



TAIWAN COMMUNIQUÉ

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Formosans for Independence come home

During August and September 1991 the movement for Taiwan Independence gained considerable momentum. In Taiwan itself the idea of formal independence is receiving increasing support, and large numbers of people are openly proclaiming themselves in favor of it, in spite of the fact that the authorities still consider it “seditious” and prosecute independence advocates.

The new momentum is the result of three factors: 1) the increasing realization by the people on the island that the Kuomintang’s reunification policy is at a dead-end, and that formal independence and a return to the United Nations is the most logical solution to the island’s political isolation; 2) the increasing efforts by the **World United Formosans for Independence (WUFI)** in implementing its policy to move back to Taiwan before the end of 1991; 3) the events in Eastern Europe and the Soviet Union, leading to independence for the Baltic States.



Arrested overseas Independence-leaders Kuo Pei-hung (L) and Lee Ying-yuan (R)

The most significant events during these past months:

- * On 25 August, the DPP and a number of prominent scholars drafted a new Constitution of the *“Republic of Taiwan”* at a Taipei conference. The DPP announced it will use this as its platform for the upcoming National Assembly elections in December.
- * The arrest in Taiwan of two prominent leaders of the overseas independence movement: Dr. Kuo Pei-hung, chairman of the U.S. Chapter of WUFI was arrested upon his arrival on 30 August 1991, while Professor Lee Ying-yuan, vice chairman of the U.S. Chapter, was arrested in a coffee shop in Taipei on 2 September 1991, two days before he intended to appear in public.
- * On 4 September 1991, a group of 100 persons appeared in a gathering in Taichung and some 60 of them announced they were a member of WUFI — an act of considerable courage in view of the threats by the KMT authorities to sentence them to long prison sentences.
- * On 7 and 8 September 1991, several tens of thousands people demonstrated in Taiwan for a referendum on the future of Taiwan and for rejoining the United Nations under the name *Taiwan* (see following story on “40 years San Francisco Peace Treaty”).
- * On 28 September 1991, the leader of the **World United Formosans for Independence**, Dr. George Chang and his wife Tina, held a major gathering in New York City, in preparation for the return of the core leadership of WUFI to Taiwan.

On the following pages, we present some more information on these events and analyze their significance for the future of Taiwan and its people. Finally, we report briefly on several important statements made by two prominent US officials.

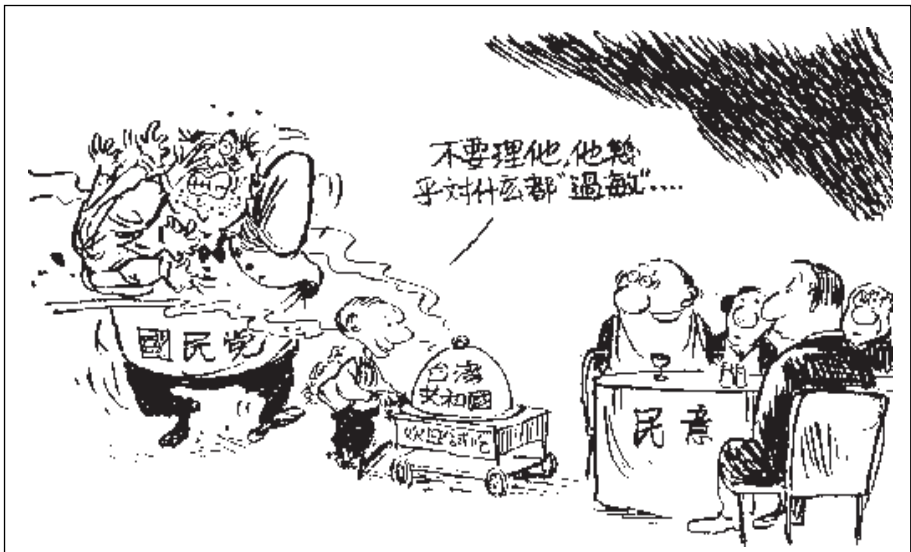
A new Constitution for the “Republic of Taiwan”

One of the major events during the past two months was the adoption of a draft of a new *“Constitution for an independent Republic of Taiwan”* at the end of a two-day seminar on 25 August. The gathering had been organized by the opposition DPP, and was attended by more than 100 delegates, including 42 scholars and representatives from various social organizations.

The DPP pointed out that a new constitution is necessary, because the Constitution of the "Republic of China" is outdated, as it was written more than 40 years ago on the mainland at the time of civil war with China. Legal scholars said that even by amendments the present Constitution cannot be adapted to the needs of Taiwan, as it moves towards a new political entity.

In the preamble of the proposed new Constitution, it states that Taiwan is a democratic republic of the people, by the people and for the people. Its territory is constituted of Taiwan proper and the outlying islands, namely Kinmen, Matsu, Penghu and others.

During the course of the two-day meeting, the most heated debate occurred on the name "Republic of Taiwan." The leadership of the DPP initially felt that the name was too sensitive, and that it would be a liability in the upcoming campaign for the December election of the National Assembly. However, the legal scholars were strongly in favor of using this name, declaring that the opposition needed to make this a major issue if it wants to gain broader support. They emphasized that a new Constitution means a new sovereignty, so it must be specific about the name of the country and its territory.



