

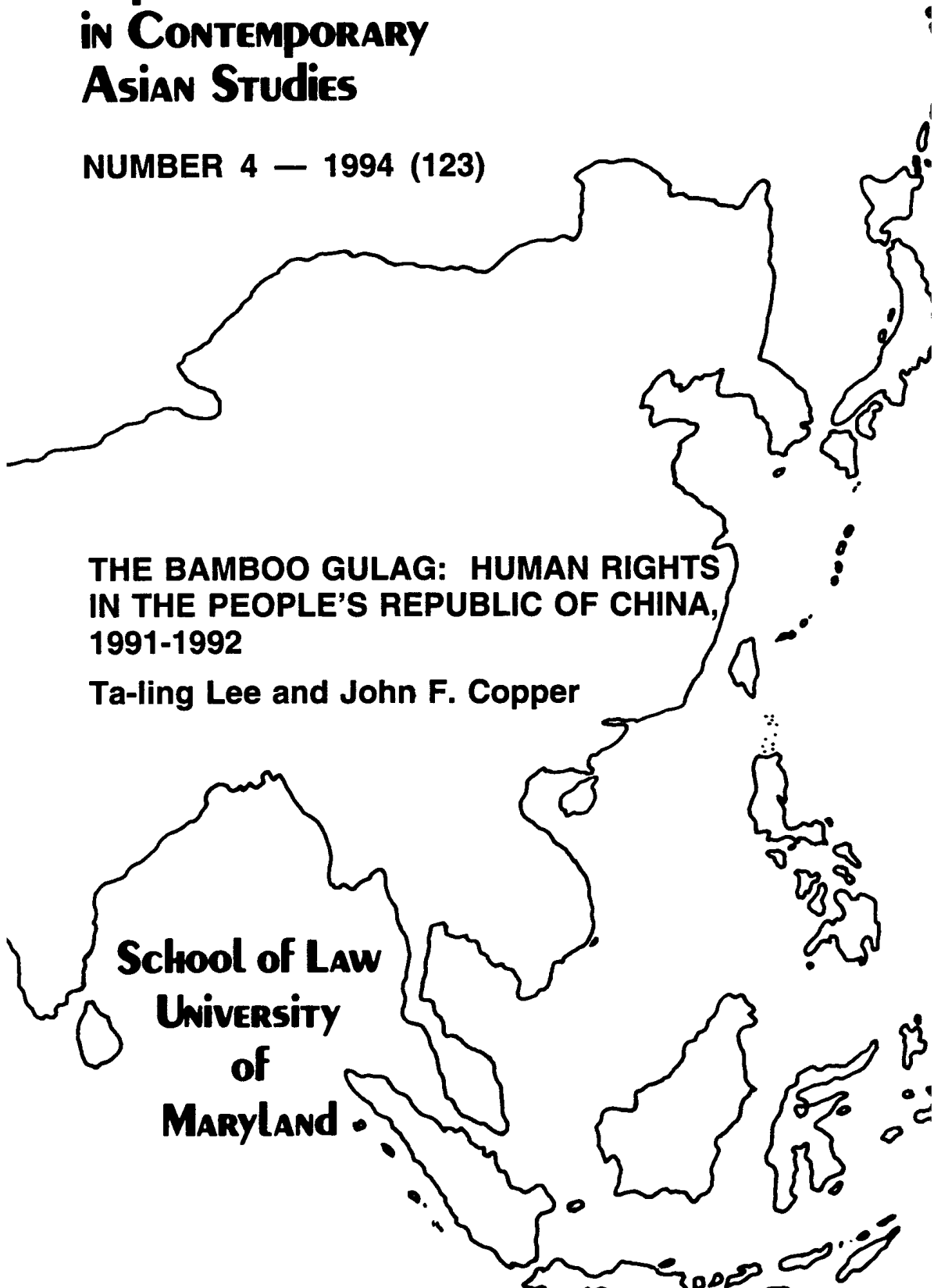
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**THE BAMBOO GULAG: HUMAN RIGHTS
IN THE PEOPLE'S REPUBLIC OF CHINA,
1991-1992**

Ta-ling Lee and John F. Copper

**School of Law
UNIVERSITY
of
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PREFACE

This biennial update surveys the human rights situation in the People's Republic of China in 1991 and 1992. It is the fifth update written by the authors since they collaborated with four other colleagues on a large, comprehensive study, *Human Rights in the People's Republic of China* (Westview Press, 1988).

As in past updates, the authors have tried to highlight important developments concerning human rights conditions in China during the period under review. The major topics emphasized in this update are the vast network of labor camps in the country, producing forced labor products for export, and the linkage between Beijing's foreign policy and its human rights record. We have also covered other topics, such as the human rights implications of power struggles in the leadership, the effect of the collapse of communism, the indiscriminate use of the death penalty, and the much-delayed trials of the 1989 Tiananmen Democracy Movement leaders.

The authors wish to thank the Chinese Association for Human Rights for its continued support. Once again, we dedicate this volume to the late Dr. Han Lih-wu, former President of the Association, for initiating this project six years ago and for his efforts in promoting human rights in China. We also thank Dr. Yuan-li Wu for his help and encouragement.

Ta-ling Lee and John F. Copper
May 1994

INTRODUCTION

The period 1991-1992 was one during which the human rights record of the People's Republic of China (PRC) cannot be easily categorized. Overall, there was no significant improvement, as China struggled to get out from under the long shadow cast by the Tiananmen Massacre of June 1989. Policies of opening to the West together with economic reform led to relaxation of state and Party controls in certain areas, such as business and travel. Greater outside pressure, from both foreign governments and international human rights organizations, compelled Beijing to make some concessions on human rights, the release of political prisoners being the most significant.

But economic growth was accompanied by increases in crime, growing income disparity and environmental problems, as almost all regulations on economic activity, even needed ones, were cast aside. Outside pressure also led to a hardening of the attitude of the government, which loudly charged "interference" in China's internal affairs. Reacting to outside "interference," Beijing openly accused the West of conspiring to carry out a campaign it called "peaceful evolution" in China, meaning trying to destroy communism without the use of force. To guard against such "conspiracy," heightened vigilance and greater unity (read control and regimentation) were called for.

Power struggles at the highest level continued throughout the period, producing left-right battles with inevitable human rights implications. Rule by octogenarians, who were expected to pass from the scene at any moment, was also the cause for apprehension by the various factions that feared that their leader may die first thereby making them vulnerable to purges by the opposition. This did not allow for any meaningful expansion of civil or political rights. It also kept the populace in a state of apprehension. Signs of bankruptcy of communism as an ideology also caused the hard-line leftists to redouble their efforts to try to rekindle the revolutionary fervor, resulting in new attempts to control people and new human rights abuses.

One of the major revelations in 1991 concerning human rights abuses in the PRC was the confirmation of a vast network of labor camps in the country. The existence of such camps was known before, but the gulag proportions of the network and their economic role were exposed to the outside world in 1991 thanks to the courageous work done by a former Chinese political prisoner. We now know that thousands of labor camps flourish in China, from

the populous eastern seaboard to the desolate west over a thousand miles from the coast. Tens of millions of inmates work as forced laborers in these camps, turning out products for export around the world.

A former political prisoner, Harry Wu, spent nineteen years in various camps. In the summer of 1991, Wu made two clandestine trips to China, at which time, under the guise of a foreign Chinese businessman, he visited dozens of camps in different parts of the country. He brought out a wealth of information, including video footage and hundreds of still pictures of camps known deceptively as farms, factories and mines. Wu's films on the harsh conditions at some of these factories were shown on CBS and NBC, and detailed accounts of his travels were published in *Newsweek* magazine.¹

The prison-made goods seen by Wu were exported to many countries, including the United States. Wu was even able to negotiate contracts to buy prison-factory goods. Prison wardens bragged to him about the brisk sales of their products, from diesel engines to steel pipes and hundreds of other commodities, on the world market, helping the country to earn hard foreign exchanges. The gulag and its role not just as a harsh penal institution, but more importantly as an exploitative economic force, serve to highlight a situation of institutional human rights abuse on a grand scale. Much of chapter four is devoted to this topic.

The harsh treatment of inmates in the labor camps, many of whom were political prisoners, is fundamentally inhumane and arbitrary. Another aspect of this inhumane penal system is the increased use of capital punishment in a cruel and degrading manner. This was particularly noticeable in 1991 and 1992, when drug problems became worse and "economic crime," a product of Deng Xiaoping's reform policies, grew increasingly rampant. Executions of offenders ranging from drug traffickers to "economic criminals" (embezzlers, bribe-takers, etc.) to common criminals (robbers, rapists, etc.) were widespread. Many executions were carried out for crimes not punishable by death in most other countries. For fear of further damaging its already tarnished image, the government established a policy to prevent the media from reporting executions, with the exception of specific cases such as a major anti-drug campaign. Local newspapers, however, were allowed to carry such

1. Harry Wu, "A Prison's Journey," *Newsweek*, September 23, 1991, pp. 30-32; "60 Minutes" on CBS, September 16, 1991; NBC Nightly News With Tom Brokaw, November 14, 1991.

news for the purpose of deterring further crime. Following a tradition established in previous updates, the authors devote part of chapter five to a chronicle of cases of executions, based on reports in the local press.

Chapters one through three are devoted to a close examination of the effects of various aspects of China's politics on human rights, including such topics as the nation's leadership, the political and legal systems, and the role of ideology. Chinese politics have been characterized by power struggles for some years and the period under review is no exception. A shift in the political line has, in the past, had an adverse effect on human rights conditions; this proved true again. Shifts to the left have typically resulted in measures to curb the practice of political and civil rights and to a revival of Mao's totalitarianism; shifts to the right have produced economic growth but this has been accompanied by the harsh enforcement of criminal codes, not to mention by the creation of a new elite class. There was no permanent shift to the right or left in Chinese politics during most of 1991 and 1992; rather, there were movements in both directions, followed by countershifts or backlashes. During the various political struggles, survival outweighed "issues" as the foremost consideration and laws and policies were often used as weapons in factional fighting. In that context, China's human rights condition as expected could not improve. Toward the end of the period the political right became dominant, but no immediate effect on human rights was discernible.

Power struggles in China also have had profound ideological implications. They are often couched in ideological terms. The power of Party General Secretary Jiang Zemin—or the lack of it—is a case in point. Through much of the period under review, Jiang, who as mayor of Shanghai was thrust into the top Party post in 1989 with no nationwide power base of his own, either in the military or in the top level of the Party apparatus, tried to steer a course that would antagonize neither the powerful hard-line leftists in the Party nor the reformist faction that takes its cue from Deng Xiaoping. In short, Jiang tried to promote Maoism as the Party left demanded, but diluted it with just enough reformist thinking to appease the right. He did this by using Deng's reforms to modify Mao's "thought." This made him at times a "closet reformist," and at other times a fence-sitter hedging his bets while anticipating Deng's death. In most of 1991 and 1992, as we witnessed the shifting Party lines, Jiang reminded us of those who "raise the Red Flag to oppose the Red Flag" during the Cultural Revolution days.

Under shifting ideological lines, human rights were relegated to unimportance.

The Tiananmen Massacre of June 1989 was still a vivid memory to most Chinese in 1991. Indeed the year opened with the much delayed trials of many leaders and alleged masterminds of the Democracy Movement that was brutally suppressed with tanks and machine-guns in Tiananmen Square in full view of television audiences around the world. Chapter six focuses on these trials and on the post-Tiananmen disenchantment of students, which deepened in 1992. The trials were essentially government-controlled show trials, closed to journalists and the public. Each trial typically lasted only a few hours; the guilt of the defendant was presumed. The role of the court-appointed lawyer was not to defend his client, but to plead with the court for a reduced sentence. Those who meekly admitted their guilt and “cooperated” with the government (such as fingering others) were rewarded with lighter sentences, while those who refused to “repent” were punished severely, some up to thirteen years in prison on charges of “counterrevolutionary” acts. Student disenchantment was displayed in many ways. For example, students smashed bottles to vent their anger, in response to increased security on campuses during the anniversary of the Tiananmen Massacre. (Small bottle, “*xiaoping*” in Chinese, sounds the same as Deng Xiaoping’s given name). The more daring ones tried to keep the Tiananmen spirit alive by forming underground groups, which were brutally suppressed by the government. Many students also sought to leave the country.

The impact on human rights of the bankruptcy of communist ideology provides the focus of chapters three and seven. The collapse of the Soviet Union and the political change in Eastern Europe left Beijing, frightened and insecure, as the last guardian of communism in the world. And Beijing vowed to be just that. The human rights implications were clear: increased government control and a hardened ideological stance resulted in wider human rights abuses. In the face of a global collapse of communism, the Chinese government authorities in 1991 and 1992 were afflicted with a siege mentality, showing deep fear for an alleged Western plot of “peaceful evolution” against China while calling for the building of a new ideological Great Wall. A curious schizophrenia marked China’s attitude during the years: economic reasons made continued opening to the West imperative, but ideological reasons forced more controls on many aspects of life. The controls in particular affected foreign journalists in China, many of whom were

deemed “unfriendly” while all faced isolation, surveillance and harassment. A vain attempt by the government to revive Maoism as an ideological shot in the arm went hand in hand with increasing alienation of the younger generation.

In chapters eight and nine, human rights are discussed in connection with China’s foreign policy. Four topics are explored: (1) foreign criticism of China’s human rights record and pressure to elicit change; (2) U.S. pressure on China, particularly associated with the granting of the Most-Favored-Nation (MFN) trading status to China; (3) China’s arms sales and transfer of nuclear and missile technology to Third World countries; and (4) China’s response to external criticism and pressure. Notwithstanding the widely-held conventional wisdom that China is cultural-bound and set in its ways and, therefore, is impervious to outside pressure, there was irrefutable evidence that the government is sensitive to outside criticism and does bow to outside pressure when necessary. For example, China saw fit to counter mounting criticism of its human rights record by issuing a human rights White Paper (see Appendix 1). China also responded to outside pressure with well-timed releases of known political prisoners and agreed, at least on paper, to stop exporting prison-made goods to the United States (see Appendix 2 for a list of forced labor products exported by the PRC). The linkage of human rights with foreign policy, while not new to many other countries, is relatively new in the case of China, and certainly became obvious in 1991 and 1992. The conclusion is clear: foreign pressure can bring limited improvements in Beijing’s human rights behavior. Despite claims to the contrary, the new masters in the Forbidden City can be forced to change their ways.

CHAPTER 1

THE CHINESE LEADERSHIP AND HUMAN RIGHTS

“China is one large deathwatch, with a billion people milling around the deathbed of party elders.”

—Frank Ching (Western news reporter)*

“Look all around, at men and women, kids and old folks /
Look — we’ve come to the end of the Golden Road.”

—(Song by Cui Jian)**

Introduction

In the past, China’s human rights condition has, as a rule, been adversely affected by a number of factors that can be related to the political leadership. A shift to the left in the top leadership hierarchy has meant less opportunity to practice civil and political rights because it has typically been accompanied by tighter or greater total control over citizens. Power struggles, or an increase in factional tension, have almost always had a negative impact on human rights. A narrowing of the decision-making process with more prerogatives and power centered in the hands of one individual or a few has also adversely affected human rights.

During 1991, there was no discernible shift to the right or left in Chinese politics. There were shifts in both directions, followed by countershifts or backlashes. Political struggle at the top was evident and it precluded any improvement in civil and political liberties. In 1992 there was a very evident surge to the right politically in China, following strongman Deng Xiaoping’s trip to south China where he aggressively pushed his capitalist economic reforms. He saw his position as popular among the Chinese masses who have been starving for a better material life that was not provided by the regime under Mao. Taking advantage of the fact that several of the leftist, hard-line elders who opposed his reforms were ailing or dead, Deng was able to promote or install in power a number of rightist reformists and purge several leftist hard-liners.

* Cited in Edward Neilan, “China’s Fate is Leader’s Health,” *Washington Times*, July 8, 1991, p. A7.

** Golden Road means communism. Cited in Nicholas D. Kristof, “The End of the Golden Road,” *New York Times Magazine*, December 1, 1991, p. 52.

This might have brought some political relaxation had it not been for Deng's need to guarantee political stability and that meant keeping a tight rein on power. Moreover, Deng had to make concessions to the Party hard-liners to get their support or acquiescence on his rightist economic reforms. Thus, there was not much decentralization of political power to the provinces or local leaders and demands upon the government by dissidents or citizens for more political liberties and democracy were ignored. In fact, for their support of Deng's capitalism, which he labelled "socialism with Chinese characteristics," a number of top leaders demanded to retain tight political control. In short, economic freedoms were granted; political freedoms were not.

Much of China's populace, fearing a repeat of the June 1989 Tiananmen Massacre and the crackdown that followed, accepted this, thinking that political rights would follow some day. They also may have perceived that opposing Deng, whose rule to many seemed fragile, meant supporting the left, which would bring back Maoist and other leftists and unwanted totalitarian rule. Hence, while Deng, who advocated and stood for reform, seemed for the moment at least to prevail, this had little impact on China's human rights situation.

The Leadership During 1991

China's political leadership during 1991 continued to experience factional infighting between hard-liners and reformers, or the political left and right, respectively. Appointments of new leaders, the movement of others, both up and down, and the rehabilitation of some rightists who had been purged during or after the Tiananmen "incident" gave mixed signals as to where China was heading politically. Public statements by top leaders also gave mixed signals. For example, Deng Xiaoping — referred to by almost everyone as China's "paramount leader" (though he continued to hold no political post) — said in the spring that the selection and promotion of cadres should depend on their "ability to uphold the 'Four Cardinal Principles' (meaning ideological and leftist credentials) while supporting reform and the policy of opening up" (meaning pragmatism and adhering to the rightist line).¹ During 1991 the struggle for power between the "center" and the provinces

1. "Quarterly Chronicle and Documentation," *China Quarterly*, September 1991, Vol. 127, p. 660.

also became more acute, as did the gap between generations of leaders and the coming succession crisis.

All of these conditions contributed to political uncertainty, a milieu in which, in China's recent history, human rights have not benefitted. In fact, the tension between central Party and government authorities on the one hand and local provincial officials on the other, seemed to replicate the situation in the spring of 1989 before the top leadership made the decision to extinguish the Democracy Movement and use tanks and machine guns against students and other demonstrators in Tiananmen Square. In addition, the unwillingness of aging top leaders to step aside and yield power to younger leaders and the succession question looming even more serious also resembled 1989.

Foreigners and Chinese alike continued to predict a leadership shakeup, perhaps even a coup or civil conflict, resulting from a top leadership struggle. Deng Xiaoping and his nemesis, Chen Yun, remained at odds over most important policies. Li Peng held on as head of government, though he and President Yang Shangkun were still hated by the populace for their role in ordering the armed attacks on the students in June 1989. Meanwhile, foreign experts and the man on the street in China alike questioned the ability of Li, Jiang Zemin and several others at the top to lead the country. They seemed to lack the cleverness and the "staying power" to remain in the top leadership echelon. Some likened the leadership situation in China to a volcano about to erupt. In fact, many said it was overdue.²

Still another reality plagued the Chinese political scene: the hard-liners and the government had managed to defuse political and economic challenges after 1989. But they alienated the population, especially the young and educated, and discredited communism in the process. Furthermore, they seemed to remain oblivious to what was happening in the world. The right suffered from pushing reforms that engendered social problems, economic inequality, crime and corruption while making China vulnerable to "local warlords" and foreign influence. While the left seemed out of touch with reality and bent on isolating China, the right seemed to offer no solution that could keep the reforms going while preserving communism and precluding China's fall into chaos and disintegration.

2. See Nicholas D. Kristof, "Hardliners in China: Old, But By No Means Out," *New York Times*, July 4, 1991, p. A12.

In January, in the wake of the Seventh Plenum of the Chinese Communist Party's Central Committee, held December 25 through 30, 1990, the struggle between Deng Xiaoping, head of the rightist or reformist faction, and Chen Yun, the hard-line leftist, seemed as virulent as ever.³ Though Chen had not been seen on television for fifteen months, fear was expressed by students and others that Deng might die first — leaving the top Party and government leadership in the hands of Chen.⁴

The struggle between the two was exacerbated, or at least made more visible, by the appearance of an unpublished speech at the Plenum in December by Deng Liqun, a close associate of Chen. He warned that “capitalist roaders” (a term used by Mao when he purged Deng Xiaoping in 1976) still held sway in the Chinese Communist Party.⁵ Subsequently, the *People's Daily* published an article referring to a speech given by Chen a year earlier saying that the people should “resist authority” — understood to mean Deng's authority.⁶

The ongoing contention between right and left factions affected not only top leaders but their followers and second echelon leaders. Several top Chinese Communist Party officials at Beijing University (where the 1989 Democracy Movement found its breeding ground) were sacked for “being too sympathetic to students.” Wang Xuezheng, second in command at the university, was forced to step down and was replaced by a hard-line Party secretary. Moves had been made to oust Wang in 1989 when Ding Shisun, president of the University, was pressured to resign for taking a reformist position, but was allowed to keep his job in order to avoid the appearance of a purge.⁷

A few days later, Ye Xuanping, the influential governor of the prosperous and capitalist Guangdong Province in South China, was replaced and rotated to Beijing.⁸ The move was an apparent attempt by the Party left to prevent the transfer of political power to

3. See James L. Tyson, “Chinese Plenum Signals Inertia,” *Christian Science Monitor*, December 31, 1990, p. 4.

4. Sheryl WuDunn, “One of China's Old Men: A Potent Apparition,” *New York Times*, January 17, 1991, p. A8.

5. Nicholas D. Kristof, “A Year Later, Signs that Deng Guides China,” *New York Times*, January 29, 1991, p. A8.

6. *Ibid.*

7. See Lena H. Sun, “China Fires Key Official at University,” *Washington Post*, January 22, 1991, p. A4.

8. “Guangdong Governor Replaced in Shuffle,” *Journal of Commerce* (New York), February 1, 1991, p. 4.

the provinces and to check the growing independence of China's economically successful and politically more democratic southern provinces. Ji Shaoxing, head of Beijing's foreign affairs office in Hong Kong, was also recalled to the capital.⁹

Shortly after, in February, Beijing University students, in an ingenious form of political protest, put on display pictures of Li Peng with Zhou Enlai and Wan Li (head of China's national legislature) — with Wan Li in the middle. Wan Li's name, being a homonym for 10,000 Chinese miles, suggested that Li Peng and Zhou (China's top ranking national hero according to recent polls) were very far apart, or different — meaning, in essence, that Li was evil, disliked or worse.¹⁰ At this time there were widely heard comments about Li to the effect that nobody respected him, that he could not speak in complete sentences, that he was a joke, that he was dumb, and that he was a cold blooded killer and a Stalinist. One reporter wrote that he had heard a joke in Beijing to the effect that a man was arrested for a sign saying "Li Peng is Stupid." He was subsequently sentenced to ten years in jail for disseminating counterrevolutionary propaganda, whereupon the man protested that this crime carried a sentence of only four years. The judge then declared, "The other six years are for divulging a state secret."¹¹

To deal with his image problem, Premier Li, with leftist support in the media, had a television program made and aired, which portrayed him talking to ordinary people about housing problems and as a "model husband" who never argued with his wife and helped with the housework. A number of newspaper articles also appeared lauding Li for not sending any of his children abroad, (though this would have been easy for him to do during the mid-1980s) and for not allowing his children to enrich themselves by exploiting their father's position. Articles also noted that Li's father had been executed by the Nationalists and he had been elevated to a position of responsibility earlier in his career by Zhou Enlai.¹²

9. "Peking Recalls Southern Liberal," *Financial Times* (London), February 13, 1991, p. 4.

10. Nicholas D. Kristof, "15 Years after Zhou's Death, His Image is Larger than Life," *New York Times*, February 3, 1991, p. A4.

11. James McGregor, "Chinese Premier Tries to Reform His Image as a Petty Bureaucrat," *Wall Street Journal*, February 25, 1991, p. A6.

12. *Ibid.*

In late February it was reported that Xu Jiatusun, China's top official in Hong Kong from 1983 to 1990 and the highest Chinese official to defect in the wake of the Tiananmen Massacre, was denounced as a traitor. A rather lengthy report was prepared on his conduct and disseminated by *Xinhua*, saying that he had "betrayed the people, caused extremely bad consequences at home and abroad, and betrayed the basic conditions expected of an NPC (meaning National People's Congress) deputy."¹³ Xu was subsequently removed from the Chinese Communist Party and from the Central Advisory Commission. Inasmuch as Xu, though living in the United States, had not formally defected, nor broken his promise not to reveal secrets or criticize the Chinese Communist Party in public, the attacks on him seemed to have other explanations.¹⁴ One was that Xu had been a close friend of Deng Xiaoping. In other words, the media, or at least *Xinhua*, wanted to embarrass Deng.

The Xu criticism was followed by the dismissal of two high officials from the Civil Aviation Administration. Hu Yizhou, director of the Civil Aviation Administration of China, was dismissed, as was Jian Xiesheng, Vice-Minister of Aeronautics and Astronautics. The former was replaced by a provincial Party official, the latter by an engineer. The dismissals may have been connected to an airplane crash months earlier in Guangzhou, which was followed by accusations of improper handling of air traffic by observers both in China and abroad.¹⁵ Alternatively, the firings might have been the result of a disagreement over the purchase of foreign aircraft or factionalism in the top ranks of the Party.

At nearly the same time, Minister of Communications Qian Yongchang and Minister of Construction Lin Hanxiong were dismissed. The former was fired for allegedly "abusing his power for personal gain" and the latter for "disciplinary reasons." Both were replaced by people outside their organizations. However, these "firings" were seen by some observers as connected to a broad po-

13. "China Dismisses Aide who Fled to the U.S.," *New York Times*, February 24, 1991, p. 3. For details on Xu's dismissal in 1990, see John F. Copper and Ta-Ling Lee, *Tiananmen Aftermath: Human Rights in the People's Republic of China, 1990*, Baltimore: University of Maryland School of Law, 1992, p. 10 and p. 18.

14. Sheryl WuDunn, "Chinese Who Fled Dropped by Party," *New York Times*, March 4, 1991, p. A6.

15. P.T. Bangsberg, "China Sacks Two Top Officials of Civil Aviation Administration," *Journal of Commerce* (New York), March 8, 1991, p. 13A.

litically-motivated campaign to wipe out corruption.¹⁶ Meanwhile, on March 7, 1991, the *People's Daily* reported that the State Council had replaced several vice-ministers, but didn't say who had departed or who their replacements were.¹⁷ This anti-corruption campaign, however, was run by Party and government leftists and those fired, as well as their replacements, seemed to mirror disagreements about ideology, which preoccupied the leadership at the time.

In early April it was announced that Premier Li Peng had appointed Shanghai mayor Zhu Rongji and China's head of planning, Zou Jiahua, as new vice premiers. Observers said that Zou was appointed as a reward for supporting the military crackdown in June 1989. Li also commended Minister of Foreign Affairs Qian Qichen for his support during the "counterrevolutionary rebellion"¹⁸ and nominated him to the concurrent position of State Councillor. The appointments were subsequently approved by the National People's Congress. Li said in his official report that their stance was "firm and clear" during the "struggle against the rebellion."

While it appeared from Li's statements that he was appointing hard-line leftists, Zhu Rongji was generally considered a rightist reformer. On this appointment, Li may have yielded to pressure from Deng Xiaoping. Another possibility was that there was a standoff between right and left in the leadership. That view is supported by the fact that two vice-premiers who were rumored to be stepping down, Yao Yilin and Wu Xueqian, did not, apparently to avoid the appearance of serious disagreement or paralysis at the top echelons of the nation's leadership. At this same time, it was announced that former Guangdong Governor Ye Xuanping (known as a reformist) was "elected" vice-chairman of the Chinese People's Political Consultative Conference. But it was also said he was given a job heading a powerless organ in Beijing as punishment for his independent thinking and policies that defied central government authority.¹⁹

16. "China Dismisses 2 Ministers to Crackdown on Corruption," *Washington Post*, March 3, 1991, p. 13A.

17. Cited in "U.S. Visitors Discuss Bilateral Ties, National People's Congress Strives for Stability," *Asian Bulletin*, May 1991, p. 103.

18. See *South China Morning Post*, April 2, 1991, cited in "NPC Concludes with No Policy Changes; Currency Revaluation," *Asian Bulletin*, Jan. 1991, p. 107

19. *Ibid.*

Premier Li Peng said at nearly this time that he planned to stay at his post for at least another year (though his term was to run until 1993). He also stated that Chinese leaders would “crush with force” any rebellion against them with the same decisiveness shown during the Tiananmen Square protests. Simultaneously, Li praised Deng Xiaoping, calling on people to read his works, and declared that Deng was the “chief architect” of China’s reforms.²⁰ Again Li seemed to be doing a balancing act.

A few days later it was reported that the editor of the overseas edition of the *People’s Daily* had been arrested while trying to leave the country. The truth came out later: he had unwittingly allowed the publication of a poem, written by a Chinese student in the United States. At first glance, the poem was a patriotic ode, but contained, if reading the characters diagonally, a call for Li Peng to resign²¹ (see Appendix 3). Publishing the poem had embarrassed Li and the government.

If most of the above personnel changes were pushed by the Party left, the subsequent rehabilitations of several high officials appeared to reflect pressure, or perhaps a backlash, by the Party right to elevate some of their own. In early June, Hu Qili, who was formerly a full member of the Politburo of the Chinese Communist Party and who was purged for favoring conciliation with the students in the spring of 1989, was appointed Deputy Minister of Machine Building and Electronics. He was also a close associate of Zhao Ziyang, the disgraced former Party boss. Rui Xingwen, a former member of the Party Secretariat, and Yan Mingfu, who negotiated with the students in 1989, were also rehabilitated. Rui was appointed Deputy Minister of State Planning Commission; Yan was made Deputy Minister of Civil Affairs.²²

At this time, the National People’s Congress reported that the “adjudication” of people involved in the 1989 “upheaval” was complete. Yet, at almost the same time, 20 staff personnel at the *People’s Daily*, were either dismissed or transferred for “political mistakes” made in 1989.²³ This, together with the firing and rotation of a number of other top people, caused confusion about leadership changes. Also causing confusion was the announcement by President Yang Shangkun that the accomplishments of Mao’s for-

20. *Ibid.*, p. 108.

21. *Ibid.*

22. “China Gives Posts to 3 Ousted in 1989,” *New York Times*, June 2, 1991, p. 12.

23. “Quarterly Chronicle and Documentation,” *China Quarterly*, September 1991, Vol. 127, p. 661.

mer heir apparent, Lin Biao (who by official Chinese accounts tried to kill Mao and then fled to the Soviet Union, but died in a plane crash en route in 1971), should not be discounted.²⁴

In June, Jiang Qing, Mao's fourth and last wife and a contender for power after Mao's death, was reported to have committed suicide nearly a month earlier. Jiang, who had been officially promoted as a model for the feminist movement in China (and to some extent abroad) was for a time the most powerful woman in the Communist world. She had exerted considerable power and influence during the late 1960s and the early and mid-1970s, especially in Mao's last days. She tried to seize power just after Mao's death and failed. In 1981, in a televised court trial, she was sentenced to death for "persecuting and killing large numbers of people" (700,000 plus, nearly 35,000 of whom died) and for other crimes during the Cultural Revolution. During the trial she defended her actions by saying Mao had told her what to do. "I was Chairman Mao's dog. Whoever he told me to bite, I bit," she said. In 1983, her sentence was commuted to life imprisonment.

The fact that she represented the extreme left in Chinese politics, and had a special relationship with Mao, made the announcement of her death a sensitive political issue. Of her "revolutionary operas," Deng Xiaoping had reportedly said: "After a week's work, people want to go to the theater to relax. Instead, you find yourself in a battlefield."²⁵ She had called Deng an "international capitalist agent." Many other rightist leaders had been criticized and jailed by Jiang and harbored deep resentment against her. Leftist leaders feared that criticism of her at the time of her death would discredit Mao. Thus, the news agency dispatch about Jiang's death was only two sentences and did not mention that she was Mao's wife. The *Liberation Army Daily* and *Guangming Daily*, as well as a number of other newspapers in China, carried articles lauding Mao at this time, while condemning Jiang for distorting Mao's ideas.²⁶ One official commentary read: "The witch has committed suicide." Another called her suicide "well deserved."²⁷ Said the *Liberation Army Daily*: "Under Jiang's despotic rule at that time, there were

24. "China Moderates View on Lin Biao," *Washington Times*, March 1, 1991, p. A2.

25. Colina MacDougall, "Jiang Qing: Evil Genius of the Cultural Revolution," *Financial Times* (London), June 5, 1991, p. 2.

26. Cited in "Tiananmen Marked with Heavy Security and Few Protests; Arms Sale Issue Raised," *Asian Bulletin*, August 1991, p. 93.

27. "Official Chinese Commentary Gloats Over Death of Mao's Widow," *Los Angeles Times*, Jan. 10, 1991, p. A11.

many people for whom death was the only protest route.”²⁸ Some other newspapers compared her to Hitler and called her a Nazi, apparently in an effort to portray her as a radical rightist rather than an extreme leftist.²⁹

Throughout the latter half of the year the right-left struggle in the top hierarchy of the Party and government was dampened by events. For example, in the middle of the year floods ravaged much of China, causing considerable loss of life and property damage. This engendered intense discussions on building a large and expensive dam project in western China. The debate, though political in nature, did not split the leadership along left-right lines. Rumors circulated to the effect that water control had been neglected by both sides. Jiang Zemin (whose given name means “water to the people”) was connected to the floods by opponents using his name in a superstitious way. On the other hand, the failure of flood control projects, including dams built during the heyday of the Cultural Revolution, undermined the credit of the Party left faction.

Both sides of the Chinese leadership core also suffered from China’s isolation caused by events in Eastern Europe and the Soviet Union. Both (though the right mainly paid lip service) were on the wrong side of the coup against Gorbachev in August — with each championing the coup makers, since they hoped it would bring communism back to the Soviet Union. Similarly, neither side could appeal to the Chinese masses very effectively because neither had much public support or respect. The public favored the rightist faction, though it remained quite unforgiving of Deng for having caved in to the leftists in June 1989 and they held him accountable for the Tiananmen Massacre. Party and government rightist reformers continued to work on economic reform and sought to keep China open economically — to trade and foreign investment — and hoped that in this way their faction might ultimately prevail. The left sought to keep control of China politically and acted to safeguard the CCP’s vast power—a position with which the right could not overtly disagree. The right favored decentralizing political authority, but as the provinces began to exert too much independent authority even the top party rightists became apprehensive.

In August, rumors circulated to the effect that Deng Xiaoping had died and Li Peng had been murdered.³⁰ The rumors affected

28. *Ibid.*

29. *Ibid.*

30. “China Denies Rumors that Leaders are Dead,” *Journal of Commerce* (New York), August 29, 1991, p. 5A.

financial markets in Hong Kong, Taipei, and Singapore. Deng at the time had not been seen in public for six months. In September, President Yang Shangkun canceled a meeting with an African leader, causing speculation that he was seriously ill, though the Foreign Ministry denied this, saying he had a cold.³¹

China continued to be ruled by a group of eight "old comrades," who were members of a sometimes factionalized, sometimes unified, group. The leadership clearly suffered from age: the average of the eight in mid-1991 was eighty-three. To many this meant a lack of energy in the top leadership, and at times, a lack of concern about serious problems confronting the nation. Many observers perceived that each was trying to win a "personal power struggle" by outliving the other. In other words, a succession crisis loomed over the nation with many speculating (and hoping) either Deng would outlast Chen Yun (in which case Deng's supporters and rightists generally would survive as would China's economic and political reforms and ties with the West) or Chen would outlive Deng (in which case leftists would survive and the Party would benefit, as would central planners and ideologues). Both leaders and their factions meanwhile looked ahead to late 1992 or early 1993 when the Party would hold a Central Committee meeting and give many top leaders more permanent positions, or demote them.

One scenario was that Deng hoped that he could replace President Yang Shangkun with Premier Li Peng and in that way push the latter into a less meaningful, titular role. He would then elevate either Zhu Rongji or Zou Jiahua to the premiership. Deng, it was reported, also sought to elevate several others into more powerful positions: Hu Qili, one of the Party's ideological leaders (who earlier had helped keep the leftist ideologues at bay); Yan Mingfu, former head of the United Front Work Department; and, Rui Xingwen, a former national planner. All of these were former associates who remained in disgrace. The goal of the left was to prevent Deng from promoting any of these and instead limit their power or oust them from any top position.

From the end of June to the close of the year, four sessions of the National People's Congress Standing Committee were convened, but no important decisions were made on personnel. In November, a plenary session of the Party's Central Committee was held. Again, no personnel changes of any significance occurred. For several months it appeared that stalemate and impasse charac-

31. "China Says President is Ill," *New York Times*, September 19, 1991, p. A7.

terized China's top decision-making process. In any event, there were no serious discussions concerning the expansion of civil or political liberties or of implementing political reforms required to make China's market economic reforms work. Clearly the gap between economic and political change was widening.

In November, the *People's Daily* announced that the leadership had agreed on simpler funerals and that last tributes and memorial meetings were to be discontinued. This was apparently done to prevent mass demonstrations as had erupted after the death of Hu Yaobang, which helped inspire and solidify the Democracy Movement demonstrators in the spring of 1989.³² Once again it seemed that China's core leaders had agreed that the makeup of China's future leadership should be decided within the Party, even if by factional struggle, rather than with input from lower echelon leaders or the people.

In late December, Wang Zhen, one of the "eight elders" holding a veto over top level political decisions, warned that the end of socialism would lead to national chaos and ruin the country's economic reforms. He vowed that "hostile forces" (meaning the West) would fail in their attempts to alter China's political system.³³ At the same time it was reported that Deng Xiaoping was orchestrating leadership changes that would be formalized at the Party's 14th Congress in late 1992. It was rumored that Vice Premiers Zou Jiahua and Zhu Rongji and General Yang Baibing would join the Politburo, along with Foreign Minister Qian Qichen. Senior leaders, mostly representing the hard-line left, President Yang Shangkun, Vice Premiers Yao Yilin and Wu Xueqian, Chairman (of the National People's Congress) Wan Li, Defense Minister Qin Jiwei and Song Ping who headed the Party's organizational department, were, it was thought, going to be forced to step down.³⁴ The hard-line left responded by criticizing Mikhail Gorbachev—for the first time—for bringing political chaos, ethnic strife and economic crisis to the Soviet Union with his policies of "new thinking, glasnost and political pluralism."³⁵

32. Lena H. Sun, "Question of Succession Plagues China's Leaders," *Washington Post*, November 15, 1991, p. A3.

33. "Wang defines 'hostile' West," *Washington Times*, December 25, 1991, p. A2. This report appeared in the Army's *Liberation Army Daily* newspaper.

34. Edward Neilan, "China gets ready for new leadership," *Washington Times*, December 30, 1991, p. A7.

35. "Chinese Blame Gorbachev for 'Chaos,'" *Christian Science Monitor*, December 27, 1991, p. 5.

The Leadership in 1992

In early January 1992, apparently in response to Gorbachev's fall, Deng Xiaoping made a trip to Shenzhen, China's most successful Special Economic Zone, and while there he announced that the Communist Party would "lose power if it doesn't embrace a market economy." He asserted that "reforms and greater openness to foreign trade and investment are China's only way out." "No reform is a dead end." He said: "If capitalism has something good, then socialism should bring it over and use it."³⁶

Deng perceived that Gorbachev's fall had created a crisis and/or an opportunity. Deng thought that China would either move to the right or the left politically as a result of this shock. Thus, he pushed his reforms even more energetically. Deng declared that those who don't push reform "will fall off the stage."³⁷ Other rightist reformers used phrases such as "quicken and expand reform" that had been used by purged reformist Zhao Ziyang. Jiang Zemin even said that his predecessor's open door policy had been "correct and successful."³⁸

Premier Li Peng toned down Deng's pronouncements and spoke of less ambitious economic reforms. He declared at a World Economic Forum meeting in Switzerland that China would pursue economic reform but would not abandon communism or tolerate political unrest.³⁹ The Chinese media, controlled by the left, imposed a virtual blackout on Deng's trips and his pro-capitalist reforms and his warnings to the Party left. In fact, many intellectuals and officials learned of the trip from foreign journalists and papers and from international radio broadcasts.⁴⁰ Parts of the bureaucracy also opposed Deng's comments. The State Council Research Office, controlled by hard-line leftists, issued a sixteen-page secret analysis delineating problems created by capitalist reform, including

36. See "Deng Presses Chinese to Return to the Path of Economic Reform," *Wall Street Journal*, January 29, 1992, p. A6.

37. See John Pomfret, "Deng urges party to speed capitalism," *Washington Times*, January 29, 1992, p. A10. The *Ta Kung Pao*, a pro-Beijing paper in Hong Kong, published a front page story with this as its title at this time.

