Pursuing Legal Support
Nanjing’s Centre For Legal Aid

Katrin Fiedler

Since its inception, Amity’s work has often been characterized as "project based", meaning that funding for Amity’s programmes is applied for on a project basis. Often, this concept also implies that the focus of Amity’s work are projects based on an assessment of basic needs. However, with China's ongoing social changes the need for a more rights- and advocacy oriented approach has come more into perspective. Below we report on an Amity-supported initiative that moves in this direction.

What do you do if you have a labour accident and your boss is unwilling to pay for hospital fees, let alone compensation? Your husband beats you - what are your legal options of dealing with the problem? Can you sue your grown-up children for support? What if your brand new imported hi-fi equipment turns out to be a fake? While for all these questions a legal solution does exist in China, most people do not know the corresponding answers.

Following China’s policy of reform and opening, a large number of new laws have been passed, for example in the field of environmental protection. Many of these laws serve good purposes - but implementing them is still a problem. While professionalism and accountability of Chinese legal institutions have increased over the past years, much remains to improve. A large number of older judges, for example, are not trained lawyers.

In this kind of environment, awareness of legal rights and obligations is difficult to foster. Not surprisingly, then, individuals seeking legal assistance face many difficulties. Many people are not aware of their rights or of ways to voice their demands.

"Dramatic Increase In Legal Awareness"

This is where the Nanjing Center for Legal Aid steps in. Established in 1998, the centre provides legal advice for the public, and will take on legal cases free of charge for disadvantaged members of society like the aged, unemployed or handicapped. "The number of cases has been increasing dramatically from year to year," explains Ms. Li Hua, director of the centre and a lawyer trained at
China's prestigious Beijing University. "This shows that people's awareness of their legal rights is growing." More than 3,500 cases were taken on by the centre in 2002. This is only possible because Chinese laws require every lawyer to complete a certain number of cases free of charge every year.

"We are a government organization, but we also receive support from other organizations. The Amity Foundation has been giving support designated for women's and children's cases. We are very grateful for this support, which is very much needed," explains Li Hua. While lawyers have to take on cases free of charge, the centre compensates them for their expenses, and the government-supplied funding is not enough to cover all costs. With this unique set up, the centre can be considered a "governmentally organized NGO" (GONGO). At the same time, the government's involvement highlights its commitment to enhance legal awareness among ordinary citizens and strengthen China's legal institutions.

A 19-year-old peasant-turned-factory worker was one of the centre's recent beneficiaries. Only ten days after joining the factory, she lost four fingers on her right hand in a work accident. Her boss only paid her hospital bills and refused any further responsibility on the grounds that no work contract with the migrant worker existed. The centre helped her to fight for compensation, and finally she was awarded 40,000 RMB [US$5,000 approx.] compensation.

Not all cases end favourably like this one, and not all cases are taken to court. Often, ways of settling a dispute through arbitration may exist. To seek a settlement out of court, the centre often refers cases to other organisations like the Women's Federation, trade unions and associations for the elderly or youth.

The centre also actively reaches out to the wider public. A hotline provides basic legal aid, while monthly legal clinics in public places such as libraries make legal advice not only accessible, but also highly visible. Question & Answer columns in Nanjing’s newspapers also help to spread legal information as well as news about the centre.

"There are cases that we won't take on, most notably corporate cases and economic disputes," adds Li Hua. Not surprisingly, Li and her colleagues have earned themselves a reputation as lawyers of the poor.

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**No Lost Sheep**

**Church-Run Projects in Shaanxi Province**

*Ting Yanren*

Amity's projects in Shaanxi Province are all recommended and monitored by Xi'an-based Pastor Wang Jun, himself a farm boy from a Christian family in the mountains of northern Hanchen County. His network consists of local churches in the province. Besides helping farmers secure drinking water, helping poor children stay in school and strengthening village health clinics, many projects are church-managed loan programs aimed at helping farmers with sheep raising.

