



致诚公益

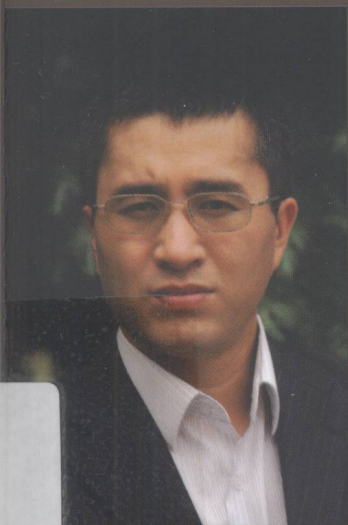
# 为了正义

——致诚公益十年

*Strive for Justice*



佟丽华 著



我是一个务实的理想主义者，  
不会去观望，也不会停下来彷徨。

一切都是可能实现的，  
只要我们一直努力去做！



法律出版社  
LAW PRESS · CHINA



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## 佟丽华 简介

佟丽华，北京致诚律师事务所主任、北京青少年法律援助与研究中心主任、北京致诚农民工法律援助与研究中心主任、北京市农村法治研究会会长，担任全国律师协会法律援助与公益法律事务委员会常务副主任和未成年人保护专业委员会主任、中华全国律师协会、中国青少年犯罪研究会和中国青少年研究会常务理事、北京市未成年人法学研究会副会长等社会职务，国务院妇女儿童工作委员会专家委员会委员、全国总工会法律顾问委员会委员，中华全国青年联合会委员、北京青年联合会委员、北京丰台区青年联合会副主席，北京市和丰台区两级人大代表，被称为“中国公益法领域的领军人物”，美国耶鲁大学、哥伦比亚大学访问学者，国内多所大学客座教授。

佟丽华律师从事公益法律事业十年来，全国超过20万未成年人和农民工因他所推动的免费法律服务而直接受益，为此受到社会各界的充分肯定。仅北京农民工中心，就收到锦旗136面，代表农民工1300多人；他先后多次以高票被评选为中国保护未成年人十大杰出公民、首届维护职工权益十大杰出律师、中国十大社会公益之星、2005年度中国十大法制人物、首届全国十佳法律援助工作者、北京十大杰出青年等；他三次获得司法部“全国法律援助先进个人”称号，多次获得“北京市人民满意的政法干警”或标兵称号，2005年被北京市司法局记个人一等功，2007年获得“中国青年五四奖章”和“全国五一劳动奖章”称号。

佟丽华推动的公益法律服务事业赢得了国际社会的尊重。联合国原人权高专阿尔布尔女士、联合国秘书长潘基文夫人、联合国开发计划署署长海伦·克拉克等访问中心后，都对他以及他所推动的公益法事业给予高度评价。他多次应邀参加中欧人权司法研讨会等大型国际会议，在美国耶鲁大学和哥伦比亚大学等世界著名法学院发表演讲，因其在公益法领域的突出贡献，2006年底，他在Multilaw国际律师组织在北京召开的全球年会上被授予年度唯一Multilaw奖。

## Author's biography

Tong Lihua is the Director of the Beijing Zhicheng Law Firm, Director of the Beijing Children's Rights Legal and Research Centre, Director of Beijing Zhicheng Migrant Workers' Legal Aid and Research Center (ZPIL-Migrant Workers' Rights), President of the Beijing Rural Area Rule of Law Institute, Deputy Director of the Legal Aid and Public Interest Law Committee of All China Lawyer's Association (ACLA), Director of the ACLA's Child Protection Committee, Standing Board Member of All China Lawyers Association, the China Juvenile Delinquency Prevention Research Association and the China Child Research Association, Vice President of the Beijing Child Law Research Association of Beijing Law Society, expert member of UNICEF/NWCCW Project of Implementing National Program of Action for Child Development in China (2006-2010), Legal Consultant of All-China Federation of Trade Unions, Member of All-China Youth Federation and Beijing Youth Federation, Vice President of the Beijing Fengtai Youth Federation. He was elected as representative of Beijing's Peoples' Congress and Fengtai District's People's Congress, and was named "China's Public Interest Law Leader." Mr. Tong was also a visiting scholar at both Yale University and Columbia University, as well as a guest lecturer at numerous Chinese universities.

