

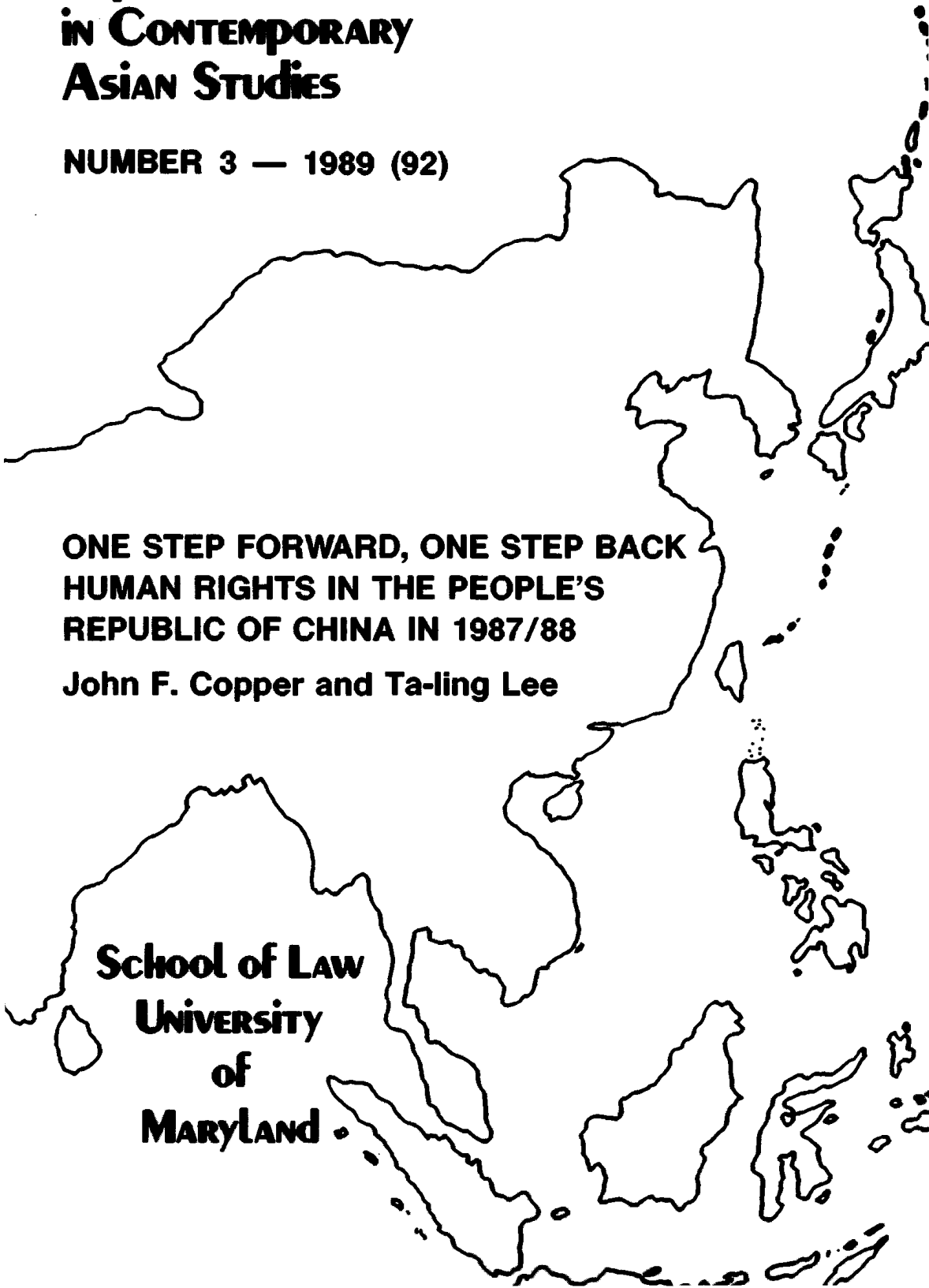
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**ONE STEP FORWARD, ONE STEP BACK  
HUMAN RIGHTS IN THE PEOPLE'S  
REPUBLIC OF CHINA IN 1987/88**

**John F. Copper and Ta-ling Lee**

**School of LAW  
UNIVERSITY  
of  
MARYLAND**



*Occasional Papers/Reprint Series  
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**ONE STEP FORWARD, ONE STEP BACK  
HUMAN RIGHTS IN THE PEOPLE'S REPUBLIC OF CHINA  
IN 1987/88**

*by John F. Copper\* and Ta-ling Lee\*\**

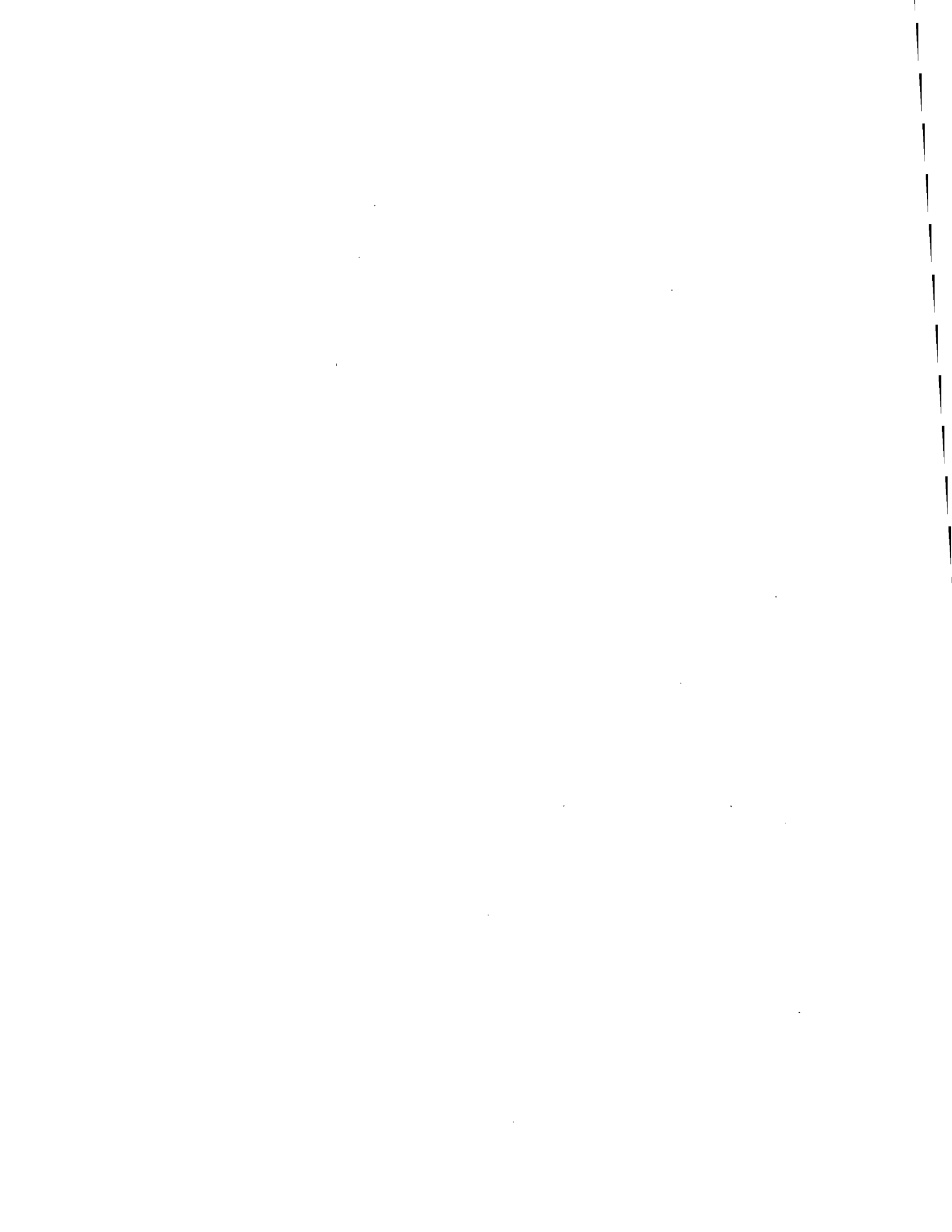
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## PREFACE

As the title of this work suggests there was both progress and setback in China in terms of human rights. The fact that the reformists remained in power made possible more free market activity, trade and the movement of people and goods. As demonstrated throughout the world, capitalism produces democracy and democracy engenders more significant and widespread respect for basic human rights and liberties. This was fundamentally true about the People's Republic of China during the period under study. China's citizens had more freedoms compared to those during the Maoist period.

Events in Tibet offset gains elsewhere. Some observers suggested that the regime's "opening to the outside world" caused the outbreak of demonstrations, which gave the impression that the Tibetans took advantage of greater freedoms to protest their harsh treatment in the past. This is no doubt true. Yet Tibet was a human rights problem that was bound to become known sooner or later. The fact that Tibet garnered little attention during 1988, quite unlike 1987, suggests that government repression combined with controls over the reporting of events there—especially driving out the foreign press—returned Tibet to its original situation. Tibet is now a "hushed up" human rights case.

Meanwhile, inflation in China, which became acute by mid-1988, undermined the political power and status of the reformers, as well as the reforms. Gains made by the hardline political left because of inflation made some observers hark back to the anti-spiritual pollution campaign of 1983 and the anti-bourgeois liberalization campaign of 1987. During both of these periods, an ascendancy of the hardliners in the Chinese Communist Party had a negative effect on the human rights condition in China. Evidence revealed that this had happened again in 1988, though perhaps the impact was still uncertain. It had not yet played itself out by the end of the year.

*One Step Forward, One Step Back* is a continuation of work by the two authors on human rights in the People's Republic of China. It is a follow-up on *Reform in Reverse: Human Rights in the People's Republic of China*, published in 1988 by the same publishers. *Reform in Reverse* was an annual or update book covering events in late 1986 and 1987. For background details and further analysis of human rights in China, the reader should look at two other works the authors have

been involved in: *Human Rights in the People's Republic of China* and *Human Rights in Post-Mao China*, both published by Westview Press.

As in the previous update, the authors focused on critical human rights areas of concern. These include minorities, women and intellectuals. The authors also were concerned about basic freedoms, civil and political, and about the large number of executions in China. The plight of political prisoners and subjects of reform through education and labor also deserved attention.

The authors also give special attention to changes and happenings affecting China's political and economic systems. These are the barometers of human rights in the People's Republic of China. They give evidence of why the human rights condition is as serious as it is; they indicate why such human rights problems prevail in China.

As in previous works, the authors want to draw attention to human rights in China because it does not get much attention. The average person does not know that Mao Zedong commanded the taking of more human lives than any other person in history and that human rights abuses under his political leadership were among the worst in the world. Similarly, few realize that, notwithstanding the downgrading of Mao by China's current leaders and the vast change China has experienced politically, economically and in other ways, its human rights practices are not all that different.

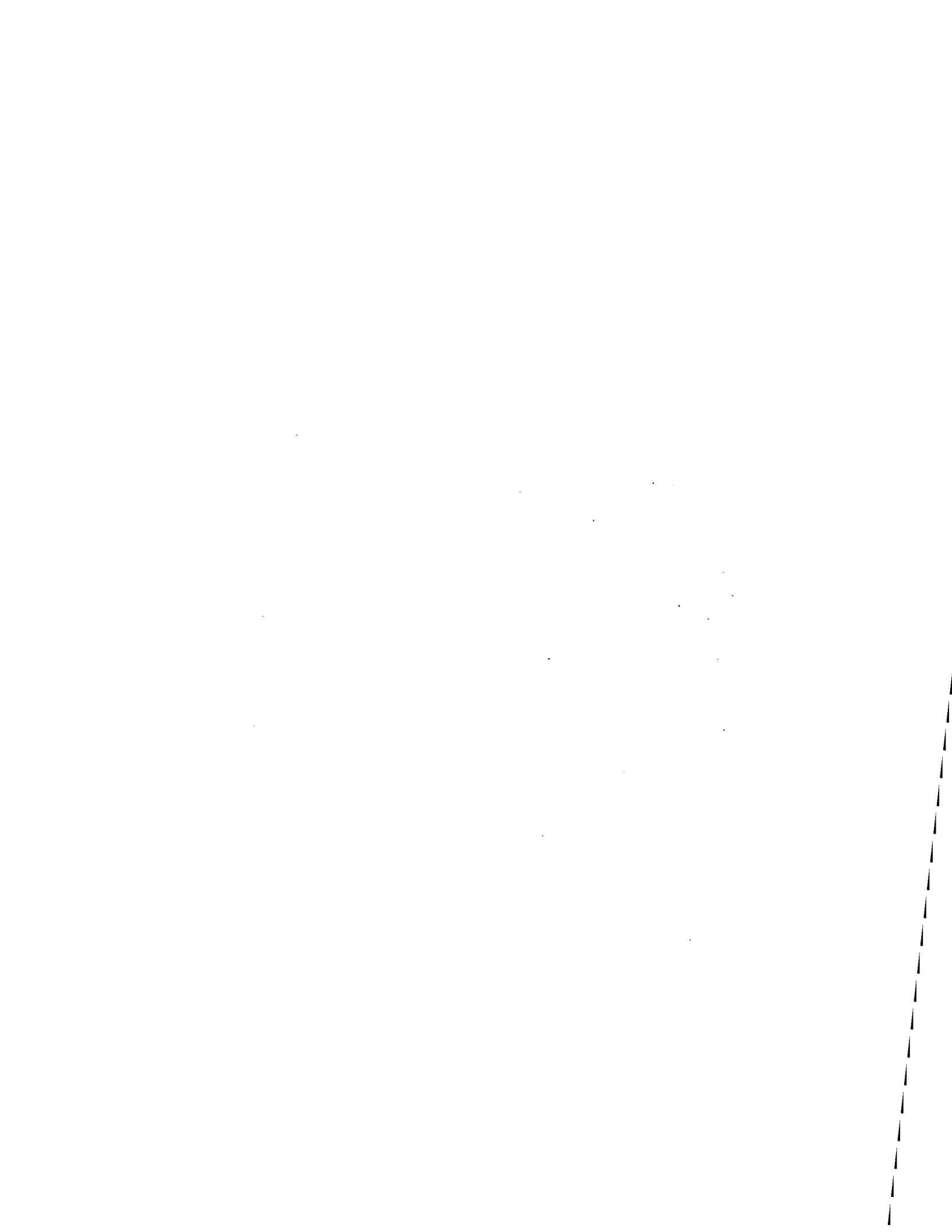
Also, when a Chinese, or even a Tibetan, is killed, tortured or sentenced to labor camp, few people in the world know about it. Human rights abuses get media coverage when they occur in South Africa or the Soviet Union, or even Northern Ireland. The contrast between the attention showered on Soviet nuclear physicist/dissident Andrei Sakharov in the West and the scanty attention devoted to Chinese astrophysicist/dissident Fang Lizhi (who was rudely barred by police from attending President Bush's party in Beijing in February 1989) is a case in point. Human rights abuses become news when they involve whites or blacks, or even more, if either race violates the human rights of a member of the other race. Abuses of Chinese, especially by Chinese, is of little concern. The authors feel that such a double standard should not be applied and so they seek to draw attention to the latter category. After all, Chinese suffer and hurt as much as anyone else and it does not matter to the victim who is the perpetrator of the mistreatment, torture or killing.

Finally, the authors want to thank Professor Yuan-Li Wu for contributing the draft of chapter four on the Chinese economy and its relationship to the human rights condition during the period under

study. Professor Wu also helped with the rest of the study, but did not want to take full credit for his labor.

The period under study extends from late 1987 to late 1988. Another volume next year will further update the study. It will assess most of the areas covered in this volume, plus any new topics of concern.

*John F. Copper and Ta-ling Lee*  
September 1, 1989





# CHAPTER I

## INTRODUCTION

Taking a broad look at human rights in the People's Republic of China (PRC) during late 1987 and through the fall of 1988, the situation in Tibet attracted the most attention. It also reflected the fact that little—much less than was generally assumed—progress had been made toward improving the human rights condition in China in recent years. And it mirrored the realization of a long festering human rights problem in Tibet and the seriousness of past human rights abuses in China. Finally it seemed to overshadow the fact that reforms had made China a freer place in many respects, especially in the realms of economic opportunity and certain political freedoms that had to accompany an effort to create a free market.

On the PRC's National Day on October 1, 1987, marking the thirty-eighth anniversary of Mao's establishment of a government in Beijing (Peking), Tibetan monks demonstrated *en masse* in Lhasa. Laymen joined. Though the protest was peaceful, police and government officials were angry about earlier protest marches and anti-Chinese, independence demonstrations. As a result, the police arrested a large number of protestors and brutally beat some. This provoked many Tibetans, who subsequently gathered at the police station and started throwing rocks. Rioting followed. The police reacted by shooting into the crowds, killing a sizeable (but still unknown) number of people. The government then imposed a curfew and set up road blocks. Telephone lines were cut so that foreign journalists could not report on events; this prevented other Tibetans as well as the outside world from knowing what had happened. Journalists were ordered to leave; foreign tourists were sent elsewhere.

The causes of the riots were many. They certainly include the years of repression and human rights abuses in Tibet. In 1950 and 1951, at the onset of the Korean War, the Chinese People's Liberation Army marched into Tibet. Tibet essentially has been under military occupation ever since. During Mao's Cultural Revolution, which lasted from 1966 to the Chairman's death in 1976, Tibet was brutalized by leftist fanatics who despised Tibetan Buddhism, not to mention the culture and people of Tibet. A million and a half Tibetans

were killed; many more were tortured or imprisoned, or both. The loss of life amounted to one quarter of Tibet's population.

Conditions got better after Mao. But Tibetans could not forget what had happened. China's opening up to the West, more freedom of movement, and particularly the regime's policy of allowing tourists and reporters into Tibet (to earn foreign exchange) gave the Tibetans an opportunity to vent their pent-up hostility. They also were displeased that many of the government's new policies; while they made for less religious persecution, did not help Tibet as they promised. In fact, the new policies allowed the Chinese to exploit Tibetans. A quarter of a million Chinese troops remained in Tibet, along with nearly that number of Chinese officials, businessmen and "immigrants."

Rioting and protest demonstrations spread to other parts of Tibet and to Qinghai province—China's notorious gulag where millions of political prisoners undergo reeducation and reform through labor. Many released from these camps are given pardons on condition they will remain and work in the camp factories—a situation that many describe as slave labor. The fact that large areas of Qinghai are populated by Tibetans, including the birthplace of the Dalai Lama, drew some attention to a gulag area that, in terms of the numbers of victims, makes the Soviet gulag pale in comparison.

Closing off these areas reduced media attention. Journalists could not report on what they could not see or even hear stories about. Thus, human rights abuses in Tibet ceased to be front page news, or news at all, in most parts of the world. This was so even though the killing of Tibetans by the police and the military in Tibet increased during 1988. Some Tibetans had managed to draw attention to their plight, but only for awhile. They ultimately failed and paid the price.

Indirectly, the situation in Tibet tells yet another story: that the human rights situation in the People's Republic of China has long been much worse than the outside world has known. Many people in other parts of the world had no conception of the human rights problems in Tibet in the past, or elsewhere in China. This says something about the fact that China has had an advantage not granted to other nations in the human rights area. Western nations have long given Beijing the benefit of the doubt. In short, the outside world has ignored the nation with the largest number of political prisoners, victims of torture and abuse and the lack of basic freedoms that exists anywhere in the world.

Was the benefit of the doubt being withdrawn? It certainly appeared so for awhile. The U.S. Congress held public hearings. The People's Republic of China was condemned. Chinese leaders in Bei-

jing were no doubt embarrassed, and they were worried. The biggest concern for them was that China would be treated fairly in terms of human rights critiques.

But this concern for China's human rights condition passed. The Department of State played down China's human rights abuses in Tibet and elsewhere. When it published its human rights country reports in early 1989, China got coverage similar to other nations, with only a handful of human rights cases noted. Few numbers were published. Good relations with Beijing proved to be more important to the United States government than the fate of Chinese human rights victims.

Another question arises: Why did Beijing allow events in Tibet to get out of hand so that it attracted world attention even for awhile? Events in Tibet seem to parallel political change in China itself. Clearly there appears to be a causal relationship, perhaps in both directions. In late 1987 the Party right—Deng Xiaoping and the reformists—seemed to be in command. They had survived the anti-bourgeois liberalization campaign of early 1987. Deng had to sack his heir apparent, Hu Yaobang, as Party General Secretary. He had to shift to the left politically and make some concessions. Yet many observers said Deng and the reformists emerged stronger than ever. In any case the reformists continued apace with their programs in late 1987 and early 1988. They spoke of democracy. And they even, in some cases, put up more than one candidate in Party and government elections (though not for top positions).

It appeared Deng wanted to keep the left—the hardliners and the Maoists—on the defensive. This may explain Tibet. It was to be a model.

Elsewhere, the reformists did not want to see democracy weaken the Party. Thus, the separation of powers, which at times they flaunted, was not allowed to affect the Chinese Communist Party's control over the government. In fact, Party control was increased, no doubt because the left had a bit more influence in the government at the top after Li Peng replaced Zhao Ziyang (who replaced Party General Secretary Hu). The reformists also took steps to strengthen ties between the Party and the military. Zhao assumed a position of leadership over the People's Liberation Army as First Vice Chairman of the Party Central Military Commission and began to make decisions openly on military policy. This seemed to enhance the influence of top military leaders by bringing them into political decisionmaking. Perhaps the reformists anticipated that the left would try to incite political instability to undercut the reformists actions.

Either the left succeeded, or else incidences occurred spontaneously because of more political freedoms, or at least because of more talk about political freedoms. Some political observers said: "Take your pick about explanations." In fact, the impression of more political freedoms was probably more contributory to political instability than the real loosening up of political controls that accompanied reform. Another factor, of course, was inflation. The "final" economic reform in the minds of many of the reformists was ending price controls. This was being tried—and it caused inflation to skyrocket. Officially, inflation was around twenty percent in 1988. However, many observers put it at more than fifty percent in many cities. This made much of the population insecure and set the scene for various kinds of protest, crime and violence.

Beijing used the instability caused by anti-government demonstrations (including many organized by students and some by farmers) as well as crime, especially crimes of violence, as an excuse for bolstering and improving the police forces and security organizations in China. Already China was moving in the direction of linking police, military and intelligence functions. This continued; in fact, it was in many respects completed. Crackdowns on crime escalated. Government officials used the term "liberal totalitarianism" to describe these political changes or the system that would result. What they meant by this term was: maintain political stability and keep only democratic reform the Party hierarchy approved. Some said that only reform necessary to make the economy work would be allowed. Others opined that reform was to be controlled and experimented with—granted and withdrawn at various intervals.

Meanwhile the government took a hard line on economic crimes. If one were to argue that the human rights condition in the People's Republic of China improved in recent years because of better economic opportunities and the political freedoms allowed to make them work, and, of course, the prosperity the free market and capitalism had brought, one also would be dismayed by the punishments meted out to economic criminals. Stiff sentences were given to "economic criminals"—much stiffer penalties than are given to white collar criminals in Western countries. While white collar crime probably should be dealt with more severely in Western democracies, it is still difficult to justify the extremely harsh punishments given in China. Many were executed for economic crimes, clearly not in accord with international practices, and not justified by some other means.

During late 1987, and even more in 1988, economic criminals were dealt with more harshly. They were given fewer opportunities to

clear themselves or to enjoy leniency for extenuating circumstances. The political and economic situations in China tell the reason for this. The reformers had to give the impression they were not allowing the evils of capitalism to engulf China. They had to keep the reforms from devolution. Another factor in the equation was factionalism in the leadership: the reformists pushing reform caused a backlash and internal dissension. In the past this was accompanied by crackdowns on both protest and crime. So it was in 1988.

The authorities' intolerance and the limits on reform were likewise manifested in Hong Kong. Resentment over growing inequalities in income and wealth in China that are products of capitalism or the unusual (read unprecedented) situation of planting capitalism in a socialist system, were reflected in both public attitudes and government policies toward Hong Kong. Beijing betrayed its promises to the people of Hong Kong in the 1984 Sino-British Agreement (which promised not to disturb Hong Kong's social and economic system for at least fifty years after reversion in 1997) in a host of ways. With a population comprised of 70 to 80 percent people who escaped from China, these developments caused serious travail in Hong Kong. Most who could afford to left Hong Kong. Some returned, but with foreign citizenship or residency in another country as a kind of insurance policy. Still the "brain drain" was marked.

Specifically, in writing the draft "Basic Law" that would serve as Hong Kong's future Constitution, Beijing patently sought to undermine the development of democracy. PRC officials at times spoke of a "U.S. plot" and blocked the election of officials that might represent the population of electoral districts in Hong Kong. Beijing also put pressure on the British government in order to block legislative reform. The draft Basic Law also was used to cause confusion while Communist cadres infiltrated local government organs.

Beijing also refused to be bound by its promise that the Universal Declaration on Human Rights should apply to Hong Kong. This, plus ignoring public opinion regarding democratic reforms, prompted anti-Beijing demonstrations. Amnesty International also protested, saying that the law was flawed and did not protect basic rights. Moreover, the United Nations Human Rights Commission criticized Beijing. Hong Kong citizens expressed alarm about Hong Kong residents who were held *incommunicado* in China and about the possible dangers of a nuclear plant China was building near Hong Kong. Beijing was either silent or obdurate regarding these complaints.

The government of the People's Republic of China also ignored the complaints and pleas of its own intellectuals. Throughout 1988,

students and other intellectuals demonstrated about their horribly austere economic conditions. A number of students dropped out of graduate programs because of economic difficulties. Many said it became common knowledge that education would not help in finding a job. Students even took to the streets offering shoe shines to government officials and tourists in order to embarrass the government. Students complained that the government had not done anything to improve their lot because of the trouble they caused through demonstrations, calls for true democracy and an end to official corruption. They also expressed anger about a decision that cut the number of students that could go to the United States each year and limited the length of their stays.

In late 1987 and throughout 1988, students regularly protested the slow pace of democracy, corruption, special privileges enjoyed by government officials, lack of free speech, inflation and other problems. Especially embarrassing to the government and the Chinese Communist Party were statements students made to the press and to foreigners to the effect that political reform in the Soviet Union under Gorbachev was real, but it was not in China. Laudatory comments about democracy in Taiwan also proved to be very sensitive.

The security police on the one hand made some concessions to students. But they did this while showing force and authority. In one case, they quickly executed a person convicted of killing a student near the Beijing University campus. The security police assumed a larger presence on campuses, allegedly to protect students. At the same time, however, they arrested a number of student leaders. Chinese writers and literary figures continued to complain of living in fear and repression unknown in most parts of the world.

Intellectuals also led protests against violations of promised open press and other freedoms. While press freedom has been broadened in recent years, including the last two years, Party and government officials were so embarrassed by the results that many crackdowns were ordered and censorship reimposed. In short, press freedom was a tenuous thing in the People's Republic of China during late 1987 and early 1988.

One of the most difficult realities to face for Party officials was the fact that, given a choice, almost no one purchased or read official Party or government newspapers or magazines. Instead, some 60 million Chinese listened to Voice of America each day. And they read gossip papers and foreign publications when they became available. *Red Flag*, the now demised organ of the Party Central Committee, and other official publications hardly sold and were seldom read.

Relaxation of press controls also resulted in a rash of pornographic books and magazines. In response, the government, assuming a link (still a controversial point in Western countries) between pornography and violence, banned many publications, including art works. Security forces took action against writers and sellers of materials with a sexual theme. Deng Xiaoping at one point even threatened to execute sellers of pornography.

This official attitude of hostility toward “impure publications” spread. It resulted in attacks on foreign works. Several were banned in 1988, including novels by Irving Wallace and Jackie Collins. A beauty pageant in Shanghai was also cancelled after being labelled bourgeois. A popular television program was banned for “insulting the nation.”

In another area, the human rights condition unequivocally deteriorated during the last eighteen months. This was criminal law enforcement. In response to what the Ministry of Public Security said was a huge rise in serious crime in 1988—more than 34 percent over 1987—the government took extreme means to reduce the crime rate and in the process disregarded legal proceedings and civil and political rights. According to observers, the government’s policy was to allow limited freedoms to ensure that the partly capitalist economy could work and also that foreign countries perceive that democracy was being implemented in China—in order to keep the flow of technology and investments coming in. Meanwhile, criminal codes would be enforced harshly and many would-be criminals would be “sacrificed” or made examples of in order to instill fear in the population (referred to as education) to prevent them from going too far in taking advantage of the new economic and political freedoms.

Most noticeable among criminal punishments was the widespread use, and gross misuse, of executions. While the Constitution of the People’s Republic of China prohibits public punishments and recent laws have been passed allowing lawyers in trials and defendants to enjoy proper procedures, these stipulations were ignored routinely. Convicted criminals were executed regularly with a bullet in the back of the head at close range in front of crowds, sometimes 20,000 or more in packed stadiums. Most of the executions take place within days or weeks of the trial. (The requirement that the Supreme Court confirm such sentences has been dropped.) Most of those executed were convicted of crimes that are not capital offenses in Western countries, such as embezzlement.

That capital punishment was being used more to intimidate potential criminals and the population as a whole was given more

credence in late 1987 and 1988. A U.S. Congressman said publicly that two Tibetans were executed to send a political message. According to various foreign journalists, a rash of public executions in November 1987 was timed to coincide with the 13th Chinese Communist Party Congress. At the meeting, more strict measures were taken to deal with the rise in crime. Executions of criminals who had perpetrated crimes against foreigners were given much more publicity. So were the executions of economic criminals and anyone using weapons or violence in the commission of a crime.

Beijing also exhibited a tougher attitude toward noted political prisoners already in jail or labor camps. In late 1987, noted political prisoner Wei Jingsheng was reported to have died in prison. The Chinese government denied the report, but refused to provide information on Wei's health. Other dissidents were kept in jail and not allowed visits, or allowed very few. Many of the prisoners in jail are there for crimes that probably would not now be considered a crime. At a minimum, their sentences were questionable. They appear to be kept in jail to avoid friction between the factions in the government and the Communist Party.

Finally, two groups of people saw their human rights conditions seriously deteriorate during the period under study: women and children. The causes were economic reform, the removing of controls on the treatment of women, stringent population control policies and official corruption.

Because of the expanding free market and more freedoms given to managers and others in control of economic decisions, traditional discrimination against women in the workplace reappeared. Thousands lost their jobs or were moved to less meaningful and more physically tedious work. Just over five percent of businessmen, according to a survey conducted in 1988, were willing to hire women for jobs that ordinarily could be filled by men. Routinely in 1988, women suffered pay cuts, were given longer hours, denied maternity leaves and were kept further away from their children by their employers. Prostitution and the selling of brides also increased during 1987 and 1988.

Birth control policies were even more strictly enforced than in the past because of population increases exceeding Party expectations. More women were coerced not to have children and more were forced to have abortions—even in the last months of pregnancy. There were even reports of babies being killed—by being hit on the head with a hammer at birth—that were treated as abortions. Forced sterilization also increased and involved mostly women. In an increasing number



of cases it was done because of the woman's low I.Q. The number of women receiving an education meanwhile continued to drop.

The use of child labor, the number of neglected children, the selling of babies and infanticide (almost all female babies) also increased during 1987 and 1988. Suicides among young people increased. All of this seemed to stem from confused economic policies that mixed the bad of both socialism and capitalism, combined with corruption among officials on the one hand and a lack of caring on the other.

In sum, late 1987 through 1988 was a period of increased economic and political freedoms, especially the former. But it did little to improve the human rights condition generally in the People's Republic of China. Improvements in human rights practices in some areas were offset by declines in others. The record was mixed; it seemed to reflect both transition and systemic problems. There was much new change, but old corruption. It was indeed one step forward, one step back.

## **CHAPTER II**

### **TIBET BECOMES A HUMAN RIGHTS CASE**

#### **INTRODUCTION**

As indicated in the introduction chapter human rights problems in Tibet attracted more attention than in any other part of China during 1987-88. The situation in Tibet also provoked more criticism of the Chinese government because of its human rights abuses than elsewhere. In short, it was the “hotspot” during the period under study.

This is not to say that Tibet suddenly became a human rights problem. A bad human rights situation had been present in Tibet since 1950-51 when the Chinese People’s Liberation Army invaded Tibet. The situation at that time, therefore, deserves mention. Tibet had been independent throughout most of its history. Though it was incorporated into the Chinese empire during the Qing dynasty (1644-1911) for a period of two centuries, its relationship with Beijing during that time resembled that of European kingdoms with Rome under the Holy Roman Empire. Tibet was for the most part free of outside control. It was certainly quite autonomous in religious and social matters and in most other respects.

