

Sin-ming Shaw

How to Get China's Attention

The release of a jailed academic proves the virtues of noisy diplomacy

AFTER A HIGH-PROFILE PROTEST FROM SOME OF THE world's foremost Sinologists, China last month released Song Yongyi, a Shanghai-born Dickinson College librarian who was detained six months ago for allegedly providing intelligence to foreigners. True to form, China claimed Song had confessed and repented for his "crimes"—setting him free, in other words, was a gesture of leniency. But Beijing should know that this tired old script no longer fools anyone. The sorry episode illustrates how feudal China's leaders still are at the dawn of the new millennium: they apparently believe that a forced declaration of repentance legitimizes official misconduct.

Every confrontation has its heroes, villains and lessons. The most important lesson from the Song saga is this: when China misbehaves, quiet diplomacy is pointless. Many "friends" of China, like former U.S. Secretary of State Henry Kissinger, either superficial in their knowledge of Chinese culture or mindful of business interests, perpetuate the notion that Beijing is more likely to be lenient and reasonable toward the wrongfully persecuted only if it is not embarrassed publicly. But Wei Jingsheng, Wang Dan and now Song would still be in jail had the world not protested loudly and firmly at their incarcerations. Hua Di, a former Stanford University scholar arrested two years ago, also for allegedly providing intelligence to foreigners, languishes in the same jail where Song was held. His supporters at Stanford mistakenly thought a quieter approach—one that gives Beijing "face"—was the way to secure his freedom. A number of Hong Kong businessmen who became embroiled in contract disputes on the mainland have been detained illegally—and for ransom—by local authorities. They, too, gained nothing from the quiet approach.

Why Chinese officials indulge in such behavior is a research topic more for psychiatric pathologists than political scientists. Perhaps, having lost the anchor of a failed ideology, China needs to reassure itself of its legitimacy and power by stepping on ordinary people perceived as a nuisance. Song, a Chinese national, is fortunate to have supporters among powerful academics abroad. Without such friends, he would still be rotting in a Chinese jail.

The villain of this story is the unchecked power of a dictatorship prone to paranoia. True, China has made some progress in developing its primitive legal system, particularly in the business sphere. Equally clearly, piecemeal legal re-

form by itself is ineffective unless China also has checks and balances in the form of honest separation of government power. Chinese courts are not an independent judiciary but an instrument of the executive branch that in turn is subordinate to the Communist Party.

Why was Song arrested in the first place? Some U.S. scholars say that, in researching the Cultural Revolution, he had angered Beijing by seeking to prove the complicity of Zhou Enlai in officially sanctioned violence during that period. Others believe his arrest reflects the party's nervousness over the rise of the Internet: Song was in the process of transferring his research material onto CD-ROM, and officials may have been concerned that his archives would become readily available to anyone with a computer and a phone line. Either explanation would suggest Beijing is out of touch with reality. That Zhou had

blood on his hands is hardly a "state secret"—after all, he was Mao's lieutenant. True, Zhou did intervene to save some lives during the Cultural Revolution. But Beijing's stubborn refusal to treat history honestly reveals how insecure the regime is about its legacy. As for the Internet, no one—not even China's leaders—can stop it.

Song heads the list of heroes. He refused, despite pressure, to sign a false confession. Dickinson College also behaved in an exemplary manner. The school mobilized scholars around the world to help free one of their own. Pennsylvania Senator Arlen Specter tried to get Song U.S. citizenship

in absentia. Also worthy of mention is Jerome Cohen, doyen of Chinese legal scholarship in the West. He put at risk his law firm's business interests in China by volunteering pro bono service to the Song family; he challenged the Chinese to show cause, which they, of course, could not.

When China joins the World Trade Organization, it will come under added pressure to accept that the world is now essentially one. Globalization is more than jargon. Its success rests ultimately on the rule of law, rather than arbitrary decisions made by a few behind closed doors. WTO membership not only breaks down trade barriers but is predicated upon fair treatment of anyone engaged in freely contracted activities, including academic research. China cannot continue to compartmentalize society into a free economy on the one hand and a restricted civil society on the other. But until its leaders come around, the world has a duty to publicly shame China into doing the right thing. ■

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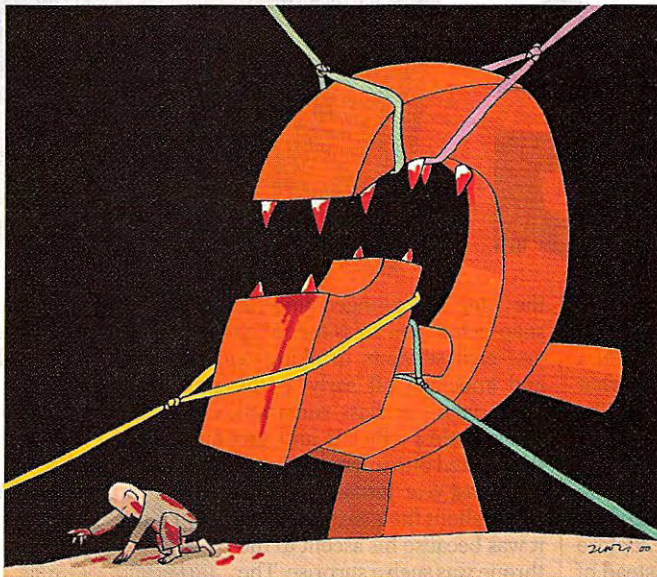


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