

*The "seditious" objectives sought by the movement were representation for native Taiwanese and an end to 30 years of martial law*

## Suppressed in Taiwan

By JAN KNIPPERS BLACK

Lu Hsui-lien, thirty-six, holds advanced law degrees from the University of Illinois and Harvard. She not only practiced law but was also, until recently, a writer and editor, a dedicated campaigner for human rights in general and women's rights in particular, and a candidate for the Yuan, Taiwan's national legislative assembly. Lu now spends her days in a cramped and musty cell, her spirit broken by sixty days of grueling interrogation during which not even her family knew of her whereabouts. Threatened with the murder of family and friends as well as her own execution, she ultimately signed a prefabricated confession of sedition.

The threat to murder members of her family was not one that Lu could afford to dismiss lightly. One of her co-defendants, Lin Yi-hsiung, thirty-nine, a provincial assemblyman who had studied law at Berkeley, had lost his mother and his seven-year-old twin daughters, all three stabbed to death by a nameless nighttime intruder while his interrogation was under way. When Lin continued uncooperative, his interrogators reminded him that he had still another daughter and a wife.

The incident in Kaohsiung on December 10, 1979, that resulted in the detention of these and some two hundred other members of Taiwan's new generation of professionals began as a rally in celebration of the thirty-first anniversary of the United Nations Universal Declaration of Human Rights. According to the government of Chiang Ching-kuo, son of Chiang Kai-shek, speakers incited the crowd to riot, whereupon some two hundred hoodlums attacked the police. The official report stated that 183 policemen (but no demonstrators) were injured.

According to the defendants and their supporters, the clash with the police, who had completely encircled the crowd before bombarding it with tear gas, was instigated by infiltrators brazenly wearing the insignia of the ruling Kuomintang party.

Most of the original detainees have since been released, but eight, including Lu and Lin, were tried by a military tribunal and, on April 18, received sentences ranging from twelve years to life. Thirty-two more human rights activists were tried by a civil court in July. The trial itself was open, but the outcome was

preordained, with sentences ranging generally from two to four years. Several of those imprisoned in the wake of the Kaohsiung incident had not even attended the rally.

Attempting to portray Lin as a traitor to his own cause, his mother and daughters murdered by erstwhile supporters, the authorities offered him a separate trial and a lighter sentence. Lin insisted on being tried and sentenced with his colleagues.

Lu's appeal of her conviction and twelve-year sentence has already been denied summarily. Her greatest concern at present is the lack of medical care. As a consequence of thyroid cancer, which was arrested by surgery five years ago, she is supposed to undergo an annual examination. By July, 1980, her examination was long overdue and prison officials were ignoring her pleas for a doctor.

The eight tried in military court were accused of having "harbored seditious ideas," as expressed in *Formosa*, the magazine with which all were associated. Huang Hsin-chieh, publisher of the magazine and a member of the Yuan, was sentenced to fourteen years. Shih Ming-teh, general manager of the magazine—once imprisoned for fifteen years—was given a life sentence; his American wife was deported. The four who, like Lu Hsui-lien and Lin Yi-hsiung, were sentenced to twelve years, included Chen Chu, feminist and human rights activist and deputy director of the magazine's Kaohsiung office, Chang Chun-hung, chief editor and a provincial assemblyman; Lin Hung-hsuan, a graduate of Drew University who served on the magazine's executive staff; and Yao Chia-wen, chairman of the magazine and Taiwan's most distinguished civil rights lawyer.

As a member of the Yuan, Huang should have enjoyed constitutional immunity from arrest. But the assembly, dominated by 1949 escapees from the mainland, passed a special bill depriving him of that immunity. These septuagenarians who still claimed to represent provinces on the mainland applauded as Huang was arrested on the floor of the Yuan.

Not content with political persecution alone, the authorities have allowed greed to blemish their proceedings. The property of the eight convicted of sedition will be seized, including property held jointly with spouses and other family members. If this recent ruling stands, the prisoners' spouses and children will face eviction from their homes.