In 1913, two years after the Qing dynasty was overthrown, Tibet declared independence. The British colonial government in India concluded treaties with Tibet, but other nations of the world community had no reason for seeking diplomatic or other ties with Tibet. Thus, Tibet was not seen in the international community as a nation-state. Tibet, however, remained de facto independent until 1951.

In 1950, when Chinese troops entered Tibet, most Tibetans resisted, many with weapons. The resistance was quickly overwhelmed, but not before Tibetan authorities on November 7 appealed to the United Nations, stating that Tibet was not part of China and that the Chinese military presence in Tibet constituted “unprovoked aggression.” A “compromise” was subsequently reached: a Sino-Tibetan “agreement” was signed giving Tibet a number of guarantees, which together may be seen as amounting to the granting of autonomy. Beijing promised not to alter the existing political system; the status, power and functions of the Dalai Lama; religious beliefs and customs; and lamaseries. Reforms were to be carried out by local governments.

Tibet was given the title of autonomous region.<sup>1</sup>

But Beijing did not keep its promises. Chinese Communist Party cadres in cooperation with the People's Liberation Army proceeded to "eradicate feudalism and serfdom" in Tibet, even though these conditions were not really present in Tibet and Tibetans did not want to be "liberated."<sup>2</sup> Because of the mistreatment of the Tibetan population, the humiliation and killing of lamas, property confiscation, religious desecration and efforts to populate Tibet with Chinese (where there had been almost no Chinese before), Tibetans began to engage in guerrilla warfare against the Chinese military and government authorities.

Tibetan hostility toward Beijing increased steadily through the early 1950s. In 1956, the Dalai Lama met Zhou Enlai in India and requested that Chinese military forces be withdrawn from Tibet. Zhou refused, viewing the request as an effort to gain independence. In early March 1959, when the Chinese military commander in Tibet asked the Dalai Lama to visit him without his escorts, Tibetans perceived that he was going to be kidnapped and maybe killed. They gathered in large numbers and surrounded his summer palace in Lhasa to prevent this. On March 17, Chinese military units attacked the palace with heavy weapons, killing large numbers of people. The Dalai Lama fled to India with thousands of his followers. Others stayed and carried on a resistance campaign. It was suppressed, with considerable loss of life. Human rights violations subsequently abounded, with more desecration, executions and torture.<sup>3</sup>

During the Maoist-inspired Great Proletarian Cultural Revolution in the mid and late 1960s, Tibet was again brutalized. It is estimated that one and a quarter million Tibetans (of a population of 6 million) lost their lives during this time. The army destroyed religious buildings, including their historic treasures. Further efforts were made to populate Tibet with Chinese, in order to make the Tibetans a minority and establish total control over Tibet. The post-Mao government later admitted that what happened in Tibet appeared to be "attempted cultural genocide."<sup>4</sup>

The human rights condition in Tibet improved under Deng Xiaoping's leadership in the late 1970s and early 1980s. But many Tibetans saw the improvements as marginal and mostly for the benefit

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1. See Yuan-Li Wu, Franz Michael, John F. Copper, Ta-Ling Lu, Maria Hsia Chang and A. James Gregor, *Human Rights in the People's Republic of China*, (Boulder, Co: Westview Press, 1988) pp. 276-77.

2. *Ibid.*, p. 278.

3. *Ibid.*

4. *Ibid.*

of foreigners who began to visit Tibet in larger numbers, providing Beijing with badly needed foreign currency. Moreover, they could hardly forget what had happened in the past. Also, new problems began to appear. China's atmospheric nuclear tests, conducted up to 1983, had begun to result in birth defects and other health problems in Tibet where much of the fallout landed. Most Tibetans perceived that illnesses and deformities caused by China's nuclear tests were inflicted intentionally. Education was ignored compared to the rest of the country. Efforts to wipe out the so-called residual radicalism of the Cultural Revolution years resulted in efforts to destroy the Tibetan language in schools and work areas. Tibetan religious practices were allowed and then banned again. In short, Beijing's more moderate policies did not ameliorate ill feelings in Tibet.<sup>5</sup>

In 1979 the Dalai Lama declared that the Chinese "liberation" of Tibet had denied Tibetans their birthright and the "freedom to determine their own destiny themselves." They talk, he said, of an "imaginary state of glorious happiness and progress said to be existing in Tibet."<sup>6</sup> He went on to describe how miserable conditions were in Tibet and how the Chinese government and the all-pervasive Chinese Communist Party delighted in abusing human rights in Tibet. That feeling remained during the period of reform under Deng.

Approximately a quarter million Chinese troops remained in Tibet in the early 1980s notwithstanding policies that were intended to promote better relations between Beijing and Tibet. Another one hundred and fifty thousand Chinese officials reside in Tibet. Tibetans still perceive that they have been invaded and that Beijing has adopted a policy of assimilation that will destroy Tibetan culture and eventually the Tibetan people. Chinese do not make an effort to learn the Tibetan language. Further, they label the Tibetan culture inferior. Tibetans feel they have been degraded, desecrated and brutalized and that the Chinese government espouses a condescending and discriminatory attitude toward Tibet and its people and culture.

Tibetans also think that the Chinese government has done little for Tibet. The per capita income is one-third the average in China. The illiteracy rate is the highest anywhere in China; life expectancy is 40 years compared to the national average of 75. What money has been spent in Tibet by the government, Tibetans say goes for roads

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5. See Ta-ling Lee and John F. Copper, *Reform in Reverse: Human Rights in the People's Republic of China, 1986-1987* (Baltimore, Md.: University of Maryland School of Law, Occasional Papers/Reprints Series in Contemporary Asian Studies, No. 6, 1987), pp. 88-89.

6. Quoted in "Protest in Tibet," *Wall Street Journal*, October 7, 1987, p. 34.

that benefit Beijing for security reasons and only disturb Tibetan culture.<sup>7</sup>

It is against this backdrop that serious anti-Chinese protests and riots broke out in late 1987 and throughout 1988. They occurred in large part because of Tibetans' dislike of Beijing's policies and the government's treatment of Tibetans. The fact that Tibetans were finally given an opportunity to make their feelings known, because of Beijing's opening up (including Tibet) to the world, is another factor.

### THE AUTUMN OF 1987

During mid-1987, the U.S. Congress, in response to continuing human rights abuses in Tibet and public criticism from various quarters, expressed its concern by calling for formal hearings. In June, the U.S. House of Representatives passed an amendment (to another bill) that criticized the Chinese government for causing over one million Tibetan deaths since 1950 and for human rights violations and the "military occupation" of Tibet. At almost the same time, the Senate denounced as too lenient the U.S. Department of State's recently-published report on human rights in China. The British and West German governments also made comments on the human rights condition in Tibet and specific problems there. It was even suggested that the Tibet government in exile be given observer status in the United Nations.<sup>8</sup>

Thus, when the Dalai Lama visited the United States in September 1987, Beijing was both apprehensive and displeased. Two days before a scheduled appearance before the U.S. Congress's human rights caucus, the Chinese Embassy in Washington demanded that the Dalai Lama not be allowed to make any political statements while in the United States.<sup>9</sup> The Congress ignored what some members called an "outrageous" request. On September 21, the Dalai Lama presented a five point peace initiative intended to start negotiations again that might lead to some solution to the problems in Tibet. U.S. observers considered the five-point plan moderate: it called for a "zone of peace" in Tibet; an end to Chinese settlement in Tibet; respect for human rights and dignity; respect for Tibet's ecology; and, better relations between China and Tibet. The Dalai Lama did not propose

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7. See Daniel Southerland, "New Chinese Policies Affect Monks' Rebellion in Tibet," *Washington Post*, October 7, 1987, p. A23.

8. See "Protests in Tibet," *Wall Street Journal*, October 7, 1987, p. 34.

9. *Ibid.*

independence.<sup>10</sup>

Latent anti-Chinese feelings and loathing of Beijing's treatment of Tibet, together with the publicity give to the Dalai Lama's trip, prompted 30 or so monks and 100 laypersons in Lhasa to organize a demonstration. They may have perceived that this was an opportunity to make their plight known to the outside world—long a problem for Tibetans, especially critics of Beijing's human rights policies. The demonstrators carried Tibetan flags and chanted slogans for Tibetan independence, but the demonstration was peaceful.<sup>11</sup>

When demonstrators approached a government building, police arrested them. A number were beaten by police.<sup>12</sup> According to official Chinese sources, 26 were released two days later after signing "self-criticism" statements.<sup>13</sup> Others were released more than three months later, having never been charged with any crime.<sup>14</sup>

On October 1, China's National Day, 60 monks and laypersons led another demonstration in Lhasa. According to various reports their assembly was peaceful. Nevertheless, a number were arrested and some publicly beaten by police.<sup>15</sup> This angered onlookers, who shortly after gathered in front of the main police station and started pelting the station and police with rocks. Rioting followed, during which several police stations and vehicles were set on fire. The police responded by shooting into the crowds, killing an undetermined number of people.<sup>16</sup> A night curfew was imposed and roadblocks were set up around Lhasa. Then several hundred armed special police were flown in.<sup>17</sup> Troops were also sent to Lhasa.<sup>18</sup> State-controlled newspapers issued warnings to "separatist elements that were stirring up unrest."<sup>19</sup>

A few days later 15 foreign journalists in Lhasa were ordered to leave.<sup>20</sup> Telephone lines were cut and foreign tourists with reserved

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10. For details, see Nilova Roy, "China Moves to Seal Riot-Shaken Tibet," *Washington Post*, October 8, 1987, p. A25.

11. See "China: Detention Without Trial, Ill-treatment of Detainees and Police Shooting of Civilians in Tibet," *Amnesty International Report*, February 1988, p. 3.

12. *Ibid.*

13. Xinhua (New China News Agency), September 29, 1987, cited in *ibid.*

14. *Ibid.*

15. *Ibid.*

16. *Ibid.*

17. *Ibid.*

18. *Washington Post*, October 8, 1987, p. A25.

19. *Ibid.*

20. *Ibid.*

accommodations in Tibet were warned not to go.<sup>21</sup> Chinese authorities subsequently began checking on all foreigners residing in Tibet, perceiving (accurately, according to many reports) that they sympathized with the Tibetan independence movement and agreed with Tibetan complaints about the Chinese government's human rights abuses there.<sup>22</sup> Foreigners reported being harassed and having their passports and visas checked numerous times.<sup>23</sup>

Chinese officials blamed the Dalai Lama for the violence in Lhasa. *People's Daily*, citing high officials, assailed the Dalai Lama and his "clique" for stirring up anti-Chinese feeling among Tibetans. The paper went on to say that he was trying to "sabotage the unity and stability in Tibet in support of his criminal activities abroad. . . ."<sup>24</sup> The Dalai Lama, from his office in India, condemned the violence, appealed to various human rights organizations around the world and called on Chinese officials to stop the execution of "innocent Tibetans" and release those in prison.<sup>25</sup>

In the meantime, in late September anti-Chinese demonstrations occurred in Xigatse, Tibet's second largest city. Monks, and reportedly some foreigners, were involved. Tibetan monks also led protest marches near the Tibet-Nepal border.<sup>26</sup> Participants in the latter were mostly Tibetan refugees living in Nepal. The fact that Chinese forces had occupied part of the "holiest place" (as regarded by Tibetans) in Lhasa, evoked continued anger toward Chinese authorities.<sup>27</sup>

The Chinese government was no doubt incensed by a letter made public at the time, sent by monks in the Sera Monastery in Lhasa to the United Nations calling for the independence of Tibet and criticizing Chinese human rights practices in Tibet. The letter asserted that China had ruled Tibet "violently" and "Tibetans want the Chinese to leave." It asked nations of the U.N. to support the Tibetan cause and do something to correct the "Chinese taking of our human rights for the last 30 years."<sup>28</sup>

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21. Daniel Southerland, "Phone Lines Cut; Foreigners Barred," *Washington Post*, October 8, 1987, p. A25.

22. *Ibid.*

23. *Ibid.*

24. Cited in Edward A. Gargan, "China Denounces Tibetan Leader as Responsible for Violent Protest," *New York Times*, October 4, 1987, p. 1.

25. *Ibid.*

26. "Chinese Anticipate New Strife in Tibet," *Washington Times*, October 7, 1987, p. A8.

27. Edward A. Gargan, "Police Take Over Section of Holiest Buddhist Site in Tibet," *New York Times*, October 6, 1987, p. A1.

28. *Ibid.*

Two other monasteries also got involved—appealing to the United Nations and passing out copies of an “appeal for world support.”<sup>29</sup> More letters were written, some of them making reference to a determination made by the International Commission of Jurists after the uprising in 1959 that China in 1951 had “violated the rights of a fully sovereign country.” They also called attention to U.N. resolutions in 1961 and 1965, calling (in the case of the latter) for a “cessation of the practices which deprive the Tibetan people of their fundamental human rights and freedoms, including most importantly their right to self-determination.”<sup>30</sup>

A third demonstration took place on October 7. Protestors demanded the release of the monks arrested in September. 50 to 60 young monks led the march to government offices. The demonstrators were arrested before the march ended, according to observers, and were “brutally assaulted.”<sup>31</sup>

This time the Chinese militia, armed with AK-47 rifles and electric prods, were called instead of the police. According to observers at the scene, they literally tossed arrested people into trucks that carted them away.<sup>32</sup> The tough reaction of the Chinese government apparently came because of orders to crack down after the earlier riots and also because this demonstration occurred on the eve of the anniversary of China’s invasion of Tibet in 1950. There were reports that the Tibetans were armed and that they had thrown stones. But an observer at the scene saw those arrested being searched and said none was armed.<sup>33</sup>

Chinese officials subsequently organized “political meetings” and “reeducation sessions.” In one instance, 15,000 people were rounded up and herded into a stadium where they were instructed about political obedience.<sup>34</sup> According to private reports, between 300 and 600 people were taken into custody in October.<sup>35</sup> Eight “Tibetan nationalists” were given prison sentences and two sentenced to death for insti-

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29. Adi Ignatius, “Tibetans see Victory in Demonstrations Against China,” *Wall Street Journal*, October 6, 1987, p. 30.

30. See Ann Scott Tyson and James L. Tyson, “Tibetans Seek Outside Aid as China Sends More Troops,” *Christian Science Monitor*, October 6, 1987, p. 1.

31. *Ibid.*

32. James L. Tyson, “Chinese Tighten Grip in Tibet,” *Christian Science Monitor*, October 7, 1987, p. 7.

33. “60 Shout out Dalai Lama’s Name and are Seized in Protest in Tibet,” *New York Times*, October 7, 1987, p. A8.

34. *Wall Street Journal*, October 7, 1987, p. 34.

35. *Amnesty International Report*, *supra* note 11, p. 4.



gating the demonstrations and riots.<sup>36</sup> One was executed immediately. Another “criminal” was executed at this same time, apparently reflecting efforts by Chinese security forces to intimidate the population.<sup>37</sup>

China’s Minister of Justice, Zou Yu, at this time stated that reports that officials had violated the human rights of Tibetans was “sinister slander.” He declared that there was only one prison in Tibet and two labor camps where there were a total of 970 inmates, 27 of whom were serving sentences as counterrevolutionaries.<sup>38</sup> He labelled as false the reports of John F. Abedon, a U.S. Tibetan expert who had prepared testimony for the U.S. Congress in which he noted that Beijing had jailed 20,000 Tibetans in 84 prisons in Tibet.<sup>39</sup> Amnesty International subsequently debunked the Chinese minister’s statement about there being only one prison in Tibet, when it reported on dissidents being held in at least two different prisons in the capital city of Lhasa.<sup>40</sup>

In reaction to all of this, the U.S. Senate voted unanimously (98-0) to condemn the People’s Republic of China for human rights abuses in Tibet. The amendment in which this condemnation was contained was part of an authorization bill for the Department of State. It urged President Reagan to meet with the Dalai Lama and called for progress on resolving human rights problems before the United States proceeded with new arms sales or weapons technology transfer to China.<sup>41</sup> The Senate also charged that “China has made efforts to transfer millions of Chinese to Tibet” to “make the Tibetan people a minority in their own homeland.”<sup>42</sup> The State Department, however, refuted the Senate’s claims and defended its report, published before the recent problems, that progress was being made on human rights in Tibet.<sup>43</sup>

### PROTEST AND HUMAN RIGHTS ABUSES IN 1988

After the fall 1987 demonstrations, anti-Chinese and anti-government riots and violence, government and Party authorities in Tibet remained on alert. Soldiers and police with heavy weapons were seen

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36. *Wall Street Journal*, October 7, 1987, p. 34.

37. *Ibid.*

38. *Christian Science Monitor*, October 7, 1987, p. 7.

39. *Ibid.*

40. *Ibid.*

41. Elaine Sciolino, “Beijing is Backed by Administration on Unrest in Tibet,” *New York Times*, October 7, 1987, p. A1.

42. *Ibid.*

43. *Ibid.*

everywhere in Lhasa. Independence activists were imprisoned; many were tortured and some executed. There were daily warnings in the newspapers and on the radio that further demonstrations would be dealt with harshly.

The Tibetan's hopes that foreign countries would put pressure on Beijing and that their cause would win outside support were dampened. Foreign news reporters were ordered to leave Tibet so that they could not send information to the rest of the world about future incidences and accompanying crackdowns and brutality. Human rights abuses thus would get little attention.

The government also attempted to placate the angry monks and laymen in Lhasa and throughout Tibet. Some prisoners were released. Police were ordered not to use weapons in ordinary situations. The government even took actions to improve economic conditions in Lhasa. But this did not dampen the widespread ill-feeling among Tibetans about Beijing's earlier brutality and atrocities.

On March 5, 1988 monks prepared for the annual Great Prayer Festival in Lhasa. The government stationed 50 police at the Jokhang Temple to guarantee there would be no trouble. The government-controlled Chinese Buddhist Association had arranged the program that morning. But suddenly monks broke ranks and started shouting provocative slogans: "Independence for Tibet; Down with Chinese oppression; Long Live the Dalai Lama." Chinese police started photographing those doing the yelling to use as evidence for incarceration or even torture. The monks responded by throwing rocks at the photographers.<sup>44</sup>

Some 20,000 pilgrims and onlookers at the scene began to join in the chants supporting the Dalai Lama and Tibet's independence and chiding the Chinese government about human rights abuses.<sup>45</sup> The police used percussion grenades and tear gas and arrested 100 monks, some of whom escaped in the confusion or with the help of onlookers.<sup>46</sup>

During the afternoon, the rioting spread. According to Xinhua, the official Chinese news agency, the protestors looted and set fire to shops and beat up policemen. They also set fire to buildings and automobiles.<sup>47</sup> Observers reported hearing gunshots through the night

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44. "Lhasa Boils Over Again," *Asiaweek*, March 18, 1989, p. 22.

45. *Ibid.*

46. Robert Delfs, "A Lost Horizon," *Far Eastern Economic Review*, March 11, 1988, p. 24; see also *ibid.*

47. Cited in *Asiaweek*, March 18, 1988, p. 22.

and into the morning.<sup>48</sup> *People's Daily* reported that one policeman had been thrown out of a two-story building and killed and 28 others wounded.<sup>49</sup> The Jokhang, Drepung and Sera monasteries, from where the monks that led the parade praying started the riots, were closed.<sup>50</sup>

There was only one non-Chinese reporter in Lhasa at the time, so the incidences did not get reported widely and the extent of police brutality and killing is not known. It probably will never be known. However, the single foreign journalist there said that a 15 year-old monk had been shot through the head and killed and that he was aware of eight deaths. Observers later interviewed said that they thought that the incidences this time were much greater than those in the fall of 1987, since there were 10 times as many protestors.<sup>51</sup> They could not provide any information on the extent of beatings, killing or torture, though they did see beatings occur.<sup>52</sup>

On March 10, 1988, the 29th anniversary of China's invasion of Tibet in 1959, exiled Tibetans in Delhi demonstrated on the streets. A member of the Indian-based Tibetan Youth Congress told reporters at the time that "we are desperate because non-violent methods have not been working." He said that feelings were growing to get Chinese out of Tibet and that we must "win or perish." Some members of the group said they would resort to terrorist tactics.<sup>53</sup> Lhasa, however, remained quiet. Large numbers of police and paramilitary forces patrolling the streets prevented demonstrations.

Meanwhile, the Chinese military commander of the Tibet region publicly declared: "We must seriously punish the criminal acts of rioters." But Beijing also made promises not to retaliate and to continue granting economic and political rights to Tibetans. Beijing's approach seemed to be a "dual policy" (both crackdowns and concessions) intended to confuse Tibetans. Alternatively, and perhaps just as likely, reformists and hard line leftists in Beijing or even factions within the reformist camp, were in disagreement about how to deal with the situation.<sup>54</sup>

On March 10, while most of Tibet remained quiet, disturbances broke out in Qinghai province northeast of Tibet (China's gulag where millions of political prisoners are kept in "education through labor"

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48. *Ibid.*

49. Cited in *ibid.*

50. *Ibid.*

51. *Ibid.*

52. *Ibid.*

53. "Tibet: Ease Up or Crack Down," *Asiaweek*, March 15, 1988, p. 22.

54. *Ibid.*

and "reform through labor" camps). Parts of Qinghai province are populated by Tibetans. In several "Tibetan autonomous districts" in Qinghai, Lamas demonstrated in support of the Dalai Lama and Tibetan independence. They also protested the use of forced abortions on Tibetans to reduce their population.<sup>55</sup> The protestors also demanded the release of monks arrested in late 1987 who were still in custody.<sup>56</sup> Little other information, particularly about human rights abuses was available. News reporters were not allowed in and information had to come secondhand from travellers in the area.<sup>57</sup>

Later, information coming out of Lhasa indicated that, at the time of the March 5 riots, Buddhist monks poisoned tea and food consumed by a number of policemen, Chinese Buddhists Association officials and Chinese reporters.<sup>58</sup> Chinese sources in Hong Kong also reported a large number of police injured, as well as officials were injured in Lhasa.<sup>59</sup> In part of Tibet, monks and others oppressed by Beijing perceived they had to resort to terrorist guerrilla tactics as they had done in the 1950s and 1960s.

In July 1988, Australian Foreign Minister Bill Hayden visited Lhasa, the first foreign government official allowed in after the March riots. He said that he had seen several monks beaten so badly that they could not remove their clothes.<sup>60</sup> He also stated that he had heard that monks had undergone Chinese rope torture: suspending victims from roof beams, beating them with sticks and belts and prodding them with electric prods.<sup>61</sup>

In August, U.S. Ambassador Winston Lord, who was known to have little sympathy for the Tibetan's cause, visited Tibet and met with Chinese and pro-government Tibetan officials. He expressed serious concern about what had happened in Tibet and suggested that American officials be allowed to visit the area.<sup>62</sup> Chinese officials

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55. Daniel Southerland, "Anti-Chinese Unrest Spreads to Province North of Tibet," *San Francisco Chronicle*, March 11, 1988, p. A23; Asiawatch had written a detailed report at this time delineating the extent of forced abortions and the application of fines and the denying of ration cards to third children so they would starve.

56. *Ibid.*

57. *Ibid.*

58. See "China Reports 300 Cops Hurt in Tibet Riot," *San Francisco Chronicle*, March 9, 1988, p. B11.

59. *Ibid.*

60. "China Breaks the Back of Tibetan Protest," *Financial Times* (London), July 29, 1988, p. 6.

61. *Ibid.*

62. Daniel Southerland, "U.S. Ambassador to Beijing Expresses 'Deep Concern' in Visit to Tibet," *Washington Times*, August 17, 1988, p. A15.

promised that reporters would be allowed to return in a "planned way."<sup>63</sup> Lord asserted that the U.S. Administration was as concerned about human rights problems in Tibet as the U.S. Congress.<sup>64</sup>

However, within days of Ambassador Lord's visit, the Chinese Embassy in Washington denied a visit to Representative Charles Rose, who had wanted to visit Tibet. The Embassy said it was the tourist season and it was "not convenient to arrange the trip."<sup>65</sup> Meanwhile, Han Xu, the Chinese Ambassador to the United States, in a letter to Representative Dante Fascell, Chairman of the House Foreign Affairs Committee, expressed deep concern about a bill introduced by Rose and five others that called for economic sanctions against China if the President could not confirm that the human rights situation in Tibet had improved.<sup>66</sup> The sanctions were to include cancelling China's most favored nation status, which allowed Beijing to export its products to the United States under a lower tariff schedule.

On September 7, nuns gathered at Jokhang Temple in Lhasa and began shouting slogans such as "Freedom for Tibet." They were immediately taken away by police.<sup>67</sup> Some days later, police used tear gas and closed off at least one temple after monks began demonstrating and shouting pro-independence slogans.<sup>68</sup> Again no details of these protests became available because foreign reporters were still barred from Tibet. According to one source, Tibetans at this time were mainly protesting the presence of Chinese Public Security Bureau officials, police and Communist Party cadres in Lhasa and Beijing's assimilation policy.<sup>69</sup>

## CONCLUSIONS

By late 1988, it seemed clear that the efforts of Tibetans to draw attention to their plight and human rights abuses in their homeland had failed. They managed to attract world attention to Tibet for a short time. But when foreign reporters were banned, reporting on Tibet diminished quickly. The foreign press made no real effort to keep the issue before the public. Western reporters were unable to get to

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63. *Ibid.*

64. *Ibid.*

65. Daniel Southerland, "China Denies Visa to Rose Critic on Tibet," *Washington Post*, August 11, 1988, p. A28.

66. *Ibid.*

67. Guy Dinmore, "Calm Belies Tensions in Tibet Under 'Chinese Oppression'" *Japan Times*, September 27, 1988, p. 8.

68. "Protests Reported in Tibet," *Washington Times*, September 30, 1988, p. A8.

69. *Far Eastern Economic Review*, October 13, 1988, p. 26.

the scene and report what was happening so they went elsewhere and focused on new stories. Because of this, the public (in the United States and other Western countries) had the impression that the problems in Tibet had passed and that human rights problems were no longer so serious—which was patently untrue.

Protestors also failed to get the United Nations or the U.S. government to do anything to correct the deplorable human rights situation in Tibet. The United Nations was not prepared to challenge the Chinese government on the issue. Clearly, the world body was in no mood to issue a resolution of condemnation or apply the concept of self-determination. Similarly, the United States was not prepared to challenge the Chinese government on the issue. The State Department was embarrassed by the situation, having previously played down human rights abuses in China. Moreover, it did not want to challenge Beijing. The U.S. Congress was more willing to incur Beijing's wrath; but even the Congress did not push very far. Congress, was not that much concerned about human rights in Tibet; after all, Tibetans did not have a constituency that could keep their problems before the American public.

The Chinese government had sought to make money on tourists who wanted to visit Tibet. Allowing visitors to Tibet was part of their "opening to the outside world" policy. Beijing's reaction to the problems in Tibet was to close Tibet and reverse its policy until conditions there changed—meaning when demonstrations stopped and Tibetans got the message that trying to do something about human rights abuse there was futile. In this, the Chinese government was successful.

Chinese authorities made few, if any, real concessions. Their crackdown and brutality clearly exceeded their sometimes better treatment of Tibetans. In fact, future analysis probably will indicate that the crackdown and the deterioration of the human rights condition in Tibet 1988 was much much worse than was known.

## CHAPTER III

### POLITICS IN COMMAND?

#### INTRODUCTION

As in the past, the human rights condition in the People's Republic of China (PRC) continues to be affected by its politics and its political system. Over some of the past two years, the PRC experienced progress in political reform; however, toward the end of the period reform seemed again to be in retreat. This was not unlike the situation in early 1987 following student demonstrations that led to the fall of Deng Xiaoping's handpicked successor, Party General Secretary Hu Yaobang, the dashing of democratic reforms and the ascendancy of the hardline left in the Chinese Communist Party and the government.

This time the primary causes were corruption, crime and inflation. Alternatively, the reformers became too confident and went too far. Deng's new successor, General Secretary Zhao Ziyang, saw his political power wane. Zhao's political power had been related most closely to the issue of inflation, though it may have been as much a barometer reflecting other issues as it was an issue itself. In any event, Zhao's authority and reputation took a nosedive in the fall of 1988 as he was stripped of his authority over the special economic zones and other economic decision-making. Inasmuch as economic reform and political reform were linked and an erosion of Zhao's authority benefitted the anti-reformist left, it appeared again to be a bad omen for political and civil liberties.

Widespread corruption (or so it was perceived) and rapid increases in the crime rate were issues in themselves and resulted in various crackdowns. But they also engendered changes in the political system or were the cause of inauspicious (for those concerned about human rights) political shifts. This was most apparent in "administrative" changes made to beef up the power, authority and effectiveness of China's police and security organizations. These changes, in fact, suggested that the reforms were not working; alternatively, they had to be protected by draconian measures.

Hong Kong was likewise an issue that mirrored the changing political wind in Beijing. During the period under study, China's treatment of Hong Kong demonstrated some progress in human rights. Beijing showed a degree of confidence by taking measures to

loosen political controls and make political reforms compatible with its economic reforms. These applied to Hong Kong. But this situation subsequently reversed course.

### POWER STRUGGLES AND THE SHIFTING WINDS OF POLITICS

Almost like a rerun of 1986-87, during 1988 there was a political power struggle in China between the left and right—the hardliners and the reformers. This struggle affected the structure and workings of the political system. It in turn affected the human rights condition in the PRC. As before, an intensified struggle between factions in the Party and an ascendancy of the left had a deleterious influence on the practice and regard for human rights.

The last half of 1987 saw the reformers in the driver's seat. They had survived the leftist backlash of late 1986 and early 1987. Though General Secretary Hu was sacrificed to placate the left or the orthodox hardliners, Premier Zhao replaced him as head of the party and as Deng's apparent successor. He advocated political reform almost as strongly as Hu—and was more clever. Thus the reforms seemed to be on track again. In fact, by late 1987 and early 1988 democratization was proceeding, according to some observers, "full steam ahead."

At the 13th Party Congress, held in November 1987, Deng Xiaoping orchestrated a reduction in the size of the Central Committee of the Chinese Communist Party and the promotion of 60 plus new members to this body, nearly all reformists. He persuaded or pressured more than 90 to step down. This meant that the Party hierarchy was now made up of only a handful of Long March veterans and a few leftist ideologues and Maoists. The Party leadership now was comprised of more technocrats, pragmatists and rightist reformers and was younger—55.2 years of age for the Central Committee compared to over 59 before.<sup>1</sup>

The Party Constitution also was amended to promote reform. Chairpersons of the Central Military Commission, the Central Advisory Commission and the Commission for Discipline no longer had to be members of the Politburo. The relationship between the Politburo and its Standing Committee was clarified. Party cells in government as well as in factories and enterprises were abolished. Party and government functions were defined more clearly. In short, the composition and the structure and functional operation of the Party became

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1. "Reformists Dominate Politburo," *Asian Bulletin*, January 1988, p. 94.



more constitutional and democratic.<sup>2</sup>

Premier Zhao Ziyang, a staunch reformist, was voted Party General Secretary. Hu Yaobang, Deng's previous heir apparent and reform advocate, who was sacked in January, was returned to the Politburo. Most of the other top members of the Party and its Politburo were reformists. Zhao said at the time that the new leadership team would "keep up the momentum."<sup>3</sup>

As a result of decisions made at the Party Congress, there was a call for the rehabilitation of the more than 500 publications shut down during the anti-bourgeois liberalization campaign.<sup>4</sup> There was also a call for supporting a new press law that would make clear the rights of journalists and free speech and the press.<sup>5</sup> The Chinese Writers Association was to hold a national congress in 1987 but cancelled it. The Association started to make plans again for that meeting. There was also an announcement that a Court of Appeals, similar to the U.S. Supreme Court in its power and duties, would be established.<sup>6</sup>

However, because the rightist reformists had what appeared (to them at least) a close call in late 1986 and early 1987, they carefully guarded their political prerogatives. They were cautious not to allow political reform or the advocates of democracy and political and civil rights to endanger their positions again. The lines of authority of the Chinese Communist Party (CCP) vis-a-vis the government were "clarified" at the Party Congress to the advantage of the Party. The CCP gained, even though the reformists argued that to implement democracy and enhance civil and political rights (not to mention further economic reforms) there needed to be a separation of powers. The proposal that the National People's Congress and the Chinese People's Political Consultative Conference should be autonomous was dropped. Measures were taken to improve Party discipline and prevent grassroots opportunities for change in the lines of authority.<sup>7</sup> One might say that the reformers perceived that they had to hold on to political power and take a tough stance against any threat to political stability in order to stay in power and continue reforms.

