

The Closing Statement of Xu Zhiyong, a Citizen and Lawyer in the People's Republic of China

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During his visit to Brazil in July 2013, Pope Francis visited the community of Varginha in the very slums that surround the urban wealth of Rio. He made this appeal:

To those in possession of greater resources, to public authorities and to all people of good will who are working for social justice: never tire of working for a more just world, marked by greater solidarity! No one can remain insensitive to the inequalities that persist in the world! Everybody, according to his or her particular opportunities and responsibilities, should be able to make a personal contribution to putting an end to so many social injustices.

He went on to say:

No amount of “peace-building” will be able to last, nor will harmony and happiness be attained in a society that ignores, pushes to the margins or excludes a part of itself....The measure of the greatness of a society is found in the way it treats those most in need, those who have nothing apart from their poverty!

For the youth inside and outside the slums, Pope Francis had a special message:

Dear young friends, you have a particular sensitivity towards injustice, but you are often disappointed by facts that speak of corruption on the part of people who put their own interests before the common good. To you and to all, I repeat: never yield to discouragement, do not lose trust, do not allow your hope to be extinguished. Situations can

change, people can change. Be the first to seek to bring good, do not grow accustomed to evil, but defeat it.¹

Brazil is far away from China. But the Church's appeal, and the promise to stand with everyone who works for a more just world echo in a country where many live according to a different rule. Fear inspires the practice: "each family sweeps the snow in front of its doorsteps, never mind the frost on the roof of another." Fear and greed underwrite the law of the jungle where the vulnerable are preyed upon, or pushed to the margins, while the powerful are on an insatiable binge.

On 22 January, 2014, Xu Zhiyong (許志永), a legal scholar, rights defender, and the father of a nine-day old baby girl, was sentenced to four years in prison for "gathering a crowd to disturb public order."

Mr. Xu's "offense" began much earlier when he and his colleagues provided legal assistance to migrant workers in cities; when they, together with aggrieved parents advocated equal access to education (regardless of *hukou*); and when he encouraged fellow citizens to exercise their rights as guaranteed by the constitution of the Republic.

There was silence at the trial because the court did not allow him to deliver his closing statement. We print the statement in solidarity with a person of faith and a Chinese citizen, who could have lived "a superior life within the system," but chooses to "stand with the weak and those deprived of their rights."

I now finally accept judgment and purgatory as my fate, because for freedom, justice, and love, for the happiness of people everywhere, and for the glory of the Lord, all this pain, *I do*.

Mr. Xu's statement follows the tradition of the "Suffering Servant" of Isaiah (42:1-4; 49: 1-6; 50: 4-9; 52:13 – 53:12). But it is his everyday actions (joining in petitions; filing lawsuit against criminal enterprises that produced poisoned milk powder and

¹ "Pope Francis: the humblest offer the world a lesson in solidarity," *Vatican Radio* (25 July, 2013). <http://www.news.va/en/news/pope-francis-the-humblest-offer-the-world-a-lesson>

shoddy school-construction; and proposing policy changes) that show he has taken on Christ's mission:

He came to Nazareth, where he had grown up ... He stood up to read and was handed a scroll of the prophet Isaiah. He unrolled the scroll and found the passage where it was written:

“The Spirit of the Lord is upon me,
because he has anointed me
to bring good news to the poor.
He has sent me to proclaim release to the captives
and recovery of sight to the blind,
to let the oppressed go free,
to proclaim the year of the Lord's favor.” (Luke 4: 16-19)

We now present here most of Mr. Xu's closing statement. The English translation was published by chinachange.org/.²

For Freedom, Justice and Love — My Closing Statement to the Court

This is Xu Zhiyong's closing statement on January 22, 2014, at the end of his trial. According to his lawyer, he had only been able to read “about 10 minutes of it before the presiding judge stopped him, saying it was irrelevant to the case.”

You have accused me of disrupting public order for my efforts to push for rights to equal access to education, to allow children of migrant workers to sit for university entrance examinations where they reside, and for my calls that officials publicly declare their assets.

While on the face of it, this appears to be an issue of the boundary between a citizen's right to free speech and public order, what this is, in fact, is the issue of whether or not you recognize a citizen's constitutional rights.

² <http://chinachange.org/2014/01/23/for-freedom-justice-and-love-my-closing-statement-to-the-court/>

On a still deeper level, this is actually an issue of the fears you all carry within: fear of a public trial, fear of a citizen's freedom to observe a trial, fear of my name appearing online, and fear of the free society nearly upon us.

