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Military authorities burn Lei Chen Memoirs

“Thought police” destroys important historical document

At the end of April 1988, in an act of ultimate censorship, authorities at Hsintien military prison burned the original copy of the memoirs of the island’s most prominent pioneer for democracy, Mr. Lei Chen. This became known in Taiwan at the end of July of this year. The burning of the memoirs — the only copy known to exist — took place just after defense minister Cheng Wei-yuan had promised Mr. Lei’s 86 years’ old widow that the memoirs would be returned to her.

Mr. Lei — who died in 1979 — was a prominent mainlander within the Kuomintang’s political hierarchy. In the late 1950’s he became disenchanted with Chiang Kai-shek’s one-party rule, and started to publish a magazine, the Free China Fortnightly, which advocated democratization and the establishment of an opposition party. This was not to Chiang Kai-shek’s liking, and in 1960 Mr. Lei was arrested and sentenced to 10 years imprisonment. He was released in 1969, but the prison authorities refused to return to him the memoirs, which he wrote while in prison.



Mr. Lei Chen

Mr. Lei's case became front-page news in Taiwan again in the beginning of this year, the death of President Chiang Ching-kuo — several prominent former political prisoners and their families appealed to the new President Lee Teng-hui to clear their names. Mr. Lei's widow, Sung Ying, who is herself a member of the Control Yuan (an administrative watchdog group, which is rather powerless) also asked the Control Yuan to launch a new investigation into the arrest and entencing of her husband in 1960. She presented evidence that her husband had clearly been framed.

The Defense Ministry covers up

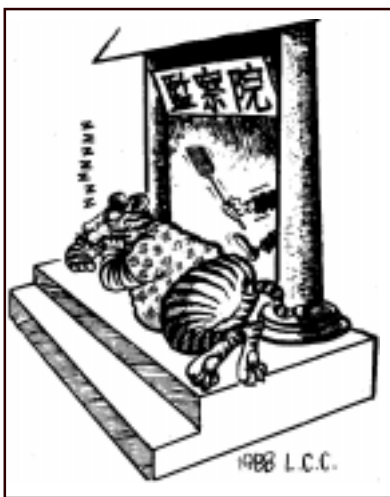
On July 27th, the news of the burning of the memoirs took a dramatic turn, when the United Evening News, a pro-government newspaper with close ties to the military, disclosed that defense minister Cheng Wei-yuan "personally approved" the burning of the memoirs, after being "ordered" to do so by the National Security Bureau, a high-level secret police organization. The defense ministry denied the report, but at the same time started an investigation into who leaked the information to reporters.

The disclosures come at a crucial time for Taiwan, where the ruling Kuomintang has just completed a major party congress, during which the reform-minded Lee Teng-hui was elected as party chairman, but in which the conservative and right-wing extremist

factions associated with the military and secret police retained much of their influence. The case is likely to put the military and secret police on the defensive.

The Control Yuan swats flies

The events surrounding the burning of Mr. Lei's memoirs showed that the Kuomintang's major watch-dog body, the Control Yuan, is rather useless: it barely barks and wouldn't dare to bite. The document was burned after the Control Yuan announced it would attempt to find the memoirs. The Control Yuan member in charge of finding the document, Shieh Kuen-shan, only made a half-hearted attempt: he didn't start his investigation until mid-July —



Swatting at Tigers

more than two months after the burning — and then only cursorily questioned Defense Minister Cheng about his role. He then decided he was “very satisfied” with Cheng’s explanation. There was “no need” to question General Soong Hsin-lien, the head of the National Security Bureau. He hastily concluded that he didn’t believe Chen and Soong were involved in the decision to destroy the memoirs, and suggested that, in any case, the memoirs were “unimportant.”



Protesting the Burning of Mr. Lei Chen's memoirs

Immediately a group of prominent historians in Taiwan strongly disputed Shieh’s remarks. They pointed out that in the 1940’s Mr. Lei Chen had been justice minister when the Nationalist government was still based in Nanking, that he was one of Chiang Kai-shek’s confidants, and that he had been part of the Nationalists’ negotiating team which held — unsuccessful — talks with the Chinese Communists in 1948 and 1949. The historians stated that the document certainly would include valuable historical information, and urged the military authorities to preserve any copies which might have been made. According to some press reports in Taiwan, the military had made copies of some parts of the memoirs before burning it.

The lack of firm action by the Control Yuan prompted a cascade of derisive articles and comments in the press in Taiwan. The Yuan was portrayed as a “toothless tiger,” incapable of even growling. In an attempt to polish up its image, A 12-member Committee of the Yuan subsequently decided to impeach two lower-level officials who were involved in the burning: the Director of the Judge Advocate Bureau in the Defense Ministry, Mr. Wu Sung-chang, and the warden at Hsintien Military Prison, Mr. Wang Lu-sheng.