In March, the CCP Central Committee met at an unusual time—just before the convening of the National People's Congress. The tim-

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2. *Ibid.*

3. *Ibid.*

4. *Id.*, p. 95.

5. *Ibid.*

6. *Id.*, p. 97.

7. Robert Delfs, "Guess who's boss," *Far Eastern Economic Review*, (hereafter *FEER*) March 31, 1988, p. 32.

ing of the meeting suggested that the CCP wanted to guard against the transfer of political authority to the government while supporting newly installed Party General Secretary Zhao Ziyang against acting Premier Li Peng (a leftist described by many as a Stalinist in his economic planning views). In other words, it was perceived the left would take advantage of a separation of powers.<sup>8</sup> The Central Committee approved two of Zhao's appointments to the Chinese People's Political Consultative Conference and drew attention to Zhao's speech in order to denigrate, or at least weaken, Premier Li's annual report on the work of the government at the National People's Congress.<sup>9</sup> Nevertheless, at the National People's Congress—China's "parliament"—Li was made Premier as a concession to the left. Moreover, the Party right or the reformists could not block the appointment.

Meanwhile, delegates to the Congress had been picked in a selection process that had a few more candidates than seats, a process widely publicized as a "differential election" to the unfamiliar populace. This made the NPC seem something less than a rubber stamp body, though the "democratic" selection process did not extend up to more important government organs. But this process did not "speed up" very much. The selection of more powerful organs of government was much less democratic. Twenty candidates to the Standing Committee of the National People's Congress ran unopposed. There were 144 candidates for the 135 remaining seats. There was only one candidate each for the position of President, Vice-President, Chairman of the Central Military Commission (of the government) and President of the Supreme People's Court. Election did not play a role in selecting members of the State Council—the top hierarchy of the government; they were picked by the Party.<sup>10</sup> Still the PRC media hailed this government as the most open and democratic one yet.<sup>11</sup>

NPC delegates discussed inflation, agricultural prices (for the farmers), food costs (for city residents) and wages.<sup>12</sup> There was some "protest opposition" to certain policies announced at the meeting. But this did not go too far. Moreover, criticism was to a large degree aimed at the reforms—their defeats and unwanted consequences. Premier Li Peng's report, entitled "10 Major Tasks of the State Council," centered on problems of political instability; it stressed, or advocated,

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8. *Ibid.*

9. *Ibid.*

10. Robert Delfs, "Rally 'round the state," *FEER*, April 21, 1988, p. 12; "NPC Announces Leadership Shuffle," *Asian Bulletin*, June 1988, p. 85.

11. *Ibid.*

12. Robert Delfs, "Outburst of democracy," *FEER*, April 7, 1988, p. 16.

severe punishments for crimes, especially economic crimes.<sup>13</sup> It had a distinct flavor of counterreform.

Deng and the Party right meanwhile took actions to ensure that the reforms were not sidetracked. Zhao, who remained in control, put reformists, particularly those with political influence and connections, in top positions in the military: Chief of Staff (Chi Haotian), Director of the Political Department (Yang Baibing), and Head of the General Logistics Department (Zhao Nanqi). Also, a Deng confidant, Qin Jiwei, was made the new Minister of Defense.<sup>14</sup> Coinciding with these personnel changes, Zhao Ziyang was made (the newly created) First Vice Chairman of the Party's Central Military Commission.<sup>15</sup> General Secretary Zhao demonstrated his new authority in that position by announcing the restoration of ranks in the military, the abolition of the rank of marshal, the official abandonment of Mao's strategy of the "People's War," and the completion of a force reduction in the People's Liberation Army.<sup>16</sup> According to Western observers, Zhao was being groomed to set military policy in order to help him consolidate his power base and ensure Party control over the military and the government.<sup>17</sup>

In April 1988, the media suddenly announced a surprise reversal of a previously announced decision to restructure the transportation sector, merging the Ministry of Railways, the Ministry of Communications and the state airlines. Xinhua News Agency said the government had "taken note" of different views on the matter.<sup>18</sup> Many said it was an attempt by top Party officials to embarrass Premier Li Peng—an advocate of change in transportation and energy.<sup>19</sup>

Just a few days later Yang Shangkun was "elected" president (though he was the only candidate). Wan Li, by the same procedure (a Party closed-door decision) was made head of the Standing Committee of the National People's Congress. The two, both Deng supporters, again reflected Party (read Deng and Premier Zhao) efforts to control the government. It also reflected the continued ascendancy of the right—since the previous holders of these offices, Li Xiannian and Peng Zhen, were leftists. Other appointments also reflected domi-

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13. *Ibid.*

14. *Ibid.*

15. *Ibid.*

16. "U.S. Lifts High-Tech Sanctions; NPC Convened," *Asian Bulletin*, May 1988, p. 92.

17. *Ibid.*

18. "NPC Announces Leadership Shuffle," *Asian Bulletin*, June 1988, p. 85.

19. *Ibid.*

nance of the rightist reformers.<sup>20</sup>

The offensive against the left continued. In June, a Chinese Communist Party spokesman said that the Party would accelerate the purge started in 1980, which had already censured or expelled 800,000 Party members. In other words, the purge, aimed at radical leftists and Maoists, would be put back on track. A few days later, Deng Xiaoping told Ethiopian President Mengistu in the presence of both Chinese and foreign reporters that "socialism had brought China and its people 20 years of great suffering." Deng also referred to "leftist errors" in 1956, referring to the terrible persecution of intellectuals in the Hundred Flowers Campaign. This followed a similar unabashed statement aimed at anti-reformist leftists: in May 1988 Deng told Mozambique President Chissano that "judging from China's experience, I advise you not to adopt socialism."<sup>21</sup>

But perhaps the reformists went too far. Several events, which may have been spontaneous, but symptomatic of the general restive mood, undermined the reformists' political position. In April, there were riots in Sichuan province when police reported that a woman had committed suicide, although it was widely known that she had been murdered by her husband. Rioters attacked government offices and the police.<sup>22</sup> In May, spectators went on a rampage at a soccer match in the same province, causing a large number of injuries. Mobs later sacked a local police station and set it on fire. This incident was reported widely in the foreign press. In June, a thousand or more peasants staged a demonstration near Beijing, protesting a government decision to release polluted water into a reservoir used for irrigating crops.<sup>23</sup> At nearly the same time Beijing University students demonstrated, calling for democracy and press freedom.<sup>24</sup> Fifty law students from another city meanwhile staged a sit-in at the entrance of Zhongnanhai, the exclusive area where the PRC's top Party and other officials live.<sup>25</sup> According to one report, some demonstrating students carried big character posters reading: "Our Ultimate Goal Is the Overthrow of the Government."<sup>26</sup>

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20. *Ibid.*

21. "Peasant Protest," *Asian Bulletin*, August 1988, p. 75.

22. "A Rumble of Discontent," *Asiaweek*, July 22, 1988, p. 11.

23. "Disputed Battle," *Asiaweek*, July 15, 1988, p. 23; "Thousands of Police Use Force to Quell Peasants' Demonstration Near Peking," *China News* (Taipei), June 30, 1988, p. 1.

24. Daniel Southerland, "Beijing Warns Universities to Control Campus Unrest," *Washington Post*, June 12, 1988, p. A22 (hereafter Southerland).

25. *Ibid.*

26. See note 22 *supra*.

Apparently there were many more demonstrations that went unreported in other parts of the country.<sup>27</sup> In August, riots and ethnic unrest erupted in Xinjiang Autonomous Region in Western China. According to Party documents condemning the violence, secessionism may have been a motive of the rioters.<sup>28</sup> There had been student demonstrations involving Uighur groups prior to that, which may have been incited by Muslim problems in the Soviet Union or elsewhere and which may have seemed ominous to authorities in Beijing.<sup>29</sup>

Also in August, rumors spread in Beijing, and soon around the rest of the country as well, that the Chinese Communist Party Politburo had decided on a package (a five-year plan) of price reforms. The rumors, suggesting the reforms meant more price increases and inflation, prompted panic buying. This coincided with a top Party meeting at the retreat area of Beidaihe, which became deadlocked and resulted in a setback for General Secretary Zhao and his reforms. *Outlook Weekly* subsequently blamed Party propagandists who suggested that "people seek luxury before getting rich."<sup>30</sup> *People's Daily* later said that "without the understanding and support of the masses, reforms cannot be carried out."<sup>31</sup> Apparently, serious friction between the left and the right in the Party's top leadership provoked heated discussions on various issues and perhaps led to the leak.

The difficulties finally led to an ascendancy of the hardliner opponents of reform. According to one report, Bo Yibo, chairman of the Party Central Advisory Committee and an influential old guard, met with a number of other left hardliners in July and plotted Zhao's fall. Another source claims that in August, Deng Xiaoping decided that things were going awry and himself opted not to support Zhao. Alternatively because of the seriousness of the situation, he sided with the left.<sup>32</sup> In any event, Zhao was stripped of his power to control the economy in August—a decision that was confirmed at the Third Plenum of the Chinese Communist Party Central Committee meeting in September.<sup>33</sup>

Subsequently, price controls were reestablished. Workers were told to sell back shares of stock they had purchased. Commissions

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27. Southerland, *supra* note 24.

28. A Chinese Communist Party document appeared in *Xinjiang Daily* on August 4, 1988, cited in "Price reform Fuels Party Debate," *Asian Bulletin*, October 1988, p. 80.

29. *Ibid.*

30. Cited in "Breakdown at Beidaihe," *Asiaweek*, August 19, 1988, p. 18.

31. Cited in *Asia Yearbook 1989*, p. 102.

32. "Zhao Takes a Tumble," *Asiaweek*, September 16, 1988, p. 20.

33. "Dealer's Choice," *Asiaweek*, October 8, 1988, p. 38.

were banned. The crackdown to resolve economic problems soon spread. On October 1, at a National Day event, Premier Li Peng, who represented the left hardliners now clearly on the ascendancy, said: "No department, locality or unit may pursue its own narrow interests. . . ." He went on to declare that the "principle of subordinating political and local interests to overall interests must be followed without hesitation."<sup>34</sup> Observers took this to mean that decentralization of political power and democracy were being reversed or trashed.

At this time, Deng Xiaoping refused to discuss domestic politics in China with foreigners. General Secretary Zhao stated publicly that the four Little Dragons (South Korea, Taiwan, Hong Kong and Singapore) experienced economic growth and prosperity "against a backdrop of tight political rule."<sup>35</sup> Officials started using the term "liberal totalitarianism" as a term synonymous with maintaining political stability. The Shanghai *Wen Hui Bao* attacked the "do your own thing" style of the reformists and advocated strengthening ideological and political work and a return to the selflessness and devotion to Party ideals of the 1950s.<sup>36</sup> Tough reformists meanwhile referred to Zhao's "totalitarian temptation" for cancelling the progress made in civil and political rights.

Subsequently, the Chinese Communist Party Propaganda Department issued a directive to the media, forbidding newspapers, television and radio from carrying too many articles on reform in the Soviet Union and especially of making comparisons with Chinese reform.<sup>37</sup> They towed the line. When Gorbachev subsequently pushed out hardline ideologue Yegor Ligachev, the Chinese media made no comment. Gorbachev's reforms were portrayed as encouraging factionalism. Some papers even declared that the Chinese reforms were superior because there were no divisions or dissent within the Party.<sup>38</sup>

### KEEPING THE LID ON

The rightist reformers learned their lesson in early 1987 that allowing too much political freedom and especially criticism of the Party and the government would give the left an opportunity to weaken their position. They thus pushed continued reform—but within bounds. One also can say that the Deng-Zhao team sought limited democracy and improvement in human rights not just to keep

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34. Cited in *Asia Yearbook 1989*, p. 104.

35. "Rolling Back the Years," *Asiaweek*, November 18, 1988, p. 27.

36. Cited in *ibid.*

37. "Different Plans," *Asiaweek*, November 18, 1988, p. 29.

38. *Ibid.*; see also chapter 6 on Chinese intellectuals' views on Gorbachev's reforms.

the economic reforms moving, but to keep the left off-guard and maintain their own political power. This meant that there was an ulterior motive involved, as had been the case in 1979 and during the Democracy Wall movement earlier.<sup>39</sup>

In December 1987, on the first anniversary of the 1986 student riots, students marched on government offices to protest the murder of a classmate. Immediately, hundreds of police took to the streets in Beijing in an effort to ensure that the protest went without incident. According to observers, the police acted very quickly and upon the least provocation, making arrests and bating students.<sup>40</sup> Police on the campuses increased surveillance of students and used harassment and intimidation to hold student activities in check.<sup>41</sup>

The tough policies continued. When peasants demonstrated in June, more than 8,000 police reportedly were used to stop the protest—killing three peasants and injuring hundreds more in the process.<sup>42</sup> Police also reportedly dragged a thousand peasants from the scene.<sup>43</sup> In response to subsequent student demonstrations in Beijing, security police were placed on the campus permanently.<sup>44</sup> The official Chinese press agency, *Xinhua*, in support of these policies, blamed the Voice of America for exaggerating the situation.<sup>45</sup> The State Education Commission subsequently met with students and warned them about future demonstrations and criticized some students for “giving outsiders opportunities to sabotage. . .and incit[ing] students to make trouble. . . .”<sup>46</sup>

In Hainan province in June, police beat a large number of students in what became known as the “Bloody July 12 Incident.” In a later student protest, a leaflet seen by foreign reporters said that police had told students that “if I beat you to death, I will only be disciplined.”<sup>47</sup> The same month in Beijing, students who had invited U.S. Ambassador Winston Lord to appear and talk to students, were ex-

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39. See Yuan-li Wu, Franz Michael, John F. Copper, Ta-ling Lee, A. James Gregor and Maria Hsia Chang, *Human Rights in the People's Republic of China* (Boulder, Co.: Westview Press, 1988) for further details.

40. “Student Discontent Brewing; Red Flag Ceases Publication,” *Asian Bulletin*, February 1988, p. 84. See also Chapter 5 on other student demonstrations.

41. *Ibid.*

42. “Disrupted Battle,” *Asiaweek*, July 15, 1988, p. 23.

43. “Peasants Protest,” *Asian Bulletin*, August 1988, p. 75.

44. *Asiaweek*, July 22, 1988, p. 11.

45. Southerland, *supra* note 24.

46. *Ibid.*

47. “Students Protest Police Brutality,” *Asian Bulletin*, September 1988, p. 76.

pelled from the university and were not seen again.<sup>48</sup>

The Office on the Reform of the Political Structure, an organization controlled by Zhao, also dropped its plan to publish decisions to institutionalize the separation of powers (a new relationship between the Chinese Communist Party and the government), reform the civil service and broaden people's rights.<sup>49</sup> Newspaper reporters subsequently were told not to print stories on such incidences as the strikes in Poland and the anti-government riots in Burma, because they could ignite student or worker protest in China.<sup>50</sup> Government officials also started paying workers not to join student demonstrations in order to sever links between the two, fearing that students might turn labor demands into a political cause.<sup>51</sup> Press rights being discussed were held in abeyance or cancelled.

### POLICE AND SECURITY SYSTEM BEEF-UP

As a result of an increase in the crime rate, but more particularly the perception of its threat both to the government and the Party as well as to the reforms (by those who supported them), the issue of crime and its harmful effects on Chinese society were discussed more frequently in public. In that context, the prerogatives of the police and security organs were expanded in some important ways. In fact, additional powers given these law enforcement agencies suggest shifts or changes in the political system toward tighter control with more sophisticated means. This view is confirmed by the fact that late in the year a new state secrets act was formulated.

In January 1988, Minister of Public Security Wang Fang (also State Councillor) announced that public security organs at various levels would punish crimes against public order more effectively.<sup>52</sup> He cited to new regulations governing offenses against public order promulgated January 1, 1987, noting that in the first 11 months of 1987 public security organs had dealt with an unprecedented number of offenses against regulations.<sup>53</sup> The Chinese government had not published crime statistics or the details of work by public security organs quite like this before.

In April, Minister Wang announced that China's police and se-

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48. *Ibid.*

49. "Trying to Keep the Lid On," *Asiaweek*, September 30, 1988, p. 29.

50. *Ibid.*

51. *Ibid.*; "A Rumble of Discontent," *Asiaweek*, July 21, 1988, p. 11.

52. *Foreign Broadcast Information Service (China)* (hereafter FBIS), January 7, 1988, p. 20.

53. *Ibid.*



curity organs needed to be made more efficient. He announced that "reform," including unifying authority and making the police system highly efficient, would be accomplished by the end of the year.<sup>54</sup> Later, Wang referred to increases in "serious incidents"—riots at sports events, cases of looting, attacks on police and government officials, aircraft hijacking, bombings—as requiring stiffer sentences.<sup>55</sup> He suggested cited 15 to 20 years of incarceration and death penalties for political offenders.<sup>56</sup> In September he declared: "Some people regard beatings of public security officials and judicial cadres . . . as acts of legitimate defense."<sup>57</sup> He also cited problems of a large transient population (50 million in the country and 10 percent of the Beijing population), ineffective labor reform and education reform, increases in recidivism, and absence of improvements in personnel and equipment in public security organs.<sup>58</sup> Wang even warned that the country "faces possible turmoil" because of this situation.<sup>59</sup>

Several important actions subsequently were taken to improve (but also change) the system. These "improvements" carried serious implications regarding political and civil rights. Riot control units were established, apparently after consultations with Polish riot control officials.<sup>60</sup> Ostensibly this was aimed at stopping student demonstrations, though another target in mind may have been farmers (who had been protesting over the unavailability of fertilizer and pollution ruining their crops and who had reportedly seized weapons to support their civil disobedience).<sup>61</sup> Public security offices were set up on college and university campuses to "ensure smooth education."<sup>62</sup> Mobile units were trained in order to deal with outbreaks of riots and demonstrations with swift and overwhelming force.<sup>63</sup>

The Political Legal Leading Group, which was established under the control of the State Council in 1987 to replace the Political Legal Commission (an organization which supervises public security organs, the procuracy and the judiciary), saw its powers increased and broadened in 1988. It took various actions in late 1987 and throughout

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54. *FBIS*, April 21, 1988, p. 36.

55. Tai Ming Cheung, "Crackdown in crime," *FEER*, November 3, 1988, p. 23.

56. *Ibid.*

57. *Ibid.*

58. *Ibid.*; also see *FBIS*, April 18, 1988, p. 36.

59. Daniel Southerland, "China Foresees 'Turmoil,'" *Washington Post*, July 7, 1988, p. A29.

60. *Ibid.*

61. *Ibid.*

62. Cheung, *supra* note 55.

63. *Ibid.*

1988 to consolidate its supervisory activities, reporting directly to the Party (even though it is administratively under state control) any serious problems that it believed required Draconian solutions. The Minister of Civil Administration and various economic ministries were then required to report more frequently to the Political Legal Leading Group.<sup>64</sup>

The Ministry of State Security, set up in 1983 for overseeing foreigners and Chinese with foreign contacts and carrying out counterespionage work as well as intelligence gathering abroad, also saw its role expanded. As a consequence, it began recruiting more students, tour guides, hotel workers and foreign language experts, reflecting both broader responsibilities and more authority.<sup>65</sup>

The People's Armed Police, formed in April 1983 from local People's Liberation Army units and by 1987 500,000 strong, also was enlarged. Its new duties included quelling serious disturbances, guarding Party and government buildings and personnel, and anti-terrorist activities. Since it remains under the Minister of Public Security, but reports to the Party's Central Military Commission, it seems to have merged military and security functions, perhaps as a means of getting the military involved in law enforcement (or alternatively of keeping it out).<sup>66</sup> The People's Armed Police was sent into action to deal with problems in Tibet, farmer protest and student demonstrations.<sup>67</sup>

During 1988, a new state secrets law was formulated to go into effect in 1989. In this connection, a new State Secrets Bureau was established to replace the old Central Secrets Commission.<sup>68</sup> It is supposed to be more systematic and comprehensive and institute a new classification system for secret documents. Both this new organ's activities and the formulation of a new secrets law caused some Chinese officials to claim that the law and the Bureau's authority were too broad. Coming under the new law are economic, social, scientific research and development and major police decisions, in addition to military, public security and diplomatic secrets. Punishments range from five years minimum to life or the death penalty.<sup>69</sup> Some say the provi-

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64. *Ibid.*

65. *Ibid.*

66. *Ibid.*

67. *Ibid.*; also see James L. Tyson, "Peking shows limits to tolerance of public outcry," *Christian Science Monitor*, July 1, 1988, p. 7.

68. Cheung, *supra* note 55.

69. *Ibid.*

sions are so broad that even ideological writings can be classified.<sup>70</sup>

### HONG KONG

The PRC's actions toward Hong Kong during 1987 and 1988 appeared to reflect its attitudes toward human rights as well as setbacks suffered by the reformists during 1988 and concessions made to hardline leftists in the Party and the government. Clearly, Hong Kong was not being treated as Beijing had promised in the 1984 Sino-British Joint Declaration (wherein London and Beijing negotiated the return of Hong Kong to PRC control in 1997). China's "change of heart," as some put it, constituted grave concern to those in Hong Kong who had hoped that democracy and respect of human rights had some future there.

According to the Sino-British Joint Declaration, Hong Kong was given the following guarantees: (1) a capitalist system for fifty years after 1997, (2) the British judicial and legal system, (3) a court of final appeal in Hong Kong, (4) a chief executive accountable to an elected Legislative Council, (5) guarantees of human rights—including religion, travel and the press and (6) a "highly autonomous status—except for defense and foreign policy. Beijing violated all of these provisions during 1987/88.

The first draft of the Basic Law (Hong Kong's future "constitution"), which a 58-member committee had been working on for three years, was released in April 1988. The draft reflected China's "new positions" vis-a-vis earlier promises on Hong Kong's rights. Beijing also took specific actions to undermine the nascent democracy movement in Hong Kong even before the draft was released, so that it would face less opposition.

In December 1987, Ji Pengfei, the Director of the Hong Kong and Macao Affairs Office in the PRC government's State Council, told the Basic Law Drafting Committee that he "did not trust the United Kingdom" and declared that the chief executive of the Hong Kong Special Autonomous Region would in no way be elected.<sup>71</sup> He also spoke against any major reform in Hong Kong during the transition period. Justified by suspicions of a U.S. plot, Ji opposed all democratic reforms.<sup>72</sup>

During 1987, a pro-democracy movement in Hong Kong called for electing 25 percent of the Legislative Council in 1988 and 50 per-

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70. *Ibid.*

71. Delfs, *supra* note 12.

72. *Ibid.*

cent by 1997. Beijing pressured London and the Hong Kong government to block this. An official "White Paper" (published by the Hong Kong government) subsequently called for elections of the Legislative Council in 1991 (as Beijing had asked) and requested that less than 20 percent be elected directly.<sup>73</sup> Meanwhile, the Hong Kong government conducted two public opinion surveys purporting to indicate that the population did not want elections in 1988. Nine independent polls, however, showed that the public favored elections by a two to one majority.<sup>74</sup> Beijing then picked 19 representatives to the National People's Congress to represent Hong Kong—including none elected to office in Hong Kong.<sup>75</sup> The Chinese Communist Party also continued its efforts to infiltrate local government bodies in Hong Kong—successfully in the case of the March District Board election.<sup>76</sup>

As for the promise of keeping its judicial and legal system and the court of appeal, the Hong Kong pro-democracy movement and the press noted, when the draft Basic Law was published, that the PRC's National People's Congress retained the right to interpret the Basic Law. This meant no final court of appeal for Hong Kong's legal system.<sup>77</sup> The Basic Law further declared that findings of the court of appeal will be subject to review and should not conflict with the PRC's national interest. According to the Hong Kong press and advocates of democracy, this further undermined the ideals of an independent judicial system.<sup>78</sup>

The draft Basic Law also envisioned a strong executive (who will be appointed by Beijing), thus establishing executive supremacy and reducing the importance of the Legislative Council. The chief executive can be impeached only by two-thirds of the Legislative Council, which, since it is seventy-five percent appointed, will make impeachment meaningless.<sup>79</sup> It also stated that executive-legislative relations will remain the same, signifying that executive power cannot be challenged.<sup>80</sup>

The Basic Law draft rejects the Universal Declaration on Human

73. Emily Lau, "The gray paper," *FEER*, February 18, 1988, p. 14.

74. See "China lays down the law for Hong Kong," *U.S. News and World Report*, May 16, 1988, p. 16. A Gallup Poll taken at this time also debunked the government poll.

75. Lau, *supra* note 73.

76. Delfs, *supra* note 12.

77. Emily Lau, "Breach of Promise?" *FEER*, May 12, 1988, p. 34. For details on the Basic Law, see William McGuin, *Basic Law, Basic Questions* (Hong Kong: Review Publishing Co., 1988).

78. Delfs, *supra* note 12.

79. Lau, *supra* note 77.

80. *Ibid.*

Rights as the basis for Hong Kong's population rights (also contrary to promises made in the Sino-British Declaration), and bases Hong Kong citizens' rights on the Chinese Constitution.<sup>81</sup> The rights to life, freedom from torture and freedom from forced or compulsive labor are conspicuously missing. Essential attributes of other rights also are omitted.<sup>82</sup>

The Draft also states that the press will not publish anything contrary to the PRC's national interest. Moreover, there is no right to receive information, which may be interpreted as a further encroachment on press freedom.<sup>83</sup> Foreign ownership of television stations will be likewise limited by the Hong Kong government as a result of PRC pressure.<sup>84</sup>

The draft Basic Law, according to critics, also contains confusing provisions about the economy—which could be used to change Hong Kong's free market status.<sup>85</sup> In other words, the promise of fifty years of capitalism also may be in question.

All of this was not unnoticed by the populace of Hong Kong and to some extent by the British government and the rest of the world. In February 1988, Hong Kong students held demonstrations and burned copies of the "White Paper." They protested the delay in holding direct elections, the Hong Kong government's disregard for public opinion and Beijing's stacking the Legislative Council with professional people having no experience in government (some of them having been involved in scandals).<sup>86</sup> Newspapers in Britain described the "White Paper" as a "betrayal of the Hong Kong people" and published pictures of demonstrators outside the Legislative Council building and a hunger strike by post-secondary students.<sup>87</sup>

In July 1988, MPs in London engaged in a five-hour debate on the Basic Law, with a number of members declaring that it "undermine[d] Hong Kong's high degree of autonomy" promised in the Sino-British Joint Declaration.<sup>88</sup> Members of the Hong Kong Law Society, the Hong Kong Bar Association and other professional groups flew to London to lobby against the Basic Law. They made the following

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81. Delfs, *supra* note 12.

82. *Ibid.*

83. *Ibid.*

84. Delfs, *supra* note 7.

85. *Ibid.*

86. Emily Lau, "A mixed review," *FEER*, February 25, 1988, p. 21.

87. Emily Lau, "Doubts emerge on degree of real autonomy," *FEER*, March 31, 1988, pp. 57-58.

88. Emily Lau, "Basic problems of law," *FEER*, August 11, 1988, p. 18.

points: that the Standing Committee of the National People's Congress (a political body) should not have jurisdiction over Hong Kong legislative conflicts; that it should not have standing with Special Autonomous Region Courts; that the State Council must not have the authority to promulgate Chinese law "which gives expression to national unity and territorial integrity"; that SAR courts have no jurisdiction over executive acts of the PRC government, thereby placing the latter "above the law"; and, that the PRC Constitution needs to be amended (since Article 1, which enshrines socialism, is contrary to the "one country, two system" idea and since Article 5, stating that no laws or local rules may contravene the PRC Constitution, makes ineffectual the high degree of autonomy provision of the Sino-British Declaration).<sup>89</sup>

Amnesty International also protested. Amnesty sent an 18-page memorandum to the Basic Law Drafting Committee, saying that the law was "seriously flawed" and that it did not protect human rights.<sup>90</sup> The memorandum specifically mentioned the right to life, fair trial, protection against torture and other inhumane and degrading treatment, and detention of prisoners of conscience. None of these, said Amnesty, was provided for in the draft Basic Law. Amnesty also assailed the provision in the draft which states that rights and freedoms can be restricted for "maintenance of national security, public order, public safety, public health, public morals and for safeguarding the rights and freedoms of other persons."<sup>91</sup> Amnesty said that this "general clause" undermines all human rights.<sup>92</sup>

The Pro-Democracy Group in Hong Kong protested that the Basic Law had no bill of rights and represented the "amassing of political power by the state."<sup>93</sup> Copying the PRC Constitution's "Bill of Rights" would be meaningless, members contended, because it is only a "characterization of basic rights" and furthermore, contains no concept of absolute or inalienable rights and no common law.<sup>94</sup> The Pro-Democracy Group also pointed out that the PRC declines to accept the legality of the English version of the Basic Law, and, therefore, the term "in accordance with the law" means what a government body says rather than encompassing the ideal of natural law. They also

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89. *Ibid.*

90. Lau, *supra* note 73.

91. *Ibid.*

92. *Ibid.*

93. *Ibid.*

94. *Ibid.*

complained that there is no concept of precedent in Chinese law.<sup>95</sup>

The United Nations Human Rights Commission, in hearings on November 3-4, 1988, criticized Beijing and the Hong Kong government about the Basic Law draft. The thrust of the criticism was the fact that the Basic Law draft was written without consultation, it denied the right of direct elections in 1988, and there was no mention of The Hong Kong Film Censorship Ordinance—in addition to the issues cited above.<sup>96</sup> The U.N. Human Rights Commission labeled the Basic Law not in consonance with the International Covenant on Civil and Political Rights passed in 1977.<sup>97</sup>

Several other issues came up about PRC violation of human rights in Hong Kong. Early in the year, Hong Kong officials protested to the PRC for holding Hong Kong Chinese in prison for vague crimes such as collaborating with counterrevolutionaries and attacking the socialist system. Hong Kong's criticism centered on the PRC's refusal to recognize the British nationality of Hong Kong Chinese and on the PRC's criminal code, which refers to "all Chinese" (even those residing outside of China and holding other citizenship) and addressed charges against them for crimes that are not recognized in Hong Kong or elsewhere as crimes.<sup>98</sup>

The issue of China building a nuclear power plant near Hong Kong (which some believe will be used as a means of intimidating Hong Kong or diverting attention from civil and political rights issues) remained. So did the issue of PRC intimidation of Hong Kong residents. Likewise, the issue of non-Chinese becoming stateless after 1997 and the PRC's racist policies regarding the rights of Hong Kong residents of non-Chinese descent who remain in Hong Kong after 1997, still festered. None of these issues, however, attracted much attention abroad during late 1987 and 1988.

The perception of Hong Kong residents of their future under PRC rule was reflected in the number of people who left. During 1988 there was a doubling of the number of applications for no-crime certificates (usually needed to apply for residency in another country).<sup>99</sup> The number of people leaving was expected to exceed 40,000, com-

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95. *Ibid.*

96. See Emily Lau, "Positions for power," *FEER*, September 1, 1988, p. 28 for a list of those things on the agenda.

97. David Porter, "A blast from Geneva," *FEER*, November 24, 1988, p. 26.

98. Emily Lau, "No place to hide," *FEER*, January 21, 1988, p. 18.

99. Delfs, *supra* note 12.

pared to 27,000 in 1987.<sup>100</sup> More than half of those leaving were in their 30s; half were professionals or senior managers.<sup>101</sup> Probably many more people wanted to leave, but could not for financial and other reasons.

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100. "Brain Drain in Hong Kong is Creating Big Business for Executive-Search Firms," *Wall Street Journal (Europe)*, August 10, 1988, p. 3.

101. *Ibid.*



## CHAPTER IV

### ECONOMIC CHANGE AND HUMAN RIGHTS

#### INTRODUCTION

The Chinese Communist Party convened its 13th Congress in October 1987. The rightist reformers were back in control after a move by leftists against reform early in the year. Economic reform was on track, according to most observers. Party General Secretary Zhao Ziyang's keynote report was entitled "Marching Down the Road of Socialism with Chinese Characteristics." He declared that the "managerial system" he had used in Sichuan province to promote economic development some years earlier would be applied nationwide. He criticized opponents of reform; in fact, he disparaged them, repeating his famous "anti-leftist" talk of May 13. He further stated that China is at the "elementary stage of socialism" that will last 100 years—meaning to most observers (both Chinese and foreign) that China is in the stage of capitalism.