DPP waiter, bringing in *New Constitution* dish, to guests: "Don't pay any attention to him (KMT), he is always allergic to everything ..."

The draft Constitution also includes articles giving broad guarantees on *basic human rights*. Special attention is given to the rights of minority groups and the environment. It stipulates that economic development cannot be at the expense of the environment.

The Constitution was drafted with articles stipulating a *presidential system of government*. The president will be elected directly by the people, must answer to the parliament and can be re-elected only once. The term of office is four years.

On 28 August 1991, the central standing committee of DPP adopted the new Constitution as the party's platform for the December election of the National Assembly, which will meet to revise the current "Republic of China" Constitution. In a public statement, the DPP leadership pointed out that "...reunification with China is not the wish of the people of Taiwan, because the political and economic systems between the two countries are poles apart. Since Taiwan is emerging as a new and independent country, just like a new-born child, it needs a new name. The DPP joins with scholars and representatives from all walks of life in proposing a new Constitution that reflects the wishes of the people of Taiwan."

KMT officials and pro-government news media immediately started to accuse the DPP of violating the KMT authorities' "one-China" policy and openly advocating Taiwan independence. The Taiwan High Court appointed a prosecutor to investigate whether legal action should be taken against the DPP for writing a Constitution for an independent Taiwan.

Two prominent Overseas Independence Leaders Arrested

In the beginning of September 1991, the new momentum towards independence received a further boost and a rallying point when the authorities arrested two prominent overseas leaders of the overseas independence movement. Dr. **Kuo Pei-hung**, chairman of the U.S. chapter of the World United Formosans for Independence (WUFI) was arrested upon arrival at the Chiang Kai-shek airport on 30 August. Professor **Lee Ying-yuan**, deputy chairman of the U.S. chapter of WUFI, who returned to Taiwan a year ago and had been playing a "catch-me-if-you-can" game with the authorities since then, was arrested in Taipei on 2 September 1991.

The arrests were only slightly premature: the two men had planned to appear in public on September 4 in a meeting Taichung in Central Taiwan, in which some 60 opposition figures made public that they are local members of WUFI. At the Taichung meeting Mr. Hsu Liang-chun, Taiwan director of WUFI, said that the Taiwan people have the right to organize pro-independence groups under the principle of freedom of assembly. He urged the authorities to abolish the controversial Article 100 of the Criminal Code (see story on Article 100 on pp. 11-12).

However, in the middle of September, Messrs. Kuo and Lee were charged with “sedition” under Article 100 of the Criminal Code. They were also charged under the National Security Law with “illegal entry.” According to the indictment by the High Court Prosecutor’s Office, the two had “attempted to seize the country’s territory and conspired to overthrow the government.” The indictment against Professor Lee also stated that his “...intent to change the Constitution and his plot against the government are obvious” (!).

During the past two years, the two men have gained a kind of “Robin Hood” aura in Taiwan, because of their ability to avoid arrest: In November 1989, during the height of the election campaign, Mr. Kuo managed to return to Taiwan and appeared at an election rally of a DPP candidate (see *Taiwan Communiqué* no. 43, pp. 4-5). He held a press conference and then delivered a speech to tens of thousands supporters. He eluded a police manhunt and returned to the United States.

In June 1990, Professor Lee Ying-yuan, who teaches Public Health at the Business School of the University of South Dakota, also secretly returned to Taiwan after he was denied entry into Taiwan to attend an academic conference. He went into hiding after a warrant was issued for his arrest, but on a number of occasions he gave interviews to the Taipei press, and had his picture taken at well-known places to show his disdain for the security agencies.

The arrest of Messrs. Ku and Lee has sparked protests from the opposition DPP-party, the Taiwan Association for Human Rights, and the Taiwan Professors Association. They called on the KMT authorities to abolish the blacklist and open the door to overseas Taiwanese, because the right to return to one’s homeland is a basic human right. They also pointed out that the right to advocate Taiwan Independence is protected by the freedom of expression, which is sanctioned by the United Nations Universal Declaration of Human Rights.

Taiwan Communiqué urges the Taipei authorities to release Messrs. Kuo and Lee immediately. Their advocacy of Taiwan independence is an integral part of political freedom and freedom of speech as guaranteed under the Universal Declaration of Human Rights. The Taipei authorities should allow a full and open discussion of the issue of Taiwan independence. It is the most rational and reasonable solution to the island's diplomatic isolation and would be in the best interest of the people of the island.

U.S. Officials: Separate Taiwan Identity

The trend towards Taiwan as a separate sovereign entity was also acknowledged by two prominent U.S. officials, who are close to the center of U.S. policymaking towards the island. At a symposium about "Democratic Development and Reunification Across the Taiwan Strait", which was held at Pennsylvania State University from 16-18 July 1991, Mr. **Natale H. Bellocchi**, chairman of the American Institute in Taiwan, stated that "*the separate Taiwan identity, already evident, will become even more pronounced as the political and economic gap widens with the mainland*" as a result of fast economic and political developments on Taiwan.

