

HUMAN RIGHTS IN CHINA

Issue

The military crackdown of last Spring's Democracy Movement, and the subsequent campaign of repression, have highlighted human rights abuses in the People's Republic of China (PRC).

Background

For most of the last decade, China under Deng Xiaoping's leadership has pursued a course of economic reform. These reforms, which included dismantling of the agricultural commune system, have brought a measure of economic progress to the lives of hundreds of millions of Chinese people. The economic reforms were accompanied by efforts to reform China's legal system, primarily in commercial law matters, but also with respect to criminal justice. The leadership acknowledged that the Cultural Revolution (1965-1975) was a period of widespread serious violations of human rights, and attempted to move away from the arbitrary excesses of the past, when criminal law and the justice system were largely subsumed to political considerations.

These efforts were only partially successful. First of all, central government directives from Beijing were often ignored by local authorities. As well, the willingness of the central government to eliminate arbitrariness in the criminal law or torture, conflicted with the need to maintain political control and repress dissent. Throughout the reform period of the 1980s, for example, a number of individuals continued to be arrested and sentenced, sometimes without trial, for non-violent protest.

The death penalty has long been imposed in China without uniform availability of full rights of appeal. The unrest in Tibet, the scene for the past two years of numerous demonstrations against Chinese rule, has resulted in human rights violations, such as ill-treatment of arrested persons, and long periods of administrative detention without trial.

Notwithstanding these serious problems, the decade or so from 1979 to 1989 can be described as a period of slow but significant improvement in China's human rights record.

The rise last Spring of an urban movement protesting corruption and demanding greater political openness, and the occupation of Tiananmen Square for weeks, exceeded the limits of the regime's tolerance, and was met with a bloody crackdown and numerous civilian deaths. The repression continues at present. Although the Chinese have released no numbers, several thousand people may have been arrested in Beijing alone following the crackdown of June 4th. Beatings, ill-treatment of detainees, trials with minimal legal safeguards for accused persons, and a number of executions immediately following the crackdown, have been a setback for the progress registered before these events.