

TAIWAN COMMUNIQUÉ

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Taiwanese opposition leaders on hunger strike

Four imprisoned Taiwanese opposition leaders began a long-term hunger strike on May 4, 1984 in protest against the inhumane treatment of prisoners, and to call for the government to speed up the process of democratization and to end the 35-years' old martial law.

The four *tangwai* ("outside-the-party") opposition leaders are staging their hunger strike in Hsin-tien prison, near Taipei, where they are serving prison terms ranging from 12 to 14 years. They were arrested and imprisoned on trumped-up charges of sedition after the so-called Kaohsiung Incident of 10 December 1979, when a human-rights day celebration ended in clashes with the police. They are:

Mr. Huang Hsin-chieh	former member of the Legislative Yuan;
Mr. Yao Chia-wen	Taiwan's most prominent human rights lawyer;
Mr. Chang Chün-hung	former member of the Provincial Assembly;
Mr. Lin Hung-hsüan	theologian of the Presbyterian Church.



Huang Hsin-chieh



Yao Chia-wen



Chang Chün-hung



Lin Hung-hsüan

Mr. Huang (age 56), the most senior of the imprisoned opposition leaders, started his hunger strike on April 26 already. On May 9 the prison authorities refused the four men permission to receive their relatives for the weekly half-hour family visit. At the time of this writing (May 9, 1984) little is known about their health condition. The health condition of Mr. Chang Chun-hung is of special concern, since he was reportedly beaten by prison guards at the end of April. Mr. Chang has a long history of heart and eye problems.

Eight other persons -- including three wives -- joined the hunger strike on May 4. They gathered for three days of fasting and prayer at Gi-kong Presbyterian Church in Taipei. They are:

- * Mrs. Chou Ching-yu Member of the National Assembly; wife of lawyer Yao Chia-wen;
- * Mrs. Hsu Jung-shu Member of the Legislative Yuan; wife of former Provincial Assembly-member Chang Chün-hung;
- * Mrs. Lin Li-chen Wife of theologian Lin Hung-hsuan;
- * Mr. Chiang Peng-chien Lawyer; member of the Legislative Yuan;
- * Mr. Chang Chun-hsiung Lawyer; also member of the Legislative Yuan;
- * Mr. You Ch'ing Member of the Control Yuan;
- * Mr. Lin Cheng-chieh Member of the Taipei City Council;
- * Mr. Hsieh Ch'ang-t'ing Member of the Taipei City Council.

On May 7 the three women -- Chou Ching-yü, Hsü Jung-shu, and Lin Li-chen -- were transferred to a hospital where they continued their fast. The five men ended their hunger strike and started to travel around the island to inform the people about the reasons for the hunger strike and to gain support for an amnesty for political prisoners.

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Mr. Reagan and the future of Taiwan

By the time this *Taiwan Communiqué* reaches its readers, Mr. Reagan will already be back in Washington after his trip to Peking. Will the visit change anything for the better in the sensitive relations between the United States, China and Taiwan ? Writing this just before the trip, we must say that we have our doubts. The main reason is that Mr. Reagan himself, as well as the aging leaders of both Taiwan and China, cling to old ideas that have long outlived their usefulness.

Mr. Reagan may be making a great leap forward for himself -- and possibly for his re-election campaign - when he visits communist China, but the lack of vision he has shown in his foreign policy, not only with regard to Central America and the Middle East but also in U.S. relations with Taiwan, leads us to fear that it may be a step backward for self-determination, human rights and democracy for the people in Taiwan. The only thing Mr. Reagan has said until now about the Taiwan issue was that it was a problem “for the Chinese to settle between themselves.” In a recent interview with the China News Agency he added: “We have a long and historic friendship with the Chinese people on Taiwan. We are not going to turn our back on old friends in order to, let’s say, make new friends.”

If Mr. Reagan chooses to ignore the principle of self-determination he not only betrays the ideals on which his own nation was founded, but he also undercuts a cornerstone of the international legal framework governing the relations between peoples, established with the founding of the United Nations.

Taiwan Communiqué

Mr. Reagan’s statement shows a total lack of understanding about Taiwan. More than 85 percent of the population are Taiwanese, and it is up to them and no-one else to decide the future status of the island. If Mr. Reagan chooses to ignore the principle of self-determination -- as laid down in Article 1.2 of the Charter of the United Nations -- he not only betrays the ideals on which his own nation was founded, but he also undercuts a cornerstone of the international legal framework governing the relations between peoples, established with the founding of the United Nations.

In his statement Mr. Reagan also spoke of the “long and historic friendship with the Chinese people on Taiwan.” We presume he speaks of the aging Kuomintang leaders who still consider themselves to be the rightful government of China, and who dream of “recovering” China. Mr. Reagan’s friendship with the Kuomintang has consisted of -- as his friendship with authoritarian regimes usually does -- weapon sales and “see no evil, hear no evil, speak no evil” when it comes to human rights violations and the lack of democracy. Supposedly the Reagan White House practiced “quiet diplomacy”, but the results are so meager that we are tempted to speak of *malign neglect*.

With the large-scale weapon sales to Taiwan (on the average more than \$ 750 million per year) it would have been possible for the United States government to bring about significant improvements in human rights and democracy on the island. However, topics such as an end to 35 years of martial law in Taiwan and the release of political

prisoners there, have never even been mentioned once in any public statements by Mr. Reagan. While he was quick to condemn martial law in Poland, he has turned a deaf ear to the voices of the native Taiwanese, who urge an end to Taiwan's martial law, which has been in effect since 1949, the longest in recent human history.

The Reagan Administration has not only shown a double standard in its (lack of) criticism of martial law, it has also failed to develop any clear position with regard to the future of Taiwan. Its hands-off approach - "let the Chinese settle the Taiwan issue between themselves" -- shows a callous disregard towards the Taiwanese people's desire and aspiration for self-determination.

However, in the U.S. Congress there has been a significant effort to come to grips with this question: the "Future of Taiwan" resolution passed by the Foreign Relations Committee of the U.S. Senate on November 15, 1983, and the similar resolution proposed in the House of Representatives, represent a first step in the direction of U.S. support for a free and democratic Taiwan. Mr. Reagan would do well to listen to what native Taiwanese have been saying about this issue.

Dr. Trong R. Chai, professor of political science at the City University of New York, is a leading native Taiwanese in the United States, who has been writing regularly about the future status of Taiwan. On the following pages we present some excerpts from two of his most recent articles.

"Let the Taiwanese decide their future"

This article appeared in the January 10, 1984 issue of the **Los Angeles Times**:

".... From its long separation from China, Taiwan has developed its own distinctive character and systems. Indeed in the past 90 years there have been only four years during which Taiwan had political ties with the mainland Taiwan differs from China in several significant ways:

Economy -- Taiwan has more people than 121 of the 157 members of the United Nations, and has a larger foreign trade than China. Its gross national product exceeded \$43 billion in 1982, which is larger than that of any UN member in the Middle East and Africa. Taiwan's per capita income (\$ 2,350) is the third highest in Asia and is six times higher than China's."

Dr. Chai then discussed the differences in educational levels and in cultural traits between Taiwan and China. He continued with a few words on the type of political system aspired by the Taiwanese:

“The Taiwanese favor democracy and oppose any form of dictatorship, right or left. They fear that the Kuomintang’s rule may pass and be replaced by the far greater tyranny of the Chinese.”

Dr. Chai went on to discuss a statement by four leading imprisoned Taiwanese politicians (see *Taiwan Communiqué* no. 9), the expressions of concern by the Taiwan Presbyterian Church, the election platform stressing that “the future of Taiwan should be determined by the people on Taiwan”, and a recent joint statement by 50 overseas Taiwanese associations asserting that “self-determination is a sacred, inalienable right of the people of Taiwan.” Dr. Chai continues:

“That right is enshrined in American and International law. The 1966 UN International Convention on Civil and Political Rights says: ‘All peoples have the right of self-determination. By virtue of that right, they freely determine their political status and freely pursue their economic, social and cultural rights.’ And the 1979 Taiwan Relations Act says that ‘the preservation and enhancement of the human rights of all the people on Taiwan are hereby reaffirmed as objectives of the United States.’

What the United States ‘reaffirmed’ should include the right of the Taiwanese to determine their own political future. Unless the future of Taiwan is determined by the people on Taiwan, there will be no just solution to the Taiwan problem.”

“Taiwan independence: the sole solution”

This article by Dr. Chai was published in the April 16, 1984 issue of the **Asian Wall Street Journal Weekly**. Again, we present just a few quotes:

“During his visit to the U.S. in January (1984), Chinese Prime Minister Zhao Ziyang asserted that ‘the Taiwan question is the main obstacle in the growth of Sino-U.S. relations.’ The prime minister’s solution to this problem ? ‘After the country is unified, Taiwan as a special administrative region of China, can retain much of its own character and keep its social systems and life style unchanged.’

Will the Chinese keep their promise and allow Taiwan to maintain its own social and political systems after they take over the island? The current situation in Tibet perhaps answers this question: in 1951, China and Tibet signed an agreement that governs relations between the two peoples. Article 4 of the agreement stated that 'the central authorities will not alter the existing political system in Tibet. The central authorities also will not alter the established status, functions and powers of the Dalai Lama.' In a similar vein, Article 7 promised that 'the religious beliefs, customs, and habits of the Tibetan people shall be respected.' The Chinese even pledged that 'in matters related to various reforms in Tibet, there will be no compulsion on the part of the central authorities; the local government of Tibet shall carry out reform of its own accord.'