Mr. Bellocchi stated that the increasing contacts between the mainland and Taiwan since 1986 tended to encourage this separate identity, due to "*...the realization of the extent of the differences between the two peoples — in quality of life, in ideology, in knowledge about the world around them.*"

Mr. Bellocchi concluded that further democratization would make the Taiwan leadership more accountable and responsive to the people of the island, in particular in areas such as changes in the island's international position, and would lead to further internal pressure to join international organizations such as GATT.

In fact, during the same week as Mr. Bellocchi's speech, US-President George Bush announced that he would "work actively" to support Taiwan's reentry into the General Agreement on Tariffs and Trade.

A second U.S. official, who touched on the sensitive topic of the relations between Taiwan and China, was Mr. **James Lilley**, former US ambassador to China. At the same Pennsylvania State University symposium, Mr. Lilley termed the mainland's claim of sovereignty over Taiwan "anachronistic", and described Peking's policy of

“one country, two systems” as not feasible. He then urged for a policy that would allow the two governments on both sides of the Taiwan Straits to simultaneously be members of international organizations under the “*dual representation*” concept.

Taiwan Communiqué comment: the views expressed by the two US officials reflect a welcome new realism in the thinking in US political circles. We hope they will have a positive impact on Washington’s policy towards Taiwan.

40 Years San Francisco Peace Treaty

Large-scale Commemoration in Taipei

On 7 and 8 September 1991, the democratic opposition in Taiwan organized a large-scale demonstration in Taipei to commemorate the fact that 40 years ago the San Francisco Peace Conference was held. The opposition wanted to appeal to the Taipei government to end its isolationist policies, to work towards rejoining the United Nations, and to hold a plebiscite on the future of Taiwan.



Pro "Join-the-UN" demonstrators, weaving through a rainy Taipei with a 500-meter banner

The 1951-52 San Francisco Conference was called to settle the remaining outstanding questions of World War II. The Conference and the resulting Treaty are significant for the discussion on the future of Taiwan, because at the Conference Japan renounced its sovereignty over the island, but no recipient was specified, since it was considered an unresolved question. It was concluded that “... *in due course a solution (to the question of sovereignty over Taiwan) must be found in accord with the purposes and principles of the United Nations.*”

On Saturday 7 September, some 10,000 people joined the Taipei march. They carried banners urging Taiwan’s reentry into the United Nations, in favor of a plebiscite on the future of Taiwan, and in support of the principle of self-determination. Speakers criticized the Kuomintang authorities for “*living under the fantasy that they still rule all of China*” and urged the international community to “...*respect the basic human rights of the 20 million people of Taiwan*” and let them determine their own future.

When, on the first day of the demonstration, the police refused to allow the marchers near the Presidential Office to present a petition, the marchers returned in even larger numbers on the next day, Sunday 8 September. Braving heavy rains, some 20,000 people flowed in orderly lines through the downtown area of the city, carrying banners and wearing headbands in favor of Taiwan independence and a return to the United Nations under the name *Taiwan*. Heavy police barricades prevented the marchers from getting close to the Presidential Office, but a small delegation of eight people was allowed through and presented the petition to Mr. Tsiang Yien-si, Secretary-General of the Presidential Office.

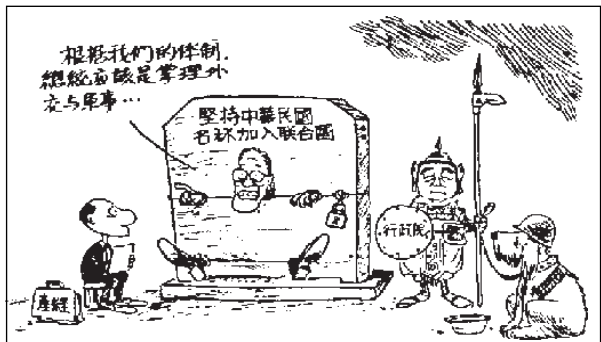
The protest was organized by a coalition of opposition groups, the DPP, the Taiwan Professors Association, the Presbyterian Church, and Ms. Chen Wan-chen’s Organization for Taiwan Nation-Building. The key initiative came from the **Association for a Plebiscite in Taiwan**, headed by Dr. Chai Trong-rong, a longtime leader in the overseas democratic movement. Slightly over a year ago, Dr. Chai returned to Taiwan with the specific purpose of working towards a plebiscite in Taiwan and organizing the demonstration of 7-8 September.

In the third week of September the District Court in Taipei indicted Dr. Chai on charges of “violating the Demonstrations Law” for leading the marchers away from the route allotted by the police, and guiding them towards the Presidential Office in order to present a petition to the President.

Towards membership of the United Nations

The events of 7-8 September proved to be a quick catalyst for the discussion about joining the UN: a few days afterwards both the Presidential Office and governmental spokesman Shaw Yu-ming, quoting Prime Minister Hau Pei-tsun, stated that the Taipei authorities would work towards joining the United Nations. However, they differed on the title under which the application should be made: Mr. Hau remained rigid and stated he wanted to restore "Republic of China" membership. The Presidential Office spokesman indicated that the Taipei government would be "quite flexible about the official title of the country" (!!).

