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# 37

## The DPP Elects a New Chairman

At its third annual Convention — held from 29th through 30th October in the city of Taichung in central Taiwan — the opposition Democratic Progressive Party elected a new chairman. Mr. Huang Hsin-chieh, the former Legislative Yuan-member and publisher of *Formosa Magazine*, won out over incumbent chairman Yao Chia-wen by 123 to 97 delegate votes.

### *Huang Hsin-chieh, an Old-time Populist*

The election of the 61-years' old Mr. Huang is primarily due to the fact that he is the most senior opposition leader to have served a prison sentence following the December 1979 "Kaohsiung Incident." He wasn't released until May 1987, and by electing him



**Mr. Yao Chia-wen (L) handing over Chairmanship to Wuang Hsin-chieh (R)**

the opposition wanted to give him an opportunity to have his day under the sun. In this way it wanted to express its gratitude towards him for the prominent role he played in the 1970's in setting up the opposition movement.

The election process shows that the DPP has entered a stage of new democratic maturity: the open, hard-fought campaign was in stark contrast to the closed-door, manipulated procedures followed by the ruling Kuomintang, where the chairman is invariably "elected" by acclamation.

While the election campaign may have brought out the differences between the various factions within the party, it also taught the members that they will have to stick together. In fact, both Mr. Huang and Mr. Yao have called for unity in the DPP.

The two men have a long common history in the struggle for democracy in Taiwan: during their imprisonment they were jailmates: they were both arrested in December 1979 following the *Formosa*-sponsored Human Rights Day celebration in Kaohsiung, which ended in chaos after police started using teargas against the peaceful crowd, and pro-government instigators incited violence. The authorities used the incident as an excuse to arrest virtually all well-known opposition activists. Messrs. Huang and Yao were among the eight most prominent leaders, the "Kaohsiung Eight", who were subsequently tried by a military court and sentenced to long prison sentences on trumped-up charges. Lawyer Yao was released in January 1987 and was elected DPP-chairman in November of that year.

## *Different Emphasis, But Same Direction*

While there are undeniably differences between Mr. Huang's "Formosa" faction and the "New Generation" group which supported Mr. Yao, it is clear that these are differences of tactics: while the "New Generation" has put a greater emphasis on street demonstrations as a means to bring about changes towards a more democratic system and has initiated the debate about the future status of Taiwan, the "Formosa" group is likely to emphasize parliamentary procedures and push for medium-term changes such as a restructuring of the legislative bodies in order to have all seats elected by the people of Taiwan.

Unfortunately, some international publications — such as the normally accurate and objective *Far Eastern Economic Review* — have portrayed the "New Generation" group as "radicals" and Mr. Huang's supporters in the "Formosa" group as "moder-

ates.” *Taiwan Communiqué* suggests that these labels are inappropriate and even incorrect in the internationally-accepted meaning of these terms. The methods proposed by the “New Generation” are precisely the same as those used by Mr. Lech Walesa in Poland or Mrs. Cory Aquino in the Philippines under Ferdinand Marcos. Neither of those two were labeled “radical” by the international press.

Undoubtedly, Mr. Huang’s style of leadership will be different from that of Mr. Yao: While Mr. Yao is a scholarly, internationally-oriented leader, Mr. Huang is much more of a traditional, populist politician, oriented towards local politics. Still, the basic direction of the DPP will remain the same. In fact, Mr. Huang recently expressed it as follows: “You take the airplane, I take the train, but we are all going in the same direction.”

The Formosa faction also emerged with a majority of 16 seats in the 31-member Central Executive Committee, and six seats in the 11-member policy-making Central Standing Committee.

*"You take the airplane, I take the train, but we are all going in the same direction."*

***DPP-chairman Huan hsin-chieh***

A surprise move was the withdrawal of three prominent legislators, Messrs. You Ching, Chu Kao-cheng, Kang Ning-hsiang and one member of the Provincial Assembly, Mr. Chou Chan-yun, from the race for the Central Executive Committee. They stated that their action was prompted by their desire to prevent a deadlocked election, and to promote party harmony.

Aside from the election of the party leadership, the delegates at the Convention also took a significant step by endorsing a rule change to allow direct election of the chairman by delegates themselves rather than by the 31-member Central Executive Committee.

## ***The Independence Debate Goes On***

While the new leadership of the DPP is likely to put less emphasis on the independence question and focus more on the process of democratization, the independence debate will continue. In fact, just two weeks after the Convention, on 16 November 1988, the Formosan Political Prisoners Association began a rally followed by a parade in Taipei

to mark the start of a 40-day march throughout the island in a drive to focus public attention on the movement to build a new nation.

The driving force behind the move is Mr. Huang Hua, the courageous writer, editor and former political prisoner, who has spent more than 20 years in prison. He emphasized that the purpose of this new movement is to build a new nation, a new political system, and a new parliament by peaceful means. A total of 46 rallies will be held in different parts of Taiwan.

More than 600 people participated in the first day of the march in Taipei. They wore yellow vests, and carried banners with texts such as “Independence for Taiwan” and “New Nationhood.” The 40-day march will end on 25 December 1988 with a large-scale rally in Taipei.



