ratio refers to the number of males in a population per 100 females in that population. The population sex ratio in the United States, according to the 2001 census, is 96.8:100. Conversely, China's population sex ratio is conservatively estimated at 104:100. These figures illustrate a stark picture for China's future and the lives of its girls.

Due to the troubling implications revealed by these statistics, the future of China's population is gravely concerning. Sex-selective abortion and various methods of female infanticide have resulted in an excess of males in China's population. It is estimated that, over the next twenty years, there will be twelve to fifteen percent more males than females in the Chinese population. There is concern about the subsequent inability of these males to marry, especially in a society where marriage denotes social status and acceptance. The problem of excess males has also been linked to a marginalization of these men in Chinese society, as the majority of them come from the lowest socioeconomic

classes. In China, ninety-four percent of all unmarried people age twenty-eight to forty-nine are male, and ninety-seven percent of those have not completed high school. Therefore, there will be a growing number of young men marginalized because of their lack of family prospects. With many males unable to marry, concerns rise over a potential increase in anti-social and/or violent behavior threatening the stability and security of China. There is also speculation over the potential increase in the sex industry, due to the unmet sexual needs of unmarried men, possibly leading to an increase in sexual coercion and trafficking.

Conclusion

Among all of China's governmental policies, the one-child policy has been called the "most momentous and far-reaching in its implications for China's population and economic development." Chinese women's reproduction is utilized as a feature of socialist modernization, a sacrifice for the good of the state. Reproductive rights in Chinese society have been co-opted by the government as a component of a broader push towards socialist modernization. The denial of these fundamental rights is seen by the government as a necessary societal sacrifice for the preservation of the state. This powerful state loyalty creates a ripe environment for a pervasive fertility policy, regardless of the ramifications. Only in hindsight are the consequences revealing themselves as highly problematic.

In hopes of defining an alternative solution to the current manifestations of the one-child policy, there is a movement towards "cooperative" fertility reduction. Encouraging the advancement of women and exploring the de-incentivizing of son preference, rather than forbidding female infanticide, will mitigate the emergence of a black market for women's trafficking. Instigating "cooperative" methods of fertility reduction, including advancement of women through education and increased access to employment, could greatly improve the livelihood of China's girls. Instead, the Chinese government insists on the use of coercive methods to enforce the strict regulations imposed by the one-child policy. Although this policy has led to severe consequences, there are encouraging shifts in behavior beginning to occur. In a recent Chinese national survey, thirty-seven percent of young women, predominately urban, said they had no gender preference and forty-five percent reported their ideal family would consist of one boy and one girl. While the shift will occur slowly, indications show that, through a combination of cooperative fertility reduction and evolving cultural priorities, the effects of the one-child policy will not persist as predominately in the coming generations.

Annotated Bibliography

2003. "China Amends One-Child Policy." Reproductive Health Matters 11 (21): 194.

Annotation: This article examines the dynamics that have forced a shift in China's one-child policy. The author explains the shortfalls of China's initial policy, including the loopholes that allowed many parents to bear more than one child, and the exceptions given to parents whose first-born children were female. The article also describes the problems China faces as its population ages.

Coale, A. J., and J. Banister. 1994. "Five Decades of Missing Females in China." *Demography* 31 (3): 459-479.

Annotation: "Five Decades of Missing Females in China" is an in-depth report written by Senior Research Demographer of Princeton University, Ansley J. Coale, and Center for International Research Chief, Judith Banister. This report takes a historical approach, tracking the lack of female births from the 1930s to the present. Utilizing data collected from the census and fertility surveys, the authors explain that many girls are never reported because they die so young. The charts and graphs included in the report clearly illustrate the data regarding sex ratios in China.

Fong, Vanessa L. 2002. "China's One-Child Policy and the Empowerment of Urban Daughters." American Anthropologist 104 (4): 1098-1109.

Annotation: This report is written within an anthropological framework, and suggests that Chinese urban daughters are enjoying more freedom than ever before due to the lack of competition from brothers. Fong points out that, in many urban areas, daughters have been successful financially and thus are able to care for their aging parents. She does allude to the fact that this premise is specific to large urban metropolises, and that the rural populations of China rarely see daughters in a positive light. This report is a reader-friendly study exploring the often overlooked positive effects of China's one-child policy.

Fong, Vanessa L. 2004. <u>Only Hope: Coming of Age Under China's One Child Policy.</u> Palo Alto: Stanford University Press.

Annotation: In this book, Vanessa L. Fong utilizes case studies, interviews, and in-depth research to highlight the pressures the one-child policy places on Chinese youth. Fong explores the implications of China's strict policy for future generations. Filial duty, modernization, stratification, and the aging population are all investigated with respect to the policy. Fong uses her expertise well in this complex look at a nuanced subject matter.

Goodkind, Daniel M. 2004. "China's Missing Children: The 2000 Census Underreporting Surprise." *Population Studies* 58 (3): 281-295.

Annotation: This report is technical and based on demographic data collected from the 1990 and the 2000 Chinese census. The data show that nearly thirty-seven million children were missing in the 2000 census. The discrepancy is attributed to policy changes that held officials at all levels personally responsible for upholding birth quotas. The report is succinct and provides a wealth of information regarding the phenomenon of China's missing children.

Greenhalgh, S., and J. Bongaarts. 1987. "Fertility Policy in China: Future Options." *Science* 235 (4793): 1167-1172.