Less than eight years after the agreement was signed, China occupied Tibet and abolished the Tibetan government. This touched off massive uprisings, and the Dalai Lama was forced to flee to India. Since that time, killings by the Chinese and the wholesale destruction of Tibetan culture have been well documented. The Tibetan experience demonstrates China's failure to translate its words into deeds. Thus, Premier Zhao's formula for Taiwan should be seen as nothing more than an empty promise."

Dr. Chai then proceeded to describe the lack of democracy and the violations in Taiwan under the Kuomintang. He emphasized the principle of self-determination and the wish of the Taiwanese people to establish a new nation, separate from China. He gave a number of economic and political reasons why the U.S. should protect the independence and freedom of Taiwan. He then outlined three policy alternatives for the United States.

"One policy alternative would be for the U.S. to help the Taiwanese people overthrow the KMT, which represents neither China nor Taiwan.

Another alternative would be to encourage the KMT to declare Taiwan a new political entity, separate and independent from China

The third alternative would be for the U.S. to urge the KMT to release all political prisoners, lift martial law and call for free elections of all legislative bodies. Only when all political institutions on the island are under the control of the Taiwanese people will they have sufficient power to change the Republic of China into the Republic of Taiwan."

After discounting the possibility of achieving the first or second alternative, Dr. Chai arrives at the third alternative as the most feasible approach. He concludes:

“The KMT will certainly resist American pressure for democratization in Taiwan, but the U.S. can still use arms sales, foreign trade and cultural exchanges as weapons to press the KMT to cooperate.”

The State Department's Human Rights Report

On February 9, 1984 the U.S. Department of State issued its annual “Country Report on Human Rights Practices.” The report analyzes the human rights record of 154 countries over the year 1983, based on information gathered from Congressional studies, U.S. embassies, the press in the United States and human rights groups.

The 14-page section on the human rights situation in Taiwan presents a thorough analysis of the lack of civil and political rights on the island, but understates the severity of the restrictive actions of the secret police and the pervasive controls on the press and political activities. Furthermore, the report contains a number of factual inaccuracies. On the following pages we present some excerpts from the introductory statement, followed by quotes from the subsequent sections that deal with specific violations of civil and political rights in Taiwan. At the appropriate places you find *Taiwan Communiqué* comments and corrections of the State Department's inaccuracies:

Introduction

“Taiwan's polity is dominated by the Nationalist Party (Kuomintang or KMT) in what is essentially a one-party authoritarian system, despite a vocal opposition which has a wide range of popular support. The Taiwan authorities, who claim to be the government of all of China, maintain the full array of central political bodies originally established on the Chinese mainland under the 1948 Constitution

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U.S. Department of State

..... effective power remains at the central level in the hands of the small leadership group from mainland China who came to Taiwan after World War II. This aging elite

runs the Nationalist Party, the military, and the executive bureaucracy. Political control is exercised through the security apparatus, which operates under martial law provisions enacted in 1949 and which the authorities justify as being to counter the threat of military action or subversion from mainland China. The majority of the population have little input into the political decisions affecting them.

Political evolution has occurred on Taiwan, but it has not kept pace with economic development; human rights are publicly endorsed, but incompletely realized. Although tolerated, opposition activity is restricted. The expression and publication of opposition political views is controlled and the activities of outspoken oppositionists are monitored, both at home and, apparently, abroad. Native Taiwanese who now constitute 85 percent of the population, dominate the private economy but are still underrepresented at the upper levels of the ruling elite. Dissatisfaction of many Taiwanese with mainlander domination has resulted in demands for more representative government and for policies that focus on the political development of the island itself

In 1983 the dramatic human rights violations that have often marred Taiwan's record in the past were absent, and the slow trend towards human rights improvements continued. Although there are strict limits to what is acceptable, critics of the political system and its policies have some freedom to express their views. The authorities continue to recruit increasing numbers of qualified Taiwanese to fill important economic and political, military, and security posts, a process which should, over time, contribute to an increased share of political power by the Taiwanese. The expanding, prosperous, educated middle class displays an increasing willingness to pressure authorities about human rights issues. Although the unresolved conflict with the People's Republic of China (PRC) over Taiwan's future fuels local authorities' concerns and this, in turn, influences human rights practices, the outlook for continued improvement in human rights appears favorable.

Political control is exercised through the security apparatus, which operates under martial law provisions enacted in 1949...

U. S. Department of State

Elections of supplemental members of the Legislative Yuan were held in December 1983. While involving unfair ground rules, these elections did include a campaign in which there was substantial freedom of speech, were conducted without violence, allowed freedom of choice, and apparently were honestly tabulated."

Taiwan Communiqué comment: *the last sentence was a bit premature: there is significant evidence that the authorities manipulated the results in the Fourth District (Yun-lin, Chia-yi, and Tainan) in order to prevent Mrs. Kao Li Li-chen (wife of the imprisoned Secretary General of the Presbyterian Church, Dr. Kao Chun-ming) from getting elected to a seat in the Legislative Yuan. For further information, see "Fraud in the December 1983 elections", on page 30 of this **Taiwan Communiqué**.*

The State Department Report continues:

"No winners were disqualified, even though at least one had made a number of statements normally considered "seditious." Candidates independent from or opposed to the ruling KMT received a substantial percentage of the vote but were hampered by restrictive campaign regulations, a law preventing the formation of opposition parties, unequal access to the mass media, and restrictions on the freedoms of speech and the press. In October, a high-level commission of the KMT rejected proposals to change the constitutional system so as to permit filling by appointments the vacancies in the top elective bodies, including the Legislative Yuan. If maintained, this decision would, over time, lead to a preponderance of Taiwan-elected members in these currently mainlander-dominated bodies."

After this general introduction the Report discusses issues such as the occurrence of political murders, torture, prison conditions, arbitrary arrests, denial of fair public trial, mail censorship and telephone tapping by the secret police.

With regard to political murders it states:

"No killings for political reasons took place in Taiwan in 1983. The questionable circumstances surrounding the death in July 1981 of Carnegie-Mellon professor Chen Wen-cheng and the murder in February 1980 of the family members of jailed oppositionist Lin Yi-hsiung remain unresolved."

It is interesting to note that pro-government newspapers in Taiwan, such as the China Post, did discuss the State Department's Report in some detail. However, only positive-sounding sentences were reported: of the foregoing paragraph only the first sentence was quoted.

Regarding torture the State Department said:

“Taiwan law specifically prohibits the use of torture. The Code of Criminal Procedure and the Military Trial Law state that an accused shall be “frankly” examined but that no violence, threat, inducement, fraud, or other improper means shall be used. In practice, individual members of the police or security forces at times resort to physical violence in interrogating criminal suspects.”

*Taiwan Communiqué comment: it has been pointed out by knowledgeable observers in Taiwan itself that the use of brutality and violence is a **common practice** among the police. Mr. Yu Ying-fu, Chairman of the Taipei Bar Association, wrote on July 21, 1982 in the China Post: “Although it is against the law in practice police officers often resort to torture while a suspect is in police custody.” We thus believe that the State Department’s statement gives a rosy picture of torture by Taiwan’s police.*

The prison conditions of the opposition leaders imprisoned after the Kaohsiung Incident of December 1979 are also discussed:

“Relatives of the eight defendants convicted by military courts and incarcerated in military prisons claim that by and large these prisoners continue to be denied access to regular work programs and recreational activities, are prohibited certain amenities accorded other prisoners, and are isolated from each other. Although they agree that the prisoners are being provided sufficient food, relatives and their supporters say the health care is inadequate. Local authorities deny these charges, noting that curtailed activities and contact are aimed at protecting the prisoners from possible harm from other inmates; they further argue that medical care is the same for all prisoners.

On October 4, 1983 authorities granted the request of Ms. Lin Wen-cheng for “conditional parole for health reasons.” Ms. Lin was the first of the Kaohsiung prisoners tried in military courts to be released. Authorities rejected a similar request from another of the eight, Chang Chün-hung, in July 1983 on the grounds that his health condition did not warrant early release.”

Regarding political prisoners the State Department says:

“The authorities deny holding political prisoners. In their latest statement, issued at the end of 1975 (a little more than eight years ago!!, certainly an indication of the lack of response by the Taiwan authorities to requests for information by international human rights organizations -- Ed.), they noted that there were 254 persons in’ prison on sedition charges. The authorities define sedition as opposition to basic policy and include under that definition expressing communist sympathies, espousing views

contrary to the authorities' claim to represent all of China, and supporting an independent legal status for Taiwan.

Some persons have been released and others arrested since 1975. In December 1982 the authorities disclosed that 92 prisoners convicted of sedition and related offenses were being held in the Green Island Military Prison. In its August 1983 issue (which the authorities banned) the opposition magazine *Care* published what it said were the complete lists of prisoners in the Green Island Military Prison and the Taiwan Garrison General Headquarters Reformatory at Tu Cheng. The article lists 74 prisoners on Green Island and 81 in Tu Cheng. Most of these are convicted of sedition-related activities. Although current statistics have not been made available, observers believe that smaller groups sedition prisoners are serving sentences in other prisons."

The State Department report is in error with regard to the publishing date and the contents of *Care* magazine: the June 1983 issue contained only the list of 81 prisoners held at Tu Cheng prison. That issue was confiscated by the Taiwan Garrison Command. The August 1983 issue of *Care* was also confiscated, but because it contained the text of a speech Mr. Chou Ching-yü had given in the United States. The list of 74 Green Island prisoners was published by *Taiwan Communiqué* (no. 13, August 1983) and by *Formosa Weekly*, based in Los Angeles. *Tangwai* magazines in Taiwan did not dare to publish it for fear of reprisals by the secret police.