By trying to suppress the New Citizens Movement, you are obstructing China on its path to becoming a constitutional democracy through peaceful change.

And while you have not mentioned the New Citizens Movement throughout this trial, many of the documents presented here relate to it, and in my view there is no need to avoid the issue; to be able to speak openly of this is pertinent to the betterment of Chinese society.

What the New Citizens Movement advocates is for each and every Chinese national to act and behave as a citizen, to accept our roles as citizens and masters of our country—and not to act as feudal subjects, to remain complacent, and to accept mob rule or a position as an underclass. To take seriously the rights which come with citizenship, those written into the *Universal Declaration of Human Rights* and China's Constitution: to treat these sacred rights—to vote, to freedom of speech and religion—as more than an everlasting IOU.

And also to take seriously the responsibilities that come with citizenship, starting with the knowledge that China belongs to each and everyone of us, and to accept that it is up to us to defend and define the boundaries of conscience and justice.

What the New Citizens Movement calls for is a civic spirit that consists of freedom, justice, and love: individual freedom, freedom without constraint that brings true happiness, will always be the goal of both state and society; justice, that which defines the limit of individual freedom, is also what ensures fairness and preserves moral conscience; and love, be it in the form of kindness, tolerance, compassion or dedication, is our most precious emotion and the source of our happiness.

Freedom, justice, and love, these are our core values and what guides us in action. The New Citizens Movement advocates a citizenship that begins with the individual and the personal, through small acts making concrete changes to public policy and the encompassing system; through remaining reasonable and

constructive, pushing the country along the path to democratic rule of law; by uniting the Chinese people through their common civic identity, pursuing democratic rule of law and justice; forming a community of citizens committed to freedom and democracy; growing into a civil society strengthened by healthy rationalism.

Common to all those who identify themselves as citizens are the shared notions of constitutional democracy, of freedom, of equality and justice, of love, and faith. Because taken as a whole, civic groups are not the same as an organization as defined in the authoritarian sense, having neither leader nor hierarchy, orders or obedience, discipline or punishment, and in contrast are based fully on the voluntarily coming together of free citizens.

It's through acts of pushing for systemic reform that geographically dispersed groups of citizens are able to grow spontaneously into their own, and by acting to hold authorities accountable and pushing for political reforms, establishment of the democratic rule of law, and advances in society, that civil groups are able to grow in a healthy way. Pushing for equal access to education, the right for children of migrant workers to sit for university entrance exams where they live, and calling on officials to disclose their assets, these are civic acts carried out in precisely this sense.

The push for equal access to education rights particularly for children of migrant workers was a three-year-long action we initiated in late 2009.

Prior to that, we had received a series of requests for help from parents. It was then that we realized the severity of this social issue. More than 200 million people across China had relocated to urban areas to live and work but found themselves unable to enjoy equality where they lived despite being taxpayers. Far more serious was learning that their children were unable to study or take university entrance examinations in their new places of residence, leaving no choice but to send them thousands of miles away back to their permanent registered addresses in order to receive an education, resulting in millions of Chinese children being left behind.

While many feel concern for the fate of left-behind children, rarely do they realize the best help they can offer is to tear down the

wall of household registration-based segregation, allowing the children to return to their parents.

Our action consisted of three phases. The first took place over the first half of 2010, with petitions to education authorities in Haidian district and across Beijing, through deliberations to allow non-local students to continue their studies in Beijing as they entered high school. The second phase, which lasted from July 2010 to August 2012, consisted of petitions to the Ministry of Education to change policies to allow non-local children of migrant workers to take university entrance examinations locally.

The third phase took place between September 2012 and to the end of year. It focused on pressing the Beijing Education Commission to implement new policies issued by the Ministry of Education. To that end, we gathered signatures and expanded our volunteer team of parents, and on the last Thursday of each month, we approached the Education authorities to petition. We submitted our recommendations and we consulted experts to research actionable changes to policies regarding educational paths for non-local children of migrant workers. We wrote thousands of letters to National People's Congress delegates, making calls and arranging meetings, urging them to submit proposals during the two annual parliamentary sessions.

During the Two Sessions [annual plenary meetings of the National People's Congress and the National People's Consultative Conference] in 2011, the Minister of Education said in one interview that policy changes for non-local children were then being drafted. During the Two Sessions in 2012, the Education minister promised publicly at a press conference that changes to university entrance examinations for non-local migrant children would be released sometime in the first half of the year, and provincial education authorities would be required to draft implementation plans over the second half of 2012.