Annotation: The authors utilize statistical analysis to explore alternatives to China's one-child policy. They project the intended possibilities of one and two child models, as well as models such as "stop at two and delay and space." The authors indicate the possible economic,

social, and psychological benefits of these proposed alternatives. This article is detailed and investigates many facets of the policy and how alternatives may aid in China's future success.

Gupta, M. D. 2005. "Explaining Asia's Missing Women: A New Look at the Data." Population & Development Review 31 (3): 529-535.

Annotation: Monica Das Gupta explores new data in "Explaining Asia's Missing Women." She examines the financial value placed on males as an explanation of the widespread son preference. As sons are seen to preserve precious resources, especially in rural areas, girls are largely viewed as expendable. Through sex-selective abortions, withholding of infant care, and other means, millions of Chinese girls do not appear on record. While the report is well-written and interesting, the new data does not seem to be as enlightening as the title suggests. This report utilizes demographic data to compare and contrast countries with uneven sex ratios.

Hesketh, T., and Z. W. Xing 2006. "Abnormal Sex Ratios in Human Populations: Causes and Consequences." *Proceedings of the National Academy of Sciences of the United States of America* 103 (36): 13271-13275.

Annotation: In conjunction with the Institute of Child Health, University College of London, and the Department of Public Health at Zhejing Normal University, the authors of this report explore the consequences of abnormal sex ratios. The authors cite the overwhelming excess of males in the Chinese population, their subsequent inability to marry, and what that means as far as marginalization in Chinese society. The authors of this report present the data clearly and use thorough analysis to clarify the findings.

Hesketh, T., L. Lu, et al. 2005. "The Effect of China's One-Child Family Policy after 25 Years." New England Journal of Medicine 353 (11): 1171-1176.

Annotation: In "The Effect of China's One-Child Family Policy after 25 Years," the authors address the time period leading to the one-child policy, its effect on the population, and its future implications. The report is broken into several accessible sections accompanied by helpful charts and graphs. The authors illustrate how the vigilance exhibited by the Chinese government has significantly impacted the country's population growth and sex ratio.

Hong, L. K. 1987. "Potential Effects of the One-Child Policy on Gender Equality in the People's Republic of China." *Gender and Society* 1 (3): 317-326.

Annotation: Lawrence Hong explores latent ramifications of China's one-child policy in this report published in the journal, *Gender and Society*. He acknowledges and gives credit to the often-explored consequences of insecurity for the elderly as well as female infanticide, but

delves further to identify other ramifications. Included in the author's hypothesis are effects relating to the decomposition of patrilineal lineage importance, the increase in popularity of uxorilocal marriage, as well as the influx of nontraditional career options for Chinese women. While the author recognizes immediate problems associated with the one-child policy, he predicts it may breed greater gender equality. Written clearly and succinctly, this piece proves both provocative and informative.

Hull, Terence H. 1990. "Recent Trends in Sex Ratios at Birth in China." *Population and Development Review* 16 (1): 63-83.

Annotation: The disturbingly high sex ratio at birth in China is explored in this report. The author explains three main causes, including infanticide, abortion, and inaccurate statistical reporting. Chinese women, the author argues, are suffering as a result of these practices. The phenomenon of missing girls has grave consequences, including a growing number of undereducated, undernourished, and unrepresented girls throughout the country. Utilizing data and graphs, the author illustrates these trends, making this report accessible to anyone interested in understanding China's high sex ratio at birth.

Jeffery, R., and P. Jeffery 1983. "Female Infanticide and Amniocentesis." Economic and Political Weekly 18 (16/17): 654-656.

Annotation: This article explores the history of female infanticide and the instigation of amniocentesis. The authors explore the consequences of new technologies accompanying the development of China. While a little dated, this article illustrates the importance of understanding why and how amniocentesis originated. This article is filled with data and heavy on statistics. It is aimed at statisticians or scholars looking for in-depth data.

Johansson, S., and O. Nygren 1991. "The Missing Girls of China: A New Demographic Account." Population and Development Review 17 (1): 35-51.

Annotation: Sten Johansson and Ola Nygren, in accordance with the Population and Development Review, explore the missing girls of China in this well-researched report. The political and ethical ramifications of China's one-child policy are explored throughout. The authors posit that international curiosity has driven scientists, advocates, and academics to discover what is happening to the hundreds of thousands of missing girls. Adoption, unreported births, and infanticide are all identified in this report.

Junhong, C. 2001. "Prenatal Sex Determination and Sex-Selective Abortion in Rural Central China." Population and Development Review 27 (2): 259-281.

Annotation: The author explains the three main factors of China's uneven sex ratio in this report. These factors are: under-reporting female births; excess female infant mortality; and an increase in prenatal sex determination and sex-selective abortion. The determinants and

prevalence of sex-selective abortions are explored. The author explores the impact of son preference on female health care and food allocation. Calling upon several Chinese scholars and survey analyses, this article is accessible and logical.

Lofstedt, P., L. Shusheng, et al. 2004. "Abortion Patterns and Reported Sex Ratios at Birth in Rural Yunnan, China." Reproductive Health Matters 12 (24): 86-95.