A few days later, Deputy Foreign Minister John Chang accepted a challenge by DPP Legislative Yuan member Hsieh Chang-ting ("Frank" Hsieh) to hold a televised debate about the issue of rejoining the United Nations. Such openness is unheard of in Taiwan, where the Kuomintang authorities have attempted to keep the democratic opposition from access to television and airing their views about important issues.



President Lee, constrained by Premier Hau's insistence on using the "Republic of China."

Also, during the third week of September, a 50-member opposition delegation visited the United Nations headquarters in New York on the occasion of the opening of the General Assembly. The three main objectives of the visit were: **1) letting the world know of Taiwan's intent to join the world body, 2) put pressure on the KMT authorities in Taipei to take steps to join the UN, and 3) let the PRC know that the Taiwanese people have their own destiny, and do not want reunification with the mainland.**

The delegation, which was led by Mr. Hsieh and Ms. Lu Hsiu-lien — a longtime opposition activist and a former political prisoner — met with representatives of 23 UN members and with four of the five permanent members of the Security Council. Only the PRC delegation refused to meet with the Taiwan delegation.

On 19 September 1991, the 50 members of the Taiwan delegation, joined by some 100 members of the Taiwanese community in New York, held a rally outside the office of Peking's delegation, holding up banners and placards such as "China is China and Taiwan is Taiwan" and "Join the UN, Taiwan."

On 22 September, when the group returned to Taiwan, Mr. Hsieh mentioned that several of the UN delegations had responded positively, but said that because of the PRC's intransigence, there was still a long way to go. He urged the setting up of an office to coordinate the nationwide



President Lee buried under "One-China policy" mountain, while DPP travels towards UN-membership

movement for Taiwan to attain UN membership. On the same day, the Foreign Ministry in Taipei announced it was setting up a special United Nations Affairs section.

Lessons from Eastern Europe

The events in Eastern Europe, and particularly the attempted coup in the Soviet Union and the subsequent declarations of independence in the Baltic states, had a strong impact on the events in Taiwan.

In the third week of August, immediately after the failed coup in Moscow, members of the opposition in Taiwan — wary of the growing influence of the military, and particularly of the role played by Prime Minister Hau Pei-tsun (a former four-star general) — used the Moscow coup as an illustrative example why the military should remain in their barracks. The role of Mr. Yeltsin's supporters in preventing the coup from succeeding was likened to the crowds the Taiwan opposition would bring into the streets of Taipei in case the Taiwan military would undertake something similar.

The subsequent independence of the Baltic States brought about a heated discussion between opposition and Kuomintang supporters. Pro-independence activists argued that if the tiny Baltic States could gain independence from the mighty Soviet Union, then certainly Taiwan — which has a much larger population than the Baltic States and is economically much more powerful — could declare its formal independence and join international organizations such as the UN.

In the beginning of September 1991, the Taipei authorities announced they would seek to establish diplomatic ties with the three Baltic States, but in mid-September at least two of the Baltics, Estonia and Latvia, announced that they would establish diplomatic ties with Peking.

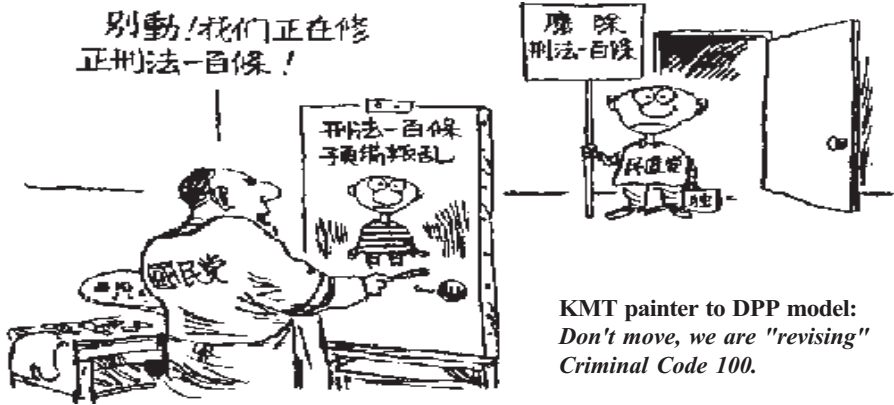
Repeal Article 100 of the Criminal Code

When we reported on the ending of the “Period of Communist Rebellion” in the cover-article of our previous issue, *Taiwan Communiqué* no. 50, we commented that ending the “Period” was a welcome sign of relaxation, but that other repressive “legal” instruments — such as the “Statute for the Punishment of Sedition”, the Criminal Code, and the National Security Law — remained in force.

The “Statute” was abrogated after the student protests in the middle of May 1991, leaving the Criminal Code and the National Security Law intact. During the past few months, one article of the **Criminal Code, Article 100**, has become the Kuomintang’s major instrument for cracking down on independence-advocates, and thus a major source of contention between the KMT and the democratic opposition.

Both the “Taitu Five”, Ms. Chen Wan-chen (see **Prison Report** on pp. 13-16), and the two recently arrested overseas independence leaders (see article on pp. 4-6) were charged under the provisions of this Article 100.

The Article stipulates that those who engage in “...*activities with the intent to destroy the national political system, seize the national territory, use illegal means to change the national Constitution, undermine the government*” can be sentenced from seven years to life imprisonment. Those who “...*prepare or conspire to commit the abovementioned crimes ...*” may receive a sentence ranging from six months to five years imprisonment.