By June 28, 2012, a scheduled day for parent volunteers to continue petition work, the Ministry of Education had yet to issue any formal response. Parents decided then and there that they would return the following Thursday, if by the end of the month the Ministry of Education failed to issue the new policy as it had promised. This led to the July 5th petitioning.

In August, the Ministry of Education finally released a new policy regarding university entrance examination eligibility for children of non-local migrant workers, along with an order for local education authorities to draft implementation strategies. By the end of 2012, 29 provinces and cities across China released plans to implement the policy except for Beijing. One parent joked bitterly that after a three-year struggle they had managed to liberate all of China, just not themselves.

I could see the tears behind the joke, because it meant that their own children would have to leave and take up studies in a strange place, in a possibly life-changing move.

As idealists, we were able to win a policy allowing children of migrant workers to continue their studies and remain with their parents, and yet the main impetus behind this change, the parents who lived and worked in Beijing without Beijing *hukou*, had not been able to secure for their own children the chance of an equal education. I felt I let all of them down, and many of them grew disheartened. I was compelled to go out and, standing at subway station entrances, hand out fliers calling for one last petitioning effort on February 28, 2013.

In the two petitioning events, one on July 5, 2012 and the other on February 28, 2013, we the citizens went to the education authority, or a government office, not a public place in the legal sense, to make an appeal. China's *Criminal Law* is very clear on the definition of public spaces, and government buildings, locations of organizations and public roads are not among them. Therefore our activities did not constitute disruption of order in a public place.

Over the past three years, our activities have remained consistently moderate and reasonable. Certain parents did get emotional or agitated during the July 5th petition, and the reason was that the Ministry of Education failed to live up to its own publicly-issued promise, nor did it provide any explanation.

Yet despite this, their so-called agitation was merely the shouting of a few slogans, demanding a dialogue with the Minister of Education, rather understandable considering they had gathered 100,000 signatures, behind which stand the interests of 200 million new urban immigrants.

And what response did they get? Take a look at the photos of the scene. One parent who goes by the online alias “Dancing” was taken away by police pulling her hair. Was there no other way to escort her away? Was she exhibiting extreme behavior? Had she ever done anything provocative in the past three years? No, never! It hurts whenever I think of the event. We had pursued a very simple goal for three years, our approaches had been so reasonable, but we were assaulted with such viciousness. There were police officers who, with a prepared list of names in hand, sought them out and beat them.

In spite of what happened, I told them, over and over again, that they must stay calm and that we can’t stoop to their level. This society needs a renewed sense of hope, and we can’t behave like them.

The right to an equal education, the right to take a university examination where you live, these are concepts that the New Citizens Movement encompasses. Starting with changes to specific public policies and concrete system changes, in this case, for the freedom of movement, we strive for justice, for love.

When China established the household registration system, or *hukou*, in 1958, it created two separate worlds: one rural, one urban. In 1961, China established the system of custody and repatriation. From then on, anyone born in a rural area who wanted to find work and try a new life in the city could be arrested and forcibly returned home at any time. In Beijing in 2002 alone, 220,000 were detained and repatriated.

In 2003, the custody and repatriation system was abolished, but the road remained long for new urban arrivals to integrate into the city. In 2006, we discovered through our research in Beijing that there still existed as many as 19 discriminatory policies against non-local permanent residents, the most inhumane of them being the policy that prevented children from living with their parents and receiving an education.

We worked tirelessly for three years to win children the right to take the university entrance examination locally while living with their migrated parents. During the three years, I witnessed equal education campaign volunteers brave bitter winters and scorching summers at subway entrances, on roadsides and in shopping malls

to collect more than 100,000 signatures with contact information included. I witnessed several hundred parents standing in the courtyard outside the Letters and Petition Office of the Ministry of Education, reciting their *Declaration of Equal Access to Education* statement. I witnessed several hundred parents and children planting trees in Qinglong Lake Park on the Clear and Bright Day (清明節) in 2012. Everyone wore caps bearing the same slogan: “Live in Beijing, love Beijing.”

When I think of the hundreds of millions of children whose fates were permanently decided by the *hukou* segregation, of generation after generation of Chinese people who have been hurt by this evil system, of the countless Chinese who died in the custody and repatriation system, today I stand here as a defendant, filled with no grudges but pride for having worked to eliminate the segregation system with Chinese characteristics and for having fought for millions of children to be able to live with their parents and go to school.

