

**Hearing before the Subcommittee on Global Health, Global Human Rights and
International Organizations
House Committee on Foreign Affairs**

“China’s Political Prisoners: Where’s Gao Zhisheng?”

April 20, 2023

Testimony of Shengchun Sophie Luo, Wife of Sentenced Lawyer Ding Jiayi

Mr. Chairman and distinguished Members of the House Foreign Affairs Committee, thank you so much for inviting me to speak at today’s hearing. Today, I will be telling you about the case of my husband **Ding Jiayi** and **the case of Dr. Xu Zhiyong** to demonstrate that widespread phenomenon of forced disappearances, lengthy pre-trial detention, and harsh prison sentences in China. The Chinese Communist Party and government has targeted not only pioneering rights lawyer Gao Zhisheng, but also has targeted any Chinese citizen with independent opinions about China.

Ms. Geng He’s husband—lawyer Gao Zhisheng—has been “disappeared” for over 5 years for his public criticism of Chinese Communist Party senior leaders. His treatment by Chinese authorities has been completely beyond judicial procedures or public monitoring. I cannot imagine the torture that Gao Zhisheng has had to bear these many years. My heart goes out to Ms. Geng and her children for their years of suffering.

Ten days ago, over nine months after being tried in a secret, closed-door trial and being held in detention for over three years and three months, my husband, a human rights lawyer and activist **Ding Jiayi** and a leading law scholar **Xu Zhiyong** were sentenced to 12 and 14 years, respectively, for organizing a private get-together to discuss civil society and political reform for approximately 20 likeminded friends in Xiamen municipality, Fujian province in December 2019. On April 10, 2023, the sentences were announced by the Linyi Intermediate People’s Court in Shandong province - but no sentence documentation was issued, which is completely against Chinese law.

Ding Jiayi and **Xu Zhiyong** met in Beijing in late 2011, and the two led the New Citizens Movement (which is sometimes referred to as the China Citizens Movement). Their ideas and activities centered on getting Chinese people to take seriously their rights as written in the Chinese Constitution, and to practice these rights in everyday life, thus becoming real citizens. For example, Article 35 in the Chinese Constitution states, “Citizens of the People’s Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration.” Ding and Xu wanted the words of Article 35 to actually mean something.

Ding and Xu’s peaceful and lawful activities in 2012 and 2013, however, resulted in sentences of 4 years in prison for Xu and 3.5 years in prison for Ding under the charge of “gathering a crowd to disrupt public order.” After they were released from prison, both Xu Zhiyong and Ding Jiayi resumed their activities to promote civil rights and the growth of civil society. I have no doubt that Chinese authorities continued to monitor their activities. After a two-day private gathering in Xiamen on December 7 and 8, 2019, that I mentioned above, Chinese police detained Ding Jiayi on December 26, 2019, and Xu Zhiyong on February 15, 2020, and held them under so-called “residential surveillance at a designated location” (RSDL). Ding was held under RSDL for six months and Xu for four months. I want to emphasize that RSDL is a form of incommunicado detention, yet it is permissible

under Chinese law. During that time, Chinese authorities subjected both men to torture and ill-treatment, including prolonged sleep deprivation, loud noise harassment, interrogation while being strapped tightly to an iron “tiger chair,” food and water restrictions, no exposure to sunlight, and no showers.

On June 19, 2020, Linyi municipality police formally arrested Ding and Xu for “inciting subversion of state power” and held them at the Linshu County Public Security Bureau Detention Center. Seven months later, in January 2021, authorities changed the criminal offense against Ding and Xu to “subversion of state power,” a more serious crime than “incitement of subversion,” with the potential for much longer prison sentences. On June 22 and 24, 2022, the Linyi Intermediate People’s Court tried both men secretly in a room at the Linshu County Court. During the handling of these two cases, their lawyers were forced to sign confidentiality agreements with the authority that prohibited them from sharing any information about the cases with their families, let alone with the media or the public. During the whole process of detention until today, the two were not allowed pen or paper, all their communications were through lawyers after 13 and 11 months detention, respectively. Recognizing that they would not be allowed to speak in the secret trial, Ding and Xu dictated court statements to their lawyers before the secret trials, the English translations of which I have attached to this testimony for the hearing record.