Amity's sheep raising program in Shaanxi started in 1994 from Yongshou County. Now in that county, the loans have passed through several rounds. About 60% of the participants are non-Christians, and about 100 households have been classified by the government as having lifted themselves out of poverty and become self-sufficient.

**Growing with and through the church**

The Amity Foundation is not a church organization and does not engage in any proselytizing work. However, since it is initiated by Chinese Christians and, in Shaanxi, works through local churches, its work improves the relations of the church with the local
government and with people who have no religious belief. In Yongshou County now, each township has a church, and the presence of the church in development work is extensively felt. In the past, I was told, a villager would say: "Church? What's that? I don't care." Today, however, they would say: "Yeah, I know what the church is about. It does good things. It helps us alleviate poverty."

At the same time, the idea of caring for one's neighbour and offering service to society is taking root in many local churches and Christian communities. Yangou Nanshan Christian Church in the city of Yanan is a meeting point of 577 members headed by 68-year-old laywoman Huang Xiulin. It started out in 1994 with about 30 people. Today, the congregation is struggling to build their own church. The project would cost 690,000 RMB [US$ 86,250 approx.] if entrusted to a construction company, so the congregation decided to donate money, make use of second-hand building materials and carry out much of the work on their own, from clearing the ground to carrying bricks. They have now finished the building except for putting tiles on the roof and installing doors and windows. At the time of our visit, towards the end of the day, the workers were still working, but we were told that doors and windows had not been made and that the church had already used all its savings and was facing the danger of stopping the work to wait for money—a problem seen in many churches. We estimated that they would need an additional 200,000 RMB to complete the church. However, it took me by surprise that despite such financial constraints, Huang and other members of the congregation visit flood victims, poor farmers, and Red Army veterans and donate money and winter clothes to them. Once a poor farmer's pig died of illness. Huang and her colleagues paid a visit to the family and gave them 1,000 RMB to buy another one. Then, in answer to the city government's call to plant trees, the church has been looking after the 2,001 gingko trees planted by representatives of County Christian Councils of the province.

"So, a poor congregation is often more willing to give and serve," said a companion of mine.

The words echoed in my mind. It is indeed the people, people like Huang and many others I met on the visit, who are making history. What Amity does is very, very little, and if it can do anything at all, it is because of the gifts these people have offered, although they might be poor in material terms.

*Ting Yanren is Vice-President of The Amity Foundation.*

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**From Jail Inmate To Sheep Farmer**

_Ting Yanren_

A little over a year and a half ago, Xue Yunhao, a young farmer of Yunyan Township, Yichuan County, walked out of the police detention house after spending fifteen days inside on a charge of failure to return government loans. He was about to collapse, no longer having the strength or desire to continue a life that was in ruins. A senior high graduate and head of a household of three, Xue had a debt of 20,000 RMB [US$ 2,500 approx], mostly a government loan, long overdue because of his mother's severe illness and his own injury in a traffic accident, both of which required expensive hospitalization. The debt was an astronomical figure for a corn and wheat farmer in the dry and dusty mountains in Northern Shaanxi Province.

Just as he was thinking about his misfortune, Wang Jinrong, preacher of the local church, came up to meet him, having learned he was to be released that morning. Wang, a graduate of Shaanxi Bible School, is head of Yichuan County's Christian
Council. Realizing that Xue did not even have money to go home, Wang paid for Xue’s bus ticket out of his own pocket.

During the visits Wang later paid Xue and his family, the two men had long talks. Xue finally agreed to participate in an experimental programme: the Christian Council would purchase a new species of sheep with the money supplied by an organization called Amity, and Xue and his family would raise three of those sheep (worth 1,800 RMB) and return the 1,800 RMB loan in three years. During these three years, Xue must give the church three out of every ten lambs the sheep gave birth to so that the church could sell them or give them to other poor farmers. Xue and his family could keep all the other lambs and sell the manure. The program was an experiment because no one else had ever raised this species of sheep in the county. There was another condition - Xue must strictly follow the prescribed methods of raising this species of sheep: he must enclose them in a pen and feed them rather than let them graze on mountain slopes. The species was called small-tailed frigid-zone sheep.