38. "China swings back to reform," *Economist*, February 1, 1992, p. 35.

39. See "Reformers Gather Strength for Economic Overhaul; Human Rights Still Issue of Contention," *Asian Bulletin*, April 1992, p. 71.

40. See Sheryl WuDunn, "Some Chinese See Return to Reform," *New York Times*, February 12, 1992, p. A11.

increasing income disparities and the decrease in public ownership.⁴¹

Widespread public support coupled with a realization by many Chinese leaders that Deng's reforms were working (and would improve living conditions in China as well as elevate China's status in the world community by making it stronger) influenced hard-line leaders to acquiesce and support the reforms. In late February and March, Premier Li Peng spoke favorably about reform, saying in a State Council meeting that economic reform should be matched with political reform.⁴² There were reports that former premier Zhao Ziyang, who had been condemned by Party leftists in 1988 as a capitalist roader and ousted in 1989 just before the Tiananmen Massacre, had been consulted on economic policy and that he might be rehabilitated.⁴³ At this time there were rumors, especially in the Hong Kong press, about internal disputes between Party General Secretary Jiang Zemin and hard-line leftists over opposition to Deng's reforms and his recent speeches.⁴⁴

On March 12, the Politburo of the Chinese Communist Party gave Deng and the Party right a major victory when it formally endorsed Deng's reforms. The Politburo announced that reform and opening up to the outside world should be carried out in a "bolder way" and that the country should "dare to make innovation and experiment." It warned that the main threat to the Party came from "leftist influence."⁴⁵ The Politburo, using the same language that Deng had used in his speeches when visiting south China in January to promote his reform, seemed to be unequivocally endorsing his rightist program while condemning the Party left.⁴⁶

The Chinese media subsequently shifted to a much more pro-reformist position. A signed article in the *Economic Daily* declared: "We must resolutely dismiss from their leading positions those officials who lack the spirit of blazing new trails, who are incompetent and mediocre. . ."⁴⁷ The leftist-controlled *People's Daily*

41. Lena H. Sun, "China's Economic Reformers Get Big Boost," *Washington Post*, February 21, 1992, p. A14.

42. Colina MacDougall, "Premier hints at possibility of political reform," *Financial Times*, March 9, 1992, p. 4.

43. *Ibid.*

44. *Ibid.*

45. "Reformers Score Major Victory Under Teng Hsiao-ping [Deng Xiaoping]," *Asian Bulletin*, May 1992, p. 74.

46. See Lena H. Sun, "Beijing Backs Reforms for '100 Years,'" *Washington Post*, March 12, 1992, p. A20.

47. *Ibid.*

followed with an article that condemned China's past isolationism, its refusal to use capitalism, and other "leftist errors." But this was published in a Sunday edition when the paper was only delivered to offices and factories and when few read the paper. The editor of the paper said later that he did not know the identity of the person who wrote the article and that it was an "article" and not an editorial or commentary.⁴⁸ Wu Guoming, a former editorial writer for the paper who fell out of favor and was studying at Princeton University, commented that this had not happened in fifteen years.⁴⁹

The Chinese People's Political Consultative Conference (CPPCC), a rubber-stamp advisory body that reports to the National People's Congress, also came out in support of Deng's theories. A CPPCC resolution called for an "open-minded and seeking-truth-from-facts approach" and recommended guarding against leftism.⁵⁰ Two days later, Premier Li Peng addressed the National People's Congress and called for faster and deeper reform, making China "the rock of the East."⁵¹

Then the military followed. General Yang Baibing, head of the Party's Central Military Commission, said that the People's Liberation Army should "support Deng's campaign to fight leftism and promote thought liberation."⁵² Yang committed the military to combatting leftism and remnant Maoist thinking.⁵³

Deng subsequently, as a kind of loyalty test, asked both regional and central leaders to make clear their stand on the anti-leftist crusade. With the exceptions of Premier Li Peng, Vice-Premier Yao Yilin and organizational chief Song Ping, other members of the Politburo declared their commitment to fight against leftism.⁵⁴ At this time rumors circulated to the effect that Deng sought to oust Li Peng and Song Ping. Li, it was said, would end his career in 1992 after his five-year term as premier ended. Song, who angered Deng by continuing to support leftist ideological orthodoxy, was the subject of rumors that he would be demoted at the Fourteenth Congress. Acting Minister of Culture He Jingzhi tendered

48. Nicholas D. Kristof, "China is Softening Its Economic Line," *New York Times*, February 24, 1992, p. A1.

49. *Ibid.*

50. "Reformers Score Major Victory Under Teng Hsiao-ping [Deng Xiaoping]," *Asian Bulletin*, May 1992, p. 74, at p.75.

51. *Ibid.*

52. *Ibid.*

53. *Ibid.*, p. 76.

54. "Teng Leads Second Reformist Drive," *Asian Bulletin*, June 1992, p. 74.

his resignation at this time. Wang Renzhi, head of the Party's propaganda department and Gao Di, head of the *People's Daily*—all leftists who had played important roles in ordering harsh political controls after the 1989 Tiananmen massacre—were under pressure to step down.⁵⁵

Deng was able to exert such authority, some said, because several of the elder leaders holding a veto over political decision making in China were very ill. It was rumored that former president Li Xiannian was losing his mental acuity and Wang Zhen was near death.⁵⁶ Deng Yingchao, the 88-year-old widow of Zhou Enlai and also a supporter of Chen and Li Peng, was also said to be ailing.⁵⁷ At this time, however, the leader of the hard-line elders, Chen Yun, published a document calling for a continued fight against “peaceful evolution”—the codeword used by the Party left against reforms which it said brought capitalism and democracy to China.⁵⁸

In March, China's National People's Congress held its annual session, at which time Premier Li Peng gave his “State of the Union Message.” Li, however, failed to have the usual press conference after the speech.⁵⁹ Also, his speech was shortened and drastically revised to support reformist views.⁶⁰ But the speech noticeably left out any reference to the dangers of leftist influence that the reformists had put in various documents at the time and which was a central theme associated with Deng's reforms.⁶¹ According to one report, the secretariat of the National People's Congress added derogatory references to leftism in Li's speech.⁶² An article in China's official *Economic Daily* at this time, said, apparently referring to Li Peng: “Maybe by ousting one person, we can set a new course.”⁶³

55. David Holley, “Deng Seeks to Oust Chinese Hard-Liners,” *Los Angeles Times*, March 8, 1992, p.A4.

56. *Ibid.*

57. Nicholas D. Kristof, “Who's Wounded Now? It's the Tiger of Tiananmen,” *New York Times*, March 25, 1992, p. A4.

58. John Kohut, “Struggle for China's path heats up,” *Globe* (Boston), March 6, 1992, p. 3.

59. Nicholas D. Kristof, “Who's Wounded Now? Its the Tiger of Tiananmen,” *New York Times*, March 25, 1992, p. A4.

60. *Ibid.*

61. Lena H. Sun, “China's Goals: Economic Reform, Strict Regimen,” *Washington Post*, March 21, 1992, p. A19.

62. Yvonne Preston, “Hardline premier losing ground in Beijing power struggle,” *Financial Times*, April 2, 1992, p. 2.

63. *Ibid.*

At this time an official magazine published a story on Li Peng, saying that he had been rejected the first time he applied for membership in the Chinese Communist Party in 1945.⁶⁴ A member of Deng's family meanwhile was reported to have called Li a melon-head.⁶⁵ The Western press meanwhile reported that Li remained the most hated man in China and that many people with the same character in their name had changed their names.⁶⁶

There was widespread speculation that Li would be forced to step down, although some said that Deng was reluctant to do this because he did not want to cause controversy or instability.⁶⁷ It also was reported that Chen Yun had agreed to Deng's reforms and thus Li Peng was being forced to shift to the right. Others said that Chen had refused and Li was trying to go along with the reformist tide yet maintain his reputation with the hard-liners.⁶⁸

In late June ex-President Li Xiannian, a tough hard-liner, passed away. According to some observers, Li died in the midst of efforts to counter Deng's rightist reforms with a campaign to promote ideology and leftist doctrine.⁶⁹ Shortly after his death, the State Council issued a report mapping out strategies to implement Deng's reforms.

In July, another of Deng's opponents died: Deng Yingchao, who was Zhou Enlai's widow and the mother (adopted) of Premier Li Peng. She was one of fifty women to complete the Long March. Deng Yingchao had also been one of the elders who opposed Deng's pragmatism and his capitalist reforms. Perhaps sensing a loss in the ranks of the left, a few days later, Chen Yun came out publicly in support of Deng Xiaoping's reforms.⁷⁰ It is also possible that Chen may have wanted to demonstrate that he was still to be reckoned with and sought to get some concessions, before it was too late, in return for supporting Deng's policies.⁷¹ At the same time, Bao Tong, former secretary to Zhao Ziyang, was sentenced to nine years in prison for leaking state secrets and for counterrevolu-

64. This was published in *Zhong Hua Er Nu*. See Kristof, *supra* note 57.

65. *Ibid.*

66. *Ibid.*

67. *Ibid.*

68. James McGregor, "Deng Tries to Carve Reforms in Stone," *Wall Street Journal*, March 20, 1992, p. A7.

69. "Third Tiananmen Anniversary Passes Quietly; Teng's Reform Receives Further Boost," *Asian Bulletin*, August 1992, p. 72.

70. "Reform Drive Retains Momentum," *Asian Bulletin*, September 1992, p. 73.

71. Sheryl WuDunn, "Chinese Hard-Liner Gives the Nod to Freer Market," *New York Times*, May 3, 1992, p. 11.

tionary incitement. Deng may have made this concession to hard-liners; alternatively he wanted to send the signal that economic reform was on track, but political change was not and anti-government protest was not going to be tolerated.

At the Fourteenth Congress of the Chinese Communist Party held in October, Deng's reformist policies and agenda were formalized and more rightist reformists were put in positions of power while leftist hard-liners were removed. In advance of the Congress, the *People's Daily* reported that four leftists were criticized by their colleagues and would not attend the Congress. They were Gao Di, director of the *People's Daily*; Deng Liqun, a member of the Central Advisory Committee; Wang Renzhi, propaganda chief; and, Xu Weicheng, deputy to Wang.⁷² It was also reported that Wang and Acting Cultural Minister He Jingzhi, both leftists, would retire after the Congress.⁷³

Later Deng and his supporters were said to be weeding out those professing support of the "Gang of Four leftists."⁷⁴ Meanwhile, more positions in the Central Committee and Politburo, it was reported, were to be filled by regional Party and government leaders. *Wen Hui Bao* at the time said that "three types" of people were to be excluded—meaning Party and government officials who had been active during the Cultural Revolution or had been followers of the Gang of Four or Mao.⁷⁵

The Politburo was then enlarged from fourteen to twenty-two, including two alternates. Most of the new members were categorized as professionals, reformists and rightists. Many were provincial and city leaders, where support for Deng's rightist reforms has been strongest. This included the party bosses of Guangdong, Shandong, Tianjin and Shanghai, where capitalist reforms were the most successful and the economy grew faster than anywhere else in China. The mayor of Beijing, a hard-liner, however, was also included.⁷⁶ Foreign Minister Qian Qichen was included—likely because he represented Deng's open door policy that emphasizes foreign investment and trade as opposed to the self-reliance and isolationist policies of the left. Deng's bridge partner was ap-

72. "14th Party Congress Approves New, Younger Central Committee; Resolves to Speed Up Reforms," *Asian Bulletin*, December 1992, p. 83.

73. *Ibid.*

74. *Ibid.*

75. *Ibid.*

76. Simon Holberton, "Wheel turns full circle for Deng protege," *Financial Times*, October 20, 1992, p. 8.

pointed to the Politburo, some said to serve as Deng's eyes and ears there.⁷⁷

The new slate of leaders appointed to the seven-member Standing Committee of the Politburo is especially revealing. Zhu Rongji, who was not even a full member of the Central Committee prior to the Congress, was elevated to the very top hierarchy of the Party. Zhu was purged in 1957 during Mao's campaign against rightists and did not recover until 1979. Deng picked Zhu to manage the economy not long before the Congress and he had come to be known as Deng's "economic czar." Deng apparently was pleased with Zhu and developed hopes that he might be his successor, or at least one of them. Liu Huaqing, known for his opposition to leftist political ideology in the military and the person who had been responsible for modernizing and professionalizing China's navy, was also promoted to this elite body. He was another close associate of Deng (having fought with Deng in the civil war against the Nationalists in the 1940s). Also elevated was Hu Jintao, a protégé of Hu Yaobang, Deng's first successor who fell from power in 1986 because of pressure from the left, and former party secretary in Tibet. Hu is a rightist reformer and a supporter of Deng.⁷⁸ Hu, in addition, was made head of the secretariat of the Central Committee—a very important job in the event of a future power struggle.⁷⁹ Two leftist hard-liners were dropped from the Standing Committee: Song Ping and Yao Yilin. Reformers and Deng supporters Qiao Shi and Li Ruihuan, along with General Secretary Jiang Zemin, remained. Li Peng remained on the Standing Committee as the only hard-line leftist.

President Yang Shangkun and his brother Yang Baibing both lost power and position as a result of the Congress. Though considered supporters of Deng, Deng apparently had them demoted because of their unwillingness to depoliticize the military or because they were accruing too much power and might take control if Deng should become ill or weak or die.⁸⁰ Alternatively, Deng may have

77. Simon Holberton, "Chinese reformers' clean sweep," *Financial Times*, October 25, 1992, p. 22.

78. *Ibid.*

79. Simon Holberton, "Chinese reformers' clean sweep," *Financial Times*, October 25, 1992, p. 22.

80. Lena H. Sun, "Yang Brothers Appear to Lose Some Power," *Washington Post*, October 20, 1992, p. A33.

wanted to strengthen Jiang Zemin's position and needed to eliminate top military leaders in the Party to do so.⁸¹

On the other hand, below the Politburo the ascendance of reformers was less clear. Nearly half of the Central Committee was replaced and its members (189 full members and 130 alternates) are better educated and many more are rightists and pragmatists. But most are Party careerists that were brought into the Party during the heyday of leftism when Mao was in power. Also the average age of the Central Committee increased slightly. There was thus some speculation that although the right prevailed, the Central Committee may be the locus of a future power struggle.⁸²

In November, China experienced the biggest shakeup in its military leadership since the Tiananmen Massacre in June 1989. Zhang Wannian, a Deng supporter and an advocate of military modernization and professionalism and an opponent of ideological and political indoctrination, was named Chief of Staff of the People's Liberation Army.⁸³ Several days later *Xinhua* reported the replacement of the commanders of the air force and navy. In the process, Yang Baibing lost military positions and influence.⁸⁴ *Wen Hui Bao*, a pro-Beijing Hong Kong paper, reported that the reason for the shifts in personnel was to ensure that the military followed Deng's reforms and was in step with changes in the political leadership. It also called the changes a "purge" of the Yang brothers.⁸⁵ Since the Yangs led the crackdown on the pro-democracy movement that ended in the Tiananmen Massacre, they have been associated with hard-line leftist policies even though they were loyal to Deng or at least seemed to be. Thus, their purge may represent efforts by Deng to improve the military's image and at the same time rid the PLA of "red" as opposed to "expert" or professional thinking.

81. See David Schlesinger, "China finishes army purge to bolster Jiang's power," *Washington Times*, December 16, 1992, p. A9.

82. Sheryl WuDunn, "Chinese Party Congress Replaces Nearly Half of Central Committee," *New York Times*, October 19, 1992, p. 7.

83. "Teng [Deng] Further Consolidates Power With Military Reshuffle," *Asian Bulletin*, January 1993, p. 77.

84. *Ibid.*

85. See David Holley, "China Completes Its Biggest Shake-Up of Military Chiefs," *Los Angeles Times*, December 16, 1992, p. A4.

CHAPTER 2

CHINA'S POLITICAL AND LEGAL SYSTEMS AND HUMAN RIGHTS

Introduction

Human rights in China generally has fared better when the political system has been more decentralized. It has also been affected in a positive way by the development of a legal system, especially one that could afford the individual Chinese citizen some protection against government power and tyranny. More prevalent human rights abuses have occurred at times when political power has been centralized, when there has been no legal system and when law was flaunted or broken by leaders who considered themselves beyond the law or regarded a genuine legal system as antithetical to totalitarian power. Abuses also occur when there has been division and fighting over political institutions and political power and law.

During 1991 and 1992, Chinese citizens benefitted from a decentralization of political authority, although this did not constitute a major change in the Chinese polity. The same goes for the application of a legal system and the rule of law—however slight the significance of this was. Nevertheless, both of these positive changes were offset to a considerable degree by political infighting that involved change in both realms.

Pressure to reform came as a result of China's isolation in the international community, the decline of communism in Eastern Europe and the Soviet Union, criticism of China's political system (which came to be seen more and more as the cause of China's abominable human rights situation), and contradictions caused by capitalist economic development without parallel political reform. The political system was also under fire because of the unpopularity of the Chinese Communist Party, the government and the military. The on-going struggle between the left and right factions and between the center and the provinces noted in Chapter 1 further underscored dysfunctions in the system.

Changes in China's political system during 1991 and 1992, while impeded by struggles in the top leadership, generally had a positive influence. This was particularly true in 1992 with the ascendancy of the rightist-reformist faction in the Chinese Communist Party. On the other hand, the uncertainty and insecurity

caused by a political system out of touch with reality in many ways and in need of much greater change, yet resisting that change, failed to contribute to a better human rights situation.

Events During 1991

The year 1991 began just days after the close of a Chinese Communist Party Central Committee plenum meeting. A deadlock at that meeting was reflected by a failure to approve drafts for five and ten-year plans; instead, according to *Xinhua*, the government would “map out” plans.¹ However, in another document written at that meeting, however, the Party approved “12 Principles” for “building socialism with Chinese characteristics,” a confusing slogan used in recent years to cover up leadership differences. It also described the process of adopting capitalism without admitting doing so or developing a free market to foster economic development without changing the political system accordingly. The document reaffirmed the leadership role of the Chinese Communist Party while refusing to respond to changes in Eastern Europe and the Soviet Union.² According to an analyst writing in the *Wall Street Journal*, the document was marked by “compromise, contradictions, and a lack of clear objectives.” The biggest contradiction was in political reform: calling for efforts to “uphold and improve the system of people’s congresses and the system of multiparty cooperation and political consultation under the leadership of the Communist Party.”³ One political observer asked rhetorically: “How can democracy function if it has to resolutely hold up the Communist Party?”⁴

Other experts said the lack of results from the meeting and the confusing, contradictory document resulted from the vicious feud between Beijing and provincial leaders.⁵ Still others describe the problem in terms of the hard-line left maintaining the upper hand yet being out of touch with reality and not knowing where to go.⁶

1. Cited in “Pro-Democracy Movement Leaders Sentenced,” *Asian Bulletin*, March 1991, p. 87.

2. *Ibid.*, p. 91.

3. “Beijing’s Latest Five Year Plan,” *Wall Street Journal*, January 29, 1991, p. A15.

4. Cited in *ibid.*

5. James L. Tyson, “Chinese Plenum Signals Inertia,” *Christian Science Monitor*, December 30, 1990, p. 4.

6. See Peter Ellingsen, “Chinese Leadership Sticks with Soviet Orthodoxy,” *Financial Times* (London), January 2, 1991, p. 4.

The Party's resistance to change was subsequently mirrored by a statement of a Chinese court official in mid-January to the effect that Chinese law prohibited Western reporters from witnessing the trial of Tiananmen dissidents.⁷ Clearly, the issue of political reform, as it would affect political and civil rights, was a sensitive issue. There was still division over how to regard the Beijing Massacre and if and when to once again allow individual liberties to be expanded. A few days later, four dissidents involved in the Democracy Movement in early 1989 were put on trial for conspiring to overthrow the government.⁸ This was said to be the first such indictment. It carried the death penalty. Patently, if the actions of the courts at this time reflected the course of basic political freedoms, no progress was in the offing.

In February, apparently reflecting the prevailing tough Party line, but one that was ill-defined because of the disagreements between factions in the Party (see Chapter 1), *Xinhua* announced that 46,800 government officials accused of corruption had been dismissed, demoted, or disciplined in 1990 — a 15% increase over 1989.⁹ In March, a group of foreign lawyers visiting China said they were told that the trials of the dissidents were over. A few days later, Beijing announced that the trials were not over.¹⁰

At the same time, the government launched a secrecy campaign by rewiring many telephones, making it impossible for foreigners to contact military officials by telephone. Party General Secretary Jiang Zemin apparently raised the issue in a meeting in 1990 and in early 1991 officials were told to tighten controls over documents and speeches. The rewiring of telephones followed. *Xinhua* reported that Shen Hongying, the director of the State Bureau of Secrecy, called for "raising awareness" and stated that the Bureau planned to issue new rules to supplement the current secrecy law.¹¹ Reporters in Beijing, commenting about the telephone rewiring, said there was no regulation against military officials talking to foreigners. They said that news reporters didn't use their tele-

7. See "Pro-Democracy Movement Leaders Sentenced," *Asian Bulletin*, March 1991, pp. 89-90.

8. *Ibid.*

9. "International Condemnation of Sentences for Pro-Democracy Leaders," *Asian Bulletin*, April 1991, p. 81.

10. "U.S. Visitors Discuss Bilateral Ties: National People's Congress Stresses Stability," *Asian Bulletin*, May 1991, p. 104.

11. Sheryl WuDunn, "China is Blocking Phone Contacts," *New York Times*, February 24, 1991, p. A15.

phones anyway for important conversations because they assumed them to be bugged. An American businessman commented at the time that he had difficulty analyzing China's wool market because the number of sheep in the country was classified. A researcher similarly noted that he had not been able to take potatoes out of the country because they were considered national secrets.¹²

In May, the state-run All China Journalist Association approved a press code which declared that it was the duty of journalists to "spread Marxism-Leninism." According to a piece in the *People's Daily*, reporters were to "resist the influence of the decadent bourgeois liberal ideology." They were, in addition, required to "conscientiously observe the law and propaganda discipline and give active, healthy and civilized guidance to public opinion."¹³

In June, apparently because of apprehension about possible protest demonstrations on the anniversary of the Tiananmen Massacre, the Chinese Communist Party and the government increased pressure on students and officials to "toe the line" and follow party leadership and directives. Head of the State Education Commission, Li Tieying, asserted in a public address that "the struggle against hostile international forces attempting to win over the younger Chinese generations will exist for a long period of time." He also asserted that "slackness and negligence in education will lead to ideological confusion and political mistakes."¹⁴ A few days later, the *People's Daily* announced that 79,000 Party members had been expelled for incompetence and corruption since Jiang Zemin had taken over as General Secretary two years earlier. Those expelled were among 127,000 cadres who had been disciplined.¹⁵ This news item, carried on the front page of the country's largest newspaper, was obviously a warning signal.

The *People's Daily* also said that the Chinese Communist Party had no difficulty recruiting members. In fact, it asserted that more than 2.4 million had joined since the June 4, 1989 "crackdown" — raising Party membership to 50.3 million. There were also said to be another 10.8 million applications pending. Party officials, no doubt speaking on behalf of the left faction of the Party, cited this figure elsewhere and declared that the "great, glorious and correct

12. *Ibid.*

13. Cited in "Bush Renews Pushing MFN Status; CCP Heads Visit Moscow," *Asian Bulletin*, July 1991, p. 107.

14. See "Tiananmen Marked with Heavy Security and Few Protests: Arms Sales Issue Raised," *Asian Bulletin*, August 1991, p. 92.

15. Cited in *ibid.*, p. 94.

Chinese Communist Party” had “considerable drawing power.”¹⁶ Cynics, though, said that the Party’s ability to recruit was based on its ability to influence promotions and the material benefits membership afforded. One male noted that men did not want to marry Party members because they would have to listen to “too much fake talk.”¹⁷ According to a Marxist scholar commenting on the situation, there are two kinds of new party members: “Those who want to get rich and those who want to change the Party.” The latter category, he said, meant those who wanted to “tear it apart or democratize it.”¹⁸ Clearly the Chinese Communist Party was experiencing morale problems. Difficulties understanding what the Party stood for were reflected in the results of a test given in an “outstanding student” competition: one-third did not know the Party’s “Four Cardinal Principles” (adherence to party leadership, socialism, Marxism-Leninism and Mao Zedong’s Thought and the dictatorship of the proletariat).¹⁹

In July, the Chinese Communist Party celebrated its 70th anniversary amid serious problems of public disdain and lack of faith in the Party and concern with low morale. On that occasion, Party General Secretary Jiang Zemin admitted publically that reform was needed to “streamline and enhance the efficiency of the leadership structure and its functional branches and to overcome bureaucratism.” He called for upholding the “Four Cardinal Principles” and talked about improvement of the socialist legal system. However, he rejected a pluralist political system. He insisted that setbacks for the international socialist cause were temporary. He warned against attempts to infiltrate “decadent capitalist ideas, values, and ways of life” into China. Jiang characterized the Party’s situation as a “struggle for survival.”²⁰

Others characterized the Party’s celebration as a “self-congratulatory banquet” with a “lavish spread of food when millions of citizens remained poorly fed.” Still others said that Jiang’s description of the Party as “great, glorious and correct” really suggested

16. See Lena H. Sun, “At Age 70, China’s Ruling Party Confronts Old and New Troubles,” *Washington Post*, July 3, 1991, p. A4.

17. *Ibid.*

18. Kathy Wilhelm, “Chinese Communist Party Facing Crisis of Faith,” *Christian Science Monitor*, July 3, 1991, p. 4.

19. Cited in “Tiananmen Marked with Heavy Security and Few Protests; Arms Sales Issue Raised,” *Asian Bulletin*, August 1991, p. 94.

20. “Quarterly Chronicle and Documentation,” *China Quarterly*, December 1991, p. 868.

that it had “lost the hearts and minds of the people.” One person said the Party’s motto was: “Link theory with profits, keep close ties with the leaders and praise yourselves and others.”²¹ Celebrating the Party’s birthday with cynicism, citizens purchased T-shirts bearing such slogans as “I’m Bored,” “I’m Depressed,” and “Leave Me Alone.” The government banned the T-shirts and confiscated the wares of the vendors selling them.²² (For further details on this, see Chapter 7.)

According to a Hong Kong source, the Party’s Central Committee’s Central Commission for Discipline Inspection revealed that 800,000 Party members, including 50,000 cadres, had participated in the June 1989 “political riot” — 300,000 in Beijing alone. Further, 90,000 members had sought to renounce their Party membership while 8,000 cadres submitted resignations. As a result of large numbers of resignations and poor morale (caused by the problem of many members opposing the leadership on political issues), 27% of Party organizations were not able to “pursue normal organizational duties.”²³

A unique problem that plagued the Party and government in mid-year were serious floods in a number of areas in China and drought in some others. Both not only became issues taken up by the Party factions, but they also influenced the Party in broader and more far-reaching ways. Yang Zhenhuai made a very sobering report at the 21st session of the Seventh National People’s Congress Standing Committee, while calling on the government to strengthen flood control measures.²⁴ The issue, he said, represented a serious credibility problem for the Party and the government because flood control had long been proclaimed as one of the great achievements of socialism. Moreover, many of the dams and flood control projects built during the radical left period of the late 1960s and early 1970s had caused extensive environmental damage because of their shoddy engineering and construction.

Both the floods and the plans to construct dams created widespread disenchantment among the people with the government and

21. See James L. Tyson, “Chinese Communists Vow to Resist Democratic Tide,” *Christian Science Monitor*, July 3, 1991, p. 4.

22. “Quarterly Chronicle and Documentation,” *China Quarterly*, December 1991, p. 870. See also Lena H. Sun, “T-Shirts in China: Anti-Government and All the Rage,” *Washington Post*, July 29, 1991, p. A13.

23. “The Party that Turns Everything Off,” *Los Angeles Times*, July 3, 1991, p. B4.

24. “Quarterly Chronicle and Documentation,” *China Quarterly*, December 1991, p. 866.

the Chinese Communist Party. Some critics complained about the cost of the major part of the Three Gorges project: \$10.8 billion, of which one-third was designated to resettle people. It was noted that 40,000 peasants had already been moved though construction had not begun. The large amount of farmland that would be sacrificed and the potential for environmental damage, and security problems, were also cited by opponents. A central problem was that the decision to go ahead with the project was made in 1984, but implementation was delayed a number of times due to disagreements among China's leaders. Foreign help and investor's concerns were also a problem. Public support was clearly lacking because the government generally ignored mass opinion or simply presented the project as a *fait accompli*. In some cases the government allocated funds for relocating peasants, but did not give all of the money promised.²⁵

In August, ostensibly in response to both internal and external dismay with the Party and government, the Party's Central Committee authorized Premier Li Peng to establish the new Government Office Establishment Committee to manage changes of ministerial-level officials in the Party and government. This included appointments and discharges that affected judicial organs and local government officials. The Committee would have considerable power and would oversee far-reaching administrative reform. Meanwhile the results of appraisal of Party members was released, indicating a high number of unqualified members.²⁶

At this juncture the coup in the Soviet Union against President Mikhail Gorbachev caused serious problems for the Chinese leadership. Gorbachev had been vilified in internal Party documents. He was called a "traitor to communism" and the person who "sabotaged communism in the Soviet Union and Eastern Europe." He was, however, the Soviet leader who normalized Sino-Soviet relations with his historic, though now controversial (particularly because of the timing), visit to China in 1989. *Xinhua* reported the news immediately, in contrast to delaying the report of Jiang Qing's death, but did not make comment.²⁷ Subsequently the Party's left faction, apparently seeing a political advantage in Gorbachev's fall,

25. See James L. Tyson, "Critics Urge China to Consult on Dam Plan," *Christian Science Monitor*, July 22, 1991, p. 6.

26. "Quarterly Chronicle and Documentation," *China Quarterly*, December 1991, p. 870.

27. Cited in "Tiananmen Marked with Heavy Security and Few Protests; Arms Sales Issue Raised," *Asian Bulletin*, August 1991, p. 94.

convened an emergency Politburo meeting and issued a document proclaiming that Gorbachev's demise was a "good thing." The document was entitled: "The Victory of the Soviet People is the Victory for the Chinese People." Officials, elaborating on the document, said that it would improve party-party relations with the Soviet Union, take heat off of China for arms sales, stave off "peaceful evolution" (a term to describe Western democratic influence in China) and support hard-line policies and enhance the prestige of the Party.²⁸

Army Chief of Staff Chi Haotian said, after the meeting with the new Soviet leadership, that relations with the Soviet Union "would develop continuously." Ching Cheong, editor of *Contemporary*, a pro-left faction magazine published in Hong Kong, said the Soviet coup amounted to a confirmation of the correctness of the views of the hard-line faction of the Chinese Communist Party.²⁹

After the failure of the coup, the Chinese Communist Party recalled the above-cited document; but it was difficult to cover up the fact that it had been issued and it was impossible to retract what had been said. Beijing was able to save some face by the fact that Ministry of Foreign Affairs' statements about the coup had been low-key. Most had taken the position that what happened was an internal affair in the Soviet Union and that China would not interfere. On the other hand, the Chinese leftist-controlled media suffered embarrassment from the turn of events. *Wen Hui Bao*, a pro-Chinese Communist Party newspaper in Hong Kong, devoted three pages to explaining that the fall of Gorbachev was a product of *glasnost* and *perestroika*, propagating the view that the economic woes and social disintegration that followed were a natural outcome of such policies, while warning against such mistakes in China. The *Guangming Daily* had praised coup leader Yazov for his "orthodox Marxist beliefs." Other Chinese newspapers had used the event to warn potential protestors and rightist reformers against going any further with political change.³⁰

Intellectuals and reformers were pleased by the failure of the coup and the rise of Boris Yeltsin and said so publicly to the embarrassment of leftist leaders. The right faction of the Party, however,

28. *Ibid.*, p. 95.

29. "Alert Over Moscow's Abandoning Communism; Kaifu Visit Boosts Relations," *Asian Bulletin*, October 1991, p. 112.

30. Ann Scott Tyson, "Chinese Hardliners Welcome Soviet Ouster," *Christian Science Monitor*, August 20, 1991, p. 4.

was not able to make gains from the event for several reasons. First, Jiang Zemin had visited the Soviet Union in May and had refused a request from Yeltsin for a meeting.³¹ Second, Deng and others had to react to unsteadiness in the leadership caused by these events. They also had to prevent any demonstrations like those in the spring of 1989 that forced Deng to go along with the left's demand for using arms against the students and other demonstrators. Third, Party leftists were quick to portray the situation as one of potential chaos and trouble. For example, hard-line leftist Wang Zhen called on military forces and minority nationalities in the north to be vigilant in view of the possible break up of the Soviet Union and unrest which might spread across the border.³² The Ministry of Defense meanwhile put a number of military units on alert.³³

On September 11, Party General Secretary Jiang Zemin called on the military to be prepared to "handle all emergencies" and "obey the Party faithfully."³⁴ Hard-liners continued to rail against political reform in China, which they equated with chaos and anarchy, citing as evidence what was happening in the U.S.S.R. In a number of cases hard-liners attacked foreign human rights concerns while discussing the insecure situation caused by events in the Soviet Union. In late September, the *People's Daily* said that failure to resist the "Western plot to undermine socialism" is "not less than committing suicide." It attacked "peaceful evolution" and made references to foreign meddling about human rights in China.³⁵

Reflecting continuing serious concern by China's top leadership about what was happening in the Soviet Union, the Chinese Communist Party issued a secret document on September 23 to explain the implications of changes there. It said that China would never permit opposition to the Chinese Communist Party. "Hold fast to the leadership of the Party and never allow a multiparty system," the document said. In addition it stated, "[h]old fast to the leadership position of Marxism. Never allow pluralism." The docu-

31. See Julia Leung, "Beijing is Chagrined by Collapse of Coup," *Wall Street Journal*, August 23, 1991, p. A4.

32. *Ibid.*

33. "China Signals Alert at Soviet Events," *Washington Post*, August 26, 1991, p. A20.

34. "Human Rights Issue Pressed as Western Leaders Resume Visits," *Asian Bulletin*, November 1991, p. 96. See also "China's Leaders Help the Panic," *Washington Post*, September 2, 1991, p. A2.

35. Cited in *ibid.*

ment, called a "study and reference" article, was viewed by observers as a very grave statement.³⁶ Confirming the significance of the document, official public statements were made by the Chinese leadership about Western plots against China to "deprive it of its sovereignty and independence" and the conspiracy of "peaceful evolution" to overthrow the government and the Communist Party.³⁷

In early November, the Information Office of the State Council issued a "White Paper" entitled "Human Rights in China." The 62-page booklet was translated into English, French, German, Japanese and Spanish. Though primarily a response to criticism of China's human rights abroad that was having an adverse impact on China's foreign relations and its image and place in the international community (see Chapter 8), the report also seemed to be aimed at the Chinese people since it was also published in the *People's Daily*. (see Appendix 1 for full text of this document.) Furthermore, the document clarified China's domestic policies and its political system. The major thrust of the document was that human rights are an internal affair and other countries do not have the right to interfere. It said: "Using the human rights issue for the political purpose of imposing the ideology of one country on another is no longer a question of human rights, but a manifestation of power politics in the form of interference in the internal affairs of other countries." Thus it argued that China's political system is unique and that its human rights situation should not be judged by other standards.

In assessing the document in the context of China's polity, Frank Ching, a noted China observer, believes that the authors of the White Paper seemed to think that the "mere enunciation of an ideal situation somehow makes that ideal real." For example, he points out that it quotes the Chinese Constitution saying that "all power in the People's Republic of China belongs to the people, and the people are masters of their own country." This premise, however, Ching notes, is negated by the power and authority of the Chinese Communist Party and the fact that there is normally only one candidate for any elected position. He also observes that the Constitution states all citizens enjoy the same rights "irrespective of their money and property status," but does not state that members

36. *Ibid.*

37. "Hardliners Vow to Retain Communist System," *Asian Bulletin*, December 1991, p. 113.

of the Chinese Communist Party are, according to the Party Constitution, a leadership or an elite group and that the Party is an elite party and not a mass party. It says, Ching continues, that citizens enjoy the right of free speech and press, knowing that the government and the Chinese Communist Party control the press. It seems to recognize this when it declares that "the leadership of the Communist Party is the basic political system that gives expression to the people's democracy."³⁸

On November 2, one day after the report was issued, Communist Party General Secretary Jiang Zemin was quoted as saying, in an interview with a U.S. newspaper, that democracy, freedom and human rights are "empty talk."³⁹ At the same time, a Reuters correspondent reported that a secret Chinese Communist Party Central Committee document had been circulated to Party members saying that "human rights are garbage." However, a Chinese Foreign Ministry spokesman subsequently denied this.

On November 25, the Chinese Communist Party convened a plenary session of the Central Committee lasting five days. The aim of the meeting was to consolidate socialism in the wake of the downfall of communist regimes worldwide and the collapse of the Soviet Communist Party in August. Stabilizing the society in China and agricultural policy were also among the important topics discussed at the meeting. On November 29, at the close of the meeting, *Xinhua* announced that the Party would hold its 14th Party Congress in late 1992, although no date was specified. The theme of that meeting was apparently to be the building of "socialism with Chinese characteristics." The press statement also said that it is "necessary to run the Party strictly" and that "there must be improvements in the understanding of Marxist-Leninist theories and Mao Zedong's Thought on the part of the Party cadres."⁴⁰

China's Political and Legal Systems in 1992

In February, following Deng Xiaoping's trip to southern China marking the launching of new rightist reforms, Deng and his reformers announced that political reform must accompany or at least follow economic reform. To be more precise, on February 4, Chi-

38. Frank Ching, "Peking's Flawed White Paper," *China News*, November 10, 1991, reprinted in *Asian Bulletin*, January 1992, pp. 13-14.

39. "Beijing Accuses West of Using 5th Column," *New York Times*, September 26, 1991, p. A4.

40. "Quarterly Chronicle and Documentation," *China Quarterly*, March 1992, p. 268.

nese Communist Party General Secretary Jiang Zemin declared that China would accelerate reforms that had been halted by hard-liners for almost three years. He was not specific whether he meant just economic reform or also political reform.⁴¹ In addition, he called for closer ties between the Chinese Communist Party and the people, suggesting that the Party emphasize work at the local level. Two days later, *Xinhua* reported that there would be less government interference in local policy-making.⁴² Subsequently, Deng's exhortations to put reform into high gear were reported separately to an expanded meeting of the Party Politburo, the Central Advisory Commission and an "urgently convened session" of the Standing Committee of the National People's Congress.⁴³ Supporting Deng's calls for accelerated reform, Qiao Shi publicly called on China's Special Economic Zones to act as "pace-setters" in implementing political reform.⁴⁴ Premier Li Peng, however, called instead for "clean and honest" government.⁴⁵

In March, the Party Politburo met to debate Deng's more ambitious reforms. The top decision-making organ of the Party endorsed the reforms and called for improving the economy and opening up to the outside world. No mention was made of fighting Western influence. The Politburo also attacked "leftist" ideologues. The media likewise talked of dismissing or forcing the resignation of those who "lacked the spirit to blaze new trails."⁴⁶ This was an indication that political power would be decentralized in keeping with economic reforms and that more effort would be made to make the political system more democratic. But this was not stated specifically. Political reform was either given a lower priority or was going to be instituted slowly and subtly, or both. On March 18, the Chinese People's Political Consultative Conference, a 2,000-member advisory body, met and hailed Deng's reforms and added a resolution on political reform.⁴⁷ On March 31, the National People's Congress met and also endorsed Deng's reforms, but said little about changes in the political or legal systems.⁴⁸

41. "Reformers Gather Strength for Economic Overhaul; Human Rights Still Issue of Contention," *Asian Bulletin*, April 1992, p. 72.

42. *Ibid.*

43. *Ibid.*, p. 73.

44. "Quarterly Chronicle and Documentation," *China Quarterly*, June 1992, p. 463.

45. *Ibid.*, p. 460.

46. "Reformers Score Major Victory Under Teng Hsiao-ping," *Asian Bulletin*, May 1992, p. 75.

47. *Ibid.*, p. 76.