Tong Lihua has been actively engaged in public interest law for ten years. In the last ten years, more than 200,000 minors and migrant workers have benefited directly from the free legal services provided by Mr. Tong and his team. Mr. Tong's public interest work is widely recognized by the society at large. The ZPIL-Migrant Workers' Rights (Beijing) alone has received 136 achievement banners and hundreds of thank you letters involved 1300 migrant workers. Mr. Tong has received numerous awards, including being selected as "China's Top Ten Outstanding Child Protection Citizen", "Top Ten China Outstanding Attorneys on Employees' Rights", "China Top Ten Public Interest Star", "China Top Ten Legal Practitioner" in 2005, "China Top Ten Legal Service Provider", "Beijing Top Ten Outstanding Youth", "China Most Committed Legal Aid Provider" for three times from the Ministry of Justice. He was awarded the "Beijing Rule of Law Officer" title numerous times; in 2005, received the Beijing Judiciary First Class Award; in 2007, received the China 5•4 Youth Medal and the "China 5•1 Labor Medal".

Tong Lihua's public interest law work has won respect from the international community. Former High Commissioner for Human Rights Ms. Louise Arbour, Ms. Yoo Soon-Taek, wife of United Nations Secretary General Mr. Ban Ki-Moon and United Nations Development Programme Administrator Ms. Helen Clark have all given their highest appraisals to Mr. Tong and his team for their work. Mr. Tong has participated by invitation in numerous human rights dialogues and high-level international conferences. He gave lectures at world-class universities including Yale University and Columbia University. As recognition of his dedication and outstanding work performed in the public interest law arena, Mr. Tong was awarded the "Multilaw Award" by the Multinational Association of International Law Firms, the only recipient of such an award at the global annual meeting held in Beijing in 2006.

# 为了正义

什么是正义？这似乎是个哲学问题，但其实答案很简单。我理解的正义就是指最大多数人的最大幸福。具体来说，就是最大多数人身心健康与自由、有体面的工作和生活、获得尊重、安全获得保障等；反过来说，非正义就是那些侵害他人、伤害他人、欺负他人、剥削他人的行为，最典型的莫过于农民工辛苦劳动后却不能获得报酬、权利受到侵害后却不能获得救助。

正义在哪里？哲学家只有把正义论述得非常复杂、晦涩，才显得其哲学深奥。但这导致正义似乎成为专家学者的事情，与普通百姓距离遥远。其实，正义就在我们每个人身边。伤害孩子、欺负农民工、刑讯逼供、贪污腐化、侵占农民土地、污染农民良田、故意伤害他人等都是非正义。为了正义，古今中外的作品刻画了大量侠客的角色。提到侠客，人们就会想到除暴安良、匡扶正义，侠客的形象已经深入人心，这体现了人类对正义的渴求。但大侠或许能帮助几个人，却永远不能在全社会范围内实现正义，把实现正义寄希望于大侠，反映了那个时代人们对法治的绝望与无奈。从古今中外历史来看，只有法治才能实现正义。

公益法是法治体系中最能实现正义的。任何时代、任何国家，社会都可以简单地分为两类人群：少数具有权势或财富的强势群体和多数缺乏权势或财富的弱势群体，前者经常利用自己的优势地位侵害后者。在一个非法治的时代，人口占多数的弱势群体对正义绝望，就只能揭竿而起，发动起义或称为革命，以多数人的暴力推翻貌似强大的少数。但在一个法治的时代，法治要给弱势群体以希望、信心和保障，让普通百姓看到：正义是可以依靠法治实现的。让普通百姓看到法治从而给他们以信心和希望、帮助普通百姓践行法治从而给他们以保障，这就是公益法。公益法不是一部法律，而是

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一种理念、一个原则。公益法是法治的灵魂,而法治是实现正义的基础,所以说只有大力发展公益法,才能切实推动法治建设,才能有效实现正义。换句话说,公益法越发达,法治就越发达,正义就越能实现,社会就会越和谐。