The calls on officials to publicly declare their assets, these are our efforts to push the country to establish an anti-corruption mechanism. More than 137 countries and territories around the world currently have systems in place for officials to declare assets, so why can't China? What exactly is it these “public servants” fear so much? Excessive greed and undeserved wealth do not just bring luxuries, but also a deep-seated fear and insecurity, as well as public anger and enmity.

When we go online to collect signatures and distribute promotional materials, or unfurl banners on the street, all to call on officials to publicly declare their assets, we are at the same time exercising our civic rights to free speech provided for in the Constitution. Our actions did not violate the rights of any other person, nor did they bring harm to society. While the speech delivered in Xidan had a few strong words, as a speech about public policy, it did not exceed the limits of free speech provided for by the Constitution and the law.

It is a normal occurrence in a modern, civilized society for citizens to express their political views by displaying banners, giving speeches and taking other actions in public venues. Law enforcement agencies can be present to monitor and take

precautionary measures, but they should not abuse their power or interfere. In fact, when banners were displayed at the west gate of Tsinghua university, Zhongguancun Square and other places where no police officers were present, they caused no disorder, nor did they hinder any other people's rights. They left after displaying banners. This conforms to our idea of a "flash action." It had taken consideration of China's reality and Chinese society's capacity for tolerance. We took quick actions in small groups, instead of larger gatherings, to make these public expressions for justice.

Of course we hope that the sacred rights enshrined in the Constitution will be realized, but reform requires stability and social progress requires gradual advancement. As responsible citizens, we must adopt a gradualist approach when exercising our constitutionally guaranteed rights and when advancing the process towards democracy and the rule of law.

Over the last ten years, we consistently pushed for progress through peaceful means, and we tried to effect change in specific policies through involvement in public incidents. We did so for the sake of freedom, justice, love, and for the sake of our long-held dreams.

We provided legal assistance to victims of grave injustices, such as the victims of melamine-tainted milk powder and the high-speed rail accident.

We have spent many winters out on the street delivering coats, blankets and steamed buns to the poor and homeless petitioners so that they would not die of hunger or cold silently in this bustling city.

Petitioning is rights defence with Chinese characteristics. In a society like ours comprised of relationships that belie privilege, corruption and injustice, to step forward in defence of one's rights and dignity is something only the most stubborn of us dare do. But this small minority, when gathered in the nation's capital, numbered in the tens of thousands. They get driven out of Beijing, or illegally detained, or beaten. In Beijing alone, there are more than 40 black jails — and we've verified the numbers — that have been used to illegally detain people. When we visited these black jails and reported the crime taking place, showing the specific laws it violated, we were humiliated and beaten by those guarding them.

Time and time again, I feel proud for sharing a little bit of their suffering.

Having chosen to stand alongside the powerless, we have witnessed far too much injustice, suffering and misfortune over the past decade. However, we still embrace the light in our hearts and push for the country's progress in rational and constructive ways.

What we want is not to fight to gain power, or barbaric politics by any means; but good politics, a good cause for public welfare, a cause for all citizens to govern the country together. Our mission is not to gain power but to restrict power. We aim to establish a modern and civilized system of democracy and the rule of law and lay a foundation for a noble tradition of politics so that later generations can enjoy fairness, justice, freedom and happiness.

Good politics is a result of true democracy and the rule of law. On every level, the government and the legislature must be elected by the people. The power to govern should not come from the barrel of a gun but through votes.

Under true democracy and the rule of law, politics should be carried out within the rule of law. Political parties should compete fairly and only those that win in free and fair elections are qualified to govern.

Under true democracy and the rule of law, state powers are scientifically separated and mutually subject to checks and balances; the judiciary is independent and judges abide by the law and conscience.

Under true democracy and the rule of law, the military and the police are state organs and should not become the private property of any political party or vested interest group.

Under true democracy and the rule of law, the media is a social organ and should not be monopolized to be the mouthpiece of any political party or vested interested group.

Under true democracy and the rule of law, the constitution stipulates and actualizes sacred civil rights, including the right to vote, freedom of speech and freedom of belief. The promise of people's power should not be a lie.

These modern democratic values and measurements are rooted in common humanity. They should not be Eastern or Western, socialist or capitalist, but universal to all human societies.