KMT painter to DPP model:
*Don't move, we are "revising"
 Criminal Code 100.*

The democratic opposition has charged that the definition of these “crimes” is ambiguous, and that the Article is used by the Kuomintang authorities to suppress dissent, and to silence opposition to the government's outdated claim to rule all of China. They point out that the law, written in the 1940s during civil war with the Communists, is outdated. The law is enforced selectively by the KMT authorities to prosecute advocates of Taiwan independence.

Chaos in the Legislative Yuan

In the run-up towards the new session of the Legislative Yuan, which began on 24 September, DPP members of the Legislative Yuan made full abrogation of Article 100 a prime goal, and vowed they would raise it on the very first day, when Prime Minister Hau Pei-tsun was addressing the opening session of the Yuan.

KMT-negotiators tried to pacify the DPP, and said they would consider “amending” the Article, in order to make it more clear, and less ambiguous. However, the DPP, led by its new caucus whip Peng Pai-hsien, didn't budge, and on 24 September the opposition provided Mr. Hau with a noisy welcome in the Legislative Yuan: during his 35-minute opening speech, the DPP-members banged on their tables and called for scrapping Article 100 and for Hau's resignation.

Protected by dozens of policemen with large plastic shields, Mr. Hau continued to read his “administrative report.” Only at the end he looked up and raised his hands in a half-hearted attempt to claim “victory.”

Deadline 10 October 1991

Both the DPP party and a number of other groups have urged the Kuomintang authorities to repeal Article 100 before 10 October 1991, “Double Ten”, when the Kuomintang plans its “National Day” celebrations commemorating the 1911 overthrow of the Manchu Dynasty in China. Several groups stated that if the KMT did not repeal the Article by that date, they would stage major demonstrations blocking the “Double Ten” military parades.

One group which is particularly active in its attempts to repeal Article 100, is the “**100 Mobilization Committee**.” It is made up of leading intellectuals from the academic, cultural, religious, and legal community, led by Professor Li Cheng-yuan, a member of the prestigious **Academia Sinica**. During the past year, members of these communities have been increasingly active in advocating human rights and political change in Taiwan.

When this issue of *Taiwan Communiqué* went to press, the Committee announced that it didn’t rule out that during the National Day celebrations of 10 October, the members of the Committee would join a sit-in to protest the continuation of the Kuomintang’s repressive measures.

Prison Report

“Taitu Five” on trial: “Wild Lily” power

In our previous issue we reported on the arrest in Taiwan of four young people. They were accused of violating the second article of the **Statute for the Punishment of Rebellion** for “attempting to seize the national territory, to change the national constitution, to overthrow the government by illegal means.” The mandatory penalty on this particular charge was the death sentence.

The Investigation Bureau claimed that the four were members of the **Association for an Independent Taiwan**, an organization based in Tokyo, which advocates

Taiwan independence. The four were Mr. Chen Cheng-jan, a graduate of National Taiwan University and a businessman; Mr. Liao Wei-chen, a graduate student from the department of history at Tsing Hwa University; Ms. Wang Hsiu-hui and Mr. Lin Yen-fu, a graduate of Tainan Theological College.



"Taitu Five" after one of their High Court appearances in August 1991

The arrests prompted an interesting sequence of events: in the days immediately following the arrests there was such an uproar that the Kuomintang authorities were forced to abrogate the Statute for the Punishment of Sedition, under which the four had been charged. On 22 May 1991, President Lee Teng-hui formally repealed the draconian Statute, and thus took the next step in erasing the “Mobilization Period for the Suppression of the Communist Rebellion” under which the Statute was one of the “legal” instruments to repress the opposition.

The wave of protests also forced the resignation of Mr. Kao Ming-hui, the Deputy-Director of the Investigation Bureau of the Ministry of Justice, who was responsible for directing the arrest of the four. On 17 May 1991, the four were released on bail, but on the same day they were still indicted by the Taiwan High Court Prosecutor’s Office under Article 100 of the Criminal Code on charges of “conspiring to commit sedition.”

The student protests culminated in a large demonstration in downtown Taipei on 20 May 1991. The gathering, which was attended by between 15,000 and 20,000 people, demanded that the four be released and that the charges against them be dropped. The demonstrators also urged that Prime Minister Hau Pei-tsun resign because of his obstruction of the development of democracy in Taiwan and for reintroducing “white terror” — a reference to the bloody purges by the Kuomintang secret police in the 1940’s and 1950’s.

At the first session of the trial, on 22 June 1991, the judges prohibited the four from entering the court room because the defendants each carried a bunch of wild lilies, symbolizing grass-root character of the democracy movement in Taiwan: the wild lilies can be found only in the high mountain areas of Taiwan. The “Wild Lily” power of Taiwan’s students first surfaced in Taiwan during the student demonstrations in the Spring of 1990 (see *Taiwan Communiqué* no. 44).

