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Ai Weiwei and the “Age of Madness”: Day Five and Counting

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By Lionel M. Jensen

Just over four days after Ai Weiwei’s sudden apprehension by China’s Public Security Bureau, the government has initiated, as is its tireless and terrifying custom, the public process of building a case against the disappeared by alluding to the subject’s “crimes.”

In comments made on Wednesday and Thursday in three of the Chinese Communist Party’s growing number of online and print “news” sources, China and the world have now learned that Ai’s actions were, according to *Renmin ribao* and the *Global Times*, legally “ambiguous” and too near “the red line of Chinese law.” The *Global Times* also reported that the departure papers for his flight to Hong Kong were “incomplete.”

Under China’s “stability maintenance” program, with which many are familiar following the 2009 treatment of Liu Xiabo, when he vanished for many months without acknowledgment, as allusion, innuendo, and vague, groundless assertion made the case for the subsequent necessity of his “trial” and imprisonment, these are serious charges. On Thursday morning the character assassination phase became more ominous, when Xinhua News Agency reported that Ai was being “investigated for suspected economic crimes in accord with the law.”

Imagine living in a *real* world—not an imaginary one from the work of Franz Kafka—where ambiguity or fear or insecurity or suspicion is cause for arrest. Actually, Ai Weiwei has not been “arrested.” Nor has he been “taken into custody,” or “detained” or “disappeared,” because these are merely the words of those attempting to describe what is self-evident but not acknowledged. The government has not admitted that Ai is in their grasp, although the *Global Times* did comment that he “was said to have been detained recently.” This is why Gao Ying, his mother, filed a missing persons report on Tuesday. “We have no idea where he is at the moment,” she said. More telling was her rhetorical query: “How can a country with laws allow this to happen?”

China’s constitution states that, “Citizens of the People’s Republic of China enjoy freedom of speech, of the press, of assembly, of association, of procession and of demonstration; the freedom of person of citizens of the People’s Republic of China is inviolable.” A 2004 amendment, highly touted by Premier Wen Jiabao, confirms additional guarantees more succinctly: “the state respects and protects human rights.”

Gao Ying’s plaintive cry is most astute because it is law, or more importantly the summary lack of respect for it as the guarantor of basic civil liberty and a documentary force independent of political manipulation, that is of concern. China is indeed a land of many laws and the Communist Party has in this very instance violated some of them—with extreme prejudice—by not informing his family of his whereabouts or permitting his attorney to speak with him. These actions are in contravention of Chinese law.

In a newspaper interview (his last) conducted on March 29 and published this week in Munich’s *Süddeutsche Zeitung*, Ai Weiwei reflected on his work in the wake of the disappearance of many of his friends and acquaintances, whose “offenses” were those of questioning, speaking or writing.

When asked his own wellbeing, he expressed concern about the latest campaign against free expression. He spoke with anguish about recurring nightmares of incarceration and torture by police in which tourists blankly walked around the spectacle as though it was an exhibit. “They saw everything but didn’t care...they simply acted as though this was quite normal...we live in a world of madness.”

With friends like Tan Zuoren (who assisted him in collecting the names of the nearly 5,000 children killed by the Party corruption responsible for the collapse of schools in the 2008 earthquake) and others already apprehended or incarcerated, he worried that he might be next, saying that in a recent interrogation, police suggested that he "go abroad" to continue his career.

It is said that when Ai Qing (Jiang Zhenghan), Ai's celebrated poet father, was jailed and tortured by the National People's Party (KMT) in the 1930s for his left-wing literary views, that he continued to write but found so execrable the fact that he and the leader of the KMT, Jiang Jieshi (Chiang Kaishek) had the same surname that he created in protest an alternative pronounced "Ai."

Ai Weiwei bears this name and the history of artistic passion and defiance that is its legacy. This alone may ensure that the astonishing record of his diverse creation and the power of his imagination will prevail: a triumph for the Chinese people.

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