Democracy is the knowledge to solve human problems. Our ancestors did not discover this knowledge. We should thus be humble and learn from others. Over the past thirty years, China introduced the system of market economy with free competition which brought economic prosperity. Similarly, China needs to introduce a democratic and constitutional system to solve the injustices of our current society.

Social injustice is intensifying in China. The greatest social injustice concerns political rights, which lie at the heart of other forms of injustice. The root of many serious social problems can be traced to the monopoly of all political powers and economic lifelines by a privileged interest group, and China's fundamental problem is the problem of democratic constitutionalism.

Anti-corruption campaigns are waged year after year, but corruption has become more and more rampant over the course of the last sixty some years. Without democratic elections, press freedom and judicial independence, a clean government is not possible under a regime of absolute power.

The People's livelihood is emphasized year after year, yet hundreds of million of people still live below the internationally defined poverty line. In remote and mountainous areas, corrupt officials even embezzle the subsistence allowances of only 100 yuan a month for the extremely poor. The wealth gap between the elites and the general public is ever-widening.

Hostility towards government officials and the wealthy is, in essence, hostility towards power monopoly that perches high above. Tens of thousands of families toil and worry about their children's basic education, looking for connections to pay bribes to just obtain a kindergarten enrollment. How has society become so rotten?

Humans are political animals, in need of more than a full stomach and warm clothes. Humans also need freedom, justice, and participation in the governance of their own country. You say the National People's Congress is China's highest body of power. Then on the other hand you say this highest body of power answers to the Party.

If the country's basic political system is such an open lie, how is it possible to build a society that trusts values? You say that the judiciary is just and that courts hold open trials; then you arrange

for unrelated people to come occupy seats reserved for observers in the courtroom. If even the courts resort to such unscrupulousness, where can people expect to find justice?

It should surprise no one that people wear frozen masks in their dealings with one another, and that whether to help a fallen elderly person can become a lasting debate. There is toxic baby formula, kilns using child slaves, and every sort of social ill imaginable, yet the perpetrators do not have the slightest bit of guilt or shame. They just think that's how society is.

China's biggest problem is falsehood, and the biggest falsehood is the country's political system and its political ideology. Are you even able to explain clearly what socialism entails? Is or is not the National People's Congress the highest authority in the land?

Political lies know no bounds in this country, and 1.3 billion people suffer deeply from it as a result. Suspicion, disappointment, confusion, anger, helplessness, and resentment are the normal ways of life. Truly, politics affects each and every one of us intimately. We cannot escape politics; we can only work to change it. Power must be caged by the system. Authoritarian top-down politics must change. I sincerely hope that those in power will find a way to integrate with the trends of human civilization, and take an active role in pushing for political reforms and adopt the civilized politics of a constitutional democracy, therein realizing the hundred-year-old Chinese dream of empowering the people through peaceful reforms.

We have built a community of citizens, and rationally remaining responsible to the country, have taken the first small step.

You need not fear the New Citizens' Movement, we are a new era of citizens, completely free of the earmarks of authoritarian ideology such as courting enemies, scheming for power, or harboring thoughts to overthrow or strike down. Our faith is in freedom, justice, and love, of pushing to advance society through peaceful reforms and healthy growth in the light of day—not using acts of conspiracy, violence or other barbaric models of action.

The New Citizens' Movement is a movement of political transformation leading to democratic rule of law, as well as a cultural movement for the renewal of political and cultural traditions. A constitutional democracy needs a fertile bed of

civilized politics in order to function, and it's our collective anticipation and faith which serves as such a soil bed.

At the same time as our country's citizens seek faith in healthy politics, unscrupulous and barbaric politics must also be forever cast out from the deep recesses of each and every soul. This calls for a group of upstanding citizens to bravely take on such a responsibility, sacrificing ego to become model citizens. Each and every Chinese person shares this responsibility.

This is my responsibility. Having been born on this land, I need no reason to love this country; it's because I love China that I want her to be better. I choose to be a peaceful reformer, carrying on with the century-old but unfinished mission of our forebears, advocating an unwavering commitment to non-violence just as I advocate freedom, justice, and love, and advocate peaceful reform as the path toward constitutional democracy.

Although I possess the means to live a superior life within this system, I feel ashamed of privilege in any form. I choose to stand with the weak and those deprived of their rights, sharing with them the bitter cold of a Beijing winter the way it feels from the street or an underground tunnel, shouldering together the barbaric violence of the black jail.

