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Jimmy Carter's Human Rights Diplomacy and the Democratization of Taiwan

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Jimmy Carter's Human Rights Diplomacy and the Democratization of Taiwan

A thesis submitted in partial fulfillment of the requirement
for the degree of Bachelor of Arts in History from
The College of William and Mary

by

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Accepted for High Honors
(Honors, High Honors, Highest Honors)



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Introduction

We can no longer separate the traditional issues of war and peace from the new global questions of justice, equity, and human rights. It is a new world, but America should not fear it. It is a new world, and we should help to shape it. It is a new world that calls for a new American foreign policy--a policy based on constant decency in its values and on optimism in our historical vision.

– Jimmy Carter, Commencement Address at Notre Dame, 1977.

In the aftermath of the Vietnam War and the Watergate scandal, when public trust in American policy was falling, Jimmy Carter promised a new foreign policy not based on fear and containment of communism, but on promoting human rights and fundamental American values across the globe. While Carter's foreign policy had a demonstrably positive impact on some American allies, Taiwan is an example of where the results of his policies are less clear. Taiwan started to make important developments concerning human rights during this time, but the Carter administration's influence on the process of democratization is difficult to determine.

Taiwan provides an interesting case study to see the effects and limits of Carter's human rights policy. Like many other US backed authoritarian countries, Taiwan technically had an American inspired democratic constitution. Like these other regimes, Taiwan also justified its lack of civil liberties due to a perceived imminent threat from communism. Based on these characteristics, it would seem that this is exactly the type of country where Carter's human rights objectives would apply. Taiwan is unique in that it was a major issue in the process of normalizing relations with the People's Republic of China, which made Taiwan a more central figure in foreign policy despite its small size. Taiwan is also one of the great democratic success stories of Asia. The country rapidly developed its economy despite surrounding military threats, and gradually introduced democratic reforms. The march towards democratization started in the

mid-1970s, after Chiang Ching-kuo succeeded his father, and martial law was eventually lifted in 1987.

Some scholars have mentioned that American influence was an important factor in the development of democracy in Taiwan. For instance, John F. Copper writes that “political change was fostered by U.S. pressure,”¹ and that “when the U.S. and the world community pressured Taiwan to democratize, it followed that advice too.”² However, what form did that pressure take? So far scholars seem to be more focused on the impact of American Congressional influence and American based human rights groups than the executive branch’s foreign policy. When Bruce Jacobs cites American pressure in Taiwan, he seemed more focused on the Congressional aspect of that pressure.³ Richard C. Bush also argues that the pressure from the United States was congressional in nature, and argues that this was due to overseas Taiwanese lobbying in Congress.⁴ Andrew Nathan and Helena Ho also take a similar approach, citing the influence of the Formosan Association for Public Affairs over key members of Congress, such as Edward Kennedy and Stephen Solarz, as being a key factor in pressuring the Taiwanese government to lift martial law.⁵

This paper studies the influence of Carter’s human rights policy on the democratization in Taiwan, and the limits of that influence. For the first time, many of the government documents from the State Department under the Carter administration have been declassified, and these

¹ John F. Copper. *A Quiet Revolution: Political Development in the Republic of China*. (Washington: Ethics and Public Policy Center, 1988). xiv

² *ibid* 22

³ Bruce Jacobs. *Democratizing Taiwan*. (Leiden: Brill, 2012). 16

⁴ Richard C. Bush. *At Cross Purpose: US-Taiwan Relations Since 1942*. Armonk, New York: M.E. Sharpe, 2004. 209

⁵ Andrew J. Nathan and Helena V. S. Ho, “Chiang Ching-kuo’s Decision for Political Reform.” In *Chiang Ching-kuo’s Leadership in the Development of the Republic of China on Taiwan*. Eds Shao-chuan Leng. (Lanham: University Press of America, 1993).

documents can help provide a better understanding of the impact of the Carter Administration's human rights policy, as well as its faults. This paper will argue that despite the Carter administration's claim that it was implementing a human rights focused foreign policy, the administration primarily engaged in traditional Cold War politics in East Asia that were often detrimental to promoting human rights in Taiwan. The Carter administration's leverage over Taiwan was also limited due to the negotiations on normalization with the People's Republic of China and the difficulty of maintaining support in Congress for the administration's agenda on normalization. Due to these limitations, American pressure generally came from the American embassy's own initiatives rather than from State Department policy.

Taiwanese History and Kuomintang Human Rights Abuses

The Republic of China, better known now as Taiwan, is a country with a deep identity crisis and major security issues. The island's modern history can be dated back to the mid-17th century, when the Ming dynasty collapsed and was replaced by the Manchu Qing dynasty. The Ming loyalists, along with thousands of Chinese civilians, moved to Taiwan under the leadership of Zheng Chenggong, also known as Koxinga. Zheng defeated the European colonial governments, subjugated the aborigines, and established an independent Chinese kingdom on the island.⁶ The Qing eventually invaded Taiwan, defeating the fledgling kingdom, and integrated Taiwan as a frontier territory, which it held for centuries. Initially the Qing court was dismissive towards the island's usefulness. Chinese officials considered it to be wild and unruly, and that controlling the island would be more difficult than it was worth. Some officials supported leaving the island to the aborigines.⁷ Eventually Shi Lang, the Qing official who defeated the

⁶ Denny Roy, *Taiwan: A Political History*. (Ithaca: Cornell University Press, 2003). 17

⁷ Gary Marvin Davison. *A Short History of Taiwan: The Case of Independence*. (Westport: Praeger, 2003). 23

Zheng family, convinced the Emperor that it would be a useful base to defend the coastal provinces against pirates.⁸ For the next few centuries, Taiwan was placed under the jurisdiction of Fujian province, but Fujian's governor generally neglected the island.⁹ The island's ownership changed again in 1895, when the Japanese conquered the island in the Sino-Japanese war. After Japan seized Taiwan, the Japanese subjected Taiwan's population to assimilation policies that attempted to root out Chinese influences on the island.

Taiwan flourished during its time as a Japanese colony. The Japanese established public education systems, modernized healthcare, industrialized the economy, and built railroads throughout the island.¹⁰ They engaged in programs to educate the populace in Japanese, promoted local cultural works to be written in Japanese, and attempted to suppress Chinese culture.¹¹ Taiwan became Japan's model colony, and was a proving ground for total integration of colonial territories into Japan.

Due to the Japanese occupation, Taiwan was also absent from some of the defining social movements and social changes that rocked mainland China. Taiwan never experienced the Han nationalism and anti-Manchu sentiment of the 1911 Xinhai revolution. The anti-foreign and nationalist May 4th Movement that defined Chinese intellectualism under the Republic of China had relatively little effect on the intellectuals of Taiwan. The impact of World War II on the mainland was horrific, while there was a significantly smaller impact on Taiwan. Taiwan fared better than the rest of East Asia in the War, as it was the best treated colony of Japan. Many Taiwanese benefited from Japan's colonial empire. Some Taiwanese even served in the

⁸ Ibid 24

⁹ Ibid 24

¹⁰ Denny Roy, *Taiwan: A Political History*, 39

¹¹ Gary Marvin Davison. *A Short History of Taiwan: The Case of Independence*, 65

Japanese army in the war, and many of those who supported Japan were forced to escape the island after the war's end. Due to the Japanese occupation, the Communist Party of China also held little influence over the island.

When Taiwan was returned to China in 1945, Taiwan was a significantly different society than it had been in 1895. Not only was Taiwan merely a minor frontier territory before it was conquered, it had missed the collapse of the Qing dynasty and other momentous events that came to define the Chinese identity. Lai, Myers, and Wei argue that the Taiwanese adopted a “worldview that coincided with prevalent Japanese thinking and clashed with the view of Mainlanders.”¹² Not only had Taiwanese and mainland culture developed in different directions, but Taiwan's relative wealth compared to the mainland Chinese provinces set it at odds with the new mainland Chinese-led government.

After 1945 mainland Chinese became the new administrators of Taiwan, rather than the local Taiwanese elite who held significant power under the Japanese colonial regime. Due to the incompetence of the mainland politicians, and despite Taiwan's relative economic prosperity under Japan, the province began to suffer within a few years of rule by the Republic of China. Tensions quickly began to grow as Taiwan chafed under the corrupt and incompetent rule of the Kuomintang. These tensions erupted in 1947 during the horrific 2-28 Incident.

On February 28th, 1947, an anti-government protest evolved into a riot. On March 8th, mainland Chinese troops arrived to quash the rebellion, and “eyewitnesses reported that as soon as they landed, the soldiers opened fire at everyone in sight. Bayoneting, rapes, and robberies

¹² Lai Tse-han, Ramon H. Myers, and Wei Wou. *A Tragic Beginning: The Taiwan Uprising of February 28, 1947* (Stanford: Stanford University Press, 1991), 168.

were followed by the looting of homes and buildings.”¹³ An estimated 20,000 Taiwanese were killed by Republican soldiers during the incident.¹⁴ From the very beginning of mainland Chinese rule on the island, the local population was distrusted, discriminated against, and oppressed. The 2-28 incident marked the beginning of the decades long White Terror.

The situation became more complicated in 1949 after the Communist Party defeated the Kuomintang, forcing them into exile. The Kuomintang fled to Taiwan and established their new capital in Taipei. They brought with them most of the Chinese elite and over two million refugees from Mainland China.¹⁵ It would not take long for these refugees, called *waishengren*, to start treating the native born Taiwanese, *benshengren*, as second class citizens. The Kuomintang, refusing to recognize that the war was lost, maintained martial law and suspended all new elections of the legislature, the Legislative Yuan. Politicians elected in mainland China in 1948 would maintain their seats until their deaths, as the “war” would never end. Even when Carter was President of the United States, the vast majority of the legislature was still made up of mainland Chinese politicians who had never faced an election in Taiwan. Some scholars, such as Bruce Jacobs, describe the Kuomintang’s government as being essentially a colonial government.¹⁶

The Kuomintang consistently cracked down on dissent in the media as well. Outlets that supported Taiwanese independence were promptly banned. Other journals that offered more mild critiques of government policy were tolerated until they criticized something vital to Kuomintang policy, after which they were shut down as well. Huang Ching-lung describes the media industry

¹³ Sylvia Li-Chun Yin. *Representing Atrocity in Taiwan* (New York: Columbia University Press, 2007), 4.

¹⁴ *Ibid* 4

¹⁵ Lai Tse-han, Myers, and Wei. *A Tragic Beginning: The Taiwan Uprising of February 28, 1947*, 1.

¹⁶ Bruce Jacobs. *Democratizing Taiwan*, 23.

in Taiwan as a “patron-client relationship” between the government and the newspaper companies.¹⁷ After the declaration of martial law it was forbidden to start a newspaper, creating a system where the government could directly influence the news media by threatening to revoke their legal status. Small and illegal newspapers were common in Taiwan, but when they became large enough to be noticed they were swiftly shut down. Among these newspapers were *Free China* and, most famously, *Formosa Magazine*, which was at the center of the Kaohsiung Incident in 1979.

Taiwan’s human rights abuses took the form of consistent arrests, executions, and murders of dissidents. During Taiwan’s “White Terror,” thousands of suspected communists and other dissidents were arrested, many of whom were detained on faulty evidence or for other political reasons, and sometimes dissidents were executed. One estimate from Taiwanese politician Hsieh Tsung-min, himself a political prisoner during the White Terror, was that 140,000 people were persecuted, of whom 3,000 to 4,000 were executed.¹⁸ Both *waishengren* and *benshengren* were persecuted in the White Terror, but some activists felt that the White Terror was used as an excuse to persecute independence activists. As independence activists were so heavily persecuted on Taiwan itself, the main independence organizations at this time were formed abroad.¹⁹ Examples of these groups were Taiwan Independence Movement, based

¹⁷ Huang Ching-lung. “The Changing Roles of the Media in Taiwan’s Democratization Process.” The Brookings Institution for Northeast Asian Policy Studies, July, 2009. https://www.brookings.edu/wp-content/uploads/2016/06/07_taiwan_huang.pdf 4

¹⁸ Huang Tai-lin. “White Terror exhibit unveils part of the truth.” *Taipei Times*. May 20, 2005. <http://www.taipeitimes.com/News/taiwan/archives/2005/05/20/2003255840/2>

¹⁹ Shelley Rigger. *Politics in Taiwan: Voting for Democracy*. (London: Routledge, 1999), 108.

out of Japan, and World United Formosans for Independence, who were based out of the United States.²⁰

In 1972, Chiang Ching-kuo became premier and started to appoint more native Taiwanese. One of these appointees was Lee Tenghui, the moderate Kuomintang politician who would finish transforming Taiwan into a democracy after becoming President in 1988. While local grassroots elections had been held consistently by the Kuomintang after taking control of Taiwan, these elections started to become heavily contested under Chiang Ching-kuo's premiership. However, the opposition would often claim that fraud was rampant in these elections. Accusations of fraud in a 1978 local election in Chungli even caused a riot.²¹ Since political parties were still illegal at this time, opposition figures began to organize the *dangwai* movement, or the non-party movement. There was still a number of egregious abuses of human rights during this era. There were hundreds of political prisoners, some of whom alleged they were tortured while held by the police and forced to sign confessions. The Kaohsiung Incident in 1979 would be a critical moment in the history of Taiwanese democratization. In that incident, a protest devolved into a riot, which caused the police to arrest the majority of the major opposition figures over the proceeding days.