48. *Ibid.*

Evidence is also to be found at this time suggesting that political reform was not designed to follow economic reform, as might otherwise be expected. In late April, the *People's Daily* carried articles supporting Deng's reform for the first time. At the same time, several articles quoted threats by Deng to crush any efforts to promote political reform. Two articles in the nation's most important newspaper discussed the problem of how to pursue economic reform and, at the same time, prevent the development of demands for political reform.⁴⁹

In response to the National People's Congress meeting and its report, there was talk of further promoting legal reform in China. But it didn't appear to be the kind that would enhance political and civil rights; rather it appeared that legal changes were intended to help the government deal more effectively (and harshly) with crime that had accompanied economic growth. One top official said at the time that economic development had resulted in a "new trend of criminal activities." Party leaders, meanwhile, issued warnings about the weak state of public security and the fact that international narcotics rings were beginning to infiltrate China again for the first time since the 1950s.⁵⁰ Western observers noted at this time that Deng's policy of continuing to back one-party dictatorship undermined efforts to build a "less corrupt and more efficient system of rule by law."⁵¹

The resistance to political and legal reform was further confirmed by Tang Bozhao, a well known student protester who arrived in the United States in April, 1992. Tang reported that a 1,000 member underground political organization was operating in China to promote democratic reform. He said that the All-China People's Autonomous Federation had members in 22 of China's 29 provinces and maintained contacts with a number of other similar organizations. But, this effort met with strong government moves to suppress it. Tang's comments were corroborated by Asia Watch.⁵²

The resistance to political reform was especially visible on the anniversary of the Tiananmen Massacre. On June 4, police arrested

49. "Teng [Deng] Leads Second Reformist Drive," *Asian Bulletin*, June 1992, p. 77.

50. See "Quarterly Chronicle and Documentation," *China Quarterly*, September 1992, p. 855.

51. "Deng Struggles to Set Reform Back on Track," *Christian Science Monitor*, February 26, 1992, p. 9.

52. "Third Tiananmen Anniversary Passes Quietly: Teng's Reform Receives Further Boost," *Asian Bulletin*, August 1992, p. 71.

several labor activists in Beijing. In a release on June 5, Asia Watch condemned the Chinese government for detaining the labor activists.⁵³ The northwest district of the city was sealed off to prevent students from showing their opposition to the government by staging a one-day hunger strike. Other government actions were taken to prevent almost any expression of political sentiment or protest.⁵⁴

In July, *Xinhua* reported that the National People's Congress had granted Shenzhen, one of China's special economic zones, the right to make its own laws "in line with the basic principles of the country's constitution and laws."⁵⁵ This seemed to constitute a breakthrough in terms of the decentralization of China's political system and something reformists and advocates of democracy had long advocated.

In August, the State Council (the top organ of China's government) released a report on its penal system. The report stated that torture was banned and inmates in prison were well-fed and cared for properly. It went on to say that the crime rate was low in China. *Xinhua* said that the report would help the world better understand "the building of a socialist system in China." The news agency went on to say that China's penal system was one of the best in the world as indicated by the low rate of recidivism, and that China's goal is not punishing criminals, but rather turning an offender "into a different kind of person."⁵⁶ The report did not indicate that there was any change in China's legal system to accompany improvements (if this is what the report meant) in China's penal system. The report seemed to have been issued for international consumption in the context of global criticism of China's human rights record. (For more information on this report, see Chapter 3.)

In October, the Chinese Communist Party convened its 14th Congress. On the agenda were plans to set policy, appoint new leaders and make changes in the Party's structure and the government decision-making process. Before the meeting, it was decided that more regional leaders would be inducted into the Party's top leadership hierarchy and that they would have an unprecedented representation in the Party's Politburo.⁵⁷ This seemed to be good

53. Reported in *ibid.*

54. *Ibid.*

55. "Reform Drive Retains Momentum," *Asian Bulletin*, September 1992, p. 72.

56. "Brawling Mars Shenzhen Stock Market Shareout," *Asian Bulletin*, October 1992, p. 68.

57. "14th Party Congress Approves New, Younger Central Committee; Resolves to Speed Up Reform," *Asian Bulletin*, December 1992, p. 84.

news in the sense that a decentralization of political power in China has always had a positive effect on the practice of civil and political rights.

At the meeting, a document on the "ten major tasks for the 90s" was disseminated and debated. Issued by Party General Secretary Jiang Zemin, the document spoke of administrative and structural reform that would reduce bureaucratism and decentralize political control in both the Party and the government. Jiang also spoke of reforming the legal system.⁵⁸ However, it was uncertain from the wording of the document and response to it whether this meant real change or not.

Another important systemic change came from the decision to abolish the Central Advisory Commission (CAC). A Party report stated that "the retirement system for . . . Party cadres has been . . . established. . ." It went on to say that the CAC had completed two terms and had "accomplished its role as a transitional organization. . ."⁵⁹ Inasmuch as this Party organ was the wellspring of decisions made in the past that involved a tough line against dissent, was the locus of decisions to use troops against Democracy Movement students in June 1989, and was a haven for hard-line leftists, this was an important decision that one might hope would influence China's human rights situation in a positive manner.

On the other hand, the Party document mentioned above called for much more attention to security, mentioning specifically new command centers in all large and medium-sized cities for security forces that could respond quickly in the event of an emergency, riot squads and tight control over college campuses. It called for cooperation between state security organs and police and more security work in factories, mines, oil fields, state industries and medium and large factories.⁶⁰

Following the Congress, a meeting of the Standing Committee of the National People's Congress was held to confirm the concern about security. Premier Li Peng noted that "foreign hostile forces" had always posed a threat to China and that the acceleration of reform "now caused even greater dangers."⁶¹

58. *Ibid.*

59. "Quarterly Chronicle and Documentation," *China Quarterly*, March 1993, p. 193.

60. "14th Party Congress Approves New, Younger Central Committee: Resolves to Speed Up Reform," *Asian Bulletin*, December 1992, pp. 84-85.

61. "Quarterly Chronicle and Documentation," *China Quarterly*, March 1993, p. 195.

In November, Deng Xiaoping ordered a number of transfers of high military officers and a reorganization and restructuring of the People's Liberation Army to emphasize professionalism. This was seen as a positive sign in terms of human rights as it weakened the authority of Yang Shangkun, who had led the troops into Beijing resulting in the Tiananmen Massacre, while depoliticizing the military and putting it more under the control of rightist reformists.⁶² *Wen Hui Bao*, a pro-Beijing Hong Kong newspaper, called the reshuffle the most complete since 1949. The *People's Daily* subsequently also called it the biggest military shakeup in the nation's history, done to "preserve the armed forces' unity."⁶³ On the other hand, this may have been possible only because Deng allowed the military greater representation in the top leadership organs of the Party and gave them a bigger budget at the Party Congress, not necessarily good signs in terms of the direction of human rights concerns in China.

62. "Teng Further Consolidates Power with Military Reshuffle," *Asian Bulletin*, January 1993, p. 78.

63. Cited in "Power Struggle Continues as Teng Tightens Grip; Yeltsin Visits," *Asian Bulletin*, February 1993, pp. 72-73.

CHAPTER 3

IDEOLOGY AND HUMAN RIGHTS IN CHINA

“Leftists are feudal despots and traitors to Chinese culture.”

—Professor Yuan Hongbin*

“The core principle these days is Communist Party leadership. Preserving Communist Party rule is all that socialism means now. It is a game.”

—Zhang Weiguo (dissident journalist)**

“The quicker the pace of reform, opening and economic development, the greater the need for a safe and stable environment which is partly based on national defense.”

—General Chi Haotian***

Introduction

In the past, when ideology became more important or got more attention, China's human right's situation deteriorated. The same has been true of ideological feuds. During 1991 and 1992, the Chinese leadership struggled over the importance of ideology.

During 1991 the evidence was insufficient to judge who was the winner: the left or the right. There were clearly periods of time when the left and ideological purity prevailed. There were also struggles over the importance and the nature of ideology, and, in that context, human rights guarantees were of lesser importance. During 1991, exhortations to improve ideological awareness, and calls to protect or support communism, were linked to the hard-line left's desire to isolate China from the global community and ignore external, especially Western, standards of human rights. Ideology was used to maintain greater political control and preserve the power and authority of the Chinese Communist Party whose func-

* The introduction to *The Tide of History*

** Cited in Nicholas D. Kristof, “Chinese Communism's Secret Aim: Capitalism,” *New York Times*, October 19, 1992, p. 1.

*** *Xinhua*, cited in David Schlesinger, “China ready to back capitalist reforms with force,” *Washington Times*, October 14, 1992, p. A1.

tion was to make, interpret and enforce the tenets of Chinese communist ideology.

Following Deng Xiaoping's trip to southern China in early 1992, his economic doctrines were widely quoted and became the basis for new ideological tenets. Deng's reformist ideas tended to be largely a mixture of capitalism and pragmatism in contrast to Mao's call for leftist communist orthodoxy. Deng's pragmatism should have allowed for a greater expression of views and an expansion of civil and political liberties, and this was the case. But this was not very noticeable in the context of continuing ideological feuds between left and right in the Party. Meanwhile, Deng's declarations became the basis for a Deng personality cult and for purging leftist leaders from the Party and government who disagreed with Deng's dicta.

Ideology in 1991

The year began with the hard-line left making a bid for the people to adhere to the principles of communism and destroy Western influence in China. In its New Year's editorial, the *People's Daily* asserted that the country had to "stick to communism." It went on to say: "It is imperative to persist in the four cardinal principles, oppose bourgeois liberalization, smash the 'peaceful evolution' schemes of antagonistic international forces and inspire patriotism and socialist consciousness."¹

But there were dissenting voices. Early in the year it was reported that Deng Xiaoping declared that the Chinese Communist Party "should not quibble over terminology" — an obvious anti-ideology, pro-pragmatism statement.² In March, the *People's Daily*, apparently at Deng Xiaoping's request, published a speech he had given in 1961 that called for giving greater attention to economic development and less to ideological campaigns. Deng was quoted as saying: "If campaigns continue year-round, they will turn into superficial and exaggerated fanfare, and we will exhaust ourselves. In fact, they will breach the wills of the masses and alienate them from us." Deng also talked about the need for improvement in the daily work of the Party and government and about less emphasis on

1. Cited in "Pro-Democracy Movement leaders Sentenced," *Asian Bulletin*, March 1991, p. 87.

2. *Ibid.*, p. 88.

grand projects and slogans. He argued that without grassroots work, "our words will sink like stones into the sea. . . ."³

Contradicting Deng, at the Fourth Session of the Seventh National People's Congress, Premier Li Peng described the neglect of political and ideological work in recent years as a major blunder." He called for opposing bourgeois liberalization and building a socialist spiritual civilization.⁴ Premier Li appeared to backstep, however, in early April at a National People's Congress Standing Committee meeting. He said that the twelve principles for building socialism adopted at the meeting are the "epitome of Deng Xiaoping's thought." He also stated that the guidelines passed at the third plenum of the 11th Party Congress, which formed the basis of China's economic development in the 1980s and are clearly ideas that came from Deng, would be kept.⁵ Li's change of heart, or mind, probably reflected shifts of power at the top (see Chapter 1).

Subsequently, *Liberation Army Daily*, the military's main mouthpiece, published three essays reflecting rightist, reformist thinking. One asserted that we "need to emancipate our thinking and jettison any kind of . . . ossified and closed concepts . . . commensurate with an advanced city" (meaning Shanghai where the paper is published).⁶ This did not set a trend, however. Deng Liqun, a hard-line leftist, criticized the essays and the Central Propaganda Department sent a team to investigate how the essays got published. According to several reports, Deng Xiaoping and Party General Secretary Jiang Zemin approved the publication of the essays, and the Propaganda Department backed down from its criticisms.⁷ Soon, however, the left issued a press code to tighten ideological constraints on news reporters through the All-China Journalists Association which they control. In May, the *People's Daily* called for reporters to resist bourgeois ideology and stated that the code requires news workers to "conscientiously observe the law and propaganda discipline and give active, healthy and civilized guidance to public opinion."⁸

3. Nicholas D. Kristof, "China Issues '61 Speech Stressing Shift From Ideology," *New York Times*, March 11, 1991, p. A2.

4. Quarterly Chronicle and Documentation, *China Quarterly*, June 1991, p. 405.

5. "NPC Concludes with No Policy Change," *Asian Bulletin*, June 1991, p. 108.

6. Nicholas D. Kristof, "China Advocates of Change Reportedly Make Small Gains," *New York Times*, May 23, 1991, p. A6.

7. *Ibid.*

8. "Bush Renews Peking's MFN Status; CCP Head Visits Moscow," *Asian Bulletin*, July 1991, p. 107.

In June, the *People's Daily* published an article arguing that the issue of leadership "could not be separated from the Party's ideological line and work style." This came in the midst of disagreements in the Party about personnel shifts and the apparent rise and fall of some top leaders. The article also exhorted cadres to study a piece by the late Mao Zedong entitled "Some Questions Regarding Methods of Leadership." In Mao's article, published years earlier, he called for adherence to the "Marxist scientific method" of leadership.⁹ At this time a spate of new books and publications hit the market in anticipation of the celebration of the Chinese Communist Party's seventieth anniversary on July 1. Included were a dictionary of Mao's works, books on the history of the nation's leaders (but without some pictures in earlier works by purged leaders such as Zhao Ziyang) and a number of ideological inspired writings. Revolutionary and ideological films also flooded the market, such as "Decisive Military Campaigns."¹⁰ Another was "Mao and his Son," a movie depicting the popularity and leadership of the Party in the early 1950s and adulating Mao. Citizens and Party members were also being cajoled to study the case of Su Ning, an Army regiment commander who died in April when a hand grenade dropped by a clumsy recruit blew up in his face, and Zhang Hao, a student who drowned in a vat of night soil trying to save an elderly peasant. Also published was "Noble Spirit" — a collection of wills written by Party martyrs—and "Review of Main Decisions and Events," by Party philosopher Bo Yibo. Some observers saw this as the beginning of a period of radical leftism since the "Study Lei Feng Campaign" had been a part of the Maoist propaganda of the late 1960s.¹¹

Nearly all of the writings published for the Party's birthday celebration were about earlier times when the Party had the support and admiration of the public. The Party was clearly trying to resurrect the "good old days" and enhance its status. It also sought to justify ideological work that to most Chinese was boring and discredited. There was little or no mention of the fact that communism had gone or was going down the tubes almost everywhere else

9. "Quarterly Chronicle and Documentation," *China Quarterly*, September 1991, p. 660.

10. Lena H. Sun, "At Age 70, China's Ruling Party Confronts Old and New Trouble," *Washington Post*, June 30, 1991, p. A19.

11. James McGregor, "China's Communist Party Defies Toro, Remains Confident on Seventieth Birthday," *Wall Street Journal*, July 1, 1991, p. A6.

in the world or that many in China felt the country should no longer be communist.

The day of the Party's anniversary, July 1, the *People's Daily* carried a headline piece calling on the people to follow "correct theory and ideology." It said that the Party had witnessed many achievements. Party General Secretary Jiang Zemin's anniversary speech reflected leftist thinking about the importance of ideology; but he gave it a rightist spin. Jiang paid special tribute to Mao. He also praised Zhou Enlai (who is now more popular in China than Mao) and Liu Shaoqi, the former President (who Mao disgraced during the Cultural Revolution, some say causing him to commit suicide in prison). Jiang spoke of the tradition of Marxism-Leninism-Mao Zedong Thought, but also drew attention to Deng's role in further "enriching" this tradition. He likewise spoke of "integrating" Marxist principles with "concrete realities." He talked about "selective privatization" along with the "principle of public ownership." He called for continued political structural reform (a tenet of the political right), but he rejected any suggestion that a pluralistic political system should be adopted in China.¹² In short, Jiang was propagating ideology as the Party left demanded, but diluted it with tenets of reformist thinking. He did this to a considerable extent by using Deng's "thinking" to counter Mao's and orthodox communism.

Unlike the publications that came out before the Party anniversary, which failed to mention the fall of communism in the Soviet Union and Eastern Europe, Jiang did mention it. However, he referred to it as "setbacks" of a "temporary nature." He warned against "decadent capitalistic ideas" and called on the Party to deal with its problems in ideological, political and organizational work.¹³

On July 25, the State Education Commission organized a forum to study Jiang's speech. Li Tieying and Wang Zhen, both hardliners, addressed the meeting and called it "an important item of Marxism-Leninism-Mao Zedong Thought" — lauding Jiang's left-leaning remarks.¹⁴ In fact, both the left and right appeared to be encroaching on each other's grounds in order to take control of the tenets of ideology.

12. "Quarterly Chronicle and Documentation," *China Quarterly*, December 1991, pp. 867-68.

13. *Ibid.*, p. 868.

14. *Ibid.*

At this time the Chinese Communist Party announced the publication of a second edition of Volumes I-IV of *The Selected Works of Mao Zedong*. Wang Zhen, who wrote the foreword, said that Mao Zedong Thought “remained the guiding ideology for China.” The *People’s Daily* called them “scientific works able to withstand the test of history.” A Party Central Committee circular called for a nationwide study of the new edition, saying that they represented a “crystallization of the collective work of the Chinese Communist Party.”¹⁵

Tantamount to a rebuttal from the right, a member of the Beijing University’s Department of Philosophy wrote an article published by a major newspaper, which criticized Mao for mistakes and his “exaggerated emphasis on the gravity of class struggle and his erroneous adopting of the ‘great democratic way’ to resolve internal contradictions among the people and in the Party during the Cultural Revolution.” He further said Mao had caused the country to become “bogged down in a quagmire for a long time. . .and become trapped in a dilemma of self-creation and self-denial.” He contrasted Mao’s “bias against reform measures” being considered in other socialist countries and Deng’s “fresh approach” to the question of reform in 1978. He concluded that Deng alone had made the correct summation of China’s experiences and that this was the basis of his “socialism with Chinese characteristics.”¹⁶

At this time a newspaper in Hong Kong reported that Beijing would push its “ultra-leftist” ideology to affirm the correctness of the Cultural Revolution in a set of new textbooks to be published soon.¹⁷ Li Tiejing, head of the State Education Commission, later announced that the Party had assumed a major role in guiding tertiary education and this should become the basis for the propagation of Marxism-Leninism-Mao Zedong Thought. He also said that colleges and universities must “create a Marxist theoretical contingent.” He further asserted that higher educational institutions “should be managed and controlled by persons loyal to Marxist ideology.”¹⁸

In August, apparently in reaction to events in the Soviet Union, the *People’s Daily* carried a front page commentary article

15. *Ibid.*

16. *Ibid.*, p. 869.

17. Cited in “Visiting Human Rights Group Casts Gloomy Picture; MFN Status Voted Down,” *Asian Bulletin*, September 1991, p. 106.

18. “Quarterly Chronicle and Documentation,” *China Quarterly*, December 1991, p. 869.

saying that an “ideological great wall of iron” was needed to protect China against “hostile forces inside and outside.”¹⁹ The left controlled media subsequently responded to Gorbachev’s resignation calling it a “new socialist victory.” Hard-line Vice-President Wang Zhen followed with a six minute harangue on state-run television about problems in the Soviet Union. On August 30, General Secretary Jiang Zemin said China “was adamant about building socialism with Chinese characteristics no matter how much the world situation changed.”²⁰

In September, the *People’s Daily* carried an article emphasizing political awareness and ideological style as important criteria in the selection of Chinese Communist Party cadres. The article quoted from a statement made by Mao in 1938 on this subject. It also said that Deng Xiaoping was in favor of political criteria in choosing cadres.²¹

On the anniversary of Mao’s death (on September 9, 1976), the *People’s Daily* carried a piece saying that only with Mao’s teachings could China defeat Western imperialists, efforts to change the communist system: “Only armed with Mao Zedong Thought can the imperialist plot of peaceful evolution be defeated.” It also said that Mao’s leadership role must be maintained.²² The paper also carried an article by former Army Chief-of-Staff Yang Dezhi, lauding Mao and his memory. Yang declared: “These achievements will be remembered by history, and time can never extinguish his thoughts.”²³ Visits to Mao’s shrine in Tiananmen Square at this time were allowed without charge and officials were instructed to take off their hats and remain quiet while inside. Engaging in some patent distortion, the *Economic Daily* stated that Mao had urged economic contacts with foreign countries, including Western countries.²⁴ Deng Liqun, meanwhile, declared, in an article carried by *Xinhua*, that the last two years had witnessed a “Mao craze” among young people.²⁵

19. “Alert Over Moscow’s Abandoning Communism; Kaifu’s Visit Boosts Relations,” *Asian Bulletin*, October 1991, p. 110.

20. *Ibid.*, p. 112.

21. “Quarterly Chronicle and Documentation,” *China Quarterly*, December 1991, p. 870.

22. “Human Rights Issues Pressed as Western Leaders Reunite Visits,” *Asian Bulletin*, November 1991, p. 95.

23. Cited in Yvonne Preston, “Mao’s Memory Lingers On Amid the Tourist Tat,” *Financial Times*, September 10, 1991, p. 3.

24. *Ibid.*

25. *Ibid.*

In October, Deng Xiaoping struck back with a bid to open China more to foreign trade and investment. Deng was quoted by the *People's Daily* as saying: "We must further open to the outside world with more courage and speak and carry out the guiding principles of a 'grand opening.'"²⁶ Deng's pragmatic statement seemed crafted to counter the stress on ideological purity by the left.

A few days later, hard-line leftist ideologues mounted a challenge to the Dengist doctrine that the core of the nation's work and reform should be economic. In a commentary in *Guangming Daily*, an official said that the "economics first" imperative must be tempered with orthodox ideological pursuits such as class struggle. At the same time, the *People's Daily* carried an article written by Deng Liqun in which he assails "capitalist reform and the open door."²⁷

In late October, Communist Party General Secretary Jiang Zemin called for an ideological struggle in the villages to resist the influence of decadent non-proletarian thoughts. This was followed by a decision made at the Eighth Plenary Session of the Thirteenth Chinese Communist Party Central Committee in November to extend ideological education to the countryside.²⁸

In December, *Xinhua* reported that China was experiencing a new "Mao fever" as witnessed by the fact that more than a million tourists had visited Mao's birth place, Shaoshan in central Hunan Province, compared to one-fourth that number in 1980. In addition, a television program featuring songs based on Mao's poems and a special called "The East is Red" was aired on the anniversary of his death.²⁹

Ideology in 1992

The resurgence of Mao's popularity may have inspired Premier Li Peng to attempt, as Mao did, to build a personality cult—or at least a better image. When the *People's Daily* inaugurated a new magazine called *Great Earth* in January, Li, together with his wife Zhu Lin, were featured in a story with full-length portraits with a story about Zhou Enlai, Li's adopted father. Mention was made of

26. "Hardliners Vow to Retain Communist System," *Asian Bulletin*, December 1991, p. 112.

27. *Ibid.*, p. 113.

28. "Quarterly Chronicle and Documentation," *China Quarterly*, March 1992, p. 266.

29. "Mao's star rises again," *Washington Times*, December 27, 1991, p. A2.

Li's early life with Mao and other communist leaders at Yanan and in following years fighting the Japanese.³⁰

Late that month, in response to questions about the fall of Gorbachev, Premier Li declared that China "would not abandon communism or tolerate political unrest." He also noted that reform "does not mean a change in the socialist system." Li's statements appeared to be intended to refute Deng Xiaoping's declarations during his "southern trip" in late January about the success of reform and his criticism of leftist hard-liners that opposed economic development and Deng's open door and global trade policies.

Reportedly, there was a Central Committee meeting convened by Party leftists at this time and a decision was rendered to launch a campaign to "learn socialism." Meanwhile, the Central Party School issued a criticism of Li Ruihuan, a rightist pragmatist and supporter of Deng who has been critical of ideological orthodoxy and leftist policies. In addition, thirty-two Party elders, in a joint statement, suggested that China's Special Economic Zones (Deng's special economic models), be abolished.³¹

According to an article in *Cheng Ming* in April, thirty-five members of the Central Committee, the Central Advisory Commission and the Central Commission for Discipline and Inspection (including Chen Yun, Li Xiannian, Wang Zhen, Wang Renzhong, Deng Liqun and Hu Qiaomu) wrote a letter to Deng in mid-February demanding adherence to the Marxist-Leninist line. It called for intensified propaganda in order to "inculcate socialist ideology, ethics and values" and combat "Western ideologies and corrosive peaceful evolution."³² Subsequently, another letter was sent to Deng and members of the Politburo demanding a special work conference to discuss whether the current Party line and principles were correct—the intention being to negate Deng's line.³³

Reflecting a further escalation of tensions over ideology, Deng declared not long after Li's comments that "ideology cannot supply rice." He also warned that a preoccupation with ideology would bring a repeat of the turmoil of the Great Proletarian Cultural Revolution.³⁴ Deng's comments, added to speeches he made on his

30. See, Lincoln Kaye, "Personality Cult," *Far Eastern Economic Review*, January 30, 1992, p. 17

31. "Quarterly Chronicle and Documentation," *China Quarterly*, June 1992, p. 455.

32. "Quarterly Chronicle and Documentation," *China Quarterly*, September 1992, p. 847.

33. *Ibid.*

34. "Quarterly Chronicle and Documentation," *China Quarterly*, June 1992, p. 455.

January visit, were published in the form of “Central Document Number Two—Transmitting and Studying Comrade Deng Xiaoping’s Important Remarks.”³⁵ In this document Deng reiterated policies formulated at the Third Plenum of the Eleventh Central Committee meeting in 1978 when Deng’s reform program was launched. He also noted that socialism’s “real nature” is to “liberate productive forces. . .and achieve common property.” It also noted that “the opinion” which holds there is the “danger of peaceful evolution mainly comes from the economic field and precisely represents leftism.”³⁶

Li Ruihuan, who is a member of the Politburo and holds the “ideological portfolio” and represents Deng and the Party right, joined the fray. He blasted the media for “formalism” (a code-word for leftist doctrinaire rigidity).³⁷ Qiao Shi, also a Politburo member and supporter of Deng, jumped the bandwagon declaring that Marxism “should be applied creatively in the search for practical solutions. . .” He also asserted that the “fundamental task of socialism is to develop productivity.”³⁸ According to one source, the above comments were made as a calculated denunciation of the hard-line, left’s position, or perhaps specifically in opposition to the publication of an article by leftist Wang Renzhi advocating more ideological purity and control.³⁹

Apparently responding to the popularity of Deng’s proclamations among Party members and/or the public, the *People’s Daily* carried a front-page editorial criticizing formalism and added “proceduralism” and “bureaucratism”—all terms used to criticize the left. It went on to say that cadres should spend less time on “empty rituals” and concentrate more on practical work.⁴⁰ This seemed to signal a victory for Deng and the pragmatists and reformers and a turning of the tide.

The *People’s Daily* subsequently published a compendium of pieces entitled “Key Articles Since the 13th Congress” that contained contributions from both the left and right, but more the right. Most of the articles appeared to represent positions to be taken at the up-coming Fourteenth Chinese Communist Party con-

35. *Ibid.*

36. *Ibid.*, p. 456.

37. Lincoln Kaye, “Deng Speaks Out,” *Far Eastern Economic Review*, February 13, 1992, p. 10.

38. “Quarterly Chronicle and Documentation,” *China Quarterly*, June 1992, p. 463.

39. *Ibid.*

40. Kaye, “Deng speaks out,” *Far Eastern Economic Review*, Feb. 13, 1992, p.10.

gress. Ousted Party General Secretary Zhao Ziyang, who continued to be disliked by the hard-liners, contributed a fifty-eight page piece.⁴¹

The left responded with praise of Mao Zedong. Hard-line ideologue Deng Liqun had said earlier that the Mao "craze" was "not just someone's imagination, nor was it a 'mirage.'" His statements were reiterated and Mao songs and poems republished along with his picture and books.⁴²

Hard-liner Li Xiannian, in a document for the Party's Central Cadre Training Academy, denounced Deng's Special Economic Zones as "capitalist beachheads" and made a personal attack on Deng supporters Li Ruihuan and Qiao Shi.⁴³ On March 12, the *People's Daily* carried a piece calling for a return to "three standards" set by Mao in 1945 to link theory with practice. The writer said that now cadres were "linking theory with practical advantage."⁴⁴

The right counterattacked by pressuring the news media to give more coverage to Deng's January trip, which the media did belatedly and in many cases reluctantly. Mentioned were Deng's call for double-digit economic growth, a 100-year commitment to reform and emphasis on the southern, coastal economic zones so that they could "catch up with Asia's 'Little Dragons' (meaning South Korea, Taiwan, Hong Kong and Singapore) in twenty years."⁴⁵ Zhu Rongji meanwhile called for improving consumer rights and for trying to cure the negative economic effects of the "three irons" (guaranteed livelihood, promotions and wages for government and state enterprise employees).⁴⁶

These reformist tenets were also put in a "study document" and circulated within the Party after the Party left had tried to limit its distribution and impact in March. Provincial governors attending the National People's Congress at this time also came out in support of Deng and criticized Li Peng, particularly his proposal for

41. *Ibid.*

42. See, David Holley, "China Makes Another Great Leap With Mao," *Los Angeles Times*, March 24, 1992, p. A4.

43. Lincoln Kaye, "Leaning to the Right," *Far Eastern Economic Review*, March 26, 1992, p. 10.

44. *Ibid.*

45. Lincoln Kaye, "Reformist Onslaught," *Far Eastern Economic Review*, April 9, 1992, p. 13.

46. Lincoln Kaye, "Leaning to the Right," *Far Eastern Economic Review*, March 26, 1992, p. 10.

limiting economic growth to six percent. They also assailed his unwillingness to criticize leftism.⁴⁷ The right attack also included pressuring the press to carry feature stories about Zhu Rongji and Li Ruihuan, right thinking leaders who had been largely ignored by the media in the past.⁴⁸

Li Peng's speech to a National People's Congress meeting at this time was altered to support reform. And Li was criticized for his hard-line position and his unwillingness to condemn leftism. *Xinhua* published a rare criticism of Li's hard-line position.⁴⁹ This seemed to indicate that the reformists had prevailed over the left to the extent that the media felt compelled to drop its support for Party ideologues and Deng's opponents on the left.

While many hard-liners accepted or paid lip service to Deng's reform policies, the left counterattacked. They attacked the United States for interfering in China's domestic affairs (see chapter 5 below) and were apparently responsible for a raid on the office of the *Washington Post*. This was apparently intended to provoke a feud with the United States, which the left hoped would rally leftist forces and stir up xenophobia that they could then exploit.

In June, intellectuals joined the fray. After the April publication of the book, *The Tide of History* (which called on leftist hard-liners in the media and cultural organizations to resign), many intellectuals in May and June began to assail leftist policies.⁵⁰ Parts of the book were broadcast on university radio stations. A group of intellectuals called an unsanctioned conference, that included such guests as Wang Ruoshui, former editor of the *People's Daily* (who was forced from his positions by the left in 1983); playwright Wu Zuguang (who was expelled from the Party in 1987 following a leftist backlash); and, economist Fang Sheng (who had written commentaries in recent months supporting capitalism).⁵¹ It was thought that Li Ruihuan may have given his nod to the meeting.⁵² In June, after the book *The Tide of History* was banned, two students who had helped publicize the book were arrested.⁵³

47. *Ibid.*

48. *Ibid.*

49. "Teng [Deng] Leads Second Reformist Drive," *Asian Bulletin*, June 1992, p. 74.

50. Kathy Wilhelm, "Chinese Liberals Support Deng," *Washington Times*, June 19, 1992, p. A8.

51. *Ibid.*

52. Lincoln Kaye, "Reformist Roadshow," *Far Eastern Economic Review*, June 25, 1992, p. 19.

53. Kathy Wilhelm, "Chinese Liberals Support Deng," *Washington Times*, June 19, 1992, p. A8.

In July, the *People's Daily* gave Deng's program a sound round of support on the seventy-first anniversary of the founding of the Chinese Communist Party. Next, *Worker's Daily*, a leftist newspaper, said: "We must bravely accept the civilized results of capitalism." It also dismissed fears that capitalist policies (meaning Deng's reforms) contained "the seeds of chaos" as Deng's opponents had been saying.⁵⁴

The Chinese Communist Party's 14th Congress was held in October. In advance of this meeting, a 27,000-character report was prepared for presentation at the meeting. It was entitled "Speed up the Pace of Reform, the Open Door and Modernization Construction in order to Accomplish Greater Triumphs for Socialism with Chinese Characteristics." Just the name of the document suggested Deng's rightist pragmatism had prevailed. Moreover, the document said that the "strategic thoughts and theories" of Comrade Deng would be "upheld as the Party's guiding philosophy."⁵⁵

Jiang Zemin's report at the Congress further reflected the triumph of "Dengism." He spoke of "achieving still greater success in building socialism with Chinese characteristics," "emancipating minds" and "seizing the moment to quicken the pace of reform."⁵⁶ Ten major tasks for the 90s, made Party policy at the meeting, also reflected Deng's political views.⁵⁷ The *South China Morning Post*, reporting on the Congress, said that the Chinese Communist Party had committed the nation to market reforms unprecedented in any socialist country.⁵⁸

On the fourth day of the Congress, the *People's Daily* praised Deng in terms that had once been used to describe Mao and seemed to elevate the "Theory of Deng Xiaoping" to a similar plane as the "Thoughts of Mao" two decades earlier. It described Deng's theory of building socialism with Chinese characteristics as a "powerful magic weapon."⁵⁹ It went on to say that in the past, "we considered the commercial economy as a 'devil'; now with our 'magic weapon' we are making that devil work for us."⁶⁰ Later, the *People's Daily* declared that the cradle to the grave system of

54. "Reform Drive Retains Momentum," *Asian Bulletin*, September 1992, p. 72.

55. "14th Party Congress Approves New, Younger Central Committee; Resolves To Speed Up Reforms," *Asian Bulletin*, December 1992, p. 83.

56. *Ibid.*, p. 84.

57. *Ibid.*

58. *Ibid.*, p. 83.

59. *Ibid.*, p. 87.

60. *Ibid.*

worker welfare could not continue and that the Party was not an "all-providing god or emperor."⁶¹

There were, however, some statements in official documents from the Congress or statements after the meeting that reflected leftist ideology. In short, rightist reform thinking and pragmatism did not prevail completely. For example, a report at the Congress warned against "corrupt bourgeois thought" and a plot to turn China into a capitalist state through "peaceful evolution."⁶² Central Document Number Seven also reflected the Party leaders' fear that reform would weaken the Party's grip on power and their fear of "security problems." It called for tightened security at factories, mines and enterprises, riot squads and a new command center for security forces.⁶³ Meanwhile, President Yang Shangkun warned against "misguided and inappropriate" capitalist mechanisms.⁶⁴

61. *Ibid.*, p. 88.

62. *Ibid.*, p. 83.

63. *Ibid.*, p. 85.

64. *Ibid.*, p. 86.

CHAPTER 4

LABOR CAMPS—THE CHINESE GULAG

“Redemption of Sins Through Bitter Toil [*jiangong shuzui*]”

—labor camp motto*

“The labor-reform enterprises throughout the country have great potential for earning foreign exchange.”

—A labor camp official.**

Introduction

The widespread presence of labor camps in the People’s Republic of China, in some ways more ingeniously run and more “profitable” than those in the former Soviet Union, has been known for some time. Sporadic reports about the camps have appeared in the West.¹ It was not until 1991, however, that details of the vast network of labor camps of gulag proportions became known to the outside world. It was revealed that the Chinese gulag did not just exist in the desolate western part of China, as previously assumed, but was scattered all over the country, even in densely populated urban areas on the east coast, disguised as industrial plants.

To understand the significance of this, it is necessary to know that in China, labor camps are part of the penal system. They are controlled by the Ministry of Public Security and the Judiciary at the national level and run at the provincial, municipal and county levels as an integral part of a nationwide punishment and production system. Camps range in size from thousands to tens of thousands of inmates. They can be located near a farm, a mine, a factory, or a complex of farms and industrial plants.

* Hongda Harry Wu, *Laogai—The Chinese Gulag*, Boulder, CO: Westview Press, 1992, p. 32.

** Jeff Greenfield and Kathi Kennedy, “Made In China,” *Los Angeles Times Magazine*, June 16, 1991, p. 12.

1. Ta-ling Lee and John F. Copper, *Failure of Democracy Movement: Human Rights in the People’s Republic of China, 1988-1989*, Baltimore, MD: University of Maryland School of Law, 1991, pp. 104-107.

Playing an integral part of the nation's production system, labor camps supply millions of man hours in forced labor and play an important role in the national economy. Goods produced by forced labor under miserable conditions are not only consumed domestically, but are exported to other countries, including the United States. Prison labor goods exported to the United States became a controversial issue during the period under review because U.S. trade law prohibits the importation of goods made by forced labor. And many products traced to Chinese labor camps were found in the United States, from shoes and socks to diesel engines and steel pipes. Under increasing pressure, Beijing repeatedly promised government action and in August 1992, signed an agreement with Washington to stop the illicit exports. Most observers, however, believed that the exports continued to thrive.

Revelation of the labor camps also brought to light the inhuman conditions, particularly torture and cruel punishments, in the system. In many labor camps and prisons, political dissidents from the 1989 Democracy Movement were thrown in together with common criminals. Grim conditions have been documented by human rights organizations such as Asia Watch based on information from former inmates. Beijing's efforts to paint a humane picture of the correctional system in a "white paper" on criminal reform issued in August 1992 did little to change the image of a Chinese gulag.

Dual Identity for Labor Camps

A labor camp typically has a dual identity. Internally, it is organized and known as a labor reform detachment; externally, particularly to the unsuspecting outsiders, it is known as a Qinghe Farm, or a Shanghai Laodong Machinery Plant, or by some other innocuous name. The inmates include both convicted criminals and political prisoners, serving prison terms in the form of "reform through labor." In addition, there are those who are sent to labor camps by local police without conviction of any crime but for "education through labor." The extreme harsh conditions in many camps are reminiscent of the Nazi concentration camps and the Soviet gulag in Siberia.

The exact number of labor camps and their inmate populations are kept secret. However, there are believed to be a total of four thousand to six thousand labor camps in China, with an inmate population estimated at 16 to 20 million. During the first forty years of the People's Republic of China, as many as 50 million people may

have been sentenced to labor camps.² In his book *Laogai—The Chinese Gulag*, Harry Wu, a former camp inmate for nineteen years, identifies 990 labor camps, which he believes represent between one-sixth to one-fourth of the total number of labor reform camps throughout China.³ Before 1992 when Wu's book was published, no one had a good idea about the scope and number of inmates in these camps.

Labor camps are tightly organized on a hierarchical model down to the company and platoon levels like a military unit. Inmates live in barracks surrounded by barbed wire. Strict discipline is enforced and punishments for even minor infractions are severe. Long hours of hard labor during the day are often followed by political classes and interrogation sessions in the evening. Subhuman working conditions, malnutrition and torture take a heavy toll. Many inmates who have completed their terms continue to be kept in the camps, under a system known as "forced job placement." In some parts of China, labor camp complexes literally became towns. With inmates, security police and their families and "job placement" inmates and their families concentrated in one area, shops, schools, hospitals and an assortment of other "service" enterprises cropped up, creating a "labor camp town." It is not unlike a typical "college town" in the United States, minus, of course, the barbed wire. In Qinghai Province in western China, where many labor camp towns are located, as much as 25 percent of the province's population is connected to labor camps.⁴

Labor camps are not only part of the penal network, but are, by law, also an integral part of China's system of labor production, playing an important role in the national economy. The dual role of punishment and production explains the dual identity of a typical camp: it is both a labor reform detachment and a factory or a farm.

Despite official denials, labor camp products have been routinely exported. Indeed, before the Tiananmen Massacre in June 1989, the Chinese government openly acknowledged the use of prison labor; in fact, the value of exports produced by inmates was

2. Hongda Harry Wu, *Laogai—The Chinese Gulag*, Boulder, CO: Westview Press, 1992, p. 15. Wu, a former political prisoner, was imprisoned for 19 years from 1960 to 1979 at various camps in China. After his release from the camps, he found his way to the United States and joined the Hoover Institution, Stanford University, to study labor camps in the People's Republic of China.

3. *Ibid.*, p. 147.

4. "Hongda Wu on Chinese Gulag," *Shih-chieh Jih-pao* (World Journal) (New York), June 15, 1992, p. 21.

conservatively estimated at between \$100 million and \$150 million annually.⁵ The *1989 Law Yearbook of China*, a government publication, gives a higher figure. It says in 1988, the value of goods produced for export by forced labor increased twenty-one percent and reached \$800 million. One China expert characterized the vast Chinese prison system as “the Soviet gulag with a profit motive.”⁶ Internal Party documents openly speak of prison enterprises as a potential source for earning foreign exchange. Urging prisons to develop a “foreign-oriented economy,” Ding Banghua, an official of the Prison Bureau of Jiangsu Province, reported that many prison labor factories have already done so “with flying colors.” After thirty years of hard work in getting started, he said prison enterprises throughout the country “have great potential for earning foreign exchange” since nearly every province in China had its own sizable community of labor-reform enterprises.⁷

Strict guidelines were issued on how to arrange visits by foreign businessmen to labor camps to inspect ordered goods. Asia Watch obtained those *neibu* (internal) guidelines, entitled “Circular on Visits by Foreign Businessmen to Labor Reform Enterprises to Inspect Ordered Goods and Related Problems.” It was issued by the Ministry of Public Security to local security bureaus in the provinces.⁸ Dated November 27, 1979, the guidelines were established in response to requests of Hebei, Shandong, and Yunnan Provinces and Shanghai for instructions concerning visits by foreign businessmen to labor reform factories (farms). The Ministry of Public Security circular stated that the Ministry allowed those units, which were “exporting products in large quantities,” to receive foreign businessmen under strictly controlled conditions.

