

*A speech at the Forum on Chinese Legal System  
House of Commons, Ottawa, Canada.  
5 May 2010*

Gao is the thrice-nominated candidate for the Nobel Peace Prize ( 2007, '08, '10) whose work in the face of great personal danger has won him the sobriquet "Conscience of China". Last week (April 30), after a brief release, he disappeared again; all of us in the democratic governance world should pressure the party-state to say where China's best-known lawyer is now.

He represented the most vulnerable without fear-- disabled children, dismissed workers and death row inmates. He has defended coal miners, house-church members, petitioners to the government, and home-demolition victims. He cares deeply for ordinary Chinese people and is indignant at the countless injustices of the legal system.

Three of his clients were Yang Maodong, Zheng Yichun, and Pastor Cai Zhuohua. Yang was detained for providing legal advice to villagers in southern China, who were attempting to unseat a village leader for corruption. Zheng, a journalist and former professor, was sentenced to seven years for his online writings. Cai was imprisoned for three years for printing copies of the Bible.



*Gao and family in happier times. (courtesy David Kilgour)*

Gao was born in the hillside cave in which his family lived in northern China. His parents could not afford to send him to school, so he listened outside classroom windows to get his basic education. Starting as a migrant worker and then going underground as a coal miner at the age of 15, he later joined the People's Liberation Army, where he met his future wife (Geng He),

obtained a secondary education and became a member of the Communist Party.

On discharge, Gao worked as a street vendor, but also studied to become a lawyer, and was among the one percent of the self-trained candidates who passed the bar exam in 1994. In 2001, China's Ministry of Justice named him one of the country's ten "honour lawyers" in a national television competition.

His representation of farmers losing their land to developers for little or no compensation and of Christians was serious enough to the party hierarchy. Doing the same for Falun Gong practitioners, after the regime had banned lawyers from representing them, crossed another line.

### **Falun Gong**

Falun Gong is a spiritual discipline with qi gong exercises and meditations, which, when it first appeared in 1992, the party-state supported because practitioners improved their health. Its teachings won people of all ages and walks of life. Many party members also practised. It grew so quickly that by 1999 the government itself estimated that there were from 70-100 million practitioners across China. The popularity and principles of the movement, including its core ones of truth, compassion and forbearance, terrified then president Jiang Zemin, so he banned it in mid-1999 and unleashed the merciless persecution which continues today.

The co-authors of [Bloody Harvest](#), David Matas and I, concluded our independent investigation into allegations that Falun Gong practitioners were being killed for their vital organs thus:

"We have concluded that the government of China and its agencies in numerous parts of the country, in particular hospitals but also detention centers and 'people's courts', since 1999 have put to death a large but unknown number of Falun Gong prisoners of conscience. Their vital organs, including kidneys, livers, corneas and hearts, were seized involuntarily for sale at high prices, sometimes to foreigners, who normally face long waits for voluntary donations of such organs in their home countries. Our conclusion comes not from any single item of evidence, but rather the piecing together of all the evidence we have considered."

### **Law Office closed**

Beginning in 2005, Gao and his family were harassed, his law firm was shut, and his license to practise law was revoked after he wrote open letters to President Hu Jintao and Premier Wen Jiabao. They called for an end to government persecution of Falun Gong, detailing a wide range of abuses adherents suffer in custody, including torture, beatings and executions.

In a characteristic response, Gao made a public statement in which he resigned from the Communist Party in December 2005 and later publicly declared he was a Christian.

Gao, Geng He, and their two children were put under 24-hour police surveillance in the autumn of 2005 and were thereafter constantly followed and intimidated. Even his then 13-year-old daughter was beaten by police. Amnesty International reported in mid-January 2006 that Gao narrowly escaped an assassination attempt, planned as a traffic accident, that was probably ordered by Chinese secret police.

On February 4, 2006, Gao, together with Hu Jia and other activists, launched a "Relay Hunger Strike for Human Rights," in which activists and citizens fasted for 24 hours in rotation. The hunger strike was joined by persons in 29 provinces in China. Participants across China were arrested for these actions.

### **Abduction by officials**

On August 15, 2006, after numerous death threats and continued harassment, Gao was abducted by the Chinese secret police. On December 22, 2006, he was convicted of "subversion," and sentenced to three years in prison. The sentence was suspended, and he was placed on probation for five years. Though the jail sentence was suspended, he was put under house arrest and closely monitored.

