

April 4, 1980

In Memoriam



On February 28, 1980 the mother and two young daughters of Taiwanese opposition leader Lin Yi-hsiung () — one of the eight persons charged with “sedition” — were brutally murdered in their home in Taipei.

We grieve with Mr. Lin and his family for Lin You Ah-mei (), and the twins Y'ing-chun () and Liang-chun (), who paid with their lives for the cause of freedom and democracy in Taiwan.

Guilty or not Guilty?

The trial of the eight Taiwanese opposition members associated with **Formosa Magazine** was held from March 18–28, 1980. They were tried in military court under martial law regulations. The charges:

1. Opposition leader Huang Hsin-chieh () was accused of “conspiring to import eel fry from mainland China.” The military prosecutor suggested that Huang was planning to make an “extraordinary profit” off this eel fry business, and use this to “subvert the government” and “use the profits for seditious activities.” Eel fry happens to be one of the very few commodities which can legally be imported from China to Taiwan.
2. Advocation of the “overthrow of the government through violent means.”
3. Taking “concrete action” predicated on such advocacy by “conspiring to stage a violent riot” on December 10, 1979.
4. Being in contact with or under the influence of Taiwan Independence Movement elements in Japan and the United States.

Below, you find the start of a summary description of what happened at the trial. Suffice it to say that the most that the prosecution could prove was that the defendants had held a rally without a permit. Yet at the end of the trial the military prosecutor said that “the evidence clearly showed that the eight were guilty of sedition.”

The “evidence” presented by the prosecution was generally either clearly fabricated or consisted of “confessions” extracted from the defendants under extreme duress. Indeed, the point which became increasingly clear as the trial proceeded was that the Investigation Bureau and the Taiwan Garrison Command used brutal methods to force the defendants to sign “confessions” prepared by the authorities,

As former U.S. Attorney-General Ramsey Clark said in his article in **The Nation** (“The Government stands accused”, March 22, 1980): “...it is the Government that will be on trial in the court of world opinion.”

and “*The world will judge whether the Government of Taiwan is guilty of further violation of the fundamental human rights of these persons. All people with a passion for justice will hold that Government accountable.*”

The Trial

What follows here is a summary of the main events of the trial of the “Kaohsiung eight”, which took place in a military court in Taipei from March 18-28, 1980. Our main sources of information are the **New York Times** and the **Los Angeles Times**, which do not provide a very detailed account but at least provide the main points of the trial proceedings.

Tuesday, March 18, 1980. On the first day of the trial Huang Hsin-chieh (52), member of the Legislative Yuan and publisher of Formosa magazine, appeared before the court. He told the martial court that he had been interrogated by agents of the Investigation Bureau, Ministry of Justice (IBMJ) for 56 hours without a break. Mr. Huang said he felt that “to die would be a happier experience than to go on living,” Huang also said that the interrogators had implied that he would receive a minor sentence if he signed the “confession” prepared by the agents. He denied any role in the alleged eel trafficking scheme and “convincingly argued that his only goal as Formosa’s publisher was to build a legitimate opposition party in Taiwan whose function would be to spur the government to improve” (**TIME Magazine**, March 31, 1980).

On the first day Lin Yi-hsiung also briefly appeared before the five judges. His trial had been postponed following the murders of his mother and two young daughters, but he requested the court to be tried together with the other seven defendants. The request was granted.

Wednesday, March 19, 1980 On the second day of the trial Lin Hung-hsuan (38), the manager of Formosa’s Kaohsiung office, and Ms. Lu Hsiu-lien (35), a graduate of the University of Illinois and Harvard Law School appeared before the court. Mr. Lin, a graduate of Tainan Theological College and a Ph.D. Candidate at Drew University in New Jersey, denied that he ever advocated the use of force to overthrow the Government. Mr. Lin said that he had met members of various Taiwanese groups in the United States, but that he therefore did not necessarily agree with them. Mr. Lin’s lawyers requested the court to provide a definition of “Taiwanese Independence.” The court promised to provide this, but to our knowledge no such definition was given during the remainder of the trial.

In the afternoon of the second day Ms. Lu Hsiu-lien, Taiwan's woman's rights leader, appeared before the court. She said that agents of the Investigation Bureau (IBMJ) had threatened to make her strip naked if she did not sign the composed "confession". She said that she was questioned for some 400 hours, and that she was shown pictures of Wu Tai-an's () bullet ridden body (Mr. Wu was executed on May 28, 1979). The government agents then told her to write a will, because she was about to meet the same fate. Ms. Lu also testified that she was made to stand for two days and not given any food on another day. She told the court that her motive for participation in *dangwai's* activities was to bring about democratic elections and greater participation by the Taiwanese people in the Government.

The presiding judge said that the court would investigate Ms. Lu's allegations, but to date no results of any investigation have been made public.