According to the guidelines, before each reception, the labor camp factory must draw up a plan including “what the visitors are to be shown, the routes along which they will travel, and an outline of questions and answers anticipated at discussions” and report the plan to the local public security bureau.⁹ The guidelines stressed that in discussing production-related business and signing contracts

5. Daniel Southerland, “The Witness Against China,” *Washington Post*, September 29, 1991, p. H1.

6. Jeff Greenfield and Kathi Kennedy, “Made in China,” *Los Angeles Times Magazine*, June, 16, 1991, p. 12.

7. *Ibid.*

8. “Forced Labor Exports from China: Update No. 1,” *Asia Watch*, September 19, 1991, p. 7.

9. *Ibid.*

with foreign businessmen, “everything must be done in the name of the enterprise specifically designed for dealing with foreigners,” meaning a state-owned trading company.¹⁰ This, of course, was designed to conceal the origin of the exported products. The guidelines also said that during foreign businessmen’s visits, “effective supervisory measures and control must be strictly exercised in accordance with the principle of “*neijin waisong*” (internal repression, external relaxation) to prevent any untoward accidents.” Requests for visits to those units “with very poor production facilities” and those exporting relatively small quantities of products should be turned down, according to the guidelines.¹¹

After the Tiananmen Massacre, for fear of losing most-favored-nation trade status with the United States, Beijing began to deny the existence of the practice. The export of prison labor products continued, perhaps increasing, as numerous products sold to the United States could be and were traced to Chinese prison labor factories.

In September 1990, the General Accounting Office (GAO), a Congressional investigative agency, found “circumstantial evidence” that products made under forced labor conditions had been exported to the United States in violation of American trade law. Corroborating earlier reports from different sources, the agency said convict labor was an integral part of the economic and political system of China and that “to the extent possible,” Beijing used prisoners for “productive labor in farming, manufacturing and mining.” The GAO report cited State Department estimates of two to five million prisoners in more than three thousand detention centers in China and ongoing investigations by the U.S. Customs Service of the alleged import of “certain products of forced labor” from China. It also cited cases in Guangdong Province in southern China, where prisoners “routinely” did manufacturing and subcontracts to local factories.¹²

The GAO report confirmed the experiences of a former labor inmate. For two years from 1968 to 1970, Chui Feng labored at a prison south of Canton, making bamboo baskets. From 7 a.m. to 6 p.m., he and a hundred other convicts sat cross-legged on the concrete floor weaving thin strips of bamboo into small round condiment baskets. As each basket was finished, it was tagged with a

10. *Ibid.*

11. *Ibid.*

12. Clyde H. Farnsworth, “China’s Use of Forced Labor Questioned by Import Study,” *New York Times*, September 18, 1990, p. D2.

small white label that read—in English—“Made in China.” Years later, after Chui came to the United States, he saw many of the same baskets in discount stores and restaurants.¹³

Labor camps, moreover, actively sought business abroad. In 1989, Hans Renstrom, Volvo’s director of international communications, received the following letter:

Dear Sirs,

We are representing Chinese Reform of Criminal Bureaus of all provinces along the coast of China. We heard your esteemed firm has intention to establish factories in Asia. All the bureaus can provide many existing factories for your choice. They have also many lands to rent. Besides, they can provide large numbers of criminals, who received already basic technical training as very cheap labourers on lease basis. The number of labourers and the security are fully guaranteed. We are ready to show you all the relative information. If you are interested in our proposal, please don’t hesitate to call upon us.

Looking forward to hearing from you, we remain,

Truly yours,

Charles H. J. Chi¹⁴

In early 1991, a delegation of lawyers from the American Bar Association visited a Shanghai prison and found printed cartons of Seagram’s wine coolers being assembled by prisoners there. Ordering goods from China through state-run trading companies, most foreign corporations either did not know, or did not want to know, whether part of the job done through a number of subcontractors was actually performed by forced labor. In the words of Congressman Frank Wolf, who visited Beijing’s No. 1 Prison in 1991, “If you are getting a good price, you don’t focus on it.” According to Congressional testimony by Harry Wu on June 6, 1990, of the ninety-nine categories of Chinese imports listed by the Department of Commerce, sixty-five have been alleged to have labor camp connections.¹⁵

In the summer of 1991, Harry Wu, the former labor camp inmate mentioned above and now a researcher at Hoover Institution, Stanford University, made two clandestine trips to China, visiting

13. See Greenfield and Kennedy, *supra* note 6, p. 10.

14. *Ibid.*

15. *Ibid.*, p. 15.

several camps under cover. His missions were two-fold: to expose the vast Chinese gulag and to show the continued export of forced labor products to the United States. Equipped with a hidden video camera, he brought out of China for the first time film footage of the labor camps, showing inmates working in miserable conditions. Using old camp identification papers he still kept, he had no difficulty gaining entrance to familiar camps, even renewing friendship with old comrades. The information he gathered on these trips confirmed the worst of what had been suspected: the existence of a vast national network of labor camps, a large number of political prisoners or prisoners of conscience, the harsh treatment of inmates, the exploitation of prison labor for profit and the export of prison-made products to countries throughout the world to consumers who were not aware of how the products were made.

Labor Camp Footage Shown in CBS "60 Minutes"

Harry Wu set out on his first clandestine trip to China in June 1991, posing as a Chinese-American businessman seeking to import prison-made products. He was well equipped for this mission: he had worked for a small import-export company in California's silicon valley and was familiar with business language, which gave him added credibility to negotiate business deals with unsuspecting prison officials. Aided by his wife with a small video camera hidden in a handbag, Wu visited twenty prison camps and returned to the United States with forty hours of videotape and 240 still photographs. Some of his film footage were shown on CBS's "60 Minutes" on September 16, 1991.¹⁶

Wu recorded a perilous encounter with armed guards at a labor camp on the outskirts of Beijing. One day when he and his wife were surreptitiously filming Tuanhe Farm, a labor camp where he once spent five and a half years as a political prisoner, they were accosted by armed guards. As his wife pedaled away on her bike with the video footage as part of a diversionary ruse, Wu took the risk of staying behind, pretending not to know his wife. "Suddenly they were on me," Wu told of the guards, "knocking me from my bike, twisting my arm behind my back, stomping on my spine with their boots." Wu played dumb, faking ignorance about the labor camp and pretending to be an "overseas Chinese" tourist from the United States. Then Wu pulled out his money belt and peeled off a stack of bills—about \$500. "I thrust a wad at each guard and, trem-

16. "60 Minutes," Columbia Broadcasting Company (CBS), September 16, 1991.

bling, picked up my bike and started away. They did not protest or follow. When I was finally out of their sight, I almost fainted with relief."¹⁷

Wu remembered the harsh punishment at the camp in the late 1960s and what happened when a prisoner failed to accomplish his quota for the day. "Our captain called a 'struggle meeting' to criticize him. He had the prisoner tied to a post without a shirt just as the sun was going down and the mosquitoes were starting to swarm," Wu recalled. The prisoner's body was soon covered with hungry, black mosquitoes. "I still remember the sound of his scream. Finally the captain released him and he fell into a ditch, madly tearing at his own skin."¹⁸

Wu recounted another form of torture in the camp. Sadistic prison guards tied prisoners by their thumbs and hung them from the rafters, letting them down just before they might be permanently crippled. "I had my own hands tied and shoved up behind my back so high, for so long, that I fainted," he recalled.¹⁹

Wu brought with him his old Mao suits and old Chinese identity papers which proved invaluable for playing the role of a local. In Qinghai Province in western China, he actually wore a police uniform in order to get close enough to prisoners in the fields to film them. In Qinghe Farm north of Beijing, known in the penal network as Beijing Number One Reform-Through-Labor Detachment, Wu retraced his steps in the place where he spent more than four years following his arrest in the late 1950s for criticizing the Soviet invasion of Hungary. It was at Qinghe in the early 1960s that starvation reduced him to seventy-two pounds, less than half his normal weight. Wu recalled that it was there too, that he had been in solitary confinement and attempted suicide several times.

Posing as family members of guards who lived in the camp, Wu and his wife drove around the twelve mile wide camp grounds, where prisoners with shaven heads were digging a canal by hand along the road "just as I had once done." Wu drove past prison barracks and burial grounds for prisoners who died of starvation. "There was the brick wall of Camp 585, only one of the numerous walled compounds fringed with electrified barbed wire and police guards towers," he recalled. Pointing to the open area behind

17. Hongda Harry Wu, "A Prisoner's Journey," *Newsweek*, September 23, 1991, p.30.

18. *Ibid.*

19. *Ibid.*

Camp 585, Wu said that was the place they used to call Camp 586. “It was an empty field, the burial ground for those thousands of prisoners who died in Qinghe during the famine that followed Mao’s collectivization of agriculture” in the late 1950s, euphemistically known as the Great Leap Forward.²⁰

From Beijing, Wu and his wife went to Wangzhuang Coal Mine, or Shanxi Number Four Reform-Through-Labor Detachment, in the mountainous Shanxi Province in northwestern China. Wu had spent nine years there. He said that because of primitive industrial safety measures, every month prisoners lost arms or legs or feet when mine shafts caved in or coal gas exploded. “Once I had become trapped in a collapsed coal mine and was given up for dead. I emerged barely able to move, to find that they had prepared my coffin.”²¹

On this visit, Wu met some of his old friends—fellow political prisoners who were still detained there as “forced job placement personnel.” They were technically released from the camp, but were forced to continue to work in the camp. They lived a life of quasi-freedom just outside the prison compound, yet were surrounded by police and forced to toil inside the mine at wages that were only a fraction of those of ordinary workers. Needless to say, they were forbidden to go home. Wu recalled that in 1971, one inmate on such forced job placement was caught trying to escape. He was first put under solitary confinement and was later executed for writing four words in frustration: “Down With Chairman Mao.”²²

Wu also traveled to Qinghai Province in the west, known as China’s Siberia, and visited several “camp-towns” there. At the Qinghai Electrical Equipment Works Plant, otherwise known as Number Five Labor-Reform Detachment, Wu met a young prisoner serving a five-year sentence for his role in the 1989 pro-democracy demonstrations. In the Qinghai Hide and Garment Factory, where Wu posed as an overseas businessmen interested in bartering for sheepskins, Wu saw a banner in the showroom awarded to the factory for its role in helping quell the “counterrevolutionary rebellion”—Beijing’s name for the Tiananmen student demonstrations. Inside the factory, Wu saw prisoners stripped naked, standing chest-deep in tanning vats of toxic chemicals processing sheepskins.²³

20. *Ibid.*, p. 31.

21. *Ibid.*

22. *Ibid.*

23. *Ibid.*, p. 32.

The mistreatment of pro-democracy activists Wu witnessed in Qinghai was duplicated elsewhere. Gao Xin, who was one of the last hunger strikers on the Tiananmen Square just before tanks rolled in, spent six months in the crowded Number One Detention Center in Beijing after the Tiananmen crackdown. For thirty-five days, his hands were bound together with thick metal cuffs. A fellow inmate had to feed him his daily ration of five corn cakes and help him take down his pants when he wanted to urinate. "You wanted freedom at Tiananmen Square, now we won't even give you the freedom to move your hands," the warden told him.²⁴ Gao, who formerly taught at Beijing University, said the guards beat people every day. He said he was terrified, because "so many of the prisoners around me were executed." He saw the sun only once in six months. He slept on a wooden plank, was allowed no exercise, no books and no newspapers. Through a tiny window in his cell's door, he communicated with a fellow pro-democracy demonstrator in the next cell—until the day the guards took his friend away for execution.²⁵

In the Shanghai Laodong Machinery Plant, a prison-run hand tool factory, Harry Wu posed as a Chinese-American businessman interested in its products. The factory manager explained to Wu the "special nature of our kind of enterprises," blaming the U.S. Congress for the recent fuss over prison-made goods. He told Wu that his factory doesn't export directly. "We always go through the import-export company system," the factory manager said, meaning the state-run trading companies, and he introduced Wu to the North Science and Technology Company in Beijing. After Wu's return to the United States, he received a letter from the company: Dear Mr. Wu: We have cooperated with the Shanghai Laodong Machinery Factory on developing high-grade adjustable wrenches for export to the United States and have been their agents for several years. . . .²⁶ At the prison-run Qinghai Hide and Garment Factory in Qinghai Province where Wu showed interest in sheepskins, he was referred to a state trading company in Canton and another in Hong Kong. Wu went to the Winmate Trading Co. in Hong Kong, where the managers told him that they first shipped the sheepskins to Korea for processing after which many of the finished products were then exported to the U.S. market. The origin of the

24. Dorinda Elliott, "I Still Have Nightmares," *Newsweek*, September 23, 1991, p. 29.

25. *Ibid.*

26. Wu, *supra* note 17, p. 32.

sheepskins was thus shielded. The managers also revealed to Wu their unique “quality control” method. “We send our people to keep on checking the quality,” Wu secretly taped one manager as saying: “Once we report to them the quality is not up to standard, the prisoners will have punishment, or beating, or some other thing.”²⁷

Prison trade was spurred on by Deng Xiaoping’s economic reform under which prisons, like other production units, were ordered to make money. In April 1991, Asia Watch released a series of official documents that called for intensified labor camp production, targeted especially at U.S., German and Japanese markets. Obtained and translated by Asia Watch, these *neibu* (internal—restricted circulation) documents were a series of articles authored by labor reform officials and published in the *Theoretical Studies in Labor Reform and Labor Education*, an official publication of the Ministry of Public Security.

In one article, Qin Guishan, an official of a convict-labor textile mill, reported that his factory shipped millions of dollars’ worth of prizewinning blue denim abroad, earning “heartwarming praise from customers in such developed countries as Japan, the U.S. and Germany.”²⁸ Not only have “many clients, both domestic and foreign, asked for that product by name,” he said, but the Japanese even extended a low-interest loan to the mill.

To conceal the identity of a labor camp, the mill, like all such gulag enterprises, is known to outsiders by another name: the New Life Cotton Mill. Foreigners are kept unaware of who is making the goods. “We made it an explicit rule that whenever foreign businessmen come to the workshop to inspect product samples for quality,” the official said, “they must be accompanied by a special person.” The prison official stressed that prisoners were not allowed to have direct contact or talks with foreign businessmen and that “no secret has ever been leaked.” Mr. Qin proudly added that whenever “a foreign trade task has been successfully fulfilled, the prisoners are urged to report to their loved ones, thus inspiring them with patriotism and a sense of national pride.”²⁹

In another article, Ding Banghua, an official of the Jiangsu Province Reform-Through-Labor Bureau, urged his comrades to

27. *Ibid.*

28. Orville Schell, “Capitalist Slavery in China,” *New York Times*, April 27, 1991, p. 25.

29. *Ibid.*

fight an "inferiority complex" about their work and to take heart from its "obvious advantages," namely, the large number of prisoners who have become "commodity producers" and the "sizable community of labor reform enterprises" available for production. In a third article, He Liang, a cadet at the Reform-Through-Labor Police Academy in Sichuan Province, also stressed the advantages of gulag labor. "We have greater manpower at our disposal, and our workers are young, concentrated and cost less since they follow a military routine."³⁰

Asia Watch accused Beijing of lying when it denied that its labor reform camps, through government-run corporations, engaged in trade activities and that products made by prisoners were exported to other countries, including the United States. Citing U.S. laws barring the imports of prison-made goods, Asia Watch said the use of forced labor was one more reason for disqualifying China for most-favored-nation trading status.³¹

Prison-Made Goods Displayed at San Francisco Fair

At the same time that Secretary of State James Baker was visiting Beijing in November 1991, prison-made exports were being shipped to the United States. In fact, at a trade show in San Francisco, labor camp goods were on display and there were brochures with pictures of Chinese industrial plants that actually showed signs saying that the factories were "labor reform detachments." NBC-TV in its Nightly News on November 14 showed a clip of Harry Wu, the former labor camp inmate, again posing as a Chinese-American businessman and negotiating a deal with representatives of Laiyang Heavy Machinery Factory of Shandong Province at the fair to buy steel pipes from the factory. The factory was known to Wu as a labor camp; indeed its brochures distributed at the fair clearly showed a sign at the front gate, with Chinese characters identifying it as a "labor reform detachment." The unsuspecting factory representatives at the fair signed a deal with Wu to sell him steel pipes. When Wu came back with the NBC camera crew to confront the factory representatives about the true identity of the factory, they tore up the contract on camera and quickly collected all the brochures from the display booth.³²

30. *Ibid.*

31. Susumu Awanohara, "Falling from Favor," *Far Eastern Economic Review* (Hong Kong), May 2, 1991, p. 10.

32. NBC Nightly News with Tom Brokaw, November 14, 1991; "Chinese Prison-made Exports on Display at U.S. Fair," *Shih-chieh Jih-pao*, November 15, 1991, p. 2.

Meanwhile, Asia Watch, in a release on November 15, provided more details about the Shandong labor camp's products exhibited at the San Francisco fair. It also reported the arrival, on October 10, in San Diego of a shipment of diesel engines produced by the No. 1 Prison in Yunnan Province. The report noted, incidentally, that dozens of political prisoners from the 1989 pro-democracy demonstrations were held at labor camps in both provinces.³³ Asia Watch said that the steel pipes, diesel engines and machine tools exhibited at the California fair were from the following labor reform enterprises in Shandong Province: the Laiyang Heavy Machinery Plant, the Dezhou Shengjian Machinery Tools Plant, and the Taian Shengjian Electric Processing Machine Tools Plant. All three were listed in a chart of Shandong labor camps and their products in the *1989 Shandong Yearbook*, in a section entitled "List of High Quality Products Made By Labor Reform Enterprises in Shandong."³⁴

According to the *1989 Shandong Yearbook*, the foreign exchange earned by labor camps in the province in 1988 increased 86.9 percent over the previous year, with labor detachments at Beishu and Laiyang respectively earning more than \$4.5 million in foreign exchange. The Beishu labor camp was known to outsiders as the Shengjian Graphite Mine of Shandong. Its products were sold in thirty-one countries in five continents and it was awarded a "Certificate of Approval of Export Commodity Inspection" by the province's Export Commodity Inspection Bureau.³⁵

Asia Watch also learned that on October 10, 1991, a shipment of Golden Horse (*Jin Ma*) diesel engines arrived in San Diego for a company named China Diesel Imports. The engines, fifty crates of Golden Horse model 1100 and spare parts for Golden Horse X-195 model, were exported by the state-run Yunnan Machinery Import-Export Corporation. Golden Horse diesel engines were produced by an extensive penal-industrial complex, consisting of several large prison enterprises, all situated in the suburbs of Kunming, capital of Yunnan Province in southwestern China. According to the official *1986 Yunnan Yearbook*, the "reform-through-labor" and "re-education-through-labor" camps in the province produced over a hun-

33. "Forced Labor Exports from China: Update No. 2," *Asia Watch*, November 15, 1991, p. 1.

34. Editorial Committee of Local Historical Records of Shandong Province, *Shandong Yearbook 1989*, Jinan: Shandong Province Xinhua Press, 1989, p. 233, cited in *ibid.*

35. *Ibid.*, p. 2.

dred industrial and agricultural products. The *Yearbook* singled out the Golden Horse X-195 diesel engines, proudly claiming that the award-winning engines "sell well inside and outside the province, and are on sale in 13 foreign countries and regions."³⁶ The claims made in the 1986 *Yunnan Yearbook* were apparently well-justified and still relevant, as shown in the arrival of more Golden Horse engines in the United States in October 1991.

One of the units in the penal-industrial complex in Yunnan, the Golden Horse Machinery Plant, otherwise known as Yunnan Provincial No. 2 Prison, was in a fact a "model prison," open to visits by foreigners. In the late 1980s, it had four-thousand prisoners (including three-hundred women), serving sentences of ten years or more. One foreign visitor was told by prison officials that it held "about sixty counterrevolutionary (political) prisoners."³⁷

Serving a five year sentence for helping dissidents out of China, Luo Xinghai, a Hong Kong businessman, wrote to his wife in Hong Kong from a prison in Canton. He wrote that in January and February 1991, he was assigned to make artificial flowers with other inmates. From the foreign-language labels used on the flowers, he said the goods were clearly for export.³⁸

Testifying before the Senate Foreign Relations Committee on April 22, 1991, Congressman Frank Wolf from Virginia, who visited China in late March, showed socks made by inmates at the Beijing No. 1 Prison and pictures he took during the prison visit. He called the People's Republic of China the "largest user of slave labor in the world," quoting official Chinese sources to show that the government annually sold more than \$100 million worth of goods made by inmates. Experts believed that the actual figure was much higher, since inmates were made to work up to fifteen hours a day and paid minuscule wages.³⁹

According to a U.S. Senate document, a vast array of goods produced by forced labor in the PRC are exported to other countries, including the United States. The document, compiled by the Senate Foreign Relations Committee staff based on published sources, lists hundreds of products in more than a dozen broad categories. They include agricultural products, vehicles and automobile parts, construction materials, consumer goods, fertilizers, hardware,

36. *Ibid.*, p. 3.

37. *Ibid.*

38. "Luo Xinghai Makes Flowers in Prison," *Shih-chieh Jih-pao*, May 7, 1991, p. 2.

39. "Senators and Representatives Condemn PRC Slave Labor Exports," *Shih-chieh Jih-pao*, April 23, 1991, p. 2.

heavy equipment, medicines, raw and semi-processed materials, sandals and shoes, textiles and garments. It identifies as the sources of these products hundreds of prison factories throughout China, from Manchuria in the northeast, Xinjiang in the far west, Guangdong in the south, Shandong on the eastern seaboard, to labor farms right on the outskirts of Beijing. (For a detailed list of the products and the prisons that produced them, see Appendix 2).

Commenting on Beijing's exploitation of convict labor for export production, the *New York Times* declared in an editorial that "China's gulags deserve no favors." As an appropriate American response, it called on President Bush to strictly condition, or even suspend, China's most-favored-nation trading status. Noting that by law the United States has long banned the importation of prison-made goods, the *New York Times* editorial said that, worse still, in China's vast gulags where these goods were produced under harsh conditions, inmates were being punished for political offenses, such as participating in the 1989 Democracy Movement. The editorial declared that "extending trade privileges to a gulag economy offends the most basic American values."⁴⁰

In April 1992, Beijing told a visiting delegation of Congressional legislative assistants that China has stopped exporting prison-made goods.⁴¹ In August 1992, China signed an agreement with the United States promising to investigate accusations of the use of prison labor in production of goods for export, and to let American diplomats inspect Chinese prisons in disputed cases. Under the agreement, a U.S. customs officer would be assigned to the American Embassy in Beijing to handle the investigation.⁴² Many members of Congress criticized the agreement immediately after its signing as weak and ineffective. Representative Nancy Pelosi of California complained that the level of evidence required to trigger an inspection was too high and that human rights organizations were excluded from conducting inspections under the agreement. She pointed out that since much of the evidence on prison labor products was collected by human rights groups, they should participate in the inspections alongside the diplomats. Representative Sam Gejdenson of Connecticut said that this was not the first time

40. "China's Gulags Deserve No Favors," *New York Times* editorial, April 26, 1991, p. A26.

41. "Beijing Tells Congressional Aides of Stopping Prison Goods Exports," *Shih-chieh Jih-pao*, April 19, 1992, p. 1.

42. Barbara Crossette, "China Signs Pact With U.S. Meant to Curb Prison Labor on Exports," *New York Times*, August 8, 1992, p. 3.

the Chinese had promised to stop exporting goods made with prison labor. He also noted that the agreement did not specify how soon visits could be made of suspect cases.

Jeffrey Fiedler, secretary treasurer of Food and Allied Service Trades Department of the A.F.L.-C.I.O., who had made several trips to China to investigate the labor camp issue, said the agreement was flawed because it referred to "prison labor," not "forced labor." "The Chinese do not consider a lot of people prisoners whom we would consider prisoners," Fiedler pointed out. He said the Chinese were known to use forced labor in about 80 product lines, including shoes, electrical goods and hand tools.⁴³ Fiedler said he was "extremely skeptical," because it was unlikely that the Chinese would allow prisons to be inspected by U.S. officials and inspections would be useless without a strong mechanism to verify compliance with the agreement.⁴⁴

Since Chinese law allows for prisoners to be used as forced labor to make goods for domestic consumption and jobs were farmed out through a maze of subcontractors, it was very difficult to trace the origin of particular merchandise. And even when the origin of a particular exported merchandise was traced to a labor camp in China, the retail store in America would often deny knowledge of it. Therefore, Chinese violations of U.S. law were often abetted by American companies importing prison-made goods from China. Wal-Mart of Bentonville, Arkansas, for example, imported some 600,000 pounds of denim from China in 1991-1992, among at least three-hundred other items. Most of the denim was imported from Shanghai Garments, a typical government-run trading company. A.F.L.-C.I.O. officials claimed that, at a Wal-Mart stockholders meeting, there was a discussion of evidence that Shanghai Garments might be supplied by New Life Cotton, a nearby dual-identity labor camp. However, stockholders defeated a motion to investigate the matter.⁴⁵

Reactions of U.S. corporations to the Chinese use of forced labor were varied. Sears, Roebuck and Co., responding to pressure from textile union shareholders, announced in March 1992 that it was instituting a new policy to ban imports of goods produced by Chinese convicts. The Sears decision came after Levi Strauss and Co. announced that it would not deal with suppliers of forced labor

43. *Ibid.*

44. Kenneth Wolf, "U.S.-China Pact May Not Solve Prison Labor Problems," *Journal of Commerce*, July 16, 1992, p. 4A.

45. *Ibid.*

goods or operate in a country that condones its use. In early 1992, the U.S. Customs Service imposed a fine of \$75,000—the first of its kind—on E. W. Bliss Co. in Hastings, Michigan for importing stamping presses made by prison laborers in China.⁴⁶

In January 1992, it became known that foreign experts were actually allowed inside labor camps to oversee production for export to the West. According to a Reuters report from Hong Kong, Ron Baker, a Canadian, said that for two years up to mid-1991, he was director of manufacturing of a Hong Kong company, Mabuel, but he was stationed at a prison factory located in Canton in southern China. Baker said it was a common practice for foreign companies to place expatriate staff in prison factories to oversee manufacturing and quality control. “All the companies having stuff made in Chinese prisons send experts to do the quality control,” Baker said in an interview. Chinese prison labor was popular with international manufacturers because standards of training and quality were high, Baker said. Referring to the labor camp inmates, Baker said: “They don’t get a salary, but they do get training and they are good. . . . They seem to excel at it.” Baker’s story was corroborated by a Hong Kong-based agent for U.S. shoe importers. Speaking on condition of anonymity, the agent said he had been to a prison factory in Sihui County, thirty-seven miles from Canton, where samples were being made for U.S. companies.⁴⁷

Public Executions Remain for Many Offenses

Revelations about the extent of the Chinese gulag and its economic role add to our knowledge of a penal system which in 1991-1992 remained both backward and arbitrary, a system under which basic human rights enjoyed little protection. Thirteen years after the promulgation of the first penal code in 1979, the first since the founding of the People’s Republic of China, the criminal justice system continued to be harsh and oppressive. Death sentences were meted out for many offenses not regarded in most nations as serious and were carried out in a cruel manner, complete with parading of the condemned in the streets and executions after mass meetings. (For details, see Chapter five: Executions—Death Penalty and Human Rights.) There have been reports that organs of executed

46. Daniel Southerland, “U.S., China Draft Pact on Prison-Made Exports,” *Washington Post*, June 20, 1992, p. A10.

47. “Westerners Allegedly Run Chinese Prison Factories,” *Journal of Commerce*, January 10, 1992, p. 3A.

prisoners were removed for transplants and medical research, possibly at a profit. Hong Kong residents are known to have gone to Canton across the border for kidney transplant operations. On August 17, 1992, the *South China Morning Post* in Hong Kong quoted a former Beijing inmate as saying that in major cities such as Shanghai, Beijing and Canton, where there were major hospitals capable of performing transplant operations, doctors were often present at the execution grounds and began removing organs from the dead soon after execution. The Chinese Health Ministry denied this, but another inmate and a doctor in Beijing confirmed the report.⁴⁸

Physical punishment of the most degrading kinds remained in wide use. For example, the *Ningxia Legal Daily* reported that ten couples in Sichuan Province refused to abort pregnancies which, if brought to term, would have violated the government's one-child family policy. "To make them see sense," the men were caned on their bare buttocks, one stroke for each day of the pregnancy, and one of the women was threatened with caning, until all the couples agreed to abortions. The newspaper proclaimed the result "a complete victory against the diehard elements."⁴⁹

One of the practices made notoriously famous during the Cultural Revolution in the late 1960s was to have the family of the condemned pay for the bullet used in the execution before it was allowed to claim the body after execution. The practice apparently was still widespread more than a quarter of a century later. The only difference was that due to inflation over the years, the price of a bullet rose to 0.9 *yuan* in 1991. Those wrongfully detained had to pay for room and board for the duration of detention upon release from prison.⁵⁰

Marking the third anniversary of the Tiananmen crackdown, Asia Watch, in a report on May 31, 1992, detailed the particularly cruel treatment of inmates at prisons and labor camps in Hunan Province, where hundreds of students, workers and intellectuals involved in the 1989 Democracy Movement were jailed. Beating and prodding with an electric baton were common punishment, and inmates were often made to wear heavy leg irons or were locked up in a steel cage like an animal. In addition, there were two other ingeniously cruel forms of torture. One was known as "paying trib-

48. "Organs Removed from Death Criminals," *Shih-chieh Jih-pao*, August 17, 1992, p. 15.

49. *The Economist*, March 9, 1991, p. 33.

50. "Legal System Retains Cultural Revolution Practices," *Shih-chieh Jih-pao*, March 6, 1991, p. 18.

ute to the prison god." An inmate was made to drink from the prison latrine through a straw and forced to say it tasted good. The other was known as "beating the dreamer." Fellow inmates were ordered to beat up an "uncooperative" inmate while he was asleep, his head wrapped with a blanket to prevent his wailing from being heard. As a result, many inmates in Hunan's prisons were crippled physically and mentally.⁵¹ The report also cited the case of a retired Hunan University professor who was arrested for taking part in the Democracy Movement. Out of contempt for him as an intellectual, prison officials chained the retired professor, Peng Yuzheng, who was over seventy, to a rectangular wooden board with four limbs spread out, for three months (as a result of which he became insane). He was later sent to a mental hospital where he reportedly committed suicide.⁵² Another common form of torture in Hunan prisons was known as "electric therapy"—jamming a high voltage electric baton into the mouth of an inmate.⁵³

In an article in the *Yunnan Legal News* on June 16, 1992, a court official admitted that the police frequently used the third degree, including forcing suspects to kneel on glass fragments, beating, and prodding with an electric baton. He said one of the reasons for the common use of brutality was that the police themselves were "law illiterate." "Using torture to extract confessions is not an isolated incident, but a problem that has existed for a long time with the law enforcement authorities," he wrote. "Our police still share the popular notion: no beating, no confession." He cited a 1991 case in which a driver arrested for a traffic violation was beaten to death by the police.⁵⁴

On August 12, 1992, the State Council issued a white paper on reform of criminals, claiming that in 1990, the output value of prison products amounted to only 0.08 percent of the gross domestic product of that year. It said this "totally refuted" the allegations of "some people in the West" that prison labor production was the pillar of the Chinese economy. The white paper said that of the amount, only "a small proportion entered domestic markets" and

51. "Asia Watch Details Torture in Hunan Prison," *Shih-chieh Jih-pao*, June 1, 1992, p. 2.

52. *Ibid.*

53. "Dissident Tells UN of Human Rights Abuse in Chinese Jail," *Shih-chieh Jih-pao*, August 21, 1992, p. 2.

54. "Court Official: Police Brutality Commonplace," *Shih-chieh Jih-pao*, June 24, 1992, p. 2.

none was exported.⁵⁵ However, some estimates put the value of prison labor products at over 2.5 billion *yuan* (\$500 million).⁵⁶ The white paper repeated earlier government contentions that prison labor products were mainly for consumption by prisoners and their families, thus relieving the burden of the state. It said as late as October 1991, the Ministry of Trade and the Ministry of Justice once again issued joint directives "reiterating the existing ban on export of prison labor products."⁵⁷

Extolling the Marxist ideals and "Chinese characteristics" of the current correctional system, the white paper claimed that in Chinese jails, prisoners' rights were respected and that torture and mistreatment of prisoners were forbidden. It said that in the past two years, at least twenty-four prison officials were sent to jail for mistreating prisoners. Countering the image of an arbitrary judicial system, the white paper said that out of one hundred people sentenced to death with two years of reprieve, ninety-nine actually escaped death and received reduced sentences for good behavior during the two-year period.⁵⁸

The white paper was immediately challenged by Human Rights in China, a group based in New York organized by exiled Chinese. Refuting the rosy picture painted in the white paper, the group issued a 18,000-word report, detailing the harsh conditions of a labor reform camp in Lingyuan, Liaoning Province in northeastern China. The report included details of physical abuses suffered by many democracy advocates imprisoned there, including Liu Gang, one of the Tiananmen Square student leaders. According to the report, Lingyuan, located in the mountainous region in western Liaoning, was the site of the Lingyuan Labor Reform Bureau established in 1958. By 1992, it had under its control six labor reform battalions, each with thousands of inmates. Lingyuan has since grown into a typical sprawling labor camp city, occupying an area of more than 3.3 million square meters with a distance of more than ten miles from one end of the city to the other. One of the chief enterprises of the labor camp was known to the outsiders as the Lingyuan General Auto Factory of Liaoning Province, producing Lingyuan brand cars. Some of the automobiles were exported

55. Lincoln Kaye, "Party Cells," *Far Eastern Economic Review*, August 27, 1992, p. 20.

56. "Beijing Issues Prison Labor White Paper," *Shih-chieh Jih-pao*, August 12, 1992, p. 18.

57. *Ibid.*

58. *Ibid.*

under the brand name *Huanghe* (Yellow River) to Thailand, the Philippines and other Southeast Asian countries.

Aside from many Tiananmen student leaders, the camp also held free labor union movement leaders from Changchun No. 1 Automobile Plant, who were jailed for organizing an independent labor union at the plant and mobilizing workers to take part in the Democracy Movement in 1989. Tang Yuanchun, an assistant engineer at the plant, was serving a twenty year sentence at the camp for illegally organizing "counterrevolutionary groups" and engaging in "counterrevolutionary propaganda and incitement." Many of the political prisoners like Liu and Tang were subjected to torture, and it was common knowledge among inmates that "counterrevolutionaries" had no human rights, the report said.⁵⁹ At Lingyuan, political dissidents were packed forty to a cell with common criminals, made to work fourteen hours a day, inadequately fed and beaten with belts and electric batons.⁶⁰

The white paper admitted that prisoners were "more or less forced" to work in order to help them "overcome bad habits such as sloth. . .stay physically fit. . .acquire productive skills and. . .adapt to a normal social environment." It went on to detail the "humane treatment" of prisoners in the penal system. On average, it said, prisoners each enjoyed five square meters living space and a daily diet of nearly 3000 calories. They received regular medical check-ups and prompt treatment if they became ill, the report declared.⁶¹

All this, however, came as a surprise to many former inmates and their relatives. The wife of one dissident jailed after the 1979 Democracy Wall crackdown claimed that her husband had been kept incommunicado and denied visitation rights for up to three years at a time. He was kept in windowless cells with three square meters of floor space in normal times and "two square meters when he was in trouble." His diet consisted of rice and steamed bread. Medical complaints were routinely ignored. Appeals for mistreatment often fell on deaf ears. A former inmate recalled: "The only way to appeal was through the prison official themselves meaning effectively no recourse at all."⁶²

The denial of medical care and, worse still, the deliberate infecting of prisoners with diseases were often part of the punishment

59. "Lingyuan Labor Camp: Liaoning's Gulag," *Shih-chieh Jih-pao*, August 28, 1992, p. 2.

60. Anthony Lewis, "Chinese Promises," *New York Times*, June 11, 1992, p. A23.

61. See Lincoln Kaye, *supra* note 5.

62. *Ibid.*

for those who were “unrepentant.” Wang Juntao, a dissident journalist, nearly died of an acute case of hepatitis. Han Dongfang, a free labor union organizer on Tiananmen Square in the 1989 Democracy Movement, was thrown in a cell with tuberculosis prisoners because he refused to admit his “guilt.” After four months in the contagious disease unit, he contracted tuberculosis. Han, known as China’s Lech Walesa, once had a needle jammed through his hand and nearly died during a forced feeding session when he was on a hunger strike in prison. He said the prison medic, deliberately trying to cause him pain, forced more than a foot of a tube through his nose, tangling the tubing in the process. He then would start pumping the liquids into the pipe. Han said he felt as if his head were exploding, and lapsed into a ten-hour delirium.⁶³

63. Nicholas D. Kristof, “Defiant Chinese Dissident Tells of His Ordeal,” *New York Times*, April 16, 1992, p. A1.

CHAPTER 5

EXECUTIONS—THE DEATH PENALTY AND HUMAN RIGHTS

“Because of domestic and international reasons, class struggle will continue for a period of time.”

—Ren Jianxin, Head of
Supreme People’s Court, before
the People’s Congress.*

“It is not that the courts like to execute people. We have no choice.”

—Qiao Shi, politburo member
in charge of security on
crime.**

Introduction

The years 1991-1992 saw an increase in violent crimes in China, such as murder and armed robbery, together with a rising drug problem. While the crime rate and the drug problem—trafficking and addiction—remained insignificant compared to those in the United States, the punishment meted out was much harsher. In a land where the death penalty is officially sanctioned and widely used as a deterrent, executing major drug dealers is usually applauded by the public. Using the death penalty for a host of ill-defined “economic crimes,” ranging from corruption, bribe-taking and embezzlement to theft, is quite another matter. During various anti-crime drives, bank tellers were given the death sentence for pocketing the equivalent of several thousand U.S. dollars and petty thieves were put to death in the name of maintaining public order. Many who committed other offenses, ranging from rape and robbery to mail theft and child abuse, were subjected to capital punishment.

Whether there was a genuine fear of social instability on the part of the ruling authorities in China or whether crime provided a

* “Ren Jianxin Urges Toughness on Crime,” *Shih-chieh Jih-pao* (World Journal) (New York), April 4, 1991, p. 18.

** “Qiao Shi: Crime a Serious Problem in China,” *Shih-chieh Jih-pao*, May 9, 1992, p. 18.

convenient pretext for expanding political control, use of the death penalty continued to rise in 1991-1992. This was troubling. But even more disturbing was the way in which executions were carried out: mass sentencing rallies attended by thousands of people (to hear the stern message) and parading the condemned prisoners through the streets before they were taken to the execution grounds to be shot by a firing squad. This procedure remained in widespread use despite its frequent condemnation by international human rights groups. Equally disturbing was the way swift justice was dispensed. In one case, a vicious murder to be sure, the apprehension of the suspect, trial and execution took only four days. The death penalty was also used against ethnic minorities for "counter-revolutionary activities," meaning anti-government demonstrations. This was particularly true in the case of Tibetans and Uighurs (in Xinjiang) who caused problems for the government during the period under review.

This chapter will focus on the continued wide use of the death penalty in the People's Republic of China (PRC) in light of international human rights standards.

The Drug Problem and Violent Crime on the Rise

In a report to the National People's Congress (NPC) on April 3, 1991, the head of the Supreme People's Procuratorate disclosed that violent crime in 1990 registered a marked increase over the previous year. Liu Fuzhi, the chief procurator, said 15,719 people were prosecuted for murder in 1990, a twelve percent increase over 1989, while 82,466 were prosecuted for armed robbery, a fifteen percent rise. Many murder cases were money-related, he said. Theft remained high on the crime list with 304,527 people prosecuted. Serious theft cases involved 79,321 people, a jump of fourteen percent over the previous year. Liu described public safety in certain areas as a "serious problem" and attributed the rising crime, particularly "economic crime," to China's opening to the West. He was not alone in this view. Ren Jianxin, head of the Supreme People's Court, joined him by telling the NPC that there existed in the society "factors of instability" and called for severe measures against would-be offenders. "Because of domestic and international reasons, class struggle will continue for a period of time," Ren declared.¹

1. "Ren Jianxin Urges Toughness on Crime." *Shih-chieh Jih-pao* (World Journal) (New York), April 4, 1991, p. 18.