Reporters referred to the report as the "manifesto of the Zhao era." Some said Zhao and the Congress legitimized Adam Smith's invisible hand. The giant Japanese newspaper, *Asahi Shimbun*, said in a headline: "Overseas Investors May Set their Hearts at Ease."<sup>1</sup> In short, economic reform seemed to be moving ahead. And, inasmuch as China's human rights record has shown some improvements in the realms of individual freedoms and political and civil rights coincident with adopting capitalism, it was expected that China's human rights record would also improve.

However, this was not to be. First, the meeting did not all belong to the reformers. Li Peng, in his report, noted increasing incidences of tax evasion, smuggling, bribery, blackmail, extortion and the falsification of documents. He blamed profiteers. He also spoke of an imbalance in the economy and the Party's loss of control. Although Li was outnumbered, he had allies. Yao Ilin remained in the politburo. Chen Yun and Peng Zhen were retired, but still could exert influence. (See chapter 3).

Then, in stark contrast to the political aura of the fall, by year's end it appeared that the left was beginning to make a comeback.

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1. See "A Congress of Reform," *Asiaweek*, November 6, 1987, p. 25.

China's *Economic Daily* in early December reported that, since 1985, agricultural production had come to a standstill and cited the neglect of farming and investment in the agricultural sector. There were also widely circulated reports of the rationing of food and hyper-inflation of basic items, including many staples.<sup>2</sup> According to a public opinion poll published by *Jingji Yanjiu* (Economic Research), the second biggest cause for public discontent was rising commodity prices (after using power to seek private gains).<sup>3</sup>

By January or February, Li Peng and the left were on the offensive, making an issue of economic reforms that "caused social instability."<sup>4</sup> The Advisory Council controlled by retired leftists issued reports that chided Zhao for "publicity hogging" and called for collective leadership. Zhao was not seen in public for some days after this.<sup>5</sup> Zhao attempted to reassert his authority at a government meeting prior to the National People's Congress meeting in late March, but was subsequently upstaged by Li Peng at the Congress.

Li's speech at the Congress shocked delegates, especially when he cited \$51 billion in 1987 as the amount of money not accounted for in the state plan, suggesting this was the amount of unauthorized capital spending. He also cited a \$2.15 billion budget deficit in 1987 and rampant inflation that he said is the country's "number one problem." He cited agriculture as the first of ten tasks, and as a swipe at Zhao and the capitalist reformers, listed opening the seacoast areas (Zhao's so-called "Gold Coast plan") as the number four task.<sup>6</sup> Some at the Congress even openly compared Zhao's economic strategy to Mao's disastrous "Great Leap" of the late 1950s. They said it would put the economy in the hands of foreigners and referred to his "international circulation theory" as the "foreign leap forward."<sup>7</sup>

By fall, the situation for the reformers had deteriorated to the point that Deng was forced to strip Zhao of his authority over China's "Special Economic Zones." This undermined Zhao's authority over

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2. See Robert Delfs, "Growing Troublesome," *Far Eastern Economic Review*, February 18, 1988, p. 66. See also *Hsinhua* dispatch of December 1, 1988 and article in *Asian Wall Street Journal* of that same date.

3. Ellen Salem, "Measure of Discontent," *Far Eastern Economic Review*, March 10, 1988, p. 564.

4. Louise do Rosario, "Radical reforms on the defensive," *Far Eastern Economic Review*, March 10, 1988, p. 55.

5. "The Party Boss Lies Low," *Asiaweek*, March 11, 1988, p. 20.

6. See Robert Delfs, "Guess who's boss," *Far Eastern Economic Review*, March 31, 1988, p. 32; "Li Peng Takes Center Stage," *Asiaweek*, April 8, 1988, pp. 12-13.

7. See *Ta Kung Pao*, April 27, 1988, cited in *Asian Outlook*, May 1988, p. 17.

economic matters generally and gave the upper hand to the left.<sup>8</sup> Subsequently, at an August Politburo meeting, it was decided that economic reform would be treated as a "long-term goal."<sup>9</sup> At a national day gathering on September 30, Premier Li Peng said that the government "must exercise strict control over the supply of currency and credit." At the subsequent third plenary session of the Party's Central Committee, Li announced "restoring control of the economic environment and rectifying economic order."<sup>10</sup> Clearly the shift was to the left economically, and this was going to have a significant impact on Chinese politics and ultimately on human rights.

In this chapter, the authors focus on the economic problems caused by the changes in policy and an atmosphere of uncertainty and distrust. The main areas of concern are economic inequity, corruption and economic crimes. All of these relate to the human rights condition in China.

### ECONOMIC INEQUITIES

One of the results of the economic reforms was the creation of serious inequities among the Chinese population. Economic disparities, in fact, became so serious during the period under study that they constituted serious economic human rights violations. They clearly brought to question the earlier contention by the Chinese leadership that China puts economic and societal rights above individual and political liberties. Ironically, the factional disputes between left and right, or hardliners and reformists, both focused on and exacerbated these difficulties.

After the 13th Congress in the fall of 1987, cases were publicized of older people suffering from economic privation because so many factories in China were turning to "piece work" to replace the old system of paying wages. "Piece work" hurt older people the most. It also hurt the physically infirm and mentally slower worker. Moreover, it created considerable ill-feeling between and among workers because of the loss of job security and the fact that workers were competing directly against each other for production and jobs and were not used to this kind of situation.<sup>11</sup>

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8. See Ellen Salem, "The exclusion of Zhao," *Far Eastern Economic Review*, September 22, 1988, p. 70.

9. Robert Delfs, "Shifting economic gears," *Far Eastern Economic Review*, September 29, 1988, p. 17.

10. See Robert Delfs, "Lower gear to hold the road," *Far Eastern Economic Review*, October 13, 1988, p. 42.

11. See "A Congress of Reform," *Asiaweek*, November 6, 1987, p. 25.

The new policies also created a gap between private and state workers. According to official statements, the wage rate in private industries was double that in state enterprises.<sup>12</sup> This resulted in widespread resentment among workers, lower morale and in some cases severe discrimination.<sup>13</sup> The government's response was to raise taxes and make the income tax at the higher levels progressive—from 20 to 60 percent.<sup>14</sup> But this did not solve the problem. Many (probably most) workers cheated on their taxes; others perceived the system was not fair because of cheating and the cooperation of corrupted officials in tax evasion.

According to a State Building Material Bureau report later in the year, 60 percent of young workers (under 35) had applied to leave their jobs for positions in private companies.<sup>15</sup> At about the same time, the Ministry of Light Industry reported that 80 percent of young workers want to leave and that coercive means had to be used to keep them from exercising that freedom.<sup>16</sup>

A study done in early 1988 in Beijing reflected income inequalities that appeared to result from the reforms. In order to parry criticism from the left, the reformists intentionally did not take any action to raise the salaries of professional people. This created a crisis, especially for intellectuals. The Beijing city government later declared that, of 21 professions recognized by the city government, middle and primary school teachers were seventeenth and eighteenth, respectively.<sup>17</sup> It also stated that the pay of a surgeon is less than that of a barber.<sup>18</sup> The explanation was that the 1985 "wage reform" put intellectuals and professionals in a very low wage category—an average of \$26.50 per month—and this had not been changed. Li Shuxian, the wife of famous dissident Fang Lizhi, at the time said that the pay of intellectuals had declined over the last 29 years.<sup>19</sup>

A related problem generally unrecognized in the West was a high rate of environmental disease among researchers, professionals and intellectuals. According to the above cited report, 81.6 percent of middle aged scientific researchers have "creeping sickness" of the kidneys,

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12. Dai Yannian, "Dealing with Unfair Income Gaps," *Beijing Review*, January 15-21, 1988, p. 7.

13. *Ibid.*

14. *Ibid.*

15. *Beijing Review*, October 3-9, 1988, p. 10.

16. *Ibid.*

17. *People's Daily*, October 8, 1987, cited in *Asian Outlook*, February 1988, p. 18.

18. *Ibid.*

19. *Ibid.*

liver or heart. The report quoted statistics kept by the Medical Society in Beijing. It also said that the mortality rate of intellectuals—both because of exposure to hazardous materials in their works if engaged in research and poor diet—was twenty-fold that of the general public.<sup>20</sup> Because the Party (again explainable in terms of factional tension) does not recognize that intellectuals or professionals engaging in research are working in dangerous environments, it therefore does not grant any special medical benefits and takes few steps to protect workers.

Because of the emphasis on productivity and the fact that state enterprises are at a disadvantage for not using incentives or pay designed to motivate workers and for resisting innovative changes in the production system, workers were forced to work longer hours under generally less pleasant and healthful surroundings. This resulted in even more workers wanting to leave the public sector to take jobs in private businesses, mostly in the cities or the coastal provinces. As a result, many rural enterprises during 1987 and 1988 had to resort to other methods: forced labor, and ten to twenty percent child employment.<sup>21</sup>

Another undesirable effect of the competition between public and private sectors is the fact that literally millions of people in reeducation camps—including huge numbers of prisoners of conscience—were kept there as “forced” contract workers. *People's Daily* at one point even bragged that special schools set up in the labor camps had improved the quality of the production of goods and services.<sup>22</sup> An official publication also noted that many of the items produced by these workers (which have been described in a host of Western publications and mentioned in U.S. Congressional hearings as “slave labor”) have been exported to Western countries.<sup>23</sup>

Still another twist on the unequal income problem was the fact that begging in the “rich” cities of China became more common. According to the *Beijing Review*, it has become so common that 80 percent of peasants in Guangzhou have reported doing it. Eighty percent (from selected studies) “want to make an easy living” and most report they can make more money than the average worker.<sup>24</sup> This same magazine told of a widely known case of a man in Anhui who built

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20. *Ibid.*

21. “Putting an end to Child Labor,” *Beijing Review*, July 25-31, 1988, p. 12.

22. *People's Daily*, April 18, 1988, pp. 2-3.

23. See *Law and Order* (Beijing), March 1988, pp. 32-34 and 41-42.

24. *Beijing Review*, October 3-9, 1988, p. 11.

three “nice houses” from the money he made begging.<sup>25</sup> It also noted that one-quarter of the beggars were women and another one-quarter children—quite different from a decade or more ago.<sup>26</sup>

It is uncertain just how great disparities in income had become in China since no figures on this were published by the government. Tourists and reporters noticed that this was a major complaint of the people they talked to throughout the country. An estimate was done by economists in Taiwan that said that the disparity of income index (the ratio of the income of the top twenty percent to the bottom twenty percent) was 25. This compares to just over 4 in Taiwan and between 4 and 4.5 in the United States and Japan. A figure of 25 for China indicates that differences in incomes there would be considerably greater than the average in the world.

### CORRUPTION AND ECONOMIC CRIMES

Corruption had become such a serious problem by late 1987 that special terms were being used to describe the problem. *Guan dao* was used to mean official privateer, or bureaucrat-thief. *Dai mai* was invented to refer to the reselling of goods at an outrageous profit, while referring to Marx's depreciation of the middle-man's role in the distribution of goods. The term *dao ye* was invented as the label for the lawless profiteer who engaged in hawking and black market activity.<sup>27</sup>

In September 1987, the government announced new laws regarding profiteering. The laws included such vague acts as purchasing (anything) at a low price and selling at a high price.<sup>28</sup> The government insisted on strict enforcement of these new laws, and in November a factory worker who had embezzled funds by underreporting sales and overstating expenses was sentenced to death and executed immediately.<sup>29</sup> According to the official Chinese press, this was the third such case in Jiangsu province in a single month. In another case, the official press reported a couple was executed for misappropriating funds.<sup>30</sup> The candid reporting of executions of “economic criminals” and the use of the death penalty for crimes usually not capital crimes in other countries suggested the situation was grave; there also may have been factional fighting in the Party and each faction may have wanted to demonstrate it was tougher on crime than the other.

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25. *Ibid.*

26. *Ibid.*

27. See *Da Gung Bao* (Hong Kong), August 15, 1987, p. 2.

28. *New China News Agency*, September 24, 1987.

29. *People's Daily*, December 11, 1988, p. 4.

30. Reuters Press Service, November 17, 1987, quoting a *People's Daily* report.

However, many questioned if this was enough. In February, the *Legal System Daily* reported that, based on sampling in one province, only ten percent of the laws were strictly enforced, while fifty percent were not, and the latter were primarily economic and environmental laws.<sup>31</sup> The same paper reported that only 46 percent of the verdicts related to economic crimes were enforced in many areas of the country.<sup>32</sup> It also referred to "legal extortion" as being commonplace in China.<sup>33</sup>

In March, Premier Li Peng stated in his report to the 7th National People's Congress that tax evasion, smuggling, bribery, blackmail, profiteering, forgery and extortion had become epidemic. Following this declaration more rules were issued. Officials in China's Special Economic Zones were warned first, then all government departments were warned.<sup>34</sup> Corruption and economic crimes were mentioned in the Chinese media more than at any time in recent history. The press even admitted that drug use was becoming a problem (in areas where corruption was high) and China was exporting drugs to the West (from the Golden Triangle and via Hong Kong gangs).<sup>35</sup>

In August, the official Chinese media declared that 109,000 members of the Chinese Communist Party had been expelled or forced to quit the Party in late 1987 and early 1988, compared to a figure of just above that for the previous five years altogether.<sup>36</sup> At this same time, "centers" to fight corruption were established by the Ministry of Supervision.<sup>37</sup>

As a result of the ascendancy of the anti-reformist hardliners at this time, the anti-corruption campaign went still further and in some ways became personal. It involved growing government intervention in the economy and economic activities. The personal nature of the anti-corruption campaign, as with most campaigns in the past, took aim at top leaders. It was revealed, for example, that the Child Welfare Fund for the Handicapped, a charity run by Deng's son, was involved in illegal economic activities with the Kang Hua Development Corporation.<sup>38</sup> Kang Hua was forced to divest 200 of its subsidiaries and its president and vice president (a former Minister and Mayor of

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31. *Fazhi Ribao (Legal System Daily)*, February 24, 1988, p. 1.

32. *Id.*, February 25, 1988, p. 2.

33. *Ibid.*

34. See Dai Yannian, "Clean Up Government," *Beijing Review*, July 4-10, 1988, p. 7.

35. "Drug Use up in South," *Beijing Review*, July 11-17, 1988, p. 11.

36. *Beijing Review*, August 22-28, 1988, p. 12.

37. *Beijing Review*, June 15-21, 1988, p. 12.

38. "Deng's Big Clean-Up," *Asiaweek*, October 21, 1988, p. 22.

Beijing) were forced to resign.<sup>39</sup> This led to investigations of the Industry and Commerce Bank in Beijing and revealed links to Party Secretary General Zhao. Former State Councillor Zhang Jingfu and former Tianjin vice-mayor Wang Guangyin also were put under suspicion.<sup>40</sup>

Not only was it apparent that the left had taken advantage of the reformists' nepotism, but it seemed to be much more widespread than anyone had guessed. Some said it was epidemic and even Deng Xiaoping could not do much about it.<sup>41</sup>

The investigations of corruption at this time also revealed that top leaders were involved in "unethical ways" in China's arms manufacturing companies. This reportedly included Deng's son-in-law and the grandson of the former famous communist military leader, He Long.<sup>42</sup> These links were even thought to have influenced the Chinese government to approve military assistance to Iran and Iraq in a major way—to the tune of \$2 billion worth of sales during the period.<sup>43</sup> The same also was said about the sale of Silkworm missiles to Saudi Arabia.

Deng and the reformists struck back. Deng publicly accused "certain people" of spreading rumors about the involvement of relatives of top leaders in corruption. He even mentioned dissident Fang Lizhi by name, stating at one point that what Fang had said in this connection was "preposterous" and that he would sue him.<sup>44</sup>

After the Party Central Committee plenum meeting in the fall, the issue of corruption became much more political, factional fighting increased and restrictions of various kinds became more evident. In order to stop speculation, the government restricted the opening of new businesses, increased various kinds of checking on individuals and businesses for tax evasion, cheating and other irregularities.<sup>45</sup> Some observers stated that "big brother" was back in control of the economy once again and individual rights and freedoms were suffering as a consequence. In September alone, the government appointed 30,000 new investigators to stop speculators.<sup>46</sup>

39. *Ibid.*

40. *Ibid.*

41. *Id.*, p. 23.

42. *Ibid.* See also *Central Daily News* (Taipei), April 11, 1988, p. 1.

43. See *International Herald Tribune*, July 14, 1988, p. 1.

44. "A Gadfly Bites," *Asiaweek*, October 21, 1988, p. 23.

45. See "Party Meeting Focuses on Economic Order," *Beijing Review*, October 10-16, 1988, p. 10.

46. "Deng's Big Clean-Up," *Asiaweek*, October 21, 1988, p. 23. See also Jin Qi, "Factory Directors' Worries," *Beijing Review*, October 3-9, 1988, p. 7.



### OTHER RIGHTS PROBLEMS RELATED TO THE ECONOMY

Various other human rights or human rights related problems in evidence during the period under study can be related to the economy. They can be related to uncontrolled economic growth, unevenness in that growth, the reapplication of controls toward the end of the period, and the economic relief system itself.

One thing that was very evident during the period, though it is by no means new, was the hostility of the Chinese from one region of the country toward people from another. This was especially evident in the case of the "Gold Coast" Chinese (those areas along the coast and especially in the south that were developing rapidly), being resented by inland Chinese. It was also in evidence between northern Chinese and southern Chinese, since the south did better in terms of economic growth. In addition, there was growing resentment of people with foreign connections or those dealing with foreigners.<sup>47</sup> In short, social tension and friction increased.

One eye-catching example of legal bias was the local courts in some areas, which handed down life sentences or even the death penalty for poaching. Local officials complained that sentences in the past had been too light.<sup>48</sup> It was reflected more generally in Beijing's attitude toward the special economic zones and toward Hong Kong and in what appeared to be much harsher punishments for criminals in one part of the country as opposed to another and heavier punishments for non-locals.<sup>49</sup>

Rationing was seen in China more during the period under study and caused problems. It was not introduced nationwide and seemed to be practiced unevenly or on a discriminatory basis.<sup>50</sup> The same was true of the allocation of housing and the freeing of prices on rents in the big cities. Rents in many big cities were to escalate 15 to 20 fold with the freeing of prices, but were not allowed to do so evenly.<sup>51</sup> In other cases, citizens were asked to pay for many things that were formerly provided by the government free. Again there were complaints of a lack of fairness and the fact that "you had to pay if you didn't

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47. These are common observations made by talking to people in China and by hearing comments of both Chinese and visitors to China.

48. *Beijing Review*, July 4-10, 1988, p. 12.

49. See Dai Yannian, "Clean Up Government," *Beijing Review*, July 4-10, 1988, p. 7.

50. See *Asian Wall Street Journal*, December 1, 1987, p. 1.

51. See C.P.C., "Behind the Bamboo Curtain," *Asian Outlook*, May 1988, p. 24, citing a report issued by the *Economist* in April.

know someone.”<sup>52</sup>

Another problem related to the economy that became more evident during this period was the issue of the environment. Though China has had serious ecological problems for some time, it was given more publicity lately because it has become worse and because of its relationships to political infighting. In early 1988, a semi-official publication in China stated that arable land was decreasing at the rate of five million acres a year because of erosion and pollution.<sup>53</sup> It also stated that a “great portion” of protected plant and animal species were in danger of becoming extinct.<sup>54</sup> In May, an unprecedented environmental report was published which, among other things, declared that China was experiencing 1.5 million square kilometers of erosion yearly, including 5 billion tons from its two largest rivers.<sup>55</sup> The report put the rate of reforestation in China at 130th in the world—almost last among nations.<sup>56</sup> Finally, it stated that fluoride deficiency, Keshan disease, Kaschin-Beck disease and Schiatiomioslis threatened half of the rural population in China.<sup>57</sup>

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52. See *Wen Hui Bao*, July 30, 1987, p. 1, regarding students being asked to pay and allowed to seek jobs freely in exchange for that payment.

53. *Liaowang Weekly* (Overseas Edition), February 29, 1988, p. 39.

54. *Ibid.*

55. See *Ming Bao*, June 6, 1988, p. 6.

56. *Ibid.*

57. *Ibid.*

## **CHAPTER V**

### **INTELLECTUALS: STUDENT ACTIVISM AND THE PLIGHT OF THE INTELLECTUALS**

#### **INTRODUCTION**

Following the Anti-Bourgeois Liberalization Campaign of early 1987, the human rights condition of intellectuals in China improved. But by late 1987 and early 1988, the situation changed; it was a zigzag course, with some hesitant relaxation and a good deal of confusion. Overall, there was no major improvement in the status of intellectuals as the Party and government continued to refuse to give up control over academic and cultural matters.

In 1987-88, amidst ideological confusion caused by economic problems, a further erosion of the ideological underpinnings of the system inevitably resulted. This caused difficulties for intellectuals who were blamed for the appearance of unorthodox ideas. Other issues also cropped up to test the limits of the more open policy, such as the appearance of "obscene materials" in the mass reading markets and controversial movie productions seen as overstepping ideological boundaries set by the Party.

Major events in the period under review include renewed student activism following a lull during the winter of 1986-87, tolerance toward some leading intellectuals who were targets of attack during the Anti-Bourgeois Liberalization Campaign, and threats to take measures against what the authorities denounced as pornography and harmful audio and visual material, such as films and tapes.

#### **STUDENTS PROTEST POOR CONDITIONS**

Student activism, which started again in late 1987 in Beijing, reached a new high in April 1988 when the National People's Congress and the National People's Political Consultative Conference convened. By dramatizing their concerns for the basic human rights of intellectuals through stepped-up protest activities, the students intended to attract the attention of Party and state leaders. Student restiveness also took the form of protest against rising prices and the abject living conditions of university faculty, particularly its junior members, in the face of spiraling inflation. The protest against rising prices was linked to criticism of rampant corruption and special privi-

leges enjoyed by persons in power, which the students charged were at the root of general discontent. The students also perceived that education was assigned a very low priority in the current reform drive and lamented its neglect in strong terms.

On April 4, 1988, a poster appeared on the campus of Beijing University. Signed by "many junior faculty members and graduate students," the poster was prominently displayed on a bulletin board in front of the Xinhua Bookstore (run by China's official news agency) on campus. It was torn down within hours, but it reappeared the next day, this time on the wall of the student dining hall. On the poster, the signers declared the nation's education was in a state of "total crisis" and expressed their deep pain and despair. They pointed to the current trend toward down-grading education and learning, the severe shortage of funds for education, "the decline in the quality of education, the poverty in philosophy, the chaos in economics, the 'infantile' development in law, the crisis in history and the poor pay scale for teachers" as symptoms.

Responding to a call by the authorities to study harder, the poster said students were abandoning learning to go into business "to get rich." A shocking fact, the poster warned, was that the "quality of the entire Chinese nation continues to decline." "If the ten-year Cultural Revolution once nearly destroyed Chinese culture and education, then we must say today's wrong policies continue to threaten the very survival of education," the poster asserted. Putting the responsibility for ignoring the rights of the impoverished and much persecuted intellectuals squarely on the shoulders of Party General Secretary Zhao Ziyang, Premier Li Peng and Wan Li (formerly first vice premier and now chairman of the National People's Congress) by name, the signers of the poster warned that "without the support of intellectuals, the current reform in China is doomed."<sup>1</sup>

On April 6, two days after the appearance of the poster, students took to the streets. To dramatize their demands and make a cynical retort to the central authorities' call to "help oneself through production" (*sheng can zi jiu*) by offering "paid services" (*you sang fu wu*), some students went to Tiananmen Square to set up shoe-shine stands. They sought to bring a message home to the delegates and dignitaries attending the sessions of the National People's Congress and the National People's Political Consultative Conference at the Great Hall of the People. A group of five graduate students in classical Chinese

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1. "*Shengshi weiyao* (Warnings in times of prosperity)," *Cheng Ming*, (Hong Kong), No. 128, June 1988, p. 9.

studies from Beijing University, sporting a sign reading "Beijing University Graduate School Shoe-shining Department," paraded around the square and then offered their services to passers-by at 20 *fen* to 40 *fen* (about 6 to 12 cents) per shine. They were soon led away by security police for operating a business without a permit.<sup>2</sup>

On April 10, a group of young instructors from Beijing University staged a sit-in in Tiananmen Square with a big sign on their parked bicycles nearby urging increased expenditures on education. The plea was written in both Chinese and English. Meant for those attending the meetings in the Great Hall of the People, the message obviously was intended also for foreign journalists covering the important meetings.

Several policemen quickly removed the bicycles for illegal parking. The demonstrating teachers then silently held up the sign with their hands, ignoring the plain-clothes security men who were taking pictures of them. Two Western newsmen (an American from ABC-TV and a Canadian) were on the scene to interview one demonstrating teacher. Chinese newsmen were conspicuously absent from the square, where armed police and plain-clothes men far outnumbered demonstrators and onlookers. By 2 p.m., when the demonstrators were ready to leave, a bespectacled plain-clothes policeman was heard scolding the demonstrators in contempt: "You are only interested in making a show to the foreigners. Why don't you beg *them* for money?"<sup>3</sup>

On April 17, a group of ten students from Beijing University took to the streets, soliciting signatures for "An Open Letter to Deng, Zhao, Li and Wan," (Deng Xiaoping, Party General Secretary Zhao Ziyang, Premier Li Peng and National People's Congress Chairman Wan Li). They protested rising prices which they said were causing great hardship for the majority of the people. The action apparently was organized, for the students took to the streets only after dozens of posters had appeared in public places urging people to sign up in a "million-signature drive."

As the students began to attract crowds, the local deputy police chief rushed to the scene with more than 30 policemen and chased the students away, alleging that the students were holding up traffic. Government authorities apparently feared that the student unrest might merge with the widespread discontent beyond the college campus

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2. Lu Yun, "Shoe-shine, Sit-in, on Tiananmen Square," *Cheng Ming*, (Hong Kong), No. 128, June 1988, pp. 12-14.

3. *Id.*, p. 14.

caused by what many termed “uncontrolled inflation” and “rampant corruption.” While government officials allowed students limited leeway to vent their pent-up feelings, any remote sign that the student protest might spread brought quick action. Referring to the extent of general discontent, a scholar remarked: “If things get out of control, a Polish-styled general strike or at least a work slowdown will appear.”<sup>4</sup>

Another episode occurred on the Beijing University campus a few weeks later. On May 4th, the anniversary of the famous May 4th Movement of 1919 spearheaded by patriotic students, a day which also coincided with the 90th founding anniversary of Beijing University, a large celebration was planned. The celebration featured a keynote speech by Li Tiejun, recently elected member of the all-powerful Party Politburo and head of the State Education Commission.

While Li was making his speech at the official gathering, Fang Lizhi, the outspoken and renowned astrophysicist who lost his job in 1987 as vice president of the University of Science and Technology and was subsequently kicked out of the Party for his open advocacy of democracy and human rights, arrived on a bicycle and immediately created a commotion. Over half of the students were drawn away by Fang from the official function. A rival ceremony quickly got under way featuring Fang and his student admirers.

Fang spoke on democracy and human rights. His 20-minute talk was interrupted repeatedly by enthusiastic applause. He called for freedom of thought, speech and the press as “the most pressing task” and attacked the Party for avoiding genuine democracy by practicing the so-called Chinese-styled “democratic centralism.” “There is no such thing as physics with Chinese characteristics and the same is true of modernization,” Fang told the cheering crowd. “First we must recognize the concept of human rights above all. And we must use democratic means. For human rights, all the people must have freedom of thought and freedom of speech.”<sup>5</sup> He urged the students to persevere in their quest for democracy, adding cynically that the present leadership in China “has neither the guts of dictatorship nor the courage for democracy.”<sup>6</sup>

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4. Luo Bin, “The Rival Shows on Beida Campus and the Gathering Storm,” *Cheng Ming*, (Hong Kong), No. 128, June 1988, pp. 6-9.

5. Edward A. Gargan, “Chinese Dissident Derides a Dogma,” *New York Times*, May 5, 1988, p. 13.

6. Luo Bin, *supra* note 4, p. 7.

### “TAIWAN STUDY” GROUPS ON CAMPUS

Since early 1988, students at such prestigious institutions as Wuhan University in Central China and Zhejiang University in East China organized numerous study groups focusing attention on current affairs across the Taiwan Strait. Known by such names as the “Taiwan Problem Study Group” and the “Status on Both Sides of the Taiwan Strait Study Group,” these student organizations became very popular on campus. Students at Beijing University and the People’s University in the nation’s capital also set up such groups as the “Kuo-mintang History Study Group” and the “Three People’s Principles Study Society.” Better information about Taiwan’s economic development and political change, namely democratization, provided the impetus for student activism. These developments alarmed top officials in Beijing, who characterized the situation as “tendencies of alienation” and urged the State Education Commission to do something about it. The Commission, caught in a dilemma, issued a self-contradictory directive: it urged the university authorities not to interfere with these groups if they were engaged in purely scholarly activities; on the other hand, it said these groups should be closely watched and prevented from “making statements deemed too extreme or inflammatory.”<sup>7</sup>

Following Fang Lizhi’s appearance at Beijing University in early May 1988, students at the University continued their protest, holding a series of “teach-ins” on campus. They invited among others, U.S. Ambassador Winston Lord and his Chinese-born wife, author Betty Bao Lord, to attend one of the sessions. Government and Chinese Communist Party authorities were alarmed at the involvement of the U.S. envoy with radical Chinese students. An investigation was immediately launched to seek out the organizers of the teach-ins. Security officials questioned their motivation in inviting the U.S. ambassador. At least two students were later expelled permanently, according to sources at the university.

Quoting an internal directive, sources at the university subsequently reported that Li Tieyin, Party Politburo member and head of the State Education Commission, accused Fang Lizhi of carrying out counterrevolutionary activities among the students.<sup>8</sup> Meanwhile, a

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7. “Beidaihe Summit to Discuss Price and Wage Reform and the Taiwan Question,” *Chung Pao* (Centre Daily News) (eastern U.S. edition unless otherwise specified), August 1, 1988, p. 1; Luo Bin, “Message from Beidaihe Meeting,” *Cheng Ming*, (Hong Kong), No. 130, August 1988, pp. 10-12.

8. *Chung Pao*, July 26, 1988, p. 1.

second invitation to Mrs. Lord to address a student group at a university in Shanghai was ordered postponed indefinitely by the police. Students at Beijing University charged that the authorities simply did not want foreigners to have direct contact with the students during the unrest.<sup>9</sup>

Amidst the student unrest, an incident occurred at Beijing University on June 1, 1988 which resulted in the death of a graduate student. On the night of June 1, the student, Cai Qingfong, got into an argument at an off-campus liquor store with six unemployed youths, one of whom pulled a gun and shot Cai to death. The killing touched off spontaneous demonstrations by students who linked the lack of security and increase of crime on and near the campus to ineptitude and corruption in government. During a march to Tiananmen Square on June 3, the students shouted slogans, including "Justice and Human Rights!"<sup>10</sup>

### WE PREFER BOURGEOIS DEMOCRACY

During the protest march following Cai Qingfong's death, Beijing University campus was plastered with posters denouncing the government and corrupt officials. One poster read: "We Prefer Bourgeois Democracy to Socialist Democracy. Give Us More Freedom and Democracy. Punish Corrupt Officials!"<sup>11</sup> One student leader asked the demonstrators: "Do We Have Democracy?" A roaring answer came from the marchers: "No!"<sup>12</sup>

But before the demonstrations could spread, the police rounded up all six suspects in the shooting and the court meted out severe punishments. Charged with murder and hooliganism, two were given the death sentence (with one suspended for two years). The rest received three to 15 years in prison. Wang Jian, the alleged killer who was sentenced to death, was executed on July 21, shortly after his appeal had been denied.<sup>13</sup> The severe sentences and swift justice—less than two months from committing the crime to execution—though not unusual in the PRC, can be seen as an attempt to placate restive students.

Meanwhile in the United States, a large number of PRC students were involved in human rights protests. Alarmed by the disproportionately large number of Chinese students now studying in the United

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9. *Chung Pao*, July 25, 1988, p. 1.

10. Edward A. Gargan, "Beijing Students March in Protest," *New York Times*, June 4, 1988, p. 4.

11. *Chung Pao*, June 9, 1988, p. 1.

12. *Chung Pao*, June 8, 1988, p. 1.

13. *Chung Pao*, July 22, 1988, p. 1.