This prompted a large-scale demonstration in Taipei: on 9 August 1988, several hundred persons armed with big fly swatters staged a demonstration outside the Control Yuan building. With the fly swatters they wanted to poke fun at the habit of the Control Yuan to only swat at lower-level officials, and not daring to impeach the higher-ups.

* * * * *

National Security Council Proposes Piece-meal Democracy *Perpetuation of an undemocratic system*

In mid-August 1988, a task force of the National Security Council in Taiwan made its proposal for restructuring the legislature. As we reported in previous *Communiqué*'s, the Kuomintang authorities have — in response to the increasing demands for a fully democratic political system — made vague promises that the legislature will be “restructured.”

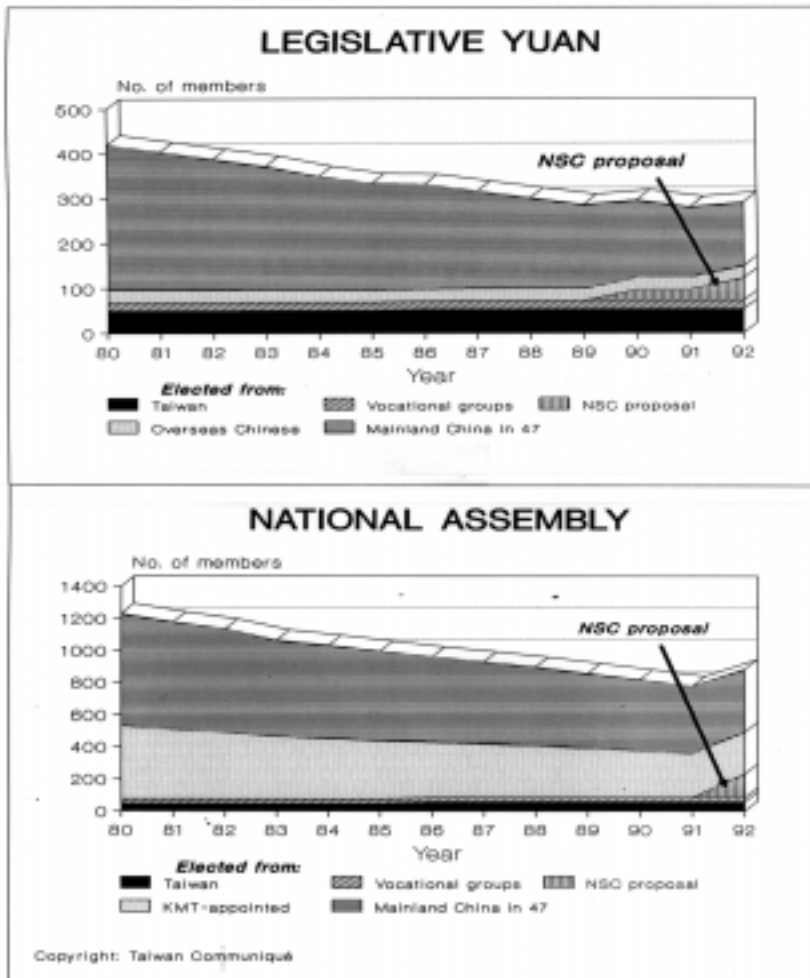
However, in a highly peculiar move, the Kuomintang caucus in the Legislative Yuan decided this Spring that it would not consider proposals for restructuring, but that this task would be referred to the National Security Council (see *Taiwan Communiqué* no. 35, pp. 3-4).

In the beginning of August, a task force of the Security Council announced its conclusions: as could be expected, the proposals amounted only to piece-meal democracy:

1. In the Legislative Yuan, the number of seats contested in Taiwan would be increased by 25 in 1989, and by another 25 in 1992;
2. In the National Assembly, the number of seats contested in Taiwan would be increased by 146 in 1992, and by another 135 in 1998.

3. In the Control Yuan, the number of seats contested in Taiwan would be increased by 22.

While on the surface these seem considerable increases, an overall view, as shown in the graphs below, makes it clear that in the “new” situation in 1992 still only some 40 % of the seats of the Legislative Yuan and some 25 % of the seats of the National Assembly would be contested on Taiwan. Still a far cry from true democracy.



As can be seen on these graphs, the total number of members of the National Assembly and Legislative Yuan does not remain constant: attrition due to old age takes its toll. In drawing up the overviews, we assumed that between 1988 and 1992 some 15 members of the Legislative Yuan and 40 members of the National Assembly would pass away annually. These rates correspond to the present rates of attrition.