Mr. Huang Hua

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## Moving Towards “Dual Recognition”

In the middle of November 1988, there were reports from Taipei that the authorities were considering “dual recognition” and that it had also been decided to abandon the position that the government in Taipei be recognized as the sole legitimate government of all of China — until now a cornerstone of the Kuomintang’s foreign policy.

On 13 November 1988, a spokesman of the Foreign Ministry in Taipei said in an interview with the state-run Taiwan Television Enterprise that Taipei would “carefully consider” establishing diplomatic ties with countries which also maintain ties with Peking. On the same day, the pro-government *United Daily News* reported that policymakers had decided to drop the stance that Taipei be recognized as the sole legitimate government of all of China.

However, on the next day, 14 November, Foreign Minister Lien Chan seemed to retreat from that position, when he stated during a response to an interpellation in the Legislative Yuan that “dual recognition” is at the present time “only an idea” proposed by scholars and legal experts.

Still, it is clear that the authorities in Taipei are moving towards a major shift in foreign policy. It is obvious that they are forced to make this move in order to avoid sliding deeper into political isolation: there are telltale signs that countries such as South Korea and Saudi Arabia, which have until now maintained diplomatic ties with the Kuomintang authorities, are increasingly eager to establish diplomatic ties with the PRC. Even the Vatican, the only European “country” still maintaining ties with the Kuomintang, shows a willingness to talk with the Communist authorities about establishing diplomatic relations.

The new developments in Taipei came very shortly after the resignation of Mr. Shen Chang-huan, age 75, the secretary-general to President Lee Teng-hui. The resignation followed a disagreement in the Kuomintang Central Standing Committee over the sending of a trade delegation to the Soviet Union. The arch-conservative Mr. Shen was strongly opposed to the move, while a majority in the Central Standing Committee — including the more pragmatic President Lee — were in favour.

*....."dual recognition" and discarding the claim to represent all of China are vitally important steps in the right direction. Such a structural change in foreign policy is essential if Taiwan is to come out of its diplomatic isolation.*

**Taiwan Communiqué**

For several decades, the conservative Mr. Shen has strongly influenced the foreign policy of the Kuomintang authorities. He was foreign minister from 1960 through 1966 and again from 1972 through 1979. He also served in a variety of other sensitive positions, including secretary-general of the National Security Council.

Under his influence, the Taiwan authorities clung to their rigid position that they are the legitimate rulers of all of China, and immediately broke diplomatic relations with any country establishing relations with the PRC. This short-sighted strategy thus drove Taiwan deeper and deeper into international diplomatic isolation.

**Taiwan Communiqué** suggests that “dual recognition” and discarding the claim to represent all of China are vitally important steps in the right direction. Such a structural change in foreign policy is essential if Taiwan is to come out of its diplomatic isolation. However, it must also be made clear to the Kuomintang authorities that the Western countries will only move towards “dual recognition” if there is also a fundamental restructuring of the political system in Taiwan itself in the direction of a fully

democratic system. Only if that happens, can Taiwan take its rightful place among the family of nations.

These developments will also fan the discussion regarding the international status of Taiwan. The authorities in Peking still cling to the outdated claim that they somehow have sovereignty over Taiwan. This is **pertinently incorrect**: Taiwan has never been part of the PRC. In fact, at the San Francisco Peace Conference of 1952 — when Japan formally ceded its sovereignty — it was not decided who would gain sovereignty over the island. *De facto* this fell to the Kuomintang authorities, but *de jure* this question was never resolved. During the Peace Conference it was even clearly stated that “in due course a solution must be found, in accord with the principles and purposes of the Charter of the United Nations.” This has not happened yet.

According to the principles enshrined in the Charter of the United Nations, the people of the island have the right to determine their own future. If the PRC wishes to be a responsible member of the international community, it will respect this right. In any case, only three countries in the world — the Maldives, Guinea Bissau and Niger — have formally recognized the PRC claims that Taiwan is a “province” of China. All other countries use terms such as “take note” or “acknowledge”, meaning that these countries themselves do not take a position on this matter.

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## A Corrupt Mayor Goes Unpunished

### *Su Nan-cheng, Portrait of a Quisling.*

During World War II, in Nazi-occupied Norway, there was a Norwegian named Quisling, who collaborated with the German occupation forces. His name became synonymous for a traitor who serves as a puppet for the enemy occupying his country.

In Taiwan, some local Taiwanese politicians are also regarded in this way by their native Taiwanese countrymen, who consider the ruling Kuomintang as a foreign force from China, occupying the island. Mr. Su Nan-cheng — the present mayor of Kaohsiung — is one of these quislings. Mr. Su was appointed mayor of the southern port-city (one of the most coveted jobs in Taiwan because of its many “fringe benefits”) in 1985, after he had served as an obedient KMT-party lapdog for several years in his function of mayor of Tainan. In July 1988, he also became a member of the Kuomintang Central Standing Committee.