The State Department report subsequently mentions that during 1983 the authorities released seven of the 33 Kaohsiung-incident prisoners sentenced by civil courts on completion of their sentences, leaving 26 still in civilian prisons. This is incorrect, because a number of the Kaohsiung prisoners who received shorter sentences had already been released at an earlier date. Thus, at the end of 1983 five of the 33 civil court cases were still serving their sentences:

Name	To be released in
1. CHOU Ping-teh	December 1985
2. WANG T'ò	December 1985
3. WEI T'ing-chao	December 1985
4. CHIU Mao-nan	December 1985
5. TS'AI Yu-ch'uan	December 1984

Under the heading "Arbitrary Interference with Privacy, Family, Home, or Correspondence" the State Department writes:

“The daily life of an individual not actively engaged in politics is subject to only minor interference by authorities. Authorities impose limits on the use of the Taiwanese dialect (the mother tongue of most inhabitants on Taiwan) on television and radio. Romanized Taiwanese versions of the Bible are also not permitted. Authorities do not interfere with basic family matters such as the right to marry or have children as one chooses. Membership in the Kuomintang, the dominant political organization, is a matter of free choice. Access to institutions of higher education is based entirely on academic achievement.”

Taiwan Communiqué comment: membership in the Kuomintang is not as free as the State Department portrays it to be: it is common knowledge among Taiwanese that particularly during the compulsory military service there is strong pressure to become a Kuomintang member. Failure to do so means a lengthy assignment to unpleasant jobs. In civil servant jobs, such as schoolteachers, membership in “the” Party significantly increases one’s chances of promotion.

In Section 2: Respect for Civil Rights the State Department describes the restrictions on freedom of speech and the press:

“The Constitution guarantees freedom of speech. Current martial law restrictions, however, limit this right. Individuals are not free to question publicly the regime’s basic political policy of anti-Communism or its claim to sovereignty over all of China. Those who are at odds with the KMT regime maintain that the security authorities monitor political expression, both in Taiwan and overseas.

Persons who speak favorable of Communism or the People’s Republic of China, or persons (usually native Taiwanese) who question the legitimacy of Taiwan’s mainland authorities by suggesting support for “Taiwan Independence”, self-determination, or greater power to the Taiwan population, can expect to be warned. If they do not desist, they are likely to be charged with sedition and tried in a military court. Nevertheless, self-determination and a variety of other sensitive topics relating to the legitimacy or competence of the authorities were debated during the 1983 election campaign, and such topics were also raised in the Legislative Yuan itself.”

The subsequent discussion of the case of the arrest of political science professor Lu Hsiu-yi and two others contains several factual inaccuracies. The State Department writes:

“On January 3 a military court convicted a Japanese national, Mrs. Maeda Mitsui, of sedition and ordered her to be deported. The court sentenced two Taiwanese codefendants to three years in prison for carrying out seditious activities for the allegedly pro-PRC ‘Taiwan Independence Movement.’ One of the defendants, Ko Szu-pin, who reportedly did not ‘engage in any acts which endangered society,’ was released under ‘supervision’ while the other, Lü Hsiu-yi, formerly a professor of political science, is serving his term.”

The State Department officials at the Taiwan desk should have read their *Taiwan Communiqué* no. 11 (pages 18-20) a bit more carefully: they would then have known that Mrs. Maeda was arrested on January 3, that she was held incommunicado for more than two months, during which she was interrogated “in a most ferocious manner” (her own words, see *Taiwan Communiqué* no. 11, page 20), and that she was deported from Taiwan on March 14, 1983.

During his detention Mr. Ko Szu-pin was kept awake for long periods -- once for four days and three nights -- and told by his interrogators to confess that professor Lu and others were “planning a revolution.” It is not known how professor Lu was treated. A closed-door military court did indeed sentence professor Lu and Mr. Ko to three years of reformatory education.

The State Department should also have pointed out that the expression “pro-PRC Taiwan Independence Movement” (the accusation against the three above-mentioned persons) is a contradiction in terms: persons favoring Taiwan independence are by definition not in favor of unification with the PRC. The above-mentioned expression is often used by the KMT-authorities as a label to smear those who work for a free and democratic Taiwan.

The State Department Report subsequently discusses the restrictions on the press:

“All daily newspapers are owned by official agencies, the KMT, or high KMT officials; however, there are also a variety of smaller, privately-owned and independent publishers. Control over the daily newspapers is often exercised indirectly, through guidance from the local authorities’ information office and the Kuomintang, and through restrictions of the number of newspaper licenses, which have been frozen for a number of years.

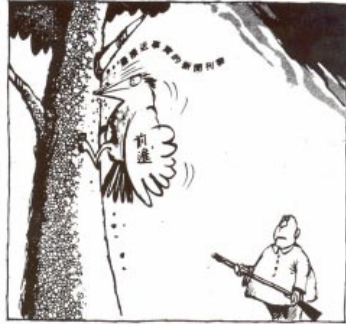
Censorship of publications is carried out through provisions of the publications law which empower the security police to seize or ban printed material that “confuses public

opinion and affects the morale of the public and the armed forces.” As interpreted by the authorities, this covers a wide range of topics including articles that discuss possible leadership changes, question the legitimacy of the KMT, criticize Taiwan’s foreign policy or merely reveal behind-the-scenes news that is potentially embarrassing to the leadership. The limits of acceptable political criticism are not clear-cut. Even periodicals which are cautious in their selection of articles for publication have been banned from time to time.

Oppositionist publishers generally know when an issue of their magazine is courting a ban. They select their material cautiously in the sense that they carefully tread along the outer limits of “acceptable” journalism. These publishers are usually aware when an article is straying off into no-man’s land but are willing to court banning in order to test the limits. Authorities banned the August issue of *Care* magazine and the October 25 issue of *Root* magazine. In each case, the magazine’s publishers (both prominent oppositionists) thought that, although the material in question was politically sensitive, it would be acceptable.

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U S Department of State



Press censorship in Taiwan:
“Another troublesome noise-maker removed.”

There are political, and even sometimes financial, rewards for being banned. A ban of a single issue guarantees a sellout, if the ban occurs after the magazine has been distributed. Or, if the magazine is seized at the printers, the publisher sometimes arranges a “pirate” version of the offensive magazine. Magazines banned for longer periods usually come out under a different name.

Since 1982, the authorities have allowed an increase in the number of domestic political opinion magazines, many of which support non-KMT politicians and criticize the ruling party. However, in 1983 the authorities banned five magazines for one year and also banned [we assume that the State Department means “banned or confiscated” -- Ed.] 15 individual issues of these or other magazines. These high numbers have prompted publishing and political circles, which view such bans as a tactic of harassment, to call for clearer publishing guidelines. These guidelines have not been and are unlikely to be established.”

According to our *Taiwan Communiqué* records, the level of suspensions, confiscations and bannings, indicated by the State Department for all of 1983, was reached in the beginning of September already. The total “score” for 1983 was:

Censored	2 issues
Banned	10 issues
Confiscated	16 issues
Suspended	6 magazines
TOTAL:	34 restrictive actions

The State Department Report continues with a section on Freedom of Peaceful Assembly and Association:

“Freedom of assembly is guaranteed by the Constitution. In practice, permits are generally issued for nonpolitical assembly, but public assembly for political purposes, except during elections, is often prevented under martial law provisions”

In a discussion of trade unions the State Department writes:

“Walkouts and strikes are prohibited under martial law. Collective bargaining, although provided for by legislation, does not in fact exist. Individual factory unions do, however, play an intermediary role in facilitating the resolution of disputes. It is generally believed that labor unions -- especially general federations -- have close ties with the ruling KMT.”

In the section on Freedom of Religion the State Department writes:

“While generally respecting the right to practice religion, the authorities have brought pressure to bear against religious organizations they consider to be involved in

unacceptable political activity, most notably the predominantly Taiwanese Presbyterian Church in Taiwan (approximately 190,000 members). The Church has frequently reaffirmed its 1977 Declaration calling for Taiwan's transformation into a "new and independent country," which represents the most overt questioning by any group of Taiwan's mainlandercontrolled political institutions. In 1980 the church's General-Secretary, Reverend Kao Chun-ming, and several other ranking Presbyterians were convicted in a military court of harboring the prime Kaohsiung-incident defendant, Shih Ming-teh. Although tensions between the church and the authorities have relaxed somewhat recently, the authorities have warned church members to avoid involvement in opposition political efforts or Taiwan independence activities."

The State Department subsequently discusses the "law for the protection of religions", proposed by Taiwan's Ministry of the Interior on June 3, 1983. After a description of the main features of the proposed law, the State Department states:

"Taiwan's religious leaders saw the proposed law as an attempt by the authorities to determine the policy and practices of religious organizations. In response to strong opposition from all church groups in Taiwan, authorities shelved the draft law on August 11. However, on September 27 the authorities announced plans to resubmit a revised draft law at an unspecified date."

Taiwan Communiqué note: on March 6, 1984 Taiwan's Interior Minister Lin Yang-kang stated in the Legislative Yuan that his ministry is currently drafting a religion law "which will provide better guidelines and protection to temple and church goers and those who run and manage these institutions."

In the section on Political Rights the State Department Report gives an accurate description of the anachronistic political system in Taiwan. Since we assume that these facts are well-known to the readers of *Taiwan Communiqué*, we will not repeat them on these pages.

The State Department closes the report on Taiwan with a section on government attitude regarding international and non-governmental investigation of alleged violations of human rights, and a one-page section on the economic, social and cultural situation, including education and the situation of the Malayo-Polynesian mountain tribes.

The full text of the Taiwan section of the State Department's Report is available upon request from *Taiwan Communiqué*.