Taiwan was a typical authoritarian state, which used a veneer of democracy to cover its abusive practices. Like many other American backed authoritarian states, it justified its human rights issues by claiming they were necessary due to communist threats. However, after rapid political change in the late 1980s and early 1990s, it has become a fully-fledged democratic

²⁰ Harvey Feldman, Interviewed by Edward Dillery, March 11, 1999. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 26

²¹ From American Embassy Taipei to Secretary of State. Telegram 07217. "The Chungli Election Riot." December 3, 1978. Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives. <https://aad.archives.gov/aad/createpdf?rid=281872&dt=2532&dl=1629>

society. Today Taiwan has a high tech economy, high standards of living and education, as well as a thriving and competitive political environment.

Defining Human Rights

During the 20th century, human rights became increasingly important in American foreign policy. Woodrow Wilson's view on self-determination and universalist democratic values laid the groundwork for American ideals on human rights and served as a blueprint for future developments of human rights theory, but it was due to World War II and the creation of the United Nations that the meaning of human rights was defined. Despite America's leading role in developing modern human rights theory, the United States would often be at odds with its moral values when conducting diplomacy throughout the 20th century, especially in the context of East Asia during the Cold War.

After the signing of the United Nations Declaration of Human Rights in 1948 the definition of human rights was well established. Among the many rights included in the declaration were freedom of expression, the right to participate democratically in government, and the right to due process.²² Forty-four countries voted in favor of the declaration while none against it, although the communist states abstained. Among those that voted for the declaration were the United States and the Republic of China. Many of the countries that voted for the declaration were already violating these rights.

While the United States had a clear definition of human rights and had a history of supporting national self-determination and promoting America's democratic values, the issues

²² "Universal Declaration of Human Rights." United Nations, December 10th 1948. <http://www.un.org/en/universal-declaration-human-rights/>

stemming from the Soviet Union's aggressive expansion immediately drew dramatic responses from the United States.

Gaddis Smith's *Morality, Reason and Power*, written a few years after the end of Carter's presidency, provides a good framework to analyze the contradictory goals of American foreign policy in the 20th century in. Smith describes the history of US foreign policy as a struggle between internalist and externalist factions. Smith sees America in the early Cold War as dominated by externalists, whose primary motivation is reacting to external threats rather than deriving foreign policy from the nation's internal values and goals. Smith asks if the United States should be "concerned primarily with prevailing over particular hostile nations, specifically the Soviet Union," or whether "an enlightened foreign policy be focused on the universal problems of the human condition?"²³

He traces the origins of America's diplomatic conundrum back to Woodrow Wilson, who believed confidently in the right to national self-determination while also arguing that the Americans were the "champions of the rights of mankind" and vehemently opposed dealing with autocratic governments.²⁴ Due to the crises of the Cold War and the threat created by the Soviet Union, the United States was forced to use an externalist foreign policy that was primarily concerned with containment of communism rather than moralist objection to all authoritarian or otherwise immoral regimes. Smith uses the Vietnam War as an example, where the American government was forced to choose between a colonial regime, and a communist victory. While

²³ Gaddis Smith, *Morality Reason and Power*. (New York: Hill and Wang, 1986). 15

²⁴ *ibid* 16

the United States had been opposed to colonialism, the Americans decided to back the French military's intervention in Vietnam.²⁵

In the case of Taiwan, Carter was forced to make choices that would prioritize the security of the United States while also having negative repercussions on the democratization movement in Taiwan. Despite his vocal support for idealism, the reality was that his policies were firmly within the externalist school of thought. The issue of human rights in Taiwan was often ignored for the sake of pursuing normalization with China, ensuring congressional support for the normalization process, and preventing Taiwan from acquiring nuclear weapons. The Carter administration's attempts to deal with these issues left them with little leverage to promote human rights.

Chapter 1: American Diplomacy in the Republic of China

Throughout the early 20th century, the relationship between the Kuomintang and the United States can be seen as that of reluctant allies. Despite major ideological differences that stretch back to the end of the First World War, the United States and the Kuomintang were forced into cooperation by dire circumstances. The United States was, from the beginning, distrustful of Chiang Kai-shek and his government. After Chiang's defeat on the mainland, although the activities of the Kuomintang went against the values that the United States was trying to promote to the world, the United States reluctantly remained a steadfast ally due to the circumstances of the broader Cold War.

From its inception, the Kuomintang's Republic of China was never democratic. Few political parties were allowed to operate, and the system was designed to ensure that the

²⁵ ibid 24

Kuomintang would always win elections. The Kuomintang's claim to legitimacy was hinged purely on its nationalism and its ability to bring stability to China. In the 1930s, since the Kuomintang was unable to trust the liberal western powers due to a century of humiliation at their hands, the Republic of China flirted with the authoritarian regimes of the world. Chiang Kai-Shek sent his oldest son, Chiang Ching-kuo, to study in the Soviet Union, and his second son, Chiang Wei-kuo, to Germany, where he even served briefly in the Wehrmacht.²⁶ The Kuomintang's relationship with the Soviet Union made the democratic powers wary of Chiang's regime. China's relationship with Germany culminated in the arrival of German military advisers who would help modernize the Chinese army. German military equipment was imported and used by the Chinese military. Even when Chiang was still on the mainland, he studied the leading examples of authoritarian governments and modeled his military and party on those examples. The influence from these years would still be apparent in the Taiwanese regime after their retreat to Taiwan.

The Japanese invasion of China in 1937 led to Germany ending its relationship with China, and the growing power of the Chinese Communist Party made Chiang Kai-shek distrustful of the Soviet Union.²⁷ While there had long been resentment towards the western powers, the United States and the European powers became a secondary issue after the Japanese invasion. The invasion of China in 1937 forever changed the landscape of foreign intervention in China, as the overwhelming power of the Japanese reduced any influence that the British and the Americans still held in treaty ports. After the Japanese seized the Shanghai International Settlement, the foreign powers renounced their claims to the treaty ports in Mainland China. The

²⁶ Jay Taylor. *The Generalissimo's Son: Chiang Ching-kuo and the Revolutions in China and Taiwan*, (Cambridge: Harvard University Press, 2000), 68.

²⁷ Ibid 68

United States and the British were forced into cooperation with the Kuomintang, and General Stillwell was sent to China to help lead the war effort against the Japanese. Stillwell, however, looked down on Chiang and was worried about fighting between factions in the Kuomintang.²⁸ China became reliant on American military and economic aid to survive the war.

Hostilities between the Kuomintang and the Communists resumed after the Allied victory in World War II. The Truman administration was wary about overextending in China. While there was substantial US aid at first, General George C. Marshall thought that preventing a communist victory would require direct intervention that the United States was not ready to support.²⁹ Unable to turn the tide of the war without direct intervention, the United States recognized it was impossible for them to change the outcome of the war. The communists were victorious and the remnants of the Kuomintang military, as well as millions of civilians, fled to the island of Taiwan.

Shortly after the end of the civil war, on January 5, 1950 President Truman announced that the United States would not interfere in the Taiwan Strait Crisis.³⁰ Truman argued that the UN resolution of December 8, 1949 recognized that the United States nor any other foreign power had the right to seek spheres of influence or obtain special rights and privileges within the territory of China. He claimed that Taiwan was included in this statement, and that the United States government would adhere to it. No American forces would be sent to Taiwan nor would military advice be given to the regime on Taiwan.

²⁸ Ernest R. May. "1947-1948: When Marshall Kept the U.S. Out of War in China. *The Journal of Military History*, Vol 66, October, 2002. 1001-1010. <http://www.marshallfoundation.org/newsroom/wp-content/uploads/sites/3/2016/01/May-2002.pdf> 1004

²⁹ Ibid 1008

³⁰ Harry S. Truman. "Statement on Formosa, January 5, 1950." USC US-China Institute. <http://china.usc.edu/harry-s-truman-%E2%80%9Cstatement-formosa%E2%80%9D-january-5-1950>

Truman had many reasons to end support for Chiang's regime. For one, the United States had already expended considerable resources in propping up the regime on the mainland. American military personnel even during the war against Japan were critical of Chiang's government. Infighting and corruption was rife throughout the Kuomintang regime. When defeat became imminent in the civil war, Chiang turned on many of his generals and crippled his own military's ability to resist the communists. Despite Chiang resigning the presidency in 1948, he was constantly fighting with the new Acting President Li Zongren. Although Chiang was no longer the President, the Kuomintang was overwhelmingly loyal to Chiang, and he orchestrated the retreat to Taiwan. He abandoned Acting President Li and his army in the mainland, where Li was still fighting to maintain a foothold. Chiang then had the legislature declare himself president, and declared Li to be a traitor. Li Zongren, who was still attempting to use what little army he had left to defend Guangdong and Guangxi in Southern China, fled in defeat to the United States, where he met with President Truman, and Li denounced Chiang as a usurper with no constitutional authority to claim to be president.³¹ In October of 1949, after Chiang seized control of Taiwan, Li Zongren proposed United States could occupy Taiwan, stating that he preferred "a joint Sino-American Commission govern Taiwan" and the United States simply "could promise [to] cede Taiwan back to China some future time."³² However, Truman decided in the end to ignore Li and the Taiwan issue.

The Korean War would force Truman to change his stance on Taiwan. Due to the conflict with the Chinese in Korea, Truman could not afford to lose Taiwan as well. He dispatched an

³¹ Robert E. Bedeski. "Li Tsung-jen and the Third Force." *Asian Survey*. Vol. 5, No. 12 (Dec., 1965), pp. 616-628

³² "The Charge (Strong) to the Secretary of State." October 23, 1949. *Foreign Relations of the United States, 1949, The Far East: China, Volume IX*, eds E. Ralph Perkins and Frederick Aandahl. (Washington: Government Printing Office, 1974). Document 435.

American fleet to the Taiwan Strait to defend the island, and the United States began providing military and economic support for the regime on Taiwan.³³ American troops were stationed on Taiwan for the next few decades.

The United States should be seen as both fundamental and reluctant in the creation of modern Taiwan. There was lingering distrust of the Kuomintang. Chiang's own claim to being the President of the Republic of China was being challenged by exiled President Li Zongren. However, the United States was forced to side with Chiang because of the Cold War. The Korean War forced the United States to deal with Chiang's regime in Taiwan despite their mistrust in Chiang's regime.

The outcome of the Chinese Civil War was controversial in America, especially among members of Congress. Eventually, a mythology developed that America "lost" China as an ally, and that the outcome of the war was due to a fault in American diplomacy.³⁴ The loss of a potential ally in possible future conflicts with the Soviet Union was worrying to American politicians. Members of the Republican Party were particularly critical of the Truman administration and of Marshall. Senator McCarthy was one of the most notable and critical opponents of American foreign policy in Asia in the aftermath of the Chinese Civil War.

While American politicians were upset that China had been lost as a potential ally, there was no love for the Kuomintang in particular. It was common view to blame the Kuomintang as an incompetent and corrupt political party, and that all of the American aid given to them was

³³ Martin L. Lasater. "U.S. Arms Sales to Taiwan." In *The United States and the Republic of China*. Eds Steven W. Mosher. 101-127. 103.

³⁴ Ernest R. May. "1947-1948: When Marshall Kept the U.S. Out of War in China. *The Journal of Military History*, Vol 66, October, 2002. 1001-1010. <http://www.marshallfoundation.org/newsroom/wp-content/uploads/sites/3/2016/01/May-2002.pdf> 1010

functionally wasted.³⁵ However, the reality was that Kuomintang would continue to claim to be a government in exile on Taiwan for years to come, and the Taiwan Problem would come to dominate America's relationship with the communist regime on mainland China. American foreign policy was critical in the inception of the Kuomintang regime on Taiwan, and it was politically impossible to abandon the island even when it became a constant problem in Chinese-American relations.

The relationship between the new Republic of China on Taiwan and the United States was formalized by the Mutual Defense Treaty Between the United States and the Republic of China, which also bound the two states to promoting democracy. Article three of the treaty states that both countries must be committed to strengthening their "free institutions," as well as to increase economic and social development.³⁶ The inclusion of this language is interesting, as it suggests that it was in the United States best interest to promote real democratic progress in their allied nations, although the United States never used this aspect of the treaty to criticize the Taiwanese government. This language would also prove controversial to some human rights activists in the coming years, as Taiwan stagnated under martial law for decades, even as the threat from the mainland continued to subside.³⁷ To these activists, the language suggested that the United States had a duty to use its influence to promote democratic development in the Republic of China.