为了正义,致诚公益团队已经奋斗了十年。在最初北京市致诚律师事务所的基础上,发展成立了北京青少年法律援助与研究中心(以下简称“青少年中心”)、北京致诚农民工法律援助与研究中心(以下简称“农民工中心”)和北京市法学会农村法治研究会(以下简称“农村法治研究会”)三家机构,专职人员从最初3个人发展到近40人;推动成立全国律师协会未成年人保护专业委员会和法律援助与公益法律事务委员会;在全国律师协会的支持下,与各省律师协会合作,推动建立了28个省级律师协会未成年人保护专业委员会;直接指导、支持建立了16家农民工法律援助专门机构,北京以外未成年人和农民工保护专职律师和工作人员发展到近70人,加入“中国律师未成年人保护志愿协作网络”的律师超过8000人,成为全球最大的儿童保护志愿律师网络。

十年来,通过公益法的倡导功能,我们像牧师一样去传播正义。北京致诚团队主持的培训超过300场,超过10万人接受直接培训;仅我本人在中央电视台所参与录制的节目就超过1000分钟,观看节目者可能超过数亿人次;我们利用参加各种会议、接受各种媒体采访的机会传播正义,声嘶力竭地呼吁正义;各地合作律师开展的普法宣传活动更是不计其数。最大限度地减少伤害,最大限度地减少纠纷,每个孩子都可以健康、幸福地成长,每个人都可以体面地工作、生活,这才是我们追求的正义。

十年来,通过公益法的服务功能,我们像战士一样去匡扶正义。从2001年有咨询记录算起至2009年6月,北京青少年中心为社会提供免费法律咨询达38610人次,直接办理法律援助案件近300件,协调、支持各地志愿律师直接办理案件500多件,为近300名受害儿童提供小额爱心资助,志愿律师自己办理的未成年人法律援助案件无法记数;北京农民工中心成立4年,提供免费法律咨询23183件,受益农民工104459人次,直接办理援助案件4064件,为农民工获得资金4739万多元,而像徐延格诉肯德基等案件更让成千上万的人间接受益;北京以外16家农民工法律援助专门机构截至2009年7月底,免费提供咨询案件数27027件,受益农民工84589人次,直接办理案件

7329 件,涉及人数 13012 人,帮助农民工获得 8900 万元。算来直接受益农民工已经近 20 万人次,已经把超过 1 亿元人民币发放到农民工手中。

十年来,通过公益法推进法律和政策改革的功能,我们以各种方式推进正义:我们办理的高攀死刑案件、肯德基劳务派遣案件、于浩童工案件、郭增光等 65 名农民工被欠薪案件以及在大量案件基础上我们发布的各种实证报告引发了社会对正义的关注,我们创作《未成年人法学》、《和谐社会与公益法》、《谁动了他们的权利——中国农民工维权调研报告》等各种学术和普法书籍 53 本;我们直接或间接参与了未成年人保护法、劳动争议调解仲裁法、劳动合同法、法律援助条例、北京市未成年人保护条例等众多法律法规的制定或修订过程,很多意见已经转变为法律或政策。这些工作推进了中国社会法治前进的步伐,让正义得以更好地实现。

本书第一次公开介绍了我们推动公益法的经验和思考。有些人认为,我在做好事,政府和社会就应当支持我。但这种认识是偏颇的,即使做好事,也同样需要方法和技巧。多年来,我一直坚持以最少投入产生最大效果的发展模式,也就是时刻思考怎样以我们有限的资源和力量,去最大限度地推进未成年人和农民工权益保障事业,去最大限度地实现正义。本书还介绍了我们推动未成年人和农民工权益保障工作的心路历程,包括如何成立机构、如何确定工作思路、如何参与立法、如何开展研究、如何与政府建立合作关系、如何筹集经费、单位内部如何管理和决策、如何确立公益律师的收入水平、如何建立与媒体的合作关系、如何推动成立律师协会专业委员会、如何管理各地专职公益律师和志愿律师等,相信这些经验和思考对国际组织、政府部门和其他公益组织以及社会各界了解中国公益法律组织和公益律师的发展、未来开展项目和工作都有启发意义。