The situation in 1992 worsened. In their reports to the NPC in March 1992, both Liu and Ren called for a crackdown on criminals, warning that serious crime posed a growing threat. Liu in his report cited a high rate of "serious and vicious crimes," such as murder, robbery, rape and bombing. He also said that some regions were plagued by "train bandits, highway robbers, hooligans and gangsters." Railway crimes, such as robberies, registered a 50 percent rise over 1990. For the first time, the official *Beijing Evening News*, the most widely read newspaper in the capital, published a list of most wanted criminals.²

Some crimes allegedly associated with the past decadent "feudal" and "bourgeois" society returned to socialist China. In a separate report to the national legislature, Ren said more than 18,000 people were sentenced to prison terms of five years or more during 1991 for engaging in "abducting, kidnapping and selling women and children; inducing or forcing women into prostitution; and pornography and gambling offenses."³

Ren reported that in 1991, the courts handled a total of more than 427,000 criminal cases. Of the 509,000 people convicted, over 184,000 were given sentences ranging from five years in prison to death. Of the criminal cases handled by the courts, 156,000 cases, or thirty-six percent, were thefts. Nearly 40,000 cases were bribery, corruption and other unspecified "economic crimes," representing ten percent of the total. Ren's report did not provide breakdowns on murder, robbery, rape and "political crimes," which presumably made up the remaining fifty percent.⁴

In many parts of China, highway and train robbers who preyed on train and bus passengers also made a comeback. These bandits were armed with knives and guns; they often terrorized passengers, robbed them of money and valuables, and then disappeared into the countryside. In 1990, there were 7,579 cases of highway robbery reported. In the coastal province of Fujian, gangs of pirates preyed on fishermen. In early January 1992, a court sentenced seven such gang members to death in the province.⁵

2. Lena H. Sun, "Chinese Urges Crackdown on Crime, Political Dissent," *Washington Post*, March 29, 1992, p. A28.

3. *Ibid.*

4. "Mainland Criminal Cases on the Rise," *Shih-chieh Jih-pao*, March 27, 1992, p. 19.

5. Nicholas D. Kristof, "Crime Is Up in China and So Is the Public Rage," *New York Times*, January 20, 1992, p. A4.

Many people believed that one reason why the police were not more effective in combating criminals was that they sometimes had links with them. In Beijing, for example, one officer in the Public Security Bureau had a sideline business as a pimp in one of Beijing's most lavish hotels. Another such cooperative venture came to light in a town in Jiangxi Province in central China, according to a Chinese newspaper. A restaurateur arranged for his waitresses to seduce customers on the premises. Then he would summon the local police, who would burst into the room and catch the couple in bed together. The police would fine the man sums ranging from less than \$100 to more than \$900, depending on how much he was carrying. Afterwards, the money was divided among the police, the restaurateur and the waitresses. The Chinese newspaper said after the scheme had been uncovered, the police involved were arrested.⁶

Chinese crime figures, although low compared with other countries, actually are of little significance. There are many rural towns with populations of tens of thousands but not a single policeman to whom a crime could be reported. "It can be said that the current situation is rather grim, and we should be highly alarmed by this," Yu Lei, Deputy Minister of Public Security said in an interview published in a Chinese magazine.⁷

The increase in violent crime was coupled with more cases of drug trafficking, both across the southwestern border from the Golden Triangle area in northern Myanmar, formerly called Burma, and between Canton and Hong Kong. Huge amounts of heroin and opium were seized by customs officials; traffickers, including Hong Kong residents, were executed. (See cases documented chronologically below).

In Yunnan Province bordering the Golden Triangle area, the drug problem was particularly serious. Large amounts of narcotics, chiefly heroin, found their way into the province from south of the border. According to *China Youth Daily*, in the capital city of Kunming, thirty-five drug dealers were executed in one day following a mass sentencing rally and eighty-eight more were executed in fifteen other cities in the province in late October 1991.⁸ He Zhiqi-

6. *Ibid.*

7. *Ibid.*

8. "Yunnan Fights Drugs With Executions," *Shih-chieh Jih-pao*, October 27, 1991, p. 11. Mild climate makes Yunnan ideal for poppy-growing, both at large, closely-guarded state farms and presumably also by individual peasants, despite a government ban. The production of narcotics is strictly controlled by the state and is for medicinal purposes only, according to a government claim. Whether heroin is also produced for

ang, Governor of Yunnan, said the rallies and executions were a highlight of a national anti-drug conference held in Kunming at the time. He expressed the belief that the actions would demonstrate the province's firmness in fighting the spread of narcotics. One metric ton of heroin and four metric tons of opium were publicly burned to mark the occasion. During the first half of the year, a total of 5,004 cases of drug trafficking and addiction were uncovered, a fifty percent rise from 1990.⁹ In all, according to public reports, 401 people were executed for drug-related crimes in 1991 in Yunnan Province alone.¹⁰

In his report to the NPC in March 1992, Ren Jianxin said that over 4,300 cases of drug crimes were handled by the courts in 1991, representing a 32.5 percent increase over the previous year. More than 5,300 persons were given convictions for drug-related crimes, a twenty-three percent rise. In Yunnan Province, drug trafficking and addiction became so serious that the Supreme Court gave the provincial courts authority to mete out death sentences on drug-related cases.¹¹ In June 1992, in connection with the observance of International Anti-Drug Day, executions were reported from various parts of China. In the two days prior to June 26, the International Anti-Drug Day, at least fifty-eight people were executed for drug-related crimes, according to Reuters News Agency quoting Chinese government officials and local newspaper reports.¹² In Kunming, capital of Yunnan Province, over 1,000 kilograms of heroin and thirty kilograms of opium were burned at a mass meeting held at a sports stadium on June 26, following the execution of twenty-one drug traffickers.¹³

In Yunnan, drug addiction and trafficking were particularly rampant in the southwestern part of the province, in the valleys across the border from Myanmar. In the border town of Dehong, for example, one gram of heroin was worth about twenty *yuan* (approx. U.S. \$2.50). When the heroin was brought to the capital city

export is a matter in dispute. Heroin seized in Hong Kong and Taiwan in the past has born Chinese brand names, but its exact origin was impossible to establish.

9. Nicholas D. Kristof, "China Metes Out Death at Drug Rally," *New York Times*, October 27, 1991, p. 3.

10. "401 Drug Traffickers Executed in Yunnan in 1991," *Shih-chieh Jih-pao*, March 28, 1992, p. 19.

11. Sun, *supra* note 2.

12. "Fifty-eight Narcotics Criminals Executed in Two Days," *Shih-chieh Jih-pao*, June 27, 1992, p. 2.

13. "Kunming Mass Meeting Held on Narcotics," *Shih-chieh Jih-pao*, June 27, 1992, p. 19.

of Kunming some four hundred miles of mountainous roads to the north, the street value soared more than ten times to over two hundred *yuan* (approx U.S. \$25) a gram. In Dehong, where there was a serious addiction problem, a typical addict would consume between 1.5 to 3 grams of heroin a day.

The government, when discussing the drug problem, also belatedly admitted that there was an AIDS epidemic among ethnic minorities in the area, hitherto a taboo topic. According to government reports, over ninety percent of known AIDS cases were drug-related, mainly through the sharing of contaminated needles. In Dehong, according to one government survey, of 387 confirmed AIDS patients, 374 were drug addicts. In the neighboring county of Ruili, all known AIDS cases were said to be drug-related.¹⁴

In November 1992, Wang Fang, head of the State Narcotics Prohibition Commission, a cabinet-level agency under the State Council, acknowledged a "very serious" drug problem in China, despite government efforts to fight it. In the first nine months of the year, he said, the number of people arrested on drug-related crimes and the amount of drugs seized already surpassed the figures for the entire year 1991. At a nationwide anti-drug conference in November 1992, Wang provided the following details: in the first nine months of 1992, a total of 5,452 people were arrested on narcotics offenses. Of them, 4,696 were convicted, including 885 sentenced to death or life in prison. In the first six months of 1992, more than 1,443 kilograms of opium and 1,630 kilograms of heroin were seized. Although twenty percent of those convicted were sentenced to death or life in prison, it was clear that severe punishment failed to diminish drug-related crimes. In another province in southwestern China, the Guangxi Zhuang Autonomous Region adjacent to Yunnan, twenty-four people were executed and more than 3,700 were jailed in the first eight months of 1992, seven times the number recorded in 1991. Two routes for the lucrative opium and heroin trafficking in Southeast Asia were known to pass through Guangxi.¹⁵

In a dispatch from Beijing on January 25, 1991, a *New York Times* correspondent described 1990 as a banner year for executions in China, with more than 1,000 people known to have been executed. Capping the conclusion of a seven-month campaign

14. "Serious Drug Problem in Yunnan Border Area," *Shih-chieh Jih-pao*, July 23, 1992, p. 17.

15. "Narcotics Crackdown in China," *Wall Street Journal*, October 7, 1992, p. A13.

against crime, the Chinese government marked the passing of the year and greeted the new year with a wave of group executions, including one in Beijing involving sixteen people charged with unspecified "heinous crimes." "It is impossible to know how many people they are executing, but it is certainly more than it was in the past," said a foreign diplomat in Beijing.¹⁶ To keep information on the use of the death penalty from foreigners, the Chinese government in 1984 issued a "Circular on Strictly Keeping Reactionary Publications From Engaging in Rumor-Mongering and Slander by Making Use of China's Punishment of Criminals."¹⁷ This policy remained in force in 1992. Thus the number of executions was probably much larger than published reports suggest. They are, in any event, spotty and incomplete.

Since the government does not release official figures on executions, the only way to estimate the number of those executed at any given time is to find information on death sentences in local news media where they are frequently publicized as a way of conveying a stern "law and order" message to the public. Based on inquiries in rural areas and interviews with travelers who have seen execution notices in various parts of the country, hundreds of people were executed each year without there ever being any report in provincial papers. The *New York Times* correspondent conservatively put the total for 1990 at well over 1,000 executions.¹⁸

Speaking of stern measures taken to cope with the "serious situation of rising crime," Qiao Shi, a member of the Standing Committee of the Politburo of the Chinese Communist Party and the top man in charge of security in China, said in May 1992 that "in recent years, more than 10,000 people were sentenced to death each year and more will die in 1992." He noted that in Shaoyang, Hunan Province, forty-six criminals were executed in one day. "It is not that the courts like to execute people," he declared, "we have no choice."¹⁹ While some death sentences came with a two-year reprieve, most were followed by immediate execution.

16. Nicholas D. Kristof, "Law and Order in China Means More Executions," *New York Times*, January 15, 1991, p. A2.

17. *Ibid.*

18. *Ibid.*

19. "Qiao Shi: Crime a Serious Problem in China," *Shih-chieh Jih-pao*, May 9, 1992, p. 18.

Executions Reported in Local Press

The following compilation from local press reports represents only a small percentage of what actually occurred in China during the period under review. The cases are arranged in chronological order. Detailed information is provided on each case wherever possible, including the reporting news agency or local paper, the name of the offender(s), the sentencing courts and the day of the execution.

On January 1, 1991, Reuters News Agency reported from Beijing that at a mass rally at a sports stadium in Xian, Shaanxi Province, thirty-nine people were condemned to death and executions were carried out immediately after the mass meeting. The Reuters report, quoting *Shaanxi Daily News*, said the condemned included murderers, robbers and rapists. The death sentences by the Xian Intermediate People's Court were announced at the mass meeting just before the executions.²⁰

On January 2, the China (Zhongguo) News Agency reported that Wu Jinxiong, an armed boat-hijacker, was sentenced to death by the Xiamen Municipal People's Court in Fujian Province. Wu, twenty-two, was formerly a policeman in Yuexi County, Sichuan Province. On September 30, 1990, along with a girlfriend, he hijacked a small motor boat in Xiamen, threw the captain and a crew member overboard at gun point and took the boat to Quemoy (Jinmen) and surrendered to the Nationalist government. He was later repatriated to mainland China for crimes he had committed before the hijacking, including stealing firearms and armed robbery.²¹

On January 7, according to China News Agency, Liu Yunfeng, head of Beijing High People's Court, reported that from January to November 1990, Beijing courts handled 2,005 cases of "economic crimes," resulting in the conviction of 3,016 offenders. The bulk of the cases involved corruption, embezzlement and bribe-taking by middle-level government officials, Liu said. In another report, the same news agency quoted Guo Qi, head of Canton People's

20. "Thirty-nine Executed in Xian in a Day," *Shih-chieh Jih-pao*, January 3, 1991, p. 14; "China Executions," *USA Today*, January 2, 1991, p. 4A.

21. "Boat Hijacker Sentenced to Death in Amoy," *Shih-chieh Jih-pao*, January 3, 1991, p. 15; "Wu Jinxiong Sentenced to Death," *Chung-kuo Shih-pao* (China Times) (Taipei), January 3, 1991, p. 9. China News Agency, or *Zhongguo Xinwenshe*, is different from the better-known New China News Agency (NCNA), or *Xinhua She*. It reports local news in Chinese primarily for domestic consumption, while NCNA also carries international news in foreign languages.

Procuratorate Office, as saying that during the same period in 1990, his office in Canton handled 729 cases of "economic crimes." Meanwhile, the Beijing High People's Court on January 7 upheld the death sentence by a lower court of Xu Jun, a senior director of the Ministry of Railways. Xu was convicted of embezzlement of 102,000 *yuan* (approx. U.S. \$20,400).²²

On January 8, the *Los Angeles Times* reported from Beijing that a court in Guangdong Province had sentenced two men to death for selling babies. According to a local newspaper, the two were convicted with six others of stealing fifty-five babies in the countryside and selling them to city dwellers.²³

On January 9, Agence-France Presse (AFP) reported from New Delhi that a twenty-year-old Tibetan student was tortured to death in a prison on the outskirts of Lhasa. The AFP dispatch quoted a statement released by the Dalai Lama's office saying that the student was arrested because he took part in demonstrations for Tibetan independence in November 1989. He died of torture in jail in December 1990, and his body was sent back to his home, the Dalai Lama's office said.²⁴

On January 11, the Hong Kong-based China Information Agency reported that a mass meeting was held in Shenzhen near Hong Kong and the sentencing of twenty people was announced, including two death sentences. The mass meeting, held at a Shenzhen theater, was attended by more than 10,000 people. The two receiving death sentences, named Huang and Wu, were convicted of murder and rape. Two others, named Tang and Gong, were sentenced to life in prison for embezzlement. The remainder, convicted of robbery, hooliganism and prostitution, were sentenced to prison terms ranging from one to fourteen years. The youngest of those sentenced was seventeen years old. The two condemned to death were paraded through the streets before execution.²⁵

On January 29, thirteen people were executed in the southern Province of Hainan following death sentences by two local courts, according to *Yangcheng Evening News*. The thirteen were con-

22. "Corruption in Canton: Five Cases Every Three Days," *Shih-chieh Jih-pao*, January 8, 1991, p. 14.

23. "China Dooms 2 for Stealing, Selling Babies," *Los Angeles Times*, January 8, 1991, p. A15.

24. "Jailed Tibetan Student Tortured to Death," *Shih-chieh Jih-pao*, January 10, 1991, p. 16.

25. "Shenzhen Deals Severely With Serious Crime," *Shih-chieh Jih-pao*, January 11, 1991, p. 14.

victed of murder, rape, robbery and theft by Hainan Province's Qiongbai (Northern Hainan) Intermediate People's Court and the Qiongnan (Southern Hainan) Intermediate People's Court.²⁶

On March 18, Reuters reported from Beijing the execution of a pro-democracy demonstrator for "serious crimes" committed during the 1989 Tiananmen student movement. Han Weijun, twenty-four, allegedly set fire to a military truck during the demonstration, resulting in a loss of 220,000 *yuan* (approx. U.S. \$42,000) in state property. Han was believed to be among the first Tiananmen demonstrators to be executed in Beijing since 1990, when many executions of pro-democracy demonstrators were reported in provincial papers. According to a notice posted at the Beijing Intermediate People's Court, Han was shot on March 14 along with four other condemned criminals.²⁷

On March 27, the Hong Kong-based China Information Agency reported the execution of two drug dealers in Chongqing, Sichuan Province. The two, Chen Wenping and Chang Guihua, were individual entrepreneurs. They were caught trying to sell 800 grams of heroin in 1989 and sentenced to death by the Chongqing Intermediate People's Court in July 1990. Their subsequent appeals were rebuffed by the Provincial's High People's Court. The news agency said it was Chongqing's largest drug case since the 1950s.²⁸

On March 28, AFP reported from Shanghai the execution of three robbers. Quoting a report in the Shanghai newspaper *Wen Hui Bao*, the AFP dispatch said one of the executed robbed passengers on a Shanghai-Canton train in March 1989, taking 8,900 *yuan* (approx. U.S. \$1,480) and injuring two passengers.²⁹

On April 8, the Canton Intermediate People's Court sentenced a woman airline ticket clerk and her husband to death on charges of corruption and embezzlement. Yi Fang, an Air China ticket clerk and her husband, Liu Xiaohu, were found guilty of filling out over 3,500 "empty" or unused tickets as returned tickets from paid pas-

26. "Thirteen Executed in Crackdown on Crime," *Los Angeles Times*, January 29, 1991, p. A23; "Hainan Executes 13 for Rape and Robbery," *Shih-chieh Jih-pao*, January 31, 1991, p. 29.

27. "Beijing Pro-democracy Demonstrator Executed," *Shih-chieh Jih-pao*, March 19, 1991, p. 2.

28. "Chongqing Executes Two Heroin Traffickers," *Shih-chieh Jih-pao*, March 27, 1991, p. 17.

29. "Three Armed Robbers Are Put to Death," *Shih-chieh Jih-pao*, March 29, 1991, p. 17.

sengers over a period of two years, billing the company for 3,130,000 *yuan* (approx. U.S. \$626,000) in refunds.³⁰

On April 11, the official *Legal Daily* reported that in a wave of get-tough-on-crime measures, the Railway Intermediate People's Court in Zhengzhou, Henan Province, handed down thirty-five sentences, including fifteen death and two life sentences, for theft on trains and other offenses. *Legal Daily* said the thirty-five belonged to a theft ring that operated in Hubei, Sichuan, Henan and Shaanxi Provinces for two years. In more than 100 thefts, they had stolen goods from freight trains worth more than 550,000 *yuan* (approx. U.S. \$110,000). The newspaper said legal experts in Beijing regarded the wave of sentences as particularly severe and believed that the sentences exceeded the punishment called for in the Penal Code. They deplored the sentences as an example of the law changing with shifting government policies. Meanwhile in Canton, the China News Agency reported on April 11 the execution of nineteen for "serious crimes." The nineteen were all males, ranging in age from eighteen to thirty. They were convicted of murder and armed robbery.³¹

On April 25, the *Hubei Daily* reported that fifteen people were executed in Wuhan, capital of Hubei Province, for armed robbery, murder and rape. The executions took place immediately after a mass meeting at which 125 others were sentenced to prison terms. The city reported a sharp increase in serious crimes in the first three months of 1991, the daily said.³²

On May 6, the Hong Kong-based China Information Agency reported that a drugstore employee in Shanghai was sentenced to death for embezzlement and gambling. Xiao Rennan, a bookkeeper for the Yimin Herbal Drugstore in Shanghai, was found guilty of embezzling nearly 300,000 *yuan* (approx. U.S. \$60,000) from June 1987 to February 1990. He was sentenced to death by the Shanghai Intermediate People's Court. Xia Yuanrui, a stockroom clerk and his accomplice, was sentenced to twelve years for embezzling 28,000 *yuan* (approx. U.S. \$5,600).³³

30. "Couple Sentenced to Death in Major Canton Corruption Case," *Shih-chieh Jih-pao*, April 9, 1991, p. 17.

31. "Thirty-one Sentenced to Death in Latest Anti-Crime Wave in Canton and Zhengzhou," *Shih-chieh Jih-pao*, April 12, 1991, p. 17.

32. "Fifteen Executed in China Immediately After Trial," *Washington Times*, April 29, 1991, p. A2.

33. "Drugstore Clerk Sentenced to Death for Embezzlement and Gambling," *Shih-chieh Jih-pao*, May 6, 1991, p. 15.

On May 8, the Kunming Intermediate People's Court in Yunnan Province sentenced three drug dealers to death; the executions were carried out immediately after the announcement, according to China News Agency. The three were among 100 people sentenced for trafficking heroin ranging in amounts from 0.1 gram to ten grams. Ninety-seven others were given sentences of death with a two-year reprieve, life imprisonment, or jail terms. On the same day, the *Worker's Daily* reported from Beijing that three food store clerks were sentenced to death for speculating in cooking oil. The three, employees of Jixiang Food Factory in Beijing, bought cooking oil at the official price from government stores and resold it on the free market at a higher price, netting an illegal profit of 465,000 *yuan* (approx. U.S. \$88,000).³⁴

At a mass meeting on May 23, the Chongqing Intermediate People's Court sentenced three to death for embezzlement and bribery, according to China News Agency. One of the condemned was Yang Ciqing, general manager of the state-run Zhenxing Electronics Company, who accepted more than 380,000 *yuan* (approx. U.S. \$76,000) in bribes and embezzled 630,000 *yuan* (approx. U.S. \$126,000) in company funds. The other two were a purchasing clerk and a merchant found guilty of fraud and bribery, respectively.³⁵

Pregnant Student Demonstration Leader Executed

On June 10, the Hong Kong *South China Morning Post* reported the execution of two former student demonstration leaders who were returned to China by the Hong Kong government after their request for political asylum was denied. Lin Bin, twenty-two, was one of thirty Tiananmen student leaders sought by Beijing. Her husband, Lin Qingming, thirty-two, was a democracy movement leader in Sichuan Province. They fled to Hong Kong in September 1989. Their request for political asylum was turned down by the Hong Kong government in December and they were subsequently repatriated back to the mainland. Lin was pregnant at the time of repatriation. They were immediately arrested and shot after a brief trial.³⁶

34. "Three Drug Traffickers and Three Speculators Sentenced to Death," *Shih-chieh Jih-pao*, May 9, 1991, p. 19.

35. "Three Economic Criminals Sentenced to Death," *Shih-chieh Jih-pao*, May 24, 1991, p. 17.

36. "Pregnant Student Leader and Husband Sentenced to Death," *Shih-chieh Jih-pao*, June 10, 1991, p. 3.

On June 14, the Beijing Intermediate People's Court sentenced seven to death for car theft, according to China News Agency. The seven were among sixteen sentences announced at a mass meeting. The sixteen were leaders of four auto theft rings that operated in several provinces and were responsible for stealing fifty imported luxury cars and motorcycles worth 1,550,000 *yuan* (approx. U.S. \$314,000), according to Ji Shuhan, chief judge of the court.³⁷

On June 7, the China Information Agency reported that two people were sentenced to death and a third to life in prison for selling babies in Guangdong Province. According to the Foshan Municipal Intermediate People's Court, the three, Pang Deying, Chen Yaozhen and Guo Yansheng, together with five other people, formed a ring that kidnapped and sold fifty-five babies from 1988 to 1990 in three provinces, from Guangdong in the south to Henan in northern China. The other five in the ring were sentenced to terms ranging from three to ten years.³⁸

On June 13, the *Sichuan Legal News* reported the execution of a person for stealing electric cables at a satellite launching site. Peng Guangfu, leader of a theft ring, was executed on May 17, the paper reported. Peng and his fellow peasants stole five main cables from the control room of the satellite launching site at Xichang in western China, almost derailing the launching of China's first communications satellite "Asia #1." Peng and his followers also stole military equipment and underground cable from the base, the paper said.³⁹

On June 22, the Associated Press (AP) reported that seventeen people were sentenced to death and twenty-four others to jail terms at mass rallies in two provinces. Of the seventeen, nine were given the death sentence on June 15 in Urumqi, capital of Xinjiang Autonomous Region in western China. Others were convicted of murder, rape, robbery and theft.⁴⁰

In connection with a major anti-drug drive, the *People's Daily* reported on June 27 the execution of twenty-seven drug traffickers in Yunnan Province and twenty-six in Guangdong Province; eight

37. "Beijing Puts Seven Auto Thieves to Death," *Shih-chieh Jih-pao*, June 15, 1991, p. 19.

38. "Leaders in Baby-Kidnapping Ring Sentenced to Death," *Shih-chieh Jih-pao*, June 7, 1991, p. 19; "Two Sentenced to Death for Selling Over 50 Babies," *Shih-chieh Jih-pao*, June 21, 1991, p. 19.

39. "Cable Theft Ringleader Executed in Sichuan," *Shih-chieh Jih-pao*, June 14, 1991, p. 19.

40. "China Sentences 17 to Death," *New York Times*, June 23, 1991, p. 8.

others were also sentenced to death. According to the report, twenty-one drug dealers were executed in Kunming, the capital of Yunnan, after mass rallies, while six others were executed in other cities in the province. The paper said mass rallies were held in at least nine other cities in the province at which sentences were announced and executions carried out, though the number of people executed was not disclosed. (With air links to Hong Kong and major cities in China, the capital city of Kunming has in recent years become a center for drug trafficking.) The mass executions coincided with the "International Anti-Drug Day" observances on June 26. Meanwhile in Canton, the Canton Intermediate People's Court announced the execution of twenty-six and death sentences for eight others. Quoting Deng Guoji, head of the court, the China News Agency reported that in the first five months of 1991, the Canton courts handled seventy-five drug trafficking cases resulting in 136 convictions.⁴¹

The Chinese government blamed foreigners for the increasingly serious drug trafficking and addiction problems. Pointing to the Golden Triangle as the main source of drugs, the government accused international drug rings of shipping narcotics through cities in southern China and recruiting Chinese dealers. According to Yu Lei, secretary-general of the State Antinarcotics Commission, a total of 3,670 cases were investigated in 1990, resulting in the seizure of 1,632 kilograms of heroin and 782 kilograms of opium. The *Legal Daily* reported on June 25 that 5,612 people were arrested in 1990 on drug trafficking charges. It also reported the increase of drug addiction, mentioning more than 70,000 known addicts at the end of 1989, with the number of young addicts increasing rapidly. In the first five months of 1991, according to Qian Guanlin, Deputy Director-General of Customs, the authorities seized twenty-six kilograms of heroin, twenty-seven kilograms of raw opium, 122 kilograms of marijuana and thirty-one kilograms of amphetamines, a four-hundred percent increase over the annual seizure of 1990.⁴² On June 30, AFP reported from Beijing that five people were executed and thirteen others were sentenced to death in several Chinese cities. AFP said the executions and death sentences, mostly for drug trafficking and serious crimes such as murder and armed robbery, were reported in local papers.

41. "Major Anti-Drug Drive in Yunnan and Canton," *Shih-chieh Jih-pao*, June 28, 1991, p. 17.

42. "China Blasts Foreign Visitors for Drug Problem," *Shih-chieh Jih-pao*, June 27, 1991, p. 19.

In Shanghai, the *Liberation Daily* reported on June 29 the execution of five people for stealing two-hundred kilograms of unidentified metal products from a factory. The paper said four of the thieves were workers at the factory and the fifth was unemployed. In the northwestern region of Ningxia, the *Ningxia Legal News* reported that eight people in the region were sentenced to death for murder, rape and theft and one was sentenced to life in prison. *Health Magazine* reported that on June 24, five were sentenced to death in Changsha, capital of Hunan Province, for drug trafficking. The five were found to have more than six kilograms of heroin in their possession, the magazine said. The previous week, local newspapers had reported at least fifty-six death sentences and fourteen executions in several cities, many for drug trafficking and theft. Meanwhile, the Hong Kong-based China Information Agency reported on June 30 the execution of a thief, who, over a period of five years, had broken into homes and stolen goods and cash worth 260,000 *yuan* (approx. U.S. \$52,000). The thief, Qiu Tingwen, was sentenced to death by the Swatou Intermediate People's Court in Guangdong Province.⁴³

On July 17, the Zhaoqing Municipal Intermediate People's Court sentenced a man to death for heroin trafficking and unlawful possession of fire arms. According to the China News Agency, Ting Zhaoqing, an entrepreneur, was caught trying to sell 320 grams of heroin obtained in Yunnan Province to dealers from Hong Kong. Eleven others involved in the case were given jail sentences at the same time.⁴⁴

On July 18, the Beijing Intermediate People's Court sentenced seven people to death for serious economic crimes, including Guan Zhicheng, former party secretary of Capital Iron Works. As party boss of one of the largest state-owned factories in China, Guan gained more than 1,500,000 *yuan* (approx. U.S. \$300,000) during a three year period through fraud, embezzlement and accepting bribes, according to China News Agency. The other six sentenced to death at the same time included the head of an engineering firm, a bank branch manager, an automobile company accountant, two construction company stock room clerks and an unemployed worker. They were all convicted of fraud, embezzlement and profiteering. Five of them, including Guan Zhicheng, were executed on

43. "Fifty-six Sentenced to Death, 14 Executed, in Anti-Crime Drive," *Shih-chieh Jih-pao*, July 1, 1991, p. 17.

44. "Drug Trafficker Ting Zhaoqing Sentenced to Death," *Shih-chieh Jih-pao*, July 18, 1991, p. 19.

September 5 after their appeals were rejected by the Beijing High People's Court.⁴⁵

On July 20, the official *Yangcheng Evening News* in Canton reported that in a citywide anti-crime drive, nineteen criminals were executed in one day for murder, fraud and theft. The paper said executions followed immediately after death sentences were meted out by the Canton Intermediate People's Court. They were announced at a mass meeting, at which time 138 others were given long jail sentences. Commenting on the tough anti-crime drive, the paper quoted Deng Guoji, the presiding judge of the court, as saying: "We cannot depend on just one or two severe sentences to deter crime." Without specifying the time period, he said: "Theft in Canton has caused losses of over 100,000,000 *yuan* (approx. U.S. \$18,000,000) in property."⁴⁶

On August 2, the *Peasant Daily* reported that an elderly couple in Henan Province begged the authorities to put their son to death for raping his sister-in-law. The paper said the elderly couple kneeled before the arresting public security police, begging them to put to death their son, a village bully and thief. The son was arrested on May 6 for raping the wife of his elder brother. He was later sentenced to death by the local court.⁴⁷ Meanwhile, an AFP dispatch from Beijing reported on August 6 that in Sichuan Province, a baby girl was found alive thirty hours after she was buried by her father. The father was arrested. According to *Liaoning Legal News*, the father, thirty-seven-year-old peasant Xia Minliang, already had three daughters and was anxious to have a son. He buried the nine-day-old baby girl under a big rock, telling his neighbors that the baby had died of illness. Neighbors did not believe him and forced him to go to the shallow grave, where they miraculously found the girl alive.⁴⁸ It was not known what punishment was meted out to the father.

45. "Beijing Sentences Seven to Death for Economic Crimes," *Shih-chieh Jih-pao*, July 19, 1991, p. 17; "Guan Zhicheng and Four Others Executed for Economic Crimes," *Shih-chieh Jih-pao*, September 5, 1991, p. 19.

46. "Nineteen Executed in Canton Anti-Crime Drive," *Shih-chieh Jih-pao*, July 22, 1991, p. 3.

47. "Man Sentenced to Death for Raping Sister-in-law," *Shih-chieh Jih-pao*, August 7, 1991, p. 15.

48. "Baby Girl Found Alive After Buried Thirty Hours," *Shih-chieh Jih-pao*, August 7, 1991, p. 15.

Taiwan Tourists—New Targets for Violent Crime

On August 15, a man who murdered two visitors from Taiwan and robbed them of their belongings was sentenced to death in Chongqing, Sichuan Province. According to China News Agency, Zhou Chao, an unemployed worker, slipped into a hotel room on July 27, killed two visitors from Taiwan, and made off with their cash and jewelry totalling 26,000 *yuan* (approx. U.S. \$5,200). He was apprehended on August 11, indicted on August 13 and sentenced to death two days later. As a demonstration of swift justice, it took only four days from apprehension to the death sentence.⁴⁹ (Tourists from Taiwan contributed significantly to foreign exchange earnings in 1991).

In the continuing anti-crime drive, a county public security bureau chief was sentenced to death on August 15. Zhang Wenlie, head of Public Security Bureau of Yingde County, Guangdong Province, was so sentenced by the Qingyuan Intermediate People's Court for corruption, embezzlement and accepting bribes between 1986 and 1989 totalling 416,787 *yuan* (approx. U.S. \$83,358).⁵⁰

On August 22, the head of a heroin trafficking ring was executed in Lanzhou, Gansu Province in northwestern China, according to the *Xinhua* News Agency. Ma Yinghua, the twenty-nine-year-old ring leader, was a peasant before he became a key member of the international ring. The group received its supply of heroin from Myanmar and distributed the drug in China. The ring also smuggled the drug across the border to Hong Kong. Ma made numerous trips to the Myanmar border and bought as much as 172 kilograms of heroin on those trips. He was sentenced to death by the Lanzhou Intermediate People's Court and the sentence was upheld by the Gansu Provincial People's High Court.⁵¹

On August 23, courts in Canton executed four drug dealers, including one from Hong Kong. The China News Agency identified the Hong Kong resident as Yang Ruiqiu, who, according to the report, had made several trips to Canton and bought 34.5 kilograms of opium and 5,000 grams of heroin. Meanwhile, five others were sentenced to death and long prison terms for drug trafficking, in-

49. "Zhou Chao Sentenced to Death for Murdering Taiwan Visitors," *Shih-chieh Jih-pao*, August 16, 1991, p. 19.

50. "Police Chief Sentenced to Death for Corruption," *Shih-chieh Jih-pao*, August 17, 1991, p. 19.

51. "International Drug dealer Executed in Lanzhou," *Shih-chieh Jih-pao*, August 23, 1991, p. 19.

cluding two Hong Kong residents, who received the death sentence and a fifteen-year prison term, respectively. Drug smuggling between Canton and Hong Kong increased markedly in 1991. During the first seven months of the year, the Canton Customs Office made ten seizures, totalling over 3,000 grams of heroin. In one of the largest seizures, a Hong Kong resident arriving at Canton airport was found to have fourteen bags of heroin strapped to his legs and hidden in his sneakers, totalling more than 1,400 grams.⁵²

In one of the largest cases of bribe-taking, a branch bank manager in Shenzhen was sentenced to death on September 3. *Xinhua* reported that Gao Shenxiang, manager of Zhongxing Bank's branch office in Shenzhen, a special economic development zone across the border from Hong Kong, demanded bribes in exchange for approving loans to business in fifty-two cases over a period of two years. The amount totalled HK\$1,730,000 (approx. U.S. \$221,795), 630,000 *yuan* (approx. U.S. \$126,000) and \$5,000 in U.S. money. He was sentenced by the Shenzhen Intermediate People's Court on September 3 and was executed on December 24.⁵³ Gao's case, widely reported in the local press and in Hong Kong, illustrated the serious problem of corruption accompanying economic growth in the coastal areas.

Smuggling along the China coast increased sharply in 1991, despite efforts by the authorities to check it, according to the China News Agency. Dai Jie, Director-General of Customs who was also head of a National Anti-Smuggling Group, said smuggling had become an alarming problem, seriously undermining the national economy and social stability. He told a national conference on combating smuggling that in the two years since the last such conference was held in July 1989, incomplete tabulations showed that there had been more than 88,000 cases reported, with seizures of contraband goods worth over 3.1 billion *yuan* (approx. U.S. \$620 million), including large amounts of heroin. Although the State Council issued the "Directive Concerning Stepping Up Anti-Smuggling Struggle" on May 2, smuggling continued unabated, Dai said, and, in fact, was expanding northward along the coast to Jiangsu, Shandong, Hebei and as far as Liaoning Province in Manchuria. For the first seven months of 1991, customs officials made 7,558

52. "Canton Executes Four Drug Dealers," *Shih-chieh Jih-pao*, August 24, 1991, p. 19.

53. "Shenzhen Banker Sentenced to Death in Serious Corruption Case," *Shih-chieh Jih-pao*, September 4, 1991, p. 19; "Gao Shenxing Executed for Taking Bribes," *Shih-chieh Jih-pao*, December 26, 1991, p. 19.

seizures of contraband worth 387 million *yuan* (approx. U.S. \$77.4 million), a twenty-two percent rise over 1990, Dai said.⁵⁴

On September 5, six people were executed in Shenzhen after they were sentenced to death for murder, robbery and rape by the local courts, China Information Agency reported. The executions followed a mass meeting at the Shenzhen Theater Square. More than 30,000 people attended the mass meeting at which the death sentences were announced.⁵⁵

On September 21, a peasant was executed in Jiangxi Province for poisoning sixty cows and selling the beef, according to a Reuters dispatch from Hong Kong. Quoting *Jiangxi Daily*, Reuters said from 1986 to 1991, the peasant, from Jiujiang City, along with an accomplice, had killed sixty cows with agricultural pesticides and sold the beef to restaurants and hospitals in three provinces. The accomplice was given a death sentence with two years' reprieve. No mention was made by the paper about any deaths resulting from eating the beef.⁵⁶

In preparation for the upcoming National Day celebrations on October 1, a wave of executions were reported in local newspapers during the last week of September. On September 27, the *Shenzhen Legal News* reported that eight people were executed for murder and theft following a mass meeting. In Shanghai, the *Liberation Daily* and *Wen Hui Bao* reported the execution of three for armed robbery and seven others were sentenced to death for murder, armed robbery and rape.⁵⁷

On October 7, AFP reported from Beijing the execution of forty criminals after a mass rally in Chongqing, Sichuan Province on September 20. This was one of 1991's largest mass executions. According to *Chongqing Legal News*, the sentences were announced at a mass rally held at a sports stadium to a crowd of over 5,000 people; the executions immediately followed. The forty criminals were convicted of murder, rape and theft.⁵⁸

54. "Severe Measures Taken to Combat Smuggling," *Shih-chieh Jih-pao*, September 4, 1991, p. 19.

55. "Shenzhen Executes Six Criminals," *Shih-chieh Jih-pao*, September 7, 1991, p. 19.

56. "Jiangxi Peasant Executed for Poisoning Cows for Profit," *Shih-chieh Jih-pao*, September 28, 1991, p. 19.

57. "Wave of Executions in Anti-Crime Drive," *Shih-chieh Jih-pao*, September 30, 1991, p. 17.

58. "Chongqing Executes 40 in Anti-Crime Drive," *Shih-chieh Jih-pao*, October 8, 1991, p. 17.

On October 9, the Canton Intermediate People's Court sentenced eleven people to death for armed robbery and theft and five others to death and life in prison on charges of drug trafficking. The executions followed immediately. Quoting court papers, the China News Agency said the executed were all from other parts of the country, including Beijing and Anhui Province in central China.⁵⁹

Xinhua reported on October 26 that thirty-five drug dealers were executed after sentencing rallies attended by thousands in Kunming, the capital of Yunnan Province. The condemned were paraded around before they were shot. The same dispatch said sentencing rallies were also held in at least fifteen other cities in the province, but it did not say how many were executed after those rallies.⁶⁰ (Yunnan is known to have the most serious drug problem of all the provinces in China).

On October 31, the Beijing Intermediate People's Court called a mass rally at which twelve people were sentenced to death and four others to life in prison for theft. The China News Agency said on November 1 that the sixteen criminals were identified as leaders of five major crime rings that plagued several provinces in northern China, breaking into hundreds of factories, schools, offices and homes. Jin Shuhan, head of the court, declared at the rally that the criminals were given severe sentences because they caused great property loss and seriously disturbed public order.⁶¹

The China News Agency reported on November 16 that the head of a major state enterprise was sentenced to death for fraud and bribe-taking. Ye Shuzhang, forty-four, was head of the state-run Lianjiang County Fruits Enterprise Group from 1986 to 1989. He was found guilty of defrauding the company of more than 470,000 *yuan* (approx. U.S. \$94,000) and taking bribes on fifty occasions totalling 230,000 *yuan* (approx. U.S. \$46,000).⁶² On December 1, the same news agency reported from Canton that two bank clerks were sentenced to death and two others to prison terms for embezzlement. The clerks were said to have taken 550,000 *yuan* (approx. U.S. \$110,000) from the bank, using fake checks. Mean-

59. "Canton Executes 11 in Anti-Crime Sweep," *Shih-chieh Jih-pao*, October 10, 1991, p. 19.

60. Nicholas D. Kristof, "China Metes Out Death at Drug Rally," *New York Times*, October 27, 1991, p. 3.

61. "Beijing Executes 12 for Theft," *Shih-chieh Jih-pao*, November 2, 1991, p. 19.