Thursday, March 20, 1980 The third day of the trial saw the appearance of Shih Ming-teh (38), the manager of Formosa magazine. He said that the purpose of the magazine was to pressure the Government towards the establishment of a democratic, multi-party political system, representative of the people in Taiwan. He argued that national elections should be held in which all people, mainlanders and Taiwanese alike, should be allowed to vote for the party and candidates of their choice. He said that Taiwan is a de-facto independent country, and that recognition of this fact by the KMT would unite the people of Taiwan, and thus make Taiwan stronger in the face of any possible Communist aggression. Mr. Shih told the court that police and military troops were in part too blame for the outbreak of violence at the Kaohsiung Human Rights Day celebration. He denied that the Formosa staff had planned violence or that he had told the crowd to fight the riot troops. He said that the violence broke out when the police surrounded the opposition group and then started using teargas,

Friday, March 21, 1980 Yao Chia-wen (41), legal advisor to **Formosa magazine**, appeared on the fourth day of the trial. He agreed that it had indeed been the intention of the opposition group to use Formosa as a stepping stone towards the establishment of an opposition party. But he argued that this was in line with the principle of political participation in a democratic system. He said that if the KMT was sincere about its claims to have a democratic political system, then it should allow an opposition party to function.

Mr. Yao accused the Investigation Bureau of extracting the confession from him under duress (during the interrogation he was kicked in the groin whenever the interrogators did not like an answer he gave) and of changing the meaning of statements in the confession: e.g. he argued that he wanted to work "towards establishing democracy in Taiwan." This was altered by his interrogators to "establishing another Government in Taiwan."

Mr. Yao also questioned the accuracy of the report on the Kaohsiung Incident, prepared by the Southern Headquarters of the Taiwan Garrison Command (TGC). In particular he wondered why the second confrontation in the early part of the evening was not mentioned (according to sources in Taiwan this was the time that a group of some 35 to 40 young men who were apparently hired by local authorities, attacked the police — see **Kaohsiung Continued** on page 7 of this issue). The greatest number of police injuries apparently occurred at this time. Mr. Yao denied that he or others in the Formosa group had ever discussed "over-throwing the government" or a "power-seizure plan." He said that the latter phrase was dreamt up by Investigation Bureau personnel during the interrogation.

Monday, March 24, 1980 On the fifth day of the trial Formosa editor Ms. Ch'en Chu (29), and chief-editor Chang Chun-hung (41) appeared in the court. Ms. Ch'en seemed very dejected and did not appear to want to challenge the validity of the confession. However on the last day of the trial (March 28) she indicated that the confession had been extracted from her after she had not been allowed to sleep for several days. She said that she felt that the Government had already decided that they were guilty before the trial even started and that it was therefore of no use to challenge the confession.

Mr. Chang Chun-hung, who is a member of the Taiwan Provincial Assembly, indicated that the interrogators had kept him without sleep for almost five days, questioning him constantly. He said "they repeatedly emphasized that if I admitted all the sedition charges, I would be given leniency. They threatened that if I denied what was said in the confession, I would be severely punished."

Tuesday, March 25, 1980 A major event during the trial was the appearance of Lin Yi-hsiung (39), also a member of the Taiwan Provincial Assembly. He told the military court that his interrogators had threatened him on February 26, 1980, saying that "unfavorable" things would happen to his family if he disclosed to his family members what treatment he had received during interrogation. On February 27th, Lin was allowed to meet his family for the first time since the mid-December arrests. He indicated to them that the customary confession had been extracted from him under extreme duress. In the morning of February 28 Mr. Lin's mother received a telephone call from friends in Japan: she told them about the visit to the jail. Two hours later she and the 6-year-old twin daughters of Mr. Lin were stabbed to death, and the third daughter (9) critically injured. The house had been under 24-hour-a-day police surveillance. To date (5 weeks later) police officials say that they are still looking for the suspects !!

Wednesday, March 26, 1980 In the morning of the seventh day (*this is starting to sound like the story of Genesis...*) the military prosecutors — stung by the retractions of the "confessions" by seven of the eight defendants, and by the charges that the confessions had been obtained through coercion, deprivation of sleep and other improper means — withdrew their request for leniency made earlier, and asked for the death penalty for all eight defendants. In the February 19th indictment the prosecutors had asked for "leniency" (meaning a reduction from the death penalty to some 30 or 40 years imprisonment) on the ground that the defendants had "shown repentance."

Three of the defendants reappeared in the court on this day. Lu Hsiu-lien, Lin Hung-hsuan, and Huang Hsin-chieh again denied the sedition charges against them.

Thursday, March 27, 1980 on this day Shih Ming-teh, Yao Chia-wen, and Chang Chun-hung appeared in the court for the final arguments in their cases. All three emphasized the historical- importance of the trial, saying that they were really on trial for their political beliefs, and that the court's verdict would be decisive for the future of democracy in Taiwan.