Later a fifth person, Mr. An Cheng-kuang, was added to the group, because according to the authorities he was guilty of complicity with the other four, thus making them the “Taitu Five” (“*Taiwan Independence*” Five). At further sessions of the Taiwan High Court, on 3, 16, and 31 August, the five denied charges that they had been members of the Association for an Independent Taiwan, asking the Court to summon Mr. Shih Ming, the elderly leader of the Japan-based group. However, the Court refused. Lawyers for the five also accused the judges of bias against the defendants, and stated that the Court had refused to examine several major pieces of evidence which could benefit the accused, without giving any reasons. When this issue of *Taiwan Communiqué* went to press, no verdict had been handed down yet.

Chen Wan-chen: Taiwan Nation-Building

On 16 May 1991, Ms. Chen Wan-chen (41), a former *China Times* reporter, who has been an opposition activist since the late-1970’s, established the **Organization for Taiwan Nation-Building** in Taichung, in Central Taiwan.

This fact would have gone virtually unnoticed to the outside world if one month later, on 26 June 1991, the Kuomintang authorities had not indicted Ms. Chen on charges of “sedition” under Article 100 of the Criminal Code. If convicted, she could face prison term from seven years to life imprisonment. So far she has defied court summons and refused to appear in court. The High Court in Taichung has issued a warrant for her arrest.

Ms. Chen’s main “crime” is that she set up the OTNB as the first Taiwan-based chapter of the **World United Formosans for Independence**. The media and the KMT authorities have attempted to portray her as a radical and violent activist for the Taiwan independence, but she has earned respect from her supporters for her strong conviction and her singlemindedness in fighting for the freedom of speech to advocate Taiwan independence. Hundreds of supporters, inspired by her undaunted spirit and resourcefulness, have joined her organization.

After the High Court in Taichung issued a warrant for her arrest on 12 August, members of her organization stated that they would resist any attempt by police to arrest Ms. Chen. The headquarters of the organization in Taichung was turned into a veritable fortress, and her supporters “armed” themselves with hoes, firecrackers and even petrol bombs.

However, after a confrontation occurred on 25 August 1991 between three of Ms. Chen’s supporters and police, the OTNB announced on 30 August that they would destroy all their home-made weapons in order to stop the smear campaign orchestrated by the pro-KMT media against OTNB as a violent group. They said that their few home-made weapons were no match for the well-equipped police force. In

the presence of witnesses, she set fire to a big pile of petrol bombs, sticks and hooks. She declared that she would continue the fight by peaceful means.



Ms. Chen Wan-chen

“Since the door was locked, I had to climb the wall”

Ms. Chen has a long record of “firsts” in political activism in Taiwan and overseas. Before she went to the United States in 1979, she was an outspoken journalist working for *China Times*. Her articles were strongly critical of the policies of the KMT authorities. In the national election of December 1978, she was a strong candidate for the Legislative Yuan. The election was canceled after the United States established diplomatic ties with China.

In 1979, to break the monopoly of the pro-KMT establishment newspapers, she set up her own “underground newspaper”, with coverage of the interpellations of two prominent opposition members of the Provincial Assembly, Messrs. Lin Yi-hsiung and Chang Chün-hung. While visiting the United States in the summer of 1979, she heard the news that her coworkers for the newspaper had been arrested. She became the focus of media attention after she began a 12-day hunger strike in front of the KMT consulate office in New York. Her coworkers were soon released.

She was blacklisted and could not return to Taiwan after she signed a declaration denouncing the KMT authorities for the arrest of the opposition leaders in the wake of the Kaohsiung Incident of December 1979.

In the United States she was active in the overseas Taiwanese community, serving as an editor of the Los Angeles-based *Formosa Weekly* and other positions.

Her first attempt to return to Taiwan in July 1988 was unsuccessful. She was detained at Taoyuan International airport and was forcibly put on a return flight back to Los Angeles, where she was a resident.

However, in May 1989, she became the first of the blacklisted overseas Taiwanese to successfully return to Taiwan: on 19 May, she appeared at the funeral of Cheng Nan-jung, who died on 7 April 1989 after setting himself on fire when police stormed his office to arrest him on sedition charges for printing a draft of a Constitution for the Republic of Taiwan written by a Taiwanese scholar in Japan.

She was then prosecuted for illegal entry into Taiwan under the National Security Law. During court hearings, she refused to tell the judge how she entered Taiwan. She said: “since the door was locked, I had to climb the wall.” She was given a suspended sentence on that charge.

Special report: Aborigines

Archaeological site shows ancient culture

One of the largest archaeological sites in Taiwan is being destroyed in order to make way for the construction of a waste water purification plant. Archaeologists from the **Academia Sinica** have been given a deadline until the end of September to uncover as much as they can of an aboriginal cultural relic.

At issue was the *Shih-san-han cultural site*, which is located on the Northwestern coast of Taiwan, at Pali in Taipei county, about an hour’s drive from Taipei. The cultural site was believed to be inhabited by the aboriginal Kagrand and Kemalan tribal people of the Ping-pu tribe, which disappeared about a century ago.

Excavations beginning a year ago found a major treasure-trove of Taiwan's ancient culture. Archaeological researchers discovered 13 ancient burial sites of the Ping-pu tribe. In July 1990, an iron smelter measuring 11 by 12 meters was unearthed. Researchers estimate it to be between 800 and 1800 years old.