Prison Report

Eleven long-term prisoners released

On Sunday, January 23, 1984 the Taiwan authorities released eleven persons, who had been in prison since the late 1940's or early 1950's. They had been held on Green Island, a small island off the South-East coast of Taiwan, and were all suffering from various illnesses. Below we present a list with some basic information, such as the age, the approximate number of years in jail, birthplace, and type of illness:

NAME	AGE	YEARS IN JAIL	BIRTHPLACE	TYPE OF ILLNESS
1. Chen Lieh-chen (陈列珍)	65	34	Taichung	ulcer
2. Chen Shui-chuan (陈水泉)	57	34	Matou	ulcer
3. Hsu Wen-tzang (徐文赞)	60	34	Taoyuan	hypertension
4. Hung Shui-liu (洪水流)	69	34	Matou	poor health
5. Li Cheng-san (李振山)	56	35	Peitou	ulcer/paralysed
6. Lin Cheng-ting (林振霆)	62	27	Kwantung **	one tooth left
7. Liu Chen-sung (刘贞松)	54	34+	Taichung	ulcer
8. Meng Chao-san (孟昭三)	63	22	Shantung **	mental problems
9. Wang Chi-chu (王继祖)	59	22	Shantung **	mental problems
10. Wang Chin-hui (王金辉)	58	34	Matou	ulcer/arthritis
11. Wang Teh-sheng (王德胜)	64	34	Taichung	ulcer/rheumatic

Five long-term prisoners not released: On January 25, 1984 Mr. Han Li-wu of the Chinese Association for Human Rights -- an organization which closely toes the Government line -- announced that the Taiwan authorities had agreed in principle to release "the remaining five" long-term prisoners. Two of the five were originally scheduled to be released together with the eleven others, but "inappropriate contacts with the outside" delayed their release.

However, as of the date of this writing (mid-April 1984) the Taiwan authorities have not released the five and have even refused to give their names. Two of the five are well-known political prisoners: Li Chin-mu and Lin Shu-yang (both adopted by Amnesty International), but about the identity of the others very little is known. Below

we present some names which have been mentioned in international human rights circles as possibly belonging to these five long-term prisoners.

1.	Li Chin-mu (李金木)	58	34	Matou	ulcer
2.	Lin Shu-yang (林書揚)	58	34	Matou	hemorrhoid
3.	Lin Chia-jung (林家榮)	?	?	?	Taitung hosp.
4.	Lai Hsi-ho (賴翼和)	?	?	?	Taitung hosp.
5.	Fan Yueh-chuang (范月樵)	?	?	Jiangxi**	?

** in China.

Huang Hua *profile of an imprisoned writer*

The 80-years-old mother of imprisoned writer Huang Hua passed away on February 16. Her funeral was held on March 15. Despite appeals made by several tangwai legislators and by Huang Hua's friends that Huang Hua -- imprisoned at the notorious Green Island prison, off the southeast coast of Taiwan -- be permitted on humanitarian grounds to attend his mother's funeral, the authorities refused to grant this permission. In letters of March 13 to Legislative Yuan-member Mrs. Hsu Jung-shu and to opposition leader K'ang Ning-hsiang, Minister of Defense Soong Chang-chi cited the following ludicrous reasons for the refusal:

- a. the long distance between Green Island and Keelung, Huang Hua's home town, makes it impossible for him to make the round-trip within 24 hours;
- b. his prison record is not "satisfactory" [Huang Hua participated in a number of hunger strikes to protest prison conditions -- Ed.], there will thus be a problem with security if we grant him permission to go home accompanied by guards (??);
- c. the fact that Huang Hua was allowed to perform a mourning service in his cell makes it unnecessary for him to go home.

Despite her old age and failing health, Huang Hua's mother had made three trips from Keelung to Green Island to see her son -- a journey of two days by bus, train, and boat. She had to give up visiting her son when she became blind.

Huang Hua - the former deputy managing editor of the **Taiwan Political Review** - has spent 18 of his 45 years behind bars because of his political beliefs. At a young age Huang Hua believed that an opposition party was essential to the functioning of a democratic state. In 1960 he became an enthusiastic supporter of a proposal to form a new political party, made by a prominent mainlander politician, Mr. Lei Chen, who was imprisoned from 1960 until 1970 for writing about the idea in his Free China Fortnightly. In 1963 Huang Hua decided to run for public office himself -- a seat in the city council of Keelung. He was arrested before he could register as a candidate. He was then 25 years-old. He was imprisoned for two-and-a-half years for "spreading ideas of an opposition party" - a rebellious thought which the authorities prohibited from public discussion.

The imprisonment did not diminish his fervor to work toward a democratic society. In 1967 Huang Hua together with a group of his friends formed an organization "Society to Promote the Unity of Taiwanese Youth" and was eagerly preparing to participate in the upcoming local election. Soon he was arrested again, this time together with more than 100 people. He was charged with "sedition" and sentenced to 10 years imprisonment.



Mr. Huang Hua

He was released in 1975 as part of a general amnesty commemorating Chiang Kai-shek's death. He immediately joined the election campaign of Mr. Kuo Yu-hsin, one of the few early native Taiwanese who dared to voice some criticism of the Kuomintang. After Mr. Kuo lost the election (due to ballot rigging by the local Kuomintang officials), Huang Hua joined the staff of the Taiwan Political Review.

He wrote a number of essays for publication in the Review, in which he strongly advocated democratic values and non-violent politics. His subtle but none-the-less sharp criticisms of the KMT government resulted in his third imprisonment. Arrested on July 25, 1976, he was sentenced to 10 years' imprisonment for seditious activities in connection with his writings for the Review. The court ruled that he had used the publication to "propagate rebellious thoughts" and that he had "attempted to instigate armed rebellion."

Below we quote a few excerpts from his writings, which were labeled "rebellious thoughts" by the authorities. Responding to the KMT government's claim that strict

political control is necessary in order to unify Taiwan society and thus make it possible to combat communism, Huang Hua wrote in an article entitled “The Way to Unity” published in issue No. 5 of the **Taiwan Political Review** (December 1975). He insists that he is strongly opposed to communism, but that he believes that true unity on Taiwan can only be achieved if human rights are respected, and if political authority is based upon reason rather than force.

The translation was done by Dr. James. D. Seymour, and was published earlier as “A Plea for my people” in *China Notes* (Winter 1976-1977) of the Division of Overseas Ministries of the U.S. National Council of Churches.

“If unity is to mean total dedication, there must be good faith on all sides. But how is this kind of unity to be achieved ? Is it enough for the media constantly to sing praises of the regime and extol its virtues ? When everyone shouts “Long Live the Great Leader,” does that prove that we are united ? Is it sufficient if the candidates of the Nationalist Party receive the vote of every citizen ? Would it be enough if everyone became a card-carrying Party member ? Surely such “unity” is fatuous...

Sun Yat-sen once complained that traditional Chinese society was like a sheet of loose sand. Well, perhaps such a non-integrated society should actually be preferred, if the only alternatives we are offered are oppression or vengeance. But there is yet another way: unification through good faith. By this I mean that people play their parts voluntarily and enthusiastically. But first, everyone’s basic rights, views, and interests must be respected.”

On defending “democratic values and human rights”, Huang Hua wrote:

“Prerequisite to democracy is a representative legislature, freely elected on the basis of one person, one vote. Those elected, acting on behalf of their constituents, exercise the law-making power. But what is the actual situation here? We find a carpet-bag legislature dominated by individuals elected decades ago on the continent. Of course there are legislators who do regularly have to stand for reelection, but these are very few. So what we have is taxation without meaningful representation. Is this the way to become united?

Such essential human rights as freedom of expression and freedom of association are basic to any democracy. Indeed, they are promised by our own constitution. But during the past three decades the people who sought to organize a new political

party, for example, have had many barriers placed in their way. Sometimes they have even been imprisoned. But if human rights are not respected -- if there is no equality, and if the powerful are unreasonable in their treatment of the powerless -- can the people be expected to pull together with any degree of enthusiasm?

On “Non-violence Politics” Huang Hua wrote:

In a sense, “non-violence” is just another term for “reason.” Problems are much more apt to be satisfactorily solved through the reasoning process than through force. And reasoning calmly can be a potent political force. A non-violent Jesus made the Roman Empire tremble. A non-violent Buddha caused potentates -- ultimately even Chinese emperors -- to worship him. The British, with all their warships and armaments, were crippled by Gandhi’s non-violence. And Martin Luther King, preaching non-violence, was a major factor in the forging of a new social system for America.”

Huang Hua’s writings on the politics of non-violence were interpreted by the Taiwan authorities as a crime “to advocate non-cooperation and to instigate the people to take rebellious actions against the government by ignoring all laws.”

Amnesty International: Torture in the eighties

In the beginning of April 1984 this international human rights organization started a renewed effort against torture. On that occasion it published a 250-page book titled “Torture in the eighties”, which contains an overview of mistreatment and torture in the world. One of the main conclusions of the study is that torture is increasingly used by authorities of many different nations, who invariably use “national security” as an excuse.

The report contains a brief section about Taiwan, which mainly discusses the ill-treatment of the “Kaohsiung incident” prisoners and the cases of Dr. Chen Wen-cheng, who was found dead on July 3, 1981, the day after he was questioned by the Taiwan Garrison Command about his political activities in the United States, and the case of the death in police custody of taxi driver Wang Ying-hsien. Some excerpts are presented below, followed by two *Taiwan Communiqué* comments:

“Reports of torture and ill-treatment of prisoners in Taiwan were less frequent in the period under review than in the previous decade. Most of the 40 prisoners convicted

after a human rights demonstration in Kaohsiung in December 1979 claimed in court that their confessions admitting the charges against them were obtained by violence, sleep deprivation and threats of the death sentence in some cases. They had been held incommunicado for more than two months by the Taiwan Garrison Command (TGC) and interrogated by that agency and more than 30 of them were interrogated for a further two months by civilian prosecutors.