Shih Ming-teh declared that if there are any convictions then "history will say that our time was a period of tyranny and anti-democracy." Shih's lawyer You Ching () added: "The trial is a test for democracy. "

Formosa chief-editor Chang Chun-hung said at the end of the day: "*I am not sure about my destiny after this, and I am not optimistic about the ruling of the court.*"

Friday, March 28, 1980 On the last day of the trial all eight defendants appeared in the courtroom. The wife of Yao Chia-wen asked to testify: she then disclosed to the other defendants that the mother and two young daughters of Lin Yi-hsiung had been murdered (the Government had kept the other seven defendants in the dark about these murders). The defendants broke into tears, and Shih Ming-teh said that he was prepared to sacrifice his life for peace and democracy in Taiwan. He appealed to the Taiwanese people on the island and abroad to turn their anger into strength and to work towards the goal of harmony, peace, and democracy in Taiwan.

The other defendants also spoke: Chang Chun-hung said that the road to democracy was long and arduous, and that some people might have to die on the way. Lin Yi-hsiung asked the court not to let the murders of his mother and daughters influence the court's decision. He told the judges that harmony and peace in Taiwan depended on their decision. Yao Chia-wen declared that he was willing to die for his beliefs in freedom and democracy for Taiwan.

Ms. Lu Hsiu-lien again denied the sedition charge against her and the others, and stated: "I am not afraid to die." Opposition leader and Formosa publisher Huang Hsin-chieh also emphasized his denial of the sedition charge, and reiterated the strong anti-communist position for which he has been known for many years. Lin Hung-hsuan was the last defendant to speak. He quoted the words Jesus Christ said when he was crucified: "*God forgive them, for they don't know what they do.*"

The Bruce Jacobs story

Shortly after the February 28 murders of Lin Yi-hsiung's mother and daughters the Taiwan government-controlled newspapers began to circulate stories that "a bearded American" had been sighted at the Lin's



J. Bruce Jacobs in 2016

residence at the time of the murders. Dr. J. Bruce Jacobs (35), an American political scientist who teaches at La Trobe University in Melbourne, Australia, was detained by Taiwan police on March 1, 1980 when he went to a police station to find out what was going on.

Professor Jacobs was a good friend of the Lin family. He had arrived in Taiwan on January 21st 1980 to collect material for his research, and he visited the Lin family often. He was very close to the twin girls, with whom he talked on the phone for 15 minutes at noon on the fateful day. The murders took place half an hour later. Jacobs called again later on in the afternoon, but got no answer. At the end of the afternoon he apparently went to the house and learned from police officers on the scene that the murders had taken place.

After his initial detention Jacobs was questioned continuously for some 24 hours.

Taiwan authorities and newspapers are now implying that Jacobs is part of an "international conspiracy" which intends to "embarrass" the Taiwan government, and the authorities are insinuating that there "may be some connection" between Jacobs and the murders.

In our opinion this sad situation shows that the Investigation Bureau and the Taiwan Garrison Command are rather desperately trying to find a scapegoat for the murders, which have clearly been committed either by someone in their own midst or by the even more extremist right wing “patriots.”

Who are the prosecution witnesses?

Some background information on Hung Chih-liang () and Wu Chin-chou (), prosecution witnesses named in the February 20, 1980 indictment against **Formosa** publisher Huang Hsin-chieh.

Hung Chih-liang (33), a resident of Yuen-lin, Changhua County, first became involved with the democratic opposition group in 1978, when he offered his farmstock feed advertising magazine for use. It became **Demo Voice, Fu Pao tse shen** (), but it was banned for a year after the “revised” issue. Mr. Hung registered as a candidate for the 1978 partial elections — later cancelled — for the National Legislature, but he ran for the seat of the same district as Huang Shun-hsin (), a well-respected longtime opposition figure. Hung’s criticism of Huang, as well as his vehement and sometimes childish attacks against the KMT candidate, succeeded in arousing the suspicion of other opposition members.

Hung participated in the February 5, 1979 rally in Taoyuan in support of County magistrate Hsu Hsin-liang (), who was threatened with impeachment for participating in a earlier- rally protesting the arrest of venerable opposition leader Yu Teng-fa. At the February 5 event Hung was accompanied by his recently-hired secretary Wu Chin-chou, who had already been identified as an informer for the Taiwan Garrison Command (the previous December he had been planted in the campaign headquarters of opposition member Chang Teh-ming (). Many opposition people decided to keep their distance from Hung after that.

Later, in mid-1979, Hung’s magazine resumed publication with Li Ch’in-jung, a mainlander with economic and journalistic background, as the editor. The magazine was banned again after two issues. It reappeared as **New Village** () with only a slight change in format and appearance. The next issue attacked opposition leaders Chang Chun-hung and Mrs. Huang Yu-ehiao (), to the great displeasure of many in the opposition camp.