62. "Canton Sentences Local Official to Death for Corruption," *Shih-chieh Jih-pao*, November 18, 1991, p. 19.

while, Canton was concluding a month-long "Roving Exhibits on Fighting Corruption" which daily drew tens of thousands of visitors. The exhibits, designed to demonstrate the results of the efforts to fight economic crime, showed that during the previous ten years, the authorities handled more than 600,000 cases of economic crime, mostly theft and embezzlement, recovering economic losses to the state of more than three billion *yuan* (approx. U.S. \$600 million), enough for building 1,100 schools.⁶³

28,600 Rounded Up in Post-Tiananmen Crackdown

According to the respected *Cheng Ming*, a magazine published in Hong Kong, more than 28,600 people were taken into custody for "counterrevolutionary activities" in the wake of the Tiananmen crackdown in 1989. Of these, over 4,000 were indicted and more than 1,730 were sentenced. Up to June 1991, there were a total of 2,385 "counterrevolutionary criminals" in jail, not counting those who were under surveillance or house arrests, the magazine reported, quoting internal documents. *Cheng Ming* reported that, according to secret documents it obtained from the National Procuratorate Office, during the first sixteen years after the installation of the PRC (from 1949 to 1965), more than 956,000 were sentenced for counterrevolutionary crimes, including 61,000 that were put to death during the period of "suppression of counterrevolutionary campaign" in the early 1950s. Over 802,000 received jail sentences from five to ten years, and 760,000 performed supervised labor after release. During the Cultural Revolution, specifically from 1966 to 1972, 876,500 people were taken into custody. Of those, more than 3,850 died in incarceration, while over 11,300 were executed.⁶⁴

The Hong Kong *Standard* reported on December 12 that five people were executed in Xinjiang for anti-government activities in 1990. The five executed, all of Uighur extraction (a minority group in China), were involved in a demonstration in a region in western Xinjiang adjacent to the then Soviet border, in support of the independence movement in Turkmenistan. (The Uighurs are closely tied to the Turks in central Asia.) During the demonstration, the

63. "People Jam Corruption Exhibit; Bank Teller Sentenced to Death," *Shih-chieh Jih-pao*, December 13, 1991, p. 17.

64. "1,700 Sentenced in Tiananmen Crackdown," *Shih-chieh Jih-pao*, December 2, 1991, p. 1.

Xinjiang Uighurs allegedly clashed with security forces, killing eight security guards. As a result, hundreds of Uighurs were arrested.⁶⁵

Meanwhile, the *Urumqi Evening News* said on December 13 that nine people were executed in Urumqi, the capital city, for rape and robbery. The executions were carried out after a mass sentencing rally. According to a Radio Xinjiang broadcast monitored by the BBC, the executions were a part of an anti-crime drive in Xinjiang, where there had been unrest and anti-government demonstrations by the Uighur minority people.⁶⁶

On December 7, four people were executed in southern Guangdong for theft. The four were said to have broken into factories and homes twenty-four times during a two-year period from 1988 to 1990, stealing goods worth more than 455,700 *yuan* (\$91,140).⁶⁷

The *China Procurator Journal* reported the execution of seven pirates in southern China, according to a Reuters dispatch quoting the official paper on December 20. The seven seized two fishing boats, killed twelve fishermen, looted goods worth several hundred of U.S. dollars and then scuttled the boats. Seven others were sentenced to life in prison.⁶⁸

On December 26, thirteen people were executed in Shenzhen near Canton for robbery, rape, smuggling and drug trafficking. The executions followed a mass sentencing rally attended by more than 30,000 people. Two others were given death sentences with two years' reprieve and one was sentenced to life in prison. Several Hong Kong residents were among those executed.⁶⁹

On January 6, 1992, the China News Agency reported that seven pirates were sentenced to death by the Ningde Intermediate People's Court in Fujian Province. The seven, including Wang Yunhai and Lin Chaoshun, were among a group of fourteen pirates plaguing fishermen along Fujian and Zhejiang coastal waters. In two years, they looted four fishing boats, blowing up two of them

65. "Xinjiang Executes Five Demonstrators," *Shih-chieh Jih-pao*, December 13, 1991, p. 1.

66. "Urumqi Executes Nine Criminals," *Shih-chieh Jih-pao*, December 14, 1991, p. 19.

67. "Swatou Executes Four Thieves," *Shih-chieh Jih-pao*, December 12, 1991, p. 21.

68. "Seven Pirates Executed in South China," *Shih-chieh Jih-pao*, December 23, 1991, p. 19.

69. "Hong Kong Drug Dealers Executed in China," *Shih-chieh Jih-pao*, December 27, 1991, p. 1.

and killing fourteen fishermen. The other seven were given prison terms ranging from three to fourteen years.⁷⁰

On the same day, the *China Women's News* reported that four leaders of a gang that abducted and sold about sixty women were executed in Harbin, Helongjiang Province in northeastern China. Twelve other gang members received sentences up to life in prison. The report said Zhang Zhenjiang, the ring leader, and his wife, Huang Shuchen, led the gang to kidnap women from Helongjiang and sell them to other provinces. They made 100,000 yuan (approx. U.S. \$12,500) over a period of two and a half years, the report said.⁷¹

On January 23, three "economic criminals" were sentenced to death by the Beijing Intermediate People's Court, according to the China News Agency. The three were Li Wenhua, a construction company manager; Liu Shulan, a trading company department head; and, Pang Shuncaï, a hospital purchasing clerk. They were accused of embezzlement and accepting bribes totalling 1,969,000 yuan (approx. U.S. \$246,000).⁷²

On February 1, two fugitive criminals who were returned to mainland China by Taiwan were sentenced to death by the Fujian High People's Court. The two fugitives, Huang Jinyong and Huang Jinfu, hijacked a fishing boat to Taiwan in October 1990, wounding two fishermen.⁷³

On February 5, a Reuters News Agency dispatch from Beijing reported that following the practice of past years, China greeted the arrival of the lunar new year with a wave of executions. At least seventeen people were executed, including three in Yunnan Province, twelve in Beijing and three in Jiangxi Province. They were convicted of robbery, rape and corruption.⁷⁴ On April 7, a woman was executed in Canton for selling heroin in the city's tourist hotels. Wang Jinping, forty-three, was accused of selling some 9,600 grams of heroin over a period of two years, grossing 384,000 yuan (approx.

70. "Fujian Pirates Sentenced to Death," *Shih-chieh Jih-pao*, January 6, 1992, p. 17.

71. "China Says It Executed Four in the Trafficking of Women," *New York Times*, January 7, 1992, p. A3; "Four Human Traffickers Executed in Harbin," *Shih-chieh Jih-pao*, January 7, 1992, p. 15.

72. "Beijing Sentences Three Economic Criminals to Death," *Shih-chieh Jih-pao*, January 24, 1992, p. 17.

73. "Hijackers Given Death Sentences," *Shih-chieh Jih-pao*, February 1, 1992, p. 18.

74. "Executions Before New Year Reported in China," *Shih-chieh Jih-pao*, February 5, 1992, p. 15.

U.S. \$48,000). She was sentenced to death by the Canton Intermediate People's Court.⁷⁵ On April 21, the Chongqing Intermediate People's Court sentenced two opium traffickers to death. Lai Jiajian and Tu Fuhe, a peasant and a truck driver from Sichuan Province, went to Yunnan Province and brought back to Sichuan more than 10,000 grams of opium, hiding their cargo in a secret compartment of the truck. They were caught while trying to distribute the opium in Sichuan. An accomplice got life, another fifteen years.⁷⁶

On April 28, the Beijing Intermediate People's Court sentenced fourteen people to death, life or over ten years in prison in a major drive against crime. The sentencing was announced at a mass rally. They were convicted of murder, rape, robbery, fraud, currency counterfeiting and hooliganism. At the mass sentencing rally, court officials said residents of Beijing were angry over rising crime in the city, including the robbing and killing of taxi drivers, armed robbery, and break-ins at night in the city's residential areas where looting and rape took place.⁷⁷ On May 1, the Shenzhen Intermediate People's Court in Guangdong Province sentenced a car thief to death and executed him immediately. The thief, twenty-seven-year-old Chen Shaofeng, allegedly stole seven cars and nine motorcycles in five months, grossing more than a million *yuan* (approx. U.S. \$125,000).⁷⁸

On May 8, the *Worker's Daily* reported that three hooligans were sentenced to death for gang raping a young woman on a bus. According to the report, the rape took place on March 20, on a city bus in Changsha, the capital city of Hunan Province. The four hooligans boarded a bus late at night near the railway station, dragged a young woman to the back of the bus and gang raped her in full view of several intimidated passengers. The bus driver kept going, despite the cry for help from the girl, and let the four off the bus at the last stop. They were apprehended and convicted on April 27. The three who were sentenced to death were executed immediately after sentencing while the fourth, also sentenced to death, was given

75. "Woman Drug Trafficker Executed in Canton," *Shih-chieh Jih-pao*, April 8, 1992, p. 19.

76. "Major Drug Traffickers Sentenced to Death in Chongqing," *Shih-chieh Jih-pao*, April 22, 1992, p. 19.

77. "Beijing Executes Criminals in Anti-Crime Drive," *Shih-chieh Jih-pao*, April 29, 1992, p. 19.

78. "Car Thief Executed in Shenzhen," *Shih-chieh Jih-pao*, May 2, 1992, p. 19.

a two-year reprieve because he was under eighteen. The bus driver was given seven years.⁷⁹

In a major anti-crime drive, the courts in Guangdong Province sentenced thirty-three people to death and over 180 to prison terms, including death with a two-year reprieve, according to the China News Agency on May 20. On the day of sentencing twenty-five were executed. The report said that in the anti-crime drive, 125 people, or over forty percent, were convicted of drug-related crimes. Half of the convictions were for abducting and selling women and children and vice-related crimes.⁸⁰

On May 26, the Beijing Intermediate People's Court sentenced six members of a criminal gang to death and executed four of them immediately, giving the two others a two-year reprieve. Three others were given life and seventeen years in prison. The gang members were involved in a midday shootout with the police in one of the busiest districts in Beijing on March 11, wounding several policemen and pedestrians.⁸¹ On June 26, a Reuters dispatch from Beijing reported the execution of thirty-nine people for drug offenses in several major cities after public rallies against drug abuse and trafficking. The executions and public burning of confiscated drugs were part of nationwide propaganda activities in observance of the International Anti-Drug Day.⁸² On June 29, the Kunming Intermediate People's Court in Yunnan Province sentenced a person to death for killing two Japanese tourists on May 17. Zhang Jingyin, twenty-six, gained entrance into the hotel room where two Japanese women were staying on the night of May 17, posing as a repairman. He killed the two Japanese women by choking and drowning them in the bathtub.⁸³

Security Police and Army in Drug Ring

On July 1, the Hong Kong *Ming Pao* newspaper reported the execution in Canton of four security police who were part of an international drug ring. The report said the ring, (the investigation of which went back to 1989 and involved more than 100 people)

79. "Hooligans Gang-Rape Girl on Bus," *Shih-chieh Jih-pao*, May 9, 1992, p. 19.

80. "Guangdong Conducts Anti-Crime Drive," *Shih-chieh Jih-pao*, May 21, 1992, p. 19.

81. "Beijing Executes Four in Midtown Shooting," *Shih-chieh Jih-pao*, May 27, 1992, p. 19.

82. "Thirty-nine Drug Executions in China," *New York Times*, June 27, 1992, p. 3.

83. "Murderer of Japanese Tourists in Kunming Sentenced to Death," *Shih-chieh Jih-pao*, June 30, 1992, p. 17.

was responsible for trafficking heroin from China through Hong Kong to the United States and Canada. Because the ring involved Party and government officials of several provinces, including members of the People's Liberation Army and local police, the Ministry of Public Security took charge of the case directly and arrested more than 100 people. The four police officers, who were secretly executed after internal trials, all belonged to the Canton Public Security Bureau, the report said.⁸⁴

On July 9, the official *Legal Daily* reported that a primary school teacher in Hubei Province was sentenced to death for raping fifteen girls ranging from six to eleven years old. Wang Hongshu, the twenty-six year-old teacher, was arrested in April. During the trial, Wang gave his reason for raping the girls: he couldn't find a wife because of the low wage as a teacher. On the same day, the Beijing Intermediate People's Court sentenced two people to death for breaking into a weekend party on a university campus, stabbing one student to death and wounding two others in a brawl. The report said that the two hooligans, Zhang Xueqiang and Yang Weidong, went to the campus of the Beijing College of Broadcasting on the night of April 25 and started harassing females at a weekend dance. In the ensuing melee, they stabbed several students and fled from the scene. They were apprehended the next morning.⁸⁵ On July 10, the Beijing Intermediate People's Court sentenced twelve people to death for "serious injuries" to women and carried out the executions immediately after the sentencing. According to court announcements, the crimes included rape, murder, and splashing acid on the face of a woman by a spurned suitor.⁸⁶

On July 13, the Shanghai Intermediate People's Court sentenced a "hooligan" to death for stripping a woman naked in the streets during a fight. On May 29, two women in a residential area were in a brawl, because one accidentally poured a bucket of laundry water on the other. Wu Yongxiang, a younger brother of the "aggrieved" woman, came to the aid of his sister by dragging the other woman into the streets and stripping her of her clothes before a gathering crowd. He was arrested, convicted of hooliganism and sentenced to death with a two-year reprieve. His sister and her

84. "Security Ministry Cracks PLA-Police Drug Ring," *Shih-chieh Jih-pao*, July 1, 1992, p. 19.

85. "Hubei Teacher Sentenced to Death for Raping Young Students," *Shih-chieh Jih-pao*, July 10, 1992, p. 17.

86. *Ibid.*

daughter-in-law, also in the brawl, were given fifteen and twelve years in prison.⁸⁷ On July 19, the Shandong High People's Court ordered the immediate execution of a peasant for murdering his son. The peasant, Xue Weifu, from a village of Anqiu County, was sentenced to death on June 2 by a lower court because on the night of February 27, he came home drunk and beat his eight-year-old son to death. He appealed the sentence, claiming that as a father, he had the right to kill his own son. The high court rejected the appeal and ordered his execution.⁸⁸

On July 23, the Zhengzhou Intermediate Railway Court sentenced nine people to death for train robbery. Thirty-six others were sentenced to death with a two-year reprieve or terms up to life in prison. The forty-five people were part of a rural crime ring that preyed on train passengers in western China. On September 16, 1991, they boarded the No. 296 train from Chongqing in Sichuan Province eastbound to Wuchang in Hubei Province, terrorized and robbed 300 passengers in nine cars of over 20,000 *yuan* (approx. U.S. \$2,500) in cash and valuables, and wounded eighteen passengers.⁸⁹ On July 25, the Canton Intermediate People's Court sentenced a postal clerk to death for opening international mail and pocketing more than \$24,000 in foreign currencies. Between May and December 1990, Liang Huacheng, the clerk, took sacks of international mail home, stole U.S., Canadian and Hong Kong currencies in them, and burned the mail afterwards.⁹⁰

On August 5, the Guangxi Zhuang Autonomous Region High People's Court sentenced twenty-four people to death for drug-related crimes at a rally in Nanning, the region's capital city. The twenty-four were executed after the rally. They were convicted of drug trafficking, including one who brought more than 2,000 grams of heroin and three handguns from the Golden Triangle area across the border into China. Two of the twenty-four executed criminals were female. At the rally, more than 1,100 kilograms of seized opium and heroin were burned.⁹¹ On August 23, the *Shanxi Legal*

87. "Shanghai Hooligan Sentenced to Death for Insulting Woman," *Shih-chieh Jih-pao*, July 14, 1992, p. 17.

88. "Shandong Peasant Sentenced to Death for Killing Son," *Shih-chieh Jih-pao*, July 29, 1992, p. 15.

89. "Nine Train Robbers Sentenced to Death," *Shih-chieh Jih-pao*, July 24, 1992, p. 17.

90. "Postal Clerk Sentenced to Death for Pilfering Money from Mail," *Shih-chieh Jih-pao*, July 26, 1992, p. 12.

91. "24 Drug Traffickers Executed in Guangxi," *Shih-chieh Jih-pao*, August 6, 1992, p. 19.

News reported that seventy-two people were sentenced to death at public rallies throughout the province on July 25 and executed on the same day. The death sentences were among 642 sentences handed down at the mass rallies, according to the official newspaper.⁹² The paper did not cite the crime for which the people were executed.

On September 9, the Zhenjiang Intermediate People's Court in Jiangsu Province sentenced a bookstore manager to death for peddling alleged pornographic books. Cao Zhixin, manager of the Bright Pearl Bookstore in Bangfu, Anhui Province, allegedly printed and sold 1.2 million copies of pornographic books with such suggestive titles as "Dark Desire" and "Doctor Love" between December 1989 and July 1991, grossing some 4.59 million *yuan* (approx. U.S. \$573,750). Two other publishers of pornographic books were sentenced to fifteen and nine years on the same day.⁹³ On September 19, 13 people were executed for murder, rape and robbery and twelve others were sentenced to death by a court in Shanghai. A China News Agency report identified three of the thirteen executed as Zhu Guanlu, Huang Jianhua and Shi Shenglong, but gave no further details.⁹⁴

On September 23, a government construction company manager convicted of embezzlement was executed in Beijing after the Supreme People's Court upheld the death sentence by the lower courts. Li Wenhua, manager of one of Beijing's municipal construction companies, was accused of embezzling more than 650,000 *yuan* (approx. U.S. \$81,250), using false receipts and padding workers' payrolls. He deposited some of the money in a Hong Kong bank and bought an immigrant passport from Tonga, ready to flee the country when he was arrested. He was sentenced to death in January by the Beijing Intermediate People's Court.⁹⁵ On September 29, the Canton Railway Intermediate Court at two mass rallies sentenced twelve people to death for robbing passengers on the trains or near train stations. The Canton court in the first nine months of

92. "72 Executed in Shanxi in One Day," *Shih-chieh Jih-pao*, September 4, 1992, p. 19.

93. "Illegal Publisher Sentenced to Death," *Shih-chieh Jih-pao*, September 10, 1992, p. 19.

94. "Thirteen Criminals Executed in Shanghai," *Shih-chieh Jih-pao*, September 20, 1992, p. 12.

95. "Corrupt City Official Executed in Beijing," *Shih-chieh Jih-pao*, September 24, 1992, p. 19.

1992 handed down ninety-three death and life sentences at eighteen mass rallies, according to the official China News Agency.⁹⁶

Spouse Abuser and Moonshiner Are Among Executed

On October 8, the Hainan Intermediate People's Court sentenced a person to death for harming his estranged wife. He was executed after the sentencing. According to a China News Agency report, Lin Xianan, resentful that his wife wanted to divorce him, abducted her from another town to his home, where he poured a bottle of acid over her face, burning much of her face and making her blind.⁹⁷ On October 10, the Canton Intermediate People's Court sentenced four people to death for embezzlement. The China News Agency identified two of the four as Liu Binghuan and Li Huishi, who were clerks at a local cooperative in Canton. Between 1981 and 1990, Liu and Li embezzled 210,000 *yuan* (approx. U.S. \$26,250) in public funds, the news agency said.⁹⁸ On November 18, a man was executed in Guiyang, Guizhou Province for moonshining. Luo Demin, a thirty-three year-old manager of a liquor plant, was sentenced to death for making fake Maotai liquor, the fiery spirits that made Guizhou famous. He did it by putting Maotai labels on bottles of cheap liquor. Peddling his fake Maotai through many provinces since 1988, Luo allegedly made a profit of over 2 million *yuan* (approx. U.S. \$250,000).⁹⁹

On December 12, six people were executed in Haikou, Hainan Province after a sentencing rally at which fifteen others were sentenced to terms up to life in prison. They were convicted of murder, robbery and theft. At the same time, thirty-two others who attempted to slip out of the country and go to Taiwan and the United States were caught in the coastal Fujian Province and sent to labor camps for one to three years.¹⁰⁰ On December 23, the *Legal Daily* reported in Beijing that seven people were executed in Yunnan Province after armed police cracked a drug ring run by a

96. "Canton Railway Court Sentences 12 Robbers to Death," *Shih-chieh Jih-pao*, September 30, 1992, p. 17.

97. "Man Executed in Hainan for Blinding His Wife," *Shih-chieh Jih-pao*, October 9, 1992, p. 15.

98. "Four Economic Criminals Executed in Canton," *Shih-chieh Jih-pao*, October 11, 1992, p. 12.

99. "Fake Maotai Maker Executed in Guizhou," *Shih-chieh Jih-pao*, November 19, 1992, p. 19.

100. "Convicted Criminals Executed in Haikou," *Shih-chieh Jih-pao*, December 1, 1992, p. 15.

township government. The official paper said more than 2,000 armed police were used to surround Pingyuan, a town in southern Yunnan. After a siege of eighty days, the armed drug dealers surrendered and over 800 people were arrested. More than one ton of drugs was seized, along with hundreds of weapons, according to the report. The head of the ring was the mayor of the township. He was executed.¹⁰¹

101. "Yunnan Drug Town Seized by Armed Police," *Shih-chieh Jih-pao*, December 24, 1992, p. 19.

CHAPTER 6

INTELLECTUALS AND HUMAN RIGHTS (1)—THE LONG-DELAYED TIANANMEN TRIALS

“We will never forget June 4!”

—Beijing University Poster
on Tiananmen Anniversary.*

“Our university must be a socialist university.”

—Li Tieying, Chairman of the
State Education Commission.**

“The pendulum will swing back. I still believe that the Tiananmen demonstrations will go down in history as the greatest democratic movement in Chinese history.”

—A Beijing professor.***

“I am not mentally deranged. They forced me to undergo various treatments along with other mental patients in an attempt to injure my mind and body.”****

Introduction

For Chinese intellectuals, 1991 and 1992 were not good years. The effect of the Tiananmen crackdown was still much in evidence. The year 1991 opened with the long delayed trials of people who were arrested after the bloody suppression of student demonstrations in Beijing's Tiananmen Square on June 4, 1989. The trials were for the most part perfunctory, each lasting only a few hours. The hearings were closed to the public. Verdicts were handed down based primarily on the “attitude” of the defendant. Charged with “counterrevolutionary” activities for their parts in the Democracy Movement, most were given prison sentences ranging from two to thirteen years, depending on whether they confessed and “cooper-

* *Shih-chieh Jih-pao* (World Journal) (New York), May 31, 1991, p. 1.

** “Chinese Communists Will Run Socialist University,” *Shih-chieh Jih-pao*, July 9, 1991, p. 16.

*** Nicholas D. Kristof, “3 Years After Tiananmen, and Who Remembers?” *New York Times*, June 5, 1992, p. A4.

**** “Wang Wanxing Put in a Mental Institution,” *Shih-chieh Jih-pao*, July 29, 1992, p. 3.

ated” with the authorities in exposing others, or expressed defiance and refused to admit their guilt.

In late May and early June of both 1991 and 1992, before the anniversaries of the Tiananmen Massacre, security in Beijing and other major cities was stepped up and new regulations were issued to further tighten controls of the students. Widespread alienation resulted. Through systematic abuses of the rights and freedoms of the young people, the Chinese government managed to lose the hearts and minds of a second generation of the country’s best and brightest.

Beijing continued to follow a zigzag course on dissidents through much of the year 1992; there was no clear policy regarding those who wanted to exercise intellectual freedoms. As the last trials of long-held participants in the 1989 Tiananmen Democracy Movement came to a close, new arrests were made through the year of those deemed a threat to the government. Meanwhile there were well-timed early releases from prison of prominent political dissidents calculated to improve China’s human rights image abroad for political or economic reasons. The government appeared to be in a bind, wavering between relaxation to win international approval and tightening controls to prevent dissidents from becoming too bold in their views and activities.

Unrepentant Dissidents Given Long Jail Terms

The much-heralded trials of Tiananmen dissident leaders that began in November 1990 lasted into February of 1991. Most of those who went on trial had spent more than a year in jail without formal charges filed against them (being taken into custody in the post-Tiananmen crackdown in 1989). The trials were brief and foreign journalists and observers were barred. Defendants were expected to admit guilt, show remorse and “cooperate” with the prosecution while their government-appointed lawyers pleaded with the court for mercy. Those who did so were rewarded with light sentences or even acquittal, while those who were “unrepentant” were dealt with harshly. Wang Dan, a prominent student leader at the Tiananmen Square in 1989 and high on the government’s most-wanted list, was sentenced to four years, a relatively light sentence considering the crime with which he was charged: “Inciting to overthrow the government and attacking the troops.” However, despite his “serious crimes,” he was given a reduced sentence because he made *tanbai jiaodai* (a complete confes-

sion) and *jianju jiefu* (reporting and exposing of others), the official China News Agency reported.¹

Liu Xiaobo, an instructor at Beijing Normal University who was among the last hunger strikers to leave the Tiananmen Square before tanks rolled in and who was regarded as one of the masterminds behind the student demonstrations, was similarly charged with “inciting to overthrow the government and attacking the troops.” He was acquitted of all criminal charges and released because he “admitted guilt and repented” and also scored “major merits,” presumably by denouncing many others and furnishing important information to the authorities.² On the other hand, Ren Wandong, a veteran dissident who had been in and out of jail since the Democracy Wall days in the late 1970s, was given seven years on the same charge of inciting to overthrow the government because he showed “no sign of repentance.”³

Two other dissidents, thirty-eight-year-old Chen Ziming and thirty-three-year-old Wang Juntao, received the stiffest sentences—thirteen years—because they had “committed very serious crimes but have shown no willingness to repent.” The *Xinhua* (New China) News Agency reported that Chen and Wang wantonly incited some persons to “subvert the people’s government and socialist system,” gathered together some illegal organizations in Beijing and conducted a series of activities to “subvert the people’s government.”⁴ Chen and Wang ran a private research institute that conducted public opinion surveys and published works on economic and political reform. They were accused of working behind the scene during the Tiananmen Democracy Movement, giving students advice and soliciting outside support for them. The specific charge was “counterrevolutionary propaganda to subvert the government.”⁵ Wang’s sentence was particularly harsh. He contracted

1. “Beijing Announces Sentencing of Wang Dan,” *Shih-chieh Jih-pao* (World Journal) (New York), January 28, 1991, p. 22. Reporting and exposing others, either done voluntarily or under duress, are often referred to by the authorities as *li gong* (scoring merits). Wang Dan was released in 1994.

2. *Ibid.*

3. *Ibid.*

4. Nicholas D. Kristof, “China Sentences Two of Its Dissidents to 13-year Terms,” *New York Times*, February 13, 1991, p. A1.

5. “Summary of Sentences of Democracy Activists,” *Shih-chieh Jih-pao*, February 13, 1991, p. 28.

hepatitis while in jail, was not allowed visits by his family and was denied permission to seek medical treatment outside the jail.⁶

According to Wang's wife, Hou Xiaotian, who acted as her husband's defense counsel, the sentence was clearly predetermined. An hour after the trial ended, she said, the judge returned to the courtroom with a 3,000-character guilty verdict, neatly printed. She became Wang's lawyer just before the trial when one of Wang's lawyers disappeared and another had been ordered to stay in the provinces. They apparently had angered the government by ignoring instructions to plead guilty.⁷ Ms. Hou said the police tapped her phone, followed her and warned her not to contact foreign journalists in Beijing. She was barred from seeing her jailed husband for more than a year, and, because of her efforts to help him, she herself was once imprisoned for five months, sharing a cell with prostitutes and thieves.⁸

The case of Chen Ziming is a real irony. Chen was a "hero" of an earlier Tiananmen demonstration in 1976 against the Gang of Four—a demonstration engineered by Deng Xiaoping, who had just been rehabilitated from a state of political disgrace during the Cultural Revolution. Mao labeled that demonstration counterrevolutionary and suppressed it. As a result, Deng was purged. After Mao's death and the arrest of the Gang of Four, Deng managed a political comeback, reversed the verdict on that student demonstration, and hailed Chen as "one of the heroes of the Tiananmen incident."⁹

Chen continued to campaign for democracy, however, through his independent Beijing Social and Economic Sciences Research Institute and its influential journal, the *Economic Studies Weekly*, this time with Deng instead of Mao and the Gang of Four as his target. Feeling threatened, Deng now regarded Chen's activities as "counterrevolutionary," and had no qualms about throwing him in jail. Chen's wife was not allowed to attend the trial. She appeared outside the courthouse on the sidewalk but police ordered her

6. "Wang Juntao Has Serious Hepatitis," *Shih-chieh Jih-pao*, January 31, 1991, p. 2. In April 1994, Wang was allowed to come to New York for medical treatment after apparent intervention by the U.S. government. He expressed fear that this could mean political exile.

7. Jay Wong, "Dissidents' Wives Battle Odds in Beijing," *Globe and Mail* (Toronto), March 31, 1991, p. A1.

8. *Ibid.*

9. Nicholas D. Kristof, "Trial Starts for Tiananmen Dissidents," *New York Times*, February 12, 1991, A3.

away.¹⁰ Commenting on the sentencing of Chen and Wang, the *New York Times* said in an editorial: "Now, Deng Xiaoping, beleaguered and unpopular, has moved to erase all traces of the earlier democracy movement." It went on to assert that in Orwellian style, Deng would consign inconvenient reminders of history to the memory hole. Independent intellectual activity, essential for economic reform, "is now proscribed out of fear of political reform."¹¹

An appeal to the Beijing High People's Court was rejected a month later. Wang Juntao's wife, who prepared the appeal, said that the appeal "proved to be a waste of time because the case was predetermined." She also said: "There is no law to speak of in China because the verdicts were based only on certain people's view of the Tiananmen tragedy." Expressing the hope that in five years a more enlightened leadership in Beijing might reverse the verdict, she called on the government to treat her husband and other dissidents humanely, because their only crime was an "ideological crime."¹²

The pattern of punishing those who refused to repent while showing leniency to those who "cooperated" continued as the trials moved on with cruel efficiency. Liu Gang, another student leader, refused to admit during his trial to "conspiring to overthrow the government" and recanted earlier confessions made in jail, claiming that they were extracted from him under the threat of death. He was one of the students "exposed" by Wang Dan as a leader in the Independent Student Union. During his twenty month incarceration at the notorious Qincheng Prison on the outskirts of Beijing, Liu tried to organize fellow inmates to sing the *Internationale*, a worker's song of protest. For his defiant attitude, Liu was given a six year jail term. Chen Xiaoping, a twenty-nine-year-old law lecturer at the Beijing University of Politics and Law, also charged with "conspiracy to overthrow the government," was released after he admitted guilt and promised to reform.

Three others were given jail sentences for helping the student leader Wuer Kaixi to escape after the Tiananmen Massacre. They were twenty-one-year-old Xiao Feng, a student at the Beijing Normal University, who received three years; twenty-nine-year-old stu-

10. See *supra* note 7. Chen was released in May 1994 just before President Clinton was to make a decision whether or not to renew most-favored-nation status for China.

11. "How to Resist the Memory Hole," *New York Times*, February 13, 1991, p. A22.

12. "Appeal of Wang Juntao and Others Rejected," *Shih-chieh Jih-pao*, March 20, 1991, p. 1.

dent Li Nong of the Central Nationalities College, who got five years; and thirty-seven-year-old Hu Ruoyang, an employee at a private company in Guangdong, who drew four years.¹³ In all, the court churned through twenty-nine trials in four weeks, meting out sentences ranging from two to thirteen years and a few acquittals.¹⁴

Government spokesmen strenuously denied that some of the light sentences were the result of pressure from abroad. They also rejected the notion that China was taking advantage of the world's preoccupation with the Gulf War to deal with the dissident problem. Chinese sources suggested domestic considerations lay behind the lenient treatment of some dissidents, including the desire to project a "kinder and gentler" image. After the blood bath at Tiananmen and the subsequent nationwide crackdown, the government now genuinely believed that it had restored internal political stability and that the dissidents no longer posed a political threat. Traditionally, Chinese officials suggested, such "magnanimity" towards "rebels" would convey an image of strength, confidence and normalcy to the public.¹⁵

While trials of better-known student leaders and leading intellectuals were well-publicized, trials of lesser-known dissidents, where there was less attention, saw more severe penalties meted out. For example, on March 10, 1991, twenty-three-year-old Chen Yanbin was sentenced to fifteen years in prison, for "publishing counterrevolutionary propaganda material and establishing an illegal organization." Chen, a student at Jiaotong University in Beijing, supported the Democracy Movement in 1989 and organized student demonstrations before the Tiananmen Massacre. Another student, Zhang Yafei, of Qinghua University, also in Beijing, was sentenced to eleven years in prison for co-authoring with Chen the "counterrevolutionary" pro-democracy booklet *Iron Curtain*.¹⁶

On February 25, 1992, seven dissidents were sentenced to prison terms, including an editor of the *People's Daily* and three students who were involved in the Democracy Movement.¹⁷ All

13. "Three Sentenced for Helping Wuer Kaixi to Escape," *Shih-chieh Jih-pao*, January 29, 1991, p. 3.

14. "The Merit of Obedience," *Time*, February 25, 1991, p. 58; "Summary of Trials of Democracy Activists," *Shih-chieh Jih-pao*, February 13, 1991, p. 28.

15. Robert Delfs, "Cruel to be Kind," *Far Eastern Economic Review*, February 7, 1991, p. 12.

16. "Chen Yanbin, of Jiaoda, Sentenced to 15 Years," *Shih-chieh Jih-pao*, April 9, 1991, p. 1.

17. "China Sentencing 7 to Prison for Pro-Democracy Activity," *New York Times*, February 26, 1992, p. A7.

seven were convicted of “counterrevolutionary propaganda and incitement.” None of China’s official news organizations reported the sentences and reporters found out only when they were tipped off by people who saw court notices. The editor, Wu Xuecan, was arrested in 1989 for his role in producing a *People’s Daily* “extra edition” leaflet in support of the Tiananmen Square student demonstrations and criticizing government corruption. Held for thirty months before trial, he was sentenced to four years. Student activist Peng Rong, arrested on May 25, 1990, after he allegedly put up a poster at Beijing University observing the coming first anniversary of the massacre, received two years. Two other student activists, Li Mingu and Zhai Weimin, were also convicted at the same time. Li was arrested in June 1990 for giving an anti-government speech at a Beijing University rally while Zhai was sentenced because he was active in underground democracy activities. Their sentences were not in the court notice. Three others also were convicted, but the court notice provided no information other than their names.¹⁸

Among those who received the harshest punishments in connection with the 1989 Democracy Movement were three men who hurled paint at the huge portrait of Mao Zedong in Tiananmen Square. The three, all in their twenties, were natives of Hunan, Mao’s home province. They were quickly arrested and sentenced to long prison terms. Yu Zhijian, a school teacher, was sentenced to life; Yu Dongyue, a journalist, was given twenty years; and Lu Decheng, a bus company employee, was sentenced to sixteen years in prison. They were held in Hunan’s No. 1 Prison in Lingling, virtually ignored by the outside world. According to a report by Asia Watch on May 30, 1992, the three were tortured in prison and two of them had been kept in tiny solitary confinement cells for thirty months. The cells at Lingling prison were damp, almost pitch dark and about the size of a closet. Lacking heating or ventilation, the cells were freezing cold in winter and unbearably hot in summer, according to Tang Baoqiao, who wrote the report. Tang, a former student democracy activist, had spent more than a year in ten different jails or detention centers in Hunan and Guangdong provinces before coming to the United States. According to the report, Yu Dongyue, the journalist, became badly disturbed psychologically and lost control of his excretory function. Yu Zhijian, the

18. David Holley, “Chinese Court Convicts Prominent Dissidents,” *Washington Post*, February 26, 1992, p. A22.

teacher, lost so much weight that he appeared almost skeletal. Both had been subjected to various physical tortures because of "reactionary statements" they made in prison, the report said.¹⁹

On July 21, 1992, in the most important political trial in China in twelve years, a three-judge panel of Beijing Intermediate People's Court sentenced Bao Tong, a leading reformer and a former top aide to deposed Party leader Zhao Ziyang, to a seven year prison term. Bao had been held without charge since he was taken into custody on May 28, 1989, just days before the Tiananmen Massacre. Bao was given four years for "leaking an important state secret" and five years for "counterrevolutionary propaganda and incitement" during the student demonstrations. The court ordered that he serve a combined term of seven years. The trial lasted only six hours, apparently with the verdict and prison sentence already decided in advance.²⁰ The trial was closed to the public, including Bao's family members, who were allowed to attend only the last ten minutes to hear the sentencing. Many "spectators" were brought to the courthouse in government cars and returned to work after sentencing.

On August 25, Wu Jiexiang, an economic theorist and also an aide to the ousted former Party leader, was sentenced to three years in prison for "counterrevolutionary propaganda and incitement." However, he was released after sentencing because he had been held without trial for more than three years. Wu, a researcher for the Party Central Committee, had advocated the concept of "new authoritarianism," combining economic liberalism and centralized political control. (Opponents of former Chinese Communist Party General Secretary Zhao Ziyang accused him of using this theory to concentrate power in his own hands.) Many Chinese believed that Wu, Bao Tong and Gao Shan, who earlier received four years for leaking state secrets, were made scapegoats mainly to appease hard-liners in the Party and to close the books on the 1989 Tiananmen Massacre.²¹

Tightened Control on Anniversaries of Tiananmen Massacre

As the second anniversary of the military crackdown of the June 1989 student demonstrations approached in 1991, security was

19. Nicholas D. Kristof, "Defacers of Mao Portrait Said to Face Jail Torture," *New York Times*, June 1, 1992, p. A9.

20. "The Trial of Bao Tong," *Asia Watch*, August 3, 1992, pp. 1-3.

21. "Last Tiananmen Trial Concluded," *Washington Post*, August 26, 1992, p. A8.

increased around Tiananmen Square in Beijing and at the city's many universities. A month before the anniversary, Reuters reported stepped-up surveillance of intellectuals thought to be connected with the Democratic Movement. A university student was arrested for circulating an underground paper. The student was Liu Xianbin, who studied at the People's University. He was taken into custody for publishing the journal *Democratic Forum*, in which he urged reform of the Chinese Communist Party.

Public security authorities also went through the files of each university and work unit exhaustively, trying to identify possible supporters of the Democracy Movement. Although thousands were imprisoned during the post-Tiananmen crackdown, many more were not arrested. Their alleged connections with the Democracy Movement, however, were recorded in their personnel files. One democracy supporter was told by a friend in government that she was on the blacklist, marked for arrest in case of political turmoil. Another intellectual who had played a minor part in the Democracy Movement in early 1989 reported that he was called in twice by the public security office and questioned about his political views and activities. He said the police believed that there were underground organizations in the universities after anti-government posters and handbills appeared in Beijing. "They warned me not to join any dangerous political activity."²²

On May 29, 1991, the Party Central Committee and the State Council jointly issued an urgent directive, warning all Party and government offices against subversive activities by "hostile forces." It specifically urged tight security measures around university campuses and strict control over foreign correspondents. The ten-point directive urged university authorities to maintain order and pay attention to student disaffection. "All units must place stability as the highest priority in their work," the directive asserted.²³ Students were warned against any anti-government activities. Even people who witnessed a protest without reporting it were punished. In other major cities, leave for public security police was canceled from May 1 through June 4.²⁴

Despite all the precautions, students at Beijing University managed to unfurl a fifteen foot long banner with the message "We Will Never Forget June 4!" in bold characters. They also scattered

22. "Beijing Increases Surveillance of Democracy Supporters as Tiananmen Anniversary Approaches," *Shih-chieh Jih-pao*, May 5, 1991, p. 1.

23. "Banner in Beida: Never Forget June 4," *Shih-chieh Jih-pao*, May 31, 1991, p. 1.

24. *Ibid.*

hundreds of leaflets, criticizing the government and demanding the release of jailed democracy supporters. The banner, hoisted on top of a graduate student dormitory building, was quickly pulled down. The leaflets, distributed in two dormitories and in a dining hall, was signed the "Chinese Youth Alliance," a previously unknown group.²⁵ One of the leaflets said: "Two years ago in June, those were the days that awoke the heart and moved the spirit. The hue and cry then became the sounds of suffocation in a pool of blood." A second declared: "The world no longer pays attention to us. We at Beijing University must take care of our own conscience!"²⁶

After the incident, the police raided the dormitories. University officials subsequently disclosed that new surveillance equipment was in place on campus that would help identify any participants in a protest. They further declared that anyone who observed a protest without reporting it would be legally considered a participant.

A new type of protest that originated on the university campus but went beyond it was in the form of computer viruses. Various anti-government messages were discovered on and off campus and in government offices. A computer specialist in Beijing reported that he unexpectedly saw the message "Bloody June 4" flash across his computer screen.²⁷

At this time, at Beijing University, six armed guards were posted at the main gate and bags were searched. At the triangle in the center of the campus, a favorite gathering place for students, plainclothes police walked around carrying two-way radios. At the Second Foreign Language Institute, armed soldiers started a twenty-four hour patrol beginning in mid-April, ostensibly to prevent fights between Chinese and Uighur students. Extra soldiers also moved into the city, quartering in many government buildings. Public gatherings by foreign residents were banned by the government, including an outdoor rock concert.²⁸

Despite tightened security, in a bold protest against Deng Xiaoping, students at Beijing University in the early morning of June 4 smashed nearly one hundred small glass bottles to mark the

25. *Ibid.*

26. Sheryl WuDunn, "Beijing Students Issue Leaflets on Democracy," *New York Times*, May 30, 1991, p. A8.

27. Sheryl WuDunn, "China Discourages Tiananmen Rallies," *New York Times*, May 31, 1991, p. A8.

28. "Campus Surveillance on the Eve of June 4," *Shih-chieh Jih-pao*, June 1, 1991, p. 1.

second anniversary of the bloody suppression of the Tiananmen demonstration in June 1989. (Deng Xiaoping's given name is a homonym for "little bottle," and protesters often express their feelings about Deng by shattering bottles.) Shortly after midnight, students began clapping, cheering and throwing bottles outside three graduate dormitories where policemen were patrolling. The school authorities reportedly tried to gather up all the glass bottles in the area beforehand so that students could not break them but failed in their efforts.