Annotation: This well-researched article, the result of collaboration between researchers and lecturers in Sweden and China, details the rise of sex ratios at birth due to selective abortion and other termination options. The once-believed myth that son preference would diminish with education and modernization is debunked by the research compiled for this report. This piece is technically written and statistically informed. The research to support this study was conducted thoroughly, and the article is intended for those who have a firm grasp of statistical analysis.

Madigan-Curtis, A. 2005. "A Decade After 'The Dying Room': Revisiting China's One-Child Policy." *Harvard Asia Pacific Review* 8 (1): 53-54.

Annotation: Aidan Madigan-Curtis is co-president of Harvard China Care, a chapter of the China Care Foundation, and a US-based advocacy and support group for orphaned, abandoned, and special needs children in China. This article deals with China's one-child policy in reference to a BBC documentary entitled "The Dying Room." It explores the human rights abuses perpetuated by the policy. While this article is reader friendly, it is not as in depth as some might appreciate.

Merli, M. Giovanna, and Herbert L. Smith. 2002. "Has the Chinese Family Planning Policy Been Successful in Changing Fertility Preferences?" *Demography* 39 (3): 557-572.

Annotation: In this article, the authors research the fertility rates of women in four counties of northern China and compare them to the desired birth rate of the women. The fertility preferences align with the strictness of the one-child policy. The authors' comprehensive research illustrates the socially constructed aspect of desirable family size. The report is useful for those looking for data collection specific to women's fertility preferences in relation to family planning practice.

Rajan, S. Irudaya. 1994. "China's One-Child Policy: Implication for Population Aging." *Economic and Political Weekly* 29 (38): 2502-2506.

Annotation: While this article is a bit dated, the author provides excellent data and demographic information interpreting impending complications of the one-child policy. The author cites that nearly one hundred percent of urban Chinese women had experienced an

abortion in order to comply with the strict standards. The author explores the societal, economic, and political ramifications of single-child families. The article presents the information in a straightforward manner, clarified by charts and graphs.

Scharping, T. 2005. Birth Control in China, 1949-2000: Population Policy and Demographic Development. London; New York: Routledge.

Annotation: Written from a demographic perspective, Dr. Thomas Scharping illustrates many of the population problems in China. Utilizing broad field-based research from over twenty years, Scharping discusses the vast consequences of the one-child policy on China's population. The author's analysis is extensive. This work is of particular interest to scholars interested in the social and political impacts the policy has had on the modern Chinese population, as well as the implications of government participation in fertility management.

Sen, A. 1997. "Population Policy: Authoritarianism versus Cooperation." *Journal of Population Economics* 10 (1): 3-22.

Annotation: In "Population Policy: Authoritarianism versus Cooperation," economist Amartya Sen explores the nexus of coercion and cooperation in population and family planning policy. Sen contrasts family planning policy cases in India and China to examine the possibility of alternative family planning methods. Advancement of women in the form of education and increased access to employment are submitted as alternative, "cooperative" methods of reducing fertility rates. Sen employs economic jargon that makes this report dense; however, his findings are insightful.

Shalev, C. 2001. "China to CEDAW: An Update on Population Policy." *Human Rights Quarterly* 23 (1): 119-147.

Annotation: Shalev takes a humanitarian perspective in "China to CEDAW: An Update on Population Policy." The author explores the results of a presentation of China's periodic reports to the Committee on the Elimination of Discrimination Against Women (CEDAW). The concerns of CEDAW are expressly stated as the onechild policy's human rights abuses are exposed.

Shen, J. 1998. "China's Future Population and Development Challenges." *The Geographical Journal* 164 (1): 32-40.

Annotation: Shen uses examples of China's population growth and rapid urbanization to examine the prospects for future development. To illustrate his point, the author discusses three challenges he deems critical to China's future. The three prominent themes in this report are the challenges in the agriculture-food sector, the employment sector, and the

urbanization sector. Using demographic models, this report provides useful analysis on China's development challenges and opportunities.

Short, S. E., M. Linmao, et al. 2000. "Birth Planning and Sterilization in China." *Population Studies* 54 (3): 279-291.

Annotation: The authors of "Birth Planning and Sterilization" articulate the prevalence of sterilization as a method of family planning in China. It is cited that nearly half of all women of reproductive age (or their husbands) are sterilized, and the authors articulate the potential consequences of such an invasive policy. The authors explain the Chinese government's insistence on family planning and promotion of sterilization. This report is of interest to anyone wanting to learn more about China's family planning methodology.

Short, S. E., and Z. Fengying 1998. "Looking Locally at China's One-Child Policy." *Studies in Family Planning* 29 (4): 373-387.

Annotation: Little information has been formally collected on the impact of China's one-child policy in China's rural areas. The authors of "Looking Locally at China's One-Child Policy" utilize data collected from the China Health and Nutrition Survey. The surveys were amassed from 167 communities in eight provinces. The authors research the policy as well as the incentives used to enforce this initiative. This report is useful for those looking for elusive rural data in reference to the adherence to the one-child policy.

Spinelli, M. G. 2005. "Infanticide: Contrasting Views." Archives of Women's Mental Health 8 (1): 15-24.

Annotation: "Infanticide: Contrasting Views" is a report that explores the history, causes, and implications of infanticide worldwide. The author identifies differing cultural norms, stigmas, and social constructions of gender roles to explicate the use of infanticide. Written from a mental health perspective, this report also emphasizes the need to understand the origin of infanticide in order to begin to eliminate it. The author's findings are useful for those exploring the psychosocial ramifications of strict fertility control.