Hung and Wu were arrested on August 30, 1979. The newspapers claimed that Hung had “failed to make a clear accounting” following an alleged trip to the mainland in March-April of that year. According to information attributed to the head of the Investigation Bureau office in Yuen-lin, a Mr. Hsia (?), Hung did make a report about the trip to the Bureau in Taipei immediately after his return, but “it was discovered that he had withheld information”, and Hung then did not receive a NT\$ 100,000 reward he was supposed to have received from the Bureau.

After Hung’s arrest his wife Liu Ming-yueh () met on a number of occasions with members of the **Formosa** group, but she never mentioned any eel fry business or contacts with opposition leader Huang Hsin-chieh.

In mid-November 1979 Mrs. Hung submitted a writ of habeas-corpus to the Taiwan Garrison Command, but it was turned down with the explanation that “it does not apply to military courts.” The February 20, 1980 indictment of Huang Hsin-chieh *et al* was the first occasion that anyone, including Hung’s wife and lawyer, heard that Hung had been indicted on December 22, 1979.

In the **Central Daily News** () of March 29, 1980 it was reported that the announcement of the verdict in Hung Chih-liang’s case will come before the verdict of the “Kaohsiung Eight.” Considering that Hung has not even been tried yet, that is quite remarkable!!

Kaohsiung Continued

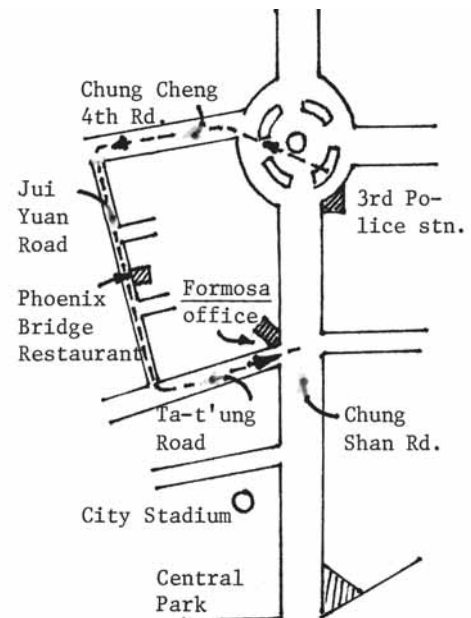
In this section we present some additional bits and pieces of information on the Kaohsiung incident itself. We believe that the information presented here contributes to a better understanding of what happened on the evening of December 10, 1979. (For an eyewitness account see ICDHRT Newsletter #7, December 15, 1979; additional information was presented in ICDHRT Newsletter #9, February 20, 1980).

Provocateurs in a restaurant?

In the beginning of the evening of December 10, 1979 riot police and trucks fully encircled a group of some 600 opposition members, who were holding a torchlight parade, while a crowd of several thousands was watching from the sidelines. As police — venting teargas from their riot trucks — closed in on the opposition group, the crowd on the sidelines became involved, rushing to the aid of the encircled opposition. The whole crowd then broke through a thin line of riot police at the other side of the intersection and moved several blocks towards the Kaohsiung office of Formosa magazine.

As the crowd moved through Jui Yuan Road (see map) they were joined by some 35-40 young men with sticks who came rushing out of the Phoenix Bridge Restaurant (). The men moved with the crowd around the corner onto Ta-t’ung road, where they were faced with some 200 riot troops in full gear. The 35-40 men played a prominent role in fighting these policemen, a few of whom suffered injuries (see The Numbers Game on page 8). The young men disappeared from the scene when Formosa staff members arrived.

Initial police and newspaper reports after the incident reported this episode, and indicated that most of the young men had been arrested. However, they were subsequently released and no charges were brought against them. Since then no mention has been made of this part of the Kaohsiung incident by either police spokesmen or the newspapers.



The owner of the Phoenix Bridge Restaurant is Ch'en Ts'ung-ming (), a member of the Kaohsiung City Council and a good friend of Kaohsiung mayor Wang Yu-yun (). Both men are known in Kaohsiung as hardline KMT members. Several days after the incident Mr. Ch'en Ts'ung-min was appointed to the position of President of the Sports Federation of Kaohsiung, an important political patronage position. Sometimes one wonders about coincidences this!

The KMT Numbers Game

Soon after the Kaohsiung incident the Taiwan authorities announced that 182 policemen and only one civilian had been injured in the evening of December 10, 1979. Many gullible souls in the United States and elsewhere fell into the trap and believed this information. Even the United States State Department wrote in its computerized letter: "Though there were few civilian injuries...over 180 police and security officers were injured..."