³⁵ Laura Tyson Li. Book Review: 'The Generalissimo' by Jay Taylor. In *The Washington Post*. Sunday, April 26, 2009.

<http://www.washingtonpost.com/wpdyn/content/article/2009/04/23/AR2009042303315.html>

³⁶ "Mutual Defense Treaty Between the United States and the Republic of China, December 2 1954."

http://avalon.law.yale.edu/20th_century/chin001.asp#art1

³⁷ Hearing before the Subcommittee on International Organization of the Committee on International Relations, House of Representatives of the Ninety-Eighth Congress, First Session. (Washington: U.S. Government Printing Office, June 14, 1977). 15.

In the immediate aftermath of the Chinese Civil War, however, the United States' primary goal was to build strong relationships with non-communist countries in Asia in pursuit of containment policy, forcing the United States to ignore the harsh regimes in these allied nations. A key moment for US-ROC relations was President Eisenhower's 1960 visit to Taiwan, the first and last presidential visit. It illustrates the early Cold War relationship between the United States and the Republic of China; the United States played along with Chiang's grand claims of liberating the mainland while trying to emphasize that the Kuomintang should focus on building an economically successful and free society at home. The United States also remained silent on the issue of Taiwanese independence. While Eisenhower's visit to Taiwan was received with great fanfare and has remained a point of pride for many Taiwanese today, for the United States it was merely a brief stop on the much more important visit to Japan to discuss the ratification of the 1960 US-Japanese security treaty. After Eisenhower's tour of Asia, he issued a report citing his tour as a success in the war against international communism. He argued for a confrontational attitude towards communism, saying "we cannot win out against the Communist purpose to dominate the world by being timid, passive, or apologetic when we are acting in our own and the free world's purpose."³⁸ The obvious contradictions in his statement were that South Korea and Taiwan were certainly not free countries. There had never been a legitimate democratic election in Taiwan for the national government, there was no freedom of speech, and the country was rife with discrimination. However, the island remained important as a bulwark against the threat from the Soviet Union and Communist China.

Chiang and Eisenhower both gave speeches at the event. Eisenhower was careful to always refer to the country as the Republic of China or Free China, and always called its citizens

³⁸ "Text of Eisenhower's Report on His Trip: Background of Trip." *The Washington Post*, 28 June 1960: A12.

Chinese. He was also careful however to not praise the Republic's military, nor to make any suggestion that the United States or Taiwan could liberate the mainland. Instead, he focused on praising the significant economic development on the island. He said that "the search for lasting peace comprehends much more than the erection of sure defense. Perhaps nothing offers greater hope to a war-weary world than new opportunities for a better life which have been opened...by the magnificent achievements of science and technology."³⁹ He would go on to praise the industrialization of Taiwan and the success of land reform on the island. Chiang gave a speech afterwards with a remarkably different tone. Chiang first claimed that the Republic of China holds all of the same democratic ideals as the United States, before going on to state that the situation on the mainland was unacceptable. He said that the "stave of slavery can never be permitted to perpetuate itself" and that "we have succeeded in building here on Taiwan a base for the liberation of all people on the mainland."⁴⁰

While Chiang stopped short of reiterating his support for military intervention on the mainland, he made it clear that the American and Kuomintang vision of the future of Taiwan was quite different. Chiang's primary focus was still on reclaiming the mainland, even though by the 1960s this was impossible. Eisenhower recognized in his speech however that Taiwan could only use their capitalist system to promote their industries to the fullest and raise their standard of living as high as possible in order to serve as a role model. He implied that Taiwan would have to remain separated from the mainland in the longer term and focus on its domestic issues.

Congress and lobbying groups in the United States would also have an important role in developing foreign policy towards Taiwan. Since the supporters of the Kuomintang and

³⁹ "Texts of Remarks by Eisenhower and Chiang in Taipei and Their Joint Communique" *New York Times*. 19 June 1960: 24

⁴⁰ Ibid

Taiwanese human rights activists were both called “pro-Taiwan,” it makes looking at the discourse of American policy towards Taiwan difficult. There were two different pro-Taiwan lobbies in America, the pro-Kuomintang lobby and the overseas Taiwanese dissidents. When discussing the Pro-Taiwan lobby in congress, this refers to the supporters of the Republic of China government. These were generally anti-communist hardliners and were concerned with the security of Taiwan in the face of mainland aggression. The overseas Taiwanese community often had very different opinions, with many of them opposing the Kuomintang regime, which they saw as oppressive and discriminatory. An example of this is the International Committee for the Defense of Human Rights in Taiwan, which publishes their own periodical, *Taiwan Communique*, in support for Taiwan’s right to self-determination.⁴¹

Within Congress, the support for Taiwan was generally synonymous for support for the Kuomintang. Among the most famous senators who were staunch supporters of the Chiang Kai-shek regime were Barry Goldwater and Bob Dole.⁴² These senators were often wary of normalizing the relationship with the People’s Republic of China, supported continuing military cooperation, and most importantly, wanted to continue arms shipments to Taiwan regardless of pressure from Mainland China.

While Washington was generally wary but supportive of the Kuomintang, the staff at the American embassy in Taiwan held a negative view of Chiang and his government. David Brown was a junior Foreign Service Officer in Taiwan in the years following Eisenhower’s visit, and he described his colleagues’ attitudes towards Chiang as “Disrespectful I would say. He wasn't in

⁴¹ “Taiwan Communique.” Taiwan and DC. <http://www.taiwandc.org/twcom/>

⁴² “Memorandum from the President’s Assistant for National Security Affairs (Brzezinski) to President Carter.” July 29, 1977. *Foreign Relations of the United States 1977-1980*, Volume XIII, eds David P. Nickles and Adam M. Howard. (Washington: Government Printing Office, 2013). Document 40.

senility at this point, but he was in declining health and the whole idea that he was going to lead them back to the mainland was obviously a charade.”⁴³ Brown also described the oppressive atmosphere of Taiwan in the late 1950s and early 1960s. He remarked that the posters of Chiang throughout the island made Taiwan resemble a communist country more than a democratic one, and that “there still were pillboxes at main intersections, creating an image that if there was ever any unrest; soldiers were going to be ready to gun down the populace.”⁴⁴ He also said that in this time, Chiang Ching-kuo, Chiang Kai-shek’s son and successor, already had “a very dark image.”⁴⁵

Harvey Feldman, another Foreign Service officer stationed in Taiwan, stated that “I and most of my colleagues in the embassy felt considerable sympathy for the ordinary Taiwanese.” He went on to criticize the military system of Taiwan, where the officers were almost entirely Mainland Chinese while the draftees were mostly Taiwanese.⁴⁶

The State Department’s policy was also contradictory. Mark Pratt, another Foreign Service officer in Taiwan, describes how they were expected by the State Department to monitor closely the elections, which would draw criticism from the Taiwanese government, and ended with State Department ultimately reprimanding the Foreign Service officers for following instructions.⁴⁷

⁴³ David G. Brown, interview by Charles Stuart Kennedy, January 28, 2003. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 14

⁴⁴ Ibid 10

⁴⁵ Ibid 14

⁴⁶ Harvey Feldman, Interviewed by Edward Dillery, March 11, 1999. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org 25

⁴⁷ Mark S. Pratt, interview by Charles Stuart Kennedy, October 21, 1999. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 32

The Nixon presidency greatly changed America's relationship with Taiwan. Nixon's 1971 visit to China was devastating for the island. It also set a radical new direction for American foreign policy in East Asia. With China potentially becoming America's most important partner in the region, other East Asian nations were afraid they would be sidelined. Over the next decade, normalization of American relations with China would dominate American foreign policy.

For the Nixon and Ford administrations, the new relationship with Mainland China offered a major turning point in the Cold War. Befriending China was an opportunity to weaken the position of the Soviet Union. Due to these security concerns, progressing on the recognition of China was a top priority, and the Taiwan issue was merely distracting noise. While the two administrations had little interest in human rights in Taiwan, the American staff on the ground in Taiwan did work to promote American values.

In the years immediately before Carter assumed office, the United States was not willing to criticize human rights abuses in allied nations at the highest levels. However, American personnel in Taiwan were deeply aware of the human rights issues there, and did try to help the Taiwanese people in small ways on their own. According to Harvey Feldman, a primary function of the US embassy was to monitor the relationship between the Taiwanese and the mainlanders.⁴⁸ The efforts of the staff at the American embassy, USIA, and other organizations did play a small but important role in promoting human rights in Taiwan in this time period.

The State Department was interested in identifying and cultivating the potential new leadership around the world in the hopes that the future generation of leadership would be pro-

⁴⁸ Harvey Feldman, Interviewed by Edward Dillery, March 11, 1999. Foreign Affairs Oral History Project. Association for Diplomatic Studies and Training. www.adst.org. 45

American. In 1973, the State Department required all embassies to compile a plan on promoting a pro-American youth.⁴⁹ The American embassy in Taipei mentioned in their report that the leadership was exceptionally old, and that a new generation of leadership would soon take shape. The report concludes that the United States should focus on targeting the political leadership, military leadership, and the bureaucracy, as these were the areas that had the most impact on Taiwanese society as a whole. The report also recommended devoting 25% of resources towards USIA Cultural and Information programming.⁵⁰ The USIA program would prove quite successful in promoting American values in Taiwan.

The United States Information Agency, which was also known as United States Information Service overseas, was responsible for important cultural programs that were influential in spreading American values. Throughout Taiwan, USIA established offices, libraries, and art exhibitions to promote cross-cultural understanding, and in effect also gave voices to local Taiwanese artists and independence activists, sometimes to the chagrin of the Kuomintang.

For example, exhibits helped promote the work of local Taiwanese artists. Neal Donnelly, an American Foreign Service officer worked on the project, recalls the case of an artist from Peng Min, an area of Tainan County. Originally a fisherman, the man made some headway into the art scene due to good reviews from some Taipei art critics, who with the help of the American government set up an exhibit of his work in Taipei. The exhibit was a huge success,

⁴⁹ From Secretary of State to All Diplomatic Posts. Telegram 070302. April 14th, 1973. "Youth Para." Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives <https://aad.archives.gov/aad/createpdf?rid=264&dt=2472&dl=1345>

⁵⁰ From Taipei to Secretary of State Washington DC. Telegram 02515. April 30th, 1973. "Youth Para." Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives <https://aad.archives.gov/aad/createpdf?rid=448&dt=2472&dl=1345>

showing a new style that focused on local Taiwanese inspired subjects, and often included Taiwanese and Japanese symbolism. Some found his work to be unpatriotic towards the Republic of China, and the newspapers, which were heavily influenced by the government, attacked his character and discredited his work.⁵¹ The case does present an interesting example however of how US cultural programs could promote Taiwanese dissident culture.

The libraries established by USIS were also important in providing material to the Taiwanese opposition. Donnelly describes how the libraries were like “intellectual magnets,” and states that the Taiwanese opposition was blessed by “very intelligent opposition people... not wild radicals.” K’ang Ning-hsiang, a famous Taiwanese dissident who would go on to be a prominent Democratic Progressive Party politician, regularly used the American library in Tainan. The libraries had all of the published American Congressional Records, which were useful for opposition activists to see what American politicians were saying about Taiwan, and to gauge the level of support they had in the American Congress.

American cultural centers also drew negative attention from radical Chinese nationalists. In one incident, after the Kissinger visit to mainland China, the USIS office and library in Tainan was bombed. Local Taiwanese students from a fishing village were seriously injured in the attack. One student even lost a leg. Ambassador Walter McConaughy intervened, and raised \$5000 for the students injured in the bombing, which insured they could go to college. One of the students, thanks to the funding from the American government, eventually went on to obtain a PhD and stayed in contact with American personnel long after the bombing.⁵²

⁵¹ Neal Donnelly, interview by David E. Reuther, December 11, 2001. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 78

⁵² Ibid 29

Donnelly's Taiwanese assistant claimed that the Garrison officers and police officers at the scene of the bombing destroyed evidence.⁵³ The police wrongly arrested an innocent Taiwanese man, Hsieh Tsung-min. American officials were deeply suspicious of the official story, and the convicted man was released only a few years later. Eventually the bombing suspect was even able to visit the United States, where he was able to meet with American officials. The rumor amongst American staff was that the son of a prominent general carried out the bombing because he was angry at the United Nations, which had recently allowed the People's Republic of China to replace Taiwan. Neal Donnelly claimed he was told this story by a magistrate, and speculated that it makes sense, because only someone with deep military connections could obtain the explosives required for the attack.⁵⁴

Donnelly dismissed the notion that a Taiwanese could be behind the attack. He said that the Americans were "a beacon for the Taiwanese," and that "The United States... is a democratic society and we were pushing democracy in all sorts of ways. We were sending a lot of students from Taiwan, both mainlanders and Taiwanese, to the United States, and they liked what they saw. They saw us as a counter balance. If the United States wasn't there, God knows how repressive the regime of Chiang Kai-shek would be."⁵⁵

While the United States was a destination for Taiwanese dissidents in this time period, and there was speculation that the Americans were helping them, this was not always the case. For instance, when Peng Ming-min fled to the United States in 1970, there was speculation that the United States spirited him out of the country. Peng, who advocated for Taiwanese independence, was widely respected by human rights activists, and his supporters were pressing

⁵³ Ibid 30

⁵⁴ Ibid 30

⁵⁵ Ibid 31

for American support while Peng was in jail.⁵⁶ However, the American government was actually not involved in his escape from Taiwan.⁵⁷

While the United States was not confrontational about human rights, there was an undeniable impact due to programs like USIA. Embassy officials, and staff of other American missions, were deeply aware of the ongoing human rights issues and did what they could to help alleviate some of these problems. The United States was generally respectful of Taiwanese dissidents, and while the Americans did not always actively help them, the Americans were usually generous to them in discussions. American personnel in Taiwan also generally held very negative views of Chiang Kai-shek and the Kuomintang. The election of Carter in 1976 however would greatly impact America's relationship with rightwing authoritarian dictatorships, and the Carter administration's new overt approach to human rights around the world would start in a new era in American diplomacy.