Wang, Feng. 2005. "Can China Afford to Continue Its One-Child Policy?" Asia-Pacific Issues No. 77.

Annotation: The author of "Can China Afford to Continue its One-Child Policy?" explores the economic consequences of the stringent policy. The author questions the impact of the policy on all facets of Chinese society. The high sex ratio, aging population, and the increasing instance of marriage for status have impacted Chinese society indelibly. This report is comprehensive, logical, and helpful for those interested in the immediate and latent economic problems associated with the one-child policy.

White, T. 2006. China's Longest Campaign: Birth Planning in the People's Republic, 1949-2005. United States: Cornell University Press.

Annotation: This well-researched book details the modern history of fertility planning in China. The author declares that the one-child policy has not received the scholarly attention it deserves. The critical role of China's political history, including the Maoist, Dengist, and post-Deng eras are examined as a framework for understanding the sources of this policy. This book is valuable for those who desire a well-rounded historical exploration of the one-child policy.

Wong, Y. L. R. 1997. "Dispersing the 'Public' and the 'Private': Gender and the State in the Birth Planning Policy of China." *Gender and Society* 11 (4): 509-525.

Annotation: This article explores the discrepancies between Western capitalistic ideals and the socialist sphere of China. The author illustrates the power of the state in the personal lives of Chinese citizens. Infused with political theory, this report raises many questions about loyalty, policy, and sacrifice. While not statistically dense, this report is useful for those looking to explore the ideological motivations of state-enforced birth planning.

Yi, Z., T. Ping, et al. 1993. "Causes and Implications of the Recent Increase in the Reported Sex Ratio at Birth in China." *Population and Development Review* 19 (2): 283-302.

Annotation: The authors use reverse survival method to interpret data from the 1990 census, the 1987 One Percent Population Survey, and the 1988 Two-per-Thousand Fertility and Contraception Survey to illustrate the dramatic discrepancy in sex-differential. This finding, the authors explain, shows that under-reporting of female births is the main cause of the high sex ratio at birth. The report also indicates the importance of new technologies, including sex-selective abortion, in understanding the skewed sex at birth ratio. The authors question the rampant reporting of female infanticide. This report presents unique findings that contradict many mainstream beliefs about female infanticide in China.

Zilberberg, J. 2007. "Sex Selection and Restricting Abortion and Sex Determination." *Bioethics* 21 (9): 517-519.

Annotation: Writing from a bioethics perspective, Zilberberg examines the empowerment of women as a solution to infanticide rather than the elimination of sex-selective abortion. Eliminating sex-selective abortion, she argues, will encourage underground market practice. Encouraging the advancement of women and exploring the de-incentivizing of son preference, in the opinion of the author, would reduce the rate of excess infant mortality. The author's academic style makes this report of particular interest to scholars already familiar with the subject matter.

Human Rights in China: 2008 Beijing Summer Olympics By Allison Welch

China's human rights record has been the subject of intense scrutiny. Therefore, when China was chosen to host the 2008 Summer Olympics, the decision was predictably controversial. There were calls for boycotts of the opening ceremony by many international actors, such as Human Rights Watch, Amnesty International, and an assortment of political figures. Institutions such as the United States Commission on International Religious Freedom argued that boycotting the games would bring critical attention to China's troubled human rights record, which would ultimately provoke Beijing to alter its controversial policies. Others argued that boycotting the games would only serve to intensify China's human rights abuses by unifying the Chinese government in the face of international hostility. This paper examines the human rights climate leading up to the Olympic Games, the Chinese government's reaction to protests and boycotts, and the outcome of the controversy.

Pre-Games Human Rights Concerns

Perhaps the most common accusations against China regarding its human rights record concern its occupation of the Tibetan Autonomous Region. After decades of dismissing Tibetan declarations of independence, Chinese troops invaded and seized control of the region in 1950. Although the Chinese government asserts that the human rights situation in Tibet has greatly improved in recent years, many Tibetan groups and non-governmental organizations insist that it remains intolerable, with blatant and persistent violations of the Universal Declaration of Human Rights (UNDHR) continuing to occur. Without recourse, the Tibetans are denied the right to self-determination, freedom of speech, assembly, movement, and expression. Attempts at protest are quickly extinguished by the Chinese police, typically with excessive force. Tibetans also have claimed that their heritage has been endangered by governmental incentives for settlers of Han Chinese origin to relocate to Tibet. All of these issues gave rise to pro-Tibet protests and demonstrations leading up to the 2008 Olympics.

Chinese control over the Xinjiang Uyghur Autonomous Region is the subject of similar criticism. Although the territory is claimed and controlled by Chinese forces, the Uyghurs have been asserting their independence for decades, and they have often been met with harsh punishment from Beijing. Much of the aggression between Han Chinese forces and Uyghur nationalists is said to be ethnically or religiously based, which compounds the self-determination issue. Uyghur separatists have resorted to violence in the name of independence since the 1960s. In response, the United Nations and the United States have joined China in labeling the Uyghurs' East Turkestan Islamic Movement a terrorist organization. As the 2008 Summer Olympics approached, separatist groups seized upon the increased international attention, staging protests, riots, and demonstrations, both internationally and within China.