Let’s review each step of these two cases: forced disappearance, secret detention, torture, coerced confession, fabricating criminal evidence, secret closed-door trial, and a secretly announced sentence without even a sentence document released to the families. The authorities have been handling these two cases completely against the Chinese Constitution and criminal laws from the beginning to the end. It is very clear to me that the Chinese Communist Party and government is using the Chinese Constitution and laws to silence human rights lawyers and civil society activists—it’s rule *by* law. There is no justice or fairness involved, just authoritarian rule to maintain their corrupt power.

There are many more cases of Chinese citizens who are disappeared or in detention for their public criticism of Xi Jinping, their efforts to advocate for human rights, their efforts to teach others to circumvent China’s censorship tool the Great Firewall, and for even their private discussions of civil society, such as Peng Lifa, Ruan Xiaohuan, Huang Xueqin, and Wang Jianbing. (If there isn’t enough time during my initial testimony, I can talk more about these cases during the question-and-answer period.)

Based on my observation of all these cases, Chinese Communist Party and government operates without any rule of law, how can international community expect them to respect the international legal standards developed by democratic and civilized countries? How can we expect them to respect any commercial rules and laws which are the basis to do businesses? Therefore, my main recommendation for Members of Congress, the Administration, and American businesses and civil society groups is to start say “No” to Chinese Communist Party from now on! Just because CCP is a barbarous government that completely does not respect any rule of law!

Additional cases of political imprisonment in China.

Peng Lifa. Peng Lifa was “disappeared” in October 2022. He had the courage to display a banner on the Stone Bridge in Beijing on October 13, 2022. The message on his banner criticized Xi Jinping’s incompetent handling of the COVID-19 pandemic and called for civil and political rights. After only 20 minutes on the bridge, Chinese public security agents took him away. It has been six months since then, and there is no news about his condition at all, even though many media outlets reported on his bravery in that brief 20 minutes, and TIME magazine picked Peng Lifa as one of the most influential people of 2023.

Ruan Xiaohuan. A 46-year-old internet technical specialist who was suddenly taken away on May 10, 2021, from his home in Shanghai. He blogged anonymously for more than a decade, providing guidance to Chinese citizens about how to circumvent the Chinese government’s censorship tools as well expressing his political view. Ruan kept this part of his life secret from his wife to protect her. But in the end, the government found him. On February 10, 2023, the Chinese government sentenced him to seven years in prison on the charge of inciting subversion of state power.

Huang Xueqin and Wang Jianbing. The other two cases I want to mention here are that of journalist Ms. Huang Xueqin and labor rights advocate Wang Jianbing, who were disappeared from the Guangdong International Airport on September 19, 2021. At the time, Huang was about to depart China to begin graduate studies in the United Kingdom. Wang was there to see her off safely. Huang and Wang have been accused of “subversion of state power.” In September 2022, Huang reportedly dismissed her lawyer, but sources believe that authorities coerced her to fire her lawyer. According to limited info from Wang Jianbing’s lawyer, they were detained because of private gatherings with friends at their homes during which they discussed civil rights and peaceful activism.

Attachments:

1. “Autocracy Shall Perish” — Ding Jiayi’s Statement to the Court
2. “A Beautiful China” — Xu Zhiyong’s Statement to the Court

“Autocracy Shall Perish” — Ding Jiayi’s Statement to the Court

More than 110 years have passed since the 1911 Revolution [the “Xinhai Revolution” that established the Republic of China]. After several generations of sacrifice, the Chinese people are still living in a state of political oppression, economic control, and ideological enslavement. A dictator and his privileged interest groups have continued to use high-tech means to intensify their autocratic rule. But civilization is propelling the course of history with a powerful force; a battle between democracy and autocracy is unfolding; the delusion of lifelong dictatorship and prolonged one-party rule is coming to an end, and China’s social transformation is approaching by the day.

It has always been our sincere wish to avoid social turmoil and people’s suffering during the transformation period, and we firmly believe that peace, rationality, and non-violence are the most stable model for China’s transformation. The many doubts we have faced, the many difficulties we encountered, and the many setbacks we have suffered, including personal torture and torment, will not alter my abiding conviction.