An Amnesty International mission which went to Taiwan in February 1980 met a number of people who had been interrogated following the December demonstration and released without charges. Some of those interviewed had been interrogated continuously throughout their detention, in some cases for less than 10 hours, in others for seven days and nights. The delegates were also told about torture used during interrogation on some of the other prisoners. These included beatings with a leather belt, electric shocks and the wearing of feathers and iron balls; others were reportedly forced to squat for long periods in front of electric fans

.... to Amnesty International's knowledge, the military court that tried eight of the defendants had dismissed their requests for the interrogating officers to be examined in court and accepted statements by the military prosecutor and the Bureau of Investigation that the complaints were unfounded. Amnesty International received no indication that an independent investigation of the torture allegations took place."

The Amnesty International report then briefly discussed a July 1982 amendment to the Criminal Procedure Code, which allowed suspects to retain a defense lawyer immediately after arrest. The amendment was prompted by the case of Dr. Chen Wen-cheng, and the death in police custody of taxi driver Wang Ying-hsien, who was falsely accused by the police of involvement in a bank robbery (see *Taiwan Communiqué* no. 9, pp. 21-22).

Taiwan Communiqué comments:

a. Amnesty International reports that an American expert in forensic medicine who examined the body of Dr. Chen found no evidence of "systematic torture." According to information available to Taiwan Communiqué, Mr. Cyril Wecht -- the forensic pathologist -- firmly ruled out "accident or suicide" (the official Taiwan government version), leaving "murder" as the only possibility. In an interview with reporters on September 22, 1981 (just after his return from Taiwan) Mr. Wecht stated that " Chen did not have the kind of injuries on his hands, feet, arms, legs and head usually suffered by people who jump from high places."

A confidential State Department cable published in the Washington Post (“Secret cables hint of torture of Taiwanese”, September 14, 1981) points specifically in the direction of what we would call “systematic torture”:

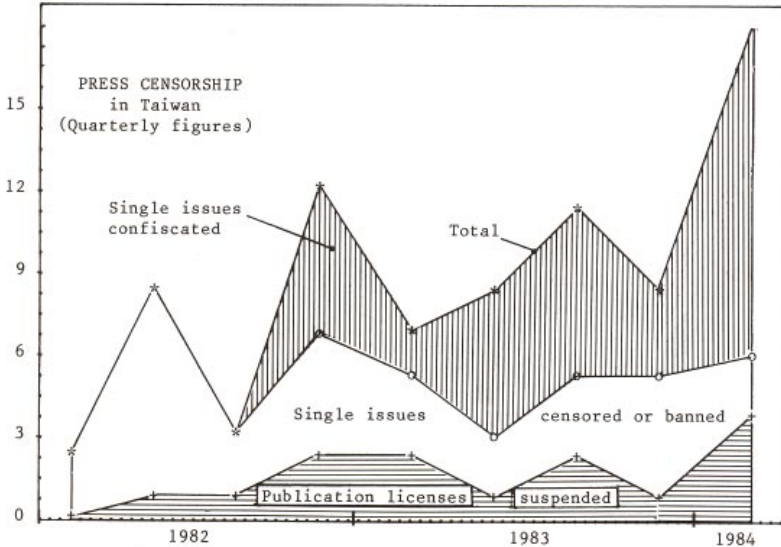
“Non-government experts who examined Chen’s body found many injuries, obvious even to laymen, which are not explained by a fall. In particular, the cable says, these outside experts believe that Chen was tortured by a variety of means, including needles inserted in sensitive areas. They noted such suspicious injuries as small lesions under the fingernails and on the left wrist, and four puncture wounds in the kidneys -- none of which, they believe, would be caused by a fall from a building, accidental or otherwise.”

b. The Amnesty International report notes that an official Taiwan inquiry into Wang Ying-hsien’s death led to the prosecution and conviction in November 1982 of five police officers for assault, but Amnesty neglects to point out that as of the beginning of 1984 none of the police officers has yet spent any time behind bars, and that the main person responsible for the death was able to flee Taiwan.

Amnesty International continues its Taiwan report by mentioning that persons who have been arrested on sedition charges are not allowed to retain a defense lawyer immediately after arrest. They are subject to military procedures and are not allowed to see a lawyer before they are indicted (usually some two months after their arrest). The report closes with a reference to several prisoners accused of “sedition” who were arrested in the 1970’s and who have stated that their “confessions” were extracted under torture. Amnesty continues to appeal for these cases to be re-tried.

Freedom of the press?

Censorship reaches new heights. During the first three months of 1984 the Taiwan authorities banned, confiscated or suspended a total of at least 18 magazines. This represents the highest quarterly record since the beginning of 1982 -- when the authorities first allowed a significant number of opposition magazines to be published. On the next page, we present the developments in graph form.



As can be seen the recent increase is particularly due to the high number of confiscations and suspensions. Confiscations are most costly to the magazines (the Taiwan Garrison Command generally waits until an issue has rolled off the presses, and then make their move), while suspensions are formally the most severe punishment for a publication, although several -- though not all -- publishers have recently been able to get around such a punishment by immediately applying for a license for a "new" magazine, so they can continue to publish the same magazine under a new name.

1. Progressive Forum confiscated and suspended. On December 28th, 1983 at 4:00 p.m., issue no. 21 of this Taipei-based opposition magazine was confiscated at the printing shop by the Taiwan Garrison Command. The TGC officials did not specify which articles were not to their liking. On January 7th, 1984 the City Information Bureau of Taipei issued a suspension order to Progressive Forum, stating that the magazine had attempted to "confuse public opinion", pointing out that issue no. 21 had contained several articles which were offensive to the authorities. The Information Bureau referred to an article titled "Ten hot topics", which apparently discussed the main political events in Taiwan during 1983. It also mentioned a letter from the U.S.-based Formosan Association for Human Rights (FAHR) and an article about the Control Yuan. The Information Bureau stated that these articles "undermine the unity of the country."

2. **Senh Kin confiscated twice and suspended for a year.** Just after midnight on January 12th, 1984 some 20 plainclothe and uniformed policemen entered the printing shop where issue no. 12 of Senh Kin -- published -- published by Legislative Yuan opposition-member Mrs. Hsu Jung-shu - was being prepared for publication and took away some 14,000 copies of the magazine. The Taiwan Garrison Command charged that an article titled "Is the U.S. pressuring the KMT to enter negotiations with the Communists" was "in violation of the government's anti-communist policy, confused public opinion, and undermined the morale of the armed forces."

Just a little over a week later, issue no. 14 of the same magazine was confiscated because it carried a report on the visit of Chinese premier Zhao Ziyang to the U.S. and criticized the KMT's passiveness in its U.S. policy. The Garrison Command subsequently suspended the publishing license of Senh Kin for one year. The publisher, Mrs. Chang Hsu Jungshu, has applied for a license for a new magazine, which is to be named Taiwan Nien-tai (transl.: Taiwan Chronicle).

3. **Current Monthly No. 19 confiscated.** On Jan. 20, 1984 issue no. 19 of this magazine, which is published by Mr. K'ang Ning-hsiang -- a prominent native Taiwanese leader who recently lost his seat in the Legislative Yuan -- was confiscated by the Taiwan Garrison Command. Several articles in this issue apparently irked the authorities, including "The idea of a special Administrative Area cannot work" written by Professor Hsiao Hsin-yi of the University of Victoria, BC and an article titled "Is President Reagan spreading propaganda for the communists?"

4. **Chien-ch'iu Review, two issues banned and one confiscated.** The Taiwan Garrison Command also dealt a serious blow to Mr. Li Ao's publication "Chien-ch'iu Review." In November and December 1983 issues no. 26 and 27 were banned, while on Jan. 8, 1984, a Garrison Command squad raided the printing shop and trucked away 8,000 copies of No. 28, which had not been collated yet into book form.

5. **Statesman Weekly no. 2 banned.** On February 21, 1984 issue no. 2 of this Taipei-based magazine was banned by the Taiwan Garrison Command a few hours after it had gone on sale at the newsstands. The TGC gave as reason that the issue contained translations of two foreign newswire reports (AFP and UPI) regarding the selection of Chiang Ching-kuo and Lee Teng-hui as unopposed candidates for respectively the Presidency and the Vice-presidency. The TGC stated that the newswire reports were "insulting to the leaders of the country, made propaganda for the PRC, distorted the facts, and attempted to divide the people." The Statesman Weekly is the successor-publication of The Democrat, a bi-monthly which published a total of 24 issues since its founding in November 1982.

6. **Progressive Time confiscated twice, then suspended.** On or just before March 2, issue no. 7 of this Taipei-based weekly was confiscated because it contained four articles about the “February 28 Incident” of 1947 in which between 12,000 and 20,000 native Taiwanese were executed by Chiang Kai-shek’s troops. One of the articles was an interview with 79-years’ old writer Yang Kuei, who witnessed the incident. Progressive Time is the successor-publication of Progressive Forum, which was suspended for a year in the beginning of January. The editor of the magazine is Chang Fu-chung, a well-known Taiwanese writer who was recently released after serving a four years’ prison sentence following the Kaohsiung Incident of December 1979.

On March 7th, issue no. 8 of Progressive Time was confiscated at the printer. The Taiwan Garrison Command stated that two articles “confused the public.” The titles of the articles were: “Chiang Ching-kuo’s headaches”, and “Ten famous women since the founding of the Republic.” On the same day (March 7) the Information Bureau of Taipei City delivered a suspension order, stating that the magazine’s publication license was suspended for one year. The authorities cited the articles about the “February 28” incident as reason for the suspension order. The magazine’s publisher immediately applied for a publication license for a new magazine, to be named Progressive World.