In another act of defiance, some two hundred students gathered outside the library on the eve of the anniversary, some wearing white, the color of mourning. When they started to sing songs, they were silenced by dozens of plainclothes policemen.²⁹ Security was so tight that any large scale activity similar to those in 1989 was impossible. One medical student at Beijing University said: "Anyone who wants to act is either crazy or committing suicide."³⁰

Observers discerned two apparently contradictory trends emerging in the two years following the military crackdown. One was that the hard-liners had succeeded in defusing the political ferment and as a result could look forward to years of remaining in power. The other was that the hard-liners managed to turn many Chinese, particularly the young and educated, away from communism. "Socialism is rubbish; everybody knows that," said a university senior with relatives in high positions in government. He said he used to think that socialism was basically good, only that there were specific problems like corruption that needed to be addressed. "But now I have gradually come to realize that the problem is socialism itself." He added: "If you had a secret poll of my classmates, not one of them would say that socialism has a future. Not one of them."³¹

To many, the Communist revolution was a mistake from the start. "As far as I can see, the Communist revolution was a bad thing for China," an official with minister-level rank said bluntly. Asked how many other officials of his rank still believed in Marxism, he said: "It is hard to say, but probably very few. Maybe fewer than half."³²

29. Sheryl WuDunn, "Beijing University Students Mark the 1989 Crackdown," *New York Times*, June 4, 1991, p. A12.

30. See *supra* note 28.

31. Nicholas D. Kristof, "Hard-liners in China: Old, But By No Means Out," *New York Times*, June 4, 1991, p. A12.

32. *Ibid.*

Nonetheless, dissidents believed that the certainty of repression made the possibility of quick democratic change remote. "My generation of students isn't going to take to the streets," said a senior at People's University, an elite institution for the training of Communist cadres. "The controls are too great and we are simply too scared," she admitted. "But there will be another group that will march," she said, "and when they do, it is hard to say if there is anything they wouldn't say."³³

The situation was no less tense on the third anniversary of the Tiananmen Massacre in June 1992, although the day passed without major incident in Beijing or elsewhere. Observers believed that the subdued mood was due to a number of factors, including repression and the government's skillful propaganda. "Hitler's propaganda head, Goebels, said that if you repeat a lie a thousand times, then it becomes the truth," said Zhang Weiguo, a dissident journalist in Shanghai and one of the few Chinese who dared to criticize the government openly. Government propaganda concentrated heavily on the economic woes and ethnic fighting in the former Soviet Union and Eastern Europe and warned of the same in China if democracy campaigners succeeded. "And so for ordinary Chinese, if you cram this stuff into their ears 1,000 times, then it becomes the truth," Zhang said. He believed that most people had concluded that talking about the Tiananmen crackdown would accomplish nothing other than risking punishment.³⁴

The *New York Times* Beijing bureau chief, Nicholas D. Kristof, believed that the great majority of Chinese intellectuals were unaffected by government propaganda and continued to expect a reversal of the official verdict on the Tiananmen Massacre. "Alienation is as widespread as ever, few people believe in Marxism, and many Chinese and foreigners alike regard Communist rule as a crumbling dynasty," Kristof wrote. He quoted a Beijing professor as saying: "The pendulum will swing back. I am sure of it. I still believe that the Tiananmen demonstrations will go down as the greatest democracy movement in Chinese history."³⁵

On June 3, 1992, a forty-two-year-old worker was dragged away by police when he tried to unfurl a banner in Tiananmen Square urging authorities to reverse the verdict on the 1989 student pro-democracy demonstrations. The worker, Wang Wanxing, was

33. *Ibid.*

34. Nicholas D. Kristof, "3 Years After Tiananmen, and Who Remembers?" *New York Times*, June 5, 1992, p. A4.

35. *Ibid.*

first thrown in a police detention center and a month later was transferred to a mental institution in suburban Beijing. On July 14, he managed to smuggle a letter out of the mental hospital declaring: "I am not mentally deranged. However, they forced me to undergo various treatments along with other mental patients in an attempt to injure my mind and body."³⁶ Wang traced his persecution by the Communists to 1976 for supporting Deng Xiaoping during the days of the Gang of Four, when Deng was in disgrace. He was cleared of his "crimes" in 1990. However, he soon lost his job for speaking his mind and began to live the life of an outcast, like so many victims of political persecution. In his letter, he appealed to President Bush, U.N. Secretary-General Boutros Boutros-Ghali and human rights groups for help. "I demand justice. I cannot control my own destiny. Please help me," he pleaded.³⁷

During this minor incident in Tiananmen Square, seven journalists covering the event were roughed up by police and their film seized. The journalists, including those from the United States, Canada, Germany and Japan, were detained at a police station for several hours. One of them, Atsushi Yamagiwa, a Japanese cameraman, was knocked to the ground and kicked as he and several others, also punched and kicked, were taken away. Tiananmen Square was heavily guarded, with three times the number of uniformed and plainclothes police as usual patrolling the area, armed with two-way radios and video cameras. The university area on the outskirts of Beijing looked like an army camp, according to an eyewitness. The streets near Beijing University were full of police patrolling in cars, motor scooters and on foot. Pedestrians could enter the campus only with a pass while all others, including students, professors, guests, and cars with foreign license plates, were stopped at the gate. "The campus is under occupation," one civilian said, pointing to two police buses parked next to the gate. "I want to cry, but if I do, it would only invite notice and trouble," a student said.³⁸ A new sign was put up in the center of Tiananmen Square warning visitors not to lay mourning wreaths, unless permission was

36. "Wang Wanxing Put in Mental Institution," *Shih-chieh Jih-pao*, July 29, 1992, p. 3.

37. *Ibid.*

38. "Lone Protester Seized in Tiananmen, 7 Journalists Detained," *Shih-chieh Jih-pao*, June 4, 1992, p. 1.

granted five days in advance. The sign also forbade picture-taking, laughing and joking in the vicinity.³⁹

In Washington, at a rally in front of the Chinese Embassy marking the third anniversary of the massacre, a Chinese scholar critically injured during the military crackdown in Tiananmen Square urged the Chinese government to compensate ordinary citizens victimized by the bloody army suppression. Zhang Yalai, a thirty-nine-year-old economist who lost a leg in the early morning of June 4, 1989, said many of those killed and injured at Tiananmen Square were not demonstrators and they deserved compensation from the government. "China's social stability is closely related to the way the government treats those innocent victims," Zhang told the rally on June 4 attended by Chinese students and activists and several members of Congress.⁴⁰

Zhang, who came to the United States in April 1992 to do research at the University of Minnesota, said many Beijing residents were in the streets on that fateful night out of curiosity and concern as army troops marched into the city. Zhang was riding a bicycle on a side street near Tiananmen, where there were large crowds, armed soldiers and burning buses. "Suddenly, someone shouted 'Fascists' and the crowd began to back up," Zhang said, and then he felt a softness in his leg. "I held it up—my calf was dangling, it had broken off." When he was taken to a hospital, Zhang said he was shocked by the large number of dead and wounded people lying all over the hospital compound. "I was an ordinary citizen. . . and I was shot in the knee by the army," Zhang, whose leg was amputated ten inches above the knee, told the Washington rally. He called for compensation for those injured and for the families of those killed. Many families lost their main source of income when husbands or fathers were killed, Zhang said, adding: "Being out of prison does not mean people are not suffering."⁴¹

Meanwhile, at Beijing University and elsewhere, officials continued to watch what was perceived to be the hotbed of radicalism. In early 1991, a hard-line city Party official, Wang Jialu, replaced the university's Communist Party Secretary Wang Xuezheng, who was considered too lenient on students. This followed the replacement the year before of the University President Ding Shisun by

39. Nicholas D. Kristof, "Chinese Police Halt Tiananmen Square Memorial," *New York Times*, June 4, 1992, p. A5.

40. Liu Qingyan, "Man Maimed at Tiananmen Asks Help for Innocent Victims," *Washington Times*, June 5, 1992, p. A8.

41. *Ibid.*

another Party hard-liner, Wu Shuqing.⁴² Ding was blamed for permitting his students to take part in the Tiananmen demonstrations. This included Wang Dan, the most prominent student leader, whose sentencing to four years in prison on charges of “counterrevolutionary plot to overthrow the government” was described above.

After the Tiananmen crackdown, the university closed the history department and several other departments, drastically reduced the incoming freshman class, and packed new students off to a year’s military and ideological training. Prospective employers were reluctant to hire Beijing University graduates, fearing that they were too politically active. Faculty and students reported that the school’s “vitality” was dealt a fatal blow as it was being suffocated by the authorities. “Our freedom of political expression and our freedom of movement is suppressed,” a young instructor at the university said, citing widespread apathy on campus.⁴³ During the academic year, libraries were often deserted. Teachers avoided discussing politics in class, and students were known to have reported to the authorities several instructors who were “too Westernized” in their thinking. Because of fear tactics and intimidation, many turned from their studies to more superficial pursuits. Men were playing basketball while women were taking up sewing and cooking. Posters on campus advertised sales rather than lectures. The one year military and ideological training may not have brainwashed all freshmen, as one said: “I found that the negative aspects of that one year of military training have made me understand the value of freedom.”⁴⁴

A sense of despair pervaded those who took part in Tiananmen demonstrations in 1989. They felt isolated, abandoned by their country as well as the West. In a long essay written by a group of students and handed over to Reuters, it was learned that silent resistance against the authorities persisted on campus. However, in the face of the powerful government, the students said they were afflicted with a sense of “powerlessness and despair.” In a more sober vein, the students said “although we are not afraid of bloodshed and punishment, the blood spilled by our predecessors has enabled us to progress from blind enthusiasm to levelheaded scrutiny and awareness.” “We now realize how difficult a path it is

42. Sheryl WuDunn, “The Winter of One Chinese Campus’s Discontent,” *New York Times*, February 11, 1991, p. 4.

43. *Ibid.*

44. *Ibid.*

to pursue democracy and human rights," the students said in their statement.⁴⁵

Meanwhile, the Communist Youth League (CYL) and the Bureau of Publications exhorted young people to study "wholesome" books in order to strengthen their conviction in Marxism and to resist the Western plot of "peaceful evolution." The CYL, the Party's main youth organization, kicked off a campaign in early May 1991, designating the months of May and June as *Dushu Jie* (Book Study Festival). It urged youth organizations throughout the country to sponsor various activities among the nation's 300 million youths, stressing the following themes: "Love the Party, love the country, seek knowledge, and become a useful person."⁴⁶

To escape the strict controls imposed after June 1989 on college students intending to study abroad, high school graduates began planning to totally bypass the Chinese system of higher education and to enroll in foreign colleges, particularly in the United States. (The requirement instituted in 1990 which prevented college graduates from leaving the country for five years did not apply to high school graduates.) In Shanghai, high school students were reported to have stayed away from college entrance examinations, while undergraduates deliberately dropped out of school so that they could apply to foreign colleges as transfer students. At Shanghai's prestigious Fudan University, a resourceful student refused to go through the graduation ceremony so the five year rule would not affect him.⁴⁷

Observers cited these factors as evidence of a yearning to go abroad by young people: pessimism about the future and resentment at the stifling orthodoxy and lack of academic freedom. One frustrated eighteen-year-old put it bluntly: "I refuse to take the college entrance examination, because there is nothing I can learn at a Chinese university."⁴⁸ Many parents supported their children's views. A Beijing newspaper editor said: "My niece is trying to go abroad to earn her B.A. It's her last chance, because otherwise she will have to do a year of military training at the beginning of university, then a year after graduation working in the countryside, and

45. "Campus Turns Quiet as Students Feel Powerless," *Shih-chieh Jih-pao*, April 23, 1991, p. 1.

46. "Chinese Communists Urge Youths to Study More," *Shih-chieh Jih-pao*, May 4, 1991, p. 18.

47. Nicholas D. Kristof, "China's Students Seek to Avoid Ban on Travel," *New York Times*, March 27, 1991, p. B7.

48. *Ibid.*

finally five years of work before she can get her passport. What's the point? Why wait?"⁴⁹ The eagerness of young people to leave the country to avoid the five year rule was shown in the sharp rise in the number of students taking the TOEFL (Test of English as a Foreign Language) examination required by American colleges of foreign applicants. In the 1986-87 academic year, 1,500 Chinese took the test. By the 1989-90 school year, the number soared to 9,750.⁵⁰ At the end of 1992, there were more than 60,000 Chinese students enrolled at U.S. colleges and universities.

New Campus Rules Prohibit Smashing of Small Bottles

On October 5, 1991, a set of new regulations governing student life on campus went into effect at all institutions of higher learning in Beijing. Known as the "Regulations to Foster Superior Lifestyles on Campus and to Ban Immoral Conduct," the new rules were posted all over the campuses and broadcast through loudspeakers. Article 4 "strictly prohibits littering and smashing of small bottles (*xiaoping*)," article 3 bans "whistling and making loud noise after 11 p.m.;" article 5 bans such "immoral conduct between male and female students as holding hands, embracing and kissing" in classrooms, dining halls and libraries.⁵¹ Students responded to the new rules with contempt by openly flouting them. A correspondent of the Japanese newspaper *Yomiuri Shimbun* reported from Beijing that despite the well-justified fear of the authorities about the volcanic youthful energy, it was futile trying to suppress it by coercion.⁵²

Realizing the futility of a ban on bottle smashing, Beijing University in 1992 adopted an unusual precautionary measure during the third anniversary of the Tiananmen crackdown: resorting to monetary incentive in tune with Deng's economic reform. In an effort to reduce the availability of glass bottles to smash, the school authorities sent bottle collectors around the dormitories, offering to pay about two cents per glass bottle.⁵³

To guard the younger generation from the pernicious influence of the so-called "peaceful evolution" offensive mounted against

49. *Ibid.*

50. *Ibid.*

51. "New Campus Rules: No Kissing Between Comrades," *Shih-chieh Jih-pao*, September 17, 1991, p. 18.

52. *Ibid.*

53. Nicholas D. Kristof, "Chinese Police Halt Tiananmen Square Memorial," *New York Times*, June 4, 1992, p. A5.

China by the West, there were serious discussions about reviving the policy of sending students down to the villages to live and work among the peasants in order to raise their "proletarian consciousness." This policy was popular during the Cultural Revolution, when millions of former Red Guards were ordered to go to the villages and remote areas to live among the peasants in order to be "reeducated." The policy was later denounced as ultra-leftist and blamed on the Gang of Four. At the time, however, it had the effect of reigning in the millions of rampaging Red Guards let loose by Mao and restoring order in the country.

According to the official China News Agency, at a conference held in Shenzhen, Guangdong Province in April 1991, it was decided that college students home during the summer vacation would take part in social work in order to "receive education and improve their understanding of workers and peasants." The project was designed to "strengthen the college students' faith in socialism" and to "enhance their sense of responsibility in social reform." One hundred counties in the country were selected as the "key points" from which hundreds of thousands of university students fanned out to the countryside to have their summer "ideological refresher course" from workers and peasants.⁵⁴

Renewed emphasis was put on ideology in higher education. In an important policy speech in early July 1991, Li Tieying, a politburo member and head of the State Education Commission, sounded the new clarion call, urging more courses on political ideology in the nation's universities emphasizing "socialist style of management." The university forum should not be controlled by the bourgeois class, the hard-line education chief said, asserting that teachers who refused to propagate socialism and students who did not believe in socialism should both "feel free to resign." "Our university must be a socialist university," he declared.⁵⁵ Li said graduate students should not devote full time to research, but must study Marxist-Leninist classics and go to the countryside to practice what they have learned. No degree should be conferred on a candidate who only handed in a thesis but failed tests in political ideology, he said. Similarly, he added, teachers directing graduate research must lead the students not just in academic study, but in political ideol-

54. "A Million University Students to Spend Summer in Countryside," *Shih-chieh Jih-pao*, April 26, 1991, p. 16.

55. "Chinese Communists Will Run Socialist University," *Shih-chieh Jih-pao*, July 9, 1991, p. 16.

ogy as well.⁵⁶ Later, the State Education Commission and the Party Propaganda Department set up a joint committee to review all doctoral dissertations and master's theses submitted since 1986 and to revoke degrees granted if the views expressed in them were found to be contaminated with "bourgeois liberalism."⁵⁷

The new policy proclaimed by Li was implemented later in the year at Beijing University. In a university-wide check, two master's degrees granted were canceled because the theses submitted by the recipients were found to express "questionable ideological viewpoints." With their degrees revoked, the two were demoted in their jobs as a result. The incident caused widespread concern on the campus of China's leading university, where students and faculty reacted with fear and tacit resistance.⁵⁸

Efforts to combat the Western "peaceful evolution" plot against China continued in the nation's universities in 1992. The year opened with the government reportedly compiling a black list of scholarly works by Chinese suspected of promoting Western and democratic ideas. The action was seen as a step to suppress intellectuals harboring ideas for political reform. According to an Agence France Presse (AFP) dispatch from Beijing which confirmed earlier reports, the State Education Commission in a directive ordered key universities and the Social Sciences Academy to conduct a check of scholarly works, particularly theses and dissertations completed in the past five years, to look for works "with political problems." Institutions failing to carry out the check would be penalized with cutbacks in their graduate programs. The State Education Commission singled out for special attention four Beijing institutions most actively involved during the 1989 Tiananmen Democracy Movement—Beijing University, the Beijing Foreign Language Institute, the People's University and the Chinese University of Politics and Law.

Professors were each ordered to look over all the theses completed under their direction since 1986 and submit a list to the school authorities for forwarding to the commission, which then would conduct spot checks to find out if any thesis contained ideas reflecting "bourgeois liberalization." Specifically targeted were those in law, politics, humanities and social sciences. The directive

56. *Ibid.*

57. "Beijing Tightens Ideological Control," *Shih-chieh Jih-pao*, November 4, 1991, p. 18.

58. "Beijing Checks on Ideology on University Campus," *Shih-chieh Jih-pao*, November 9, 1991, p. 2.

encountered passive resistance, according to informed sources, as professors had learned from past experiences to find ways to water down the directive so as to protect themselves and their students.⁵⁹ The directive coincided with the commission's other move, on the enrollment policy for graduate students in 1992. According to *Xinhua*, the commission, at a conference at the end of 1991 setting admissions guidelines for graduate students in the humanities in 1992, declared that prospective graduate students must demonstrate firm belief in Marxism as a "first criterion." The commission stressed that in considering the qualifications of prospective graduate students, universities must "put politics in first place" in order to fight "peaceful evolution."⁶⁰

Well-Timed Releases of Dissidents

Participants in the Tiananmen demonstrations continued to escape from China, two years after the massacre. On July 14, 1991, immigration officials in Seattle found two women stowaways aboard a freighter from Hong Kong. They were later identified as Tiananmen activists and released to the custody of the shipping company while proceedings for granting them political asylum were under way. The two were twenty-seven-year-old Ma Yuan, a computer engineer at a military ordinance plant in Tianjin and thirty-seven-year-old Hua Xiazi, a graduate student in economics at Beijing University. Ma Sheng, Ma Yuan's brother, told an Associated Press correspondent in Hong Kong that they fled China in September 1989, after the Tiananmen Massacre. He said his sister was sought by the Chinese authorities because of her active participation in the Democracy Movement. Hua Xiazi, the Beijing University student, was one of the organizers of hunger strikes during the Tiananmen demonstration. After the government crackdown, she went into hiding. Later she took part in setting up "underground railroads" to help many activists escape from China.⁶¹

While trials of those involved in the Democracy Movement continued in Beijing and elsewhere, the leadership also began to make overtures to intellectuals, who were frightened and silenced by the post-Tiananmen crackdown. In an internal directive to Party committees at different levels in early April 1991, Party General

59. "Chinese Communists Order Black Lists of Scholarly Works," *Shih-chieh Jih-pao*, January 16, 1992, p. 2.

60. *Ibid.*

61. "Two Stowaways on Hong Kong Freighter Reach Seattle for Asylum," *Shih-chieh Jih-pao*, July 15, 1991, p. 3.

Secretary Jiang Zemin ordered a halt to further arrests in connection with the Tiananmen Democracy Movement. Designed to woo intellectuals, the directive had the effect of easing the fear of many who had been in hiding during the crackdown. Evading the authorities for more than a year, some began to reemerge from hiding in the wake of Jiang's offer. Xie Xiaoqing, a director at Chen Ziming's Beijing Social and Economic Sciences Research Institute and Min Qi, editor of the Institute's *Economic Weekly*, both reappeared in Beijing in April after more than a year in hiding. Jiang, in his directive, also made overtures to those who had fled the country after the Tiananmen Massacre. "As long as they admit their mistakes and stop opposing the government and flirting with foreign forces, they can come back," he said.⁶²

Earlier, a prominent Tiananmen activist was allowed to leave the country to come to the United States. Gao Xin, a thirty-five-year-old former teacher at the Beijing Normal University, joined the Center of East Asia Studies at Harvard University as a visiting scholar. Gao was among the last hunger-strikers at Tiananmen Square. He was arrested after the massacre and spent six months in jail. After he was released in December 1989, he was under virtual house arrest, lost his job at the university and was expelled from the Party. However, after Harvard issued two consecutive invitations, the government decided to let him go, apparently as a friendly gesture to other intellectuals as well as to the United States.⁶³

Responding to external pressure, Beijing also made well-timed releases of prominent leaders of the Tiananmen Democracy Movement. Less than a month before President Bush was to make his recommendation on whether to renew most-favored-nation (MFN) trade status for China, Beijing released an underground labor union leader and a prominent lawyer. Han Dongfang, who organized the Independent Labor Union and was instrumental in mobilizing workers to support the students during the demonstrations, was held for nearly two years without trial. Treated much more harshly than most students who were arrested, he contracted tuberculosis while in prison and was denied medical care. But he was eventually released on bail in April 1991 for medical treatment after much outside intervention, including inquiries from the United States Embassy in Beijing. The charges against him were later dropped.

62. "Jiang Zemin Said to Order Halt to Arrests," *Shih-chieh Jih-pao*, April 6, 1991, p. 2.

63. "Tiananmen Hunger Striker Gao Xin in U.S. As Visiting Scholar," *Shih-chieh Jih-pao*, March 11, 1991, p. 2.

The other released dissident was legal scholar Li Jinlin of Beijing University, who was an adviser to Han's underground labor union. Commenting on the release in connection with the MFN debate in Washington, Robin Munro of Asia Watch said: "There is so much pressure that unless some fairly major releases were made, it's going to be very hard for the Chinese to press their case."⁶⁴

In November, as a gesture when greeting visiting U.S. Secretary of State James A. Baker, another student demonstrator was released. Wang Youcai, a graduate student in physics at Beijing University, was serving a four year sentence for his participation in the Democracy Movement. He was released because he had shown signs of repentance, *Xinhua* said.⁶⁵

While the releases were seen as conciliatory signals from Beijing in response to outside pressure, there were also contrary signals, particularly away from Beijing. In Canton, for example, in a case that attracted little attention, three Hong Kong residents were convicted by a local court on March 4 on charges of helping pro-democracy dissidents. They were sentenced to jail terms of four to five years. According to the Canton *Yangcheng Evening News*, the three, Lo Hoi-sing, Lai Pui-shing and Li Lung-hing, were charged with collaborating with a Hong Kong group in an unsuccessful attempt to smuggle out of China Chen Zimin and Wang Juntao, who had been sentenced to thirteen years in prison as noted above.⁶⁶ Lo, a Hong Kong businessman, was accused of "harboring counter-revolutionary elements" for having allegedly contacted the Hong Kong Alliance in Support of Patriotic Democratic Movement in China. Beijing branded the alliance "subversive" for helping wanted dissidents escape the country.⁶⁷

The sentence Lo received was particularly harsh since he never even met Chen and Wang. All he did, according to his wife, was to convey a message from a friend in Beijing to the Hong Kong group during one of his frequent business trips between China and Hong Kong. Following the sentencing, Lee Cheuk-yan, a spokesman for the Hong Kong Alliance, said it was very much a "political judgment rather than purely a judicial decision." Lee said the purpose

64. Sheryl WuDunn, "A Legal Scholar Is Freed in China," *New York Times*, May 9, 1991, p. A8.

65. Nicholas D. Kristof, "Beijing Sets 2 Free in '89 Protests," *New York Times*, November 30, 1991, p. 3.

66. See *supra* note 4.

67. "Three from Hong Kong Are Jailed by China," *New York Times*, March 5, 1991, p. A8.

was clearly to “warn or threaten the people of Hong Kong that ‘You should not support the movement in China.’ ” Indeed, lawyers in Hong Kong saw ominous signs for Hong Kong after 1997, when Hong Kong reverts to Chinese rule. The Basic Law that will govern Hong Kong after 1997 contains a clause that prohibits acts of subversion against the Chinese government. Many expressed the fear that a broad interpretation of the provision might easily land many politically active Hong Kong residents in jail.⁶⁸

As time went on, more information came out on imprisoned dissidents, but nobody knew just how many were still languishing in jail without trial. The case of Wu Jiayang, noted previously, is particularly poignant in illustrating the perils of being an intellectual in China. In July 1991, it became known that Wu had spent more than two years in the notorious Qincheng Prison without being formally charged with a crime. Wu, a thirty-five-year-old former Party worker, had suffered a sudden fall from a seemingly promising career. Upon his graduation from Beijing University, he was recruited to work for the Party Central Committee, where he once wrote essays to promote the theory of “new authoritarianism,” arguing that a kind of enlightened despotism was necessary for carrying out economic reform first and political reform later on. For that, he was denounced by many intellectuals as an apologist for the authorities. However, six weeks after the Tiananmen Massacre, he was arrested, presumably because of his close ties to the deposed former Party General Secretary Zhao Ziyang, who promoted the idea of “new authoritarianism.” The Beijing Intermediate Court subsequently denied any knowledge of his detention. Many were puzzled as to why he was punished so harshly. “No one knows why he is still in prison. Maybe it is because he knows too much,” said a Chinese with firsthand knowledge of this case.⁶⁹ Wu was destined to become a scapegoat for his fallen boss. After more than three years in jail, he was finally brought to trial in August 1992, sentenced to three years, and then released, his career in ruins.

In November 1991, the Associated Press reported from Beijing that Zhai Weimin, a student leader who tried to organize an underground democracy movement after the Tiananmen crackdown, had gone on trial. Zhai was among the twenty-one most wanted student leaders. Accused of organizing the “Democratic Front to Save

68. Sheryl WuDunn, “China’s Message: Jailing of a Hong Kong Man,” *New York Times*, April 25, 1991, p. A14.

69. Nicholas D. Kristof, “Dungeon Is Fate for a Chinese Who Tilted Inside the System,” *New York Times*, August 1, 1991, p. A8.

China," he was arrested in early 1990 and spent the next twenty months in jail virtually forgotten by the public.⁷⁰

The pattern of using releases of imprisoned dissidents in exchange for political favor continued in 1992. In late January, Beijing released nine students who had been held in connection with the 1989 Tiananmen Democracy Movement. Apparently designed to improve China's image abroad, this was done days before Premier Li Peng embarked on a visit of several European countries, culminating in a summit meeting at the U.N. Security Council in New York, where he met with President Bush for the first time. Li was the most hated man in China, hated because he ordered the 1989 military crackdown in Tiananmen Square. Because the release of the prisoners was not announced by the government, but was made known through a "friendly" American businessman, John T. Kamm, who earlier had negotiated the release of the political prisoners, this indicated Beijing wanted to please the United States but did not want its actions known in China. Kamm disclosed that the nine people had been held for nearly two and half years without charge including Wang Zhixin, who was a student at the University of Politics and Law in Beijing and No. 12 on a list of twenty-one most wanted student leaders. Kamm said that Chinese officials had also told him of the impending release of eleven other dissidents who had been held for the same duration of time without charge. According to Kamm, these dissidents would be tried and sentenced for about the length of time they had already spent in prison so that they would be released after sentencing.⁷¹ This "friendly" gesture graphically revealed the political nature of China's criminal justice system.

Two and a half years after the Tiananmen Massacre, police continued to keep surviving dissidents under close surveillance. Security officials also harassed them—often calling them, and their uninvolved friends, in for questioning and warnings. Some told of late-night knocks on the door that led to a day or two of detention or a beating.

Dissidents Continue Underground Activities

Nonetheless, veteran democracy supporters continued to work underground, according to the Hong Kong magazine *Qian Shao*

70. "Zhai Weimin Goes on Trial," *Shih-chieh Jih-pao*, November 29, 1991, p. 3.

71. Sheryl WuDunn, "China Reports Freeing 9 Democracy Campaigners," *New York Times*, January 28, 1992, p. A9.

(Sentinel). One of the groups was the "United Front of Chinese Democracy Movement," which counted among its members many veteran activists dating back to the Democracy Wall days in 1979. In other regions, including Canton in the south, People's Liberation Army (PLA) units received leaflets and letters urging soldiers to support the Democracy Movement. In Sichuan Province, democracy activists distributed such mimeographed publications as *Wumingcao* (Nameless Grass), *Yecao* (Wild Grass), *Duanceng* (Fault Line) and *Feifei* (Luxuriant and Beautiful) among students and young people.⁷²

No one knew how many were left in the Democracy Movement, with many leaders either in jail or living abroad. By 1992, there was no umbrella organization within China to coordinate activities or disseminate information similar to the student organization in Tiananmen Square before the 1989 crackdown. Apparently, small bands of dissidents continued to operate underground to keep the Tiananmen spirit alive. "I can tell you there were more than 100 of us in small groups all over China," one activist told Reuters correspondent David Schlesinger, claiming that they had links with democracy groups abroad.⁷³ His assertion seemed to be corroborated by the Shen Tong incident discussed later in the chapter. The actual number of activists may be small because of tight security, but the longing for change never died. And the government created opposition by punishing those who took part in the mass demonstrations as well as their families and friends. Hundreds were thrown out of universities without a degree, removed from their jobs or denied housing or a chance to go abroad because they were stigmatized by the police as having "political problems."⁷⁴

It was a common practice that the punishment a dissident received extended to family members as well. When one was in jail, one's family invariably would suffer. The wife and sick daughter of one of China's most prominent jailed dissidents, for example, were evicted from their apartment in April 1992. Ren Wanding, a forty-eight-year-old accountant, was serving a seven year sentence for his role in the 1989 Democracy Movement. His wife, Zhang Fengying, returned home from a trip to seek medical treatment for her ailing daughter only to find her apartment door nailed shut. The reason

72. "New Democracy Groups Appear in Mainland China," *Shih-chieh Jih-pao*, May 8, 1991, p. 1.

73. David Schlesinger, "China Keeping an Eye on Dissidents," *Washington Times*, January 18, 1992, p. A6.

74. *Ibid.*

was simple: Ren's work unit fired him after his arrest, and was taking back the apartment assigned to him. The eviction reflected the hardships typically endured by the families of jailed dissidents. Wives, siblings and children of dissidents also encounter discrimination in getting jobs, housing and in acquiring government permission for a variety of other things. "They are shutting me out of my house so that now I am homeless," said Ms. Zhang. Adding to her woes, she had no Beijing residency permit and thus no right to work in Beijing.⁷⁵ Ren and his family were punished particularly harshly, because he adamantly refused to "repent" during his several imprisonments since the 1978-1979 Democracy Wall days. In one earlier imprisonment, he not only held out against pressure to repent, but wrote voluminous protests on toilet paper—the only paper he could find.⁷⁶

On February 29, 1992, police broke into the apartment of a student at the College of Geology in Beijing and took away nine people who were attending a birthday party there, including several democracy activists. The birthday party was held for Zhang Qianjing, who was still serving a two year sentence. Three of the nine detained, thirty-one-year-old Wang Guoqi, twenty-four-year-old Chao Xin and forty-year-old Liu Li, had spent time in Beijing's notorious Qinching Prison for their roles in the Tiananmen demonstrations. After their release, they were harassed by the police. For example, they were taken into custody in December 1991 for inviting foreign correspondents to attend the funeral of a student leader, Weng Jie, who died of cancer. They and other dissidents were accused of using the funeral to commemorate those who died under tanks and machine guns in Tiananmen Square in June 1989.⁷⁷

In April, security police in Shanghai took into custody two poets, Meng Lang and Mo Mo, and seized over 100 copies of a magazine they edited, according to Bei Ling, a Chinese poet living in the U.S. Bei said he call Meng's home in Shanghai and learned from his family that police had taken Meng away and seized the magazines during a raid on April 17 without any given reason. Meng and Mo were coeditors of *Contemporary Chinese Poetry*, a

75. Sheryl WuDunn, "Wife of Jailed China Dissident Is Left Homeless by Eviction," *New York Times*, April 20, 1992, p. A7.

76. Ta-ling Lee and John F. Copper, *Failure of Democracy Movement: Human Rights in the People's Republic of China, 1988-1989*, Baltimore, MD: University of Maryland School of Law, 1991, p. 102.

77. "Police Raid Beijing Birthday Party to Arrest Dissidents," *Shih-chieh Jih-pao*, March 2, 1992, p. 2.

magazine of modern poetry consisting of works mostly by avant garde nonconformist poets distributed in mimeographed form semi-annually. Bei felt that the detention may be related to the latest issue of the magazine which contained works the authorities found distasteful.⁷⁸

In early May, a popular law professor at Beijing University was barred from teaching class and his books were banned. The professor, thirty-nine-year-old Yuan Hongbing, became an idol to students when he advocated "new heroism" as a way of reclaiming individualism during a time of political repression. One of his books, entitled *Winds from Desolate Plains*, was a collection of poems recording his experiences during the Cultural Revolution in the 1960s. It was banned by the authorities because its message of searching for individual identity was enthusiastically embraced by the students.⁷⁹ *The Tide of History*, a popular book co-edited by Yuan was banned for criticizing hard-liners.⁸⁰ The ban was issued after the State Education Commission received a report from Yuan's boss, Beijing University President Wu Shuqing.

In late May, police in Beijing arrested more than 30 dissidents as part of a crackdown on an underground organization dedicated to political reform, according to a *Los Angeles Times* correspondent in China. Quoting several underground sources, the correspondent reported that at least thirty-four people were arrested, most of them activists from the 1989 Tiananmen Democracy Movement. The police sweep hit at least five major universities in Beijing, making it the largest roundup since the waves of arrests that immediately followed the 1989 military crackdown. The police action was confirmed by Xiong Yan, a leader of the group who fled China and arrived in the United States in early June 1992. Interviewed in Los Angeles, Xiong, who spent eighteen months in jail for his role in the Tiananmen Square protests, acknowledged being a leader of the organization and said he knew it had been plagued by arrests. "The Communist Party is very intelligent and sneaky," Xiong said. "They won't admit that they have arrested anyone, because there is no law to back them up. They have just arrested people secretly." Among the arrested were two graduate students at People's Uni-

78. "Shanghai Poets Mong Lang and Mo Mo Detained by Police," *Shih-chieh Jih-pao*, April 30, 1992, p. 2.

79. "Yuan Hongbing, Champion of New Heroism, Barred from Class at Beida," *Shih-chieh Jih-pao*, May 9, 1992, p. 18.

80. "The Tide of History Banned," *Shih-chieh Jih-pao*, May 16, 1992, p. 18.

versity who edited the campus magazine *Dajia* (Everyone), which contained pro-Western political essays.⁸¹

More details about the arrests became known after an August 15 Reuters dispatch from Hong Kong, quoting documents from underground sources smuggled out of China. The underground pro-democracy group was known as the "China Democratic Socialist Party," which opposed Beijing's one-party dictatorship. Based in Lanzhou in the northwestern province of Gansu, the group was said to have chapters in Beijing and many of China's coastal cities. One of the documents claimed that the group had more than 100 core members. Alarmed by the rapid growth of the group's membership, public security authorities decided to crackdown. The document listed ten detained members, all students of Lanzhou University.⁸²

In Beijing, a young law professor was arrested in early November for alleged subversive activities. The professor, twenty-nine-year-old Wang Tiancheng, was editor of the journal *Chinese and Foreign Legal Studies*. At the time of his arrest, he had just published a major essay "Constitutionalism and Human Rights," and was scheduled to go to Germany as a visiting scholar. He was accused of organizing two underground democracy groups, the "Young Marxist Party" and the "Democratic-Liberal Party."⁸³

For exiled Chinese dissidents abroad, the government's promises of safety on their return have not always been followed. The imprisonment of Liu Guizhen after her deportation from Japan in August 1991 was a case in point. A student demonstrator, Liu fled to Okinawa, Japan in September 1989 after the Tiananmen crackdown and sought political asylum. Her case went through various levels of the Japanese government before reaching the Ministry of Justice, which denied her request and ordered her deportation. She was put on a plane in the southern Japanese city of Fukuoka bound for Shanghai. The deportation, which occurred before she had exhausted her appeals, was widely deplored by human rights organizations. Japan was at the time resuming economic ties with China after the 1989 military crackdown on students, and critics said Japan was more interested in making money

81. David Holley, "30 Dissidents Reportedly Arrested Since May in Crackdown by Beijing," *Los Angeles Times*, July 13, 1992, p. A3.

82. "Underground Party Raided by Police," *Shih-chieh Jih-pao*, August 11, 1992, p. 3.

83. "Beijing University Law Professor Wang Arrested," *Shih-chieh Jih-pao*, November 17, 1992, p. 2.

than in human rights. The Japanese government countered with assurances that the deportee was living happily with her family. However, a journalists based in Fukuoka traveled to China, interviewed the woman's family and reported that she had been arrested immediately after landing in China and was later sentenced to two years in prison. Lawyers for the woman accused the Japanese government of gullibility and hypocrisy. "From the beginning, I always had doubts about Japan's statements of assurances from the Chinese government," said Tadashi Yoshino, a lawyer for Ms. Liu. "When I met her the day before she was deported, she knew she was going to be in trouble in China," the lawyer added.⁸⁴

As part of the government's campaign to improve its human rights image, renewed overtures to students and scholars abroad who feared persecution upon their return were made in March in a front page article in the official *People's Daily*. "The motherland is calling, hoping all overseas students come home—regardless of their past political attitude," the article said. Promising that "appropriate arrangements will be made" for returning students, it declared: "This policy of the Party and the country will not change." The *People's Daily* article was followed by a government delegation that visited many U.S. campuses in April to seek reconciliation with Chinese students.⁸⁵

The policy of seeking reconciliation with Chinese students abroad was reaffirmed in June 1992 by a Foreign Ministry spokesman. At a press briefing, Wu Jianmin, the spokesman, invited Chinese living abroad to return "to serve the construction of the motherland" but hinted it might bar Chinese students from returning to China if their political views were objectionable to the government. The issue arose because Beijing refused to allow Gong Xiaoxia, a Chinese student at Harvard University, to return to China for a home visit in June, because Gong had criticized the government. Avoiding any direct comment on the case, Wu declared, referring to Chinese students abroad: "Whatever their past political views, we welcome them back to serve the construction of the motherland."⁸⁶ Wu emphasized the word "past," suggesting that the government could retaliate against students whose current

84. Steven R. Weisman, "Tale of Deportee Haunts Japan (She May Be in a Chinese Jail)," *New York Times*, January 29, 1992, p. A7.

85. Liu Qingyan, "Chinese Student Hot Over Snub," *Washington Times*, April 8, 1992, p. 7.

86. Nicholas D. Kristof, "Beijing Invites Chinese Abroad to Return Home," *New York Times*, June 12, 1992, p. A7.

views or activities were unacceptable to the Chinese authorities. Chinese students abroad were skeptical about the government's policy. Of the more than 190,000 Chinese who left China to study abroad between 1978 and 1992, only 60,000 returned.⁸⁷

China Flunks "Freedom Test"

In late 1992, one young Chinese student studying in the United States summoned enough courage to test the Chinese government policy and learned a bitter lesson. He was Shen Tong, a former student leader in the Tiananmen Democracy Movement who later studied at Boston University. In late July, Shen quietly entered China and in the next several weeks, traveled from the south through many provinces to reach Beijing, where he planned to hold a press conference in early September to discuss the founding of a chapter of the Democracy for China Fund, which he headed in Boston. However, on September 1, in a midnight raid on his mother's home in Beijing where Shen was staying, police seized him. A few hours later, in separate raids, two of Shen's friends in Beijing were also taken away. The police confiscated Shen's computer disks, notebooks and materials he collected during his travels.