Chapter 2: Human Rights, China, and Arms Sales to Taiwan

Carter set the scene by appointing Patricia Derian as Assistant Secretary of State for Human Rights at the Human Rights Bureau. Derian was a civil rights leader, and not a career diplomat. While this offered an opportunity to transform the State Department's approach to human rights, her appointment caused internal conflicts between the East Asia Bureau, led by Assistant Secretary of State Richard Holbrook, and the Human Rights Bureau. This was exacerbated by her bureau's integration into the decision making process on arms sales, which was one of the few ways the bureau had to achieve its objectives.

⁵⁶ Davison, *A Short History of Taiwan: The Case of Independence*, 99.

⁵⁷ *ibid* 33

Derian's Human Rights Bureau's "Major Goals and Objectives" identifies three goals for the Human Rights Bureau. "(a) promote increased observance of international recognized human rights by all countries. (b) Ensure that human rights considerations are an integral part of the foreign policy making process. (c) Provide a coordinating focus for departmental and inter-agency foreign policy implementation of human rights objectives."⁵⁸ Using these criteria to examine the case of Taiwan, it is clear that the Carter administration failed to fully meet these goals in Taiwan. One of the key reasons was that the human rights department lacked the leverage to achieve their goals.

Derian outlined the methods the Human Rights Bureau used to enforce the new human rights policy in a speech at the American Association of University Women in Milwaukee in 1980. She said that the Carter administration was implementing human rights legislation by publicly talking about the issue, acting symbolically, strengthening international institutions, tying human rights to international aid, restricting sales of police equipment to authoritarian regimes, and finally, by tying military aid to human rights.⁵⁹

Arms sales were systematically tied to the Human Rights Bureau under the Carter administration. There were monthly meetings on arms sales presided over by Deputy Secretary Warren Christopher. Patricia Derian would also attend these meetings, and would often present the case against selling arms to various countries. While the Human Rights Bureau was present

⁵⁸ "Decision Unit Summary PY 1980 Zero Base Budget." Patricia Murphy Derian Papers, General Folders Subseries, 1976-1982 and undated, Department of State documents, 1977-1980.

⁵⁹ Patricia Derian. "US Commitment to Human Rights." June 13, 1980. United States Department of State, Bureau of Public Affairs. <https://babel.hathitrust.org/cgi/pt?id=umn.31951002865343m;view=1up;seq=3;size=150>

in these meetings, the ultimate decision came down to Warren Christopher's judgement on the matter.⁶⁰

In certain countries, Derian was successful in blocking sales of police and military equipment. For instance, the Human Rights Bureau blocked the sale of tear gas to Guatemala.⁶¹ Anthony Lake, the Director of Policy Planning Staff in the State Department, reported to Secretary of State Cyrus Vance that human rights had become the "dominant factor" in arms sales to Latin American countries, and this was due to the small likelihood of the Soviet Union increasing their influence in the region and the small economic impact of arms sales in the region.⁶²

Derian had more trouble in establishing human rights as an important factor in arms sales in East Asia. Robert B. Oakley, who worked in East Asian Affairs, was responsible for arguing the case for selling arms to nations in East Asia. He described how the East Asia and Human Rights Bureaus would have wildly different interpretations of what it meant to promote human rights. In one case in Indonesia, the East Asia Bureau arranged the sales of F-5 fighter jets in return for the return for the release of 35,000 ethnic Chinese prisoners who had spent twelve years in jail. Derian was furious when she discovered the plan, and asked her name to be removed from any documents pertaining to the deal. While she called it a "travesty" Oakley referred to it as "one of the administration's greatest human rights achievements."⁶³ This raises

⁶⁰ Robert B. Oakley in *US Arm Sales Subject Reader*. Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 12

⁶¹ "Memorandum" April 9, 1979, in Patricia Murphy Derian Papers, Department of State Human Rights and Humanitarian Affairs Bureau Series, 1976-2008, Weekly Reports, Weekly reports 1, 1979 Mar. 26 - Jun. 25.

⁶² "Action Memorandum from the Director of the Policy Planning Staff (Lake) to Secretary of State Vance." January 20, 1978. *Foreign Relations of the United States, 1977-1980, Volume II, Human Rights*, eds. Kristin Ahlberg and Adam Howard. (Washington: Government Printing Office, 2013), Document 105

⁶³ *ibid*

the question of whether denying arms sales should be used as a punitive measure for human rights abuses, or whether arms sales could be essentially used as an incentive to promote human rights. In this case in Indonesia, since the United States wanted to increase the security of Indonesia, it seems that it was able to achieve both objectives of promoting regional security and human rights in one move. For idealists like Derian however, the idea was reprehensible.

The East Asia Bureau and Human Rights Bureau clashed often. Oakley mentions that “human rights groups gave our Bureau the signal honor of determining that we had been the Bureau that had more successfully resisted their wishes than any regional bureau in the Department.”⁶⁴ Derian also had a fraught relationship with Holbrooke, largely due to the State Department giving precedence to normalization with China over other concerns. One example of their competition was over Derian’s planned invitation of the Dalai Lama to the United States. Holbrooke and the East Asia bureau fought back, worrying that inviting the Dalai Lama would be inconvenient for the budding relationship between the People’s Republic of China and the United States.⁶⁵ The two sides struggled to find common ground on the issue.

While the Human Rights Bureau and the East Asia Bureau had a number of disagreements, when it came to arms sales in Taiwan Derian and the Human Rights Bureau had little influence. Although human rights was supposed to be an integral part of the arms sales process, and Derian did argue in favor of limiting arms sales on human rights grounds in Taiwan, this was impossible in the case of Taiwan.

⁶⁴ *ibid*

⁶⁵ “Subject: Possible Dalai Lama visit to the United States.” From Patricia Derian to Richard Holbrooke. September 20, 1978. Country Files. China (People’s Republic). National Archives Country Files RG 59 P 885 Container 2

Due to the issues of normalization with China, there was both a ceiling and floor to the number and quality of arms sales to Taiwan. The process of normalization required that the United States withhold the latest technology from Taiwan out of fear of upsetting the Chinese during the delicate negotiations. At the same time, pro-Taiwanese members of Congress would require arms sales to continue in a symbolic move to show continuing American support for Taiwan. This resulted in the administration needing to find a clever way to deny sales to Taiwan in order to appease the Chinese while not drawing backlash in Congress. One tool they used was human rights.

Harvey Feldman, a Foreign Service officer who worked in Taiwan, described the human rights policy as “excuses... for not supplying defensive arms that Taiwan needed... I call it an ‘excuse’ because the Carter administration was concerned about upsetting the relationship with the PRC that Brzezinski had considered so important.”⁶⁶ This also meant that, due to the sales already being denied for the sake of appeasing China, they could not actually use the threat of cutting military aid in order to promote human rights. Normalization with China took priority, and this limited the leverage the United States had to promote human rights in Taiwan.

While the administration pushed forward on normalization, there was a struggle within the Department between supporters of arming Taiwan with that latest equipment, and those who wanted to reduce sales to a minimum to smooth the relationship with mainland China. This largely came in the form of debates over what type of fighters to sell to Taiwan.

Harvey Feldman wanted to supply some of the more advanced equipment they had available, believing that Taiwan needed a strong air force to maintain dominance over the

⁶⁶ Harvey Feldman, Interviewed by Edward Dillery, March 11, 1999. Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 65

Taiwan Strait.⁶⁷ Taiwan was primarily interested in obtaining the new F-16, but Feldman realized that it would be impossible to get his superiors to agree to the sale due to the normalization with China. So, he tried to get approval to sell the new F-5G, which was an upgraded model of a plane that was already available for sale.

The process to obtain approval was grueling. Virtually every major figure dealing with the People's Republic of China needed to give approval, from the PRC Country Director, to Holbrooke, and then eventually multiple members of the National Security Council, until it finally landed on Carter's desk. Carter rejected the deal in the end.⁶⁸

Carter, Vance, and Brzezinski, the National Security Advisor, understood that arms sales were of paramount importance to the Taiwanese. The Taiwanese air force in particular was aging and reaching obsolescence, while the Chinese were slowly improving their military capabilities. During discussions in the White House on what equipment should be sold to Taiwan, State and Defense were divided on what types of planes to sell to Taiwan. Taiwan's fleet of F-100s and F-104s needed to be replaced. Defense wanted to sell Taiwan the F-4s, as they felt the planes would offer longer term protection. State was worried that selling the latest aircraft technologies to Taiwan would draw an adverse reaction from Beijing, and wanted to limit sales to the F-5E.⁶⁹ In the discussions and memorandums between Carter, Brzezinski, and Vance, the connection between arms sales and human rights was not mentioned.

⁶⁷ Harvey Feldman in "US Arms Sales Reader." Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 3

⁶⁸ Ibid 4

⁶⁹ "Memorandum from the President's Assistant for National Security Affairs (Brzezinski) to President Carter." April 18, 1978. *Foreign Relations of the United States 1977-1980*, Volume XIII. Eds David P. Nickles and Adam M. Howard. (Washington: Government Printing Office, 2013). Document 95

After normalization of relations with the People's Republic of China, the dynamics of foreign policy between the United States and Taiwan were forever changed. The United States would need to distance itself from Taiwan, while also offering reassurances that it would protect democratic allies against communist threats. Hardliners in Congress were deeply upset by the reconciliation with Red China and, as far as they saw it, the abandonment of a democratic ally. The Carter administration would need to assure the Taiwanese, Congress, and the world, that the United States was serious about insuring Taiwan's safety and *de facto* autonomy, and this would take the form of continuing arms shipments to Taiwan.

Arms sales of lesser quality had to be continued in order to appease people like Senator Barry Goldwater and other conservatives who demanded America to continue to have a strong military relationship with Taiwan and ensure their autonomy. After normalizing America's relationship with China, Congress passed the Taiwan Relations Act, which insured that the United States would continue to have a military relationship with Taiwan, and would require arms sales to continue.⁷⁰

Congress was also interested in the human rights issue in Taiwan, and did include language in the Taiwan Relations Act that demanded the enhancement of human rights in Taiwan. Lester L. Wolff, one of the authors of the Taiwan Relations Act, had long been interested in human rights. His 1977 visit to Taiwan had also caused quite a commotion in the country, and drew some criticism from the Kuomintang. He allowed a member of his staff, John Salzberg, to speak with the families of arrested opposition figures.⁷¹ This was a powerful

⁷⁰ Martin L. Lasater. "U.S. Arms Sales to Taiwan." In *The United States and the Republic of China*. Eds Steven W. Mosher. 101-127. 104

⁷¹ From American Embassy Taipei to Secretary of State. Telegram 02579. May 4th, 1977. "Human Rights in ROC." Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives <https://aad.archives.gov/aad/createpdf?rid=99828&dt=2532&dl=1629>

statement to the Taiwanese about the interest the issue was drawing in the American Congress. Thanks to the efforts of Wolff, Edward Kennedy, and others, who had either visited Taiwan or highlighted the issue at home, language was included in the Taiwan Relations Act to demand that Taiwan adhered to democratic principles and defended human rights. However, this was consistent with the language used since the 1950s.

The original security treaty between the Republic of China and the United States had also included the requirement that both nations continue to improve their democratic institutions at home.⁷² The United States had never criticized the regime on these grounds before, despite some complaints from activists that the United States had a duty to do so. The inclusion of such vague language in the Taiwan relations acts was simply another symbolic move. Also, it was members of Congress that spearheaded the inclusion of this language, rather than the Carter administration.

The 1976 Arms Export Control Act was also a tool for Congress theoretically to hold up arms sales if the congress felt that the weapons were not being used for legitimate self-defense.⁷³ Along with the Mutual Defense Treaty's language, there was already a legal framework to deny arms sales to Taiwan, but this was not used. The Taiwan Relation act only repeated what had already been in place.