States, where presumably they were influenced by "bourgeois liberalism," the Chinese government decided in early 1988 to enact a long-rumored policy. It drastically cut back the number of students allowed to go to the United States and limited their period of stay. Starting in 1988, only 600 Chinese students were permitted to go for study in the United States annually, compared with 8,000 in each of the previous two years. The change of policy caused an uproar among Chinese students in the United States, many of whom could not complete their graduate studies within the new time limits. More than 2,000 students in over 40 U.S. universities signed an open letter urging the Chinese government to reconsider the decision.<sup>14</sup>

In an article published in the *New York Times*, a Chinese student called the new limits a violation of human rights. He wrote: "As an internal matter, a policy that denies Chinese citizens the opportunity to study abroad violates their civil rights, as well as its laws on the freedom of travel, which are guaranteed by China's Constitution. It also violates internationally accepted standards of civil and human rights."<sup>15</sup> He quoted officials in Beijing as denouncing the open letter which he signed as "the work of an outlawed counterrevolutionary organization."<sup>16</sup>

Why were Chinese students restless? Liu Binyan, the famous dissident writer, asked this question during a long interview. He then supplied the answer: "They support the reform, but they feel the pace of political reform is too slow." Liu also spoke of the great significance in Gorbachev's political reform, not only for the Soviet Union, but for all socialist countries. Pointing to the fact that Gorbachev had gone much further in political reform than has been attempted in China so far, Liu said: "You need to look at Gorbachev's reform to understand why Chinese students have taken to the streets."<sup>17</sup>

"If I have a choice, I would rather go to the Soviet Union," Liu said, not too long after his arrival in the United States in early 1988 as a Nieman Fellow at Harvard University. Liu stated his reason for wanting to go to the Soviet Union. "The Soviet Union and China are

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14. *Chung Pao*, April 11, 1988, p. 1. Of the 40,000 Chinese students studying abroad, some 28,000 were in the United States. Those on government stipends, about a third of the total, were controlled by the government and were obligated to return; the remaining self-supporting students, mostly sponsored by their relatives and friends or on scholarship, showed little interest in going home.

15. "China's Phantom Brain Drain," *New York Times*, May 5, 1988, p. A31.

16. *Ibid.*

17. *United Journal*, (New York), May 4, 1988, p. 18. For the full text of Liu's extended interview with Lee Yee, editor-in-chief of *The Nineties*, see Lee Yee, "A Second Interview with Liu Binyan," *The Nineties*, No. 198, May, 1988, pp. 16-30.

so similar in so many respects," Liu said, referring clearly to the common socialist system. "If I can write on the Soviet Union, then my writing will have a direct impact on China." With a heavy heart, Liu spoke of the solemn responsibility of a writer, and particularly a Chinese writer. "I am not opposed to writers pursuing lofty artistic goals," he said, "but China in the final analysis is the China a Chinese writer must face, a country where tens of millions still go hungry and where human rights are all too often trampled upon. I believe a writer cannot in good conscience avoid facing these problems."<sup>18</sup>

Contrary to what many Western specialists say, most Chinese intellectuals are of the opinion that Gorbachev is far ahead of Deng in political reform.<sup>19</sup> They also attach great importance to its future. Liu Binyan put it succinctly when he said that probably no nation outside of Eastern Europe was more concerned than China about the success of Gorbachev's reforms. Just as China's economic reforms have inspired Soviet reformers, Liu said, "so the fate of Gorbachev's political reforms, or glasnost, will have considerable influence in China, which trails far behind the Soviet Union in this respect." Liu noted that, unlike Chinese reformers, Gorbachev made political reform a priority. Speaking as a journalist whose writing had gotten him in trouble with the authorities many times, Liu pointed out that changes in the Soviet press have been especially envied in China. "No mainland Chinese newspaper has been allowed to match the way the Soviet media boldly expose political mistakes, stimulate discussion of political questions and explicitly challenge conservative views."

Refuting the view that the Chinese are less interested in social and political issues, Liu recalled that from 1978 to 1980, when the *People's Daily* was "unusually frank and courageous,"—a trend he had helped foster with his expose writings—its circulation rose to seven million but later dropped by half when the brief "Beijing Spring" was

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18. Lee Yee, "A Second Interview with Liu Binyan," *supra*, p. 30. Liu was expelled from the Party during the Anti-Bourgeois Liberalization Campaign in 1987. Liu's vocal criticism of the authorities was silenced and his activities were curtailed for some time, but he suffered no physical persecution this time, apparently because of the notoriety he had achieved through his expose writings and the international acclaim he had received for his courage and uprightness. Bowing to popular pressure and eager to cultivate a liberal and open image abroad, the government allowed him to leave the country, accepting the invitation from Harvard which had been held up for some time.

19. Merle Goldman and Marshall Goldman, "Going Back to China and the Soviet Union," *New York Times*, July 16, 1988, p. 27. In this essay, the Goldmans stated: "In the Soviet Union, there is dismay that political changes have been accompanied by almost no tangible economic improvements. . . . By contrast, in China there has been almost too much improvement."

over.<sup>20</sup>

Liu, who argued in a speech in 1984 that the coverup of Chinese political and social problems drove the people from the Communist Party and increased their indifference, said in the speech that "Our level of democracy will be determined by our degree of openness; because democracy, to a large extent, is the right to choose." Liu declared that his term "openness" meant quite the same as glasnost advocated by Gorbachev in 1985. "Yet China still has no glasnost." Pointing to the "great popular yearning" for change that fueled economic reform in China, Liu said the Chinese people "are now wishing Gorbachev success in the political realm," because that could "provide the push they need to bring political reform to China."<sup>21</sup>

### THE SOVIET UNION IS AHEAD IN GLASNOST

Because of the perceived differences in political reform between the two countries, many Chinese intellectuals, like Liu Binyan, have intently followed the course of Gorbachev's glasnost in the Soviet Union, from the bold challenge to Lenin's and Stalin's legacies to the sharply-worded demand for Andrei Gromyko's resignation. As one professor of English in Beijing remarked in the summer of 1988: "They are ahead of us in glasnost, that's for sure. What is happening there is real. A real discussion of important issues. We don't have any of that. Maybe someday, but not now."<sup>22</sup>

Similar views were expressed by a junior faculty member in the history department of Yunnan University, several thousand miles away in southwestern China. Asserting that Gorbachev's political reform was unprecedented in any socialist country in terms of its breadth and depth, he said that even at this early stage it was already inspirational for other socialist countries, including China.<sup>23</sup>

The success of Gorbachev's political reform in the Soviet Union, already further along than any post-Mao attempts at political reform by Deng Xiaoping in China, would send a signal throughout the troubled socialist world that political reform is possible and desirable as economic reform is inevitable and imperative. These Chinese intellectuals realize that without political reform, further economic reform

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20. Liu Binyan, "China's Stake in Glasnost," *New York Times*, June 19, 1988, Section 4, p. 26.

21. *Ibid.*

22. Edward A. Gargan, "China Nods; Sagely at Soviet Changes," *New York Times*, July 4, 1988, p. 3.

23. Personal interview, April 29, 1988, while this writer spent his sabbatical doing research at Yunnan University as a visiting scholar.

will be limited severely. Worse still, whatever measure of economic reform was already achieved ultimately would serve only to strengthen the economic base of the existing system, a system that is fundamentally antithetical to the enjoyment of human rights. It is in this sense that those who live under the system conclude from their personal experiences that the absence of genuine political reform constitutes a continuing violation of basic human rights, a violation that no measure of improvement of economic conditions can erase.

In an editorial, the *New York Times* noted that amidst all the superficial change a tourist could observe in China, there was an absence of the kind of political and cultural relaxation that glasnost brought to the Soviet Union. "There is little in China to compare to Soviet soul-searching over Stalin's excesses, to the thousands of independent groups springing up or to the effort to stir the masses into activism." The editorial writer quoted one Chinese as saying that "many fellow intellectuals envy the Soviet intelligentsia and find Mikhail Gorbachev remarkably courageous. The Chinese fear of chaos, he thinks, is too great for such reform."<sup>24</sup>

Intellectuals, particularly those who were "reborn" after their outspoken criticism of the Party got them in trouble in the past, tended to speak with circumspection. Whether on officially sanctioned trips abroad or publishing essays at home discussing sensitive topics such as Marxist ideology or reform, they try to maintain their image as daring critics. But all the while they are quick to proclaim their loyalty to the Party or to Marxism. Su Shaozhi, who lost his job in 1987 as head of the Institute on Marxism, Leninism and Mao Zedong Thought at the National Academy of Social Sciences, criticized Marx's outmoded views and those of various interpreters of Marxism, from Stalin to Mao, in a recent long article discussing socialism. He expounded on his theory of the "primary stage of socialism" by the Chinese Communist Party, which was adopted as the official ideological position at its 13th Congress in November 1987. He approvingly quoted former Party General Secretary Hu Yaobang, who in an interview with *Washington Post* publisher Catherine Graham in September 1986, openly admitted young people's lack of interest in Marxism as a universal phenomenon because "we socialists didn't do a very good job. . . particularly concerning democracy and human rights."<sup>25</sup> However, Su was quick to say that there was no reason for despair. Reiter-

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24. "Chinese Reformers, Soviet Upstarts," *New York Times*, April 24, 1988, Section 4, p. 24.

25. Su Shaozhi, "Socialism Revisited," *Chung Pao*, March 1, 1988, p. 7.

ating his conviction in the superiority of socialism, he urged greater efforts to find out the reasons "why the superiority of socialism was not fully developed."<sup>26</sup>

Yan Jiaqi, director of the Institute of Political Science of the same academy, is another academic critic of the system in China. Despite his anti-government protest, he was allowed to keep his job and was even sent to the United States in January 1988 for a 40-day tour of major universities and meetings in Washington. During the tour, Yan noticeably toned down the harshness of his criticism. He told an interviewer on the eve of his departure from the United States that he was confident of the future of democracy in China. Stressing that "China must have democracy if it is to have progress," Yan said the problem was a complex one, but "if we proceed step by step, there will be hope." He compared the Chinese system under the present Constitution with the U.S. system with particular reference to built-in checks and balances and concluded, a bit gratuitously, that "in certain respects, the Chinese system has stronger checks and balances."<sup>27</sup>

Liu Binyan, the famous writer-reporter who was expelled from the Party in 1987 for his outspoken criticism of government officials, was no exception to the restraint shown by critics. He expressed similar optimism for the future of reform in China in a speech at Columbia University in April 1988. But when asked if he was blindly loyal to the Party, he demurred, proclaiming that despite his expulsion from the Party, he remained a loyal critic and had no intention of turning against the Party.<sup>28</sup> On another occasion, Liu took pains to make clear that he did not oppose socialism. "I am not a dissident in the Solzhenitsyn sense," he said referring to the exiled Soviet writer who opposes socialism altogether. Calling himself a loyal dissenter from within the Party, Liu said: "I favor reforms, but I just don't feel that the current leadership is pushing them vigorously enough."<sup>29</sup>

### INTELLECTUALS CO-OPTED

Why did these intellectuals behave this way? Several explanations are possible. Some could be true believers, despite their past pain. Ideological conviction, when combined with nationalism, can give a person great inner strength. Indeed, with the possible exception

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26. *Ibid.*

27. Chen Wanying, "Strong Voice for China's Democratic Reform," *Chung Pao*, March 4, 1988, p. 3.

28. *Chung Pao*, April 30, 1988, p. 2.

29. Richard Bernstein, "Chinese Journalist Pushes His Ideas on 'Openness,'" *New York Times*, May 30, 1988, p. 3.

of Fang Lizhi, none of the above-mentioned intellectuals has renounced socialism openly. Some could have been co-opted by the Party, which they might feel not only had shown leniency toward them by sparing them more severe punishment, but actually had even granted them coveted favors, such as promotions and travel abroad. Thus, they might have had second thoughts about their previous views. Last but not least, many simply may have become smarter and learned to stay within the bounds this time around, fearing future persecution. Yin Roucheng put it best when the formerly persecuted actor-turned Vice minister for cultural affairs commented on the hesitant way many in the arts and theater approached Western works. "The biggest obstacle is fear," he said bluntly, referring to the fear of persecution by the authorities.<sup>30</sup>

One of the few intellectuals who courageously fought off the pressure from the authorities and continue to speak his conscience is Fang Lizhi. Demoted to the position of a research fellow at the Beijing Meteorological Observatory after his expulsion from the Party in 1987, but still allowed some limited activities including occasional trips abroad, Fang continued to fight for the cause of democracy and human rights. However, he was denied effective forums from which to express his views.

It is particularly interesting to see the contrast between the Soviet Union and the People's Republic of China, at a time when both countries are in the throes of reform. Gorbachev is bold enough to allow Soviet human rights champion/nuclear scientist Andrei Sakharov to visit the United States; the Chinese government cancelled Chinese human rights champion/astrophysicist Fang Lizhi's visit to the United States.<sup>31</sup> Interviewed in Beijing at his home on October 17, 1988, Fang confirmed that the Chinese Academy of Science had cancelled his trip to the United States (originally scheduled for December) to attend a series of scientific conferences in Texas, Colorado and California. The cancellation was the result of the statements he allegedly had made during his earlier trip to Australia and his unauthorized stopover in Hong Kong. While in Australia, Fang quoted a widely circulated rumor in China that many top Party and government officials and their children maintained bank accounts in foreign countries. Deng Xiaoping reportedly was incensed about Fang's statement. Accusing Fang of "slandering high government officials abroad," Deng

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30. "Cultural Interflow Is Irresistible Historical Trend," *Chung Pao*, November 24, 1987, p. 9.

31. "Blunt Talk Costs Fang Lizhi U.S. Trip," *Chung Pao*, October 19, 1988, p. 1.

suggested that Fang be prosecuted for "libeling China's leaders."<sup>32</sup>

Fang and Sakharov are so alike that in fact Fang is widely known as "China's Sakharov" to his countrymen. Sakharov's views were prominently reported in the United States, including his warnings about the flaws in Gorbachev's Constitutional reforms.<sup>33</sup> His message has reached a global audience through the free press in the United States. Fang Lizhi was confined in China, where the leaders did not dare to let his message be heard in the outside world.

### "SECOND-CLASS CITIZENS"

Intellectuals in China have yet to climb up from the bottom of the social scale to which they had been condemned in the heyday of the Cultural Revolution some 20 years ago. Contributing to the continued low social status of intellectuals under Deng Xiaoping's get-rich policy, is their pitifully low wages. Long treated as second-class citizens and the targets of persecution in many political campaigns, intellectuals—the educated elite—decimated and mostly frightened into silence, now suffer the added woes of economic deprivation. This is particularly true of those in the teaching profession. The economic reforms so far have only benefited those who work with their hands. It has left out those who work with their brains. As farmers, factory workers and particularly the new private urban entrepreneurs saw their income rise, wage-earners not in production and commerce found it increasingly difficult to cope with inflation. Teachers were the hardest hit, with their meager salaries lagging farther and farther behind in the face of rising prices. In real terms, the wages of both university professors and primary school teachers today are less than one-tenth what they had been in old China before the anti-Japanese war, according to Qian Jiaju, a well-known economist.<sup>34</sup> In 1987, China's annual per capita spending on education was only \$5.50, the third lowest among 149 nations in the world.<sup>35</sup>

The long neglect of teachers, together with the further lowering of their economic status, has given rise to what many observers call a new belief that "the pursuit of knowledge is useless," a slogan made

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32. *Ibid.*

33. Bill Keller, "Sakharov Warns of Perils in New Soviet Setup," *New York Times*, November 2, 1988, p. A1; Celestine Bohlen, "Sakharov Assails Threats to Perestroika," *New York Times*, November 8, 1988, p. A3.

34. Edward A. Gargan, "Words the Chinese Were Waiting to Hear," *New York Times*, May 8, 1988, Section 4, p. 2.

35. Cheng Yan, "College Faculty under Twin Pressure: Career and Decent Living," *Chung Pao*, July 19, 1988, p. 7.

famous during the anti-intellectual heyday of the Cultural Revolution. Seeing that less-educated taxi drivers and private entrepreneurs, many of them formerly unemployed youths from Cultural Revolution days or high school dropouts, were making many times more money than professors and college graduates, students began to question the usefulness of college education. At the prestigious university in Shanghai, there used to be 34 applicants vying for every place in its Ph.D. programs. However, in 1988, the university failed to fill its quota of 88 places in those programs and several candidates in the graduate programs actually dropped out, including a chemistry major, who left the school to build a \$100,000 business. No wonder! The starting salary of those with graduate degrees is on average less than \$30 a month. And, according to the dean of the university graduate school, "the higher one's degree, the harder it is to find a job."<sup>36</sup>

The new emphasis on money has produced a change of attitudes and values in the younger generation. A nationwide poll of over 11,000 university students in 47 universities revealed that over 70 per cent agreed with the motto "I for everybody and everybody for me." Less than 16 per cent held on to "selfless dedication." Only 3 per cent stated they believed in "selfishness as the universal truth." A 21-year-old business major said, compared with his father's generation, "my generation of college students are more selfish. We want to see tangible personal rewards for our service to society."<sup>37</sup>

In forsaking the ivory tower for the lures of the marketplace, not everybody would succeed in new ventures and many, in fact, would end up in dire straits. The student protests in Hainan in the summer of 1988 are a case in point. Attracted by the prospect of jobs and opportunities in the southernmost island, which had just been elevated administratively to a province and marked as a showcase for quick economic development as part of Deng Xiaoping's reform efforts, tens of thousands of college graduates swarmed into Hainan hoping to make a fortune there. Of the 26,000 who went there, only a few thousand actually found jobs; the great majority, disappointed, headed home. More than a thousand college graduates, stranded there and out of money, became street peddlers who hawked their wares during the day and slept in the streets at night. Many were chased away or beaten by the police. In their demonstration in front of the municipal building in Haikou, the capital city of Hainan, hundred of students

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36. *Chung Pao*, May 20, 1988, p. 9.

37. "Traditional Views Changing under Western Impact," *Chung Pao*, June 15, 1988, p. 9.



presented their plights as a case of human rights. They held up signs proclaiming that "We are human beings. We refuse to be treated as dogs and pigs."<sup>38</sup>

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38. "Stranded College Students in Hainan Demonstrate against Police Brutality," *Chung Pao*, July 19, 1988, p. 1.

## CHAPTER VI

### INTELLECTUALS: FREEDOM OF SPEECH AND PUBLISHING

#### INTRODUCTION

In the period under review, there were no major changes or signs of improvement with respect to freedom of the press and those policies applying to arts and literature. The pattern of alternating between tightening and limited relaxation continued through most of 1987 and 1988. However, during the second half of 1988, economic problems became more serious and the hard-line Marxists gained political influence. As a result, the beleaguered reformist faction of Zhao Ziyang was threatened and a trend toward tightening in the ideological area became discernible.

An article of unusual candor in the magazine *Xinwen Zhanxian* (News Front) stated in March 1988 that, in the past, newspapers were used as an instrument for political struggle. Newspapers, the magazine said, were a vehicle for propagating official instructions, hence their function was to be "an extension of the Party and government." Calling for more openness without departing from the fundamental notion that news should be managed, the article asserted that "propaganda is one of the basic functions of a newspaper." Improving news propaganda, therefore, meant better transmission of facts "in order to achieve propaganda results." The article went on to discuss the pitfalls of a controlled press, something that is very familiar to the average newspaper reader in China: "Excessive strengthening of the propaganda function of news reports usually results in getting farther and farther away from the factual content of the news. It leads to empty didacticism and the shouting of slogans. It arouses hostile reactions in the reader. People may find it intolerable to read such newspapers."<sup>1</sup>

Official interference in news reporting in other ways remained a fact of life despite the current reform. In the wake of worker restiveness, Chinese journalists remarked that they were instructed by the authorities to play down news of strikes in Eastern Europe related to

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1. *Xinwen Zhanxian* (News Front), (Beijing), No. 3, 1988, pp. 9-10, cited in *Inside Mainland China*, (Taipei), July 1988, p. 25.

economic reform policies there, and to ignore incidents of unrest in China.<sup>2</sup>

### FREEDOM OF PRESS STRESSED

No one is in a more authoritative position to comment on the state of press freedom than Liu Binyan, the best known investigative reporter in China. Liu was expelled from the Party for writing too much and digging too deeply. In a speech at Columbia University in May 1988, Liu cited freedom of the press and the rule of law as the two most pressing problems facing China today. The two problems have reached such serious proportions that, left unsolved, "the ultimate victims will be the Communists themselves," he warned. Citing a recent statistic, he asked rhetorically: why each day more than 60 million Chinese were listening to Voice of America broadcasts? "Because people simply don't like to read the official newspapers and this will set the Chinese Communists farther and farther from the people."<sup>3</sup>

Liu cited the case of the once authoritative theoretical journal of the Chinese Communist Party Central Committee, *Hongqi* (Red Flag), as an example. "If an object is raised too high, it is bound to tumble down hard," Liu said, referring to the journal's former status (the once powerful Chinese Communist Party mouthpiece) and its demise in mid-1988. Heavy with ideological jargon, the journal, according to a survey conducted by the Post and Telecommunications Ministry, had a nationwide retail circulation of only one individual paid subscriber; all other subscribers were government offices, libraries or *gratis* subscriptions. Once, a Beijing resident tried all the newsstands in town but could not find a copy of it. The people who conducted the survey later found out the reason: the retail outlets simply stopped carrying the journal because nobody wanted to buy it. "The only thing one can say about *Hongqi* is that it is the best preserved journal in any library," Liu said cynically.<sup>4</sup>

Referring to the official *Renmin Ribao* (People's Daily), whose circulation Liu helped to push with his expose articles in the late 1970s and early 1980s, before being forced out as an investigative reporter, Liu said bluntly: "Where there is good reporting, the circulation is high; when the Party is happy with the newspaper, the circulation is

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2. Edward A. Gargan, "Chinese Leaders Cite Unrest and Link it to Restructuring," *New York Times*, July 7, 1988, p. 2.

3. *Chung Pao*, (Centre Daily News), eastern U.S. edition, May 3, 1988, p. 2.

4. *Ibid.*

low.”<sup>5</sup> But his formula for change got him in trouble.

In a speech at the University of California at Davis in May 1988, Liu, who was purged rather than imprisoned and was used by the reformists, spoke of the problems caused by lack of freedom of the press. He asked rhetorically: “Haven’t we seen enough undemocratic socialist systems? Haven’t we seen enough unchecked Party leadership? Haven’t we seen enough unlimited dictatorship of the proletariat?” Answering his own questions, Liu said that the four problems he raised all had to do with the lack of freedom of the press and freedom of speech. “In past decades, the least progress was made in these areas. Indeed in the 1980s, we witnessed continuous retrogression in freedom of the press and freedom of speech in China,” Liu said. He concluded: “The Chinese Communist Party is most afraid of freedom of the press.”<sup>6</sup>

Party newspapers, which as a rule fare poorly in retail circulation, have been doing worse in recent years as a result of reform. The over 10 million residents in the city of Beijing, according to a report from the capital city by Agence France-Presse in 1988, have purchased only some 800 copies of *People’s Daily* a day. The *People’s Daily* boasted an official circulation of 4 million nationwide, but it was distributed to offices and factories throughout the country on a mandatory basis. “People are not interested in official newspapers, and many do not believe news carried in these newspapers,” the AFP dispatch said. Other official newspapers did even worse at Beijing’s retail outlets: the *China Youth Daily* sold about 200 copies a day, the *Workers’ Daily* and *Economic Daily* only 20 to 30 a day. In a survey conducted by the English-language *China Daily*, it was reported that the most widely read news item was the weather report.<sup>7</sup>

In another speech, Liu Binyan urged a “truly free” newspaper in China to allow the people to express themselves. Referring to the crisis of confidence as the most serious problem affecting the current reform, Liu said the people were apathetic not only because they realized that public opinion had no role to play, but indeed because they remembered all too well that speaking one’s mind would get one in trouble. Urging greater freedom of the press, Liu said: “If the time is not yet ripe to have a truly free newspaper, at least we should start

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5. Richard Bernstein, “Chinese Journalist Pushes His Ideas on ‘Openness,’” *New York Times*, May 30, 1988, p. 3.

6. “Liu Assails Press Control in Mainland China,” *Chung Pao*, May 21, 1988, p. 2.

7. “Poor Newsstand Sales of *People’s Daily*: Only 800 a Day,” *Chung Pao*, July 30, 1988, p. 2.

by improving the present Party newspapers.”<sup>8</sup>

Although spared severe persecution and allowed to travel to the United States, Liu Binyan paid an additional price little known to outsiders, aside from his widely published expulsion from the Party. Three of his most recent books were held back from publication, and a fourth book, a collection of his latest expose articles, titled “To Tell You a Secret,” which was published just before his expulsion from the Party, was banned. The Party committee at the National Writers’ Association decided to withhold the news that one of the expose stories was chosen as one of the 20 best-liked stories in a nationwide reader survey conducted by the *People’s Literature*.<sup>9</sup>

As a political scientist, Yan Jiaqi, director of the Institute of Political Science at the National Academy of Social Sciences, spoke of the importance of freedom of the press as a prerequisite to democracy in China. He called Chinese politics “briefing politics,” meaning policy makers at the top often made unrealistic policy decisions based on the briefings of a small staff with little knowledge of the true sentiments of the people, and without public accountability. This kind of “briefing politics without due process,” characterized by the concentration of power in the hands of a few and the exclusion of the vast majority from the political processes, according to Yan, could be changed only through the unfettered flow of information as a first step toward public participation and accountability.<sup>10</sup>

In fact, a new press law has remained at the “study” stage for years. Hu Jiwei, director of the Office for the Study of Press Law under the National People’s Congress, spoke of the difficulties encountered in the drafting of the press law in April 1988. People were divided on the purpose of the press law, he said. There were two schools of thought on this: some felt that freedom of the press was insufficient in China and a press law was needed to spell out the details of constitutional guarantees; others felt a law was needed to check the abuses that already existed in abundance in China. Hu disagreed with the latter view, but conceded that drafting of the press law in the past two years had run repeatedly into obstacles mainly because of the divergent views at the policy-making level.<sup>11</sup>

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8. “Weak Public Opinion Breeds Apathy toward Reform,” *Chung Pao*, July 26, 1988, p. 3.

9. *Chung Pao*, November 12, 1987, p. 9.

10. Yan Jiaqi, “Freedom of the Press Antidote to Political Corruption,” *Chung Pao*, July 21, 1988, p. 1.

11. *Chung Pao*, April 6, 1988, p. 9.

### POLITICS IN COMMAND

Freedom of speech in literature and the arts increased during the period under review, although from a very low base. However, the trend was a haphazard one, and, as in other realms, political considerations reigned supreme. A good example was the suppression of a television series on the Kong clan, the offspring of Confucius. The series was based on the memoirs of *Kong Demao*, a 77th generation female lineal descendant of Confucius. It detailed the intimate story of the author's father's taking of a concubine to produce a male heir to continue the family name of the sage.

The series was completed in July 1985 at a cost of over a million *yuan*—considered a costly production at the time. In the next two years, the film went through numerous checks and reviews and repeatedly was held up for political reasons. It finally was cleared by the Ministry of Broadcasting, Television and Motion Pictures in November 1987. It thus was ready for release for both domestic and international showing at that time. However, in March 1988, the Ministry suddenly reversed its earlier decision and ordered the film held again, reportedly on the direct orders of Hu Qili, the Party Politburo and Central Secretariat member in charge of ideological matters. The reason for the action was that release of the film might embarrass Kong Decheng, the author's half brother whose biological mother was the concubine. Kong Decheng is now President of the Examination Yuan in the government of the Republic of China on Taiwan where Confucius is revered. At a time when and Taiwan was being wooed, release of the film was deemed unwise and consequently was postponed indefinitely.<sup>12</sup>

Freedom of speech in the media also suffered from the corruptive influence of money, thanks to the get-rich atmosphere in China evoked by the economic reform. It was rumored widely that, in keeping with the spirit of current economic reform, the media, state-owned in China, had been told that state subsidies would be phased out and that the media would be on their own financially.<sup>13</sup> In other words, while remaining the mouthpiece of the Party and government, the media would now be responsible for their own profit and loss. This set off a wild scramble for funds. The scramble obviously further degraded the media and hurt the cause of freedom of speech.

In fact, the media have become so corrupted by money that, according to many critics, what little freedom of the press there was in

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12. *Chung Pao*, July 23 and July 24, 1988, p. 9.

13. *Chung Pao*, August 22, 1988, p. 9.

the past has been turned into a license openly sold for a fee. Specifically, three types of corruption have been mentioned widely: the selling of press cards; payoffs by factories to reporters, who in turn would write glowing stories about them; and, bribery or paying for news coverage. Newspapers openly have sold positions of special correspondents, reporters and stringers on a descending scale of fees. In some cases, they have promised the immediate issuance of a press card upon receipt of a set fee. A public security bureau reported in July 1988 that three press cards were found on a criminal.<sup>14</sup> Cases of buying good publicity or press coverage also can be documented easily.

Because of the limited time devoted to news coverage and the size of the audience, television has become the most corrupted media. Buying news coverage has become commonplace. The Central Television Station in Beijing is a good example. In February 1988, *Zhongguo Laonian* (China's Senior Citizens) magazine had to give everyone in the station's news department a wrist watch in order to get an award ceremony covered on the evening news. In March of the same year, the magazine *Yanhuang Zisun* (Descendants of Yan and Huang Emperors) requested television coverage of its inauguration ceremony and was turned down, despite the fact that the new magazine boasted of Deng Xiaoping's calligraphy on its cover and listed Bo Yibo, vice chairman of the Party Central Advisory Committee, among the guests at the ceremony. The coverage was obtained after a reporter and a go-between were paid 150 *yuan*. Without the bribe, a significant event would have gone unreported. In April 1988, nine organizations jointly held a "Seminar on Cultural Development" in Beijing and the news was ignored by the television station, although an invitation (without accompanying gratuity) was sent well in advance.<sup>15</sup>

During 1987 and 1988, harsh measures were ordered against the printing and distribution of what the government regarded as "pornographic" materials. Such publications have been visibly on the increase in recent years, particularly in major coastal cities. With the relaxation of controls under the Dengist reform, a wave of so-called "yellow publications"—cheap publications on sex and violence put out by enterprising merchants for quick profits—swept the land. In Beijing, along the main thoroughfare of Changan Street, more than 65 percent of the books sold at bookstands run by private entrepreneurs were on sex. And there were over 700 such bookstands in Beijing, according to Liu Yandong, a member of the Standing Committee of

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14. *Chung Pao*, July 21, 1988, p. 9.

15. *Ibid.*

the National People's Congress (who cited a survey by the Communist Youth League). The same survey identified over 70 titles of what it called obscene publications totalling over 7 million copies put out by 35 publishers, catering mainly to young readers. Liu said that these publications should be banned in order to save the nation's youth from "spiritual demoralization."<sup>16</sup>

Unlike the never-ending controversy over the relationship between sex and crime in the West, Chinese authorities have long believed in that relationship. Reflecting the official view stressing a direct link between sex and violence in early 1988, Song Muwen, deputy director of the Bureau of Press and Publications, spoke about a study conducted at a juvenile reform center in Anhui province. A sampling of 30 sex offenders there showed, he said, that all had been exposed to obscene reading materials. It is these obscene materials that had made the young people "obsessed with unhealthy thoughts about the opposite sex, sink low in spirits, lose self-control, absent themselves from school and work, and finally commit crimes," Song said.<sup>17</sup> Higher authorities in the Chinese government and the Chinese Communist Party supported his view.

Chinese officials have insisted routinely that "obscene publication," a loosely defined term, provokes criminality. During 1988, this view was propagated more widely. For example, a survey of young hoodlums, reported by *Xinhua*, the official Chinese press agency, found that most had been exposed to obscene works.<sup>18</sup> Du Daozheng, director of the Bureau of Press and Publications, promised seizure of obscene publications and severe punishment for the publishers. He called such publications "opium, harmful to the mind and body of the young." Citing the "Directive on Strictly Banning Obscene Materials" issued by the State Council in 1985 and appropriate provisions (Article 170) of the Penal Code, he vowed to crack down on the waves of "pornographic publications" and urged mass campaigns, involving the media, to combat the trend.<sup>19</sup> In July 1988, the bureau issued two directives, stiffening the punishment for those publishing, printing, selling, renting, or storing "pornographic materials" with jail sentences of up to three years. It also banned publications which, though not deemed obscene, were preoccupied with sex, and ordered

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16. *Chung Pao*, July 2, 1988, p. 3.

17. *Chung Pao*, May 4, 1988, p. 9.