In Tainan he gained a ruthless reputation for his persecution of the Presbyterian Church: in 1983 he ordered the destruction of a building of the Presbyterian Church and took a variety of other measures to hinder the activities of the Church (see *Taiwan Communiqué* no. 14, pp. 30-31). Interestingly, he had been elected as mayor of Tainan as an independent after he withdrew from the KMT. Once he was elected, he rejoined the Kuomintang again.

## *The Control Yuan Fails to Act*

Mr. Su came in the news in the beginning of September 1988, when the Control Yuan was considering an impeachment motion against him for irregularities surrounding a building contract for the construction of a new 14-story City Hall for the city of Kaohsiung. In 1986 Mr. Su had given the construction company an “incentive bonus” of NT\$ 60 million (equivalent to US\$ 2.14 million) if the project would be completed ahead of schedule. He also granted a NT\$ 42 million (US\$ 1.5 million) loan to the contractor. However, the project had to be halted when the building was found to contain numerous structural defects.

However, on 15 September 1988, a committee of the Control Yuan rejected an impeachment motion. Two weeks later, the matter was again brought on the Control Yuan’s agenda by DPP-member Ms. Lin Tzun-tze, but was rejected again. Interestingly, newspapers in Taiwan discovered that in the beginning of September, three key Kuomintang-members of the Control Yuan had been wined and dined in Kaohsiung by mayor Su. Total cost for a dinner for four: NT\$ 26,414 (US\$ 950).

## *Protesters Imprisoned*

The decision not to impeach mayor Su reinforced the image of the Control Yuan as an administrative watchdog body which is content with “swatting flies, but not daring to hunt tigers” (see *Taiwan Communiqué* no. 36, pp. 2 - 4). The Control Yuan decision not to impeach mayor Su prompted immediate demonstrations in Taipei and Kaohsiung against mayor Su and against the Control Yuan.

On Saturday, 17 September, a group of politicians from Kaohsiung held a comical mock funeral service in front of the Control Yuan building in Taipei, and even performed funeral rites, complete with funeral bouquets, the burning of incense and paper money, and an obituary with the names of the persons who had voted against impeachment. The demonstration was dispersed by some 300 riot troops in full combat gear, who

arrested four leaders of the demonstration — including a DPP-member of the Kaohsiung City Council, Mr. Chen Kuang-fu, age 33, for “insulting government officials.”

The four men were held incommunicado. Mr. Chen subsequently went on a hunger strike, but was released on 3 October 1988. However, on the following day, the four were indicted on charges of “violating laws governing demonstrations.” Mr. Chen was also charged with “document forgery” for printing and circulating the obituary listing the names of the 20 members of the Control Yuan. He was accused of “failing to ask the 20 people for permission beforehand” (!!!).

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## “May 20th Incident” Follow-up

### *The Taipei District Court Issues its Verdict*

On 16 September 1988, the Taipei District Court sentenced 79 persons to prison terms ranging from five months to three years for their involvement in the “May 20th Incident” of this Spring, when a demonstration in Taipei by farmers from Yunlin County against the government’s agricultural policies erupted into violence.

As we have reported earlier, there were strong indications that police and right-wing extremist groups helped incite and escalate the violence, and that the authorities then used the incident to implicate the DPP-opposition. (see *Taiwan Communiqué* no. 35, pp. 8 - 14, and issue no. 36, pp. 11 - 12). During and after the incident there were also widespread reports of mistreatment of demonstrators and detainees by police, coercion, denial of access to lawyers during interrogation, and fabrication of evidence by the authorities.

Significantly, the Court acquitted Mr. Men Chien-chiu — a member of the right-wing extremist Anti-Communist Patriotic Front. Mr. Men had driven his car into a group of policemen in an apparent attempt to create chaos. Newspapers in Taiwan even published pictures of this. However, the Court stated Mr. Men was acquitted due to “lack of evidence.”

It was also significant that the Prosecutor’s Office still has not taken any legal action against plainclothes policemen who beat up DPP legislator Chu Kao-cheng and human rights lawyer Lee Sheng-hsiung, when they went to the Cheng Chung Police Station during the evening of May 20th to see if they could provide legal assistance.

The heaviest sentences were meted out to Mr. Lin Kuo-hua, the secretary-general of the Yunlin Farmers' Rights Association, and Ms. Hsiao Yu-chen, an active DPP-member, who ran as a candidate for a seat in the National Assembly in the December 1986 elections. Both were sentenced to three years imprisonment.

Mr. Chiu Huang-sheng, the truck driver who was coerced by the police to give false testimony against the organizers of the event (see *Taiwan Communiqué* no. 35 p. 11 and no. 36 pp. 11 - 12), was sentenced to one year imprisonment.

### ***Protests Against the Bias of the Court.***

Right after the verdict, a number of demonstrations were held in Taipei to protest the bias of the Court and to urge the release of the jailed farmers. Again on 25 October 1988, about 2,000 farmers and their supporters staged a protest demonstration in downtown Taipei. It ended peacefully.