Had the State Department officers (and quite a number of others as well) been a bit more diligent in doing their homework they would have noted that immediately after the Kaohsiung incident the figures underwent (in the words of one Taiwanese observer) a process of magical transformation.

There was: **(A) A mysterious decrease in the number of injured civilians:**

1. According to the Min-chung jih-pao (), Peoples Daily News), of December 11, nine civilians were injured. Five of them were treated in Ta-t'ung Hospital, and the remaining four in other hospitals.
2. A similar report appeared in the Taiwan shih-pao (), Taiwan Times), also published in Kaohsiung.
3. Half a day later, the Tzu-It wan-pao (), Self-Reliance Evening Paper, published in Taipei) reported in its evening edition that 92 civilians were injured.
4. On December 11 Mr. Li Wei-ch'iao () Police chief of Kaohsiung city announced that more than 80 civilians were injured.
5. However, to everyone's surprise Mr. K'ung Ling-ch'eng (), Director of the Provincial Police Department, announced a few hours later on the same day that only one civilian had been injured.

We wonder how 91 people can suddenly become "un-injured."

(B) A similarly mysterious increase of the number of policemen reported as injured:

1. At 12:10 pm, December 11 (some **12 hours** after the incident took place) Lieutenant-General Chang Ch'ih-hsiu (), Commander of the Southern Headquarters of the Taiwan Garrison Command, announced that a total of 16 policemen (both military and regular police) had been injured. Around 2:00 pm he revised this figure to 40.

2. The **Chung-kuo shih-pao** (, **China Times**, published in Taipei) reported on December 11th that 29 military police and 11 regular policemen (for a total of 40) had been injured. This figure was also adopted by most other newspapers, including the official **Chung Yang jih-pao** (, **Central Daily News**) of the same day.
3. In the early afternoon of December 11 Kaohsiung Police chief Li Wei-ch'iao () announced that 82 civilians and 57 policemen (altogether 139 persons) had been injured.
4. Ch'iu Hsi-yu (, on behalf of the Minister of Interior, went to Kaohsiung to visit injured police on December 11th. He confirmed that the number of injured policemen was 57.
5. Later on the same day the Department of Political Warfare of the Ministry of Defense in Taipei claimed that 139 regular and military police had been injured.
6. At the end of December 11 Director K'ung of the Provincial Police Department claimed that 139 military police and 43 regular policemen (for the now famous total of 182) had been injured, while only one civilian was hurt. This version became the standard official story.

In regard to the number of persons injured we prefer to quote a more reliable source, the **New York Times**, which stated in a recent article ("Freedom of expression remains a transitory thing in Taiwan", March 23, 1980):

"Other than scratches, however, no more than five or six people on both sides were hurt, according to independent reports."

Analysis

In this section you find two editorials which comment on the developments in Taiwan. The first one is from the Winter-Spring 1980 issue of SPEAHRhead, the publication of the Society for the Protection of East Asians' Human Rights.

SOCIETY FOR THE PROTECTION OF EAST ASIANS' HUMAN RIGHTS
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OPPOSITION LEADERSHIP HELD CAPTIVE BY KMT

Taiwan's Chinese Nationalist rulers have engaged in an international propaganda campaign to sell their version of the December Kaohsiung incident, and to justify renewed political repression. The campaign has been conducted by Government Information Office. GIO Director James Soong has attacked those, including SPEAHR president James Seymour,¹ who have charged that the government

EDITORIAL

committed serious human rights violations. The GIO called the charges "lies," and implied that they were communist-inspired.

The propaganda barrages appear designed to obscure the central fact of current Taiwan politics, namely that the government, which is the monopoly of the Nationalist Party or Kuomintang, has used the Kaohsiung Incident as an excuse to imprison virtually all of the opposition leaders, including some who had little or nothing to do with the incident. In addition, the government closed down many independent

publications, only one of which was connected with the events in Kaohsiung.

SPEAHR deploras all political violence. Any policemen or civilians injured in Kaohsiung have our heart-felt sympathy.² The government has every right to punish (within reason) the real culprits. Indeed, it is the government's *responsibility* to do so — and here we come to the problem.

In the 35 years that the Kuomintang has ruled Taiwan, there has been very little anti-government violence. The alleged perpetrators of such violence as has occurred have been given extreme punishment. Indeed, many *non-violent* critics have been punished, even executed — which means that in such instances the Kuomintang was solely responsible for the political violence. Unfortunately, the *opponents* of the Kuomintang have been subjected to even *more* violence than this. The important point to note is that, whereas the government has been ruthless in punishment of real or imagined *anti-government* violence, it has turned a blind eye to (and evidently even promoted) violence against the non-partisans.