A statistical overview of the present situation with regard to the representation in all three of Taiwan's national legislative bodies is given below. Situation as of the beginning of 1988:

	LEGISLATIVE YUAN	NATIONAL ASSEMBLY	CONTROL YUAN
Elected directly by the people in Taiwan:	54	57	--
(S)elected from:			
Professional groups:	16	16	
Women's groups:	--	7	
Aborigines:	2	2	
"Fukien Province":	1	2	
Elected indirectly via Provincial Assembly and City Councils:	--	--	22
Total number of seats contested in Taiwan:	73	64	22
Appointed from over- seas Chinese groups:	27	--	10
Old "permanent members" elected on mainland China in 1947	210	511	36
"Alternate delegates", appointed since 1947	--	102	--
TOTAL PRESENT MEMBERSHIP	313	627	68
Elected directly by the people in Taiwan	17.2 %	6.1 %	0.0 %

Significantly, the Security Council task force also proposed that — after all “senior legislators” have retired (or passed away) — seats representing mainland provinces be created and allocated to political parties according to the percentage of votes they win in an election.

Taiwan Communiqué comment: Obviously, this maneuver is designed to keep alive the Kuomintang’s forlorn claim to sovereignty over all of China. It thus keeps the highly undemocratic system in Taiwan in place, and is therefore in violation of the basic principles of democracy.

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Political trials and arrests continue

Opposition member of the National Assembly arrested

In the early afternoon of 29 August 1988, police in Taipei arrested Dr. Hung Chi-chang, a prominent DPP member of the National Assembly. Police forced their way into Dr. Hung’s house, and used teargas against Dr. Hung’s wife and parents. Some 20 leading members of the opposition had gathered at Dr. Hung’s residence in mid-morning, and attempted to convince the police not to arrest Dr. Hung, but to no avail.

After a stand-off of nearly four hours, Dr. Hung was arrested at about 1:20 p.m., when policemen from the “Thunderbolt Unit” forced their way into his house. They broke windows, furniture and ransacked the house. In the melee, several people were injured including Dr. Hung himself. His hand was cut by broken glass, and required seven stitches.

At 8:50 p.m. in the evening, Dr. Hung was released into the custody of his wife after he refused to pay bail, which was set at NT\$ 200,000 (approximately US\$ 7,000).

Dr. Hung is a well-known psychiatrist, who formerly headed the Psychiatry Department at Mackay Hospital in Taipei. He became an active politician in 1986, when he ran for a seat in the National Assembly and won with an overwhelming majority. He has been a vocal advocate of human rights and democracy in Taiwan.

The opposition Democratic Progressive Party and the Taiwan Association for Human Rights have strongly protested the brutal manner in which Mr. Hung was taken into

custody and have questioned the legality of the arrest. The authorities say that he had failed to appear in two previous court hearings in connection with the “12 June incident” of 1987, and wanted him to appear in a hearing scheduled for 30 August 1988. In the 1987 incident, a DPP-demonstration against the National Security Law — which subsequently replaced Martial Law — was marred by clashes with right-wing extremist provocateurs, who attacked the DPP-demonstration with wooden poles from behind police lines (see [Taiwan Communiqué](#) no. 31 for an account of the incident).

On 17 August 1987, the Taipei District Court indicted Dr. Hung — who spoke during the June 12 gathering — along with two other opposition members: Lawyer Hsieh Ch’ang-t’ing (a DPP member of the Taipei City Council, who was the organizer of the rally), and Mr. Chiang Kai-shih, a former opposition magazine editor. They were charged with “disrupting public order and obstructing of police duties.”

Two members of the right-wing Anti-Communist Patriotic Front (ACPF) were also indicted. However, the police investigation of the incident has been strongly partial to the right-wing extremist group — suppressing evidence against the ACPF and playing up the charges against the DPP-members.

The opposition argues that Dr. Hung’s arrest was illegal on two grounds. Firstly, it was against the law to take him into custody a day before the scheduled hearing: according to the law in Taiwan, police would only be entitled to detain him if he did not appear at a third hearing. Secondly, as a member of the National Assembly, his arrest needed the approval of the National Assembly when the Assembly was in session. Dr. Hung and several DPP leaders including chairman Yao Chia-wen tried to argue with the police about the legality of the arrest, but to no avail.

On Tuesday, 30 August, Messrs. Hung and Hsieh appeared in Court, where they filed a lawsuit against the judge who signed the warrant for Mr. Hung’s arrest. The court



Dr. Hung Chi-chang

session was rather chaotic, with supporters of the DPP-leaders shouting for the appointment of a new, more objective, judge to hear the case.

Three days later, on 2 September 1988, Mr. Hung was also indicted on charges of “obstruction of official duties” in connection with the May 20th 1988 incident (see our account in Taiwan Communiqué no. 35, pp. 8 — 14). Mr. Hung also spoke at that rally, and attempted to calm down the crowd after the confrontations with the police had started.