God created both the poor and the wealthy, but keeps them apart not so we can reject or despise one another, but in order for mutual love to exist, and it was my honor to have the chance to walk alongside petitioners on their long road to justice.

My decision comes at a time when my child has just been born, when my family needs me most, and when I yearn to be there by their side. After years now of witnessing the bitter struggles of the innocent and downtrodden, I remain unable to control my own sorrow—or, try as I might, to remain silent.

This is our responsibility as a citizen group. In a servile society prone widely to submission, there will always need to be someone to be the first to stand up, to face the risks and pay the price for social progress. We are those Chinese people ready now to stand, with utmost concern for the future and the destiny of the motherland, for the democratic rule of law, justice, and for the dignity and well-being of the weak and marginalized.

Bravely, we assume this responsibility, ready to forgo our privilege and secular interests—even at the cost of our freedom—to stay true to our ideals. Ready to put aside our egos with no thought of personal gain or loss, we respect the rights and boundaries of others, facing all beings with humility.

Such is the responsibility now upon you judges and prosecutors. Your responsibility is fidelity to the law and your conscience, to uphold the baseline of social justice, to neither be reduced to a lowly cog in this bureaucratic system nor debase the sanctity of the rule of law.

Do not say you're constrained by the bigger picture, because the bigger picture in China is not an order from above, but the letter of the law. Do not say you merely follow the logic of laws as you sentence me, and do not forget those sacred rights afforded to all by the law. Do not say this is just your job, or that you're innocent, because each and every one of us is ultimately responsible for our own actions, and we must at all times remain faithful to our own consciences.

As a society with a history of rule by man that stretches back centuries, the law in China serves a very distinct purpose. Regardless of acting as a defendant, a juror, or a legal scholar, I have always remained true to the idea of justice, and I behoove you to do the same.

It has always been my hope China's legal community will undergo an awakening of conscience, that you judges can gain the same amount of respect afforded your counterparts overseas, and it is my hope an awakening of conscience will begin with you.

So I have to tell you the times have changed, that a new era of politics is afoot in which the greatest strength in society is not violence but love. Fear not democracy or loss of privilege, and fear not open competition, nor the free society now taking shape. You may find my ideas too far-out, too unrealistic, but I believe in the power of faith, and in the power of the truth, compassion and beauty that exists in the depths of the human soul, just as I believe human civilization is advancing mightily like a tide.

This is the shared responsibility of us 1.3 billion Chinese. Dynasties, likes political parties, all pass with time, but China will always be China just as we are all Chinese. It's our responsibility to

build a bright future for the country. Our China is destined to become the greatest country in the world, possessing the most advanced technology, the most prosperous economy, the greatest ability to defend equality and justice throughout the world, and the most magnificent culture to spearhead human civilization.

But that's a China that cannot exist under authoritarian rule. Ours is a China that will only exist once constitutional democracy is realized, a China that is democratic, free and governed through the rule of law. Allow us to think together what we can do for our country, because only then can we create a bright future. This country lacks freedom, but freedom requires each of us to fight for it; this society lacks justice, which requires each of us to defend it; this society lacks love, and it's up to each and every one of us to light that fire with our truth.

Here in absurd post-totalitarian China I stand trial, charged with three crimes: promoting equal education rights for children of migrant workers, calling on officials to publicly disclose their assets, and advocating that all people behave as citizens with pride and conscience.

If the country's rulers have any intention to take citizens' constitutional rights seriously, then of course we are innocent. We had no intention to disrupt public order; our intention was to promote democracy and the rule of law in China. We did nothing to disrupt public order, we were merely exercising our freedom of expression as provided for by the constitution.

Public order was not disrupted as a result of our actions, which infringed on the legitimate rights of no one. I understand clearly that some people have to make sacrifices, and I for one am willing to pay any and all price for my belief in freedom, justice, love, and for a better future of China. If you insist on persecuting the conscience of a people, I openly accept that destiny and the glory that accompanies it. But do not for a second think you can terminate the New Citizens' Movement by throwing me in jail. Ours is an era in which modern civilization prevails, and in which growing numbers of Chinese inevitably take their citizenship and civic responsibilities seriously.

The day will come when the 1.3 billion Chinese will stand up from their submissive state and grow to be proud and responsible

citizens. China will become a country that enjoys a civilized political system and a happy society in which freedom, justice, and love prevail. The disempowered will be redeemed, as will you, you who sit high above with fear and shadows in your hearts.