**Members of the National Assembly protesting partiality of the Court**

One of the most eloquent protests against the sentences came from the United States. In a letter to Taiwan President Lee Teng-hui, U.S. Senator Timothy E. Wirth of Colorado wrote on 26 September 1988:

*“Dear Mr. President:*

*I am writing to express my concern about a number of issues surrounding the prosecution of more than 90 persons accused of involvement in disturbances that grew out of a May 20th demonstration sponsored by the Yunlin County Farmers’ Rights Association. I understand that the Taipei District Court recently sentenced 79 of the defendants to prison terms ranging from five months to three years.*

*While I recognize that every government has both the right and the obligation to prevent disorderly conduct, several aspects of the case warrant the most serious concern. In addition, the conduct of the authorities raises questions whether they acted in good faith in this matter.*

*Eyewitnesses have reported that police beat many demonstrators on the evening of May 20 while effecting arrests, and that demonstrators also were beaten and denied proper medical care after being detained. I am particularly alarmed by police actions against Mr. Stephen Lee Sheng-hsiung, the highly respected Chairman of the Taiwan Association for Human Rights. I understand that Mr. Lee went to the Chengchung station to assist detainees and was attacked by plainclothes police. He sustained numerous bruises and a broken toe.*

*I am also concerned by reports that the authorities coerced confessions from many of the detainees. I am further disturbed by reports that detainees were not given access to lawyers during the initial interrogations by police and prosecutors, and troubled by the apparent claim of the authorities that this was because none had wanted such representation.*

*Several aspects of the trial proceedings raise additional concerns about the good faith of the authorities in this matter. I understand that the prosecution, in attempting to present evidence showing that the leaders of the demonstration had intended violence, introduced a confession from Chiu Huang-sheng. Mr. Chiu, a truck driver, allegedly confessed that he had been paid by Farmers Association Vice President to transport rocks to the rally site. However, I understand that Mr. Chiu issued a strong and unambiguous retraction to the*

*Court, asserting that he had been coerced by the authorities to provide testimony against the demonstrators. Informed observers have attached substantial credibility to Mr. Chiu's retraction.*

*Finally, I am concerned that the evidence presented at the trial may not support the verdicts in all of these cases. Although I do not have detailed information on the charges in each case, I understand that Asia Watch — which was present at the August 1 trial session — observed inconsistencies and contradictions in some of the evidence provided by the police. This observation is all-the-more troubling in light of the other concerns I have raised in this letter.*

*Many of my constituents in Colorado and I are deeply concerned about this situation. I respectfully request that you pursue prompt, thorough and impartial investigations into mistreatment of demonstrators and detainees, coercion and denial of access to lawyers during interrogation, and fabrication of evidence by the authorities. I also respectfully request that the results of such investigations be considered in the appellate review of convictions in these cases.*

*I look forward to hearing from you in the near future regarding this situation.*

*Sincerely yours,*

*Timothy E. Wirth*

## ***No Critical Comments of Trial Allowed***

Because the Court's investigation was based on the theory of "conspiracy," which was not substantiated by any evidence, two research scholars of Academia Sinica's Institute of Ethnology, Mr. Hsu Mu-chu and Ms. Huang Mei-ying took the initiative to conduct their own investigation.

After several weeks of thorough research, including reenacting the "crime" of the truck driver, who presumably loaded rocks into his truck from a cemetery in Yunlin, talking to the officials of the Yun-lin Farmers Rights Association, and reviewing video tapes, they made public their report while the trial was still under way.

In the report, the scholars said it was physically impossible for truck driver Chiu Huang-sheng to load up his truck with one metric ton of rocks in one hour in the dark

of the night as stated by the prosecutor in the bill of indictment. The scholars added in their report that the violence was not premeditated by protest organizer Lin Kuo-hua as claimed by the prosecutor. They suggested that the evidence against the organizers was planted by the police.

Instead of accepting the scholars' report as an objective piece of evidence in the trial, the Court condemned the scholars' action as an "attempt to mislead the public, to damage the reputation of the judiciary and to interfere with the trial proceedings." The Court even went so far as to demand the Academia Sinica to discipline the scholars for their action. To his credit, Dr. Wu Ta-you, the president of the Academia, rejected the Court's request on the ground of academic freedom.

The *Liberty Times*, a newspaper published in Taipei, which printed the full text of the scholars' report, also became a target of retribution by the Court. The Taipei District Court requested the Government Information Office (GIO) to punish the *Liberty Times* for violating Article 33 of the Publication Law, which forbids newspaper to comment on Court cases on trial. Ironically, this was the first citation ever of Article 33, although pro-Kuomintang newspapers routinely write about cases against DPP-politicians and frequently conclude that they are "guilty" even before any court sessions take place.

The *Liberty Times* argued that it was exercising the freedom of the press by reporting the scholars' report rather than "commenting" on the trial. Besides, a summary of the report had already appeared in other newspapers before the *Liberty Times* printed the full text. The newspaper received a warning from the GIO.

## ***Legislation against "commenting on a trial"***

In a closely related matter, the Ministry of Justice announced in mid-October that it is considering legislation to stem public criticism on the Court cases under investigation or on trial. The Ministry has included a new article "Contempt of Court" into a draft revision of the criminal code, which is being reviewed by the Executive Yuan. The article imposes a penalty of up to one year imprisonment on anyone who voices criticism against Court cases under investigation or on trial.