In addition to China's domestic policy, its foreign policy was also the subject of intense debate in the years preceding the Olympics, particularly in relation to Sudanese Darfur. A United Nations arms embargo prohibits foreign nations from militarily assisting either side of the conflict, but widespread reports implicated China in providing small arms, armored trucks, fighter jets, and pilot training to the Sudanese government. Critics believe this trade is linked to the strong economic ties

between China and Sudan. China buys most of Sudan's oil exports. China also has supported other authoritarian regimes with poor human rights records, notably Myanmar. In defiance of international calls for sanctions, China has provided approximately \$1 billion in foreign investment to Myanmar, supporting its highly repressive military junta. In the years leading up to the 2008 Summer Olympics, such controversial foreign relations were criticized by human rights organizations.

In its original bid to host the Olympic Games, Beijing promised to provide foreign journalists with complete freedom to report from within China. However, as the Games approached, journalists attempting to cover anti-Olympics protests were detained and deported. Chinese human rights activists residing in Beijing were arrested or removed from the capital for the duration of the Games, including internationally famous activists such as Hu Jia. Coverage of negative events taking place in Tibet or Xinjiang was prohibited. Despite Chinese promises to allow free and unregulated Internet access to foreign reporters, websites such as Amnesty International remained blocked. Although China agreed to issue protest permits and maintain designated protest zones throughout the capital, no protest applications were approved. Several applicants went missing or were detained. Other applications were withdrawn, rejected, suspended, or vetoed. When groups arrived at protest sites without permits, they were arrested.

Soon after winning the bid to host the Olympic Games, Beijing began the process of demolishing and relocating homes to make room for the planned Olympic Village. By some estimates, over 300,000 people were forcibly relocated for the purposes of Olympic construction. Many of these residents applied for the aforementioned protest permits that were ultimately denied. Without any official recourse, one man named Baoguan Wang even burned himself to death while being evicted from his home. Although the Chinese government provided relocation assistance to its displaced citizens, most experienced a decline in their living conditions.

Protests and Boycotts

As the 2008 Summer Olympics approached, it became evident that Beijing would not fulfill all the promises of reform it had made to the International Olympic Committee. In response, many prominent figures called for a boycott of the opening ceremony—or, in some extreme cases, of the entire Olympic Games. French President Nicolas Sarkozy joined several other officials from the European Union in exploring the possibility of not attending the opening ceremony unless there was an end to violence in Tibet, an openness to dialogue between the Chinese government and the Dalai Lama, and the release of political prisoners. Steven Spielberg, who was initially hired as an artistic adviser to the Olympics, stepped down from his position in February 2008. His resignation statement specifically condemned China's indirect military presence in Sudanese Darfur and their refusal to pressure Khartoum to end the conflict. Calls for boycotts were echoed by organizations such as the International Campaign for Tibet, Reporters Without Borders, and Students for a Free Tibet.

Despite its status as a symbol of international unity, the Olympic torch encountered anti-Chinese protests as it traversed the world on its way to Beijing. During the initial torch lighting ceremony in Athens, two members of Reporters Without Borders rushed the stadium field, waving black flags. For the torch, this marked the beginning of a tumultuous journey. In San Francisco, London, and Paris, police officers created a "human shield" around the torch to protect it from thousands of protesters. Despite this, the torch was momentarily extinguished by protesters in both London and Paris. The planned route through Pakistan was altered due to fear of militant interference. Protests surrounding the torch's journey were also reported in Kazakhstan, Turkey, Argentina, India, Australia, Japan, South Korea, and Vietnam.

Aftermath

Ultimately, the call for boycotts went largely unanswered. Despite persistent criticism, influential politicians (including the United States President George W. Bush) decided to attend the Games. Many politicians who had planned to boycott the Games did not. Nine of twenty-seven European Union leaders attended the opening ceremonies, including the heads of Slovakia, Cyprus, and the Netherlands. Others adhered to the boycott for the duration of the opening ceremonies, but attended other celebrations and sporting events throughout the duration of the Olympics. Human rights activists who had hoped for a politically effective boycott were, for the most part, disappointed.

Some scholars have argued that the controversy and calls for boycotts served to unite the Chinese people. According to several studies, most Chinese citizens believe that the international media is biased in favor of the Tibetan cause. Furthermore, the Chinese government's indignation over the international dispute may have helped to unite the people of China and justify a continuation of Chinese policy. Long before Beijing's selection for the 2008 Olympic Games, human rights groups, national governments, and other foreign critics had voiced their disapproval of human rights violations taking place in China. Despite constant calls for China to comply with human rights legislation, Beijing has not issued a significant response. Although calls for boycotts and protests might have resonated with an already sympathetic population, their potential for lasting change in China has proven to be very limited.

Annotated Bibliography

Aaronson, Susan Ariel. 2007. "On Righting Trade: Human Rights, Trade, and the 2008 Elections." World Policy Journal 24 (4): 19-28.

Annotation: The article analyzes the implications surrounding United States President George W. Bush's decision to attend the 2008 Olympic Games in Beijing. According to the author, Bush's attendance raises questions about when and how the United States government should link its trade policies and human rights objectives to China. The author details how the Chinese government has implemented repressive measures, such as jailing human rights activists, denying religious freedom, and undermining the labor rights of its citizens. The author appears to believe that President Bush's acceptance of the Chinese invitation was highly inappropriate under the political circumstances.