All Chinese who care about the future of our nation must shoulder the historical responsibility of our generation, which is to eradicate autocracy and build a beautiful China. This requires us to overcome the fear in our hearts, speak out loudly for justice, resolutely oppose the dictator and his privileged interest groups, and reject their autocratic rule. As long as we strive together, the light of freedom, democracy, and the rule of law will surely illuminate the land of China!

Great changes in China are before us. I can feel it clearly even from within high prison walls. The footsteps of civilization are like spring thunder awakening insects! I envision this scene: that the people of China are awakened from their extreme slavery, seeing through the “justice” woven in moral deceit, and recognizing the truth. When the people no longer trust and obey autocratic rule, the prerogatives of the dictator and his privileged interest groups will collapse.

I have always believed that while they have made every effort to learn the opposite lesson from historical experience of the progress of human civilization and to block 1000 possible ways for the collapse of the autocratic regime, the regime will still collapse in 1001 ways. This is the law of history.

Let’s start the countdown: five, four, three, two, one

“A Beautiful China” - Xu Zhiyong’s Statement to the Court

I have a dream, a dream of a China that is beautiful, free, fair, and happy. It is a democratic China that belongs to everyone on this land, not to any one ethnicity or political party. It is truly a country of the people, its government chosen by ballots, not the barrels of guns.

There, the people regularly elect legislators, mayors, governors, and presidents, whose power is conferred by the people, and is owned, governed, and shared by the people. From then on, the people are no longer used as a cover for the dictator to hide his shame, no longer the unknown ants as dynasties rise and fall, but the real masters of the country. From then on, the rulers are no longer occupiers perched high above the people, but humble servants. They compete fairly and are chosen and appointed by the people for their merits. From then on, power succession is no longer a bloody struggle, but a celebration on a people’s holiday.

“When the Grand Course is carried out, the world will be for the public.” It has been three thousand years—the Chinese nation will inevitably move out of the Three Gorges of history toward a modern civilization. A democratic China is to emerge in our generation; we must not pass this responsibility to the next.

It will be a China with the rule of law. There will be legislative democracy, where people will elect their representatives. Laws will be formulated through a democratic process that represents the interest of the greatest majority of people. There will be no evil laws imposed by the ruler on the people, nor will there be extralegal laws in the name of discipline and order. Laws will be enforced strictly and impartially for the people, by a government elected by the people. No individuals or organizations shall be above the law, nor shall the disadvantaged be excluded from its protection. The judiciary will be fair and just. Judges will be independent, serving the law and no other superiors, and ruling justly in accordance with the law and conscience.

From then on, the law will no longer be a tool of class dictatorship, but a measure of fairness and justice. From then on, judges will no longer be the “knife handles” used by the privileged to concentrate power, but the guardians of justice. From then on, in a China with the rule of law, all powers are exercised in the order under the rule of law, which will become people’s faith; and fairness and justice will flow in torrents.

It will be a free China. I detest a society where power is unrestrained and human nature is distorted, and where a few bureaucrats decide what ideology 1.3 billion people should follow, what they should say, what news they should hear, and what movies they should watch. They have built a high cultural firewall to isolate China from the civilized world. They have kept millions of Internet censors, policemen, and commenters to stifle people’s voices. They have created an air-tight surveillance network using hundreds of millions of cameras and big data that renders everyone naked in front of power. They have also invaded the spiritual world of the people, burning crosses, demolishing Buddhist seminaries, and forcing new domestic religions into exile all over the world.

Freedom cannot be absolute. But that is absolutely not a reason to strangle freedom recklessly. The universal standards of human civilization are written into the Universal Declaration of Human Rights, and into the freedoms and rights protected under the Chinese constitution which cannot forever be an empty promise.

I yearn for a free China without the rampaging monsters of power, where we have freedom of religion, where faith and ideology will be matters of our personal nature, without interference by those in power. We will have freedom of speech, without large-scale takedown of online posts and blocking of accounts, or forbidden zones of political discussion. And no one will be imprisoned for expressing their political views. We will have the freedom to participate in public affairs, without fake and manipulated elections, without such a thing as “reckless talk.” Everyone will have the freedom to form political parties, organize associations, and participate in public affairs. We will be free to live our lives without the ever-present eye of the Big Brother. Everyone will have privacy and dignity before power. In a free China, people will thrive like seedlings in spring to bring forth the rebirth of our ancient civilization of the East. All will live in truth and become the best that they can be, without being misshapen by power.