In September 2007, Gao was abducted again and tortured after writing an open letter to the U.S. Congress to express his concerns about worsening human rights in China preceding the 2008 Olympics. He returned home in November 2007 and later issued a statement revealing his torture in custody. He detailed violent beatings, repeated electric shocks to his genitals and lit cigarettes placed close to his eyes. The pain and humiliation were so intense that he considered suicide. His captors had threatened to kill him if he spoke publicly about the matter.

Gao's advocacy on behalf of the Falun Gong community illustrates his willingness to come to the aid of any person or group treated unfairly. Undeterred by state propaganda and continuing vilification of Falun Gong, he insisted on their right to practise their beliefs, to be free from torture and to be treated equally before the law. The response he received from the party-state was similar to that given to Falun Gong practitioners and other defenders of human dignity.

On February 4, 2009 he was again taken away by public security agents and was missing for over a year. His wife and children, unable to withstand the continuous harassment, secretly fled China in January 2009 and were granted asylum in the U.S.

On March 28, 2010, Gao reappeared and met with media briefly, although he clearly could not speak openly. His situation continues to be of grave concern. All aspects of his life are tightly controlled by the regime. Considering his earlier account of torture in custody, which led him to consider suicide, many believe he suffered a similar fate this past year. His wife and other observers see renewed torture in his face and eyes in a recent photo.

### **Missing again**

The *New York Times* reported on April 30 that Gao has again vanished, failing to return to a Beijing apartment after spending more than a week in Urumqi, the capital of western China's Xinjiang region, where he had been visiting his wife's father. Gao evidently telephoned his father-in-law as his plane left Urumqi on April 20th, saying he would call upon his arrival in Beijing. Beijing human-rights lawyer Li Heping and a friend said he had visited Gao's apartment repeatedly since in vain. "There was a thick layer of dust on the door handle," Li said, who last went to Gao's apartment on April 29th. "No one had been there for a while. I have no idea who to call, or who has taken him."

In all probability, Gao been returned to government custody and the brief release earlier was allowed only to stop world-wide speculation that he had not been killed in detention.

Despite pleas from the European Union, the United States and the United Nations, Gao was missing from Feb. 4th, 2009, when he was taken away by officials, until he abruptly appeared last month at a Buddhist monastery in northern China. In a telephone interview then with The New York Times, he said then he had given up his work as a human-rights defender and merely sought "to calm down and lead a quiet life." He declined to say whether he had suffered mistreatment while in captivity. In an April 7 interview with The Associated Press, he said simply, "I don't have the capacity to persevere."

The *South China Morning Post*, based in Hong Kong, reporting Gao's latest disappearance on April 30th, noted in an article that he had been "quite outspoken" during an April 6 interview in his Beijing apartment, despite the certainty that his conversation was being recorded by security agents. The article added that Gao had asked that details of his treatment by authorities while in captivity not be made public. "If this is reported," he was quoted as saying, "I'll disappear again."

We must all do our utmost everywhere to save the life of China's most prominent lawyer, who has become a symbol of the movement for human dignity and the rule of law in China. We must also continue to support this cause to which he has dedicated his life.

### **Final thought**

For years, respect and affection for the Chinese people muted my criticism of their government. I rationalized this by saying that at least it was not like the regime of Mao Tse-tung, which caused an estimated 35 million citizens to starve to death during its inhuman 'Great Leap Forward' alone (1958-61). When apologists for the party-state insisted that the economic position of a growing part of the population was getting better, I was, like many, far too willing to overlook egregiously bad governance, continuing official violence, growing social inequalities, the complete absence of the rule of law and widespread nepotism and corruption.

The Chinese people want the same things all of us do. Living standards have improved on China's east coast, but most of the population continues to be exploited by the party-state and domestic industrial firms, often owned by or contracted for manufacturing to multinationals, which operate across China often like 19th century industrial robber barons. This explains partly why the prices of products 'made in China' seem so low—the externalities are borne by

## Gao Zhisheng: 'Conscience of China'

Hon David Kilgour

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workers, their families and the natural environment.

People across China have indicated in protests and other ways that "enough is enough". Their friends everywhere must support the voices crying for justice. In a 2007 UPI/Zogby opinion poll, 79 percent of Americans said they had a favourable opinion of the Chinese people, but 87 percent had an unfavourable opinion of their government. A similar survey done today in any rule-of-law country, including Canada, would no doubt produce similar findings. The plight of Gao and thousands of Falun Gong prisoners of conscience are substantial parts of the reason.