Professor Liu Yi-chang, who is leading the excavation, indicated that the iron smelter was the first ever found in Taiwan and it could prove that iron was used in the pre-historic period, and could confirm that the Ping-pu aboriginal tribe had highly developed ancient culture.

Also unearthed were a large amount of iron scraps (about one kilogram), pottery, stoneware, jade and glass ornaments, bronze bowls and old coins from the Tang and Sung Dynasties. Professor Liu indicated that these artifacts could prove that the Ping-pu tribe engaged in trading with coastal provinces of China as early as the ninth century.

Unfortunately, the cultural site was earmarked by the Environmental Protection Administration as the site for a waste water purification plant and the work of building a foundation began in April 1989. Although it was discovered as early as 1958 by archaeologists, the authorities did not take any action to preserve it. Appeals by archaeologists to relocate the water purification plant were to no avail.

In August 1991, an **Alliance to Save the Shih-san-han Cultural Relic** was formed, consisting of scholars, historians, writers, environmentalists and students. The Alliance made urgent appeals to President Lee Teng-hui and the Executive Yuan to relocate the water-purification plant in order to preserve a Taiwanese cultural heritage, which could contribute to the understanding of the early period of Taiwan's history.

After a visit by Premier Hau Pei-tsun to the site on 3 August 1991, a small token area of 2,000 square meters out of a total area of 60,000 square meters will be preserved. Archaeologists were given a deadline until 30 September 1991 to complete the excavation.

The decision to preserve such a small area was criticized by scholars as being short-sighted. The Alliance pointed out that the KMT authorities would spend lavishly to preserve and maintain sites of Han Chinese cultural relic, but would not preserve a major aboriginal cultural relic.

They also asked the authorities not to distort history in order to fit their political ideology, because the authorities made the assertion that the Shih-san-han cultural relic has helped trace the roots of Taiwan back to China and bolster the claim that Taiwan is part of China.

Mr. Chang Yen-hsien, a historian from the Academia Sinica, gave a different perspective. In an interview with the *Independence Weekly Post* on 9 August 1991, he pointed out that the preservation of the cultural relic is important because it can help archaeologists, anthropologists and historians to rewrite the history of Taiwan and establish a new Taiwan cultural identity, a multi-racial rather than the Han Chinese cultural identity.

The Alliance in a statement strongly opposed the assertion made by the authorities that the Shih-san-han cultural relic bolstered the claim that Taiwan is part of China. They pointed out that the authorities made the claim even before the excavation was completed and before the research was to begin.

Aborigines address United Nations Committee

In the beginning of August 1991, two representatives of the **Alliance of Taiwan Aborigines**, Messrs. I Chiang and Lava Kau, presented a report on “the Human Rights Situation of Taiwan’s Indigenous Peoples” to a meeting of the United Nations Committee of Indigenous Peoples in Geneva, Switzerland. The report contains an excellent overview of the difficult situation in which the original people of Taiwan find themselves.

The authors start with a brief description of the 11 tribes, which totally count some 340,000 people, thus constituting 1.7% of the population of the island. While originally they inhabited all parts of the island, they now live largely in the mountains, on the Eastern plains, and on the off-shore island of Lanyu.

The authors then continue with a historical perspective, tracing the position of the aborigines from the Dutch and Spanish colonial period, via the rule of Cheng Chen-kung (Koxinga), the Manchu Dynasty, the Japanese period to the Chinese Nationalist rule of post World War II. Then — in a reference to the PRC’s claim to sovereignty over Taiwan — the authors state:

“...we, as members of Taiwan’s indigenous peoples, have the obligation to inform the governments and indigenous peoples representatives who are attend-

ing this United Nations conference, as well as members of the United Nations, of the fact that, *as the government of the People's Republic of China (PRC) has never ruled Taiwan, Taiwan belongs to the 20 million people of the island — Taiwan does not belong to China.*”

The two authors then focus on policies of the Kuomintang authorities, blaming their decades-long blind pre-occupation with “recovering China” for the disregard of Taiwan’s indigenous people and its natural environment. They state:

“The KMT Constitution, implemented in 1947, was legislated in China and is therefore unsuitable for Taiwan. It contains no laws that directly describe or protect the rights of Taiwan’s indigenous peoples; therefore we have no right to self-determination and no collective right as a group.

The basic policy of the KMT government toward the indigenous peoples is one of artificial assimilation, aiming at the complete effacement of the indigenous peoples’ consciousness of their own history, culture and language.”

The authors then addressed the issue of political rights, and stated:

“Taiwan’s government has deprived the indigenous peoples of our political, cultural, economic, educational, and social autonomy. In terms of political participation, it has designed a system of “protective quotas,” symbolically handing the indigenous peoples a few seats in Taiwan’s legislative bodies.

In the parliament, where the majority rules, the rights and welfare of the indigenous peoples are completely at the mercy of the Han majority, a fact which renders our quotas little more than political ornament.

Indeed, as the Taiwanese people did not have the right to form a political party before 1988, the KMT has enjoyed decades of one-party rule among the indigenous people, a monopoly which it has maintained to this very day. Party intervention in the areas of predominantly indigenous population is highly organized and pervasive; elections at all levels always yield results that conform to the will of the Party. Taiwan’s political system is entirely under the control of the KMT and the Han people; indigenous peoples have absolutely no voice, let alone autonomy, in such a political system.”