The Ministry of Justice said that the purpose of this article is to "safeguard the independence of the judiciary" by preventing outside criticism from influencing the judgement of the Court. Legal scholars pointed out that the Ministry's action is tantamount to restricting the freedoms of expression and the press, as guaranteed by the Constitution.

**Taiwan Communiqué** comment: The Ministry's action is clearly prompted by the strong public criticism in Taiwan against the partiality of the Courts in a number of recent Court cases, including the case against Taiwan Independence advocates Ts'ai Yu-ch'üan and Hsu Tsao-teh (see *Taiwan Communiqué* no.'s 32 through 36) and the May 20th Incident trial. If the authorities wish such criticism to end, they should ensure that the judiciary is indeed impartial and independent, i.e. free from political interference by the Kuomintang authorities.

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## Report from Washington

by Marc J. Cohen

### *The Bush Administration: More "Quiet Diplomacy" and Trade Pressure ?*

In the previous issue of our *Taiwan Communiqué*, we suggested that if George Bush were to become the next President of the United States, it would be difficult to gauge what his stand would be on human rights and democracy in Taiwan. While now President-elect Bush remains something of an enigma with little real mandate and few specific foreign policy proposals, his early appointments do suggest some possible directions of future U.S. policy.

**The "Taiwan — China — USA triangle".** Since Mr. Bush named James A. Baker III as his Secretary of State, "pragmatism" is likely to be the foreign policy watchword. Unless the new President names a conservative ideologue — someone like Richard Allen, President Reagan's first national Security Adviser — to a key foreign policy position, it is unlikely that the current U.S. policy of balancing its relations with the regimes in Peking and Taipei will change significantly.

The Administration will also probably continue to encourage increased contacts across the Formosa Strait. If Bush does give the National Security Adviser position to a "hard right" figure — a move seen as unlikely by our Washington sources — this could cause considerable tension over whether to lean more closely toward the Taipei authorities, especially since China is improving its relations with the Soviet Union. However, most Washington insiders see the current *de facto* policy of "one China, one Taiwan" as the consensus of the U.S. bipartisan foreign policy establishment. Bush is likely to promote members of the career foreign service to policy-making positions, and so he is unlikely to seek bold new departures.

**Human rights.** The Reagan Administration — as we have noted over the past eight years — has shown great reluctance to speak out publicly about violations of human rights in Taiwan. This in stark contrast to its eagerness to speak loudly about very similar situations in other countries such as Poland. All too often, its “quiet diplomacy” has meant “silent diplomacy” as a by-product of the attempt to have good relations with both the KMT and the Peking regime. In addition, for the past two years, the KMT has been able to reap U.S. praise for half-measures and cosmetic gestures.

All too often, the initiative for U.S. efforts to promote human rights in Taiwan had to come from the U.S. Congress rather than the Executive branch. Given the Democrats’ continued control of Congress, and the re-election of key supporters of democracy and human rights on the island within the U.S. legislative branch, the pattern is likely to continue.

One aspect which may affect Mr. Bush’s Taiwan policy is the fact that Congressman Jim Leach (R-Iowa) — a prominent and outspoken advocate of human rights and democracy in Taiwan — has long been a close personal friend of Mr. Bush. Whether this influence can outweigh the pressure of the career foreign service in favor of “silent diplomacy” remains to be seen. Also, Vice-President-elect Dan Quayle is known to be an avid and unquestioning supporter of the Kuomintang. Of course it is not known yet at the present time if his role in foreign policy will stretch beyond attending funerals of deceased foreign heads of state, but in any case it is doubtful that he will want to press the Kuomintang authorities at all on matters like human rights.

**Trade policy.** With Mr. Baker ensconced at the State Department and current Secretary of the Treasury Nicholas Brady remaining in office, the recent toughening of U.S. trade policy toward Taiwan is likely to continue for some time to come. The U.S. will keep pressing the Taiwan authorities for more open markets for U.S. goods and for further revaluation of the New Taiwan dollar.

Given Taiwan’s dependence on the U.S. for arms, military technology, export sales, and pseudo-diplomatic support, the authorities are likely to try to comply with U.S. demands. This has important implications for Taiwan’s citizens, since it will probably lead to dislocations in the economy and rising unemployment, as imports become cheaper and Taiwan’s export prices rise. Worker and farmer unrest is likely to continue and even increase, particularly since the Kuomintang has not devised a policy and programs to help its citizens cope with the burdens of adjusting to a fast-changing world economy.

# Prison Report

## *Shih Ming-teh Ends Hunger Strike*

In the beginning of November 1988, imprisoned opposition activist Shih Ming-teh ended his hunger strike and started to take solid food again. Mr. Shih had only been taking fluids since he started his hunger strike at the end of April (see our editorial "Let Shih Ming-teh go !" in *Taiwan Communiqué* no. 36, pp. 18 - 20).

Mr. Shih reportedly ended his hunger strike on November 1st, after a visit by the newly-elected DPP-party chairman Huang Hsin-chieh. Both Huang and Shih, as well as outgoing Party-chairman Yao Chia-wen, were among the "Kaohsiung Eight" prominent opposition leaders arrested after the December 1979 Human Rights Day celebration in the southern port city of Kaohsiung. The eight were subsequently tried in military court and sentenced to long prison sentences.