7. **Taiwan Nien-tai: four issues confiscated, suspended.** This new weekly opposition-magazine was confiscated in the first week of March because it published an article about the “February 28 Incident”. The article contained an official account by the Kuomintang authorities which was published on April 30, 1947. Taiwan Nien-tai is the successor of Senh kin magazine, which was suspended by the authorities in January 1984. It is published by Legislative Yuan member Mrs. Chang Hsu Jungshu, wife of imprisoned opposition leader Chang Chun-hung. On March 7th, the authorities suspended the publication license of the magazine.

After the suspension of the publishing license of Taiwan Nien-tai, Mrs. Chang Hsu Jung-shu put out three special issues, titled Taiwan Nien-tai Ch’ung Wan, but all three were confiscated. In the meantime she submitted an application for a publishing license for a new magazine, to be named Taiwan Lun Ch’ung. However, the application was rejected. It is quite apparent that the authorities are intent on preventing Mrs. Chang from publishing magazines, primarily because of her emphasis on issues such as human rights, democracy, self-determination, and the Taiwanese identity.

8. **Self-Reliance Evening News banned.** On March 15th, the authorities issued a banning order for the March 13th issue of the only semi-independent daily newspaper

in Taiwan, the Self-reliance Evening News, because an article titled “Kissinger’s role as a Politician” by Dr. Lin Jun-yi presumably contained “propaganda for the communists.” The article did contain a reference to Mao Tse-tung, but it was clearly Dr. Lin’s intention to satirize the totalitarian regime in Peking. However, the Taiwan Garrison Command insisted on quoting the reference out of context and that issue of the Self-Reliance Evening News was banned.

9. **The Eighties: two issues confiscated.** In the second half of March, three special issues of Mr. Kang Ning-hsiang’s soon to be “reborn” magazine *The Eighties* were published. However, the Taiwan Garrison Command confiscated two of them, the second one on March 18 because it carried several articles about President Chiang Ching-kuo.

10. **NEWSWEEK censored.** The April 2, 1984 issue of this international weekly magazine contained an extensive report on the visit to Peking by Japanese Prime Minister Nakasone. *Newsweek* decided to make it a cover-story, which was apparently not to the liking of the censors in Taiwan: the PRC-flag and the Chinese Prime Minister’s face were blotted out with red ink.

An overview of press-censorship in Taiwan

Situation as of April 25, 1984:

	ONE ISSUE OF A MAGAZINE			SUSPENDED FOR ONE YEAR	TOTAL ACTIONS
	CENSORED	BANNED	CONFISCATED		
TOTAL 1982	2	14	5	4	25
TOTAL 1983	2	10	16	6	34
1984					
January			4	2	6
February		1			1
March		1	8	2	11
April	1				1
RUNNING TOTAL FOR 1984	1	2	12	4	19

Specification for the period November 1983 -- April 1984

(a listing for 1982 and for the first seven months of 1983 can be found in *Taiwan Communiqué* no. 13, while no. 14 presents an overview of censorship from the beginning of August through the end of November 1983):

<u>DATE</u>	<u>MAGAZINE</u>	<u>MEASURES</u>	<u>REASON</u>
<u>December</u>			
28	Progressive Forum	confiscated	Several articles
<u>January 1984</u>			
7	Progressive Forum	<u>suspended</u>	
8	Chien-ch'iu Review no. 28	confiscated	
12	Senh Kin no. 12	confiscated	Article titled "Are the U.S. pressuring the KMT to enter negotiations with the Communists?"
20	Senh Kin no. 14	confiscated	Article about PRC Premier Zhao Ziyang's visit to the United States.
20	Current Monthly no. 19	confiscated	Article titled "President Reagan is spreading propaganda for the communists."
21	Senh Kin	<u>suspended</u>	

<u>DATE</u>	<u>MAGAZINE</u>	<u>MEASURES</u>	<u>REASON</u>
<u>February</u>			
21	Statesman Weekly no. 2	banned	Translations of AFP and UPI wire reports about the selection of President Chiang Ching-kuo and Vice-President Lee Teng-hui.
<u>March</u>			
2	Progressive Time no. 7	confiscated	Four articles about the "February 28 Incident" of 1947. Interview with Taiwanese writer Yang Kuei.
4	Taiwan Nien-tai no. 5	confiscated	Reprint of an official account of the "February 28 Incident" of 1947.
7	Progressive Time no. 8	confiscated	Two articles: One about Chiang Ching-kuo and one titled "Ten famous women."
7	Progressive Time	<u>suspended</u>	"February 28" articles in Progressive Time no. 7.
7	Taiwan Nien-tai	<u>suspended</u>	"February 28" article in Taiwan Nien-tai no. 5.
15	Independent Evening News	banned	Article about "leaders of the world" by Dr. Lin Jun-yi.
???	Taiwan Nien-tai special	3 confiscated	?
18	The Eighties special	2 confiscated	?
<u>April</u>			
2	Newsweek	censored	Article about Japanese Premier Nakasone's visit to Peking.

Articles and publications

Since the beginning of 1984 there have been a number of good articles in the international press regarding developments in Taiwan itself, and about the triangular relationship between the United States, Taiwan, and China. Below we present a short description of, and some excerpts from, the most significant ones

CPJ Update: Taiwan's opposition press

The January 1984 issue of this publication of the Committee to Protect Journalists contained a well-researched article on the opposition press in Taiwan. CPJ-Update is available from: Committee to Protect Journalists, 36 West 44th Street, New York, NY 10036.

The article links the large number of confiscations and bannings in 1983 to the December 1983 elections, and traces press censorship in Taiwan back to 1949. Some excerpts:

“What is noteworthy about the government’s otherwise predictable 1983 anti-press campaign is its severity. The regime of President Chiang Ching-kuo clearly recognizes the pivotal role the opposition press plays in promoting an alternative to one-party martial rule.

Government control of the press has been a fundamental part of the Kuomintang’s (KMT) political stranglehold over Taiwan since 1949, the year the late General Chiang Kai-shek, father of the current president, occupied the island while retreating from the victorious Red Army on the mainland. Declaring martial law and a state of siege, Chiang suspended such freedoms as speech, teaching, publication, assembly and petition. An establishment press evolved, published and edited by party members whose resolutely pro-KMT outlook tolerated virtually no ideological diversity.”

The article then discussed the case of imprisoned editor Li Ching-sun, a member of the establishment press who was imprisoned in 1971. It continued:

“ ... the bulk of government actions against the press has been directed at the journals owned and operated by non-KMT members. It is left to these tangwai

publications, a disparate group of nonparty magazines, to risk government reprisal by broaching the officially proscribed topics of human rights, revocation of martial law, formation of alternative political parties, self-determination for the island's 17 million inhabitants (86 percent of whom are native Taiwanese) and the existence of the PRC itself.

One measure of the government's sensitivity to public discussion of these topics is the number of opposition journalists prosecuted and jailed for their outspokenness."

The article then discussed the case of Huang Hua, the former deputy managing editor of the Taiwan Political Review, who was arrested in 1976 and sentenced to 10 years' imprisonment for "seditious activities" in connection with his writings for the Review (see our "Prison Report" in this issue of *Taiwan Communiqué*). The CPJ Update article then briefly described the imprisonment and trials of the Taiwanese political leaders and writers and editors of Formosa magazine following the December 1979 Kaohsiung incident. It stated:

"A number of international human rights organizations expressed grave concern about the manner in which the trials were conducted. Observers were particularly disturbed that the confessions had been extracted from defendants during pre-trial in camera sessions at which no defense attorneys were permitted. Indeed in open court the Formosa defendants retracted their confessions on the grounds that they had been obtained through illegal means, including fraud, intimidation, violence and sleep deprivation. Several of them also charged that the alleged confessions had been fabricated by the interrogators.

Whatever other reasons the Chiang regime may have had to provoke the Kaohsiung incident, the crackdown was motivated in part by Formosa's popularity. Before its shutdown following the ill-fated rally, the magazine's circulation was estimated to be 100,000, compared to a high of 20,000 for most other tangwai publications.

Moreover, the approach of the December 1980 legislative elections may also have convinced authorities that action was needed to temper Formosa's influence. As an added precaution, nearly all other tangwai periodicals were suspended before the year-end elections. The government's apprehensions proved to be well founded. Against formidable odds, 12 of 20 candidates associated with Formosa -- including three close relatives of Formosa prisoners -- were elected."

The article then described the rise in the number of tangwai magazines since the end of 1980, and the restrictive measures taken against them by the authorities. The article closed as follows:

“ authorities in Taipei will probably maintain their tried and true anti-tangwai press policies and 1986, like election years 1980 and 1983, could become yet another year of confiscations and suspensions on Taiwan’s political calendar.”

Ripon Forum, Foreign perspectives Taiwan

The February 1984 issue of this publication of the Ripon Society -- often referred to as the moderate wing of the Republican Party -- contained an excellent article by Mr. Thomas Abbott, titled “Foreign Perspectives Taiwan: an experiment in pluralism the U.S. should support.” In our view the article should be required reading for anyone studying Taiwan or dealing with Taiwan in the political or commercial field. Below follow a number of excerpts:

“Largely denied a voice in both their international and domestic affairs for the past three and a half decades, the Taiwanese today fear that they risk permanently losing not only their right to exist as a free people but also their very cultural, political and historic identity. This anxiety is growing, as their near-total lack of representation in world bodies and the slow pace of political modernization at home are contributing to a new crisis: deterioration of the ever-fragile bond of social trust that has helped Taiwan weather past setbacks. Such disunity could threaten the country’s security from intervention by an outside power, China.