Due to the ongoing necessity of proving America's dedication to the defense of Taiwan, it was also difficult to stop the sales of more basic arms. Harvey Feldman pointed out that the

⁷² "Mutual Defense Treaty between the United States and the Republic of China, December 2 1954." http://avalon.law.yale.edu/20th_century/chin001.asp#art1

⁷³ Peter K. Tompa. "The Arms Export Control Act and Congressional Codetermination over Arms Sales." *American University International Law Review* 1, no. 1 (1986): 291-330. <http://digitalcommons.wcl.american.edu/cgi/viewcontent.cgi?article=1654&context=auilr>

United States was ignoring the basic principle of the human rights policy. He said that “the ROC at this time was still an authoritarian dictatorship, with all of the attributes to such a regime – political prisoners, government controlled press, etc. That ran directly against the Carter administration’s human rights policy. So from that point of view, even rifles and hand grenades should not have been approved.”⁷⁴ However, arms sales consistently continued, even in the aftermath of major crackdowns on the political opposition.

Within days of the Kaohsiung Incident, Vance sent a memorandum to Carter outlining which weapons they should sell to Taiwan. The only limitation they had was what would offend China, and Vance mentioned that they must continue to sell some arms in order to prove their commitment to Taiwan.⁷⁵ Not once is human rights mentioned in the memorandum, despite the fact that almost the entire leadership of the opposition was just thrown into jail. In April of 1980, a few months after the incident, Derian recommended limiting arms sales because of the crackdown on the *dangwai* in the Kaohsiung Incident, but her request was ignored.⁷⁶

In a congressional hearing on the implementation of the Taiwan Relations Act in June of 1980, Richard Holbrooke answered questions on the continuing relationship of the United States with Taiwan. He acknowledged that the Taiwan Relations Act demanded the United States to monitor the human rights situation in Taiwan, and that the American Institute in Taiwan and their Taiwanese counterparts had been in contact about the crackdown in the Kaohsiung

⁷⁴ Harvey Feldman, Interviewed by Edward Dillery, March 11, 1999. Association for Diplomatic Studies and Training, Arlington, VA, adst.org 63.

⁷⁵ “Memorandum from Secretary of State Vance to President Carter.” December 19, 1979. *Foreign Relations of the United States 1977-1980*, Volume XIII. Eds David P. Nickles and Adam M. Howard. (Washington: Government Printing Office, 2013). Document 285

⁷⁶ “Briefing Memorandum from the Assistant Secretary of State for Human Rights and Humanitarian Affairs (Derian) to Acting Secretary of State Christopher.” April 30, 1980. *Foreign Relations of the United States, 1977-1980*, Volume II, Human Rights, eds. Kristin Ahlberg and Adam Howard. (Washington: Government Printing Office, 2013), document 200.

Incident.⁷⁷ When discussing arms sales however, he never mentioned the possibility of using these sales as leverage in the aftermath of the Kaohsiung Incident. He also said that the United States had sold \$800 million worth of arms to Taiwan in 1979, and that on January 5th 1980 they had already informed Congress of the plan to sell another \$280 million worth of military equipment.⁷⁸

According to David Dean, during his tenure as Director of AIT, limiting arms sales was always off the table. He wrote in his memoir that “As for U.S. pressure on human rights, it is important to note that this pressure (as contrasted to the congressional hearings and resolutions noted above) was private. Instead we used private discussions to try to convince President Chiang and other top officials that attention to progress on human rights and democracy would benefit Taiwan’s image and relations both in the United States and, in the long term, internationally.”⁷⁹

Another issue was that the United States was already threatening to cancel arms sales if Taiwan did not cancel its nuclear program, which made it more difficult to also use withholding arms sales as punitive measure for human rights abuses. The United States had consistently opposed nuclear proliferation, and the signs that Taiwan was moving to start their own nuclear weapons program was very worrying. If the PRC believed Taiwan was becoming a nuclear

⁷⁷ Hearings before the Subcommittee on Asian and Pacific Affairs on the Committee on Foreign Affairs of the House of Representatives, Ninety-Sixth Congress. June 11, 17, and July 30, 1980. Washington: U.S. Government Printing Office, Washington, 1981. <https://babel.hathitrust.org/cgi/pt?id=uc1.31210024743294;view=1up;seq=3126>

⁷⁸ Ibid 23

⁷⁹ David Dean (2014-10-03). *Unofficial Diplomacy: The American Institute in Taiwan: A Memoir*. Xlibris US. Kindle Edition. (Kindle Locations 3057-3062).

power, it easily could have triggered a war. The United States had long acted to restrain Taiwan on its provocative actions towards China, and the nuclear issue demanded a quick response.

The United States secretly moved to discourage the Taiwanese from developing nuclear weapons. One of the methods they used was tying continuing arm sales to the nuclear issue. As long as they ceased to develop nuclear capabilities, the United States would continue the shipments. While the United States could not use the latest technology as leverage, as this could damage the normalization process with the PRC, they were still able to use older equipment as leverage.

Harvey Feldman, when discussing the issues of nuclear weapons on Taiwan, said that “We tightened the screws very hard on the ROC; we threatened all kinds of dire consequences if the program was not terminated. One of our threats fell in the area of arms sales, which we used as a club in the nuclear arms issue. I think that the promised squeeze in this area was one of the principal reasons for the dismantling of the project.”⁸⁰

In Taiwan, it was not possible to use arms sales as leverage due to the normalization of relations with China, combined with the necessity to continue selling arms to Taiwan as a symbol of America’s commitment to the island. Other issues, such as nuclear non-proliferation, also took precedence over human rights, further reducing the possibility of refusing arms for the sake of human rights. Since the Human Rights Bureau was integrated directly into the arms sales process, their inability to influence the sales limited their ability to enforce the new human rights policy.

⁸⁰ Harvey Feldman, Interviewed by Edward Dillery, March 11, 1999. Association for Diplomatic Studies and Training, Arlington, VA, adst.org. 62.

Chapter 3: Repercussions of Normalization on Human Rights in Taiwan

When the Carter administration implemented the human rights policy while also normalizing relations with China, the administration opened America's foreign policy to a number of attacks on human rights grounds. People in both Taiwan and the United States were critical of America's new close relationship with the People's Republic of China. The United States generally never criticized the People's Republic of China, but the United States was critical of states like Taiwan, where human rights abuses were never as serious as in China.

The announcement of Carter's new human rights policy was seen as an opportunity in Taiwan to isolate mainland China. The dominant view of the Kuomintang's supporters was that since the Mainland was so much worse, it was hypocritical to criticize Taiwan for these issues. Chiang Ching-kuo himself did not see the new policy as a threat to him or his regime, and used it as an opportunity to discredit the mainland. He declared a new human rights day celebration on December 25, 1976, and claimed that Taiwan protected the liberties of its people, and that any trespasses were done solely for the sake of protecting the country from communism.⁸¹ He used the opportunity to stress Taiwan's democratic constitution, economic freedom, and relative legal protection compared to the mainland.

A 1977 memorandum from the American consulate in Hong Kong spelled out wide-ranging issues that would stem from applying human rights standards to China. Roger Sullivan, Deputy Director for the North East Asia region, wrote that the issue was sensitive and had implications for the recognition of the People's Republic of China.

⁸¹ Taylor, *The Generalissimo's Son: Chiang Ching-kuo and the Revolutions in China and Taiwan*, 328.

According to the memorandum, a primary concern of the Chinese about the American human rights policy was that it would weaken the position of the United States in the third world, to the benefit of the Soviet Union.⁸² China's primary interest in opening relations with the United States was to isolate the Soviet Union internationally, and the new human rights policy could limit the United States' usefulness as an ally to that end. The Chinese were also very sensitive about being criticized about human rights themselves. Sullivan wrote that the Chinese had a very different definition of human rights, and were unwilling to change their perspective from their Marxist philosophical traditions. He also argued that due to China's legalist culture there would be little support for human rights reforms, as the individual was fundamentally less important to society than the collective.

When it came to Taiwan, Sullivan wrote that "Taiwan has seized upon the human rights issue as a weapon against US-PRC normalization" and that "the administration's foreign policy goal of advancing human rights has been linked with security of the [Republic of China]."⁸³ He describes how the Taiwanese government used a "dual strategy of execrating the PRC while embellishing their own record."⁸⁴ Taiwan engaged in the tactic of comparing their human rights record with mainland China to prevent normalization, arguing that the United States had a "moral duty" to refuse relations with the PRC.

The memorandum gives two examples of how the Taiwanese government tried to take advantage of Carter's human rights policy in promoting their own agenda. Sullivan believed that Taiwan was probably behind forging a letter addressed to Carter which was published in a Hong

⁸² From Hong Kong to State, Taipei, Moscow, Peiking, Singapore, Tokyo. Telegram 07077. June 20, 1977 Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives <https://aad.archives.gov/aad/createpdf?rid=140733&dt=2532&dl=1629>

⁸³ *ibid*

⁸⁴ *ibid*

Kong newspaper. The letter, supposedly written by a defector from Shanghai, called on Carter to not recognize the People's Republic of China. There was a second open letter from a Hong Kong newspaper that asked Carter to denounce the People's Republic of China, which Sullivan also believed was forged by Taiwanese agents.⁸⁵ Sullivan's memorandum also mentions that Taiwan is actively trying to improve their human rights image, but he did not say if they were actually trying to improve their human rights situation.

Pro-government Taiwanese groups also protested the American government's apparently hypocritical relationship with the People's Republic of China. In August of 1977, the American embassy received a petition addressed to Secretary Vance from 1,475 Taiwanese professors. Fearful of America's growing relationship with the People's Republic of China, their letter complained that Vance had been unduly supportive of mainland China while ignoring Taiwan. They wrote that "Vance placed more attention on the adversaries of the United States than on its allies" and that "if the United States betrays an old friend in order to embrace an old enemy, no one will believe there is an [sic] value in American commitments, nor will anyone take seriously the American call for freedom, democracy, and human rights."⁸⁶

Brzezinski also noted the impact that America's human rights policy would have on the Taiwan lobby. He reported that the Taiwan lobby was making the argument that Taiwan was receptive to America's human rights program while the People's Republic were violating human rights. Brzezinski added "in my opinion, there is a great deal of truth in this claim."⁸⁷

⁸⁵ *ibid*

⁸⁶ From American Embassy Taipei to Secretary of State. Telegram 04697. August 3rd 1977. US China Policy: Petition to President Carter. Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives <https://aad.archives.gov/aad/createpdf?rid=174490&dt=2532&dl=1629>

⁸⁷ "Memorandum from the President's Assistant for National Security Affairs (Brzezinski) to President Carter." July 29, 1977. *Foreign Relations of the United States 1977-1980*, Volume XIII. eds David P. Nickles and Adam M. Howard. (Washington: Government Printing Office, 2013). Document 40

In 1977, Brzezinski asked the CIA to draft a report on the impact of the administration's human rights policy. In the report, the analysts concluded that the new policy was met with disinterest in East Asia as a whole, and that the American backed dictators did not seem to believe it would affect them. In the case of Taiwan, the report mentions that the mainlanders having continued to oppress the Taiwanese, and that the regime will try to use the favorable contrast with the mainland's human rights record as a way to support their own regime.⁸⁸

At the 1977 Congressional hearing before the Subcommittee on International Organizations of the Committee on International Relations, the Kuomintang's supporters made similar arguments. Wang Yu-yan, a Taiwanese member of the Kuomintang and the mayor of Kaohsiung, defended the government's human rights policy. He argued that the government's policy was only targeting communists, and that all of the human rights cases that had been brought up at the hearing were being misconstrued.⁸⁹ He constantly drew parallels between the Republic of China and the mainland to defend the government, trying to argue that Taiwan was a true friend of the United States and the free world, and that America was hypocritically turning away from its old ally.

Richard H. Yang, a professor of political science, also testified at the hearing to defend the Republic of China's human rights record. He argued that the threat of communism was real and apparent. He said that "the war threat is not a fiction. It is not an abstract threat. It is real."⁹⁰ He argued that the student protestors were mostly communists, and that the foreign human rights

⁸⁸ *Foreign Relations of the United States, 1977-1980, Volume II, Human Rights*, eds. Kristin Ahlberg and Adam Howard. (Washington: Government Printing Office, 2013), Document 42

⁸⁹ Hearing before the Subcommittee on International Organization of the Committee on International Relations, House of Representatives of the Ninety-Eighth Congress, First Session. Washington: U.S. Government Printing Office, June 14, 1977. <https://babel.hathitrust.org/cgi/pt?id=mdp.39015081204532;view=1up;seq=37> 31

⁹⁰ *Ibid* 35

activists were overstating how many innocent people were being accused of being communists. He claimed that the actions of the Kuomintang were necessary because of the constant threat from the Mainland, who had a far worse record on human rights than the Republic of China.⁹¹

Yang presented a binary choice to the committee: the Nationalists or the Communists. He supported his argument with an anecdote about a student he met at Washington University, where he taught at in America. He talked about how he met a Taiwanese exchange student preaching Taiwanese independence. Yang confronted him, pressing him to describe which country he wants to model an independent Taiwan after. Apparently, the student broke down and admitted he wanted to model an independent Taiwan after Peking.⁹² This anecdote displays the strongly held belief amongst nationalist supporters that the independence activists were affiliated with communists, and that the dire situation called for the suspension of rights.