Xue agreed and was given three lambs. Those lambs changed the course of his life.

When we met Xue, it was a year and half after the family first received the sheep. Wang Jinrong introduced him and his wife as new members of the church. Xue showed us, with great pride, his eight sheep and three little lambs that had been born the night before. He was wearing a big smile all the time. The sheep were huge; the biggest, a male, looked like a bull. They indeed had only very small tails. However, they had originated in Inner Mongolia, rather than in any frigid zone, as Xue explained to me later.

Xue, a farmer in his early thirties, spoke rapidly and enthusiastically. He told us that the sheep had a high birth rate and grew fast. In the past year and a half, he had already sold six full-grown sheep, which brought the family 3,000 RMB [US$ 375 approx.] in cash.

“In a little more than a year’s time,” said Xue, “I will repay all the debts, but my plan is to keep 30 to 40 sheep because it looks like this is how I will make it here.” He showed us the place and materials he had prepared for building new sheep pens. The new pens would be three times as large as the present ones.

He and his wife worked a total of over 60 mu [3.6 hectares approx.] of dry cropland leased to them by a couple who were now working in the city. Xue had bought many books on sheep raising. He showed me one on small-tailed frigid-zone sheep and explained what he saw as the most important thing about the success in raising these sheep:

“The most important thing, according to the book and a training course I took, is to keep them in the sheepfold and not let them roam around. This protects the vegetation on the ground and also enables the sheep to grow fast. In fact, we use all our cropland to grow the sheep feed, corn, sorghum, soybeans, and clover. The sheep need a variety of food.”

Xue showed us the crops on his land, where his wife was busy working, and he also showed us a pit he had just finished digging.

“This is where we will ammoniate the stalks and grass to make the feed more nutritious and easier to digest,” said Xue. He would use plastic sheeting to insulate the fermentation process.

“Where did you get this idea?” I was impressed because this was the type of project Amity had extensively sponsored in the southern part of China. We never tried it in northern China; at least I always believed that this would not work in the north, where the weather is dry and cold.

“From my books.”

It seemed to me that Xue belonged to a new generation of farmers; many in this generation were fully literate. They might live in extreme poverty, but the poverty was not of their making and it was the poverty that had suppressed their tremendous resourcefulness for years. For these people, just a little bit of care and help would make a big difference.
NGOs And The Challenge Of Globalization

Katrin Fiedler

Below are excerpts from a presentation given at an international conference on "NGOs and Social Transformation Under Globalization" held at Fudan University in Shanghai in September of 2002.

A “Chinese global” NGO: The Amity Foundation

The Amity Foundation has always had a more “global” nature than most other indigenous NGOs in China. Since its inception, Amity has relied on a global network of partners - most of them church related agencies - for funding and support. We also engage in South-South cooperation, we manage a big teachers exchange programme, and we have international staff in our Hong Kong office.

On the other hand, Amity is very Chinese in the way projects are implemented. With its special combination of Chinese and Western elements, I think Amity can be a model for Chinese NGOs under the situation of globalization.

Making the positive forces of globalization work for us

To date, many NGOs in China function as a kind of stopgap: They fill in social holes where the government or the market do not respond. And it seems very probable that the economic challenges that will accompany China’s WTO entry will widen the group of those who are left behind in the modernization process, creating an even bigger need for social services in every sense of the word.

As I see the implications of WTO, education will be more crucial than ever for development, in particular in the light of the expected decline of prices for agricultural products. Right now, a lot of our work aims at getting people started in the rural economy, often under very harsh ecological conditions. But (to phrase it in a provocative way) what is the point of painstakingly bringing up peasant producers if in the end they will only be able to sell their products at extremely low WTO prices? If farmers have the possibility to engage in other forms of business, this may often be an alternative. But for this, they need not only capital, but also skills. Therefore, we need to make education an even more central part of our programmes.