It is common knowledge why foreign nations do not have diplomatic relations with Taiwan. With one billion people, just enough animosity towards its aggressive neighbor to the north, and allure that few Westerners can resist, the People’s Republic of China (PRC) has masterfully managed to win world complicity in its efforts to thrust Taiwan into pariah-dom. Now only a handful of countries recognize Taiwan as a nation.”

Taiwan Communiqué comment: *The last sentence of the second paragraph is not quite correct. There are presently still a few countries recognizing the Kuomintang authorities in Taipei as the government of all of China. If the Kuomintang would drop this outdated claim, it would certainly be a step forward in getting Taiwan out of its international isolation. Few, if any, countries have yet had the opportunity to think about recognizing Taiwan as a nation.*

The article continued:

“Today many KMT leaders pine for the good old days, when they were recognized as the sole government of China and could have dictated a long-term solution to the Taiwan problem. But such contrition does little to assuage bitterness among the Taiwanese people, who blame the KMT for their non-identity and non-representation in the international community

The roots of Taiwan’s international identity problem, Taiwanese say, are in their identity crisis at home. Neither “native” Taiwanese (those on Taiwan before 1945, when Japan ceded it to China after 50 years of colonization) nor “mainlander” Taiwanese (arriving with the KMT after World War II) have been permitted by Taiwan’s domestic political situation to develop the constructive identities and roles -- political as well as social -- needed for the smooth functioning of a pluralistic society.”

The “natives,” who make up 87 percent of the population, for many years were totally denied substantive political power. The president, premier, most cabinet members, most high-ranking military officers, the vast majority of members of the National Assembly and Legislative Yuan have always been “mainlanders.” In fact, not only have most central government officials been of mainland extraction; many to this day actually claim that they still represent constituencies on the Communist-held mainland.”

The author then points at the social, cultural, and linguistic differences which exist between mainlanders and the Taiwanese (“Taiwanese is as different from Mandarin as English is from German”), and describes the gap created between the two groups by the repression and corruption of the Kuomintang in the late 1940’s. He continues:

“Horrible human rights violations in the 1950’s and 60’s, including torture by overzealous secret police and life prison sentences on the basis of rigged evidence or forced confessions, did little to endear the KMT to the Taiwanese.”

The author continues by describing the political alienation on the island and the breakdown of the traditional social bonds of the society there as a result of the repressive policies of the KMT authorities. He then discusses the conflicting indication about the future:

“Events in Taiwan over the last few years yield conflicting conclusions about the long-term direction of KMT policy. On one hand, it appears that the party has not yet resolved to carry out a comprehensive program for the gradual modernization or “Taiwanization” of the government. For example, in the wake of a December 1979 human rights rally which degenerated into a minor riot, the KMT reversed several years of political progress by imprisoning on trumped-up charges of sedition many of Taiwan’s preeminent democrats. The ruling party’s unwillingness to investigate several murders of great political importance to the Taiwanese has also been a source of alienation.

Since Taiwan’s 35-year-old martial law precludes formation of an opposition party, political journals are a key to the democracy movement as vehicles of expression and organization. The KMT in 1982 banned or confiscated 19 issues of democratic journals and suspended four opposition magazines for one full year. Last year they banned 20 and suspended at least five.”

The article continues with some positive events, such as the appointment as ambassador to Paraguay (which is equivalent to exile) of General Wang Sheng, the notorious former chief of Taiwan’s secret police. After describing the various misconceptions the U.S. has had about the status of Taiwan in the past, the author states:

“It is time for Americans to realize that Taiwan -- larger in population and more significant in trade than most members of the United Nations -- must be consulted about its own future. The Taiwanese face three major options with respect to their future: an arrangement proposed by Beijing by which Taiwan is federated into the PRC. but supposedly allowed considerable autonomy; declaration of independence; and maintaining the status quo, waiting for the old guard in Beijing and Taipei to die off in the hope that a new generation will put aside old civil war battle cries and be more modern, pragmatic in their thinking.”

With regard to the first alternative, the author indicates that popular sentiment in Taiwan, articulated both by the KMT and the island’s democratic leaders [the tangwai -- Ed.], is crystal clear: nothing about the PRC. -- not its ideology, backwardness, nor xenophobia -- is attractive. Regarding the second and third alternative he states:

“ an immediate declaration of independence would incur PRC wrath the likes of which little Taiwan could not resist without more solid U.S. and Japanese support. Despite the fact that Taiwan has been separate from China for more than

a century and that formalizing that independence may be wholly justifiable, the Taiwanese know it would not be strategically judicious at this time. China's grip of friendship on countries like the U.S. and Japan is so strong, and those nations' fear of causing the "ultimate crisis" in bilateral relations with Beijing is so deep, that the Taiwanese reluctantly concede that only one option is viable for them -- maintaining the status quo. Their fate is thus effectively postponed, but their anxiety is not diminished."

On the U.S. policy regarding Taiwan, the article states:

"A number of Americans advocate a total hands-off U.S. policy on the Taiwan issue. Pointing out that the KMT is "Chinese," they play the cute semantic game in saying the Taiwan issue should be worked out "by the Chinese themselves" - in denial of the reality that Taiwan is different from China historically, culturally and politically."

Mr. Abbott concludes the article with a proposal for a new U.S. policy towards Taiwan. The main lines of this appeal:

"By urging the KMT to lift martial law and release democratic political prisoners, the U.S. can contribute to the healing of the festering social sores and help rebuild the trust bond Taiwan needs for survival

As early as 1966, six years before President Richard Nixon's trip to China, the Ripon Society published a paper stating that peace in Asia required an improvement in U.S. - PRC relations. Now that Washington-Beijing ties are fully established and on track, the U.S. should show equal wisdom in supporting Taiwanese democracy as a means of reaching a solution to the Taiwan problem consistent with the causes of this nation. America should take the lead in letting Taiwan be Taiwan."

International Herald Tribune: Widening Strait

On February 23, 1984 this Paris-based international newspaper carried an article by reporter Christopher S. Wren of the New York Times. Mr. Wren discussed the decreasing likelihood of reunification. A couple of quotes:

“Hopes for reunifying the Chinese mainland and Taiwan, a vision sacred to the leadership in both Beijing and Taipei, seem more remote than ever as new generations, born apart, grow up without the emotional ties of their forefathers. Interviews with officials and conversations with Chinese on both sides of the Formosa Strait suggest that ideological rigidity among the old and indifference among the young have foreclosed the likelihood of reunification in the foreseeable future.

The old leaders have become captives of their misconceptions. The mainland government of Deng Xiaoping ... believes that international isolation of Taiwan will compel it to submit to reunification on Beijing’s terms The Nationalist government on Taiwan still talks as though it expects the Communist regime that has ruled the mainland for more than 34 years to collapse

However, many young people on the mainland and on Taiwan who grew up insulated from a view of the other side would rather concentrate on improving their material well-being than on reunification. “Most of the people don’t care a damn about the mainland because they don’t know anything about it -- they were born here,” said Antonio Chiang, a native Taiwanese who edits several opposition magazines in Taipei. On the mainland, a teacher complained that “young people aren’t interested in the reunification issue because they feel that it has nothing to do with them.”

Asian Wall St. Journal Weekly: For political stability, Taiwan must end martial law

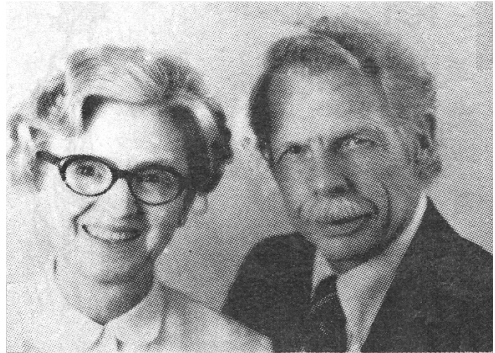
On February 6, 1984 this New York-based business weekly published an article by Ms. Carroll R. Bogert, a student at Harvard University, who is doing research on opposition politics in Taiwan. She writes that the time has come for Taiwan’s ruling Kuomintang Party to lift martial law, since the military justifications for martial law are no longer valid, and it would improve the government’s image abroad, particularly at a time when the U.S. is pressuring Taiwan to resolve the “two Chinas” dilemma. Ms. Bogert also writes that an end to martial law and moderation in the ruling party would encourage moderate opposition, and thus make a sharp radicalization of the tangwai movement less likely.

Notes

Presbyterian theologian expelled from Taiwan

On February 1, 1984 the Taiwan authorities expelled Swiss-born U.S. theologian Dr. David G. Gelzer (64) from Taiwan. Professor Gelzer - who was teaching at the Theological College of the Presbyterian Church in the town of Tainan, in the Southwest of Taiwan -- left the island on February 1, 1984, together with his wife. The couple has lived and worked in Taiwan since 1975.

Dr. Gelzer said in a telephone-interview with *Taiwan Communiqué* that the military and police authorities did not tell him the reason for the expulsion. He assumes that his work with the Presbyterian weekly Taiwan Church News may have been the major reason.



Dr. David Gelzer and his wife

The publication -- which was established in the second half of the nineteenth century and was the first newspaper to be published on the island -- has during the past few years become increasingly vocal in urging Taiwan's Nationalist Chinese Kuomintang authorities to respect human rights on the island and to move towards a democratic political

system. Dr. Gelzer wrote extensively about developments in theology and society in other countries. In the summer of 1983 he attended the Sixth Assembly of the World Council of Churches in Vancouver, Canada and wrote an extensive report for the Taiwan Church News.