The authors then focus on legal rights. In this section they state:

“In 1987, the KMT government lifted martial law, and put in its place **National Security Law**, which continues to impose many restrictions upon the mountain areas inhabited by indigenous peoples. In other words, martial law continues to rule these areas.

In a section on Land Ownership and Economic Rights they say:

“Traditionally, indigenous societies have thrived upon subsistence economies, where each tribe makes its livelihood as dictated by its geographical environment. However, under the laws that were legislated in accordance with the Chinese value system, all hunting, fishing, lumbering, and agricultural activities undertaken by the indigenous peoples on their own ancestral lands are now strictly forbidden.

Every year indigenous peoples from various parts of the island, uninformed of or unable to obey these laws, are punished according to the KMT’s laws and often must serve 2-3 year prison sentences. Deprived of their resources and lands, indigenous peoples can no longer eke out a living in their traditional tribal villages. Large numbers of those who are capable of physical labor have flowed toward the industrial towns and cities to become laborers.

...(where they) enter labor-intensive jobs that require little or no technical training and tend to be low in both status and pay. The men are primarily workers in wood and steel manufacturing, truck drivers, miners, and deep-sea fishermen, while most women become electronic and textile workers. ...

Taiwan’s international image may be that of an economically prosperous and wealthy nation, boasting foreign exchange reserves of US\$ 80 billion and an annual individual income of US\$ 8,000. However, these figures are as far as we are concerned, legerdemain figures that have little meaning. Indeed, Taiwan’s economic development has been attained at the expense of the rights of workers and of the environment; the wealth is concentrated in the hands of a few capitalists, and the gap between rich and poor is very wide.”

In sections on Cultural and Educational Rights, and on Social Rights, the authors give further examples of the deprivation of these rights by the KMT authorities. They especially focus on child prostitution:

“...a significant portion of indigenous girls and young women have absolutely no human rights whatsoever. Bought and sold as child prostitutes, they are in every sense the victims of an established system of slavery with which the entire Chinese society is complicitous. Aged from 9 to 18, these girls are estimated to account for 20% of the child and adolescent prostitutes in Taiwan...

...Given hormonal shots, beaten tortured, and repeatedly raped on a daily basis, these girls live entirely outside modern society and the rudiments of human rights by which such a society supposedly defines itself. The very survival of our ethnic groups is jeopardized as the daughters and future mothers of our race are reduced to commodities and denied their very right to existence as human beings.”

In closing, the authors express their expectations of the United Nations:

“Even though Taiwan is currently not a member of the United Nations, the indigenous peoples are part of the world community. This is the first time Taiwan’s indigenous peoples have had the chance to report the human rights problems we confront.

We ... sincerely hope that the United Nations and other concerned international organizations will scrutinize the human rights of Taiwan’s indigenous peoples based on the principles of international justice that you uphold.”

Notes

Ten Years since Death of Professor Chen Wen-cheng

In July 1991, it was ten years ago that Professor Chen Wen-cheng died. A memorial service was held in Taipei to commemorate the event.

In the early morning of 3 July 1981, Professor Chen’s body was found at the bottom of a building on the campus of National Taiwan University. “Suicide” said KMT government authorities. “Impossible” said those who knew him. They pointed out that on the previous day Professor Chen had been called in for questioning by the

Taiwan Garrison Command, and had been interrogated for 13 hours about his political activities in the United States, where he had just received an appointment as Statistics Professor at the prestigious Carnegie Mellon University in Pittsburgh.

Professor Chen's case remains one of Taiwan's unsolved political murders in the 1980's (see *Taiwan Communiqué* no.'s 5, 9, 38 and 49). The other major case is the murder of the mother and twin-daughters of opposition Provincial Assembly member Lin Yi-hsiung on 28 February 1980.

Taiwan Communiqué urges the Kuomintang authorities to come clear of these black pages in its recent history and see to it that those in the security agencies responsible for these murders are prosecuted, and that justice is done to the families of Assemblyman Lin and Professor Chen.

Taiwan or China: the State Department goes haywire !

by Bernie Huang. Mr. Huang is a second-generation Taiwanese-American working with the Asia Resource Center in Washington DC.

“If you are born in Taiwan, you are born in China.” This may sound bizarre, but it is true, at least according the US Department of State. Those born in **Taiwan** and who became U.S. citizens *may not use* Taiwan as their birthplace in their passports. The official instruction for the US passport agency is to use **China** instead of Taiwan.

Things you buy are “made in Taiwan,” but — *if we follow the State Department's twisted logic* — Taiwanese people are **not** from Taiwan. Taiwan is thus erased from the map that the US government uses. Why ? The people in Taiwan call themselves Taiwanese, but the ruling Kuomintang regime calls itself Chinese. The U.S. government de-recognized the government in Taiwan in 1978 in order to — slightly belatedly — recognize China. Then Congress enacted the *Taiwan Relations Act*. Now the State Department *will not use* the word Taiwan on its documents. Definitely, the State Department has a problem.

The solution is easy: we want the State Department to respect the basic rights of US citizens born in Taiwan. Those who want their place of birth as Taiwan should not have it altered to any other name.