Presently, Mr. Shih is the only "Kaohsiung prisoner" remaining imprisoned. During the past few months, the London-based human rights organization **Amnesty International** has campaigned hard to get Mr. Shih released. AI has adopted him as a prisoner of conscience and has appealed to the Taiwan authorities for his immediate and unconditional release. **Amnesty** is convinced that Mr. Shih and his co-defendants were arrested and imprisoned for their political beliefs. The organization has concluded that available evidence on the 10 December 1979 demonstration does not support the official claim that Shih and his co-defendants planned violence and incited the demonstrators to attack the police.

## *Hong Kong Businessman Sentenced*

On 27 October 1988, the Taiwan High Court in Taipei convicted a Hongkong businessman, Mr. Cheung Ki-loh (31), of "joining a seditious organization" and sentenced him to three years and four months imprisonment. Mr. Cheung had been arrested in January 1988, while on a business trip to Taiwan. Right after his arrest he was interrogated continuously for 24 hours.

On 9 April 1988, he was charged under Article 2(1) of the infamous "Statute for the Punishment of Sedition" with "attempting to overthrow the government through illegal means", and under Article 5 of the same Statute of "being a member of a seditious

group”, and of “spying” for this group while attending college in Taiwan from 1977 through 1981.

In the end, the High Court “only” found Mr. Cheung guilty of the latter charges. The Court acquitted him of the “trying to overthrow the government” charge, which carries a mandatory death sentence in Taiwan.

According to the Taiwan authorities, Mr. Cheung had been a member of the Chinese Communist Party Youth League, and had worked with a Hong Kong magazine titled “Student Brother” while he was a student in Hong Kong in the mid-seventies. The charges were reportedly based on accusations by a former girl-friend, made in a letter to the Taiwan Garrison Com-

mand in 1983. However, the court did not cross-examine the girl-friend, who is now living in the United States. Curiously, the authorities did not arrest Mr. Cheung in 1983 — when the charges were made — although he was living and working in Taiwan at that time.



**Mr. Cheung Ki-loh and his wife**

Defense lawyers for Mr. Cheung submitted a letter from the Youth

League saying that Cheung was never one of its members. However, the High Court did not accept this as evidence “because Taipei does not recognize official mainland Chinese documents as legitimate.”

Two prominent international human rights organizations, **Asia Watch** and **Amnesty International**, have protested Mr. Cheung’s arrest and conviction. They say that the charges against him are unsubstantiated, and that he is being punished because of his peaceful political activities when he was a student in Taiwan in the late 1970’s and early 1980’s. Twelve members of the U.S. Congress have also expressed their concern about the case, and on 18 October 1988, sent a cable to Taiwan president Lee Teng-hui to urge for his release.

**Taiwan Communiqué** comment: the case of Mr. Cheung shows that the secret police agencies still have strong influence in Taiwan. Even a citizen of another country can

be arrested and — in spite of international protests — be sentenced to a relatively long prison term. If the case had not come to the attention of Amnesty International and Asia Watch or if they had not acted, then Mr. Cheung might well have been executed.

## *A Wave of Death Penalties*

As we reported in our previous issue (*Taiwan Communiqué* no. 36, p. 21), death sentences are on the increase in Taiwan. As of the middle of November 1988, we had counted 14 death sentences in District Court, seventeen cases upheld in High Court, and three executions since the beginning of 1988. Particularly the number of sentences upheld in High Court is much higher than in previous years, and gives rise to concerns that in the near future there will be a considerable increase in actual executions.

The London-based human rights organization **Amnesty International** has recently again expressed its deep concern about the death penalty in Taiwan. It issued three documents, one in September (about the issue in general) and one in October (about two recent executions and several new death sentences in the period July through September), and one in the beginning of November (about a recent series of six death sentences).

In the September report, **Amnesty** stated:

“The death penalty is frequently imposed in Taiwan, and executions carried out. According to official statistics between 1981 and 1985 42 prisoners convicted of murder or robbery were executed (these figures do not include the executions of prisoners convicted by military courts). ... Amnesty International has information on some 150 prisoners currently under sentence of death for ordinary criminal offenses.

... Amnesty International has for years been appealing to the authorities to end executions and abolish the death penalty for all offenses. The government in August 1988 told Amnesty International that the death penalty should be retained as the public supported it and as it preserved national security, social order and protected life.”

Amnesty states that one of the reasons it opposes the death penalty is that despite the most careful legal safeguards, there is always a risk that an innocent person may be executed. In the document Amnesty presents a case in Taiwan that illustrates this concern. The Amnesty document also contains a 1987 interpellation by the courageous

DPP-legislator Mrs. Wu Shu-chen, in which she urged the authorities to abolish the death penalty.

**Taiwan Communiqué** comment: Many of the recent death sentences are for cases of kidnapping. While it is understandable that the authorities want to take measures to combat the rash of kidnappings for ransom, we feel it necessary to point out that the underlying reasons for these kidnappings are symptomatic for the “get rich quick” mood presently prevailing in Taiwan, which is encouraged so strongly by the authorities. This attitude is also evident from the rampant lottery and stock market craze on the island.