Without freedom, the people of China will have no rights. Lamentably, resorting to connections to get things done has become common sense for the Chinese people. Injustice exists in every country, but it is different in China. There is no independent judiciary, there are no free media, and there are no disparate voices. Combatting corruption is still the means for the ruler to eliminate those disloyal to him. The greatest inequity in China is autocracy, a special interest group monopolizing all the political power and economic lifeline of the entire country. People are exploited in every way by high gas prices, high housing prices, and high taxes. As the people struggle under the burden, the exploiters say they lose money year after year.

I yearn for a fair and just China that is not permeated with connections with special power, where power is restrained by the people, where clean and honest public officials serve the public not for monetary gains, where there is equal access to education, where all will have equal opportunity to receive education whether their household registrations are in the city or countryside, whether they are rich or poor. Public schools will not be ranked as key or common, and parents will be free of the anxiety to choose schools for their children. There will be equal access to job opportunities; public service positions will be open to all regardless of faith, party affiliation, or gender. All will find appropriate positions solely based on their talent and character, not their connections to power, to build their own happy lives. There will be fair retirement benefits; retirees’ pensions will be roughly proportional to their former salaries, without regard to whether they live in the city or countryside, or whether they are public servants or employees of businesses. The elderly in even the poorest villages will receive enough pensions to live a decent life. There will be fairness in health care. Everyone, whether an official or an ordinary citizen, will enjoy free medical treatment for major illnesses. And no one will ever again be impoverished by illnesses.

In a China where public interest is served, the powerful will have constraints, the weak will have protection, all fulfilling their duties, performing their best, and finding their places. From cradle to grave, there will be less anger and anxiety, but happy smiles on faces—that is a China filled with love. I detest a society of caution, indifference, and mutual harm, where we are taught from a young age to distrust strangers. Tainted milk powder, recycled waste food oil, fake vaccines, and clenbuterol have poisoned us for years. Everyone wears a thick mask to hide from one another, and walks around an elderly who falls on the ground. Apathy may exist in every society, but it is different in China: the foundation of this country is class struggle and the barrels of guns of soldiers who never tire of deceit. State power is trapped in a jungle warfare with no bottom line; and the society has lost the cornerstone of its conscience. Years of materialist indoctrination has laid waste to people’s spiritual world, causing them to abandon its shore, stemming the source of love.

I yearn for a country full of love, a China free from the shroud of frightful memories; a people of faith who respect heaven and love humanity, and are guided by their conscience; a people who believe in the common root of life, and that all are born of—and shall return to—the same spiritual wellspring. In this life, we take on different roles in the pursuit of happiness; there are differences, disagreements, harms, but no devils. As we immerse ourselves in the joys and sorrows of the roles we play, we also view from above the different choices we make in our disparate roles on the ground. Here, there is no hate, only compassion. We love ourselves, cultivate our lives in this world, and perfect our souls. We love our families and friends out of the love and gratitude that come with life. We love strangers and greet each other with smiles. We love our enemies, with the spirit of sympathy, not of anger, animosity, and bondage. We love all life and the spirit of all things. We love this burgeoning, mortal earth. In a China full of love, there will be no devils, no enemies, no dark jungles. We are sincere, simple, kind, with pure faces, bright eyes, and smiles of innocence. That is our China reborn.

For more than 2,000 years, China has been enveloped in the haze of the Qin dynasty. Even with the renaissance in the Tang and Song dynasties, the backwardness of the modern era was inevitable. The root of the rebirth of the Chinese civilization lies above us, where there is the Lord Haotian,¹ the bountiful spiritual realms of our ancestors, China in full bloom in the warmth of spring, blending into the contemporary currents of democracy and science, and rejuvenated as a resplendent pearl of the East. For thousands of years, different kinds of human beings have followed different paths to arrive at today's global village, with vast differences in their spiritual world under one roof. Conflicts stemming from differences in religion and civilization have already emerged. Humanity needs a new path toward the future together—this is China's mandate from heaven. Heaven has left us this vast spiritual wilderness for the growth of a new civilization.