18. Edward A. Gargan, "Public Flirtation with Private Desire," *New York Times*, June 4, 1988, p. 4.

19. "Authorities to Stem 'Yellow Tide,'" *Chung Pao*, May 4, 1988, p. 9.



prior screening of material affecting the young before publication.<sup>20</sup>

### DENG THREATENS TO EXECUTE "PORNOGRAPHY" PUBLISHER

New directives affected not only books by Chinese authors, but also translated works by Western authors. Two, in particular, were the object of attention: Irving Wallace's sexually explicit novel *Fan Club* and British writer Jackie Collins' *Lovers and Gamblers*. The two books caused the ire of no less than Deng Xiaoping, who in a directive to the Bureau of Press and Publications reportedly said: "We should put some publishers on trial and execute them."<sup>21</sup>

Following Deng's alleged outburst, Sun Yuanzhong, deputy director and deputy editor-in-chief of Yanbian People's Publishing House in Jilin Province, which published the Chinese translation of Wallace's book, and Cui Xingshou, head of the literature and art editorial department at the publishing house, were fired.

Meanwhile in New York, an enraged Wallace commented on the ban of his book in China: "I think this is the most vile thing I've ever heard. George Bernard Shaw once said the ultimate in censorship is assassination. This is the ultimate. They have done it. They have got to be stopped. I've contacted the Authors Guild and I hope we can do something." Wallace pointed out that his *Fan Club*, published in 16 countries and by five book clubs around the world, had never been banned anywhere else.<sup>22</sup> Earlier, the Bureau of Press and Publications announced that five major publishing houses in China, including the one that published the Chinese translation of Wallace's book, had been fined heavily during the fracas.<sup>23</sup>

In a related area, a number of beauty contests were cancelled in the spring of 1988. Contests were stopped in both Beijing and Shanghai. In addition to showing where real power lies, despite frequent talk about rule by law, these incidents were revealing in that they indicated not so much why, but how, the contests were scrapped. While there could be many "legitimate" reasons for banning the pageants, organizers were not cited for violating any specific rules when the contests were banned from television. The reason given by the embarrassed Beijing pageant organizer for taking the show off the air

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20. "Tough Measures Ordered by Publications Bureau," *Chung Pao*, July 9, 1988, p. 9.

21. "Deng Xiaoping Angry Over 'Yellow Literature' Publishers," *Chung Pao*, August 24, 1988, p. 1.

22. "Wallace Book Too Spicy for China," *New York Post*, August 31, 1988, p. 6.

23. "Beijing Press Bureau Sweeping 'Yellow Literature,'" *Chung Pao*, August 12, 1988, p. 9.

sounded noble: "China is not rich. Some people do not eat. Some people say how can you hold a beauty contest if some people can not eat or dress properly?"<sup>24</sup>

The Shanghai pageant was not just taken off the air; it was permanently cancelled. The Communist Party Secretary in Shanghai, Jiang Zemin, citing the city's economic problems, had this to say: "Conditions are not yet ripe" for a beauty pageant. Since no reason was given for banning the show, rumors became rampant. Some said the Party Central Committee frowned upon the idea as bourgeois and thus ordered the show stopped. Others said Hu Qili, the powerful member of the Standing Committee of the Party's Politburo in charge of ideological matters, personally ordered the show banned.

Zhu Hansheng, director of China Television Artists Association and an organizer of the pageant, insisted that there had been no explicit instructions from the top. Unaware that he was offering the best off-hand proof that China was ruled by the whims of the leaders rather than by law, Zhu told a Western reporter: "If Hu Qili had said stop, we would have had to stop immediately and I wouldn't have agreed to see you." He was seconded by his co-worker, who added: "We have not received any directive directly from the authorities, but we can feel the atmosphere. . . ." The *New York Times* commented: "'Feeling the atmosphere' is a talent most Chinese have cultivated with care, for a loss of touch usually means trouble from above."<sup>25</sup> This conditioned mentality of learning to live with the "myth of commanded assumptions" contrasts sharply with the feelings of some daring human rights activists, artists and others. One, 35-year-old film director Chen Kaige, said in this regard: "Freedom is something that is my own, not something the government can give me."<sup>26</sup>

For many intellectuals, particularly the young and the artistically inclined, living in an ideological straitjacket cannot be accepted as a fact of life. The Dengist policy of opening to the West had provided them with a way out: leaving the country. Brain drain, long a problem of the Third World, has now begun to beset China, but for a different reason. The situation at the Central Academy of Opera provided a case in point. A veteran musician at the Academy recently said that so many young musicians had left the country that the loss at the Academy had reached crisis proportions. The Academy's orchestra lost more than a third of its members; four of the five performers

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24. Edward A. Gargan, "Out She Goes, Again, Miss Ideological Impurity," *New York Times*, May 25, 1988, p. A4.

25. *Ibid.*

26. Flora Lewis, "The Pain of Change," *New York Times*, May 11, 1988, p. A27.

capable of singing the leading role in *Carmen* had left the country, according to Zheng Xiaoying, the veteran musician at the Academy.

Why were young and talented artists reluctant to return to China? Zheng told the *China Youth Daily* bluntly: "Because there is too much politics—and there are too few opportunities—in China."<sup>27</sup> Commenting on "How to stop China's Brain Drain," the *New York Times* listed the reasons editorially: "Professors find courses and course content dictated by Communist Party officials. Scientists find little freedom of intellectual inquiry. Social scientists find their work censored. . . . It is the leaders' own contradictory goals that are really to blame. They insist on maintaining Communist Party power and control even as they seek economic change. Economic vitality cannot long survive in a political and cultural straitjacket."<sup>28</sup>

### TV SERIES "INSULTING TO MOTHERLAND"

The plight of intellectuals was accentuated in a widely acclaimed, but later banned, six-part television series, *He Shang* (River Elegy), in the summer of 1988. Using the Yellow river symbolically, the television series lamented the fate of the motherland—or more precisely the collective fate of its people—which was ravaged in recent memory just as it had been for countless times devastated by Yellow River floods. The series struck such a responsive chord among millions of viewers that it was rebroadcast twice by the Central Television Station on its nationwide network. The alleged negative message of the film eventually aroused so much concern for Party leaders that government authorities took it off the air. Video tapes of the program also were banned both domestically and for export.<sup>29</sup>

One Chinese leader who reportedly was enraged by this program was Vice President Wang Zhen, a veteran general close to Deng Xiaoping. In a speech on September 27, 1988, in the Ningxia Autonomous Region in northwest China, Wang condemned the television series, denouncing it as anti-socialist and anti-Party, "reflecting nothing right about our great nation." "The way I see it," roared the diehard Marxist and veteran soldier of the Long March at a meeting of local Party leaders, "this program attacks our great Yellow River, our Great Wall, and above all, the great Chinese people."<sup>30</sup> Many saw Wang's attack as aimed at those who challenged Marxist doctrines

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27. *Chung Pao*, November 25, 1988, p. 9.

28. "How not to Stop China's Brain Drain," *New York Times*, April 13, 1988, p. 26.

29. "'River Elegy' Angers Hardliners, Ordered Banned," *Chung Pao*, October 12, 1988, p. 3.

30. *Ibid.*

and departed from Party-prescribed themes in arts and literature. Within days of Wang's angry outbursts, the program was banned.

What provoked Wang's violent attack on the television program was apparently its daring plea for the case of Chinese intellectuals. The film was made by a group of young intellectuals mostly in their 30s; two consultants in the making of the film were well-known professors. Their fate, the cancelling of the program revealed, said much about the system under which intellectuals were living. Aiming his figurative gun directly at many intellectuals who were associated with the film, Wang said with contempt characteristic of leaders of his generation with similar background: "I have fought all my life to reach where I am as a national leader, and now I have to listen to this bunch of all-knowing professors and graduate students!" "I have never been this angry before," the Long March veteran fumed, and added a warning: "Intellectuals are dangerous."

Wang Zhen's outbursts created widespread apprehension among writers and artists, many of whom had been targets of attack in the Anti-Bourgeois Liberalization campaign in 1986-1987. They feared that Wang's warning might be the first salvo of a new campaign against intellectuals, designed to stop them from challenging Marxist dogma and the Party, particularly at a time when Deng's economic reforms were in trouble, giving hardline orthodox Marxists a needed opening to stage a comeback.<sup>31</sup>

At a more fundamental level, the television program linked the plight of intellectuals in contemporary China with the future of the nation. "Although 20th century Chinese intellectuals are now rid of the misfortune of being categorized as the 'stinking ninth elements,' their social status has only been marginally raised," the program's authors warned, referring to the worst days of the Cultural Revolution when intellectuals ranked at the bottom of nine classes of "enemies of the people." "Economic and psychological pressures still affect them. There are constant reports of their premature deaths." Pleading for more freedom and respect for the nation's precious intellectuals, the program said: "What is more horrifying is that a country where Confucius was most respected is now treating its teachers so badly. The old generation is dying and the younger generation is unwilling to follow in its footsteps. Intellectuals are desperately in need of cleaner air and more freedom."<sup>32</sup>

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31. "'River Elegy' Banned after Criticism by Wang Zhen," *China Spring*, December 1988, p. 77.

32. Edward A. Gargan, "From China, Remembrances of Great Minds Lost," *New York Times*, October 30, 1988, Section 1, p. 12.

At the same time, another popular television program, "Today in History," also was cancelled. Like Walter Cronkite's "Twentieth Century" radio program on important events in the 20th century, "Today in History" featured short flashbacks of important events in China's recent past. In selecting materials, the television station often encountered official interference. For example, on August 28, 1988, it aired the tragic 1980 accident at the Bohai No. 2 offshore oil drilling platform, which occurred because of negligence and resulted in the death of scores of crew members and the complete destruction of the platform. The Minister of the Petroleum Industry and other senior officials lost their jobs in the wake of the accident, which has since become a sensitive subject seldom mentioned publicly.

Some high officials still in power were offended by the airing of the details about this accident. The reporting of other major events also was banned from the air: Mao's review of the first Red Guards on August 8, 1966, which heralded the violent Cultural Revolution; the plane crash that allegedly killed former Defense Minister Lin Biao on September 13, 1971, as he tried to flee to the Soviet Union after an abortive plot to kill Mao; the overthrow of the "Gang of Four" in October 1976 soon after Mao's death. Apparently, the present leadership in China did not feel that the public should be reminded of these events.

The eventual cancellation of this popular television program, along with the ban of "River Elegy," were seen as signs of a tightening trend in the ideological arena, casting a shadow on the long-heralded Fifth National Congress of Artists and Writers in November.<sup>33</sup> Commenting on the ban of the two television programs, a Chinese-language newspaper in the United States, known for its leftist sympathies, was provoked enough to question whether the "spirits of cultural despotism" again were stalking the land.<sup>34</sup>

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33. "'Today in History' Cancelled after Demise of 'River Elegy,'" *Chung Pao*, October 28, 1988, p. 9.

34. "Spirits of Cultural Despotism Again Stalking Mainland China?" *Chung Pao*, October 29, 1988, p. 2.

## CHAPTER VII

### MASS EXECUTIONS; SELECTED HUMAN RIGHTS CASES

#### INTRODUCTION

Despite mounting international criticism, mass executions continued in China during 1987-88. The reason was that crime associated with economic reforms and the opening to the West, had increased in recent years and efforts by Party and government authorities to cope generally failed. As a result, punishments have become harsher and have been administered more inconsistently, and often for purely political reasons. During the period under study, the list of capital crimes was expanded to include less serious cases. Finally, according to official statistics released by the Supreme Procuratorate Office, cases of police violations of basic human and civil rights rose significantly.<sup>1</sup>

The increase in executions in China followed a trend started in 1983. Deng Xiaoping vowed to crack down on crime in August 1983 after an attempt on his life. Large numbers of executions have been reported since. According to the London-based human rights organization Amnesty International, a conservative estimate puts the total number of executions in the three to four years following Deng's announcement at between 5,000 and 30,000.<sup>2</sup> Executions often followed mass meetings at sports stadiums attended by large crowds of people, at which the sentences of the condemned, bound and held at gunpoint by uniformed police, were announced. After the mass meetings, the prisoners were often paraded through the main streets in flatback trucks before being taken to the execution ground to be shot. After the execution, court posters in bold characters were displayed prominently in public places, announcing the cases and detailing the crimes of the condemned. On top of the name of each condemned, a big red check mark was placed, signifying that the death sentence had been carried out. This continued during 1987-88.

More attention focused on human rights victims in China during 1987-88 as a result of the country's policy of opening to the outside

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1. "75,000 Cases of Police Violation of Human Rights in 1987," *Chung Pao* (Center Daily), eastern U.S. edition, August 1, 1988, p. 1. According to the Supreme Procuratorate Office, 30,000 of the 75,000 cases involved illegal detention beyond the legal limit of 15 days, and 600 cases were arrests without a warrant.

2. *Chung-yang Jih-pao* (Central Daily News), (Taipei), September 20, 1987, p. 6.

world and increasing trade and foreign investment opportunities in China. The government and the Chinese Communist Party continued to display a callous attitude toward dissidents imprisoned in China and adopted the attitude that foreign countries really did not care about human rights abuses in China. However, there was some evidence of changing policies, although the evidence was of changes in different directions—toward both a less harsh policy and a tough policy against known human rights victims.

### PARADE BEFORE EXECUTION

During 1988, the practice of holding mass meetings and public parades before or after executions was criticized strongly by Amnesty International. Amnesty pointed out that this was a violation of human dignity and contradictory to a 1979 Chinese law forbidding condemned prisoners' "exposure to the public."<sup>3</sup> However, its criticism had little effect. Chinese authorities publicly stated that such public display and the humiliation of the condemned would enhance the effectiveness of capital punishment in checking serious crimes. The Chinese leadership also held to the view that executions had an educational or fear instilling effect. In fact, to spread the message as widely as possible, television stations broadcast to millions of viewers scenes of rides to the execution ground and mass meetings. Televised pre-execution programs were seen in Beijing and Shanghai as well as in other Chinese cities.<sup>4</sup>

During 1988, in line with the Party decision to dispense swift justice, laws were amended to make it easier for the courts to condemn criminals. One important change: the requirement for the Supreme Court to confirm death sentences was eliminated, making it possible for lower courts to order immediate execution after trial, sometimes within hours of a verdict. According to a *New York Times* report from Beijing, the list of capital offenses was extended to more than 40, including a mixed bag of offenses such as organized jailbreaks, "molesting" women, procuring, smuggling gold or antiques, "very grave" cases of embezzlement and "passing on methods of committing crimes."<sup>5</sup> In practice, however, most executions were for crimes of murder, rape or robbery with violence—accounting for more than 70

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3. John F. Burns, "When Peking Fights Crime, News is on the Wall," *New York Times*, January 28, 1986, p. A2.

4. *Ibid.*; John F. Burns, "Peking Focuses on Execution of 3 Aides' Sons," *New York Times*, February 25, 1986, p. A11.

5. See Chapter 4, *supra*, on Economic Change and Human Rights.

to 85 people shot in Beijing during an 18-month period.<sup>6</sup> This suggests that the government sought to expand the use of the death penalty to intimidate lesser offenders, but had only started.

A study of the data on executions during this period also suggests the decision to impose the death penalty had less to do with the severity of the crime than with the need to placate public opinion or to find a scapegoat. In one case, 18 criminals were executed after a mass rally at the city's Workers' Stadium in Beijing. One of the condemned, a 31-year-old peasant named Wang Yulong, was described in the poster as a "hardened thief," a third-time offender who stole \$3,130 worth of generators, electric motors, television sets and pigs.<sup>7</sup> In another widely publicized case that was televised in Shanghai, three condemned rapists were executed—all sons of high local Party officials.<sup>8</sup> Government authorities apparently wanted to show that the powerful and privileged were not immune from punishment. In another case involving student demonstrations in the wake of the death of a Beijing student in a brawl with unemployed youths at an off-campus liquor store, the man who shot the student was apprehended and executed with considerable fanfare after a quick trial.<sup>9</sup> The whole process took just days.

To support the drive for unification with Taiwan and to promote tourism, visitors from Taiwan and Overseas Chinese from Hong Kong assumed political and economic significance. Offenders who preyed on people from Taiwan making sentimental visits to their native places and Overseas Chinese tourists from Hong Kong and other places were dealt with quickly and harshly.<sup>10</sup>

Severe punishment did not, however, slow the rate of increase in serious crimes. According to a report by the Ministry of Public Security, grave offenses showed a faster increase in 1988 than in any recent year. During the first half of 1988, according to this report, serious crimes in China increased 34.8 percent over the same period in 1987, with stealing of public properties, murder, robbery and arson accounting for the major portion of the increase. In many murder and arson cases, said the report, money was an important reason behind the commission of the crime. Minister of Public Security, Wang Fang, declared that gambling, prostitution, drug trafficking and the spread of pornographic materials, all associated with the opening to the West,

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6. John F. Burns, *supra* note 3.

7. *Ibid.*

8. John F. Burns, *supra* note 4.

9. See note 20 *infra*.

10. See notes 28, 29, 31 and 32 *infra*.



were undermining good social order and making Chinese society prone to serious crimes. However, he conceded that these were “unavoidable problems accompanying the reform.” The Public Security Minister urged greater vigilance against crime, which he warned would get worse in the days to come. In this context, he called for severe punishment of criminals.<sup>11</sup> In his report to the National People’s Congress on the status of national law enforcement in August 1988, Minister Wang described the situation as “grave” and put the blame on economic reform and the opening to the West.

Following is a list of death sentences during the period under review that have come to our attention from various sources, mostly reported in the press. With rare exceptions, death sentences were followed immediately by the execution of the condemned by shooting in the head at close range. Given the size of China and the general practice of omitting bad news, it should be assumed that not all cases (in fact very few) became known and only those considered news “fit to print” would be reported in the Chinese media. Therefore, the cases described below in all probability represent only a small fraction of what actually occurred. They should not be viewed quantitatively; rather, they should be viewed as examples showing the nature of swift “justice” now dispensed in China and human rights issues created by the get-tough policies under Deng’s modernization drive. The reader also is advised to note that most of those executed were not done so after “due process,” and a large percentage were given the death penalty for crimes not considered capital in other countries. The use of capital punishment for other than legal reasons was widespread.

### EXECUTIONS CARRIED OUT

On September 12, 1987, Chu Hon-shing, a 31-year-old man from Hong Kong, was executed in Shenzhen for rape and attempted murder. Chu was found guilty of raping and trying to kill a 20-year-old female taxi driver in Shenzhen three months earlier. His death sentence was announced by the People’s Court of Guangdong province at the Shenzhen Stadium before a crowd of more than 20,000. Speaking before the announcement of Chu’s sentence, Li Guangzhen, vice mayor of Shenzhen, told the crowd that severe penalties were necessary to curb rising crimes in the new economic zone across the border

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11. “Crime on the Rise, Warns Security Minister,” *Chung Pao*, September 2, 1988, p. 9.

from Hong Kong. Chu was shot immediately after the mass rally.<sup>12</sup>

Congressman Tom Lantos (Dem.-Calif.) reported on September 30, 1987, that the Chinese government had executed at least two Tibetans as a political message. In fact, Lantos said that the public executions of the two men were in reprisal for the speeches given by the Dalai Lama, the exiled Tibetan spiritual leader, during his visit to the United States that year. Lantos cited a report of the executions in a translation of Radio Lhasa made by Tibetan exiles in India, who monitored the state-controlled broadcast. The transcript of the broadcast was provided by a Tibetan exile group based in New York.<sup>13</sup>

A Reuters dispatch from Beijing on November 11, 1987, reported that in the week following the conclusion of the 13th Congress of the Chinese Communist Party, a wave of public executions occurred. Those shot included condemned robbers, pimps and Party officials convicted of embezzlement of public funds. The Party Congress was widely known to have adopted a hard line on crime. The official newspaper, *Renmin Ribao* (People's Daily), reported on November 17—also just after the Party Congress—that a couple from Anheng County, convicted of embezzling \$120,000, had been executed.

*Yangcheng Wanbao* (Canton Evening News) reported the execution on November 16, 1987 of a pimp who ran a brothel with ten prostitutes. On the same day, the paper said, a native of Shanghai convicted of armed robbery and murder was executed. Also, the *Zhongguo Fazhibao* (China Legal News) reported the execution of seven people who had robbed long-distance buses in Guangdong and Fujian provinces in south China.<sup>14</sup> One robbery took place in the early hours of September 21, 1987 on a Shenzhen-Shantou (Swatow) bus, when 21 passengers, including many from Hong Kong, were terrorized and robbed of their cash and jewelry. The suspects were apprehended quickly and tried. They were executed on November 13, within less than seven weeks of the robbery.<sup>15</sup>

An Associated Press dispatch from Beijing on November 11, 1987, reported the execution of Jiang Zhengguo, the 35-year-old financial director of a fertilizer factory in Jiangsu province, for embezzling approximately \$351,000. The execution was part of a crackdown on what was described as "economic crime rampant in the wake of the

12. "Hong Kong Man Executed in Shenzhen for Rape," *Sunday Standard* (Hong Kong), September 13, 1987, p. 1.

13. "Executions Are Claimed," *New York Times*, October 1, 1987, p. A8.

14. "Execution of Embezzlers and Robbers by Chinese Communists Reported," *Chung-yang Jih-pao* (Central Daily News), (Taipei), November 20, 1987, p. 6.

15. *Chung Pao*, November 16, 1987, p. 9.

economic reform.” Jiang’s execution was the tenth reported in a month and the third of a convicted embezzler. He was put to death a day after his death sentence was passed down, according to *Gongren Ribao* (Worker’s Daily).<sup>16</sup>

On December 3, 1987, two Guangdong officials were sentenced to death for profiteering from sales of foreign exchange and the import of motor vehicles. Ke Liji, an official of the Maoming branch of the China Travel Service, and Chen Xuewen, former secretary of the Maoming City Communist League, were given the death penalty by the Maoming City People’s Court for colluding in illegal sales of more than \$900,000 and imported cars belonging to Ke’s unit.<sup>17</sup>

On December 11, 1987, a bus conductor in Shanghai was executed for robbing a bank and killing a cashier. Yu Shuangge, the 24-year-old bus conductor, robbed the Shanghai branch of the Industrial and Commercial Bank of China on November 16 and killed a woman cashier, using a police pistol he had stolen. He fled the scene and was arrested a week later in another city. The Shanghai Intermediate People’s Court sentenced him to death on December 4.<sup>18</sup>

On December 15, 1987, the Intermediate Court of the Shanghai Railway Transport office sentenced Ma Yuanjun to death for rape and attempted murder. Ma, whose crime was announced at a public trial, was convicted of rape and attempted murder of a fellow passenger on August 2.<sup>19</sup>

On December 16, 1987, the Nanjing Municipal Intermediate People’s Court held an open trial in the Zhongshan East Road Stadium and sentenced four prisoners to death for murder.<sup>20</sup> No further details were provided.

Ma Qingjun, a 22-year-old bicycle repairman, was sentenced to death by the Beijing Municipal Intermediate People’s Court on December 23, 1987, for killing a student at the University of Foreign Relations and Trade in Beijing. The student’s death occurred at the University campus store on December 5 when Ma got into an argu-

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16. “China Executes Embezzler in Crackdown on Crime,” *Times Tribune* (Oakland, CA) November 23, 1987, p. A6.

17. *Xinhua* New Agency, December 5, 1987, in *Foreign Broadcast Information Service, China* (FBIS-CHI)-87-234, December 7, 1987, p. 40.

18. *Xinhua* News Agency, December 11, 1987, in FBIS-CHI-87-240, December 15, 1987, p. 27.

19. Hefei, Anhui Provincial Service in Mandarin, December 15, 1987, in FBIS-CHI-87-242, December 17, 1987, p. 32.

20. Nanjing, Jiangsu Provincial Service in Mandarin, December 14, 1987, in FBIS-CHI-87-241, December 14, 1987, p. 20.

ment with Zang Wei, a second-year student at the University. Ma stabbed Zang to death and fled. He was arrested the next morning, and the death sentence was handed down just over two weeks later.<sup>21</sup> On December 29, 1987, the official *Xinhua* (New China) News Agency reported Ma's execution, following student demonstrations demanding better security on campus.<sup>22</sup>

Commenting on this case of swift justice, the *Chicago Tribune* in a dispatch from Beijing pointed out the arbitrary nature of China's judicial system. The dispatch recalled that the stabbing took place on December 5, the conviction was handed down on December 23 after a one-day trial, and the execution was carried out on December 28, all within three weeks. "The authorities were apparently stunned by the student demonstrations and decided to execute Ma in order to placate the public," the paper said. Only weeks before this execution, the Beijing Appeals Court Chief Judge, Li Yutin, stated that serious cases such as murder normally should require six weeks to investigate and another six weeks of trial, with the defendant allowed ten days for appeal.<sup>23</sup>

On January 4, 1998, an Associated Press dispatch from Beijing reported the execution of 17 people in the northern Chinese city of Shenyang, capital of Liaoning province. The 17 were tried and convicted of crimes, reportedly including murder, rape and robbery, at a mass rally held on Christmas Day. After their conviction, the condemned were taken immediately to the execution ground and shot, according to a provincial radio report monitored by the BBC. The rally, announced publicly in advance, was held at the Shenyang Sports Stadium, at which thousands of onlookers were gathered to witness the trial and sentencing.<sup>24</sup> It gave the appearance of both entertainment and an effort by the Chinese Communist Party to intimidate the population.

On January 5, 1988, *Zhongguo Fazhibao* (China Legal News) reported the execution of a Communist Party cadre for raping 14 young women. Ni Shijie, Party secretary of a mine in Shandong Province,

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21. Hong Kong, *Zhongguo Xinwen She* in Chinese, December 23, 1987, in FBIS-CHI-87-246, December 23, 1987, p. 15.

22. "China Executes Man for Slaying Student," *San Francisco Chronicle*, December 30, 1987, p. A14.

23. "Swift Justice Betrays Arbitrary Chinese Judicial System," *Chung Pao*, January 6, 1988, p. 2. The article referred to a mix of "social order" and economic charges, which confuses the issue. See also Chapter 4 on Economic Change and Human Rights.

24. "17 Executed in China after Trial at a Rally," *New York Times*, January 5, 1988, p. A12.

was arrested in March 1987 for crimes committed since 1977; most of his victims were teenage mine workers.<sup>25</sup>

On January 30, 1988, a former Communist Youth League official was executed in Wuhan for corruption. Qi Tongen, 38, was convicted of embezzling public funds, including League membership dues, when he was deputy chief of the organization department of the League's Hubei Provincial Committee. His execution was ordered by the Hubei Provincial Higher People's Court.<sup>26</sup>

On May 14, 1988, *Xinhua* reported the execution of a 29-year-old unemployed man for stealing 111 bicycles. Xiao Guiqi, the thief, was executed in the coastal city of Shantou (Swatow) in Guangdong province after the Shantou Intermediate People's Court sentenced him to death for masterminding a two-year-long wave of bicycle thefts from March 1984 to May 1986. He was executed immediately after his death sentence on May 13, 1988, with no chance for appeal.<sup>27</sup>

On May 25, 1988, a 30-year-old temporary worker in Shantou, Guangdong province, was executed for repeatedly robbing Overseas Chinese visitors. Zhang Shaobo, who was sentenced to death by the Shantou Intermediate People's Court, was shot immediately after his appeal to the Guangdong High People's Court had been denied. Zhang was arrested after he robbed Overseas Chinese from the United States of several thousand U.S. and Hong Kong dollars. He slipped into the tourist hotel where the visitors stayed, posing as a travel agency employee with a fake identification card. Threatening the visitors with a toy pistol, he tied them up with ropes, searched the room and then fled with the money. Between September 1986 and August 1987, according to court documents, Zhang had committed three robberies, his victims including Chinese from Thailand, Australia and Hong Kong. His execution came three months after the last robbery.<sup>28</sup>

On July 29, 1988, three condemned robbers were executed in Guangzhou, Guangdong province. The three, Zhang Xiangyang, Jin Chengji and Zhang Yaosheng, were all from north China. They had come to the south to prey on overseas Chinese tourists. They repeat-

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25. Hong Kong, Agence-France Presse, "Student Demonstrations," January 5, 1988, in FBIS-CHI-88-002, January 5, 1988, p. 19.

26. Beijing, *Xinhua* News Agency, January 30, 1988, in FBIS-CHI-88-020, February 1, 1988, p. 9.

27. "China Executes Man who Stole 111 Bicycles," *New Haven Register*, May 14, 1988, p. 8.

28. "Swatow Man Shot for Robbing Overseas Chinese," *Chung Pao*, May 27, 1988, p. 9.

edly robbed passengers on buses and guests in tourist hotels. All three previously had served terms in labor camps for similar offenses, court documents said.<sup>29</sup>

On August 24, 1988, four armed robbers were executed following a mass rally, two weeks after they had held up an electrical appliance store in Guangzhou, killing three store employees. The four were Li Jiangqiang, Deng Yongqi, Ou Zhiqiang and Xie Junjie. Sentenced to death on August 19 by the Guangzhou Intermediate People's Court, they appealed to the Guangdong Provincial High People's Court, which upheld the verdicts of the lower court. On the morning of August 24, a mass rally was held in the city to announce the death sentences. The four were then taken to the execution ground and shot.<sup>30</sup>

On September 20, 1988, 13 armed robbers were executed in Guangzhou following a series of mass rallies at which their sentences were announced. The 13 were among 88 convicted criminals who were paraded in public in a demeaning way. The others received life or long jail terms. Those condemned to death were executed immediately after the rallies. Among those shot was one Li Zhaoheng, who was convicted only of robbing a Japanese tourist of his camera and cash. However, according to the official Xinhua News Agency, he was also guilty of masterminding several other robberies of tourists from Hong Kong.<sup>31</sup>

On November 8, 1988, Peng Shaohua was executed after a mass rally in Dayu County, Jiangxi province, for murdering a tourist from Taiwan. After killing Huang Xueyang, a 68-year-old retired soldier from Taiwan who was visiting his hometown in China, Peng took his money and fled to the North China province of Liaoning. He was later captured and returned to Jiangxi, where he was sentenced to death by the Ganzhou Intermediate People's Court on July 23. The execution came immediately, within days after his appeal was rejected by the Jiangxi Provincial High People's Court.<sup>32</sup>

### NOTED POLITICAL PRISONERS

Several prominent political prisoners continued to serve jail

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29. "Three Executed in Guangzhou for Repeated Robberies," *Chung Pao*, August 1, 1988, p. 9.

30. "Guangzhou Executes Four for Armed Robbery," *Chung Pao*, August 27, 1988, p. 9.

31. "Executions Announced at Guangzhou Rallies," *Chung Pao*, September 24, 1988, p. 9.

32. *Renmin Ribao* (People's Daily), overseas edition, November 17, 1988, p. 5.

sentences during the period under review. Wei Jingsheng, China's most famous political dissident of the late 1970s, was last reported either still in a labor camp in remote Qinghai province—his health still deteriorating—or in solitary confinement in a Beijing jail. Wei was arrested in the spring of 1979 and in November of that year was sentenced to 15 years for “counterrevolutionary acts” and for revealing state secrets (which he had not had access to), after a secret trial. Wei, the son of a Communist Party official, was active during the short-lived Democracy Wall period in 1978-1979 when he wrote many essays calling for the “fifth modernization”—democracy—in addition to the official Four Modernizations of agriculture, industry, defense and science and technology.

He apparently incurred the wrath of Deng Xiaoping when he compared Deng to Mao Zedong in one of his essays, saying both were dictators. Wei spent the first few years of his imprisonment in solitary confinement, during which his health, both physical and mental, began to fail quickly. According to Amnesty International, Wei was twice hospitalized for psychiatric treatment while in a Beijing jail before he was transferred to a labor camp in Qinghai in 1984. Despite mounting international pressure and appeals for his early release, and the irony of the fact that Beijing officially has supported since then many of the things Wei had stood for about political reform, Wei continued to be a victim.

Late in 1987, Wei's death was reported in the West. Amnesty International immediately sent a letter to the Chinese government for verification.<sup>33</sup> Beijing denied the report, but stuck to its policy of not providing any specific information about Wei. Wang Mingdi, deputy director of the Labor Reform Bureau of the Justice Department, declared in Beijing that the news of Wei's death was “absolutely untrue.” However, he would not reveal Wei's whereabouts. A spokesman of the Justice Department, Wang Lixiang, reiterated the policy of refusing to discuss where Wei was, and said only that Wei “is still alive.”<sup>34</sup> On January 19, 1988, Chinese Premier Li Peng told visiting Norwegian Prime Minister Gro Harlem Brundtland that Wei was still alive.<sup>35</sup>

More information became available concerning Wei's crimes dur-

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33. “Famous Chinese Dissident Reportedly Died in Prison,” *San Francisco Chronicle*, November 14, 1987, p. 1; Fox Butterfield, “Chinese Dissident said to Die in Jail,” *New York Times*, November 14, 1988, p. 5.