They are also a symptom of the general disdain in the Taiwanese society for the police, which are often corrupt and inept. The close ties between police and the underworld also came to light in the murder of Chinese-American writer Henry Liu in October 1984, which was committed in close collaboration between the Bamboo Union gang and the Military Intelligence Bureau of the Defense Ministry in Taipei.

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## Articles and Publications

### *Elsevier: A Taiwanese Cory Aquino*

In mid-October 1988, the Dutch magazine *ELSEVIER* published an article about recent developments in Taiwan. It highlighted the views of DPP National Assembly-member Mrs. Chou Ching-yü, who was visiting the Netherlands with a delegation of the DPP-party. The delegation met with members of the Dutch Parliament and with Mr. W. van Velzen, the chairman of the ruling CDA (Christian Democratic party), and with members of the CDA human rights committee.

In the *ELSEVIER* article, Mrs. Yao is quoted as saying:

*“It’s been 40 years since Chiang Kai-shek settled with his regime on our island. Because of all those years of political indoctrination, many of our Taiwanese people are not really well-informed about the history of our country. In fact, Taiwan has been occupied by the mainlanders. The political system is a semi-democracy, in which the Kuomintang has all the political power. This is based on the pretention that the parliament and government in Taipei still represent all of mainland China, where they were elected in 1948.*”

*Therefore we now have KMT-members of parliament who are member-for-life. In our National Assembly we have geriatric people — average age 82 years old — who are simply glued to their seats. This is an absurd and dangerous situation.”*

The article then described the struggle of the DPP for a free and democratic Taiwan, and compares the role of Mrs. Yao and her husband Yao Chia-wen to that of the Aquino's in the Philippines.

## ***Marc J. Cohen: Taiwan at the Crossroads***

The Washington-based **Asia Resource Center** has just published a new book about Taiwan: it is written by the editor of our Washington DC edition, Dr. Marc J. Cohen and titled “Taiwan at the Crossroads.”

The book gives a thorough background on political, economic, and social developments in Taiwan during the past few years and contains a wealth of details and inside information. In short: it will become a major standard reference work for scholars and students of Taiwan for many years to come.

The book is available at US\$ 8.— per copy from:

Asia Resource Center  
P.O. Box 15275  
Washington, DC 20003 U.S.A.

## ***Behind the Mask: Human Rights in Asia and Latin America***

In March and April 1987, the **World Council of Churches** brought together six Church leaders from six different countries in Asia and Latin America: El Salvador, Chile and Argentina, and the Philippines, Taiwan and South Korea.

The six were all experienced advocates in the defense and promotion of human rights in their own countries. Accompanied by staff of the WCC and regional Church organizations they visited the six respective countries to study the human rights situation and learn from each other how the Church can act constructively in helping to bring about human rights and democracy.

The result of this inter-regional exchange is a highly readable and personal account. The Church leaders discovered that, in spite of the vast differences in history, language and culture, there were astonishing similarities in the suffering endured by the common people under the repressive structures in the six countries.

The report can be obtained by writing to:

World Council of Churches  
Human Rights Resources Office  
P.O. Box 66  
CH-1211 Geneva 20, Switzerland

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## NOTES

### *In Memoriam Reverend Dr. Shoki Coe*

On 27 October 1988 a major pioneer of the Presbyterian Church in Taiwan died. Reverend Dr. Shoki Coe — also known under his Chinese name Huang Chang-hui — a Presbyterian minister and former president of Tainan Theological college in Taiwan, died of lung cancer in England at the age of 74.

Rev. Huang had a distinguished career as the president of Tainan Theological College and moderator of the Taiwan Presbyterian Church in the 1940's and 1950's, and later as the director for the Overseas Education Fund of the World Council of Churches in Geneva.

But foremost Rev. Huang will be remembered for his life-long dedication to the Taiwanese cause. He was the driving force behind the overseas Taiwanese christian movement, which endorsed self-determination for the future of Taiwan in the early 1970s.

In 1971, the Taiwan Presbyterian Church made public "A Declaration on National Affairs", in which the Church appealed to the KMT authorities



**Reverend Dr. Shoki Coe**

to “hold elections of all representatives to the highest government bodies to succeed the present representatives who were elected 25 years ago on the mainland.” The Church’s action was prompted by the ouster of Taiwan from the United Nations after People’s Republic of China replaced the Chinese Nationalists as a member of the United Nations.

To support the position of the Taiwan Presbyterian Church and to find a solution for the future of Taiwan, Rev. Huang — together with a number of other prominent Taiwanese Christians — founded an organization called “Formosan Christians for Self Determination,” in New York in 1972.

This courageous move spearheaded the discussion of the principle of self-determination in Taiwan in the 1970’s. The principle later appeared in the platform of *tangwai* (“outside-the-party”) candidates in the National elections in the early 1980’s, and has now been adopted as the party platform of the Democratic Progressive Party.