本书第一次公开介绍了我们办理的五起受到社会广泛关注的公益诉讼背后的思考、困难和方法:烟草诉讼没能进入诉讼程序,我们对此有心理准备,但其实立案过程本身就是一种策略,就是通过司法在向社会表达我们对烟草伤害儿童问题的关注;高攀死刑案件背后牵涉我国的死刑核准制度;郭增光案件折射的是我国农民工讨薪的艰难处境;肯德基案件恰逢中国制定劳动合同法,国外商会、工会以及公益律师都在代表不同的利益群体博弈;于浩童工案件反映了童工工伤对一个儿童及家庭的伤害和维权的艰辛。我

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们真实介绍了办理这五起案件的过程,就死刑核准问题给全国人大的公开信、就于浩案件给朝阳法院主管院长的信等资料可能对法学院的学生和年轻律师有所借鉴,而由时福茂律师撰写的超过两万字的办理于浩案件记录更是珍贵的史料。

本书准确反映了我国当代社会的法治进程:立法程序越来越透明化、民间声音越来越有机会表达,这是巨大的进步,但立法决策机制影响了立法质量,法律道德化助长了违法者的气焰,制度设置不科学造成了依法维权程序复杂、成本高,这些都增加了党委和政府管理国家的难度;书中介绍大小个案超过 50 件,这些案件既反映了存在的问题,通过成功办理这些个案也反映了法治的进步。可以说这本书是关注和记录中国当代社会法治发展的真实史料。

本书真实描述了当代中国公益律师的状态。由于国内外很多人经常会问起我为什么要从事公益法律服务?有些记者问是否受到某个案件刺激?我介绍了自己的学生时代以及执业初期的经历。为了正义,社会就需要有人担负责任、忍受压力。我借过钱、卖过房,繁重庞杂的工作、忧国忧民的情怀经常让我夜不能寐;律师们为了开庭取证经常要早出晚归,有时还要面对作恶者的威胁恐吓;全国近百名专职公益律师都要习惯同行高收入的刺激与诱惑。但让人欣慰的是,北京的时福茂、张雪梅、张文娟,江苏的李晓霞,江西的王慧等都已经成长为优秀的专职公益律师;安徽的孔维钊等律师已经成长为各省律师参与未成年人保护事业的领军人物;中国律师行业正在以更开阔的视角参与公益法律服务事业。希望本书带给法律从业者和法学院校师生以更多思考,那就是为了正义,我们应当如何做些力所能及的事情?

十年来,我们做了很多工作,但如果说取得了一点成绩,那是与很多人的大力支持分不开的:大学毕业到致诚律师事务所,时任丰台司法局肖士明局长赏识我,继任李秀英局长既是领导、又是朋友,在工作等各个方面都给予关心、支持,与丰台司法局很多人都已经成为默契的朋友;北京市司法局很多领导都给予大力支持,吴玉华局长多次鲜明表态支持,农民工工作站成立后一年时间里三次来调研;全国律师协会前后三任秘书长、司法部法律援助中心前后三任主任都大力支持我们的工作,全国律协分管专业委员会的

副秘书长里红更是在很多细节处给予关怀、帮助；中国法律援助基金会和北京市法律援助基金会不仅在资金等方面给予具体支持，还在众多场合帮助呼吁；与团中央和北京团市委权益部几任部长都处下深厚感情，记得在胡增印同志任团中央权益部部长时，每次春节前再忙他也带着部里主要成员来看望大家；丰台区人大主任杜瑞琴、原副主任张寿松、原丰台区委副书记阎满成、丰台团委前后几任书记都大力支持我们的工作；司法部领导更是一直给予关怀，主管律师的赵大程副部长还专程来单位看望大家……每次领导来，我都谈到，我们发自内心地感谢大家，没有大家的关心、帮助，这项事业不可能在十年里取得快速发展；作为公益律师，无以为报，只能以更扎实的工作来回报大家、回报社会。我们这样说的，也是这样做的。我们坚信，社会各界支持我们的工作，那就是在以不同的形式体现责任、奉献爱心，那就是在支持社会公平正义！