Senator Barry Goldwater also submitted a letter to the committee to defend the human rights record of the Republic of China, and the entire first section of the letter focused on drawing parallels between the People's Republic of China and the Republic of China.⁹³ Goldwater claimed that "the true extent to which human rights are granted and safeguarded by the Republic of China can be more easily seen when contrasted with the denial of all recognized civil liberties by the People's Republic of China."⁹⁴ He went on to laud the religious freedoms, economic freedoms, and legal protection that the Republic of China offered compared to the mainland. He also claimed that those being persecuted by the government on Taiwan were

⁹¹ Hearing before the Subcommittee on International Organization of the Committee on International Relations, House of Representatives of the Ninety-Eighth Congress, First Session. Washington: U.S. Government Printing Office, June 14, 1977 <https://babel.hathitrust.org/cgi/pt?id=mdp.39015081204532;view=1up;seq=42> 36

⁹² Ibid 46

⁹³ Ibid 71

⁹⁴ Ibid 73

generally communists who genuinely threatened the state. He argued that the current suspension of some legal protections were in line with other constitutional democracies, including the United States. He also wrote that the imminent communist threat justified the suspension of civil liberties, comparing it to Abraham Lincoln's suspension of *habeas corpus* during the American civil war.

Goldwater made the argument that China had no free press while Taiwan had 31 daily newspapers and 1,400 magazines.⁹⁵ One of the cases being discussed before the committee that day was actually the case of Huang Hua, the editor of a pro-independence magazine, who was convicted of sedition after his pro-independence paper was shut down. The Taiwanese media was strictly regulated by the Taiwanese government, and it only appeared better than the mainland's media on a superficial level.

These arguments also implied that there was a binary choice, either to continue supporting the Kuomintang or to somehow allow communism to take hold in Taiwan. When the Kuomintang and their supporters were criticized, it was easy for them to deflect criticism by pointing to the significantly worse situation in mainland China. Along with their claim that they were protecting Taiwan from communist takeover, these sorts of arguments tried to present the idea that allowing the Taiwanese independence movement to operate freely would somehow open Taiwan to the possibility of a communist takeover, and then the human rights situation would become much worse. The Carter administration's failure to criticize the PRC opened it to an easy attack. If the United States was being so friendly to the PRC while critical of a quasi-democratic regime, it made the Carter administration seem weak on communism.

⁹⁵ Ibid 75

Another repercussion of the ongoing process of normalization with China was that many Taiwanese issues were seen primarily through the lens of normalization, and human rights were rarely considered in meetings on foreign policy. The priorities of the administration on Taiwan were outlined in a memorandum drafted by David Brown and signed by Vance in 1977. The first on the list was normalization of the relationship with mainland China and to “prepare the ROC for the inevitable changes that will accompany normalization.” Second was maintain peace in the Taiwan area. Third was to promote economic ties, and fourth was to have “constructive nuclear cooperation” and to “prevent the ROC from acquiring a nuclear weapons capability.” The fifth objective on the list was to promote human rights. While the previous objectives all had detailed information to clarify the goal, the only clarification for the fifth point was that the United States needed to “ensure that the ROC understands the importance of human rights issues, both to the administration and to the American people personally, and encourage the evolution of a more open society in Taiwan.”⁹⁶ This document illustrates the priorities of American foreign policy at the time. Human rights was generally an afterthought when considering America’s actual major foreign policy decisions. The primary focuses of the administration naturally continued to be security related.

The administration saw the Taiwan Problem from the perspective of negotiations with the mainland. Carter, Vance, and Brzezinski understood that the actions of the United States on the mainland would have large repercussions on Taiwan, but they were only worried about its potential impact on stability, and rarely mentioned human rights in the region. By being too

⁹⁶ From State to American Embassy Taipei. Telegram 246317. October 13, 1977. “Goals and Objectives for Ambassador: Republic of China. Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives
<https://aad.archives.gov/aad/createpdf?rid=238414&dt=2532&dl=1629>

focused on normalization, Carter and Vance also both seemed to fundamentally misunderstand the Taiwanese independence movement. They believed that independence might be a course of action that Kuomintang might use after America normalized its relations with China. Vance was worried that Chiang Ching-kuo might declare independence from China, and that an independent Taiwan might become a Soviet satellite.⁹⁷ This would have been impossible however, as declaring independence, and therefore renouncing their claims to the mainland, would have been political suicide for the Kuomintang. They would have instantly lost their base of supporters, who were refugees from the mainland and still desired to see China reunified.

In a meeting with his staff, Carter also wondered if the recognition of China would cause Taiwan to move for independence.⁹⁸ While some of his staff assured him that it was unlikely, Vance does mention that Taiwan “cannot be taken for granted.” In the same conversation Michael Oksenberg, a member of the National Security Council, argued that Taiwan would not go independent unless they were placed in extreme circumstances.

Many of the Taiwanese human rights activists were also independence activists, and the administration was bound by agreements with mainland China to publicly oppose any independence movements. Oksenberg, believed that China would support America’s ongoing relationship with Taiwan, as the United States could help prevent Taiwan from achieving

⁹⁷ “Memorandum from Secretary of State Vance to President Carter.” July 24, 1977. *Foreign Relations of the United States, 1977-1980, Volume XIII, China*, eds. David Nickles and Adam Howard. (Washington: Government Printing Office, 2013), Document 37.

⁹⁸ “Memorandum of Conversation.” July 30, 1977. *Foreign Relations of the United States, 1977-1980, Volume XIII, China*, eds. David Nickles and Adam Howard. (Washington: Government Printing Office, 2013), Document 41.

independence, which he believed could have resulted in a pro-Soviet and anti-Chinese regime on the island.⁹⁹

Brzezinski also supported using stronger language to emphasize that the United States would never support an independent Taiwan. He recommended that “in addition to stating that ‘We should neither encourage nor stimulate the creation of an independent Taiwan,’ we should also say we would not recognize an independent Taiwan.”¹⁰⁰

An interesting example of American priorities having a negative impact on the human rights movement was the choice in timing of the recognition of the People’s Republic of China. The announcement came shortly before the election of 1978 in Taiwan, and the shock of the announcement caused the Kuomintang to cancel the election. Brzezinski and Vance were actually worried about the American elections in 1978, and did not consider the impact the announcement could have on the Taiwanese election. In a discussion between Brzezinski, Brown, Vance, and Oksenberg, they debated what the timing should be. Brzezinski supported waiting until after the 1978 election. Vance not only did not mention any repercussions the normalization might have on politics in Taiwan, but stated that it would be worrying if too many of those “two China types, those who are concerned with the human rights of the Taiwanese” were elected to Congress.¹⁰¹ Defense Secretary Brown was worried that if they waited for the American congressional elections, they would have to press through recognition quickly in early 1979, and if their plans were stalled the recognition might have to wait until after the 1980 Presidential election. Brown was also worried that if they did not recognize China and sign the

⁹⁹ *ibid*

¹⁰⁰ *ibid*

¹⁰¹ “Memorandum of Conversation.” April 11, 1978. *Foreign Relations of the United States, 1977-1980, Volume XIII, China*, eds. David Nickles and Adam Howard. (Washington: Government Printing Office, 2013), Document 94.

Strategic Arms Limitation Treaty at around the same time, it would be difficult to convince the American public that they were hard on communism.¹⁰²

Another policy paper prepared for the National Security Council staff said that rapid normalization with China was a necessity, as the recent flare up in Soviet activity would make Americans more accepting of the new relationship with China. The paper argued that the United States should officially recognize the People's Republic of China before the end of 1978.¹⁰³

Brzezinski did later inform the president that he would have to make a choice about recognizing the PRC either before or after the US November elections of 1978.¹⁰⁴

From the discussion with Vance and Brzezinski, it appears that Taiwanese domestic politics were not being carefully considered when the administration decided to recognize China in December of 1978. While some human rights activists seemed to assume there was a conspiracy between the Kuomintang and the United States, the truth was closer to the United States being ignorant of affairs in Taiwan, and failing to consider the repercussions of their actions on the human rights situation in Taiwan. Seeing that one of the cornerstones of Carter's human rights policy was to consider human rights in major policy decisions, this was a massive failure on the part of the Carter administration.

Mark Pratt from AIT reported that the normalization of relations with the PRC was, as predicted, not a catastrophe for the Taiwanese government. He noted that it gave Chiang a chance to delay the elections, stack the government with more technocrats, and avoided giving

¹⁰² Ibid

¹⁰³ "Paper Prepared by the National Security Council Staff." Undated (sent to Brzezinski on March 13, 1978). *Foreign Relations of the United States, 1977-1980, Volume XIII, China*, eds. David Nickles and Adam Howard. (Washington: Government Printing Office, 2013), Document 84

¹⁰⁴ "Memorandum from the President's Assistant for National Security Affairs (Brzezinski) to President Carter." April 18th, 1978. *Foreign Relations of the United States, 1977-1980, Volume XIII, China*, eds. David Nickles and Adam Howard. (Washington: Government Printing Office, 2013), Document 95

the opposition a larger voice.¹⁰⁵ Eventually, many of these moderate appointments made by Chiang were important in the democratic transition, but there is no doubt that the elections could have been a chance for the growing *dangwai* movement to gain seats throughout Taiwan and to start presenting a nascent multiparty system.

One Foreign Service officer, William Brown, was worried that the United States shared some responsibility for the jailing of opposition figures due to the timing of the announcement for normalizing relations with the PRC. When discussing the case of Annette Lu, whose arrest he linked to the cancellation of the 1978 election, he suggested that the United States had unintentionally caused the protests and crackdowns that led to her arrest. He said that “I think that few of us had ever realized the relative costs of going along with decisions like President Carter's announcement on the change in the pattern of our diplomatic representations in China. She had spent 12 years¹⁰⁶ in prison as a result.”¹⁰⁷

The politics of normalization had negative effects on promoting human rights in Taiwan. For one, it made the United States appear hypocritical. The Kuomintang and their supporters used human rights as a weapon against the United States' normalization plans, and deflected attention from their own human rights abuses to the People's Republic of China. One of the major goals of the human rights policy was to ensure that human rights was a fundamental part of policy discussion, but this was absent from discussions on the timing for the recognition of

¹⁰⁵ “Telegram from the Taipei Office of the American Institute in Taiwan to the Washington Office of the American Institute in Taiwan.” September 29, 1979. *Foreign Relations of the United States, 1977-1980, Volume XIII, China*, eds. David Nickles and Adam Howard. (Washington: Government Printing Office, 2013), Document 276.

¹⁰⁶ Lu was sentenced to twelve years but did not serve the full duration.

¹⁰⁷ William Andreas Brown, interviewed by Charles Stuart Kennedy, November 3, 1998. Foreign Affairs Oral History Project, The Association for Diplomatic Studies and Training. www.adst.org. 187

China in 1978. The failure to account for the Taiwanese election had serious ramifications and was a setback for the Taiwanese human rights movement.

Chapter 4: Embassy Initiatives and Success in Promoting Human Rights

As the Human Rights Bureau had little leverage over arms sales, and because human rights was not a major part of policy discussions in the White House, it often fell to the American embassy in Taiwan and later the American Institute in Taiwan to promote human rights. There are a number of examples of their success, although they acted quietly and without taking credit for their achievements. Since their activities were primarily through backchannels, human rights activists generally did not know about their activities and were strongly critical of the United States. The strong rhetoric from the Carter administration made the United States seem hypocritical to the international human rights movement, despite the fact that there was real pressure coming from local initiatives.

There were a number of reasons for why the American embassy was active in human rights cases in Taiwan. For one, even before Carter's election, it was part of its role to watch the human rights situation. Increasing congressional interest was also a factor. The Human Rights Bureau did at least have a small role however in promoting increased activity at the American embassy. David G. Brown, a Foreign Service officer in Taiwan, said that they wanted to "be active on this acting in a way that made sense and would yield results, rather than being driven by Patt Derian."¹⁰⁸ The cases of success in Taiwan were generally characterized by person to

¹⁰⁸ David G. Brown, interview by Charles Stuart Kennedy, January 28, 2003. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 45

person interactions, quiet diplomacy, and consistent communication with both activists and government officials.

At the Congressional Hearing on Taiwanese human rights in 1977, Burt Levin, Director of the Office of Republic of China Affairs, described the embassy's approach to human rights at the beginning of the Carter presidency, and argued that it adhered to the human rights policy. He said that the department's policy has been to quietly encourage human rights with people in the government. He added that they have maintained contacts with opposition figures and were particularly interested in political prisoners.¹⁰⁹ There are numerous examples of where this quiet diplomacy had a beneficial influence on Taiwan.

