

♂ Chén Guāngchéng 陈光诚

b. 1971—Blind civil rights activist best known for his activities as a “barefoot lawyer”

Alternate name: trad. 陳光誠



Summary

A self-taught legal advocate, Chen Guangcheng has worked on behalf of the rural poor and for women forced to have abortions or coerced into sterilization due to China’s family-planning practices. In 2012, the blind activist gained fame with a daring escape from detention, taking refuge in the American embassy in Beijing, which led to a negotiated exile to the United States.

Chen Guangcheng first came to public attention in 2002 when *Newsweek International* featured the thirty-year-old Chen in its cover story about a new Chinese phenomenon—“barefoot lawyers.” The story focused on how, in some parts of rural China, people with no formal legal education were beginning to play roles traditionally associated with lawyers, negotiating with government agencies and even representing people in court. Chen, *Newsweek* noted, was especially striking because not only was

he learning and applying law on behalf of largely impoverished and uneducated clients, but he was managing to do this despite the fact that he has been blind since infancy.

Early Life and Education

Chen was born in 1971 in Dongshigu, a remote village in Yinan County, Shandong Province. He was the youngest of five brothers, and when he was about six months old he suffered a severe fever that destroyed his optical nerves, causing him to go blind. It wasn’t until 1989 that a school for the blind was opened in his region, and Chen at last started school at age eighteen. From 1994 to 1998 he attended high school, and in 1998 he enrolled in the Nanjing University of Traditional Chinese Medicine, where, at that time, acupuncture and massage were the only specializations accessible to the blind. After graduating in 2001, Chen, who had encountered many



Chen Guangcheng and his family in their hometown, Dongshigu village. From left to right: Eldest brother, father, Chen Guangcheng, mother, wife (Weijing) and their daughter (Chen Kerui), eldest brother's wife. Photo by Joan Lebold Cohen.

instances of official discrimination against himself and others, decided that a career representing people as a social activist would be more satisfying for him than one as a masseur.

Because Chen's many unhappy experiences as a disabled person had made him familiar with the national legislation promulgated to protect the disabled, he was increasingly attracted to the prospect of using the law as an instrument to correct abuse. Despite his lack of formal legal education, Chen began his informal activities as a

"barefoot lawyer" in Dongshigu, the dirt-poor village where he had grown up. His local "clients" were underprivileged, often disabled, farmers who needed help in dealing with problems such as unfair taxation, arbitrary denial of a business license, and mistreatment by local police. In order to help them, Chen used legal texts that were read to him by his wife and eldest brother. Chen not only helped in legal matters but had also persuaded the British embassy in Beijing to arrange financing for an electric water well system for the village.

Chen often discussed with foreign guests how to train the two hundred colleagues he estimated would be required to meet the demands of the poor for legal services that Yinan County's few licensed lawyers had ignored for financial and political reasons. At the time, Chen, an optimist, thought that the rural government would not interfere with the training of a large number of "barefoot lawyers," even though they would surely complicate the work and lives of local officials.

Connecting with the World

The *Newsweek* story of 2002 led American diplomats based in China to offer Chen an opportunity to join the United States government's International Visitor Leadership Program, which invites foreign nationals identified as possible future leaders of their countries to tour the United States for several weeks in order to become acquainted with American life and to meet professional counterparts. In the summer of 2003, the State Department contacted my (Jerome A. Cohen, the author of this essay) law school office at New York University (NYU) in an effort to set up an appointment for Chen and his wife, Yuan Weijing, to meet me. Despite my initial reluctance to meet him because of his lack of any formal legal training, once I learned more about him I agreed to do so and was impressed by his story.

Although he had grown up in a very poor, isolated village of only five hundred people and started his education at a late age, Chen proved to be a charismatic personality and highly intelligent. He spoke Mandarin clearly and well. Moreover, he radiated confidence and conviction from behind the dark glasses that seemed to enhance rather than diminish his good looks. Here was an authentic son of the Chinese soil who had known and overcome extraordinary hardships, unlike so many officially sponsored Chinese visitors who hailed from intellectual, bureaucratic, or even bourgeois families. And he was evidently eager to reveal the many injustices of the Chinese countryside and to seek help in curing them.

Two months after his visit to the United States, while I was teaching at Tsinghua University Law School in Beijing, I invited Chen and his wife for a visit and introduced them to two senior Tsinghua University scholars as well as to a prominent Chinese lawyer. Chen spoke eloquently, urging them to support the selection and training of many more "barefoot lawyers." Except for the law school's dean, however, he received a surprisingly frosty reception, apparently because of the hostility that many Chinese lawyers and scholars have for their less well-educated, unlicensed countryside counterparts, who, they fear, will damage the Chinese legal profession's efforts to improve its traditionally poor reputation.

The Barefoot Lawyer in Trouble

Before a program to train more “barefoot lawyers” could be instituted, however, Chen ran afoul of the local authorities on unforeseen ground—their lawless detention and abuse of the families of thousands of women who had gone into hiding to avoid compulsory abortion or sterilization. Chen, who in the early days of his untutored lawyering had achieved some success with the county courts, was totally unsuccessful in obtaining judicial relief for the persecuted families, since the local Communist Party and government officials dominated the courts and were determined to meet the strict birth control quotas imposed on them by higher levels of government. Frustrated by his inability to help the many victims, Chen decided to resort to less conventional means to expose the situation and obtain help. He pursued two tracks—domestic and international—in the hope of attracting the concern of the central government.