十年来，通过大力发展公益法，我们传播着正义、匡扶着正义、推进着正义。从我们所推动的公益法事业中受益的不仅是人民群众，更主要的是这个社会。我们给成千上万个家庭带去快乐，让他们树立起对法治的信心，让他们感受到正义的力量，从而使这个社会更加和谐美好。仅北京农民工中心，处理5人以上群体性案件就超过200件，涉及农民工近5000人，所有案件都得到妥善处理，这有效地避免了群体性事件的发生。

这是一个快速发展的时代，这是一个新旧体制转轨的时代，这是一个充满机遇与挑战的时代。抓住机遇，成功转轨，国家就能兴旺发达，人民就能安居乐业。但既得利益者的保守、自私与贪婪正在制造甚至激化着更多的矛盾，政法系统为了保持稳定不得不疲于奔波，没有人知道哪个小事件会转化成大冲突、或者说多大的冲突，经济的快速发展、物质的繁荣模糊了人们的视线，官僚主义、教条主义、形式主义开始盛行，这导致我们丧失了潜心研究、深入思考并制定科学制度的勇气和机会。我经常在思考：这个国家已经饱经风霜，在近代历史上曾经有着那么多的不幸，现在有机会再一次真正复兴，但今天的人们是否能够把握住这历史的机遇？

看到哪个腐败分子贪污挪用上亿元资金的报道，我经常想，假如有谁支持我一个亿，我能做什么呢？我能在全国招聘至少一千名律师，全年免费为社会弱势群体提供法律帮助，引导、帮助他们依法维权，直接受益人群不会

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少于 100 万人,不仅保了民生,也保了稳定,那该多好! 听着律师和当事人关于办理案件曲折过程的描述和法官辛苦加班的介绍,我有时天真地想,为什么要制定复杂的程序,让整个社会都要付出沉重的代价呢? 难道就不能真的简化程序吗?

我是一个务实的理想主义者,不会去观望,也不会停下来彷徨。一切都是可能实现的,只要我们一直努力去做、去呼吁! 为了正义,为了国家的繁荣富强,为了人民的安居乐业,我们会继续作出不懈的努力!

# Strive for Justice

What is justice? This appears to be a philosophical question, but the answer is in fact very simple. To me, justice is where happiness is achieved by the majority. Generally speaking, it is when the majority has all of the following: physical and mental health, freedom, dignity, respectable work, balance of lifestyle, respect from others and protection of rights. In other words, justice is misplaced where these rights have been infringed, and people are injured, bullied and exploited. A typical example is where migrant workers do not get rewarded or paid for the work performed or when they do not receive adequate assistance when their rights have been violated.

Where is justice? Philosophers complicate theories on justice to demonstrate the depth of the subject. It creates a misconception that justice is a matter purely for experts, remote from the common people. In reality, justice runs side by side with each and every one of us. Child abuse, bullying of migrant workers, confession by duress, corruption, trespass, pollution of farmers' fertile farmland, intentional injury to others and so on are all unjust behavior. Both traditional and modern day literature has portrayed justice as being realized by musketeers. One musketeer can however, only help a few people, and is limited in resources to achieve justice for society at large. In this regard, only the law can provide assistance to the vast majority.

The enforcement of public interest law is the most realistic and practical way of achieving justice. In any period of time, in any country, the society is divided into two populations: the small proportion which holds power,

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influence and wealth and the large vulnerable majority who do not possess any. The former often use their advantageous position to exploit the latter. In a lawless environment, the powerless majority loses hope in justice, and can only resort to starting a revolution to overthrow the minority by numbers. However, in a law governed society, the law must provide the disadvantaged groups with hope, confidence and protection, and enable the common all to see that justice can be achieved by the enforcement of law. Public interest law is when the common all understands the rule of law and the safeguards and rights which the law provides them. Public interest law is not one specific law, but a concept, a set of principles. Public interest law is the soul of the rule of law, and the rule of law is the foundation of the realization of justice. It so follows that only through the promotion of public interest law can the development of the rule of law be complete, and only then can justice be achieved. In other words, the more developed public interest law is, the more developed the rule of law will be, and the closer we will be in achieving justice and a harmonious society.