China has once again arrived at an historical crossroad. Reforms will succeed if the goal remains to realize democracy and constitutionalism as in line with the course of history, and without question will fail if the aim is to maintain one-party rule in contravention of history.

In the absence of a clear direction toward democracy and constitutionalism, even if reforms deepen as promised, the most likely result will be to repeat the mistakes made during the late Qing Dynasty, of picking and choosing Western practices, but not fixing the system. To a large extent, what we see happening around us today is re-enactment of the tragedy of the late Qing reforms, and for that reason I am deeply concerned about the future of the Chinese nation. When hopes of reform are dashed, people will rise up and seek revolution. The privileged and powerful have long ago transferred their children and wealth overseas; they couldn't care less about the misfortune and suffering of the disempowered, nor do they care about China's future. But we do. Someone has to care. Peaceful transition to democracy and constitutionalism is the only path the Chinese nation has to a beautiful future. We lost this opportunity a hundred years ago, and we can't afford to miss it again today. We, the Chinese people, must decide the future direction for China.

My fellow compatriots, at any time and regardless of what happens in China, I urge everyone to maintain their faith in freedom, justice, and love. Uphold freedom of religion, stay rooted in reality, and pursue those universal rights and freedoms which were pursued and fought for and paid for in blood this past century by those also with lofty ideals.

Freedom, justice and love, these are the spirit of our New Citizens Movement, and they must become core values for the Chinese people—for which it is up to our generation to fight, sacrifice and assume responsibility. Our faith in the idea of building a better China, one of democracy, the rule of law, freedom, justice, and love, is unwavering. As long as we continue to believe in love

and the power of hope for a better future, in the desire for goodness deep inside every human soul, we will be able to make that in which we have faith a reality.

Citizens, let us begin now. It does not matter where you are, what jobs you have, whether you are poor or rich; let us say in our hearts, in our everyday lives, on the internet, on every inch of Chinese soil, declare with conviction and pride what already belongs to us: I am a citizen, we are citizens.

Citizen Xu Zhiyong

January 22, 2014

(Translated by a group of volunteers)

It has been a year since the conviction of Mr. Xu. A group of human rights lawyers offers their 2015 new year's greeting: "We will in the end embrace freedom."³

Human rights lawyers brave the elements, on all occasions demonstrating their resolute will and strength, to defend the so-called troublemakers, those who face trumped-up charges of disrupting social order, to cry out for many patriots who are in prison, and for many who long for religious freedom. Human rights lawyers hold tight the trembling hands of those who suffer, and comfort their battered souls. They declare righteously to the courts: criminal law is the Great Charter of both good citizens and criminals. Human rights lawyers—a group both abstract and concrete—are influencing this land with unprecedented courage and passion. They are transforming this land. It is abstract because these lawyers have not met with one another; it is particular because the understanding and desire of each lawyer for freedom, democracy, fairness, and justice are so identical....

We also believe our children will grow up in a country where their wisdom, diligence, and good character will

³ <http://xgmyd.com/archives/13856>

decide their destiny, rather than have their future determined by their origin, family background, and opportunism.

We still believe that our children will eventually live in a free, democratic and fair country. To achieve this goal requires the extraordinary hard work of our generation, and passion akin to sacrifice.

We firmly believe that, even if one day we will be buried, we still at least have buried a seed.

Situations and people can change. Kim Dae-jung, an Asian and a Catholic, once said these wise words:

Asian authoritarians misunderstand the relationship between the rules of effective governance and the concept of legitimacy. Policies that try to protect people from the bad elements of economic and social change would never be effective if imposed without consent; the same policies, arrived at through public debate, will have the strength of Asia's proud and self-reliant people.

... Instead of making Western culture the scapegoat for the disruptions of rapid economic change, it is more appropriate to look at how the traditional strengths of Asian society can provide for a better democracy.⁴

Xu Zhiyong once reflected on his conversion:

"In the future we will take into consideration more the positions and viewpoints of others: how do they think? ... We do what is moral. Our love should be for all people, the poor, those who suffer injustice, and also those who create injustice. I think this may be for me an important change."⁵

⁴ "Is Culture Destiny? The Myth of Asia's Anti-Democratic Values," *Foreign Affairs*, November/December 1994.

⁵ Bruce Lui recalls a conversation with Xu (*Ming Pao Daily*, 20 July, 2013).