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Independence advocates sentenced to harsh prison terms

On 30 July 1988, and again on 20 August, further hearings were held in the High Court in Taiwan in the case against Reverend Ts'ai Yu-ch'üan and businessman Hsu Tsao-teh for their advocacy of Taiwan independence during a meeting of the Formosan Political Prisoners Association (FPPA) in August 1987 (see our earlier reports in Taiwan Communiqué no.'s 32, 33, 34 and 35).

During the July 30th hearing, the lawyers for the two again walked out of the Court in protest against the filming of the proceedings with secret cameras hidden in the ceilings. They said that it was the judge himself who should try the case on the basis of the evidence presented in the Court, and not some “invisible eye” who decided on the case from behind the scenes.

During the hearing, some 30 pastors and members of the Presbyterian Church in Taiwan — including its courageous former General Secretary, Dr. Kao Chun-ming — held a sit-down protest in front of the High Court building. They said prayers, sang psalms, and expressed their concern about the bias and lack of independence of the judiciary.

On 27 August the Taiwan High Court pronounced the verdict: Presbyterian theologian Ts'ai Yu-ch'üan's earlier sentence of 11 years imprisonment was “officially” upheld, but in a clemency “in memory of the late President Chiang Ching-kuo” the Court reduced the sentence to seven years and four months. Businessman Hsu Tsao-teh's prison terms was reduced from the original 10 years to seven years, but the “leniency” of the Court resulted in a further reduction to four years and eight months.

**Ts'ai Yu-ch'uan****Hsu Tsao-teh**

The “leniency” is primarily due to the high level of attention for the case from international human rights organizations, which regard the arrest and sentencing of the two men as a violation of freedom of expression. Both Amnesty International and Asia Watch have — along with a number of prominent U.S. Senators and Congressmen — called for their immediate and unconditional release.

The two were arrested in mid-October 1987. They stood trial before the High Court in January 1988, and were sentenced to 11 and 10 years imprisonment respectively. In April 1988, the Supreme Court referred the case back to the High Court because of “flaws in the procedures”: the strong pressure from the democratic opposition within Taiwan apparently forced the authorities to order a retrial.

Taiwan Communiqué comment: the present verdict shows that freedom of expression is still strictly limited in Taiwan. Messrs. Ts'ai and Hsu were sentenced under the National Security Law, which in July 1987 replaced the 38 years' old Martial Law. Article 2 of the National Security Law prohibits advocacy of “division of the national territory”. In the minds of the Kuomintang authorities this “national territory” includes all of China, as they still maintain a nebulous claim to sovereignty over the whole mainland.

Thus, while in all other countries in the world, governments emphasize their independence, in Taiwan one has the ironic situation that the authorities reject independence and prosecute people for advocating a free and independent political entity named Taiwan. The Kuomintang has been able to maintain itself in its position as ruling party through a ruthless secret police system and an elaborate propaganda apparatus.

The sentences are expected to further fuel the already heated debate about the future of the island. The opposition Democratic Progressive Party will continue to emphasize that in a free and open society anyone has the right to advocate independence. The DPP will also focus the debate on the lack of democracy on the island: in the national legislature, the Legislative Yuan, presently only 54 out of some 313 members were elected directly by the people of Taiwan. Most remaining ones are old “permanent legislators”, elected on the China mainland in 1947.

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“May 20th Incident” witness retracts confession

In Taiwan Communiqué no. 35 (pp. 8 - 14) we reported on the “May 20th Incident”, when a major demonstration by farmers against the agricultural policies of the Kuomintang erupted into violence. We particularly mentioned the fact that the police authorities were attempting to portray the incident as a “conspiracy.” The main “evidence” for this was that a truck driver reportedly confessed that he had picked up a load of stones near his home in Yunlin, and that he had driven these (hidden under cabbages) to Taipei to be used in the demonstration.

As we already stated in our previous Communiqué, the truck driver’s confession bore all the marks of a coerced confession. This indeed turned out to be the case: in a hearing before the Taipei District Court on 1 August 1988, the truck driver retracted his confession. He stated that the police had given him NT\$ 5,000 in cash and had promised him a new truck if he implicated the arrested officials of the Yunlin Farmers’ Association in premeditating the violence. He said that police also threatened to kill his family, to make him pay for all the damages incurred during the incident, and to imprison him on “sedition” if he did not cooperate.

In spite of this damning evidence against the police, the judge did not throw the case out of court, but simply adjourned the hearing.