Over the last ten years, the Zhicheng public interest law (ZPIL) team has strived to achieve justice. In Beijing, we established the Beijing Children's Legal Aid and Research Centre (hereafter "ZPIL-Children's Rights"), the Beijing Migrant Workers' Legal Aid Station (hereafter "ZPIL-Migrant Workers' Rights"), and the Beijing Rural Area Rule of Law Research Institute (hereafter "ZPIL-RARL"). Our full time personnel have increased from three to almost 40; the establishment of the All China Lawyers Association's (hereafter ACLA) Child Protection Committee and the Legal Aid and Public Interest Law Committee were a huge success; with the support of the ACLA and the cooperation of lawyers associations from different provinces, we also established 28 provincial level child protection committees and; under our direct supervision, 16 migrant workers legal aid stations have now been established. Outside of Beijing, close to 70 full-time lawyers and support staff are now engaged in the protection of migrant workers rights and children's rights; more than 8000 lawyers have now joined the "China Child Protection Network of Volunteer Lawyers"

(CCPNVL) -the largest network of child protection pro bono lawyers in the country.

For ten years, through the advocacy of public interest law, we performed the role of ministers spreading the concept of justice. The ZPIL Beijing team has held over 300 training seminars with over 100,000 trainees. Through appearances on CCTV programs, we have had over several billion viewers with over 1000 minutes of coverage related to public interest law. We made use of the attendance of conferences and media interviews, endlessly struggling to spread the concept of justice, and cooperated with lawyers from all jurisdictions on advocacy work. To reduce harm and conflict, so as to allow each and every child to grow healthily and happily and to enable every person to work and live in dignity—this is the justice we are striving to achieve.

For ten years, through the provision of the service of public interest law, we performed the role of soldiers fighting for justice. From 2001 to June 2009, ZPIL-Children's Rights has provided consultation to over 38610 people; provided direct representation to over 300 litigation cases; coordinated and supported over 500 cases handled by volunteer lawyers; provided child victim support for nearly 300 desperate children; countless cases handled directly by volunteer lawyers. In the four years since the establishment of ZPIL- Migrant Workers' Rights, we have provided free legal consultation on more than 23183 cases, benefited more than 104459 migrant workers, and provided direct representation for more than 4064 cases. We have recovered more than 47,390,000 Yuan for the migrant workers, including the KFC case which benefited millions indirectly. Outside of Beijing, the 16 migrant workers legal aid stations have, up till July 2009, provided free legal consultation for more than 27027 cases, benefited more than 84589 migrant workers, handled 7329 cases directly, involved more than 13012 people, and recovered more than 89,000,000 Yuan for the migrant workers. In total, more than 200,000 migrant workers have benefited from our work, and more than ten million Yuan has been recovered for them.

For ten years, through the advancement of public interest law and policy

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reform, we have promoted the concept of justice by different means. We handled countless cases, including the Gao Pan child death penalty case, the KFC labor dispatch dispute case, the child laborer Yu Hao case, and the case of Guo Zengguang and other 64 migrant workers with wages in arrears, and issued numerous reports on these cases as well as empirical studies to raise awareness of the concept of justice amongst the public. We have also published more than 53 books, including “The Science of Child Rights”, “Harmonious Society and Public Interest Law”, and “Who Moved Their Rights-China Migrant Worker Rights and Interests Protection Investigation Report”. We have participated directly and indirectly in the legislation and revision processes of the People’s Republic of China Law on the Protection of Minors, the Law of the People’s Republic of China on Mediation and Arbitration of Labor Disputes, the Labor Contract Law, the Legal Aid Ordinance, the Beijing Act on the Protection of Minors. Many of our research and recommendations have been incorporated into laws and policies. Such work have advanced the Chinese rule of law in and laid the foundation for the achievement of justice.