One example was the incident in which the American office in Tainan was bombed in 1971. American officials suspected the attack was carried out by radical supporters of the Kuomintang, but the Taiwanese arrested a local Taiwanese for the crime instead.¹¹⁰ Hiseh Tsung-min was accused of bombing the offices in Tainan and also for bombing a Bank of America in Taipei. The Americans were also convinced from the beginning he was not guilty.

At first, the United States was wary to become too involved. While there were requests from Congress to look into the case, the United States did not want to directly ask the Taiwan Garrison Command about his status in prison. In 1977, while the embassy did not keep contact with him directly, they were able to learn information about him due to Representative Wolff's visit to Taiwan. John Salzberg, a member of Wolff's staff, met with the families of a number of

¹⁰⁹ Hearing before the Subcommittee on International Organization of the Committee on International Relations, House of Representatives of the Ninety-Eighth Congress, First Session. Washington: U.S. Government Printing Office, June 14, 1977 <https://babel.hathitrust.org/cgi/pt?id=mdp.39015081204532;view=1up;seq=42> 5

¹¹⁰ Neal Donnelly interview by David E. Reuther, December 11, 2001. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org 30

arrested opposition figures, including Hsieh's family, and his reports gave the State Department and congress information on his wellbeing in prison.¹¹¹ In Fraser's hearing on human rights in 1977, the Hsieh case was one of the key cases discussed at the hearing.¹¹² Afterwards, the State Department became interested in the case, and the United States started to monitor his situation and health in prison. After the government announced the schedule for Hsieh's release, Warren Christopher, the Deputy Secretary of State, asked to be kept up to date on Hsieh's situation. The embassy was also instructed to contact Christopher if there were any complications with Hsieh's release.¹¹³

Months after his release, the American embassy received a report from an American professor who met with Hsieh and made sure he was well. The professor reported that it appeared that Hsieh had been tortured in prison. While Hsieh was free from prison, he and his family continued to be followed by the police, and were afraid of being seen in public with foreigners.¹¹⁴ Eventually, Hsieh was even able to come to America, even though he had been convicted of a terrorist attack on an American government building.¹¹⁵ Hsieh also became a successful politician for the Democratic Progressive Party (DPP) after democratization.

¹¹¹ From Taipei to State. Telegram 02579. May 4th, 1977. "Human Rights in ROC." Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives <https://aad.archives.gov/aad/createpdf?rid=99828&dt=2532&dl=1629>

¹¹² Hearing before the Subcommittee on International Organization of the Committee on International Relations, House of Representatives of the Ninety-Eight Congress, First Session. Washington: U.S. Government Printing Office, June 14, 1977. <https://babel.hathitrust.org/cgi/pt?id=mdp.39015081204532;view=1up;seq=117> 111

¹¹³ From State to Taipei. Telegram 199264. August 22, 1977. "Status of Mr. Hsieh Tsung-ming in view of continuing public and Congressional Interest, We Would Appreciate Embassy's Report." Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives. <https://aad.archives.gov/aad/createpdf?rid=191286&dt=2532&dl=1629>

¹¹⁴ From State to Taipei. Telegram State 037211. February 13th, 1978. "Hsieh Tsung-ming's Condition after Release from Prison." Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives. <https://aad.archives.gov/aad/createpdf?rid=35787&dt=2694&dl=2009>

¹¹⁵ Neal Donnelly interview by David E. Reuther, December 11, 2001. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org 30

This case was particularly interesting since the United States was also a victim. In this case, the Kuomintang appeared to have purposefully destroyed evidence and framed an opposition member for an attack on the United States.¹¹⁶ However, the Americans were able to see the situation clearly and not make any harsh judgements against Hsieh. While the embassy was not directly responsible for Hsieh's release, their ability to support the congressional hearing on human rights in Taiwan was crucial for gaining international attention of the case. American officials continued to monitor his wellbeing and embassy staff were eventually able to meet with him after his release.

The Ch'en Chu case is a good example of how the American embassy intervened on the behalf of an opposition figure. Ch'en Chu was an opposition figure with close ties to Shih Ming-teh and Linda Gail Arrigo, two prominent opposition figures, and was active in recruiting supporters for the *dangwai* movement. On June 23, 1978, she was detained by the Taiwan Garrison Command, although the reasons for doing so were unclear. While being held by the Taiwan Garrison Command, she was subjected to four days and nights of interrogation without rest, where she was tricked into signing a confession, and she was forced to attend a press conference where she denounced the opposition movement. On July 6th she was finally released on bail, but was not able to return home until July 24th.¹¹⁷

On June 23rd, soon after she disappeared, Lin Yi-hsiung and Chang Chun-hang, both assemblymen and part of the *dangwai*, went to the American embassy for help. They met with an American embassy official and asked him to ensure Ch'en would not be arrested by the

¹¹⁶ Ibid 30

¹¹⁷ Jacobs, *Democratizing Taiwan*, 23

Taiwanese government. Lin and Chang believed that if she was arrested and tried it could possibly be the beginning of a crackdown on the whole opposition movement.¹¹⁸

The Taiwanese government was also worried that the United States might become involved, and they quickly contacted the embassy to request that they deny Ch'en Chu asylum if she were to ask for it. Ambassador Unger was also worried that if Ch'en did apply for asylum that the Ch'en Case could become a *cause celebre* for the Taiwanese opposition, and the United States would be put into a very difficult situation.¹¹⁹

A telegram, drafted by Feldman and signed by Vance, instructed the embassy to request information on the case, while claiming that this was a necessary due to a congressional investigation. They also requested that the embassy tell the Taiwanese Ministry of Foreign affairs that holding a prisoner *incommunicado* was itself a violation of human rights. They also instructed them to continue requesting permission for embassy officials to attend her trial if it was held.¹²⁰

Harvey Feldman, on his own initiative, found a way to secure her release, and while there were rumors that the Americans were involved, he did not confirm his involvement to the opposition until the 1990s.¹²¹ Feldman's method, which he claimed to have used multiple times successfully, was to call his contact, General Wen Hai-hsiung. Wen had been an assistant to Chiang Ching-kuo, who had recently succeeded his father as president. Feldman would tell Wen

¹¹⁸ From Taipei to State. Telegram 03972. June 23rd, 1978. "Ch'en Chu." Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives. <https://aad.archives.gov/aad/createpdf?rid=159014&dt=2694&dl=2009>

¹¹⁹ *ibid*

¹²⁰ From Secretary of State to American Embassy Taipei. Telegram 166765. June 30th, 1978. "MOFA RE Chen Chu." Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives. <https://aad.archives.gov/aad/createpdf?rid=160328&dt=2694&dl=2009>

¹²¹ Linda Gail Arrigo and Lynn Miles. *A Borrowed Voice: Taiwan Human Rights Through International Networks*, (Taipei: Social Empowerment Alliance, 2008), 318.

that a recent human rights case was preventing him from submitting a memorandum requesting approval for arms sales, and Wen would pass this on either directly to Chiang or to other officials in Taipei.¹²² In the case of Chen Chu, Feldman bargained with fighter jets.¹²³ As mentioned earlier, the F-4s were already off the table, and were never going to be approved, and due to support from congress, the other jets had to be sold to Taiwan and could not have been held up on human rights grounds. The ploy worked, however, and Ch'en Chu was released from prison. After her release, Feldman was able to meet with her, and another opposition activist Annette Lu, and hear Ch'en's side of the events.¹²⁴

The consistent communication with opposition figures, such as Hsieh, Ch'en, Lu, and Lin, affected the embassy's relationship with the Taiwanese authorities. With the planned election of 1978 coming soon, the Taiwanese were worried that the United States was aiding the opposition. General Wang Ching-hsu invited embassy officials to a luncheon shortly before the scheduled elections of 1978. Wang warned the officials that the close contact between the opposition and embassy officials could be misconstrued by voters as suggesting that the United States was supporting the opposition.¹²⁵

At the luncheon the general made it clear that the presence of Americans in Taiwan's opposition was worrying to the Kuomintang. Although General Wang was careful to not state it bluntly, he implied that the presence of Americans in the opposition movement would make the

¹²² Harvey Feldman, Interviewed by Edward Dillery, March 11, 1999. The Association for Diplomatic Studies and Training Foreign Affairs Oral History Project, adst.org 65-66

¹²³ Linda Gail Arrigo and Lynn Miles. *"A Borrowed Voice."* (Taipei: Social Empowerment Alliance, 2008). 318

¹²⁴ From Taipei to State. Telegram 05337. August 11, 1978. "The Continuing Saga of Chen Chu." Central Foreign Policy Files, 1973-79/Electronic Telegrams, RG 59: General Records of the Department of State, National Archives. <https://aad.archives.gov/aad/createpdf?rid=197912&dt=2694&dl=2009>

¹²⁵ From Taipei to State. Telegram 08156. December 5, 1978. "US Put on Notice: Elections shall be Orderly, or else." <https://aad.archives.gov/aad/createpdf?rid=303695&dt=2694&dl=2009>

situation more complicated if there was a crackdown. He also seemed particularly annoyed by the American Linda Gail Arrigo, whose marriage to Shih Ming-teh made the situation more difficult for them.¹²⁶ However, while Arrigo's presence did force the Kuomintang to consider the possibility of American intervention, after the Kaohsiung Incident they were still able to successfully arrest Shih Ming-teh and deport Arrigo.

The Kaohsiung Incident was a critical point in the history of Taiwan's democratization. Since forming a new political party was illegal, the *dangwai* were forced to organize around non-party organizations, and they used Formosa Magazine (*Meili Dao*) as one method for organization. Formosa Magazine had been promoting *dangwai* candidates, and was organizing rallies for them. The Kuomintang ignored the loopholes, and in the Kaohsiung Incident, they cracked down on the magazines and its leaders as if they were an illegal political party.

On December 10th, 1979, a *dangwai* led protest ended in violence, with many security officials and protestors injured. No one was killed in the incident.¹²⁷ The incident was used as an excuse to arrest opposition leaders in mass. Ch'en Chu was arrested again. Linda Gail Arrigo's husband, Shih Ming-teh, was arrested, and Arrigo was deported. Other opposition leaders such as Yao Chia-wen, Chang Chun-hun, Lin Yi-hsiung, Lin Hung-hsuan, and Lu Hsiu-lien were arrested.¹²⁸ Shih Ming-teh evaded arrest for a short time under the protection of Reverend Kao of the Presbyterian Church. After he was discovered, Kao was also arrested for harboring him.

The situation was very difficult for the Americans. The Taiwan Relations Act had just recently been passed, and it held the United States to promote human rights in Taiwan. However,

¹²⁶ *ibid*

¹²⁷ Jacobs, *Democratizing Taiwan*, 57.

¹²⁸ Rubenstein. *Taiwan: A New History*. (Armonk, N.Y.: M.E. Sharpe, 1999). 442.

arms sales continued to be both a political necessity in the United States, and it was also necessary to protect Taiwan from potential aggression. Patricia Derian took notice of the Kaohsiung incident, and recommended ending the sales of tear gas to Taiwan and halting weapons supplies.¹²⁹ However, the Carter administration continued to approve arms sales.

The American embassy and later the American Institute in Taiwan did move to protect the prisoners, although they were not open about their efforts. Arrigo, for instance, was very disappointed in the embassy's response to her husband's arrest and her deportation. She went to the press in the United States to try to pressure the Taiwanese government on her own. However, the United States did keep in close contact with the Taiwanese government, and made it clear that the United States opposed the arrests and convictions of the opposition leaders. The Americans were also particularly concerned about Reverend Kao.¹³⁰ The United States pressed for the release of those arrested in the Kaohsiung incident, but it still took years for them to be released.

In January of 1980 AIT official David Dean, who was also a friend of the opposition politician Kang Ning-hsiang, went to speak with representatives from the government to discuss the Kaohsiung incident. He expressed his concern that if any of the leaders of Formosa Magazine were executed, that it could cause violence throughout the country. He spoke with Premier Y.S. Sun, General Wang, and other high ranking officials to express the United States' concerns about the incident. Dean wrote that "AIT concentrated its efforts in seeking freedom for the Kaohsiung

¹²⁹ "Briefing Memorandum from the Assistant Secretary of State for Human Rights and Humanitarian Affairs (Derian) to Acting Secretary of State Christopher." April 30, 1980. *Foreign Relations of the United States, 1977-1980*, Volume II, Human Rights, eds. Kristin Ahlberg and Adam Howard. (Washington: Government Printing Office, 2013), Document 200.

¹³⁰ David Dean. *Unofficial Diplomacy: The American Institute in Taiwan: A Memoir*. Xlibris US, 2014. (Kindle Locations 2842). Kindle Edition.

Eight and the Reverend Kao. Gradually, over the next several years, our persistent efforts were successful.”¹³¹ After his meetings with government officials, Dean was contacted by Chiang Ching-kuo, who promised that none of the arrested opposition leaders would be executed.

In the aftermath of the Kaohsiung Incident, Taiwan would shock the world after the murder of Lin Yi-hsiung’s family. Lin, who had been in contact with the Americans on issues such as Ch’en Chu’s 1978 arrest, was being held in prison for his part at *Formosa Magazine*. After his arrest, his home was under constant police surveillance. While his wife visited him in prison, someone entered his family home and murdered his mother and two of his children, while his third child was severely injured in the attack.