A further hearing was held on 22 August 1988. At this hearing, the truck driver again told the Court that he had made his false confessions at the “request” of the prosecutors and police, who promised his acquittal and freedom if he agreed to “cooperate.” He also pointed out which police official had paid him for his “confession.”

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Report from Washington

The dismal record of the Reagan administration

After eight years of Reagan Administration we wish to draw up a brief summary of what this Republican Administration has meant for human rights and democracy in Taiwan. While the situation in Taiwan has improved significantly as compared to 1980, we must point out that this has occurred more in spite of than due to Mr. Reagan’s efforts.

Mr. Reagan’s policies with regard to human rights and democracy in Taiwan must be characterized as “see no evil, hear no evil, speak no evil.” A recent report on human rights by the widely-respected U.S.-based organization Asia Watch also concluded that the U.S. has not spoken forcefully enough on behalf of human rights and democratization. It stated:

“The failure of the Administration to promote human rights on Taiwan more vigorously is particularly unfortunate because both logic and experience demonstrate that there are few countries where the U.S. could play a more decisive role.”

Mr. Reagan has a habit of loudly proclaiming the ideals of freedom, democracy, and human rights. However, in doing this he seems to be quite selective: in the case of Taiwan, the violations of human rights and the lack of democracy on the island have been met by a deafening silence in the White House. Ironically, the only time when the State Department really moved into action was when a pro-Communist Chinese-American newspaper editor was arrested in Taipei. The many times when people

advocating freedom and democracy in Taiwan were arrested, the Department's response was muted at best. To those working for human rights and democracy in Taiwan, this boils down to a double standard.

What about Mr. Bush ?

In view of the fact that he is running for president of the United States, we probably should write something about Mr. Bush. However, there isn't much to write, because he hasn't said or done anything significant for human rights and democracy in general, or for Taiwan in particular. For all his claims to experience in foreign policy — including an ambassadorship in Peking and a stint at the United Nations — we do get the distinct impression that Mr. Bush understands very little of the outside world. The views he expresses are simple-minded — mainly boiling down to platitudes.

What does Mr. Dukakis have to offer ?

The Democratic platform does not specifically talk about Taiwan, but it does offer a pledge to “promote democracy” and “support the struggle for human rights in Asia.” This policy thus points in the right direction. If Mr. Dukakis is indeed willing to take a strong stand on democracy and human rights in Taiwan, this would be a significant improvement over the present “do nothing” approach of the Reagan Administration.

A new Taiwan policy would require both expressions of concern about the lack of human rights and democracy in Taiwan, and the willingness to back this up with leverage that the U.S. has in the form of arms sales, technology transfers, and economic relations.

However, there is some reason for concern even if Mr. Dukakis wins: Mr. Michael Oksenberg, who served on the National Security Council under President Carter, is a key adviser to the campaign on East Asian matters, and Richard Holbrooke, Mr. Carter's Assistant Secretary of State for East Asian Affairs, remains a key foreign policy figure in the Democratic party. Both advocated the use of the “China card” against the Soviet Union, and sought normalization of relations with Communist China without giving much thought to the consequences for the people of Taiwan. Holbrooke recently even wrote that his China policy did little appreciable damage to Taiwan. The dozens of leaders of the democratic movement who went to jail when the Kuomintang stepped up its repression in the wake of U.S. de-recognition will

undoubtedly disagree.

Fortunately, Mr. Dukakis has at least one adviser who is highly knowledgeable about Taiwan: Ms. Nancy Soderberg, who served as a foreign policy adviser to Senator Edward M. Kennedy (Dem. — Mass.) for the past four years, is a member of the campaign issues staff. Ms. Soderberg visited Taiwan in 1986, and has met with many leaders of Taiwan's democratic movement both in Taiwan and the United States. She drafted most of Mr. Kennedy's speeches urging the development of genuine democracy on the island.

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Overseas Taiwanese hold convention on Taipei ***Political activists not allowed into Taiwan***

The World Federation of Taiwanese Associations (WFTA) has — since its founding in 1974 — been the major umbrella organization for Taiwanese living overseas. Until the very recent liberalization in Taiwan itself, its annual meetings — alternately held in Europe, North America, and Japan — were one of the few places where a free and open discussion on Taiwanese political affairs could be held. People from a variety of political persuasions attend the gatherings and engage in lively discussions on a broad range of topics.

Because of this openness, the Kuomintang authorities long ago labeled the organization as being “secessionist” and prohibited any gatherings or activities in Taiwan itself. When during the past years the situation in Taiwan gradually grew less repressive, the idea was born that the World Federation's annual meeting should be held in Taipei. Thus, just like for centuries the Jewish people said “Next year in Jerusalem”, the overseas Taiwanese parted from its meetings with the greeting “Next year in Taipei.”