The Presbyterian Church's membership (approximately 300,000) is mainly composed of native Taiwanese -- those whose ancestors came to Taiwan before 1945 and who now make up approximately 85 percent of the island's population. The Kuomintang authorities (who mainly consist of Chinese mainlanders who came to the island after 1945) have -- particularly since 1977, when the Church issued a Declaration on Human Rights -- attempted to inhibit contacts between the Church and the outside world.

In 1980 the Church's Secretary-general, Dr. Kao Chun-ming, was arrested and sentenced to seven years imprisonment, ostensibly because he had failed to report the whereabouts of a fugitive native Taiwanese opposition leader to the police, but close observers in Taiwan suggest that the arrest was prompted by the fact that Dr. Kao led the Church in a move to rejoin the World Council of Churches.

Dr. Gelzer will write and lecture extensively about the lack of religious freedom, human rights, and political rights in Taiwan. He says that the Taiwan authorities have deceived the Western world into believing that peace and prosperity prevail on the island. In reality the people on Taiwan suffer under a dictatorial regime, which has maintained martial law since 1949. Dr. Gelzer is also concerned that the rights of the Taiwanese people will be trampled by the selfish interests of both the United States and the People's Republic of China.

Fraud in the December 1983 elections

In *Taiwan Communiqué* no. 14 (pp. 6-7) we already reported that there were indications of fraud by the Taiwan authorities. We wrote:

How Mrs. Kao Li Li-chen "lost"

"When Mrs. Kao Li Li-chen, closed off her election-campaign in the late evening of December 3, it seemed certain that she had won: the televised results showed that at that point she had some 80,000 votes and maintained a comfortable lead over her nearest competitor.

The next morning the southern edition of the pro-KMT United Daily News published election-results showing that she had received a total of 85,395 votes. However, when government officials announced the results of election later that day, her total number of votes had mysteriously dropped to 74,731, and she had lost by a margin of 21 votes. The person just above her -- Mr. Huang Cheng-an -- was elected with 74,752 votes. Her supporters could hardly believe this, because Mrs. Kao had drawn much larger crowds than Mr. Huang."



Mrs. Kao Li Li-chen

Since the beginning of January 1984 we have received additional information showing that the “loss” by Mrs. Kao was the result of manipulations with the election results by the authorities:

- a. During the two weeks before the election campaign three meetings were held between representatives of the Taiwan Garrison Command and the Kuomintang. At the first meeting, on November 21st, it was decided that the mass media should not cover Mrs. Kao’s election campaign. A smear campaign was to be started which would link Dr. and Mrs. Kao to the Kaohsiung incident. On November 27th, a high KMT official came to Tainan, giving general directives to local officials on how to derail Mrs. Kao’s campaign. On November 29th (four days before the election) local election officials were given specific instructions on how to prevent Mrs. Kao from getting elected: she would “be allowed to receive” approximately 35,000 votes in Tainan City and 6,000 votes in Chiayi.
- b. The results from most of the counties were announced by the election headquarters in Taipei at around 23:00 on December 3, 1983. Only two counties, Tainan County and Chiayi, were announced much later, not until around 1:30 a.m., a time-lag of some two-and-a-half hours.
- c. Local observers at election headquarters in Chiayi reported that at the end of the evening of December 3rd, Mrs. Kao had received more than 16,000 votes there. The above-mentioned December 4 issue of the pro-KMT United Daily News (page 7) also reported that Mrs. Kao had received “16,379” (sixteen thousand ...) votes in Chiayi. Moreover, newspaper reporters, watching the election results at the polling places in Chiayi, began to telephone Mrs. Kao’s campaign headquarters in Tainan in the middle of the evening of December 3rd, congratulating her on her victory. However, the central election headquarters in Taipei announced the next day that Mrs. Kao’s total number of votes in Chiayi was “6,379” (six thousand).

The aging of the National Assembly

The Assembly presently consists of 1063 members, many of whom were elected in 1947 back on the mainland and were granted the status as life-time members to represent their constituencies back in mainland China for life. Approximately 630 of these persons are “selected alternate delegates”, meaning that they themselves were not elected on the mainland, but that they were unsuccessful candidates in those elections. However, they have now been appointed by the Kuomintang authorities to succeed members who have died since 1947. The 18.5 million people of Taiwan are allowed only 4.6 percent representation in this body -- a total of 49 seats, which are up for election once every six years.

An additional 27 representatives are appointed from overseas Chinese and professional groups. The average age of members of the National Assembly is presently 73 years of age. Any suggestion that those old, decrepit men should retire to enjoy their old age and yield their places to younger ones, is considered blasphemous in Taiwan. Since the regime still claims to be the government of all of China, the Assembly represents its “Fa-Tung”, meaning the symbol of legitimacy.

The recent presidential election illustrated the problem of the aging of the National Assembly. According to press reports, 1036 members registered for the five-week meeting. Two members died during the session, and ten others were not well enough to attend the voting, so 1022 members cast their votes in the March 21 election for President and 1000 members voted in the March 22 election for Vice-President. President Chiang Ching-kuo received 1012 votes, or 99.02 percent of the votes cast, while his equally unopposed running-mate, Taiwan Governor Lee Teng-hui, received 873 votes.

The opposition press reported that on March 21, the day of the balloting, six members were carried in on stretchers, outfitted with overhanging intravenous tubes with saline solution. More than one hundred representatives rolled in, seated in wheelchairs; some could only make incomprehensible sounds, some slobbered so heavily that nurses had to hold a towel under their chin to catch the drool.

The opposition magazine **Statesman** reported the increasing rate of attrition of the members of the National Assembly. From 1954 to 1960, during the six years between the second and third National Assembly meeting, on the average 14 died per year; from 1960 to 1966, an average of 20 died per year; from 1966 to 1972, the figure was 26 deaths per year; from 1972 to 1978, on average 36 died per year and from 1978 to 1984, the death rate was 40 per year. In 1983 alone, 46 died. At present approximately 72 percent of the members are over 70 years of age. How many of them will make it to the next presidential election in 1990?

Parliamentary immunity?

On March 13, 1984 Taiwan's Vice-Premier Chiu Chuang-huan made an interesting statement in the Legislative Yuan: Parliamentarians may express themselves “freely” in the discussions in the Legislative Yuan, National Assembly, or Control Yuan, but anyone -- including the legislators themselves -- who disseminates any “unlawful” statements made at parliamentary meetings, may be prosecuted. Local scholars in Taiwan believe that the ruling imposes significant restrictions on freedom of the press.

They say that according to the ruling, the mass media -- including newspapers, magazines, and broadcasting companies -- can be prosecuted for reporting what legislators say at parliamentary meetings.

The new ruling seems particularly aimed at the tangwai members of the Legislative Yuan, who have -- with increasing frequency -- brought up such sensitive topics as the martial law, press censorship, self-determination, political prisoners, or prison conditions. The rule is apparently designed to prevent the tangwai publications from reporting about such statements made in the Legislative Yuan. Also, prominent tangwai leaders, such as Mrs. Chang Hsu Jung-shu, have published collections of the speeches, which they made in the Legislative Yuan. These collected speeches have become quite popular, and have therefore been banned or confiscated by the Taiwan Garrison Command.

In his explanation of the new rule, Vice-Premier Chiu also said that a legislator could be prosecuted if he made an "unlawful" statement outside parliamentary meetings, even if the statement was similar to what the legislator had said in the legislative session. He said that the government would consider "the nature of, and motivations behind, the speeches" in order to determine whether a legislator would be prosecuted. Mr. Chiu did not explain *how* the motivations behind the speeches of the legislators would be determined, and who would decide whether these motivations were correct or not.

The decree was apparently already announced on November 18, 1983, but was not discussed in the opposition press until it came up in the Legislative Yuan session referred to above. The text of the decree is as follows:

"A legislator making speeches during an interpellation or in a legislative meeting enjoys parliamentary immunity. However, if he or she makes similar speeches outside legislative meetings -- even though the contents are exactly the same as of the speeches made during interpellation or in a legislative meeting -- he or she will not enjoy parliamentary immunity, because such speeches are made at a different time and in a different place.

Therefore, publication and dissemination of a legislator's speeches (made during interpellation or in legislative session) beyond the domain of the legislative chambers -- either by the legislator himself or by someone else -- in a book, in the newspapers or magazines, by way of recording or video tape, will not be covered by parliamentary immunity, even though the original speeches were made during interpellation or in the legislative meetings. The legislators are subject to the law."

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CONTENTS

Taiwan Communiqué no. 15
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Taiwan opposition leaders on hunger strike	1
Mr. Reagan and the future of Taiwan	
<i>Trong Chai: "Let the Taiwanese decide their future"</i>	4
<i>Trong Chai: "Taiwan independence, the only solution" ...</i>	5
The State Department's 1983 Human Rights report	7
Prisoner report	
<i>Eleven long-term prisoners released</i>	17
<i>Huang Hua: profile of an imprisoned writer</i>	18
<i>Amnesty International: Torture in the eighties</i>	21
Freedom of the press?	
<i>Censorship in taiwan reaches new heights</i>	23
<i>Overview of press censorship in Taiwan</i>	27
Articles and publications	
<i>CPJ Update: Taiwan's opposition press</i>	29
<i>Ripon Forum: Foreign Perspectives, Taiwan</i>	31
<i>International Herald Tribune: Widening Strait</i>	34
<i>Asian Wall St. Journal: Taiwan must end martial law</i>	35
Notes	
<i>David Gelzer: Presbyterian theologian expelled</i>	36
<i>Fraud in the December 1983 elections</i>	37
<i>The aging of the National Assembly</i>	38
<i>Parliamentary immunity?</i>	39

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