The spiritual food we offer to humankind is not the writings on the bamboo slips of divination at our ancestors' tombs, but the revelation our generation has heard: Know nature and ourselves from a higher place. This is a new era of civilization ushered in by God's new philosophical belief: that is a China revered by the world's people, and China will surely become the greatest nation on earth. That must be a free and democratic China after the end of autocracy. The fervor and energy jointly generated by 1.3 billion people will create the world's greatest technological advances, the most splendid culture, and the most prosperous economy. We will have a powerful military, not for conquest of land or plundering of resources, but to wield the sword of righteousness where tyranny and injustice still await us in the world. We will have the most advanced thought and culture that are not imposed upon us by force, but are spread near and far through their own attractiveness.

One who lives by the creed that “there are no permanent friends, only permanent interests”² is bound to fail, and the same is true of a nation. Diplomacy is based on mutual benefits and successes, and even more so on moral obligations. Tyrants and oppressors of the people will never be our friends. For the people still struggling under the iron heel of autocracy, we have an obligation to extend our hand to help them partake in human civilization. This is not just a moral responsibility, but also our own redemption.

¹ In Chinese mythology, Haotian is the supreme lord of heaven.

² This is a paraphrase of a quote of British Prime Minister Lord Palmerston (1784 - 1865) from his speech at the House of Commons, March 1, 1848: “We have no eternal allies, and we have no perpetual enemies. Our interests are eternal and perpetual, and those interests it is our duty to follow.”

We must have the courage to let go of the historical burden of the physical and mental harm done to our country in the 20th century. A truly great and confident nation must not be forever mired in historical traumas. We must work together, hand in hand, to create a beautiful future for Asia. Together with the prosperous nations, we must build a new liberal-democratic world order on the basis of mutual benefit, cooperation, and competition. Humanity needs a world government to keep peace, protect the environment, provide disaster relief, and explore outer space.

Because you were born in China, you don't need a reason to love this country. It is a seed that heaven has sown deep in every soul. Loving China means striving to make her better.

To that end, I have been imprisoned three times. The first time, they accused Gongmeng ([Open Constitution Initiative](#)), a nonprofit public interest organization, of tax evasion. The second time, they accused us of "disrupting public order" when we were promoting the right of children of migrant workers to take college entrance exams in Beijing. And this time, I am charged with "subversion of state power" for expressing my desire for a beautiful China and for appealing to everyone to become a true citizen.

To be a true citizen is "subversion"? To practice one's core values and pursue democracy and freedom are "subversion"? To sing "Arise! Those who refuse to be slaves," the first line of the national anthem of China, is "subversion"? How hypocritical and absurd this regime is. And how rotten to the core.

I'm proud to suffer for the sake of freedom, justice, and love. I do not believe the edifice of national rejuvenation can be built on the quicksand of lies. I do not believe brute power and slavery are the eternal destiny of the Chinese nation. I do not believe the wind of freedom can be forever kept out by high walls. And I do not believe night will never turn into day.

For more than 30 years, from running wild in a snowstorm as a youth to waiting in twilight for daybreak, my life has followed the same path—in an arduous journey that continues the dream of sages before me. "A beautiful China" was the goal of Mr. Sun Yat-sen's life struggle, and his regret; it was Lin Juemin's last words to his wife³; it was the song of youth of Lin Zhao⁴ and Yu Luoke,⁵ who sacrificed their lives for China; and it was the declaration in blood and tears of numerous students in Tiananmen Square.

More than a century has passed. The Chinese people have endured dashed hopes and torment on the road toward a modern civilization. Today, that sacred mission has fallen on the shoulders of our generation.

Citizens, compatriots, the mighty current of the world surges forth. The rebirth of Eastern civilization shall rise like the morning sun. The great transformation unseen in three millennia will be accomplished in our generation. Let us raise aloft this great era with the posture of citizens, and welcome a China that blossoms in the warmth of spring!

³ Lin Juemin (1887 - 1911) was a late Qing dynasty revolutionary captured and killed by the Qing government during a failed uprising in 1911.

⁴ Lin Zhao (1932 - 1968) was imprisoned and later executed during the Cultural Revolution for her criticism of Mao Zedong's policies.

⁵ Yu Luoke (1942 - 1970) was branded "a poisonous weed," and accused of being a counter-revolutionary following the publication of his essay "On Class Origins" in 1967. He was executed in 1970.