The events of the past twelve months illustrate this. First came the murder, in late May, of Wu Ch'un-fa (Wu T'ai-an — see *Sh* 2). This event was billed as an "execution," but it was an "execution" in the underworld sense. It is clear that Wu (who had been promised leniency if he would support the authorities' outlandish charges against distinguished elder statesman Yu Teng-fa) was killed because he was in a position to tell the world too much.

During the autumn there were numerous acts of violence against the personnel and offices of *Formosa* magazine.³ Even the home of the magazine's publisher, Legislator Huang Hsin-chieh, was attacked. These events culminated on December 9 with the brief arrest and physical abuse of Yao Kuo-chien and Ch'iu Sheng-hsiung, who had been preparing the next day's celebration of International Human Rights Day. The *Formosa* supporters were so outraged at what had been done to these two men that they insisted upon holding the march regardless of government orders to the contrary. As one of the organizers told SPEAHR by phone just hours before the demonstration, the leaders were not entirely in control of the situation at the time.

According to the Kuomintang version of the Kaohsiung incident, "only 200 or so hoodlums" attacked police numbering *at least* 183. (The latter was the number "injured"; the total number of police involved was presumably higher.) We know from pictures that the police carried clubs, and were often well protected by shields. Yet, "their attackers were unhurt." We leave it to the reader to judge the plausibility of this version.

There are a number of reasons for our absolving the *Formosa* leaders from responsibility for the violence. For one thing, they are intelligent people, and always knew that a violent demonstration would be highly counterproductive in terms of their goals. They surely knew that a violent demonstration would have an adverse effect on public opinion, and would result in their own imprisonment on sedition charges. Thus, violence was desirable only from the Kuomintang's point of view.

But more important, these people are philosophically opposed to political violence. Indeed, this is what their struggle is all about. They want a new political system, where politics is conducted according to peaceful, legal means, rather than a system whereby those in power forcefully silence the opposition. Six of the eight leading defendants are personally known to the SPEAHR leadership; they are thoughtful, dedicated, *non-violent* intellectuals. The other two are known to us by reputation. They are highly respected not only in Taiwan, but also in the United States where they conducted their scholarship. These are not the sort of men and women who would plan or participate in a "riot."

Thus, on the face of it, responsibility for the violence seems to lie primarily with the Kuomintang, not with the non-partisans. So some of the allegations which have been made (which we might otherwise have been inclined to dismiss) begin to take on credibility. For example, one U.S. State Department officer is convinced that Kuomintang *agents provocateur* infiltrated the Kaohsiung crowds and incited the violence.⁴ It is also reported that "criminals from Kaohsiung's underworld" had helped the police in "discrediting and destroying" the democratic opposition movement.⁵

As we go to press, the most recent act of violence has been the murders of the mother and daughters of lawyer Lin Yi-hsiung. Lin, a member of the provincial assembly, was in jail at the time. The mother had just telephoned a SPEAHR member in Japan to report that Lin's confession had been given only because he had been tortured. (We had already heard about the torture of Lin from an independent and unimpeachable source.) Later, during his trial, Mr. Lin testified that two days before the murders his interrogators had threatened that "unfavorable" things could happen to his family if he was uncooperative. He was specifically warned not to tell his family about the "treatment" he had received during interrogation. This injunction was not followed, and tragedy ensued.

This last example of violence against the political opposition is not inconsistent with the established pattern. Once again, people were murdered as part of an effort to hide the truth. We need not search for

remote explanations, but neither can we look to the Chinese Nationalists for the facts. (According to one official, "It's obviously a move made either by agents of the Chinese Communists or members of the opposition to stir up more trouble between the Kuomintang and the opposition groups."⁶).

Taiwan desperately needs a moratorium on political violence. The government must lead the way. The non-violent must be released from prison, and the violent must be brought to justice. □

FOOTNOTES

1. *Free China Weekly* 61, *Free China Review* F, and 31d+41.
2. The government claims that 183 people, all police (139 military police, 43 regular police), were injured. "Their attackers were unhurt." *Free China Review* F, and *China Times* 12D.
3. *China News*, 1D.
4. Professor Richard C. Kagan, prepared Congressional testimony, February 5, page 10.
5. Newsletter of the International Committee for the Defense of Human Rights on Taiwan (P.O. Box 5205, Seattle WA 98105), quoting the *Kaohsiung Taiwan Times*, 13D.
6. *Washington Post* 29F.

Chicago Tribune

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8 Section 1 *

Saturday, March 22, 1980

Taiwan's comic opera trial

Taiwan's leaders seem determined to make themselves an international laughingstock by going ahead with a sedition trial against eight advocates of Taiwanese independence. The charges read like a Gilbert and Sullivan plot to anybody who is not thoroughly steeped in the lost-cause mentality of the Kuomintang, the party that rules Taiwan and claims to rule all of China.