At the 1987 meeting in Ottawa it was decided to put this idea to the test, and plan for a 1988 meeting in Taipei. However, in the Spring of 1988 it became apparent that the authorities in Taipei were not ready yet for this new openness: several hundred overseas Taiwanese who planned to attend the gathering were refused a visa or a permit to return to Taiwan.

Still, a few dozen overseas Taiwanese activists were able to slip through the nets, and

showed up in Taipei. Together with the DPP-organizers, they proceeded with the meeting, which took place from 19 — 21 August 1988 in Hsintien, a suburb of Taipei.

The president of WFTA, Mr. Li Hsien-jung, had been refused permission to return to Taiwan, and thus had to address the convention in a pre-recorded video tape and via a long-distance phone call. DPP chairman Mr. Yao Chia-wen gave the keynote speech. The gathering ended with a rally in downtown Taipei on Sunday, 21 August 1988, attended by some 4,000 people. The convention also issued a six-point statement, which we summarize as follows:

1. The right to return to one's home country is an inalienable human right.
2. The people of Taiwan have the freedom to advocate independence.
3. Release all political prisoners. Stop all forms of political persecution and the use of violence by the authorities against the people.
4. Enact February 28 as a "memorial peace day" and make it a public holiday.
5. Establish a new constitution and a new political system, which corresponds to the principle that the sovereignty of Taiwan belongs to the people of the island.
6. The people of Taiwan should be the citizens of a new country, which is a full and dignified member of the international community.

In memoriam Stella Chen

Mrs. Tsui-yu “Stella” Chen, who has been in the forefront of the overseas Taiwanese democratic movement for decades, died in a hospital in Taiwan on 20 August 1988, at the age of 72. Just a few days before her death, Mrs. Chen returned to Taiwan from Puerto Rico to participate in the annual convention of the World Federation of Taiwanese Associations. She was invited to deliver a major speech on “Women’s participation in Taiwan’s democratic movement.”

Mrs. Chen, who had been an outspoken critic of the KMT authorities in Taiwan, was refused visa to visit Taiwan by the trade office of the Taiwan authorities in the U.S. In her attempts to find an alternate way to return to Taiwan, she travelled to Singapore and was able to obtain a visa there. However, she caught pneumonia during her long and exhausting travel, and had to be hospitalized as soon as she arrived in Taiwan. A few days later she died from acute pneumonia.



Mrs. Stella Chen

Mrs. Chen was the former president of the School of Nursing of National Taiwan University. As a dedicated educator, she had consistently resisted interference from high officials in the hiring of teaching staff. As a result she was prosecuted on trumped-up charges of corruption. She was later acquitted after a long legal battle.

To escape further political persecution, she left Taiwan in 1963, and went to work for the World Health Organization of the United Nations. After her retirement, she became an active supporter of the democratic movement in Taiwan. In 1986 she founded an organization Women for Democracy in Taiwan (WMDIT), with the aim to encourage women’s participation in political affairs.

In the summer of 1987, she returned to Taiwan for a visit after 15 years of exile. During her brief stay, she travelled tirelessly around the island and delivered speeches to encourage women in Taiwan to become active members of the thriving democratic movement. The KMT authorities accused her of “advocating independence sentiments”, and her visa was revoked at departure.

The people of Taiwan and the overseas Taiwanese community mourn the loss of a torchbearer of Taiwan’s democratic movement.

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The freedom to return home

The events surrounding the Convention of the World Federation highlighted an interesting facet of the Taiwan question: just like in Mr. Pinochet’s Chile, the Kuomintang authorities have banned overseas political activists from returning home. The most well-known case is the U.S.-based Mr. Hsu Hsin-liang, who has attempted to return to Taiwan several times, but each time he was turned away again. On November 1986, his attempt to return led to a major confrontation between his supporters and riot troops at the Taoyuan Airport (see our account in Communiqué no. 28, pp. 15 - 18).

On 24 July 1988, another overseas political activist tried to return home: Ms. Chen Wan-chen, a political journalist, flew into Taoyuan Airport incognito. She had put on a wig and used her sister’s passport. However, she was caught when she attempted to dash past security guards. A major confrontation ensued because a large number of opposition supporters had converged on the airport to welcome home Dr. Hung Chi-chang (see article on p. 7) who was returning from a visit to the United States.

The stand-off lasted for three hours, but the opposition members present at the airport could not prevent the airport police from unceremoniously dragging Ms. Chen back to the Singapore Airlines aircraft.

Ms. Chen became well-known in Taiwan when she started Tide Magazine one of Taiwan’s first magazines covering politics. Her pioneering coverage of the debates in the Taiwan Provincial Assembly in 1978 and 1979 was instrumental in making several early leading opposition members of the Provincial Assembly well-known on the island. When — during a visit to the United States in 1979 — she learned that the

Taiwan Garrison Command had banned her publication, she staged a hunger strike in New York. Since then she has been barred from returning to Taiwan.