Alternatively, if ordinary agricultural products can be more cheaply produced elsewhere, NGOs could help to identify niches in alternative products and ways of production. This would also dovetail the demand for sustainable development in ecologically fragile environments. Amity has already recognized this necessity, e.g. in its “Organic Strawberry Project” in Xuyi, but much more could be done along these lines. Under the conditions of WTO, China’s NGOs need to become more “alternative”, “greener” and more Chinese. If NGOs could help farmers specialize on typically Chinese products, this would be an area where China’s farmers have a comparative advantage; besides, this would also help to preserve Chinese culture and traditions in this globalizing world.

So far, many NGOs have indulged in “globalization bashing,” criticizing the ongoing changes without realizing the potential these changes also offer. To cope with globalization and in particular China’s WTO entry in a productive way, NGOs need to make the
positive forces of globalization work for them.

The increased access to information is only one of the positive aspects of globalization. Another positive force of globalization is the fact that, in later stages of development, material resources become less significant. I recently read about an African development project which consisted of a bunch of computers that were given to the villagers. My first reaction was surprise - who has ever heard of a rural development programme that consisted of computers? But at a second glance, the idea behind this project has really got me thinking. Along with the changes of globalization, ecological disadvantages also become less significant. We all know Silicon Valley is situated in a desert. Will the same ever happen in Ningxia? I don’t know, but I hope we can work towards it. Another example where “underdevelopment” is turned into an asset would be ecotourism, where unspoilt nature and local cultures form the basis of an economy both local and global in nature.

Therefore, in spite of all the challenges and threats accompanying the process of accelerated globalization, it also offers new opportunities. For NGOs, new information technology in the “global village” creates a bigger audience for raising support, awareness and, of course, funds. We also should have better opportunities for South-South exchange, and we definitely need to strengthen this field. We need more South-South cooperation as a counterweight to the engulfing powers of a Western-dominated globalization process, and in a more concrete sense, to ensure that grassroots NGOs can play their role as preservers of local cultures.

maybe even spiritual aspects is particularly true for an NGO like Amity with its Christian connection. Not all among Amity’s staff may have a genuinely spiritual or Christian motivation for their work, but the spirit they work in - Amity’s “Three C’s” [compassion, commitment, competence] - is just the same.

Out of orbit? Not all parts of the Chinese countryside are as well connected with the modern world as this peasant family.

Reacting to the market without succumbing to it: The role of values

In many societies, NGOs play the role of advocates of “alternative” development, with a special emphasis on values. In the current process of rapid globalization, the value-oriented nature of NGOs will gain importance as a counterweight to this trend of extreme market-orientation.

Speaking from my Amity background, I would like to give a few examples of the values that are being promoted through NGOs. NGOs uphold a holistic approach to development, with a special emphasis on training. The emphasis on holistic development comprising material, cognitive and

The fact that we engage in holistic development concerns not only our beneficiaries, but also the people we work with, project partners at the local level as well as our staff and volunteers. All those involved in development work experience personal growth, and often staff can be overheard saying “I gained more than I gave.” In this way, NGOs help to shape an elite of dedicated social workers (whether professionals or volunteers). In the cultural context of China, where solidarity networks traditionally were confined to the extended family, the volunteerism promoted by NGOs is an important new value. And the idea of contributing voluntarily will be even more needed with more social gaps opening up after China’s WTO entry.

As grassroots-oriented organizations, NGOs can help to preserve traditional cultures and values; in a very general way, we could call this the value of “Chineseness”. And finally, the community orientation of NGO work such as Amity’s offers an important counterbalance to the ongoing process of disintegration that affects social institutions like the danwei sys-
tem or the traditional "multi-generational" family.