34. “Death of Wei Jingsheng in Jail Rumored,” *Chung Pao*, November 16, 1987, p. 1.

35. “Li Peng Tells Norway Prime Minister Wei Jingsheng Still Alive,” *Chung Pao*, January 21, 1988, p. 2.

ing the period under study, specifically the charge of disclosing military secrets to a foreign journalist.<sup>36</sup> The People's Liberation Army (PLA) General Staff Office (in a written statement before the conviction) revealed that the information Wei furnished to the journalist was not a military secret. This statement, in fact, was obtained by Wei's father, who was a ranking officer in the PLA. The elder Wei went to the General Staff Office and asked for the complete written statement in an effort to clear his son. However, the statement, reportedly still in Wei Jingsheng's dossier, was not provided and the conviction stood. All of this confirms that the real reason for Wei's arrest was his political activity, primarily his call for a fifth modernization: democracy.<sup>37</sup>

Andrew Nathan, professor of political science at Columbia University and a keen observer of the democracy movement in China, has labelled Wei one of the "unknown number of prisoners of conscience in Chinese jails." Wei paid with a 125-year sentence for "having said too early what every one is allowed to say now," Professor Nathan said in June 1988. "The government refuses to release him in order to save face for those who ordered his imprisonment and to remind everyone else not to get out of step with the official process of liberalization."<sup>38</sup>

In late 1987, a Reuters dispatch from Beijing, quoting informed sources, reported the release of Lu Lin, a dissident active during the Democracy Wall days in 1979, after serving a six-year jail sentence. Lu was formerly deputy editor-in-chief of *Tan Suo* (Exploration), an underground magazine in which Wei Jingsheng published many of his articles calling for democracy in China. Still under police surveillance, Lu was released in August 1987 from Beijing No. 1 Prison, where Wei Jingsheng reportedly was kept in solitary confinement. But Lu never met Wei while in jail. Other dissident sources reported that Wei was making socks in solitary confinement. Wei was last known to be in a labor camp in remote Qinghai province. Whether he had been transferred back to the Beijing prison cannot be verified.<sup>39</sup>

During the period under review, at least two other leaders of the

36. For more information on Wei Jingsheng, see Ta-ling Lee and John F. Copper, *Reform in Reverse: Human Rights in the People's Republic of China, 1986-1987* (Baltimore, Md.: University of Maryland School of Law, Occasional Papers/Reprints Series in Contemporary Asian Studies, No. 6, 1987).

37. "The Statement in Wei Jingsheng's Dossier," *China Spring*, December 1988, p. 30.

38. "Chinese Jails Still Hold Prisoners of Conscience," Letter to the Editor, *New York Times*, June 17, 1988, p. A34.

39. "Democracy Wall Dissident Lu Lin Released," *Chung Pao*, November 17, 1987, p. 1.



“Beijing Spring” were known to be serving jail terms. Both were active during the days of Democracy Wall in 1978-1979. Xu Wenli, 45, was arrested in 1981 and sentenced to 15 years on “counterrevolutionary” charges. Serving his sentence at Beijing No. 1 Prison, Xu was reported to be in poor health because of malnutrition. It also was said that he had lost all his teeth. According to several sources, he was treated particularly harshly because his memoirs, written in prison, were smuggled out of China and published in Hong Kong and the United States. In his memoirs, Xu provided details of his imprisonment, including graphic descriptions of more than 200 interrogation sessions during his long pretrial detention. The publication of his memoirs in late 1985 apparently angered the authorities. In the past three years, he was allowed only one visit by his wife.<sup>40</sup>

Another leader of the “Beijing Spring,” Liu Qing, was last reported to be at a labor camp in an undisclosed location more than three years ago. Arrested in 1980, Liu, now 41, was first sentenced to three years at hard labor. However, his sentence later was extended by seven more years because of the unauthorized publication of his manuscript abroad. In the manuscript, Liu detailed his arrest and imprisonment and wrote critically about China’s judicial system. The manuscript was completed in jail and smuggled out by Liu’s younger brother, Liu Nianchun, during a visit. The younger Liu allegedly handed the manuscript over to a Western journalist who brought it out of China and arranged for its publication. For his role in furnishing the manuscript to a foreigner, the younger Liu was later arrested and sentenced to three years of hard labor. At the time of his arrest, he said he did not know the whereabouts of his brother.<sup>41</sup>

In late 1988, marking the 10th anniversary of the Democracy Wall Movement, Ren Wandong, a former movement leader, called for the release of political prisoners and appealed to foreign countries to make aid and investment in China conditional on social and democratic reforms. Ren released a four-page letter addressed to the United Nations Commission on Human Rights, Amnesty International and the Hong Kong Commission on Human Rights, asking for inquiries into the condition of Democracy Wall activists and student leaders still in prison. Ren was a former Red Guard and co-founder of the Chinese Human Rights Alliance. He was imprisoned from 1979 to 1983. In an interview with the Hong Kong magazine *Far Eastern Eco-*

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40. “Imprisoned Leader of ‘Beijing Spring’ in Poor Health,” *Chung Pao*, May 21, 1988, p. 2.

41. *Ibid.*

*conomic Review*, Ren said “the promise of democracy remains unfulfilled” and argued that the country’s modernization “cannot be realized without the total elimination of the present autocratic system.”<sup>42</sup> In addition to Wei Jingsheng, Xu Wenli and Liu Qing, the *Far Eastern Economic Review* listed the following activists still in prison:

Wang Xizhe: in 1973, Wang, one of the leading theorists of the democracy movement, had been one of the three Canton Red Guards who wrote a lengthy wall poster attacking the Cultural Revolution. Wang was jailed from 1975 to 1979. He was arrested again in April 1981, and sentenced to 14 years imprisonment for “counterrevolutionary incitement.” Nothing is known of his current situation.

He Qiu: Editor of the pro-democracy *People’s Road*, he was arrested in 1980 after participating in organizing a “national committee to save Liu Qing.”

Yang Jing: A member of the *April 5th Forum*, an influential unofficial magazine during the Democracy Wall period, Yang was arrested in 1980 during Deng’s crackdown on the democracy movement. He was sentenced to 10 years on charges relating to his political activities.

Chen Erjin: A former coal mine statistician from Yunnan province, Chen was the author of a book-length essay in support of multi-party democracy, arguing that a privileged class enjoying a bureaucratic monopoly of economic and coercive power blocked China’s progress to communism. Chen was arrested in April 1981 on political charges.<sup>43</sup>

### THE YANG WEI CASE

The imprisonment of political dissident Yang Wei on “counter-revolutionary” charges continued to draw international attention during the period under review.<sup>44</sup> Yang, who returned in 1986 for a visit to China from the United States after completing his M.A. in microbiology at the University of Arizona, was arrested in Shanghai for taking part in student demonstrations for democracy. He was detained for 11 months without formal charges or trial. On December 21, 1987, after a one-day trial, Yang was convicted of conducting “dema-

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42. Robert Delfs, “Democracy Wall Remembered,” *Far Eastern Economic Review*, December 15, 1988, p. 38.

43. *Id.*, p. 39.

44. Yang was released from jail on January 9, 1989 after serving a two-year term. See Nicholas D. Kristof, “Chinese Dissident Freed from Jail, But Restricted,” *New York Times*, January 10, 1989, p. A7.

gical propaganda for counterrevolutionary ends” and sentenced to two years in prison. Foreign journalists and observers were barred from observing the trial.<sup>45</sup>

During the student demonstrations, Yang, according to the prosecution, pasted up “reactionary posters” and “incited the students to make trouble,” both “counterrevolutionary acts” carrying stiff penalties. According to Yang’s wife Che Shaoli, a student at Baylor College of Medicine in Houston, Texas, Yang was arrested on January 11, 1987 at his parents’ home in Shanghai. The police had neither a search nor an arrest warrant, Ms. Che said, even though they rifled the house and confiscated Mr. Yang’s diary and some leaflets when they took him into custody. After, Yang’s whereabouts were unknown and his family members were not allowed to visit him.<sup>46</sup>

Yang also was accused of membership in the Chinese Alliance for Democracy, a pro-democracy dissident group based in New York. On the day of Yang’s conviction, the official *Renmin Ribao* (People’s Daily) called the group a “reactionary organization which is hostile to, and seeks to undermine, our country’s socialist system and overthrow the people’s government.”<sup>47</sup> The alliance, formed in 1983 by Wang Bingzhang, a former medical student from China, publishes the journal *China Spring*, which advocates democracy and human rights and is widely circulated among Chinese students in the United States. *Renmin Ribao* also condemned the *China Spring* for “attacking the Chinese Communist Party, slandering the socialist system and advocating that China take the capitalist road.” Chinese security officials warned that Chinese students who had joined the group while abroad would be investigated after returning to China and “will have to take responsibility for their crimes.”<sup>48</sup>

On December 18, 1987, Chinese students at 40 U.S. colleges and universities signed a petition, which they sent to Chinese Communist Party General Secretary Zhao Ziyang, urging Yang’s release. Prosecuting Yang for joining an organization and expressing ideas, the petition said, was a violation of China’s Constitution. “The Human rights situation in China is a major concern of many Chinese students and scholar abroad and has drawn a lot of attention of the international

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45. Edward A. Gargan, “Shanghai Court Convicts Student,” *New York Times*, December 23, 1987, p. A9.

46. Edward A. Gargan, “Chinese Student is on Trial; Joined Shanghai Protests,” *New York Times*, December 22, 1987, p. A5.

47. Edward A. Gargan, “China Expels Member of ‘Reactionary’ Group,” *New York Times*, December 24, 1987, p. A9.

48. *Ibid.*

community," it went on to state. It also asserted Mr. Yang's case was entirely political and belied Zhao's assertion that there were no political prisoners in China.<sup>49</sup>

Yang's case attracted considerable attention in the United States because, at the time of his arrest in Shanghai, Yang was still enrolled at the University of Arizona. In December 1987, Congress approved an amendment to a State Department authorization bill calling for Mr. Yang's release, saying that he had broken no American or Chinese law.<sup>50</sup> Senator Dennis DeConcini of Arizona later wrote to Deng Xiaoping on Yang's behalf. Secretary of State George Shultz also raised the issue with the Chinese government when he visited Beijing in March 1988. All 17 members of the Congressional Human Rights Caucus signed a joint letter to the Chinese Embassy in Washington.<sup>51</sup> In London, Amnesty International sent repeated appeals to the Chinese government. It later designated June 1988 as "Yang Wei Month."<sup>52</sup>

Compared with Wei Jingsheng and other jailed political dissidents, Yang received a relatively light sentence. Many observers believed that it was strong and continuous outside pressure that compelled the Chinese government to become more lenient in Yang's case. "Counterrevolutionary crimes" normally would carry a penalty of more than ten years in jail.<sup>53</sup>

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49. Wolfgang Saxon, "Chinese Students Across U.S. Protest an Arrest in Shanghai," *New York Times*, December 21, 1987, p. A5. For full text of the letter, see *China Spring*, No. 57, February 1988, p. 41.

50. Nicholas D. Kristof, *supra* note 44.

51. *China Spring*, No. 55, December 1987, p. 14.

52. *China Spring*, No. 63, August 1988, p. 8.

53. "Wide Repercussion of Yang Wei Case in Chinese Community in U.S.," *Chung Pao*, December 26, 1987, p. 2.

## CHAPTER VIII

### WOMEN AND CHILDREN

#### INTRODUCTION

While women and children have benefitted from China's economic growth and the economic and political reforms of the post-Mao period, they also have been victims of the current reform, particularly pregnant women and girls in their teens. For both groups, in fact, serious human rights abuses were observed during the period under review.

During late 1987 and 1988, the new "liberalization" policies or reforms were misused regularly by employers to discriminate against women workers. To the extent there was a new prosperity, the economic changes that brought it about also either revived or exacerbated many demeaning practices, including the centuries-old vice industry. This was noticeable particularly in the coastal areas of China. Nationwide, women also continued to suffer grievously under the harsh birth control policy.

The victimization of children was manifested in poor education, so contradictory to long-run modernization aspirations, and an increase in child labor. Female infanticide was also rampant.

#### JOB DISCRIMINATION AND PROSTITUTION

Under the rightist economic reform policies, factories are now given some degree of autonomy in decision-making. As a result, women quickly have become the victims of massive lay-offs and have suffered other discrimination as an outcome of stricter work rules. In fact, this has become a serious problem. A national trade union survey of over 600 enterprises revealed that, in the first seven months of 1987, over 17,000 women lost their positions or were relegated to lesser jobs. Another survey of 660 establishments in 11 provinces during the same period indicated that only 5.2 percent of employers were willing to hire women.<sup>1</sup> Clearly, the ending of the state assignment system for jobs and the transfer of authority to employers to hire and fire greatly reduced employment opportunities for women. This is

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1. Agence-France Presse dispatch, Beijing, March 4, 1988, in *Chung Pao* (Centre Daily), eastern U.S. edition, March 5, 1988, p. 9.

mainly because employers, now responsible for profit and loss of the enterprises they run, openly prefer men to women because they want to avoid losses caused by maternity leaves and related health care benefits. It is also, no doubt, the product of a revival of traditional values long repressed, but not completely eradicated, under Mao.

In early 1988, a 30-year-old textile woman worker said that, under the economic reform, "what is free competition for men is sanctioned inequality for women." In Beijing, during late 1987 and early 1988, observers noticed that almost all job posters said "male only." Even government jobs for college graduates advertised in major newspapers specified "no female applicants."<sup>2</sup>

In early 1988, a journalist writing for the *Washington Post* and reporting from Beijing wrote that "in many ways, millions of women factory workers were worse off than before the economic reform." They are now the first fired and last hired, he said, and in many cases they suffer pay cuts and are denied maternity leaves.<sup>3</sup> According to the English-language *China Daily*, nurseries have been closed at some factories and in others young mothers are no longer allowed to nurse their infants.<sup>4</sup> These conditions, in fact, prompted the National Women's Association to call on the government to pass laws for the protection of women's rights. The Association reported that in 1987, large numbers of female graduates from prestigious universities were rejected by prospective employers, including 100 graduates of Beijing University, one of China's top-ranking institutions.<sup>5</sup>

The rise of prostitution and its attending forms of human degradation also have been reported widely in recent years by travellers, as well as in China's controlled press. Tourists visiting Hainan province in southern China reported that numerous "restaurants" (that are really brothels) line new roads in the villages. Known to local people as "road side shops" (*lubian dian*), these restaurants offer no food, but rather young girls and private rooms. The girls, most in their teens, are brought in from poor villages in other provinces. One girl from Guangxi province said she was paid 100 yuan (US\$27) a month by her employer. She was illiterate. She went to Hainan because she heard there were job opportunities in this newly established province marked for economic development.<sup>6</sup>

In Shenzhen, the special economic zone near Hong Kong,

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2. *Ibid.*

3. *Chung Pao*, February 20, 1988, p. 3.

4. *Ibid.*

5. *Ibid.*

6. "Roadside Shops Peddle Human Flesh," *Chung Pao*, June 21, 1988, p. 9.

“girlie” bars have proliferated. According to a Reuters dispatch, waitresses provide massages and “other services”; frequent police crackdowns have had little impact. Venereal diseases, the same Reuters report says, are on the rise in the southern provinces of Guangdong, Guangxi and Fujian.<sup>7</sup> Wu Changzhen, an expert on marriage law at the National University of Political Science and Law in Beijing, said, at a meeting called to discuss this problem, that prostitution has been reported in increasing numbers in all 29 provinces and municipalities in China. Wu, also a member of the National People’s Political Consultative Conference, pointed out the four characteristics of the situation: prostitutes were found over wide areas, were relatively young, were mostly organized in groups and were connected with various criminal activities.<sup>8</sup>

According to another Reuters dispatch, which quoted a report in the *Harbin Evening News* in Northeast China, the selling of brides was becoming much more commonplace in various parts of the country. The report cited many cases, including one in a Central China province, where scantily-clad young women, price tags on their chests, were sold in the streets. In one county alone in Sichuan province, the number of brides sold rose from 131 in 1985 to 323 in 1986. A 19-year-old girl from Hunan province was sold to four brothers, all in their 30s, as their “common wife.” A young woman from Yunnan province was sold to a man in Guangdong province, who cut out her Achilles’ heels to prevent her from running away. Pointing out that the Communist government had tried to eradicate “evil customs” in China since the 1950s, the *Harbin Evening News* concluded: “What is shocking is the fact that such tragedies are still happening in China in the 1980s.”<sup>9</sup> Similar cases of bride selling, involving girls as young as 11 years old, also were reported in Zhejiang, Fujian and Anhui provinces.<sup>10</sup>

### FEMALE INFANTICIDE

China’s draconian birth control policies continued to exact a heavy toll not only on women, but on the newborn and the unborn. Beijing’s one-child policy, coupled with forced, late-pregnancy abortions and mass sterilization drives in the countryside, led to the revival of the ancient inhuman practice of female infanticide in the rural vil-

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7. *Chung Pao*, April 27, 1988, p. 9.

8. “Prostitution Spreads over China,” *Chung Pao*, April 13, 1988, p. 9.

9. “Brides Sold in the Streets,” *Chung Pao*, May 6, 1988, p. 3.

10. *Chung Pao*, May 21, 1988, p. 3; July 11, 1988, p. 9.

lages, where peasants traditionally favored male offspring. During 1987-88, fetuses were aborted in large numbers if tests showed them to be female. Newborn girls were killed more frequently. While no national statistics were available and the government only admitted to isolated cases of female infanticide, the situation reportedly reached alarming proportions in some areas.

Reporting on the extremely skewed ratio of boys and girls in the rural areas of Henan province in central China, a Reuters dispatch from Beijing, citing accounts in *Guangming Ribao* (Guangming Daily), warned of an approaching "social crisis" in a "seriously unbalanced next generation, with *yang* (male) flourishing and *yin* (female) in decline." The paper said that in a recent survey in many rural areas, boys outnumbered girls by over 60 percent. Without directly mentioning the serious situation of infanticide in the province, the newspaper spoke of the "extremely high female infant mortality rate" in Henan province.<sup>11</sup> There is strong reason for one to believe that what is true of Henan province is true of rural areas in other provinces as well. Indeed, in the poor Shanxi province north of Henan, an American couple, after their departure in August 1988, reported that in the few months they worked there, they saw at least seven abandoned baby girls by the roadside or on river banks. They found one of the babies still alive, and adopted her.<sup>12</sup>

Another evil custom seen more frequently in the last year or so is baby-selling, which *Zhongguo Funu Bao* (Chinese Women's Journal) described as "rife" in parts of Central China, with the Party and government taking part in the custom. The newspaper accused peasants in one impoverished area of Anhui province of deliberately breeding children for sale to childless couples from other areas as a more profitable business than farming. "You can sell a son for 2,000 yuan (US\$540), but you can only get 500 yuan (US\$135) for raising a pig." "Of course it makes sense to raise children," the paper quoted one official as saying. In one village in Anhui, inhabited by 72 families, peasants had sold 75 one-month old babies in the past few years, the newspaper claimed, quoting local people as saying "Women's bellies are like little banks."<sup>13</sup> Party and government officials had been caught making money from the trade, but had been punished only

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11. "Boys Far Outnumber Girls in Henan Villages," *Chung Pao*, October 17, 1988, p. 3.

12. *Ibid.*

13. "Baby-farming Rife in Central China," *Sing Tao International* (San Francisco), November 15, 1988, p. 3.



with light fines.<sup>14</sup>

Customarily the punishment for violating the one-child policy has been a heavy fine. Ironically, improved conditions in the countryside fostered by economic reform have made fines less effective. With higher incomes, many rural families would rather pay the fines and knowingly break the law, in order to have second or third opportunities to give birth to a boy. Many even pay the price by going heavily into debt. Rao Changpin, a 35-year-old farm worker in a village outside Beijing, for example, had two unauthorized births before she had a son. She and her husband were fined a total of 5,000 yuan (US\$1,348), more than their combined incomes for a year. Heavily in debt and under pressure from local officials, she finally agreed to be sterilized.<sup>15</sup>

To deal with this situation, local birth control officials have been given stricter quotas and are threatened with loss of their jobs or salary cuts if quotas are exceeded; they have been promised bonuses when quotas are met. Various "persuasion tactics" are used, such as long "persuasion meetings," cutting off water and electricity to defiant families, and wage deductions for pregnant women and their husbands. In pursuit of birth control, officials will intrude into the most intimate aspects of couples' lives in ways Americans would find intolerable, the *Wall Street Journal* reported, citing the case of a Ketou village on the outskirts of Beijing:

Officials maintain a detailed dossier on each of the village's 210 women of child-bearing age. Two thick notebooks list the result of each pregnancy, the birth control method used and any fines imposed. In some villages, such files chart women's menstrual cycles. . . . They (officials) frequently visit local households, providing free birth-control devices and urging mothers to have abortions and undergo sterilization. Female officials even conduct spot checks in the homes to make sure intrauterine devices are still in place.<sup>16</sup>

Since women try to dodge the officials, many visits take place after hours. As a consequence, some zealous officials are known to force

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14. *Ibid.*

15. Adi Ignatius, "China's Birth Rate Rises Again Despite a Policy of One-Child Families," *Wall Street Journal*, July 14, 1988, p. A1.

16. *Ibid.*

women to have abortions even in the last trimester of pregnancy.<sup>17</sup> In 1986, abortions were so common that nationwide there were 53 abortions for every 100 births. This situation got worse in 1987: 11 million pregnancies ended in abortion.<sup>18</sup> The proportion of abortions probably increased in 1988—at least in the latter months of the year. In June 1988, to stem an upsurge in birth, the government decided to train 25,000 family planning workers to add to a force of 180,000 already in the field, on top of hundreds of thousands of local officials who also shared the responsibilities of enforcing birth-control policies.<sup>19</sup>

Trying to dodge birth control officials, women desiring another child resorted to what has been known as “childbirth on the run,” that is, pregnant women flee to another town, staying with their relatives awaiting birth. However, they were often found and brought back to their original residences, where they were coerced into late pregnancy abortions. In a 1988 case in Zhuhai, Guangdong province, a woman, seven months pregnant, was brought back from her cousin’s home in another town. She was then taken to the local clinic where, without her husband’s knowledge, she was given an injection of an abortifacient drug. The shot, commonly known as a “poison shot” in China, causes the fetus to be born dead or die 24 to 48 hours later.<sup>20</sup>

Forced abortions and sterilization also are performed commonly on Tibetan women, according to eye-witness accounts and reports by Tibetan refugees in India. Although Tibetans are officially allowed to have two children, while Chinese women are limited to only one, the supposed preferential treatment for “minority nationalities” under the strict one-child policy does not work out that way in reality. Heavy government pressure and threats, prohibitive fines, late pregnancy abortions and in-hospital infanticide make the implementation of the birth control policy as harsh and inhuman on the Tibetans as it is on the Chinese. Considerable evidence indicates it is worse, due to racial hatred espoused by Chinese officials in Tibet. The number of women in Tibet dying as a result of abortions has been much higher than in the rest of China.

According to a story told by Dr. William B. Kerr, who witnessed the Lhasa riots in October 1987 during a visit to Tibet, a Tibetan wo-

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17. Ann Scott Tyson, “China Adopts Tough Measures to Curb Population Boom,” *Christian Science Monitor*, February 16, 1988, p. 11.

18. *Ibid.*; Adi Ignatius, *supra* note 15.

19. “China Boosts Birth Control Campaign,” *Washington Post*, June 27, 1988, p. A19.

20. Steven W. Mosher, “‘One Family, One Child’: China’s Brutal Birth Ban,” *Washington Post*, October 18, 1987, p. D1.

man was forced to witness her baby being killed by lethal injection after its birth in the Lhasa's People's Hospital. She herself was then sterilized against her will.

Dr. Kerr returned to the Tibetan exile communities in India in October 1988 to interview recent refugees. He documented detailed accounts of forced abortion and sterilization, infanticide and torture. Following are some of his accounts:

Tibetan monks reported the arrival of Chinese birth control teams at a village in northeastern Tibet, which set up a tent next to a monastery. "Villagers were informed that all women had to report to the tent for abortions and sterilizations or there would be grave consequences, like fines of 1,000 yuan (equivalent to three years' wages)." Women who refused to go were taken by force, operated on, and denied medical care. "Women nine months pregnant had their babies taken out," the monks who had fled the village reported. During a two week period the birth control tent was in the village, all pregnant women had abortions followed by sterilization, and every woman of childbearing age was sterilized.

"The monks saw many girls crying, heard screams from inside the tent, and witnessed the growing pile of babies and fetuses which were left outside the tent to gradually decompose. The stench was horrible."

"Many Tibetan women come into the People's Hospital to have a checkup during their second pregnancy. Once the woman is in the hospital, Chinese doctors inform her that she has to have the baby taken out, or she will die. After the abortion, the woman is almost always sterilized."

A nurse at the hospital described the methods of abortions: "If a woman is two to four months pregnant, the fetus is taken out by suction. Women five to nine months pregnant are injected in the abdomen to induce abortion. If delivered alive, the fetus is also injected so it will die."

Three women interviewed by Dr. Kerr described how a relative or acquaintance of theirs had delivered a normal baby, only to have the nurse kill it with a lethal injection in the soft spot on the forehead. Because women eight and nine months pregnant are given injections to kill the fetus, the incidence of infanticide may be higher than reported, Dr. Kerr pointed out. Chinese law does not consider this infanticide; rather, it is a legal abortion.

Dr. Kerr further quoted the nurse at the hospital: "Every day at the People's Hospital, 20 women have abortions (17 by suction, three by injection) and 10 to 12 women are sterilized (tubal ligation). Out of

100 abortions followed by sterilization, two to three women die from losing too much blood, and 30 percent of the women become sick. Women given the injections are more likely to have complications. Five to six of these women die out of every 100 operated on."<sup>21</sup>

The long arm of Chinese birth control officials even reached the United States. In one case, a Chinese graduate student at the University of Arizona, whose wife was pregnant with a second child, received repeated warnings from home of sanctions not only against his wife, but also against her co-workers back in China. Quan B. Li came to the United States seven years ago on a government scholarship to study mechanical engineering. His wife, a nurse, joined him four years later. "My wife is seven months pregnant. Even though we are living in the U.S., the Chinese government has been trying to force us to return to China for an abortion," Li said in early 1988. Birth control officials, he said, sent them threatening letters and put pressure on their families in China.<sup>22</sup>

### FORCED STERILIZATION OF THE RETARDED

In November 1988, in the northwestern province of Gansu, the Provincial People's Congress adopted a set of regulations ordering forced sterilization of retarded men and women. The regulations, prohibiting what were defined as mentally retarded people from having reproductive capability, were believed to be the first such provincial regulations in China. Under the regulations, people with all three characteristics listed below were defined as mentally retarded: retardation due to heredity or resulting from marriages between close relatives; those with an intelligence quotient of under 49; and those displaying patterns of handicap or disorder in language, memory, sense of direction and thinking. Retarded people with all three characteristics, whether married or not, must undergo sterilization, according to the regulations. Retarded pregnant women, whether married or unmarried, must have abortions, followed by sterilization. The regulations stipulated that all the procedures were free.

According to Xiao Shuze, deputy chairman of the Legislative Committee of the Gansu People's Congress, there were about 262,000 retarded people among the province's population of 20 million. The retarded people in turn would give birth to about 2,000 retarded in-

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21. William B. Kerr, "China's Sterilization of Tibetan Women," unpublished manuscript, November 30, 1988, pp. 1-6.

22. Steven W. Mosher, "The Long Arm of 'One-Child' China," *Washington Post*, April 10, 1988, p. B1.

fants, thus "putting a heavy burden on both the retarded families and society. The regulations were adopted "in order to raise the quality of the population," he said.<sup>23</sup> His views were echoed by the official *Renmin Ribao* (People's Daily). The official Party newspaper declared: "Mentally retarded people are not able to work. Their lives depend completely on welfare, imposing a great burden on society."<sup>24</sup>

Li Yong, an official of the State Family Planning Commission, hailed the Gansu law as a forerunner to a national law on eugenics. Li declared: "The arrival of this law is an advance for eugenics. We think it reflects progress and civilization. This local law will have a profound influence on the country in the drafting of a national law on eugenics. The State Family Planning Commission hopes that a law on eugenics can be adopted and put into practice as soon as possible," Li added.<sup>25</sup>

### WOMEN FALL BEHIND IN EDUCATION

One of the long-term results of recent increases in discrimination against women is in education. "Chinese women still do not enjoy the same right to education as men even though they make up half the population," Kang Keqing and Luo Qiong, two of China's most prominent women, declared in April 1988. In a joint speech before the Chinese People's Political Consultative Conference, Kang, chairman of the Chinese Women's Association (CWA), and Luo, a former vice chairman, pointed out that the number of illiterate or semi-literate women had actually increased in many places in China, especially in rural areas.

According to the State Statistical Bureau, the number of girls in primary schools decreased from about 65 million in 1980 to 59.5 million in 1986, a drop of nine percent in six years despite a general population increase. Most of the girls who had dropped out of school, it was revealed, had gone to work as child laborers in rural factories or household businesses. Similar downward trends were also registered in secondary schools and colleges. The number of female students in secondary schools decreased from 22.3 million in 1980 to 21.7 million in 1986.

The number of female college students in China now accounts for

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23. "Gansu Province Law Sterilizes Retarded," *Chung Pao*, November 29, 1988, p. 9.

24. "Mentally Retarded to be Sterilized in Chinese Province," *San Francisco Chronicle*, November 26, 1988, p. A9.

25. Pierre-Antoine Donnet, "China Moves Toward Compulsory Abortions for Retarded," *Washington Times*, December 1, 1988, p. A8.

only about a quarter of the total college enrollment, much lower than in most other countries.<sup>26</sup> In a joint speech, Kang and Luo said that this situation is getting worse. They urged education departments at the national and local government levels to adopt effective measures to guarantee women's rights to education and work with local Party organizations and judicial departments to bring the Compulsory Education Law (nine years) into effect. They also suggested that rural enterprises should be banned from employing child laborers and vocational schools be set up for girls.<sup>27</sup>

The views expressed by Kang and Luo were echoed by another prominent woman leader, Hu Dehua, a member of the Standing Committee of the National People's Congress. "Feudal practices," such as the selling of brides, trading of wives and arranged marriages, are now widespread and on the rise, she said, asserting that there were "far-reaching underground networks dealing in these practices." She urged the establishment of a joint committee at the cabinet level for the safeguarding of women's and children's rights, comprising "leading cadres" of various ministries, including education, labor, personnel and public security. She cited various forms of discrimination against women in the workplace in hiring, pay and benefits. In the political realm, she alluded to the low number of women "at the decision-making level," and the fact that female officials at the grassroots level were "almost non-existent."<sup>28</sup>

Divorce rates also rose in 1987-88 in China, and increasingly the proceedings were initiated by women. This reflected a continued and even worsening discrimination against women under China's legal system. In a district in Shandong province, of the 470 divorce cases recorded by the Yinan County Court, 387 cases, or 82.3 percent, were filed by women. According to Shi Xianliang, who had studied these cases and interviewed many principals, there were eight main reasons behind the rising number of divorces in the area. Topping his list were arranged marriages that did not work out, early romantic relationships that would not last and extramarital affairs caused by "liberal Western ideas." These were followed by lazy husbands, husbands who "brutally beat up their wives," and husbands who had "total control over family finances" but "refuse[d] to support elderly family members from the wife's side." The last of the eight main reasons for divorce cited in the study was the sentencing of husbands to reform

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26. *China Daily*, (Beijing), April 8, 1988, p. 1.

27. *Ibid.*

28. *Xinhua* News Agency Dispatch from Beijing, June 30, 1988, cited in *Inside China Mainland*, (Taipei), September 1988, p. 23.

through labor. "Most wives in this situation will seek divorce in order to avoid political and social discrimination," Shi said in his study.<sup>29</sup>

### CHILD-LABOR ON THE RISE

Primary education has received less attention in the post-Mao years, in large part because Dengist reformers diverted already meager education resources to a small number of "key point (elist) schools" and to higher education. Their intent was to link education to research and to economic productivity rather than to social programs. The long-term result of this policy was made known only recently when it was revealed that over 20 percent of the nation's population, or more than 230 million people, were illiterate (according to official figures reported by Agence-France Presse from Beijing).<sup>30</sup> Lack of funds for schools and low pay for teachers were also among the reasons behind the deterioration of the quality of elementary school education, particularly in the remote and poor villages.

