Providing Women and Children with a Haven of Peace
Juror training for domestic violence and divorce cases in Wuhan, China

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Section I

The purpose of this project was to train jurors to uphold the rights of women and children, especially in cases of domestic violence and divorce, in the Chinese courts. By attending lectures and seminars, jurors will be better prepared to handle domestic violence and divorce cases giving adequate consideration for women and children and help judges make impartial decisions.

From a lecture series given by sociologist, judge and law school professor, fifty-six jurors from a city court in Wuhan, China gained basic knowledge of Marital Law and Women’s Law, and were exposed to the history and current situation of women and children as victims of domestic violence and family conflicts. Participants rated the project a success. On a scale of one to five with one the lowest and five the highest, forty-two jurors gave an average of 4.86* on satisfaction of the program, and 4.93* in agreement that the training provided help in dealing with domestic violence and divorce cases. In mid August 2008 the training was evaluated by the High Court of Wuhan as a seasonal top program in the Wuhan metropolitan area. Many jurors shared that after the training they felt more confident and comfortable to present their opinions at court.

Personal Quote: “When my mother in China told me about two court cases gone horribly wrong involving both a woman and a young girl, I knew I wanted to do something to protect the rights of women and children in the Chinese courts. The training that we have given jurors with our project for peace grant will have a positive impact on many women and their families and will help to change the way women are valued in Chinese society.” Hanwen Li

Section II

The role of a juror in China is both new to the court system and different than what exists in the United States. In China a juror has the same power over a trail as the judge so it is crucial that they are equipped with a basic knowledge of law. Meanwhile since jurors’ main responsibility is to state opinions from common people’s perspectives, wide social experiences and case-relevant background information are preferred. Based on the above consideration, I developed themes and made general outlines on sociology, law, and court experiences respectively, and then collaborated with each lecturer on filling in details. All together the lectures and the discussions that followed between participants and the experts came together to serve as the training series.

The lectures were held for four individual days with different topics from the end of June to mid July in the City Court of Jiang’An, China1. The first one was on June 27th, covering the topic of

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1 The City of Jiang’An has a population of one million. The Jiang’An Court has seventy judges and altogether one hundred and sixty staff.
* See attached Participant Survey Questionnaire Results.
“Establishing Full Legal Rights for Women and Children”. Professor Ping Luo, a sociologist and women’s study expert from the Women and Gender Research Center in Wuhan University, illustrated her point that society needs to place special emphasis upon granting women and children equal rights in such a traditional culture that is unfavorable to them.

Professor Luo examined women’s civil rights the both the aspects of macro and micro. While the “macro-right” stands for educational, voting and working rights, the “micro-right” includes marital and parental rights. Since macro-rights are the most important and serious rights people are given, an adequate amount of attention has been drawn to them during the last twenty years in China. But micro-rights are what people would demand only after macro-rights are gained. In the male-dominant Asian culture which has developed over two thousand years, it is harder for women to acclaim rights. Support should be graciously offered to female victims who stand up for their legal rights and increased social awareness of both macro and micro rights for women and their children should be acknowledged and safeguarded.

On July 1st the second lecture was presented by Professor Zhilin Meng from the University of Finance, Politics and Law, emphasizing the legal perspective. By comparing the old and new versions of Women’s Law, professor Meng explained the reasons and principles of legal provision revising, and encouraged jurors to make suggestions on revision according to their court experiences in the future. Professor Meng spent time examining clauses related to child custody, domestic violence and sexual harassment, since fierce disputes always arises out of these areas. The lecture introduced the scope of what Women’s Law governs and the extent of different interpretations of it in a less professional way.

On July 3rd all jurors went to audit a trial on divorce in the Jiang’an Court. Given the fact that one third of the jurors had not handled many cases, the group auditing not only offered practical experiences but also provided a setting for a following discussion at which experienced jurors had shared their knowledge and stories from trial.

On the last training day, July 10th, a female judge from the Jiang’an Court gave a talk on her reflections for acknowledging and safeguarding women and children’s equal rights. From a judge’s perspective, she stated the roles jurors are expected to play on and after trial, and made suggestions on working effectively together.

According to the post-training evaluation carried out by jurors, the lectures were considered interesting, practical, comprehensible, and useful in handling related cases. “It would be enjoyable and helpful to receive intriguing, interactive, substantial, and eye-opening trainings like this one in the future,” a juror commented, As the juror system develops in China, we have confidence to believe that women and children’s legal rights will be better acknowledged and safeguarded at court than it used to be. The project has laid the foundation for fair representation for women and children in court and has provided the courts with an ideal model for future training programs for new jurors.

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2 Jurors have right to investigate and mediate on their own before the final trial