Rev. Huang paid a high price for his actions. He was declared *persona non grata* by the KMT authorities for his endorsement of self-determination, and for more than two decades he was refused permission to visit his homeland. It wasn’t until August 1987, after martial law was lifted, that he was allowed to visit Taiwan briefly after 22 years of exile. In August 1988, he was again denied a visa to visit Taiwan to speak at a Presbyterian conference.

Rev. Huang was born in the city of Tainan, the center of Presbyterian activities in southern Taiwan. He was a graduate of Tokyo Imperial University and Westminster College of Cambridge University in England.

He was the first Taiwanese to become the president of Tainan Theological College after Japan ceded control over Taiwan following the end of World War II. The college had been closed during the War.

During his tenure, Rev. Huang started the tradition of the college’s involvement in social and political issues. In spite of mounting pressure from the KMT authorities, the college has carried on the tradition and continued to focus attention on social and political injustice on the island under the KMT rule.

Rev. Huang eventually became the target of harassment by the KMT authorities and was forced to leave the island and went to work for the World Council of Churches in Geneva.

Rev. Huang, became active in the overseas Taiwanese movement following his retirement from the World Council of Churches. In 1983, he testified in a Taiwan hearing held by the House of Representative of American Congress. He was also on the board of directors of Formosan Association for Public Affairs (FAPA), a Taiwanese lobbying organization based in Washington D.C.

## ***Presbyterian Ministers Blacklisted by Secret Police***

On 4 November 1988, Mrs. Wu Shu-chen, a DPP member of the Legislative Yuan, disclosed in a written interpellation to the Executive Yuan that the secret police had blacklisted some 90 members of the Taiwan Presbyterian Church, including many prominent ministers.

Mrs. Wu is one of the most outspoken members of the Legislative Yuan. She is wheelchair-bound following an accident in the November 1985 local elections, when she was run over by a farm vehicle in Tainan County, while campaigning for her husband, lawyer Chen Shui-pien. The opposition charged foul-play, but the driver of the vehicle was never prosecuted (see our *Taiwan Communiqué* no. 23, pp. 12 — 15).

On top of the list is the leadership of the Church, including the moderator of the General Assembly, Reverend Yang Chi-shou, the president of *Taiwan Church News*, Reverend Lu Chun-yi, the president of Tainan Theological College, Reverend Chang Teh-hsiang, the former secretary-general, Rev. Kao Chun-ming, and 16 former moderators of the Church.

Even Rev. Ong Shiu-kung, the minister of Chi-nan Church in Taipei — the church attended by President Lee Teng-hui — found his name on the list. Several prominent Presbyterians outside Taiwan were also listed, including Rev. Huang Chang-hui, who died on 27 October 1988 in England.

Mrs. Wu Shu-chen pointed out that the freedom of religion guaranteed by the Constitution has been violated because agents from the Taiwan Garrison Command and the Investigation Bureau of the Ministry of Justice have kept the Church under close surveillance.

Rev. Kao Chun-ming said in press interviews that many members of the Church are blacklisted because they have spoken out against the unjust policies of the KMT authorities. He also confirmed that agents from the secret police have infiltrated the Church and tried to cause division within the Church. He called on the KMT authorities to stop this practice and to abolish the blacklist.

## ***Military Men and Police Demoted for Joining DPP***

During the past few months there have been more and more indications that the DPP is receiving increased support from within the very elements the Kuomintang is using for its repressive tactics against the DPP: the military and the police.

Two recent cases also show that the authorities are deadly-scared of this increase in support for the DPP, and are trying hard to suppress it:

In the beginning of October 1988, it became known in Taiwan that two career officers, captain Chen Sheng-ching and captain Chiang Chun-hua, were demoted. Captain Chen was also transferred to duty on a remote offshore island. In an interpellation on 24 October 1988, DPP-legislator Chu Kao-cheng accused the Kuomintang of improper influence in the military and of persecuting the career servicemen who had joined the DPP.

A second case occurred in the police force: on 22 October 1988, policemen in the southern port-city of Kaohsiung formed the Taiwan Association for the Promotion of Police Rights. The policemen stated that they wanted to seek improvements in the working conditions of the police. Two key-members of the group, Messrs. Hung Teng-yung (an officer in the Kaohsiung Police department) and Mr. Lin Cheng-hsiung (an officer in the Pingtung Police Department) are members of the DPP.

Immediately after the announcement of the formation of the Association, the police authorities in Kaohsiung fired Mr. Hung from his position, and it was reported in the press in Taiwan that Mr. Lin would be dismissed for the same "misconduct."

## ***The Defense Chief on the Defensive***

The chief of staff of the armed forces in Taiwan, general Hau Pei-tsun, has been increasing his influence since the death of president Chiang Ching-kuo in January 1988. Many people see him as the military strongman behind the scenes .... and sometimes on the front stage. However, suddenly he has found himself on the defensive. Led by the maverick legislator Chu Kao-cheng, DPP-members of the Legislative Yuan and even some KMT-members, strongly questioned the extension of general Hau's tenure as chief of staff beyond the legally mandated limit of six years.

The matter came to a boil in the Legislative Yuan in a session on 9 and 10 November 1988, when the legislators held long speeches criticizing the move to extend Hau's tenure for another year.

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