Economic reforms now ironically are seen to put further strain on education: more school-age children were kept out of schools by their parents to join the ever-expanding child-labor force, while fewer people are joining and more people were deserting the ranks of the "impoverished and despised teachers" to go into business. Studies indicate this will in the long-term have a negative impact on family income.<sup>31</sup> But the concern by those making these decisions is short-term gain.

School-age children have suffered recently, especially young girls in rural areas and in the coastal economic development zones. Parents take their children out of schools and put them to work on family farms or in factories to supplement family incomes now that, under the new "responsibility system," households were allowed to keep more as incentives for production. According to a survey taken in August 1988 in Henan province, over seven million school-age children have dropped out of school.<sup>32</sup> In the poor Shaanxi province in northwestern China, 570,000 students have left school early, resulting in the closing down of 2,800 primary schools in five years from 1982 to 1986. In Hubei province, 1.5 million primary and secondary school

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29. "Why Are More Women Filing for Divorce?" *Nongmin Ribao* (Peasants Daily), April 18, 1988, p. 10.

30. *Chung Pao*, June 11, 1988, p. 9.

31. See Penelope B. Prime, "Low Expectations, High Growth: The Economy and Reform in 1987," in Anthony J. Kane (ed.), *China Briefing* (Boulder, Co.: Westview Press, 1988), p. 34.

32. "Rural School Dropout Rates Alarming," *Chung Pao*, August 18, 1988, p. 9.

students left school in 1987. Official statistics showed that in 1988, over 29 percent of children aged 6 to 17 and 45 percent of those between 15 and 17 in Guangdong province were not in school.<sup>33</sup>

As more parents put their children to work rather than send them to schools, the traditional discrimination against girls has deepened. At a national conference on education in late April 1988, Liu Bin, deputy director of the State Education Commission, cited figures to show that 83 percent of elementary school dropouts were girls. Fan Chongyan, Party secretary at the National Association of Women, pointed out that women constituted 64 percent of the nation's 230 million illiterates. Of all the post-graduate degrees granted since the founding of the People's Republic, she said, only seven percent went to women.<sup>34</sup>

Hu Dehua, a leading deputy to the National People's Congress, also expressed grave concern over the alarming school dropout rates among young girls. "Of the girls who do attend school, many leave after the third or fourth grade to do household chores or to become child laborers," Hu said, citing a census figure to show that of all females aged 12 and above, the illiteracy rate was as high as 45.3. She also said that in many cities, child drug addicts and criminals were reaching "alarming heights."<sup>35</sup>

The official *Guangming Ribao* (Guangming Daily) reported in May 1988, that of the three million children who dropped out of school to work in small private enterprises in 1987, the majority were girls. Child labor, the paper said, had become a very serious problem, especially in the fast-developing coastal areas where private entrepreneurs, many unprincipled and unscrupulous, were exploiting under-aged workers. The newspaper cited a case in Jinjiang County of the coastal Fujian province where over 20 young girls worked on sewing machines in a crowded factory of 24 square yards in area, including a 12-year-old girl who had to stand on tiptoes in order to reach the ironing board to work.<sup>36</sup> The paper quoted a popular local saying: "Big students (college students) make small money; small students make big money."<sup>37</sup> Warning against serious damage to the nation's young, the paper in another report said that in some rural construction gangs, child labor constituted as high as 25 percent of the total work force.

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33. *Ibid.*

34. *Chung Pao*, April 27, 1988, p. 9.

35. *Xinhua* News Agency Dispatch from Beijing, June 30, 1988, cited in *Inside China Mainland*, (Taipei), September 1988, p. 23.

36. "Female Child Labor Fast Rising," *Chung Pao*, May 31, 1988, p. 9.

37. *Ibid.*



In one village in Jiangxi province, among "little farmers and little merchants," over 85 percent were girls, according to the report.<sup>38</sup>

In a mountainous region of Jiangxi province, a rash of 15 cases of suicide pacts were reported in October 1988, involving the death of 51 young women. *China Women's Journal*, which reported the news, linked the suicide pacts with the despair and low social status of these rural girls. According to the newspaper, these young girls drowned themselves in village ponds in their best dresses, in the hope that they would live a better life in the next reincarnation. Before they committed suicide, the paper said, the young girls had visited nearby cities. Distressed with their poverty, and feeling despair over their lack of education, they were resentful of their parents for not allowing them to go to middle school or to leave the villages. The paper quoted one girl as saying before her suicide: "We have nothing good to eat and nothing good to wear. At home, we are controlled by our parents. After marriage, we will be controlled by our husbands. In the cities, girls wear pretty clothes and go to the movies. . . They are living the life of angels. Why are people so different?"<sup>39</sup>

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38. "Child Labor: Killing Chickens for Eggs," *Chung Pao*, March 7, 1988, p. 9.

39. "51 Girls Die in Suicide Pacts in Poor Jiangxi Mountains," *Chung Pao*, October 17, 1988, p. 3.

## CHAPTER IX

### CONCLUSIONS

During the period under study, it is clear that, from a human rights standpoint, the People's Republic of China has experienced both progress and back-sliding. In other words, the record is mixed. But this is not unexpected; regard for human rights has been an off-and-on thing in China over the past decade and, indeed, over the past four decades.

It is clear that adopting free market principles, or what some call capitalism, and China's opening up to the outside world have helped a lot. Most other countries that have adopted a free market and have expanded their foreign trade also have shown improvements in their human rights conditions. China is no exception to this rule. Respect for political and civil rights particularly has improved. There is more free speech in China. Freedom of the press has increased, and the right to travel and the right of assembly and association have been broadened. Under Mao, Chinese citizens got in trouble and were persecuted for associating with foreigners. This is no longer true. Few enjoyed the right to travel. This has changed.

But saying that China's human rights condition has improved is largely a value judgement based on one's definition of human rights. To say that political and civil freedoms have been expanded and that this is very important obviously constitutes a Western bias. Expanding such Western freedoms, as history attests, subsequently helps a nation's economic growth prospects and consequently improves its economic and societal rights. But what about in the meantime? And will this be true specifically for China? Making the transition from a totalitarian system is unprecedented.

China's economic performance in recent years, including the period under study, has been good, although uneven. And this has improved the lot of China's overall population. The average person in China is much better off physically and materially than before. This is easy to see. But there is a downside: income disparity has increased markedly in recent years. The rich have gotten richer; relatively, at least, the poor have gotten poorer. During 1987 and 1988 this disparity seemed to become (or at least was becoming) a serious issue. It created further societal polarization. Many social problems resulted,

including skyrocketing crime rates. Greed was alarming: so was corruption. In societal terms, many Chinese questioned whether China's human rights record was really better. Clearly, social responsibility declined.

Increased freedoms also made it easier for people to discriminate against others: women and children and minority groups especially. Older people also complained. Clearly the strong took advantage of the expanded freedoms more than the weak. Certain people enjoyed rights more and used greater freedoms to their advantage and to the disadvantage of others. Other explanations are also possible. One, individual freedom had been suppressed for such a long time that when the restraints were lifted, many misused their newly gained freedoms. Two, many liberties require some time and cultural conditioning before they can be used in gentle and fair ways; this has yet to happen in China.

The fact that Chinese leaders call for "liberal totalitarianism" in reforming China—apparently referring to freedoms needed for economic growth, but exercised in a way that does not cause chaos and undermine the authority of the Communist Party—is instructive. One might conclude that there are basic and serious systemic obstacles for China in trying to improve its human rights. Totalitarianism has been present for so long and has become so much a part of the system (or indeed is the system itself) that getting rid of it is not easy. Perhaps by its very nature, respect for human rights is difficult to evolve from such a system. The fact that reform in China has had such ups and downs, as has human rights, supports this view. Some Chinese leaders have spoken of authoritarianism in Taiwan and South Korea in the past and those countries' successful transition to democracy and good human rights records. Those Chinese leaders seem to think in terms of China's evolution into a traditional authoritarian system before democracy.

Another fundamental problem in the Chinese polity that has in the past affected the practice (and abuse) of human rights and was evident during the period under study, is factionalism in the Chinese Communist Party and government. Whenever factional fighting escalates, respect for human rights declines. Each side has its definition of human rights and uses that to attack the other. Each side attempts to alarm the public with talk of political instability. In an environment of political infighting, each faction also becomes less secure and hangs on to power more desperately. The citizen suffers. Criticism of the reforms by the left and their attacks on specific problems during 1987-88 caused Deng Xiaoping to take a hard look at the practice of rights

that might cause political instability or embarrass the reformists. He held on to political authority more fiercely and, in that context, was little concerned about constitutionalism, the separation of powers and legal rights. There was obvious regression in the area of individual rights, especially during late 1988.

A problem unique to the period covered in this study was inflation. Chinese, for historical and cultural reasons, are very sensitive to inflation. China virtually had no inflation under Mao. It has been noticeable, and problematic, for ten years. By 1987, freeing prices and expanding the money supply to stimulate the economy had caused rampant inflation. This created uneasiness and apprehension in the population. The left, anti-reformists used this against Deng and the reformists. This exacerbated factional problems and put many reforms that had had a salutary effect on human rights on hold. It also justified reestablishing central planning and economic controls, which in other countries almost always has reduced individual freedoms and liberties. The general human rights condition in China was affected in a negative way.

Another factor to consider in assessing the human rights condition in the People's Republic of China during this period is the increased amount of publicity given to human rights abuses. Beijing had always enjoyed the benefit of the doubt—in the Western media and by human rights organizations. This was less so during 1987-88. More balanced reporting made Chinese leaders react with considerable sensitivity. They wanted both to look better and cover up what the rest of the world might learn. Tibet is a case in point. Tibetans protested more and made greater demands because of press attention. Many were killed as a result. The Chinese government shut off the information flow in late 1987, and in 1988 the human rights situation got much worse. In the long run, drawing attention to human rights abuses undoubtedly will have a good effect. In the short run, however, it did not.

For the first time, human rights became an issue in China's relations with other countries. Chinese leaders did not like the condemnations made by the U.S. Congress, the United Nations, Amnesty International and other human rights groups. Their reaction was patently negative. The criticism also had an upsetting effect on internal politics and no doubt amplified factional tensions and debates about reform and its implications.

Student and worker or peasant protests, executions and human rights problems resulting from population control efforts were ongoing issues during the period. The reformers wanted to use student protests

to support the reforms. After all, Deng had the support of students and intellectuals who despised Maoism, leftism and egalitarianism of the past and demanded change and progress. But Deng also feared that this might go too far. It might create a backlash. Thus, Deng did little to support the intelligentsia economically. He did not want to be accused of reviving China's imperial system (as he has been at times). The reformers also feared that the students might form an alliance with workers. This would be ominous and might lead to uncontrollable anti-government and anti-party protest. Thus, while Deng favored student activism, he wanted to keep it within bounds and wanted it predictable. The left meanwhile sought to provoke the students to excess, or hoped they would radicalize and cause a backlash which could be used to exploit Deng.

Deng himself ordered a tough response to crime. He had initiated the spate of executions that started in 1983, when an attempt was made on his life. He obviously felt compelled to continue to use executions to deter crime. He was convinced this worked. Clearly, there was no one in China to challenge him on this point. He also used it as a response to his opponents that said his reforms had caused crime and threatened political instability. Being tough on crime was his answer. He looked decisive. He could demonstrate that he was in control. He also perceived that other nations did not care. China, he is reported to have said, has "an edge" in the Western media. Also, he observed: "The majority in Western countries support capital punishment."

Chinese leaders also felt it necessary to continue their draconian birth control policies, despite condemnation from many quarters. The reformists' reply was that the problem was created by Mao, who had argued that China did not have a population problem (that this was an imperialist lie—after Marx' similar argument). Thus, the situation had gotten out of hand. It required drastic solutions. However, to Chinese leaders this was a domestic issue. It was not a human rights question. Chinese leaders gave no indication they wanted to change such policies, despite the fact that, in this respect, Taiwan had become a model. Forced abortion was never used in Taiwan even though the population density there is several times that in China.

In sum, China's human rights condition during 1987-88 changed in many ways. New trends were visible. The reasons for vast human rights abuses became a bit clearer. World attention centered on China in an unprecedented way. In some ways, China's human rights situation remains explainable and predictable; in other ways it is changing dramatically and its future is unclear.

## APPENDIX I

## “The Key Is To Have Freedom of Thought” By Yang Yi

(Excerpts from an article in *Gongren Ribao* (Worker's Daily), January 29, 1988, p. 3.)

Since emancipation of the mind was encouraged by the 3d Plenary Session of the 11th CPC Central Committee, the broad masses of people have gradually freed themselves from the trammels of the false Marxism advocated by Lin Biao and the “gang of four,” from the trammels of the “two whatevers,” and from the trammels of many old, rigid and outdated theoretical viewpoints, ideological concepts and habit of work, that were formed a long time ago. They have moved gradually onto the ideological track of being realistic and seeking truth from facts. However, we also must see clearly that “the question of emancipating the mind has still not been completely solved among our cadres, especially among our leading cadres. Quite a few comrades have not yet emancipated their minds and have not yet started to use their brains. In other words, they are still in a state of rigidity or semi-rigidity” (remarks of Deng Xiaoping). Not emancipating the mind, or not fully emancipating the mind, and a passive attitude in work—such as being overcautious, attempting and accomplishing nothing, and waiting and seeing—all have something to do with insufficient freedom of thought. Marx said: “In exploration, since the focus of attention is always on the third factor of the right of hypercriticism entrusted by law, will the truth not be lost? Is the primary task for explorers of truth not to get the truth directly but to gaze around? If I have to remember that I should discuss matters in a certain designated form that I have born in mind beforehand, does it mean that in this way I will not forget the essence of things?”

In earlier years, many forbidden areas were set up by Lin Biao and the “gang of four,” and a modern superstition was thus created, keeping the people's minds within the bounds of their sham Marxism. If anyone went beyond the bounds, he surely would have political labels put on him and be criticized severely. Under such circumstances, people could only keep their mouths shut. How could they be bold enough to speak out and use their brains? Therefore, in order to emancipate the mind, it is necessary to ensure freedom of thought.

Today, there are fewer forbidden areas, but there are still some. We can even say that there are still many taboos and commandments muzzling freedom of thought. Some clearly have been written down to show people throughout the country, and some are not as clear and

are not written down. For this reason, it is still hard to avoid some people possibly being wronged again. Thus, who dares to “emancipate the mind?” Although people are encouraged to make bold explorations, since they can easily violate those taboos and commandments and offend others, they still find it difficult to escape unexpected calamities. How, then, can they emancipate their minds under such an atmosphere?

Freedom of thought is originally a right every person is endowed with by nature. It is also the most basic and most elementary freedom for all people. If this freedom is not ensured, we can hardly imagine what other personal freedoms people can have. If we say that all other freedoms, such as freedom of academic research, freedom of speech, and freedom of marriage, should be defined by laws, freedom of thought is yet the most thorough and most complete freedom, not restricted by any conditions. It is also the most sacred freedom.

Marx said: Freedom is the right to engage in all activities that are not harmful to others. Since man’s mental activity cannot do harm to any others, freedom of thought is therefore an absolute freedom. However, in practical life, man’s freedom of thought has never been respected and guaranteed as it should. Some people regard “freedom of thought” as fierce floods and savage beasts, and try to lock up people’s thinking in designated cages, allowing people only to think in a certain way and not in any other ways. In “The Internationale,” there was already the slogan of “shaking off the bonds of old ideas.” However, more than a century has passed, and we are still striving hard for “emancipation of the mind.” Why is that? Does this not call for deep thought?

We have intervened too much in personal freedom of thought. As a result, some people even do not know that they have freedom of thought. When you want them to emancipate their minds, they still cannot extricate themselves from those old frameworks—they can only emancipate their minds in accordance with a particular designated orientation. As a matter of fact, this kind of emancipation is by no means a self-emancipation of the mind. Therefore, it is not a real emancipation of the mind.

A real emancipation of the mind means thinking without any inhibitions and restrictions, just like adding free wings to man’s thinking. It is a true revelation of man’s inner world, which is not designated or defined by anything else. Do we not say that we encourage bold explorations? Are we not advocating emancipation of the mind? So, let us start from respecting and ensuring the freedom of

thought of every person, or we should not talk about “emancipation of the mind,” because there will be no true emancipation of the mind.



## APPENDIX II

## A Report of the Central Committee of the Democratic Alliance on the Present Condition of Intellectuals

[Alliance Central Documents (Documents for internal circulation within the Democratic Alliance), November 1987, pp. 3-5. Reproduced in *Inside China Mainland*, (Taipei), June 1988, pp. 13-15. Democratic Alliance, consisting mainly of intellectuals, is one of the eight window-dressing minority political parties in the People's Republic of China.]

To: The Central Secretariat of the Central Committee of the Chinese Communist Party:

In July of this year we reached a decision that the Alliance would send out "a questionnaire and sample check on the condition of intellectuals" to seven thousand two hundred intellectuals in eighteen provinces and autonomous regions and fifty two municipalities throughout the entire country in order to conduct a survey. (Of those receiving the questionnaire, fifty-two percent were teachers at universities or university-level specialized schools.) Twenty seminars were held in connection with the survey. Following is a summary of the situation revealed by the survey:

## I) The Urgency of the Problem of Intellectuals

Among intellectuals there are still a number of problems and difficulties of a practical nature that are still awaiting solution. In general, they tend to feel that for many years now there has been a great deal of talk about solving the problems of intellectuals but there has been little practical implementation and even less in the way of substantial material benefits. Especially with regard to the concrete problems that intellectuals face in everyday life, a good many intellectuals feel that the way they have been treated is unacceptable. Because of the fact that, for a long time there has been an upside-down relationship of the real income of those who perform physical labor in comparison to the real income of those who perform mental labor, in spite of the repeated calls on the part of leaders for "respect for intellectuals and respect for human talents and abilities," the results in real life have been very meagre. Things have gone so far that some intellectuals have lost faith in their own professions. There is an ancient saying that goes: "A career man cannot be deprived of his aspirations." And now, we are faced with a situation in which many intellectuals have, in fact, given

up their aspirations. They have the feeling that they have totally failed in life. This is a new development that has deepened the problem of intellectuals. It must be a cause of concern for us.

### No Money

#### II) Major Indications of the Seriousness of the Problem of Intellectuals

##### a) Declining Income

Statistics based on the questionnaire indicate: 80.7 percent of those responding are suffering from hardships based on their low income. There were more than 65 percent who expressed strong feelings about the irrational division of wealth in our society that had led to the lowering of their income. Present income from salaries is the major economic resource of intellectuals. In the case of more than 66 percent of those responding, there was basically no income except that from salaries. Moreover, more than 63 percent of intellectuals receive salaries that are lower than those of factory workers in the same age bracket. Their income falls incomparably short of that of individual households engaged in private enterprise. What is especially worthy of attention is this: a great number of high class intellectuals (including professors of the highest and second highest rank), who had formerly enjoyed a relatively comfortable life, also frequently reported that their standard of living had been lowered to a considerable degree because of the relative lowering of their income. The lives of middle-aged intellectuals are especially hard-pressed. They have both an older and a younger generation to take care of. Faced with a situation in which their incomes are low while the prices of commodities are being inflated, they find the conditions in which they live hard to bear.

Teachers in middle schools and primary schools receive even lower salaries and, accordingly, they express even stronger feelings about the hardships under which they live. The situation of teachers at schools managed by local governments rather than the central government is especially serious.

##### b) Crowded Housing

Statistics based on the questionnaire reveal that among those who responded 88.15 percent expressed various degrees of difficulties in their housing situations. Among them, more than 72 percent declared their condition hard or very hard to bear. According to a survey of

twelve thousand nine hundred and thirteen households living in the Hsi-ch'eng District of Peking and making a living from work in ordinary schools, those who did not own a home and had to rent one amounted to six thousand seven hundred and eight households or 51.94 percent of the total. In three thousand nine hundred and eleven of these households, the average space was less than four square meters per person. Such households amounted to 30.29 percent of the total. In the No. 6 Middle School in Chungking (Chongqing), more than seventy families of teachers at the school are housed in one single high-rise building. According to their reports, "Whenever we have a windy, rainy night, the rain leaks into every family's room." The great majority of intellectuals who responded to the questionnaire were of the opinion that the total amount of problems connected with housing was great and the prospects for any improvement in the housing situation were dim. A great many people expressed indignation at the dishonest practice of building new housing projects under the claim that they would be used for housing intellectuals, when in fact they were used for some other purpose after they were completed.

#### Malnutrition and Neglect

##### c) Health Care

The condition of intellectuals' health and the availability of health care for them give cause for concern. A physical examination carried out at the First Primary School on Chan-lan Street in Peking revealed that out of ninety nine teachers, ninety three were suffering from various ailments. Statistics based on the questionnaire reveal that 46.78 percent of those who responded go to a doctor only after they have tried unsuccessfully to cure their own illnesses. The reason for this is that it is inconvenient to see a doctor, because a doctor's allotment for medical treatment is inadequate and because the supply of medicine is limited. Among middle-aged intellectuals, 37.31 percent suffer from ill health. At present, premature aging during middle-age is a common phenomenon and for intellectuals to die at an early age when they should be in the prime of life is a frequent occurrence.

#### Hard to Get Ahead

These facts are connected inseparably with malnutrition, a heavy workload, physical and psychological pressure and the fact that ailments are not treated early enough.

##### d) Inappropriate Evaluation of Qualifications

At present the great majority of intellectuals are in general agreement that methods of evaluating qualifications and assigning people to jobs are inappropriate. Statistics based on the questionnaire reveal that 80 percent of the people involved believe that the present system of evaluating qualifications and assigning people to jobs is not entirely reasonable. Among these, forty eight percent claim that their physical health has suffered and that they have suffered psychological depression as a result of the torment inflicted through the method of evaluating their scholarship in connection with possible promotion.

### Cronyism and Corruption

According to our survey, the following problems worth noting exist in connection with the present system of carrying out evaluations of qualifications: 1) definite quotas are set for the evaluation process with the result that many comrades who meet all the requirements cannot be given a recommendation for promotion; 2) unhealthy tendencies have infiltrated the academic world with the result that personal connections, personal antipathies, friendships and the like become involved in the process of evaluation; 3) at present a single-track system is in operation in which everyone must submit to the same process. This leads to contradictions in the cases of a number of people. The masses especially are displeased with the fact that the system even requires non-teaching personnel to submit to an evaluation of their scholarship. A similar situation exists in the process of evaluation of qualifications carried out for middle school teachers.

### Square Pegs in Round Holes

e) Allocation and employment of some intellectuals is inappropriate.

Statistics based on the questionnaire reveal that because an intellectual's specialization is not always geared to fit the needs of the job, or because his academic record does not meet with approval, or because a leader forms an unfavorable estimate of him, eighty one percent of respondents felt that their energies were not being put to full use. How retired intellectuals can continue to carry out some function is a matter that awaits guarantees still to be introduced into the system.

### “Hopeful Solutions”

### III) Advice on How to Solve the Problem of Intellectuals

1) We recommend that the Central Committee set up a special organ to carry out leadership in work with intellectuals. This organ should thoroughly dispose of all problems of a general nature in connection with intellectuals.

2) We recommend that the Central Committee as quickly as possible implement a practical program to improve the living conditions and working of intellectuals by adopting several urgent measures such as: raising the income of middle-aged intellectuals by a considerable amount and beginning early deliberations on improving the housing of middle and primary school teachers.

3) We recommend that gradually the expenditure on education should be increased as a percentage of national income. At present, we should aim at raising it from four percent to five or six percent. Cases of diversion or embezzlement of funds appropriated to education, persecution of teachers, invasion and occupation of school dormitories and other such misconduct will have to be dealt with in accordance with the law.

4) We recommend that the Central Committee set up a subcommittee for inspection and supervision to carry out continuous and earnest supervision and coordination of the work of evaluation of qualifications in universities and specialized schools at the university level, in research organs and in middle and primary schools. This group should carry out an improvement in the methods of evaluation.

We respectfully request that the Central Committee give consideration to the above report. The Central Committee of the Democratic Alliance of China. September 18, 1987.

## APPENDIX III

EXCERPTS FROM THE PANEL "HUMAN RIGHTS IN THE PEOPLE'S REPUBLIC OF CHINA, 1987-88," 30TH ANNUAL CONFERENCE OF THE AMERICAN ASSOCIATION FOR CHINESE STUDIES, OCTOBER 22-24, 1988, HOOVER INSTITUTION, STANFORD UNIVERSITY.

A. *The Yang Wei Case.* By Che Shaoli

(Ms. Che, a doctoral candidate at Baylor College of Medicine in Houston, Texas, is the wife of Yang Wei. Yang was sentenced to two years in prison in December 1987 on charges of "counterrevolutionary propaganda" for taking part in a student demonstration for democracy in Shanghai.)

I would like to update you on what has occurred with my husband's case since I spoke with you last year. My husband, Yang Wei, was finally brought to trial on December 21, 1987, and sentenced to two years imprisonment for what the Chinese government calls "counterrevolutionary activity." His crime, in fact, was to do nothing more than to write for the journal *China Spring* while he was a student here in the United States and to advocate a move toward democratic principles for China in his writings.

When he returned to marry me, with the intention of returning to the United States to study, he was kept under surveillance and eventually was arrested. The U.S. Senate passed a resolution asking for his release shortly before the trial, but this was ignored by the Chinese government as an interference in the internal affairs of their country. His trial, the government had stated, was to be a public trial, but in fact only a select few people were allowed to attend, and no Western journalists were allowed in. You see, Yang Wei was, for all practical purposes, convicted before he ever entered the courtroom.

It is not the purpose of a trial in China to determine guilt or innocence of the accused. The government enters into the trial with no intention of finding anything but a guilty verdict. The law that Yang Wei was prosecuted under, and most other criminal laws in the PRC, deliberately are worded vaguely so that the government may prosecute anyone it wishes. Even though the Constitution of the PRC allows for freedom of speech for all of its citizens, under the vague wording of the Criminal Code, anything may be considered "counterrevolutionary": a speech, a book, a pamphlet, any expression of a person's basic right to freedom of thought. This effectively renders the Chinese Constitution null and void, and nothing more than an attempt to appear to

live up to those of Western democracies, which they in no way resemble even slightly.

The Chinese Embassy, in a letter to Senator Phil Gramm of Texas, who was inquiring about Yang Wei's case, restated the government's position that Yang Wei was a "counterrevolutionary" and indicated that the Chinese government had no intentions of reconsidering the matter. If any of you have been led to believe that China is going out of its way to appear rational and progressive to the West in the area of human rights, you have been misled—and this is a prime example.

The concept of counterrevolution is used in such a broad sense, and includes anything or anyone that does not agree with the Party's current mode of thought. Counterrevolution is a very old concept—as old as the Communist Party itself. The law, then, is in no way an attempt to ensure the rights of the accused, but is merely an instrument for the government to use in oppressing its own citizens.

The prosecutor, in an official court document, accused *China Spring* and the Chinese Alliance for Democracy of attempting to overthrow the Chinese government. *China Spring* later responded that these charges were ridiculous. We responded that we have no guns, no bombs, that the only weapons that we wish to give the people of China is the ballot box, to choose their leaders in free and impartial elections. Of this, and only this, are we guilty as charged. It is unthinkable that the largest nation on Earth, with the largest army, is afraid of a weapon as benign as the ballot box.

To anyone who thinks that China is bending over backwards today to ensure the human rights of its citizens, think again. People's basic civil liberties are denied in the PRC everyday, even though this clearly violates the Universal Declaration on Human Rights. To those of you who study and teach about China I would ask you—do not forget the struggle of the Chinese people for freedom and dignity, and never allow your quest for closer economic and social ties with China to obscure their quest for human rights. Thank you for your time.

**B. *The Plight of Chinese Students in the United States.*** By Dachang Cong (Mr. Cong, a student from the People's Republic of China, is completing his Ph.D. in anthropology at Yale University.)

1988 is a year of anxious living for one billion Chinese people and over forty thousand Chinese students now studying abroad. The economic reforms program carried out by the Chinese government is in deep trouble. Inflation, skyrocketing prices, widespread corruption,

ineffective bureaucracy and shaky moral standards have triggered a tremendous amount of social unrest. Chinese intellectuals, who were persecuted politically during Mao's period, are now being punished in economic terms. Many intellectuals, especially the teachers, have a low social status and are struggling with poverty. It all appears that, without overhauling the whole political structure and introducing some basic principles of democracy and market economy, China's economic reforms program will not succeed. This, in turn, will give an upper hand to the conservative leaders.

Chinese students now studying abroad have every reason to be worried and anxious about China's future, as well as their own. Many of them have decided not to return to China at all and the majority of them are planning to prolong their stay abroad. For the students in humanities and social sciences, the existence of a dictatorship regime is a threat to their free thinking and academic careers. For the students in sciences and engineering, the shortage of funding and facilities and the ineffective bureaucracy will endanger their academic research.

Here, I have to point out that the Chinese government and its embassy in the United States do not seem to understand the basic problem. They continue to impose unreasonable means of control upon the students.

Early this year, the Education Commission of the State Council drafted some new policies that limit and restrain the students now studying abroad or planning to go abroad. For example, many students have to sign a contract. If they prolong their stay, their co-signers, parents, friends or professors, will have to pay a huge fine up to over 20,000 Chinese dollars. That amount might be equal to 10 years' salary for an associate professor. These new policies caused a big stir among the students. In March, an open letter was sent to the Chinese government protesting these new regulations. Fortunately, the new policies have not been fully carried out, mainly due to the open letter.

In May 1988, Chinese students and scholars at University of Kentucky elected three new leaders for the local chapter of the Friendship Association of Chinese Students and Scholars. The chairman of the chapter has been quite outspoken on the issues of democracy and human rights, and one of the vice-chairmen is an active member of *China Spring*, which was branded as "counterrevolutionary" by the Chinese government. Such election results angered the Chinese Embassy. Two ranking officials were dispatched immediately to the campus. Through painstaking efforts, including threats, favor-offering and tricks, the early election results were overthrown. After the "victory"



on the part of the Chinese government, two officials treated those students who cooperated, or were coerced into cooperation, to a free lunch in a Kentucky Fried Chicken restaurant. This incident clearly demonstrates how tightly the Chinese students are controlled by the embassy and how little democracy they have.

In the summer 1988, the Chinese government decided to invite about 50 student delegates from abroad to visit China. Upon hearing this news many Chinese students on various campuses started to organize elections in the hope that the delegates would be selected through democratic elections and the delegates would speak on behalf of the hundreds of concerned students. The Chinese Embassy and the general consulates in various locations ignored the desires and concerns of the students, and they handpicked delegates loyal to Chinese authority. Again, this incident caused widespread indignation among the Chinese students.

Surely, the Chinese government wants the students to go back. But how? I think there are several things that they can do. First of all, the government must carry out genuine political reforms and effective economic reforms. Second, the government must try hard to enhance the social status and financial conditions of the intellectuals. Third, many ranking Chinese leaders must correct their double standards, by which I mean that they must stop helping their own children get rich and emigrate abroad, while at the same time trying to get other overseas students back. Without these necessary moves, the majority of the Chinese students will remain hesitant to return.

*C. Labor Reform Camps in the PRC.* By Harry Hongda Wu  
(Currently completing several research projects at Hoover Institution, Mr. Wu spent 19 years as a political prisoner in various Chinese labor camps from 1960 to 1979.)

The three policies of reform through labor, reeducation through labor and job placement within labor camps form a complete prison system in the People's Republic of China. This labor reform system (or prison system), generally known as "labor reform camps," is an important part of the penal system of the PRC. Viewed from another perspective, labor reform camps are a necessary product of the totalitarian system of the PRC.

First introduced in the 1950s, these policies have been in effect for more than 30 years. According to various sources, by rough estimate, there are more than 5,000 labor reform camps, and at least 45 million people have been sent to the labor reform camps over the past years.

The low-paid, submissive, disciplined and hardworking labor force of the labor camps plays an important role in the socialist construction of the PRC.

The labor reform enterprises—special state-operated enterprises—comprise an enormous nationwide network extending into various sectors of the national economy: agriculture, industry, communications, transportation, engineering and construction. Labor reform production thus makes up a significant proportion of the national economic system. Articles made by labor camp inmates at slave wages have been exported regularly to other countries.

In 1980, following Deng Xiaoping's economic reform, the labor reform system began to use material incentives to spur production at the labor camps and their affiliate enterprises. It further began to experiment with "a system of contractual responsibilities in discipline and in production," making each individual labor camp or enterprise in the labor camp system responsible for its own profit and loss. The purpose of the "responsibility" system is to ensure that while the suppressive aspect of the labor reform would continue, two groups in the camps would be spurred to work with greater enthusiasm: the public security police and the inmates.

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