Alter, Jonathan. 2008. "Boycott Opening Ceremonies." Newsweek, April 21

Annotation: In this article, the author provides his opinion on calls to boycott the 2008 Olympic Games in Beijing. The article includes a brief reflection on China's human rights record,

particularly its controversial relationship with Sudan. The author argues that, as a rising international power, China should have a moral obligation to humanitarian leadership. He feels that China's relationship with Sudan in light of the Darfur conflict demonstrates irresponsible global leadership. Furthermore, he believes this issue can and should be addressed by boycotting the Olympic Games. The author also discusses how a boycott might affect Chinese nationalism, potentially causing Chinese citizens to question their government's human rights policies.

Black, David R. and Shona Bezanson. 2004. "The Olympic Games, Human Rights, and Democratisation: Lessons from Seoul and Implications for Beijing." *Third World Quarterly* 25 (7): 1245-1261.

Annotation: In this article, the authors speculate on potential political messages for the impending 2008 Olympic Games in Beijing. They discuss how the Seoul Olympic Games in 1988 ushered in a new era of political strategy, bringing new attention to South Korea's democratization and "western-style liberalization." In comparing the two Olympic Games, the authors discuss the potential for addressing China's contemporary human rights situation. The tone of the article is optimistic, implying that the Olympics can serve as a helpful catalyst for illuminating international differences.

Black, David R. and Janis Van Der Westhuizen. 2004. "The Allure of Global Games for 'Semi-Peripheral' Polities and Spaces: A Research Agenda." *Third World Quarterly* 25 (7): 1195-1214.

Annotation: This article provides a general overview of what it means to host global games. At first, the authors examine the various implications of hosting events such as the Olympics. On one hand, events like the Olympics provide hosting nations with a unique opportunity to showcase their culture, history, and national pride. They can be ideal for the purpose of increasing national unity. On the other hand, events like the Olympics are also phenomenal "marketing opportunities" in a more economic sense. The authors question the system by which host cities are chosen, raising questions about inherent inequality, development, and political liberalization. Essentially, they argue that the countries that could most benefit from the economic and social perks of the Olympics are the ones least likely to have a chance to host.

Chepesiuk, Ron. 2002. "Built Environment: Beijing Goes for the Olympic Green." *Environmental Health Perspectives* 110 (9): A512.

Annotation: In contrast to Beijing's critics, the author of this article praises the Chinese government for its progress on environmental issues prior to the 2008 Olympic Games. The author cites several reliable sources addressing the environmental conditions in China, illustrating how Chinese population growth has contributed to severe environmental problems. He goes on to argue that China has made exemplary progress in addressing those issues prior to the 2008 Olympic Games. He implies that the Olympics served as a catalyst to accelerate Beijing's environmental consciousness. Although it is short, this article provides a refreshing contrast to more critical accounts of China's preparation for the Olympics.

Dittmer, Lowell. 2001. "Chinese Human Rights and American Foreign Policy: A Realist Approach." The Review of Politics 63 (3): 421-459.

Annotation: The author of this article provides valuable background information concerning the United States' position on Chinese human rights. Particularly after the Tiananmen Square incident in 1989, the United States has had some difficulty addressing China's human rights record. The author argues that the United States has been trying to approach an idealist issue through realist means, which has ultimately been detrimental. For example, the Clinton Administration's attempts to use trade policy to rebuke China's human rights policies were not successful. However, the author notes that idealist measures have been similarly ineffective. For example, sanctions by international organizations have not had a significant effect. This has interesting implications when it comes to various political leaders' boycott of the 2008 Olympic Games in Beijing.

Economy, Elizabeth C. and Adam Segal. 2008. "China's Olympic Nightmare: What the Games Mean for Beijing's Future." *Foreign Affairs* July/August.

Annotation: In this article, Elizabeth Economy and Adam Segal address some of Beijing's inconsistencies when planning for the 2008 Olympic Games. They discuss how China was eager to use the Games to illustrate its political and cultural strengths, and how this was evident in the spectacular displays it produced. However, they focus upon China's failure to address some critical shortcomings. The Olympic torch relay was used as an example. Intended to put a spotlight on the Games, the 2008 relay generated mass protests in response to Chinese policies on Tibet, Xinjiang and the Uighurs, Sudan, the environment, trade, journalistic freedom, and a host of other issues. The authors note that China attempted to quell the protests within their own borders, but it was difficult to quiet the dissatisfied international community. They argue that by neglecting to respond to their adversaries, China acted irresponsibly as an Olympic host. The article is a good general overview of the criticism surrounding the 2008 Beijing Olympic Games.

Gallagher, Mary. 2005. "China in 2004: Stability above All." Asian Survey 45 (1): 21-32.

Annotation: In this article, several of the challenges facing China in 2004 are discussed. The author illuminates numerous struggles that China faced throughout the year, particularly as these issues relate to its social stability. Economic and political challenges seem to have replaced the SARS fears of the previous year, but the author argues that they are no less significant. The Chinese government has instituted stricter policies surrounding both its economy and its political hold on its constituents, but its restrictions on free dissent have caused feelings of social unease throughout the country and the rest of the international community. Highly critical in tone, this article condemns the Chinese government for its restrictive policies and argues that the government must adopt a more compassionate development model.