This book introduces publicly for the first time our experience and thinking in the promotion of public interest law. Some people believe that the government and society should support our work simply because we are doing good. This understanding is, however, inaccurate. Skill and using the correct methods are essential to do good. All along the years, I have maintained the development model of using minimum investment to maximize output. Given our limited resources, I constantly ponder on how best to advance the protection of children’s and migrant workers’ rights to its maximum, to realize justice for more.

This book introduces the thought process involved in our promotion of children’s and migrant workers’ rights, including the establishment of our various organizations, the determination of our work models, our conduction of research, participation in legislation, cooperation with the government, fund-raising, management, decision-making, setting of salary standards of public interest lawyers, media relations, establishment of lawyers association

committees, and the management of our satellite offices and pro bono lawyers. We believe these experiences will provide a better understanding of public interest law work and public interest lawyers in China to overseas organizations, government departments and other non-governmental organizations, creating an impact on future work in this area.

This book introduces publicly for the first time the thinking, difficulties, and methods behind five influential public interest cases we handled that that received widespread public attention. The tobacco lawsuit did not enter into the litigation process, but this is something we anticipated. In fact, the process of filing the case was in and of itself a strategy to, through the legal system, highlight our concern for the harm tobacco causes to children. Behind the Gao Pan death penalty case was China's death penalty review system. The Guo Zengguang case reflected the difficulties for migrant workers in recovering their wages. The KFC case influenced the formulation of the labor laws in China, and demonstrated the conflicts between overseas chambers of commerce, trade unions and lawyers on the issue; the Yu Hao case reflected the suffering caused by a child labor's injuries on his family and the difficulties in protecting children's rights in this context. The detailed account of these cases, including the petition to the National People's Congress on the death penalty case, the letters and compilation of information on the case to the Chief Justice of Chaoyang District People's Court, may all be of benefit to law students and young lawyers. Even more valuable is lawyer Shi Fumao's detailed recording and analysis of the handling of the case of over 20,000 words.

This book accurately reflects China's development in the rule of law: the increasing transparency in the legislation process, as well as growing opportunities for civil society to reflect their views. Such is huge progress, however, the legislation decision-making mechanism has affected the legislative quality, the moralization of the law has resulted in offenders despising the law and thereby acting recklessly, the unscientific system has led to complicated system of enforcement of the laws, and high opportunity costs. All these have

made it more difficult for the Party and the Government to manage the country. The 50 or so cases described in this book reflect the existence of these problems. The successful handling of these cases demonstrates the improvement in the rule of law. This book can be described as the recording of the development of modern day China's rule of law.

This book realistically describes the overall reality of the current Chinese public interest lawyers. Many people, both mainlanders and foreigners, often asked me why I became engaged in public interest legal service. Some journalists asked if I was inspired by a particular case? The answer lies in the introduction of own experiences as a student and working as a junior lawyer. In the name of justice, the society needs someone to take responsibility and to endure the pressure. I have had to borrow money and sell my property. The important yet tedious work and worries over my country and my people make me sleepless. We, as lawyers, often start early and leave late to attend court and collect evidence, and face blackmails and threats of the wrongdoers at times. Almost a hundred specialist public interest lawyers nationwide need to resist the allure and temptation of high pay in other legal work. However, I am grateful that Shi Fumao, Zhang Xuemei and Zhang Wenjuan in Beijing, Li Xiaoxia in JiangSu and Wan Hui in JiangXi and others have all become excellent public interest lawyers; Kong Weizhao and other lawyers in Anhui have become leading child protection lawyers in their own respective provinces. The lawyers of China are consistently broadening their outlook on their participation in public interest legal work. I hope this book will encourage legal practitioners, law school teachers and students to think in the name of justice, and what they should do within their abilities to ensure justice.

In the past ten years, we have accomplished a lot with the help of many of our supporters. From graduating university to working in ZhiCheng, the former head of the Fengtai Bureau of Justice Mr. Xiao Shiming discovered potential, encouraged, and introduced opportunities to me. His predecessor Ms. Li Xiuying is not only a leader but also a friend who has supported and assisted us