A principal element of the trial is the alleged smuggling of illicit baby eels, which gives some indication of the general tone of the affair. A proponent of Taiwanese independence is charged with plotting to buy the eels in China, rear them in Taiwanese ponds, and sell them in Japan to raise money for the independence movement.

Then there are the battered riot police. The defendants are accused of organizing a demonstration that turned into a riot in which more than 180 riot policemen — but no demonstrators — were savagely beaten.

It may be possible, of course, that a country of 17 million can be subverted by trade in baby eels. It may even be possible that a crowd of civilian zealots could pound senseless a large squad of trained riot policemen. But taken as a

whole, the bizarre episode is all too obviously an attempt by a desperate and increasingly isolated leadership to avoid having to face the untenability of its position.

Its position is untenable because the alleged seditionists in the military courtroom — however radical or fanatical their tactics may be — are right as a matter of diplomatic realism. Taiwan is an independent country, the Kuomintang's claims notwithstanding. The sooner that fact is declared to the world the better Taiwan's chances to avoid being swallowed into the vast gray maw of the People's Republic of China.

Virtually every nation now recognizes Peking as the legitimate government of all China, including Taiwan. If Peking eventually moves to take control of its maverick province — which it has declared it will do during the decade of the '80s and by force if necessary — the international community will hardly be in a position to challenge its authority to do so as long as Taiwan keeps playing into Peking's hands. A callous world probably will let the matter pass with a few diplomatic protests.

To prevent that, the Taiwanese — led by the Kuomintang — must declare themselves an independent republic and

begin seeking international recognition. It is a wealthy island with many friends, and it should not be impossible to obtain formal recognition of what is already a fact. The communists across the water may rage and threaten, but they are hardly likely to sacrifice their hard-won diplomatic relations for the sake of Taiwan. They, too, will get used to the idea.

Unfortunately, it is a heresy punishable by death under Taiwan's martial law regime even to discuss such a possibility. The defendants now on trial in Taipei could, in theory, go before a firing squad if found guilty — although it seems unlikely that the regime would risk turning international ridicule into outrage by imposing a death sentence.

So the trial is less amusing than mad. As a model of prosperity and economic egalitarianism Taiwan is in a position to recover its lost support in a world that remains largely sympathetic to its unhappy political position. Instead, it shows an ugly, and untypical, face of repression. By establishing a reputation for tyranny, and by clinging to a cause that is lost beyond retrieval, Taiwan's leaders may indeed cause the "two Chinas" to be united — united in the same way a cat is united with a mouse.

Newsbriefs

The following are brief points of information and updates on issues discussed in our earlier Newsletters.

1. Kennedy Statement. On March 5, 1980 Senator Edward M. Kennedy (D-MA) issued a statement on the human rights situation in Taiwan. The Senator urged "...the leaders of Taiwan originating from the mainland to share a much greater degree of political- power with the other inhabitants of the island."

He emphasized that arms sales by the U.S. to Taiwan should not be construed as approval of the recent repressive measures adopted by the officials in Taipei. He said: "It is clear that violations of human rights will only hamper our efforts to maintain as close a relationship as we have had with Taiwan." The Senator concluded: "We are now at a turning point: the authorities in Taiwan, by their conduct of the Kaohsiung trials...have the opportunity either to continue the new wave of repression or to resume their earlier program of political liberalization."

2. Resolutions in Congress. Recently two resolutions were introduced in the U.S. House of Representatives. On March 11, 1980 Congressman H. Fortney Stark (D-CA) introduced a resolution "urging closer attention to the human rights situation in Taiwan before further military sales or assistance is provided to the Taiwanese authorities" (H.Res. 603). The resolution had some 15 cosponsors and is picking up more support every day. The KMT-controlled Central Daily News recently reported, in a fit of wishful thinking, that the resolution had died in Committee. A staff member of the Foreign Affairs Committee of the House of Representatives told us: "Nothing could be farther from the truth."

On March 20, 1980 Congressman Jim Leach (R-IO) introduced a resolution "expressing concern over the Kaohsiung Incident in Taiwan" (H.Res. 616) in which he urged the U.S. House of Representatives to "call on Taiwan to relax restrictions on freedom of expression and to continue the development of participatory democracy."

3. Amnesty International Report. On March 20, 1980 Amnesty International-USA issued a news release on the occasion of the publication of a Briefing Paper on human rights in Taiwan. In the news release the international human rights organization charged that "confessions" are extracted by the ill-treatment and torture of prisoners held in solitary confinement, who then go before military courts, usually for closed trials.

Describing the process, Amnesty says: "Among the forms of psychological and physical pressure which have allegedly been used to obtain 'confessions' are solitary confinement, round-the-clock interrogation, denial- of sleep, extraction of nails, electric shocks and severe. beatings."

Copies of the Amnesty International Briefing Paper on Taiwan are available at \$ 1.50 per copy from AIUSA, 304 West 58th St., New York, NY 10019.