To sum up, I think that NGOs' strength are the "soft" values as opposed to the "hard" values that go with an entirely market-driven agenda. NGOs should play this card of "soft values" as their strength when they try to cope with the challenges of globalization. My call to make NGOs "greener", more "alternative" and more "Chinese" tries exactly this: NGOs need to respond to the market, but not succumb to it. By producing those things they are good at, be it organic strawberries or the value of community orientation, NGOs make use of a comparative advantage, to put it in market terms.◆

News

Wheelchairs to China

In two recent ceremonies, a large batch of wheelchairs sponsored by the Puyallup Rotary Club, Rotary Foundation matching and the Wheelchair Foundation, was distributed to children with disabilities. Donald Mott, a foreign expert working with Amity at the time educating caregivers in the management of children with cerebral palsy, witnessed the two occasions.

"The first ceremony occurred in Tancheng, Shandong Province where 70 chairs were given out to a variety of ages and people with diverse disabilities. I was in the courtyard of the facility for disabilities watching people arrive in an assortment of vehicles, mostly wheeled bicycles with small truck beds in the back in which the person with the disability was being transported," Mott writes in his report.

"The brace shop staff had the chairs all assembled and as people arrived they were checked off the list and then had pictures taken in their new chair. The joy and excitement was palpable in the air and mostly on the faces of the recipients. I wandered among the people receiving new wheelchairs and connected with an elderly man who was all smiles as he cruised around the parking lot on his "new wheels". During the ceremony he kept giving me the "thumbs up" and afterwards I pushed him to the gate where his son was waiting and took over from there, thanking me profusely."

Wu An'an, head of Amity's Social Service Division with fifteen years of experience of working with the disabled, showed herself amazed at the quality of the chairs, since they were manufactured in China and she had been trying for years to obtain chairs of this quality. Mott continues:

"The government officials, Ms. Wu and myself all spoke at the ceremony but the best part was sitting on the stage
looking out at 70 people in their new wheelchairs and knowing the difference this would make in their lives.”

This scene was repeated at the Nanjing Orphanage where a representative sample of the 170 who received wheelchairs in Jiangsu Province participated in the ceremony. These 170 chairs were distributed to a variety of institutes throughout the province representing both aged people as well as children with disabilities.

“Having worked with children with disabilities all during my professional career I was truly blessed to be given this unique opportunity. For a minimal financial investment the returns to the people receiving these wheelchairs is enormous,” Mott concludes.

Emergency Appeal - Thousands Homeless After Xinjiang Earthquake

268 persons died and thousands were left homeless in the worst earthquake to hit the Xinjiang region since 1949 on February 24, 2003. After the quake, which happened during icy winter temperatures, the most urgently needed relief goods were water, food, quilts, tents and medicine.

In response to this disaster, Amity has given immediate emergency assistance in the form of 4,000 quilts. 400,000 RMB [US$ 50,000 approx.] were provided from Amity’s revolving fund for emergency assistance. While Amity is preparing further help for the disaster-struck region, more funds are needed. If you wish to help Xinjiang’s earthquake victims, please mark your cheque or bank transfer “Xinjiang earthquake”.

**Personal cheques/ Bank drafts**

payable to “The Amity Foundation”
The Amity Foundation
71 Hankou Road
Nanjing, 210008
P.R. China

**Wire transfers to:**
a/c 958011 4824 20069
The Amity Foundation
Bank of China, Nanjing Central Branch
Nanjing, P.R. China

The Amity Foundation was created at the initiative of Chinese Christian for the purpose of promoting health, education and welfare in the People’s Republic of China. It is an independent Chinese voluntary organization in which people from all walks of life may participate. Amity represents a new form of Chinese Christian involvement in society, through which Chinese Christians are joining hands with friends from around the world to serve the needs of China’s modernization.

The Amity Newsletter is distributed free of charge four times a year. If you would like to receive the Newsletter, or desire further information on any of our projects, please feel free to write. Institutions receiving the Newsletter are welcome to reprint any article from it. Credit should be given to the Amity Newsletter, Quarterly Bulletin of the Amity Foundation.

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