Initially, opposition figures and other human rights activists refused to believe that the Kuomintang could be responsible for the murder of the elderly and children, although Bruce Jacobs changed his opinion after it was confirmed that the Taiwanese government was behind the murder of Henry Liu in the mid-1980s.¹³² The case has never been solved, but the circumstances show that the surveilling police must have known who entered the home, and modern investigations suggest that some evidence was possibly destroyed by the authorities.¹³³

The government wasted no time in finding a scapegoat. They chose the American Bruce Jacobs, a professor doing research in Taiwan who was friends with Lin Yi-hsiung, as the likely suspect. The evidence used against him was the claim that he had visited the house that day, although this was not true. He had called earlier that day and spoke with Lin’s mother. After he

¹³¹ David Dean. *Unofficial Diplomacy: The American Institute in Taiwan: A Memoir*. Xlibris US, 2014 (Kindle Locations 2857-2858). Kindle Edition.

¹³² Bruce Jacobs. *The Kaohsiung Incident in Taiwan and Memoirs of a Foreign Big Beard*. (Brill: Leide, 2016), 163.

¹³³ Ibid 162

heard about the murder, he contacted the police and told them about his phone call, and he initially had no suspicions that the murders could have been instigated by the government.

Jacobs' arrest spurred AIT into action. Mark Pratt, an embassy official, said that his interpretation of the case was that "The authorities apparently selected him and inferred he might have been the one who went there and killed the mother and the two daughters" and that, while no one believed he was the real murderer, "it was their only way of trying at least to get plenty of newspaper coverage to distract attention to Jacobs and all the rest of it." Pratt also said that "it was at the beginning a pretty shoddy thing, but it made us realize that this event closely implicated the security services."¹³⁴ After Jacobs disappeared, embassy officials stayed up all night searching for him, and when Jacobs was released they were waiting for him. Afterwards, while Jacobs was virtually placed under house arrest in a hotel, AIT kept close contact with him, requiring him to call the embassy everyday so that they would know if he went missing again.¹³⁵ Eventually, after the government press had run stories for weeks on how he was the likely killer, the government dropped the charges and Jacobs was able to leave the country safely. By this time they had deflected suspicion from themselves long enough to let him go.

Mark Pratt, who helped handle Jacob's case, believed that a senior member of the Kuomintang was responsible for the murders. He said that the suspicion in the American embassy was that Alex Chiang, the son of Chiang Ching-kuo, was responsible. Pratt said that "in the end I finally came to the conclusion that this was probably something which had been encouraged by Chiang Ching-kuo's second son, Alex, who had always been a bit of an unguided missile. In any case, he had many friends within the security services, and he thought of this as a

¹³⁴ Mark S. Pratt, interview by Charles Stuart Kennedy, October 21, 1999. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 177.

¹³⁵ Jacobs, *The Kaohsiung Incident in Taiwan and Memoirs of a Foreign Big Beard*, 126.

glamorous type of life. The story was that he was drunk at a bar and said, you know, ‘Really, somebody ought to take care Lin Yi-hsiung's mother and family to teach them a lesson,’ because the mother was even on the telephone to Taiwanese elements in Japan telling them how her son was being mistreated.”¹³⁶

While the United States was unable to always secure quick releases of Taiwanese opposition figures, the American embassy did work remarkably fast to protect their own citizens in Taiwan. The case also demonstrates how American officials still had a deep mistrust of the regime on Taiwan. Just as in the case of the Tainan office bombing, American officials remained suspicious of the Taiwan’s official stories. In this case, Jacobs was an American citizen, and it is not surprising they were more direct in securing his release than in the case of Hsieh, but they had always been sympathetic to the opponents of the Kuomintang.

While numerous American embassy officials were involved in monitoring human rights cases, keeping contacts with opposition figures, and taking initiative to secure the release of dissidents, human rights would become a primary objective for the American Institute in Taiwan. When Charles Cross became the first director of AIT in 1979, he set out to make promoting human rights a fundamental part of AIT’s mission. He wrote in his memoir that efforts in promoting human rights took more time and effort than any other activity of AIT in its first few years, and that “The entire staff was involved in the tasks of comprehensive reporting on the arrests and trials of dissident Taiwanese, assisting American citizens who were in serious trouble with the Kuomintang authorities for relationships with oppositionists, flagging false statements by the security service to the American press, meeting publicly with non-Kuomintang politicians,

¹³⁶ Mark S. Pratt, interview by Charles Stuart Kennedy, October 21, 1999. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 177.

and journalists to display our interest in their futures.”¹³⁷ He adds that “all this pressure on the Kuomintang was conducted by the original AIT officers and our successors steadily, quietly, and without threats”¹³⁸

One example of how Cross delivered criticism quietly was through his relationship with Admiral Ma Chi-chuang, who also had the ear of President Chiang Ching-kuo. Since he could not have an official relationship with Chiang Ching-kuo due to AIT’s status, he used the relationship with Ma to discuss human rights issues and have the American perspective on the issue passed on to the highest levels.¹³⁹

Despite the activities of the American embassy and AIT, international human rights activists working in Taiwan did not trust that Carter was a genuine friend of the human rights movement. They believed that he was being opportunistic and was merely reacting to an ongoing international movement. Linda Gail Arrigo is a good example of a human rights activist who was deeply critical of the United States while she worked in Taiwan.

Arrigo was at first a PhD student studying factory work cultures in Taiwan before she became involved with the Independence Movement. She was sympathetic to their cause, and eventually married Shih Ming-teh, a famous opposition figure who would later become a prominent politician after democratization. In her memoirs she displayed an immense distrust of the United States. Arrigo went as far as to say she had believed that the United States was, echoing the language of Iran, the “Great Satan” of our time.¹⁴⁰ She believed that the American

¹³⁷ Charles T. Cross. *Born a Foreigner: A Memoir of the American Presence in Asia*, (Lanham: Rowman and Littlefield Publishers Inc, 1999), 270.

¹³⁸ Ibid 270

¹³⁹ Charles T. Cross, Interviewed by Charles Stuart Kennedy, November 19th, 1997. Foreign Affairs Oral History Collection, Association for Diplomatic Studies and Training, Arlington, VA, www.adst.org. 80

¹⁴⁰ Arrigo, *A Borrowed Voice: Taiwan Human Rights Through International Networks*, 394.

embassy in Taiwan was collaborating with the Taiwanese authorities. While her husband was in jail, she kept close contact with the American embassy, but was convinced that the Foreign Service officers were actively supporting the regime.

Arrigo claimed that when she went to the American Institute in Taiwan to discuss a human rights case, Mark Pratt, the American Foreign Service officer who helped handle Jacob's case, "laughed in my face" and "recited a remarkable piece of double talk that 'enhance [human rights]' meant to do the same as before, business as usual." She said that after she heard about the arrest of the Formosa Magazine leaders, she wondered "had he given prior or *post facto* or tacit approval?"¹⁴¹

Another human rights activist, Nicki Croghan, wrote that after being expelled from Taiwan for engaging in protests, she was told at the American Institute in Taiwan that "I had got what I deserved." She added "I was angry that the American government's representative not only would not help me, but was also helping to maintain a dictatorship in Taiwan."¹⁴²

International human rights activists also supported conspiracy theories suggesting that the American CIA was actively cooperating with the Garrison Command and the police to persecute human rights activists. Arrigo writes in her memoir that "in April or May of 1978 I knew for sure that the American embassy was cooperating with the security agencies for my persecution."¹⁴³ Her evidence was that when she was contacted by an American student, this student was later called by the embassy and warned not to contact Arrigo again. Arrigo also claims that she heard "vague" reports about American collaboration.

¹⁴¹ *ibid* 370

¹⁴² *ibid* 371

¹⁴³ *ibid* 300

Annette Lu, a Taiwanese opposition figure who would later become Chen Shui-bian's vice-president in 2000, also reported that there were conspiracy theories circulating amongst Taiwanese activists that the United States conspired with the Kuomintang to cancel the 1978 elections. Some of these activists believed that the United States purposefully timed the recognition of the People's Republic of China right before the election to give an excuse to the Kuomintang to cancel the election.¹⁴⁴ This claim is demonstrably false, but the presence of these conspiracy theories shows that the Carter administration was struggling to gain people's trust.

Many of the complaints, conspiracy theories, and accusations about American support for the Kuomintang are groundless. The United States had never been a close ally of the Kuomintang. From the beginning, America was hesitant to support Chiang Kai-shek's regime. Even before Carter was elected America had been weary of the Taiwanese government and was active in watching the independence and democratic movements, and while the United States took no direct action to help them, American personnel had always been sympathetic. There are numerous cases of American officials who worked on the behalf of dissidents throughout the history of American presence on Taiwan, although this had always been done quietly.

It is unfortunate that despite the actions of embassy officials in Taiwan, many in the human rights movement still distrusted the United States. Arrigo thought of the United States as the "Great Satan" and claimed that Mark Pratt had laughed in her face when she argued that the United States had a duty to enhance human rights, and she even speculated that Pratt had given consent to the Taiwanese in arresting opposition figures in the Kaohsiung incident.¹⁴⁵ In truth,

¹⁴⁴ Lu Hsiu-lien. *My Fight for a New Taiwan: One Woman's Journey from Prison to Power*. (University of Washington Press, 2014). 95.

¹⁴⁵ Arrigo, *A Borrowed Voice: Taiwan Human Rights Through International Networks*, 370.

Pratt and others were active in promoting human rights in the small ways that they could, and Cross even made human rights an important part of AIT's official policy. The American embassy and AIT did not have very much leverage to that end since their hands were constantly tied by issues such as nuclear proliferation and normalization with China, so they were forced to use quiet diplomacy that would not be recognized by the international human rights movement. Carter's grand claims about human rights raised people's expectations about what the United States should be doing to promote democracy, and silently working through backchannels did not gain the confidence of the international human rights movement.

Conclusion

The Carter administration's human rights policy had a number of problems in its application to Taiwan. The central goal of his policy was that the United States would make human rights considerations an integral part of foreign policy decision making. This did not happen for a variety of reasons.

For one, Patricia Derian and the Human Rights Bureau had little leverage in Taiwan. Due to the surrounding circumstance of normalization, it was impossible for the Bureau to tie arms sales to improvements in human rights, a tactic they used in many other countries. Derian would recommend cutting arms sales, as had been done in many other countries, but this was never implemented in Taiwan due to surrounding circumstances.¹⁴⁶ In general it was embassy officials like Feldman and later Director Cross who took initiative and were able to get results. While it can be argued that the human rights policy encouraged this sort of local initiative, quiet criticism

¹⁴⁶ "Briefing Memorandum from the Assistant Secretary of State for Human Rights and Humanitarian Affairs (Derian) to Acting Secretary of State Christopher." April 30, 1980. *Foreign Relations of the United States, 1977-1980, Volume II, Human Rights*, eds. Kristin Ahlberg and Adam Howard. (Washington: Government Printing Office, 2013), document 200.

of the Kuomintang had already been ongoing under earlier administrations, and the increased congressional interest in Taiwan was another factor for the increased embassy activity in human rights.

Human rights was also hardly mentioned in major policy discussions, despite this being one of the pillars of the human rights policy. In general, decisions that impacted Taiwan were focused almost solely on the issue of normalization, nuclear proliferation, and security, with human rights rarely ever being mentioned.

While embassy officials, and later AIT officials, were engaged in meaningful, quiet diplomacy, they were unable to prove their interest in human rights to international organization. Human rights activists were sometimes antagonistic to the United States in Taiwan since the Americans could not be transparent about what they knew or what they were doing in human rights cases. The American officials appeared uncaring and were harshly criticized despite the fact that they were directly involved in protecting opposition figures. Also, embassy officials had long been engaged in quiet criticism of the regime on Taiwan and had followed human rights abuses closely even before Carter's election.

In respect to the major pillars of their policy, it is clear that their human rights policy made the United States seem hypocritical. The sort of quiet diplomacy that gained real results was already being done before Carter took office, and without the grand statements on human rights coming out of the State department.

When considering the American influence on Taiwanese democratization, it appears that the Carter administration's policy had a limited but notable effect. The United States undoubtedly had some influence, especially when considering the impact of Congressional

investigations, which have been described by scholars like Bush and Jacobs. The Carter administration's policies however were often contradictory, and did not seem to take into account the repercussions of American foreign policy on politics in Taiwan. While it is impossible to quantify the effectiveness of the human rights policy, it did have some impact on pushing American embassy officials, and later AIT officials, to take the initiative in human rights cases, which did have a notable impact. They were able to monitor the wellbeing of political prisoners, fought to secure the release of opposition figures, and continually informed Chiang and other prominent politicians of America's stance on human rights issues. At the very least, through the American embassy and AIT, the United States did what it could to protect the opposition in Taiwan, and played a role in encouraging the Kuomintang to democratize Taiwan.

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