4. Japanese citizen tortured. Masahiro Watarida (28), a Japanese human rights activist, went to Taiwan immediately after the Kaohsiung incident to try to help the families of the arrested opposition leaders. He was arrested on December 21, 1979 and was kept in detention in Taipei until March 13, 1980, when he was released and deported to Japan.

At a press conference in Tokyo's Foreign Correspondents' Club on Tuesday, March 18, Watarida said that he had been forced to stand during more than 24 hours of uninterrupted interrogation. He had been hit repeatedly: police interrogators struck him on the soles of his feet with heavy wire chords, and squeezed sensitive nerves above his elbows. Watarida also indicated that at the time of his release he was warned by agents of Taiwan's police agencies not to disclose what treatment he had received, or else the relatives of the arrested opposition leaders would meet with "certain misfortune."

5. Hayakawa advocates Taiwan Independence. The next time Senator Samuel I. Hayakawa (R-CA), the California conservative and well-known friend of the KMT, goes to Taiwan he may well be arrested and charged with "sedition" and "attempting to overthrow the government by changing the name of the country." Upon his return from a recent trip to Taiwan the Senator expressed criticism of the KMT. **AsianWeek** ('Sam comes to Chinatown', February 16, 1980) reported:

Hayakawa said that Taiwan should make internal policy changes in order to better represent the people of Taiwan, rather than the current policy of having a legislature with representatives (elected in 1947 - Ed.) for all the provinces of China. The California Republican called this policy "fictional." He added that the **Republic of Taiwan** (emphasis added) would be a more realistic name than the Republic of China.

6. The Asian suspended. As this issue of the ICDHRT Newsletter was going to press, we received the news that **The Asian** (), published by opposition leader Kang Ning-hsiang had been suspended for the period of one year. Only two issues of the magazine were published: the second issue carried extensive information about the arrested members of Taiwan's democratic movement, and about the murdered mother and daughters of opposition leader Lin Yi-hsiung.

7. Yet another closed trial. The KMT-owned **Central Daily News** recently (March 29, 1980) reported that the eight persons accused of harboring Formosa manager Shih Ming-teh will definitely not receive an open trial. One wonders what aspect of the trial of these persons could not stand public scrutiny. Perhaps the treatment of the eight major defendants (Huang Hsin-chieh *et al*) at the hands of their interrogators was only mild in comparison to what these eight have gone through. It would thus be a further "embarrassment" for the KMT authorities to have to let these eight stand trial in open court.

8. How many still in prison? Taiwan's authorities have thus far steadfastly maintained that only 53 persons are still in detention. Eight of these are the major leaders who stood trial recently. Another eight are the abovementioned persons accused of harboring Shih Ming-teh. The remaining 37 were supposedly remanded to civil court. However, according to records kept by human rights organizations in the U.S. and elsewhere, at least 40 more persons may still be in detention — unaccounted for by the police authorities.

A list of 119 post-Kaohsiung prisoners is being published by the Society for the Protection of East Asians' Human Rights in its forthcoming issue of **SPEAHRhead** (Winter-Spring). Eight of the people on this list are known to have been released. This leaves $119 - 53 = 66$ persons unaccounted for. A number of these 66 are known to be in detention. One example is writer-reporter Li Ch'ing-jung (), who was arrested on December 26, 1979. We suggest that members of the U.S. Congress urge the KMT authorities to make a full accounting of all people detained in the wake of the Kaohsiung incident.

Action

The past letter campaigns to members of the U.S. Congress have been quite successful: an aide to Senator Kennedy reported that the Senator had received some 8,000 letters urging him to express concern about human rights in Taiwan, which he did in a statement on March 5, 1980. Several other U.S. Senators and Representatives indicated that they had received between 1,000 and 3,000 letters.

Congressional aides however also reported that pro-KMT groups in the U.S. had started letter-writing campaigns. So we have to continue writing to keep up our "fight with the pen".

It is important at this time that key members of the House receive a continuous stream of mail requesting their support for H. Res. 603. Write to the following persons and say something like:

"Request your strong support for House Resolution H.Res. 603, which urges closer attention to the human rights situation in Taiwan before further military sales or assistance is provided to the Taiwan authorities."

Please try to make your message as personal as possible: form letters "weigh" less than personal letters. Send a message to the Congressman from your own district and to :

Congressman Clement J. Zablocki	Address:
Congressman Lester L. Wolff	House Office Building
Congressman Thomas P. O'Neill	Washington, D.C. 20515
Congressman John J. Rhodes	

The International Committee for the Defense of Human Rights in Taiwan (ICDHRT) campaigns for the release of political prisoners in Taiwan, and supports the establishment of a free and democratic political system on the island. Please support our activities with your contributions.

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