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Prison report

Editorial: Let Shih Ming-teh go !

It has been 8½ years since Shih Ming-teh was arrested. In 1978 and 1979 the former political prisoner was one of the key figures in the budding democratic movement. In his capacity of manager of Formosa magazine — which at that time was the focus of the democratic movement — he was the main organizer of the now well-known International Human Rights Day celebration of 10 December 1979, in the southern port-city of Kaohsiung. The peaceful gathering ended in chaos after riot troops released teargas, and pro-Kuomintang instigators incited violence.

The authorities later used the incident to arrest virtually all prominent opposition leaders. Mr. Shih was initially able to avoid arrest, but on 8 January 1980 he was caught. Eight major opposition figures — Mr. Shih among them — were accused of “attempting to over-throw the government” and tried in military court. Mr. Shih received a life sentence, the others were sentenced to prison terms ranging from 12 to 14 years. Several dozen other opposition figures were sentenced to prison terms of up to seven years.

All “Kaohsiung” prisoners have now been released — only Mr. Shih remains. Throughout the years, he has steadfastly stuck to his conviction that he was innocent of the political charges against him and that the authorities should thus release him unconditionally. In April 1988, when the authorities announced an amnesty on the occasion of the death of president Chiang Ching-kuo, Mr. Shih’s sentence was reduced



Mr. Shih Ming-teh

to 15 years. Although he then became technically eligible for parole, the authorities refused to release him, because his “behaviour” had not been good. His family then appealed for medical bail, but the authorities also refused this, because he was not “ill enough.” Mr. Shih then went on a hunger strike, which continues to this day. He only drinks fluids and is force-fed by the staff of the Three Services Military Hospital, where he is being held (see our Taiwan Communiqué no. 34, pp. 14-15).

Mr. Shih’s imprisonment took a tragic turn on 23 August 1988, when his older brother, Shih Ming-cheng, died of complications following a four months’ hunger strike. In an incredibly heartless decision, the newly-appointed Justice Minister, Mr. Hsiao Tien-tzang, refused permission for Shih Ming-teh to attend his brother’s funeral.

The older Shih had started his hunger strike in April 1988 in solidarity with his younger brother. Just like Shih Ming-teh himself, the older Shih was also imprisoned in the 1960’s on political charges: accused of “sedition” in connection with his brother’s activism, he served a 5-years’ prison term. He later published several novels based on his experience in prison. These won wide acclaim.

Taiwan Communiqué appeals to the Taiwan authorities to show compassion and let Shih Ming-teh go. Keeping him imprisoned serves no purpose. It will only deepen the anger, and embitter those in Taiwan who strive for a just and democratic society. The authorities can enhance their international image and lay the foundation for reconciliation by setting Mr. Shih free.

We also appeal to the international community, politicians and the international press to make use of the opportunities and means available to them, to bring the message home to the ruling Kuomintang in Taiwan that it is in their own interest that Shih is freed.

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Prison guards sentenced for torture

In the case of the death of Mr. Chen Wen-tzung due to torture by the prison guards — see Taiwan Communiqué no. 33, p. 23 — the authorities finally took some action, but only after Chen’s family requested an examination by the public prosecutor. This showed that at the prison he had first been handcuffed to a tree and later shackled and

ted to a stretcher and beaten mercilessly. There were signs of severe beatings all over his body.

On 6 July 1988, eight prison guards at the Taitung Detention Center were sentenced to prison terms ranging from ten months to four years on charges of torturing Mr. Chen to death.

Mr. Chen had entered the Taitung Detention Center on October 30, 1987. On that first day he was treated to rounds of beatings by the guards for making noise in his cell. Two days later he was taken to an isolation cell, where he was thrown to the ground, causing injury to his head. Then he was systematically kicked, whipped and beaten with fists and batons until he fell unconscious. On 1 November 1987, he died in the hospital from serious injuries on his head, face, chest, abdomen and legs. The police authorities first stated that he had been drunk and that he had caused his own death by “beating his head against the wall.”

In a separate case, on 2 August 1988, three wardens at the Kaohsiung Detention Home were each given a seven months’ prison term for torturing inmates at the prison. The charges against the wardens were filed by a former inmate, a Mr. Tung, who fortunately survived the ordeal. He said that he was locked in solitary confinement and that the three wardens hit the soles of his feet with leather whips hundreds of times. Another prisoner, named Chang, was tied to a stretcher and had to lie in his own excrement for three days, while the guards used a cattle prod to apply electricity to his genitals.