The domestic track involved enlisting the help of Beijing law professor Teng Biao, and other human rights activists, who made a video about the lawless detentions taking place in Yinan County and managed to post it briefly on the Internet. The international track involved enlisting the attention of the foreign press, an even more dangerous course. In August 2005, the *Washington Post* published a front-page story revealing the

dire situation in Yinan County. Soon after, Shandong Province police kidnapped Chen off the streets of Beijing and forced him and his family into illegal captivity in their own farmhouse, cutting off all contact with the world. There they were kept prisoner for almost six months until the Linyi municipal authorities responded to domestic and foreign protests against the Chens’ confinement, not by releasing them but instead by prosecuting and convicting Chen on fabricated charges. He was sentenced to four years and three months in prison after a farcically unfair trial. Nor did Chen’s nightmare cease when he completed his sentence in mid-2010, since the authorities then imposed on the entire family an even stricter house arrest than before the prosecution. This time they deployed up to two hundred men to maintain the Chens’ around-the-clock detention and total isolation from the world.

Escaping China

That remained the situation until late April 2012, when Chen stunned the world by miraculously escaping from his captivity and, although injured in a fall, making his way to Beijing with the help of courageous activists. After three days evading detection in the nation’s capital, he obtained refuge in the American embassy, thereby precipitating a major dispute between Washington and Beijing just as Secretary of State Hillary Clinton was en route to Beijing for the annual



Chen Guangcheng (middle) counseling disabled villagers. Photo by Joan Lebold Cohen.

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Sino-American Strategic and Economic Dialogue. There followed five days of intense Sino-American negotiation that finally produced an intergovernmental agreement in which the People's Republic of China (PRC), while refusing to permit Chen to leave the country, promised that he would be spared further confinement and allowed to study law in China "with the same degree of freedom as any Chinese student." Chen, under great pressure from American officials eager to end what had become a diplomatic crisis, with great trepidation finally accepted this imaginative but risky compromise.

Chen left the embassy for the hospital where he was to reunite with his

family and recover from his ordeal before pursuing his planned course of study. That night, however, he changed his mind. After the American diplomats who had accompanied him to the hospital left him to get some sleep, Chen spoke with Teng Biao and other Chinese friends he had been unable to contact for years and came to regret his risky agreement to stay in China. He then told the foreign media that he insisted on leaving the country.

Now, the American diplomats and their Chinese counterparts were confronted with a more acute crisis than ever. It was only resolved twenty-four intense hours later, just as the bilateral Strategic and Economic Dialogue was

getting under way, when, amid the heat of world publicity, the Chinese leadership reluctantly agreed to allow Chen to apply to go abroad to study law at NYU. Two tense weeks later, on 19 May 2012, Chen, his wife, and two children arrived in New York.

Building a Life in the United States

Hosted by NYU, with no expense spared to improve the chances for him and his family to make a safe and beneficial adjustment to American life and learning, Chen enjoyed an extremely stimulating and challenging first year. He was in enormous demand as a speaker in the United States and many other countries, and not only on academic campuses and at human rights programs but also in political and foreign policy circles. His first six months in the United States coincided with the heated finale of the 2012 American presidential election, and both Republicans and Democrats sought to exploit his extraordinary story. Republicans would have been delighted if he had vindicated their accusations that the Obama administration had botched the negotiations with the PRC over his fate, and the Democrats were eager to have him support their portrayal of this complex incident as a demonstration of the diplomatic skills of Secretary Clinton and her staff. Chen, who generally heeded advice to sidestep the campaign's temptations, was careful not to offer either side fuel for its fire. Nor did

he succumb to efforts by anti-abortion activists to transform his courageous opposition to China's forced abortions and sterilization into broader opposition to women's rights.

A misunderstanding between Chen and NYU over the duration of his fellowship, which was clearly indicated to be limited to one year, marred the last weeks of Chen's stay at NYU. In order to ease his forthcoming transition, as early as January 2013, six months before the scheduled end of his NYU tenure, university officials, together with his host, NYU's US-Asia Law Institute, began a painstaking process of exploring and negotiating what might be his most favorable next steps. A few months later, however, Chen claimed that the university was forcing him to leave its premises prematurely because the university was allegedly under pressure from the PRC to terminate its support for him. Chen's claims, which to this day remain unsubstantiated, led to the termination of final negotiations about a three-year appointment to the staff of the Committee to Support Chinese Lawyers based at Fordham University Law School's Leitner Center for Law and Justice. Happily, Chen soon found another source of support in the Witherspoon Institute, a conservative organization devoted to the dissemination of democratic principles that reportedly agreed to sponsor his affiliation with Catholic University and the Lantos Foundation for Human Rights & Justice in Washington, D.C. After a second, transitional year in

New York, Chen and his family moved to the Washington suburbs.

Although no evidence has yet come to light of the PRC expressing dissatisfaction with NYU's offer to host Chen, the PRC did show signs of dissatisfaction with Chen's decision to visit Taiwan at the end of his NYU year in June 2013. Although the Nationalist Party-led Taiwan government grudgingly granted Chen a visa, President *Ma Ying-jeou 马英九 (b. 1950) and various legal officials and judges declined to receive him. Nevertheless, Chen's spirited academic and human rights lectures and exchanges were highly appreciated by Taiwan law schools, bar associations, non-governmental organizations, and opposition politicians.

Moving Forward

After leaving NYU in mid-2013, Chen completed work on an autobiography, *The Barefoot Lawyer*, subtitled *A Blind Man's Fight for Justice and Freedom in China*. In it he recounts the many exciting chapters in his life until his widely heralded arrival in New York. His later experience will presumably be the topic

of a second volume that will help us understand to what extent he is managing to avoid the fate of many previously exiled Chinese human rights activists, who have tended to lose their influence both in China and the West after a brief flurry of publicity in their new homeland.

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Further Reading

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*People marked with an asterisk have entries in this dictionary.