

Trial in China Signals New Limits on Dissent

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BEIJING — Liu Xiaobo, one of China’s most prominent advocates of democratic change, was tried Wednesday on charges of subversion, a sign that Chinese leaders are reducing their already limited tolerance for peaceful political dissent.

Mr. Liu, an essayist and social critic who has spent more than a year in detention, faces up to 15 years in prison if convicted of charges legally defined as “incitement to subvert state power.” His lawyer said a verdict in the closed trial was likely to be announced on Friday. Charging one of the best-known dissidents with subversion is a disheartening milestone in the eyes of some Chinese legal experts and human rights advocates.

China has rarely brought political charges against people advocating peaceful dissent in recent years, though it often accuses those who offend the authorities of other crimes, like tax evasion, leaking state secrets or violating business regulations.

Now, flush with record foreign exchange reserves and buoyed by the world’s most resilient major economy, Chinese officials seem less hesitant to call a crackdown by its own name: the charge of subversion has now been brought against not only Mr. Liu but also [Hu Jia](#), an AIDS activist and environmentalist, who was convicted of that crime last year and sentenced to three and a half years in prison.

“Many people see this trial as a tipping point,” said John Kamm, the founder of the Dui Hua Foundation, a group that advocates for human rights and works behind the scenes to free Chinese political prisoners. “The government seems to be getting tougher and more unyielding.”

During the past year, the government has tightened restrictions on access to the Internet, suppressed the country’s small band of public advocacy lawyers and jailed activists who blamed poor school construction for the deaths of thousands of children during the 2008 Sichuan earthquake.

Legal scholars say they worry that top party leaders seem less amenable to building an impartial legal system and allowing people to exercise the political rights in China’s Constitution, which could mean that intellectuals and civic groups have less room to operate.

Although Mr. Liu is charged with writing six articles recently published on overseas Web sites, the main accusation seems to be a role in creating [Charter 08](#), a political reformer’s wish list that attracted 10,000 signatures this year during its brief life on China’s heavily censored Internet.

The petition called for rule of law, expanded human rights and an end to the Communist Party's monopoly on power. Most poignantly, it sought to guarantee the right to unfettered speech and the abolition of the very law under which Mr. Liu is now being tried. "We should end the practice of viewing words as crimes," the document said.

A literature professor and prolific writer, Mr. Liu, 53, was a visiting scholar at Columbia University when student protesters occupied Tiananmen Square in the spring of 1989. He quickly returned home, joined hunger strikers and, as the military closed in, encouraged students to leave the square peacefully.

After soldiers regained control of the capital, Mr. Liu was detained and held for 21 months without trial. In 1996, after publicly demanding the release of those still imprisoned for their roles in the protests, he was sent to a labor camp for three years.

But although he was fired from his teaching job, Mr. Liu became a symbol of the small but real space for expressing opinions in a changing China. He continued to write provocative essays with titles like "The Chinese Communist Party's Dictatorial Patriotism" and meet with like-minded intellectuals who urge China to embrace democracy without violent upheaval.

"We couldn't have a repeat of June 4, where all sides lose, so we came up with a constructive way forward," said Zhang Zuhua, a lead author of Charter 08, referring to the date of the 1989 Tiananmen crackdown.

In an interview earlier this year, Mr. Zhang described how he and about 100 other people laid out their aspirations and batted the document back and forth for a few months. Posted online last December, the manifesto, whose name is a reference to Charter 77, a Soviet-era petition by Czech dissidents, quickly gained thousands of signatures from workers, teachers and retired party members.

Party leaders and security officials saw the charter as a step too far.

The police questioned most of the original signers, about 300 people, and detained two of them: Mr. Liu, who has been held in a secret location, and Mr. Zhang, who was later released but is now subjected to round-the-clock surveillance.

In his defense, Mr. Liu's lawyers argued that he had written more than 490 articles since 2005 but that the authorities chose only six as evidence that he sought to subvert the state, according to his younger brother, Liu Xiaoxuan, who attended the trial. "He rejected their argument that Charter 08 brought about a 'malevolent social impact' and told the court that his remarks are within the realm of free speech, which is protected by the Constitution," the brother said.

Mr. Liu's lawyers have expressed frustration with the judicial process, saying for months that they had no access to their client and that they received the indictment less than two weeks ago, leaving little time to prepare a defense.

Officials in the West have also taken up Mr. Liu's case, although it is unclear whether the diplomatic pressure would have any impact. On Wednesday, a contingent of two dozen consular officials from European nations, Canada and the United States lingered outside the courthouse, having been barred from entry at the last minute despite applying for permits a week earlier.

"We were simply told there were no more seats," said Nicholas Weeks, the first secretary of the Swedish Embassy.

The defendant's wife, Liu Xia, was also kept from the trial by security officials who watch her apartment building day and night. "I'm already prepared for the worst," she said by telephone.

Despite the heavy security, about two dozen supporters of Mr. Liu gathered at the courthouse on Wednesday morning stamping their feet against the cold.

Lei Ji, 48, an unemployed meat plant worker and self-described social critic, made an 18-hour train ride to show his solidarity outside the courthouse. He said that he had never met Mr. Liu but that they had exchanged e-mail messages in years past. And yes, he said proudly, he had signed Charter 08.

Then he reached into his fraying leather satchel to reveal a bundle of photocopied manifestoes. "I'm not afraid," he said after handing one to a court official who had stepped outside to look at the scene. "I love China. I just want my country to have freedom and human rights."

Jonathan Ansfield contributed reporting, and Zhang Jing contributed research.

<http://www.nytimes.com/2009/12/24/world/asia/24china.html?th&emc=th>