In addition to the detentions immediately following the Kaohsiung incident, Dr. Kao Chun-ming, secretary general of the Taiwan Presbyterian Church, and nine members of his congregation were arrested in mid-sermon on April 24 on charges of harboring a fugitive organizer of the Kaohsiung rally. The arrests immediately followed an almost unanimous vote by the church's general assembly to rejoin the World Council of Churches and was clearly aimed at tightening government control over the church's activities. Dr. Kao received a seven-year prison sentence.

### THE COURT OF LAST RESORT

It is not coincidental that the wrath of the government fell so heavily upon a magazine and a church. Because the Kuomintang has never permitted the establishment of an opposition party, opposition tends to cluster wherever free expression makes an appearance. The prison terms handed down since December, 1979, have effectively eliminated from the national scene the leadership of a burgeoning opposition movement. The director of a human rights office established with the blessings of the government to deal with nosy foreigners says the "problem" is that the movement was allowed to flourish for a while. He maintains that it should have been squelched at its inception.

The "seditious" objectives sought by the movement were an end to more than thirty years of martial law and a beginning of participation and representation for the 85 per cent of the population who are native Taiwanese. The popularity of their cause is suggested by the fact that *Formosa* magazine, founded in August, 1979, had eleven branch offices and a circulation of more than a hundred thousand before it was closed the following December.

For foreign offices and international bodies the Chinese question has been whether the mainland Communist government speaks for Taiwan or whether the Kuomintang government that fled to Taiwan speaks for the mainland. The native Taiwanese have never opted for either interpretation. They played no part in the revolution on the mainland. In fact they had yet to be liberated from almost fifty years of Japanese occupation when the United States and Great Britain presented the hapless island to Chiang Kai-shek at the Cairo Conference of 1943. Taiwanese spokesmen have shown no sympathy for dictatorships of Right or Left.

About five years ago the Kuomintang government began to abandon some of its more heavy-handed police-state tactics and to relax some of its restrictions on free expression. Supplementary elections to the Yuan and the electoral assembly were scheduled, and several of those recently imprisoned were candidates, expected winners in a fair and open contest. The elections were "suspended" in December, 1978.

Most of the opposition leaders were under constant surveillance—and in some cases their homes and offices vandalized by well-connected vigilantes—even before they planned to participate in the human rights rally. It is no surprise that they see the Kaohsiung incident as a thin pretext for removing them from electoral competition.

By June, 1980, the government was confident that it

was once again in control and pledged to hold elections before the end of the year. Those elections took place on December 6, the government handily winning a majority in both assemblies. Nevertheless, the opposition managed to make its presence felt. The wives of two of the imprisoned members of the *Formosa* group, Yao Chia-wen and Chang Chun-hung, and the brother of another, Huang Hsin-chieh, entered the competition and won by large margins. Yao's wife, in fact, received 155,000 votes, the highest total ever registered in a Taiwanese election.

The Kaohsiung defendants are convinced that the relaxation of recent years came about in large part in response to the human rights policies promulgated by the U.S. Congress in the mid-70s and subsequently embraced by the Carter administration. The defendants continue to see the U.S. Government as their court of last resort.

Officials of the American Institute in Taiwan, some of whom have demonstrated genuine personal concern for the plight of the prisoners, have found it difficult, given their nondiplomatic status, to lend official weight to that concern. Nevertheless, the potential influence of the U.S. Government on the Government of Taiwan cannot be doubted. Until the United States formally recognized the Government of the People's Republic of China, Taiwan was virtually a U.S. protectorate. The U.S. continues to purchase almost 40 per cent of Taiwan's exports and to resupply its mammoth military establishment.

Under the Taiwan Relations Act of 1979 the United States has pledged to safeguard "the human rights of all the people on Taiwan." Indications that America intends to honor that pledge are overdue. [www]

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