Glaser, Bonnie. 2004. "U.S.-China Relations: A Familiar Pattern: Cooperation with a Dash of Friction." *Comparative Connections* 6 (1).

Annotation: In this article, Bonnie Glaser examines a meeting between United States and Chinese diplomats. The agenda for this meeting was diverse, covering a myriad of bilateral security and political issues. Relations with North Korea, Iraq, Libya, Iran, and Taiwan were discussed. One topic of particular importance was the United States' decision to file a case against China with the World Trade Organization condemning the Chinese human rights record. This highly politicized move marked the first time the United States took action against China for its human rights policies. As the 2008 Beijing Olympic Games approached, the criticism addressed at this meeting paved the way for additional protests. With extensive emphasis on economic details of bilateral security issues, this article provides a unique background perspective.

——. 2008. "U.S.-China Relations: Bilateral Stability, but Challenges on China's Borders." Comparative Connections 10 (1).

Annotation: This article addresses several problems within China that have caught international attention. For example, the author describes protests that have taken place within the past several years in Tibet, and how those protests have spilled over into neighboring Chinese provinces with Tibetan populations. The current status of China's presence in Taiwan is also examined. In contrast, the author illustrates some instances of government responsiveness to the needs of the Chinese people, such as its handling of extreme winter weather in the beginning of 2008. A sizable portion of the article discusses China's status as a "go-between" for North Korea and the international community. Although some of these issues appear to be domestic in nature, the author argues that they are highly politicized throughout the international community. The United States' position is noted on each issue.

———. 2008. "U.S.-China Relations: Chock-full of Dialogue: SED, Human Rights, and Security." Comparative Connections 10 (2).

Annotation: This article is a general overview of the U.S.-China Strategic Economic Dialogue (SED) of 2006. These biannual meetings provide officials from the United States and China with the opportunity to discuss critical shared issues pertaining to trade. The 2006 meeting marked the fourth round of talks. Several topics were addressed, including managing financial and macroeconomic cycles, developing human capital, the benefits of trade and open markets, enhancing investment, and advancing joint opportunities for cooperation in energy and the environment. The authors note that the tone of the fourth round was exceptionally cooperative. It is relevant to the 2008 Beijing Olympic Games in the context of some long-term environmental agreements. As the 2008 Games approached, these agreements were referenced as counterarguments to environmental protesters, as they illustrate the United States' awareness and acceptance of China's environmental situation. Primarily, however, this piece provides a detailed account of trade issues concerning both the United States and China.

Goldstein, Evan R. "Boycott Beijing?" 2008. Chronicle of Higher Education 54 (33): B4.

Annotation: This article consists of quotations concerning public calls for boycotts of the 2008 Olympic Games in Beijing. In the introduction, the author gives a brief overview of some of the human rights abuses taking place throughout Chinese territory, particularly the crackdowns on anti-government groups in the Tibetan Autonomous Region. The author includes quotations from George Washington University political science professor Henry Farrell, "New Yorker" staff writer George Packer, and "Financial Times" China bureau chief Richard McGregor, among others. The quotes represent a broad spectrum of opinions on the topic of a boycott, providing a variety of valuable viewpoints.

Gvosdev, Nikolas. 2008. "Diplomatic Games." American Conservative 7 (8): 4.

Annotation: The article provides a brief overview of relations between the United States and China leading up to the 2008 Olympic Games. The author reviews the various politicians and activists that have called upon President George W. Bush to boycott the opening ceremonies in Beijing, including Senator Hillary Clinton and House Speaker Nancy Pelosi. He also mentions several European leaders who have already made the decision to boycott the Games. The author cites anti-Tibetan Chinese policy as the primary reason for the boycotts.

Jin, Shi. 2008. "On the Illegality of Politicalizing Beijing Olympics in the Realm of International Human Rights Law." *Chinese Journal of International Law* 7 (3): 771.

Annotation: This article was written as a response to calls to boycott the 2008 Beijing Olympic Games. The author, Shi Jin, is a self-described Chinese national defending China's human rights record. In particular, the author states that the international media portrayed Beijing's involvement in Sudanese Darfur unfairly. The author alleges that many of these accusations were outright fabricated, such as the claim that China was intentionally fueling the Sudanese genocide, and insists that China has been behaving in a legal and humane manner. Furthermore, the author questions whether it is fair to use issues of international law as political propaganda in the context of the Olympic Games. The author asserts that the Games should be more apolitical in nature, focused upon athletic prowess instead of interstate conflict.

Jones, Quincy. 2008. "Change Through Participation." Billboard, July 19.

Annotation: Quincy Jones is a self-described "culture and art consultant" for the 2008 Olympic Games in Beijing. In this article, he reflects on his personal decision to attend and participate in the Olympic Games, despite the international controversy. He argues that he decided to participate in the Games despite China's role in Sudan. He discusses his opportunity to meet with an unnamed Chinese official, who assured him that his humanitarian concerns would be addressed. He also mentions the Chinese government's

rapid response to a recent earthquake in Sichuan Province. He seems to question whether the calls for boycotting the Games are from informed individuals who have "done their homework."

MacLeod, Calum. 2009. "Beijing Games Leave a Two-Sided Legacy." USA Today (April 16): 2C.