Interestingly, Mr. Chang and nine other inmates testified on behalf of the wardens. However, the judge wisely concluded that their testimony was not credible, because, “being in jail, they are not free to tell the truth.”

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AI concerned about death sentences in Taiwan

The London-based human rights organization Amnesty International recently issued a paper expressing its deep concern about death sentences in Taiwan. The paper was prompted by the execution, on 27 May 1988, of Mr. Wu Hsin-hua. Mr. Wu — along

with seven other persons — had been charged with being a member of the “Hsinchu Crime gang” which reportedly committed a number of armed robberies and murders in the period 1981 through 1986.

After he was sentenced to death by the Hsinchu District Court on 27 January 1988, Mr. Wu’s sentence was subsequently upheld in the High Court and Supreme Court. Mr. Wu’s execution, which took place on 27 May 1988, took more than an hour: he was found to be still breathing after the first two shots were fired into his chest at 5:15 a.m. Later on, two more shots were fired, but, although unconscious, he was found to be still alive. A investigation into his medical records showed that his heart was tilted to the right. A fifth and fatal shot was then fired into his heart at 6:18 a.m., more than an hour after the execution had started.

During the past few years, at least 20 persons in Taiwan have been sentenced to death annually. The number of persons actually executed is not known precisely, but is estimated to vary between four and six persons per year. However, since the beginning of this year, the number of death sentences upheld in the Taiwan High Court has risen dramatically, which can be expected to result in an increase in the number of actual executions. Taiwan Communiqué has counted at least eight cases.

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Control Yuan issues report on prison disturbances

In Taiwan Communiqué no. 35 (pp. 21 — 22) we reported on the aftermath of the two major prison disturbances, which took place at the end of November 1987, respectively at Yen-wan Military Detention center near Taitung, and at the Green Island Military Prison. At that point the Control Yuan investigation into the two cases had fizzled.

In mid-August 1988, the Control Yuan came out with a report after all. It rather accurately identified the causes for the disturbances, but totally whitewashed the role of the prison guards in the death of eight inmates at Green Island.

The Control Yuan concluded that the major cause for the disturbances was that the inmates — most of whom were being held without trial as “hoodlums” — felt that following the mid-1987 end of martial law they should be released. When, after waiting

for several months, nothing happened, they started large scale protests within the prison wall.

However, the Control Yuan Report did not deal with the death of eight inmates during the disturbances at Green Island Military Prison. The prison authorities say that “they burned to death when they locked themselves in a cell and set fire to their bedding, after being caught gambling.” However, other inmates at the prison said that the eight were shot to death during the disturbances, and that the riot troops subsequently burned the bodies in order to make it appear as if the inmates had caused their own death.

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Articles and Publications

International Commission of Jurists reports on Taiwan

The Geneva-based International Commission of Jurists (ICJ) recently published a strongly critical report on human rights and democracy in Taiwan. In the 40th issue of its publication **The Review**, the Commission discusses recent developments on the island, including the political trial of independence advocates Ts'ai Yu-ch'üan and Hsu Tsao-teh (see our article on page 9).

The Commission states: “The arrest and heavy sentence imposed upon them for expressing the idea of independence for Taiwan is an indication that the National Security Law could be used as a means to silence the legitimate political demands of the native Taiwanese.” The Commission also criticizes “various other repressive laws that were enacted during martial law [which] remain in force.” It mentions the “Anti-hoodlum Law”, under which any person could be designated a “hoodlum” and, with approval of the court (but without a trial — Ed.), be remanded for “reformatory education.” The Commission also focuses on another Executive Decree, promulgated in 1948 and still in force, which empowers the authorities to detain persons suspected of criminal activity, and indefinitely without charge or trial.

The Commission furthermore criticizes the “Publications Law”, under which the authorities can seize or ban printed material that “instigates sedition, treason and offenses against the public order.”

The Commission concludes: “although the lifting of martial law is a positive step, the authorities should remove existing restrictions concerning various civil and political rights. It is reassuring to note that the new President Lee Teng-hui ... has publicly reaffirmed the commitment of his late predecessor Chiang Ching-kuo to move Taiwan away from an authoritarian regime to one that values democratic ideals. This democratic process should include the right of the native Taiwanese to self-determination (emphasis added).

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To Our readers:

As you will have noted, the appearance of our *Taiwan Communiqué* is gradually improving: we have a different lettertype, larger headings, and other changes which -- we hope -- will give the Communiqué a more professional look, and make it even easier to read.

These improvements are being made possible by a new computer system with a laser printer. We would not have been able to take this step if it hadn't been for the generous support of many Taiwanese in the United States, Europe, and Taiwan itself.

We express our deep appreciation to those who assisted us. We have the confidence that it will make it possible for us to continue our work for many years to come.