Annotation: This article provides a brief overview of the human rights situation in China, a year after Beijing hosted the 2008 Olympic Games. The author interviewed a number of Chinese citizens concerning their opinion of the Games' legacy. Several Chinese respondents indicated that they appreciated the Games, specifically citing its legacies of national unity and cultural strength. Some added that the environmental situation in the country has greatly improved. However, other respondents, including a spokesperson for Amnesty International, stated that the Chinese human rights situation has remained grim. Providing only a brief analysis, this article is an accessible overview of the human rights situation in China a year after the Olympics.

Mullman, Jeremy, Claude Brodesser-Akner, and Alice Z. Cuneo. 2008. "Sponsors Feel Some Heat as Torch Protests Mount." *Advertising Age* 79 (15): 3-73.

Annotation: The article reports on the reactions of advertisers for the 2008 Olympic Games in Beijing in response to human rights issues in China. The author states that marketers are facing increasing pressure to be clear about human rights issues and to be able to take a stand on various issues. A survey reveals that a majority of American respondents do not believe that Olympic sponsors should be boycotted.

"Olympic Flame Out." 2008. Nation (April 17).

Annotation: The author discusses the political underpinnings of the Olympic Games. The author notes that the relay of the Olympic torch was devised for the 1936 Berlin Olympics as a symbol of Nazi superiority and suggests that China hopes to use the 2008 Olympics in Beijing for national promotion. The author comments that some world leaders may boycott the opening ceremonies of the Olympics to protest Chinese policies, and suggests that multinational companies would be a more effective target for boycotts.

"Only 9 of 27 EU leaders present at Olympic opening ceremony." 2008. Tibetan Review 43 (9): 31-32.

Annotation: The article was written after the opening ceremonies of the 2008 Olympic Games in Beijing. The author reports that nine of the twenty-seven leaders of the European Union member states were present at the opening ceremony. The author states that the failure of other European Union leaders to join the event was an expression of disapproval by their governments over the human rights conflict between China and Tibet. Among the heads of state present at the ceremony were the presidents of Slovakia, Cyprus, and the Netherlands.

Peruzzi, Marc. 2008. "Let the Games Begin Without Us." Outside, June.

Annotation: The author reflects on the 2008 Olympic Games being held in Beijing. He believes that China should not have been chosen as the venue for the Olympics in light of its human rights violations, and he questions why the decision was originally made. He goes on to urge political figures, athletes, and spectators alike to voice their objections to China's suppressive actions. He argues that viewers should boycott the broadcasting of the Olympics to demonstrate their disapproval of China's anti-Tibetan policies.

Stolberg, Sheryl Gay. 2008. "Bush to Attend Opening of Beijing Games." New York Times (July 4).

Annotation: This article was written shortly after the White House announced that President George W. Bush would attend the opening ceremonies of the Olympic Games in Beijing. The author seeks to explore some of the virulent criticism surrounding this controversial decision. She briefly explains the international political symbolism surrounding attendance at the Olympic Games. Human rights advocates had hoped that President Bush would join European leaders in boycotting the games after China's crackdown on anti-government Tibetan groups. The author also touches upon China's unique relationship with Sudan and the resulting disapproval growing in the international community. There is little attention in the article afforded to the reasoning behind the White House's decision.

Wachman, Alan M. 2001. "Does the Diplomacy of Shame Promote Human Rights in China?" *Third World Quarterly* 22 (2): 257-281.

Annotation: This article is an overview of the international response to China's human rights record. The author discusses how human rights groups, nations, and other foreign critics have continually voiced their disapproval concerning human rights violations taking place in China. He discusses how these parties have attempted to force China to comply with "international norms," without any significant response from Beijing. According to the author, these attempts have actually assisted China in cultivating a certain national pride. In essence, he suggests that the Chinese government's indignation has served to unite the people of China and thus permit human rights abuses to continue. He concludes by stating that the commonly used "diplomacy of shame" approach is ultimately counterproductive. This piece is very relevant to discussions pertaining to China's international presence, particularly its role as an Olympic Games host in 2008.

Young, Christopher. 2008. "Olympic Boycotts: Always Tricky." Dissent 55 (3): 67-72.

Annotation: In this article, the author examines the history of boycotts at the Olympic Games in response to calls for boycotts against the 2008 Games in Beijing. He discusses the events which led to the proposed (but unsuccessful) boycott of the 1936 Olympics held in Nazi-controlled Germany. The author also examines the United States' non-participation in the 1980 Moscow Olympic Games, as well as Russia's retaliatory boycott of the 1984 Los Angeles Olympic Games. This article provides interesting background information, putting the 2008 Olympic boycotts into historical focus.

Zakaria, Fareed. 2008. "Don't Feed China's Nationalism." Newsweek, April 21.

Annotation: Fareed Zakaria is a prominent reporter for CNN. In this article, he offers his views on China's relationship with Tibet and the potential effect of a 2008 Olympic Games boycott. He provides some background concerning China's attitude toward Tibet and the Dalai Lama, noting some contrasts between other dictatorships. In particular, he points out that the majority of Chinese citizens reportedly have little sympathy for the Tibetan cause. He argues that these circumstances would make it difficult for a boycott to have a significant impact on the Tibetan issue. Although a boycott may have had an impact on an already sympathetic population, he feels that a boycott under these circumstances would only make the Tibetan situation worse. He continues to stress that negotiations between the two sides would be more helpful than a boycott by world leaders and spectators; however, he notes that this is an unlikely possibility in the near future.