The police gave no reason why they seized Shen and his belongings. "They didn't show us any identification," said Li Yixian, Shen Tong's mother. "One of the policemen just took my son away."⁸⁸ Meanwhile, three French television journalists who were at Shen's home were escorted away and later expelled from China. In a concerted police move, Ross Terrill, a China scholar from Harvard University who traveled with Shen and was on the advisory board of Shen's Fund, was detained for several hours in his hotel room at the time Shen Tong was arrested. "I was pushed into my room and then I tried to get out and was stopped," Terrill said. "They said I was in violation of the rules."⁸⁹ After intervention by the U.S. Embassy in Beijing, Terrill was later freed and allowed to leave China.

Shen Tong was held for more than seven weeks before he was released in late October. He quickly returned to the United States. For fifty-four days, Shen was held under house arrest in a small hotel room in the vicinity of Beijing, guarded around the clock by

87. "Student Are Urged to Return Home After Study Abroad," *Shih-chieh Jih-pao*, January 20, 1993, p. 2.

88. Sheryl WuDunn, "China Arrests a Student Leader Back From Exile in the U.S.," *New York Times*, September 2, 1992, p. A8.

89. *Ibid.*

two security police. He said he was obviously treated as a "special person" and therefore was not physically abused. But he was completely cut off from the outside world and denied books and newspapers. He underwent three long interrogation sessions by security police, and was threatened with imprisonment up to thirty years for "engaging in anti-government activities" and "damaging the interest of the state."⁹⁰

In a brief statement upon the release of Shen Tong, *Xinhua* said Shen confessed his "illegal activities" involving the establishment of anti-government organizations in China "at the instigation and with the support of certain foreign forces."⁹¹ At the airport, Shen was allowed to see his mother for the first time since his arrest. Shen's mother, Ms. Li, later said in an interview that her son's act was noble, but it was too hard on her as a mother. "My last ray of hope for China was dashed," she said, and she urged Chinese students abroad to heed her son's lesson and "never return."⁹² Ms. Li recalled that when she reminded the police of the government's open invitation to all dissidents abroad to return freely, the police retorted that this was only contingent upon their renunciation of "anti-government activities." In 1991, Public Security Minister Tao Siju had cited Shen Tong's name in a conversation with U.S. Congresswoman Nancy Pelosi as an example of exiled dissidents that China would like to welcome home.⁹³

Shen Tong's two Chinese colleagues, Qian Liyun and Qi Dafeng, both of Beijing, were not as fortunate. The two, who were to help Shen to form the Beijing chapter of the Democracy for China Fund, remained in jail when Shen left China. In Boston, Xiong Yan, Qian's husband, accused the Chinese government of breaking its promise to free the two pro-democracy human rights activists as part of a deal to free Shen Tong. "They violated their own law by releasing Shen Tong, the supposed 'principal criminal,' and keeping behind bars the accessories," said Xiong, who himself was jailed for eighteen months for his participation in the 1989 Tiananmen Democracy Movement. The Chinese government has a

90. "Shen Tong Tells of Mainland China Trip," *Shih-chieh Jih-pao*, October 29, 1992, p. 2

91. Sheryl WuDunn, "China Ousts Student Leader Active in Democracy Movement," *New York Times*, October 25, 1992, p. 11.

92. "Shen Tong's Mother Advises Students: Never Return," *Shih-chieh Jih-pao*, September 1, 1992, p. 1.

93. Lincoln Kaye, "Dissent at Your Peril," *Far Eastern Economic Review*, September 10, 1992, p. 13.

history of treating famous prisoners leniently while imposing harsher punishment on the lesser-known, Xiong said.⁹⁴

According to Shen, Chinese authorities had agreed to release those arrested in connection with him, but he said he had no contact with any of them. "I was put in absolute isolation," Shen said after his release. "During the entire time, I did not know anything from the outside world."⁹⁵ Xiong Yan's views were shared by Robin Munro of the New York-based human rights group Asia Watch. Munro said the Chinese authorities were likely to be much harsher toward lesser-known figures in China than to Mr. Shen himself, who was partly protected by his prominence in the United States. "There is a fear that the real victim of this debacle are the less known people involved in the Shen Tong project," Munro said.⁹⁶

The materials confiscated by police, including computer disks with information on Shen's contacts in China and his meetings with dissidents belonging to underground pro-democracy groups, presumably could be used to incriminate many people in China. One of the underground dissident groups in China contacted by Shen Tong was already decimated, according to sources familiar with pro-democracy movement in exile. The group was known as the "China Democratic and Freedom Union," which counted among its members many who had participated in the Tiananmen Democracy Movement in 1989. Shen's Fund sought to work out a long-term cooperation project with the group. With Shen's detention and subsequent police raids, the group suffered great loss, according to Tang Baiqiao, one of its members in the United States. Tang said at least five members of the group were arrested, while nine managed to flee the country with outside help.⁹⁷

In an editorial on September 3 on the Shen Tong case, the *New York Times* said that China flunked a freedom test. "The U.S. does not have to stand idly by while human rights are so outrageously violated," the editorial declared. Recalling Beijing's recent overtures to student exiles to return home without fears of retribution, the editorial pointed to the Shen Tong tragedy as proving the un-

94. Liu Qingyan, "Beijing Reneges on Prisoner Release," *Washington Times*, October 28, 1992, p. A9.

95. *Ibid.*

96. Sheryl WuDunn, "China Arrests a Student Leader Back From Exile From U.S.," *New York Times*, September 2, 1992, p. A8.

97. "China Democracy And Freedom Union Decimated," *Shih-chieh Jih-pao*, November 1, 1992, p. 2.

changed attitude of a police state toward freedom of association. The confiscated materials placed at risk all Chinese who may have spoken with Shen and his friends, the paper said. It urged international pressure to protect Shen Tong and his colleagues from a similar fate.⁹⁸

In an hour-long documentary shown on French television on November 19, it became clear that three years after the bloody Tiananmen Massacre, underground pro-democracy movements were growing in China, despite the crackdown and tight control by the government. The documentary was made by three French journalists who accompanied Shen Tong during his month-long tour of south and central provinces making contacts with various pro-democracy and human rights groups in China. Members of these groups were mainly former political prisoners, intellectuals and veterans of the 1989 Democracy Movement. The documentary recorded the meetings between Shen and many members of these groups, with their faces blurred and their voices changed to shield their identities. The documentary also showed some printed materials from these groups, including one in English entitled "The Main Policies of the Democratic Socialist Party."⁹⁹

98. "China Flunks a Freedom Test," *New York Times* editorial, September 3, 1992, p. A22.

99. "French Documentary Shows Active Pro-Democracy Movement in China," *Shih-chieh Jih-pao*, November 21, 1992, p. 2.

CHAPTER 7

INTELLECTUALS AND HUMAN RIGHTS (2)—THE PARTY LINE*

“How come capitalism has existed in the United States for more than 200 years now and socialism only lasted less than 100 years in the Soviet Union?”

—A confused People’s Liberation Army officer.**

“What’s so bad about peaceful evolution? At least it’s peaceful which is more than you can say for the massacre in 1989.”

—A mid-level Party official from Gansu Province.***

“The Chinese Communist Party is the party in power. So if you want to be an official, the way to get power and influence is to join it.”

—A new Party member.****

Introduction

Most people would agree that the biggest event during the period under review was the collapse of the Soviet Union in 1991, preceded by a failed coup and the ouster of Mikhail Gorbachev. To many this was the final confirmation of the death of communism as an ideology and as a political system. What was Beijing’s response to this most serious crisis? Clearly, Beijing decided that it was to assume the role of the last guardian of communism by vowing to uphold and maintain it. This meant tightening political controls and hardening ideological views, which would result in further human rights abuses.

* For a discussion on how ideology affects human rights in general, see Chapter 3.

** “Today’s Soviet Union Is Tomorrow’s China,” *Shih-chieh Jih-pao* (World Journal) (New York), September 11, 1991, p. 3.

*** Nicholas D. Kristof, “Changes in China Stir Fear of U.S.,” *New York Times*, September 19, 1991, p. A17.

**** “How Now, Chairman Mao?” *The Economist* (London), December 25, 1993, p. 44.

During 1991-1992 in speeches and newspaper editorials, Chinese authorities displayed a siege mentality, fulminating about the danger of "peaceful evolution" and calling for the building of a "new ideological Great Wall." Foreign journalists and visitors, Chinese writers and artists, and alienated young people, all came under suspicion. A schizophrenia deepened throughout the period: economic reasons dictated the need for continued opening to the West, but ideological considerations forced more controls over every aspect of life, particularly concerning intellectuals. Paradoxically, greater opening to the West in fact led to tighter ideological control because of fear over Western influence on the Chinese people, resulting in broader abuses of many basic human rights.

Deng: "One Cold War Has Ended; Two Others Have Begun"

In a series of confidential documents, Chinese leaders pledged that the Soviet upheaval would not weaken China's commitment to communism. Circulated at various levels in the Party, the classified documents outlined the leaders' response to the events in the Soviet Union. In one of the documents, Deng Xiaoping was quoted as saying: "One cold war has ended; two others have begun." No explanation was given on what the two were, but many believed one of them was the ideological struggle between China and the West.¹ To reduce Western influence in China, the Academy of Social Sciences cut back on travel by its scholars to the United States and told its employees that they would be punished if they were found to be in touch with foreign correspondents.²

In another document, known as Central Committee Document 4 of 1991, the following assessment was made of the Soviet Union: it has restored capitalism and it has chosen the wrong successor to earlier hard-liners. In a third document, stamped "top secret," Party General Secretary Jiang Zemin declared in a speech in July 1991 that in order to avoid the fate of the Soviet Union, China must adhere to three principles: Communist Party leadership, Party control over the military and security forces, and a disavowal of privatization in the economy. "The private sector can be only a supplement to the state and collective sectors, it can never predominate," he declared.³

1. Nicholas D. Kristof, "Beijing's Top Priority: Maintain Communism," *New York Times*, September 15, 1991, p. 11.

2. *Ibid.*

3. *Ibid.*

The failed coup in the Soviet Union and the subsequent dissolution of the Soviet Communist Party by Gorbachev inspired a small-scale demonstration in the closely-guarded Tiananmen Square in Beijing. A few days after Gorbachev's decision to allow the dissolution of the Soviet Union, a group of university students went to Tiananmen Square and unfurled a banner with bold Chinese characters saying "Learning from Soviet Big Brothers." (The writer meant by this the dissolution of the Chinese Communist Party.) The students used one of the slogans best known to Chinese—a slogan that was made famous in the early 1950s, during the honeymoon years between Moscow and Beijing, when the people in China were exhorted to learn from the people of the socialist fatherland, affectionately referred to as "Soviet big brothers." According to a dispatch from Beijing by the Japanese newspaper *Mainichi Shimbun*, the students were immediately arrested by police.⁴

The student demand apparently struck a nerve at the highest echelons of the Party. A Western diplomat in Beijing recalled that many Chinese Communist Party (CCP) leaders, out of undisguised admiration for the Soviet Union in the early years, had said repeatedly that "Today's Soviet Union is tomorrow's China."⁵ Now they were obviously afraid this would come true. And this fear was most graphically expressed by a confused Party member in the People's Liberation Army (PLA): "A very fundamental question has emerged: our superiors have always told us that capitalism is corrupt and will ultimately be cast aside while socialism is forever the correct path. How come capitalism has existed in the U.S. for more than 200 years now and socialism only lasted less than 100 years in the Soviet Union?"⁶

The demise of communism in Eastern Europe and the former Soviet Union left Beijing as one of the few remaining bastions of socialism. Fear-stricken, the aging leaders in Beijing saw a conspiracy by the West to undo their revolution through the insidious design of *heping yanbian* (peaceful evolution). A briefing booklet issued in late 1990 by the Propaganda Department of the Communist Party Central Committee attacked the United States and other Western countries for "doubling their efforts to conduct ideological

4. "Demonstrating Students on Tiananmen Demanding CCP Dissolution," *Shih-chieh Jih-pao* (World Journal) (New York), August 28, 1991, p. 1.

5. "Today's Soviet Union Is Tomorrow's China," *Shih-chieh Jih-pao*, September 11, 1991, p. 3.

6. *Ibid.*

infiltration of socialist countries,” which allegedly resulted in the political change in Eastern Europe. In a clear warning to Communist officials on the risks they would face if democracy were ever to reach China, the document said “many Communists and upright people have been persecuted” in Eastern Europe, where “ultra-right forces are prevailing, fascist forces have been resurrected, and in some places a ‘white terror’ is appearing.”⁷

In a series of speeches made during his tour of southern China in early 1992, Deng Xiaoping once again made it abundantly clear that while he wanted accelerated economic growth, he had no intention of easing political controls, and he urged stern measures against opposition. “We must not be softhearted,” Deng said in one speech, predicting that the regime would have to “exercise dictatorship against our enemies” for several generations to come.⁸

The speeches, delivered before groups of reform-minded Party officials in the south, were later circulated as confidential Document No. 2 of the Party Central Committee. In the speeches, Deng reiterated that the government acted correctly in ordering tanks and troops to suppress the Tiananmen demonstrations in 1989. Showing his visceral fear of democracy, Deng said that if the army had not crushed the Democracy Movement, “there would have been a chaotic situation which might have led to civil war.”⁹ He urged officials to watch for “the initial symptoms” of anti-government activity, so that it could be nipped in the bud.

Deng has been consistently misunderstood in the West since his third political comeback in 1978 to become the supreme leader of China. In the 1980s, his economic liberalization was widely hailed as an indication that he was a closet capitalist with democratic leanings. *Time* magazine twice featured him as Man of the Year. After the Tiananmen Massacre, however, he was reviled as a brutal hard-liner. Actually, careful observers can trace his career back more than thirty years to the days of his leadership in the Anti-Rightist Movement in 1957 and find him remarkably consistent in his belief that firm dictatorial control was essential to the Communist rule in China. He was different from other ideologues in only one way: he would try anything to improve China’s economy. He is known for his famous saying: “It doesn’t matter

7. Nicholas D. Kristof, “China Ties: Frosty to Icy,” *New York Times*, May 2, 1991, p. A13.

8. Nicholas D. Kristof, “As Deng Calls for Reform, China Waits,” *New York Times*, April 26, 1992, p. 3.

9. *Ibid.*

whether it is a white cat or a black cat as long as it catches mice.” In Document No. 2, he sounded a variation of the same earthy theme in urging more economic reform: “Reform and opening up require greater boldness and courageous experiments, and must not proceed like a woman with bound feet.”¹⁰

On April 14, 1992, the official *People's Daily* revived hard-line Communist rhetoric against “bourgeois liberalism.” In a front-page article, Yuan Mu, director of the Research Office and spokesman of the State Council, expressed the fear that capitalist-style economic change would open the door to political subversion from the West. “We have to guard against bourgeois liberalism. We must instantly be wary when it raises its head, we must never allow it to run rampant, otherwise the results will be very serious,” Yuan wrote. Generally regarded as a hard-liner, Yuan was in full agreement with Deng when he stressed the importance of social and political stability, meaning rejection of democratic reform. “Changes in Eastern Europe and the breakup of the Soviet Union prove it is difficult to build Socialism but easy to let it collapse,” Yuan wrote. Supporting Deng Xiaoping’s position, he stressed: “Social and political stability is the precondition for economic reform and opening.”¹¹

In a hard-hitting commentary on selecting “revolutionary successors,” the state-run *Economic Daily* on June 24 sounded a theme that on the surface appeared to be at variance with the views of Deng Xiaoping. The front-page commentary, entitled “Train Middle-aged and Young Cadre of Superior Morality and Competence,” stressed that the task of training sound revolutionary successors must begin with a solid foundation on Marxism. This may appear to conflict with Deng’s rejection of doctrinaire positions on ideology in favor of economic reform, but it certainly conformed to Deng’s emphasis on continued political dictatorship. The *Economic Daily* is an official paper that is controlled by the State Council and reflects the views of the government. The commentary said the painful lesson of the former Soviet Union was clear: If the right successors are selected, the (Communist) revolution would continue to develop and prosper; if the wrong successors are selected, then you would be digging your own grave and the “red flag will fall and the Party and government will collapse.”¹² Only by

10. *Ibid.*

11. Andrew Browne, “Chinese Paper Rehabilitates Anti-Western Sloganeering,” *Washington Times*, April 15, 1992, p. A9.

12. “The *Economic Daily*: Never Trust the Capitalists,” *Shih-chieh Jih-pao*, June 24, 1992, p. 18.

having the right successors could one be sure that the leadership would remain in the hands of those loyal to Marxism, the commentary stressed.

The renewed emphasis on ideology and thought control was in line with the policy outlined by Premier Li Peng in his annual work report to the National People's Congress on March 20, 1992. In his speech, Li urged ideological campaigns and vigilance against subversion. "We must be on the watch for any ideological trend toward bourgeois liberalization, checking it the moment it appears [and] never allowing it to run rampant. Otherwise, there will be serious consequences," Li said.¹³ He called for dealing harshly with criminals, presumably alluding to democracy campaigners as well. Li repeatedly urged strengthening political education programs for university students. Social scientists "should continue to take Marxism, Leninism and Mao Zedong Thought as their guide," he asserted.¹⁴ Turning to human rights, Li said countries should discuss human rights concerns; but he gave no indication that the government was ready to tolerate dissent. Restating a familiar line, he rejected the attempt of "a small group of countries to impose their human rights criteria or models upon others." Clearly alluding to Washington's policy to link most-favored-nation trade status with Beijing's human rights performance, Li declared: "Nor is it permissible to use human rights as a pretext for interfering in other countries' internal affairs."¹⁵

From Deng Xiaoping on down, there were never any serious differences between the so-called reformers and hard-liners about a "two-legged policy": economic reform to save the Communist government, political repression to keep it in power. This perceived need for continued political repression doomed the prospects for any systemic change allowing for human rights to prosper in the political and intellectual areas. Economic reform as a necessity must be accompanied by continued political control in the minds of the rulers in Beijing. Shocked by the collapse of the Soviet Communist Party, Beijing leaders decided to adopt a two-pronged strategy. One observer put it succinctly: "One is an absolute iron fist against political dissent or independent organizations that could threaten the Communist Party's monopoly on power. The other is a market-oriented economy that provides good jobs and high qual-

13. Nicholas D. Kristof, "Bolder Approach Is Urged for China," *New York Times*, March 21, 1992, p. 3.

14. *Ibid.*

15. *Ibid.*

ity goods at reasonable prices to China's 1.2 billion people."¹⁶ When Deng Xiaoping urged continued "development and revision" of Marxism, he was not talking about political freedom, said another observer. "Deng talks of 'emancipating the mind,' but he means that China is more easily ruled if the people have full bellies rather than free minds."¹⁷

In the face of the global collapse of communism and ideological crisis at home, the Chinese Communist Party nevertheless continued to grow in size in the post-Tiananmen years. In March 1992, the Party announced it had accepted 1.76 million new members in 1992, bringing the total to more than 52 million, about five percent of the population. Of the new members, it said 45.9 percent were peasants and fishermen, 16.5 percent were technical workers, and 13.9 percent were students and academic researchers. More than two-thirds were under thirty-five and had an education beyond high school. The new members in 1992 were picked from among more than 13 million applicants, about one in twelve, according to official figures.¹⁸ What accounted for this growth? There are three possible explanations: the people liked the Party and sought to join it, the Party lowered its standards, or people joined with ulterior motives. Given the Party's reputation in the wake of the bloody Tiananmen Massacre in 1989, the first two are clearly less likely. A blunt confirmation of the third reason comes from the words of a new member: "The Chinese Communist Party is the party in power. So if you want to be an official, the way to get power and influence is to join it."¹⁹ Power and influence have indeed corrupted the Party with far-reaching human rights implications. Under Deng Xiaoping's socialist market economy, Party officials and their privileged children reaped a whirlwind of illicit gains, the gap between the rich and poor widened, and discontent was not confined to poverty-stricken peasants, but extended to the urban poor victimized by inflation and bankrupt state enterprises.²⁰

16. James McGregor, "China's Cadres Bank on Consumerism," *Wall Street Journal*, March 16, 1992, p. A10.

17. William Safire, "China's Silent Upheaval," *New York Times*, March 30, 1992, p. A17.

18. "How Now, Chairman Mao?" *The Economist* (London), December 25, 1993, p. 44.

19. *Ibid.*

20. *Ibid.*

Peaceful Evolution: A Western Conspiracy Against China

During the period under review, anti-American propaganda reached a feverish pitch not seen since the Korean War days in the early 1950s. While the name United States was not often mentioned, commonly used code words, such as "Western hostile forces" or "foreign enemy forces" were clearly understood to refer to the United States. One of the harshest attacks came from no less than Party leader Jiang Zemin, who in a major speech on September 25, 1991, warned against a "Western conspiracy of peaceful evolution" that sought to overthrow the Chinese government and the Communist Party. "Foreign enemy forces have not for one day stopped their peaceful evolution activities against us," he declared.²¹

Jiang was joined by Vice President Wang Zhen, who in the same month told young people in a speech: "We must stand firm, regardless of the ways in which hostile forces at home and abroad subvert, infiltrate and sabotage us." Wang, the eighty-two-year-old veteran of the Long March and a tough hard-liner, declared that if all Chinese rally together, "we can surely defeat the criminal designs of domestic and foreign hostile forces."²² (Domestic hostile forces is a code word for advocates of democracy, who were "instigated" by foreign hostile forces to collude with them). In a commentary in the *People's Daily*, Li Zhun, an official in the Party Propaganda Department, declared: "With the dramatic changes in the international situation, Western hostile forces. . . have regarded China as the main stumbling block to their pursuit of power politics and the defeat of socialism."²³ Chinese language articles traced the formation of a U.S. "peaceful evolution" strategy to the late 1940s. They cited statements by Secretary of State John Foster Dulles in the 1950s about his hope for "evolutionary change" in Communist countries as future generations take over.²⁴

The existence of an American conspiracy gave the government authorities a convenient excuse to crackdown on the Democracy Movement. Toeing the Party line, the domestic press portrayed the Democracy Movement as a product of foreign subversion rather than domestic discontent. Hard-liners have used resisting the

21. "Beijing Accuses West of Using 5th Column," *New York Times*, September 26, 1991, p. A4.

22. Nicholas D. Kristof, "Changes in China Stir Fear of U.S.," *New York Times*, September 19, 1991, p. A7. Wang died in April 1993.

23. *Ibid.*

24. *Ibid.*

“peaceful evolution” conspiracy as an all-purpose pretext to justify various measures, from intensified political indoctrination to tighter control over literature and arts, from curbing cultural exchanges to stopping students from studying abroad.

By the end of 1991, the anti-American propaganda barrage showed no signs of abating. In an internal document issued after Secretary of State James Baker’s visit to Beijing in November 1991, the United States was still branded as China’s most formidable enemy, bent on subverting China’s socialist system. The secret document, entitled “The Guiding Principles and Policies Toward the U. S. Regarding Propaganda and Education” and jointly drafted by the Party Propaganda Department and the Foreign Ministry, “resolutely rejects” U.S. interference in China’s domestic affairs “under the pretext of human rights.” It urged Party cadres at various levels to “clearly understand” the U.S. design to “subvert other countries’ political, economic and social system.”²⁵

Probably the most comprehensive anti-American exposition was in the materials assembled for use in the political study sessions for Party members under the general title of “Exposing American Plot Against China.” The material was reported in at least two respected Chinese-language newspapers, one in New York and one in Los Angeles.²⁶ According to this internal material, the U.S. “plot” against China in the past 10 years can be divided into three periods, 1980-1984, 1985-1989, and 1989-present, during which eight strategies were employed, all designed to promote “peaceful evolution” in China. The “eight strategies,” ranging from cultivating a new generation of pro-Western “comprador class” in China to plotting separatist movements among China’s national minorities, were all characterized as *ruandaozi getou* (using a “soft” knife to chop someone’s head off).²⁷

The fallout of this campaign in terms of human rights abuses was clear. Repression in everyday life increased as a result, and intellectuals were particularly hard hit. In November 1991, a national conference on public security was held in Beijing, the first in fourteen years, with “anti-peaceful evolution” as its main theme.

25. Lin Bainiao, “Chinese Communists Set New Policy Guidelines Toward U.S.,” *Cheng Ming* (Hong Kong), December 1991, pp. 17-19.

26. “Chinese Communists Resist Western Influence, Party Document Details U.S. Strategies,” *Shih-chieh Jih-pao*, August 7, 1991, p. 2; “Chinese Communists Conduct Anti-American Campaign Within Party, Charging Peaceful Evolution,” *Kuo-chi Jih-pao* (International Daily News), (Los Angeles), August 7, 1991, p. 19.

27. *Ibid.*

The conference, attended by the heads of the Ministry of Public Security, Ministry of Justice, Ministry of Defense, People's Court and Procuratorate, worked out public security guidelines to maintain social order for the next decade. Tao Siju, Minister of Public Security, saw collusion between international imperialists (who champion "peaceful evolution") and domestic "bourgeois liberals." He also spoke of "mutual influence" between "counterrevolutionaries" and "economic criminals," meaning those who got rich through illegitimate means as a result of the economic reform. Calling for renewed class struggle between socialism and capitalism, Tao outlined the main tasks in the public security area during the coming decade: resolutely carry out struggle against "hostile forces and hostile elements;" "preserve social order by dealing severely with criminals;" and "smash the peaceful evolution plot carried out by international and domestic hostile forces."²⁸

Opposition to the "peaceful evolution" plot also became the foundation of a new ten year plan in education, according to *Guangming Daily*, an influential newspaper read by intellectuals. In a lengthy report on August 6, the paper said resisting the corrosion fostered by Western influence was the number one task of all schools in China. "By the end of this century," it declared, "a socialist educational system with Chinese characteristics will be firmly established," stressing moral education and vocational training.²⁹

Meanwhile in Beijing, hard-line City Party Secretary Li Ximing, a powerful member of the politburo, told heads and Party secretaries of 76 universities to step up controls on students in order to establish "a Great Wall against peaceful evolution."³⁰ He told them to "use Marxism to seize control of the cultural and ideological fronts" and never allow ideas opposed to Marxism-Leninism-Mao Thought to spread in institutions of higher learning.³¹ In Hubei Province, a newspaper suggested that cultural exchanges and academic conferences were tactics used by the West to effect "peaceful evolution in socialist countries."³² This confirmed an earlier directive by the State Education Commission, known as Document No. 598, which prohibited universities and other institutes from turning

28. "Basic Task for Public Security: Opposing Peaceful Evolution," *Shih-chieh Jih-pao*, November 5, 1991, p. 16.

29. See *supra* note 26.

30. See *supra* note 22.

31. "Beijing University Heads Told to Carry Out Struggle Against Peaceful Evolution," *Shih-chieh Jih-pao*, August 23, 1991, p. 18.

32. See *supra* note 22.

over to foreign scholars the results of social surveys. Western countries were believed to be eager to obtain information on social trends and developments in China in order to sharpen their efforts to subvert China's political system.³³

How effective were all the efforts by the government to counter the alleged Western conspiracy? A middle-level official from the northwestern province of Gansu said: "Nobody pays any attention to issues like peaceful evolution. People just want to live a better life." He added: "And anyway, what's so bad about peaceful evolution? At least it's peaceful, which is more than you can say for the massacre in 1989."³⁴ In New York, an exiled writer saw "peaceful evolution" as one of three models for the demise of communism. Ge Yang, a former CCP member and veteran magazine editor who turned against Beijing after Tiananmen, said one was the Eastern European model, attributable to "external forces;" another was the Russian model, attributable to "internal forces;" and a third was the Chinese model, through "peaceful evolution" induced by a combination of both external and internal forces.³⁵

Post-Tiananmen hard-line policies were also reflected in the attitude toward intellectuals, particularly writers and artists. In the spring of 1991, a renewed campaign against "bourgeois liberalization" appeared likely, with the *People's Daily* calling for an all-out war against the "decadent ideology of the bourgeois class in the arts and literature circles." An authoritative commentary in this Party newspaper singled out as an example the well known writer Zhang Xianliang, whose short story "Habitual Death" was denounced as a "piece of bourgeois garbage" that "puts on public trial the Chinese Communist Party, the socialist new China led by the Party and the old and yet youthful Chinese nation." "In this sense," the commentary said, "the position taken by the author in this work is opposing the Four Cardinal Principles."³⁶ Another writer named Bai Hua, of *Unrequited Love* fame. His friends in Beijing reported that he was again confined to his home and ordered to write confessions. More specifically, he was not allowed to travel to Shenzhen in south China to attend a conference.

33. Sheryl WuDunn, "China Said to Curb Foreign Research," *New York Times*, June 25, 1991, p. A8.

34. See *supra* note 22.

35. Ge Yang, "Three Models of the Demise of Communism," *Shih-chieh Jih-pao*, October 27, 1991, p. 15.

36. Kong Ming, "The Tragic Fate of Chinese Intellectuals," *Kuo-shih Ping-lun* (National Affairs Review) (Hong Kong), July 1991, p. 30.

The renewed attack on intellectuals was clearly part of Beijing's reaction to the alleged Western plot to defeat communism in China without the use of force. Western criticism of China's human rights record, particularly by the United States, was linked to the alleged domestic "bourgeois liberal tendencies" of intellectuals as two sides of the same coin—the "peaceful evolution" plot against China. This was the perception of the aging leaders in Beijing, who were nervous and insecure in the wake of the collapse of communism in Eastern Europe and the Soviet Union. Indeed, "foreign bourgeoisie" and domestic "bourgeois liberals" were seen as co-conspirators in a plot by a *People's Daily* commentary. "International and overseas hostile force represented mainly by the anticommunist, capitalistic-monopolist American forces" were "openly and covertly giving strong support to the bourgeois liberal elements in China." Therefore, the authorities must heighten the vigilance against the foreign and domestic hostile forces joining together in the peaceful evolution plot against China.³⁷

While repression continued at home, China was paying more attention to its image abroad. In July 1991, it allowed an Australian human rights delegation to tour the country, prying into its "internal affairs." The Australians later reported that they were followed by secret police, stonewalled on a guided tour of Beijing's Number One Prison and refused access to all penal institutions in Tibet. Later in the year, the Chinese Academy of Social Sciences sent a delegation to Canada and the United States to study Western concepts of human rights. And in Washington, China hired an American public relations firm to polish its image.³⁸

Foreigners in Beijing were treated as Western agents for promoting "peaceful evolution" in China. The day after the June 4 Tiananmen anniversary in 1991, the official *Xinhua* News Agency accused foreign students at Beijing University of trying to instigate protests on campus. As for foreign correspondents who converged on the campus despite a government ban, "they attempted to interview teachers and students in an intrusive way, asking questions with ulterior motives," *Xinhua* said. On the same day, the *People's Daily* published a speech by Li Tieying, head of the State Education Commission, in which he denounced "foreigners who try to make Chinese young people abandon communism." He warned that "the struggle with international hostile forces for the minds of the

37. *Ibid.*

38. "First Steps in Human Rights," *The Economist*, (London), August 3, 1991, p. 33.

younger Chinese generation will continue for a considerable time.” Therefore, he added, “if we relax our ideological vigilance in education, the result will be ideological confusion and political mistakes.”³⁹

Increased Harassment of Foreigners in 1992

The year 1992 opened rather inauspiciously for China as far as its efforts to improve its human rights image were concerned. On January 7, Beijing found it necessary to expel three Canadian members of Parliament visiting China on a human rights fact-finding mission at the invitation of the Chinese People’s Institute of Foreign Affairs, an “unofficial” front group of the Foreign Ministry. The three Parliamentarians, Sven Robinson, Geoff Scott and Beryl Gaffey, were manhandled by the police and were then asked by the Beijing Municipal Public Security Bureau to leave China immediately before the completion of their five-day visit for engaging in “activities incompatible with their status,” according to a *Xinhua* statement.⁴⁰

The three Canadians had planned to meet with families of jailed dissidents, lay a wreath in Tiananmen Square in memory of students who died during the 1989 Democracy Movement and visit Beijing prisons. Their expulsion came the day after they met relatives of two most prominent political prisoners, social scientist Chen Ziming and journalist Wang Juntao, both serving thirteen year sentences for their roles as “instigators” in the 1989 Tiananmen pro-democracy protests. The three had just concluded an official meeting at the Great Hall of the People, before they were to visit a prison and to lay wreaths in Tiananmen Square, when they were taken to a police compound, and roughed up there by security police. Then they were driven to the airport guarded by a fourteen vehicle convoy.

“We were kidnapped. We were bodily restrained from leaving there,” Robinson, the leader of the delegation, told the press of the ordeal at the police compound after arrival in Hong Kong. “They manhandled us. They physically grabbed us and carried us to the bus and literally threw us through the door into the bus.” Shocked and insulted, Robinson said they were fortunate that they were able

39. “Foreigners Blamed for Instigating Beida [Beijing University] Protests,” *Shih-chieh Jih-pao*, June 6, 1991, p. 18.

40. Lena H. Sun, “China Ousts Three Canadian Lawmakers,” *Washington Post*, January 8, 1992, p. A16.

to leave. "But thousands and thousands of Chinese suffer an ongoing profound violation of their rights."⁴¹ Robinson's fellow lawmaker Geoff Scott urged tying aid and trade with China to human rights. "If that is the kind of human rights that the Chinese can demonstrate to legislators," he said at the same press conference, "then God help the people who have to live under that regime."⁴² In Ottawa, Canadian External Affairs Minister Barbara McDougall said: "We would like to believe that the Chinese record on human rights is improving, but, unfortunately, the Chinese authorities continue to demonstrate no evidence of this."⁴³

To the Chinese government, the Canadian lawmakers had apparently stepped beyond the bounds of a propaganda campaign carefully orchestrated by the official authorities. Beijing had agreed to arrange meetings with prison, court and police officials but warned against meeting with dissidents' families. When the delegation went ahead to meet with relatives of jailed dissidents anyway, government authorities became incensed. Later, the Canadians refused an arranged visit to Beijing's model Prison No. 1, a frequent stop of invited foreign guests. Instead, they insisted on going on their own to Prison No. 2, where several prominent political prisoners were held, and telephoned journalists and diplomats of their intention to do so. Since it was no secret that telephones of foreign journalists and diplomats in Beijing were tapped, it would not be hard for the authorities to act before the plans were carried out.

The incident underscored the fundamental quandary in which the Chinese government found itself in its efforts to address human rights issues. To repair its badly tarnished international image after the Tiananmen Massacre and to reduce the pressure in the West for tying trade with China's human rights record, the government switched tactics in 1991.⁴⁴ Instead of accusing Western critics of interfering in China's internal affairs, the government began to receive foreign human rights delegations and discuss human rights issues. However, the Chinese government clearly saw the policy switch as a risk and wanted to retain as much control as possible. Its nature as a police state unchanged, the government had no in-

41. *Ibid.*

42. David Holley and Christine Courtney, "Beijing Expels Canadian Lawmakers," *Los Angeles Times*, January 8, 1992, p. A6.

43. *Ibid.*

44. Nicholas D. Kristof, "China Expels Three Canadians on Rights Mission," *New York Times*, January 8, 1992, p. All.

tention of opening up every aspect of Chinese society to foreign scrutiny. And government and Party authorities were particularly concerned that foreigners would use China's seeming willingness to discuss human rights to embarrass the Chinese government. The Canadians, in not following the prepared script, were clearly seen as hostile to China, and, therefore, had to be stopped before greater damage was done.

The same problem continued as the year wore on. On May 1, International Labor Day, seven European labor advocates, including Parliamentarians from Britain, Germany and Switzerland, were expelled from China for unfurling a banner in Tiananmen Square calling for free labor unions. They were detained for 17 hours before they were put on a flight to Hong Kong. They included Robert Parry, a British member of Parliament; Cornelia Matzke, a German legislator; and Irene Savoy, a Swiss lawmaker. The seven were first taken from Tiananmen Square to a nearby police station for interrogation, and were then kept overnight at a hotel near the airport where they were not allowed to get in touch with their embassies. According to *Xinhua*, on the eve of International Labor Day, the seven went to the Square and opened up a banner saying "Long Live Free Trade Unions" in English and Chinese. A Chinese Foreign Ministry official said the Europeans "deliberately tried to make trouble."⁴⁵

The official line of greater openness to the outside world in early 1992 did not apply to foreign journalists in Beijing, who were seen by authorities as instruments of subversion. Secret booklets on the foreign press corps were distributed by the Foreign Ministry to all provinces, detailing the journalists' attitude toward China as either friendly or hostile. "The more hostile the journalists, the less likely that he or she will receive the required permission to report outside Beijing," said Lena H. Sun, *Washington Post* bureau chief in Beijing, a reporter deemed hostile to the Chinese government.⁴⁶

Sun described the "elaborate and comprehensive" system developed by the Chinese government to control foreign journalists, complete with physical barriers, such as requiring them to live in closely monitored compounds, as well as retaliation against Chinese sources. Armed paramilitary police stood guard at the gates to the compound to stop any Chinese without a pass; cameras were hid-

45. Sheryl WuDunn, "7 Europeans Expelled from China After Protesting for Labor Rights," *New York Times*, May 2, 1992, p. 4.

46. Lena H. Sun, "Foreign Press Pressed by Chinese System," *Washington Post*, March 22, 1992, p. A27.

den in elevator ceilings. According to Sun, Chinese who worked in journalists' offices or homes were under the control of an arm of the Foreign Ministry and were required to report on every aspect of the reporters' activities. Foreign journalists were often followed by police in unmarked cars, and were denied access to news when they filed critical dispatches on China. By far, the most effective and chilling tool used by the Chinese authorities was retaliation against those Chinese who went to considerable risks to talk to foreign journalists, who were often regarded as valuable channels to the outside world. For example, two days after the June 1989 army crackdown in Tiananmen Square, Zhang Weiping, a twenty-five-year-old student in Zhejiang Province called the Voice of America (VOA) to report that students in the city of Hangzhou forced local authorities to fly flags at half-staff. VOA interviewed Zhang and broadcast the story. Two months later, Zhang was sentenced to nine years in prison for "counterrevolutionary incitement."⁴⁷

James Miles of the British Broadcasting Corporation (BBC) reported that when his request for permission to travel to Xinjiang in the far west was turned down repeatedly, he went in the summer of 1991 as a tourist to this sensitive region of reported Muslim unrest. He interviewed many local inhabitants. When he was preparing to return to Beijing, he was confronted by police who wanted to listen to all his tapes. Miles said he was afraid authorities would come across an interview with a foreigner that dealt with anti-Chinese sentiments among local Muslim minorities. "My heart was pounding," Miles recalled. "Luckily, they flipped around (on the tape) and missed it. It was Fascism at its worst."⁴⁸

Lena Sun's candid reporting in China eventually got her in trouble with the security police, who raided her office one Sunday afternoon in May 1992, seized her notes and papers by breaking open a locked drawer in the office safe, interrogated her for three hours, and kept her husband and two-year-old son under house arrest in the apartment in the same compound. The police accused her of violating Chinese laws and engaging in activities incompatible with her status as a foreign journalist. They declined to specify those activities. Sun said among the items confiscated were a letter from a foreign friend and a list, in English and Chinese, of family

47. *Ibid.*

48. *Ibid.*

members of prominent Chinese dissidents, some of whom were still in jail at the time.⁴⁹

Sun, a Chinese-American who once studied at Beijing University, did not endear herself to the Beijing authorities by having many personal friends and contacts and by her aggressive reporting on China. Looking more like a college student than a seasoned reporter and fluent in Chinese, Sun could easily blend into the local population when pursuing a story, giving authorities, especially those following her, a headache. Recounting the search and interrogation in detail like a spy thriller, Sun reported that after the police finished the search and asked her to sign papers acknowledging the confiscated documents, one official spoke into a walkie-talkie: "Come in Zero-Four, this is Zero-Two. We have basically achieved our objective."⁵⁰ The interrogation turned to a former classmate of Sun's at Beijing University who the police told her had been detained under investigation. "When I asked whether my classmate had been formally charged with a crime," Sun said the police official snapped, "You don't need to know such things. Your attitude has some problems. You have not been cooperative enough."⁵¹ On May 20, the Foreign Ministry issued a "serious warning" to Sun. *Xinhua* reported that police had found more than ten confidential documents that Sun allegedly had obtained illegally.⁵²

Alienation and Cynicism Among Youth

Despite renewed indoctrination campaigns, post-Tiananmen youth alienation and cynicism deepened in 1991 and 1992. Many shopworn "proletarian" icons, exhumed from the 1960s by Party propaganda officials in an attempt to rekindle the flames of socialist dedication, were greeted by the younger generation not just with indifference, but with downright irreverence. Although the press, television and literature were once again full of their selfless proletarian deeds—such "red" heroes of the early sixties as the PLA samaritan Lei Feng, the child fire-fighter Lai Ming and the incorruptible cadre Jiao Yulu—Chinese young people were cynically turned into building blocks of what a Western observer called a "hybrid post-Communist culture." In this world, the observer

49. Lena H. Sun, "Beijing Authorities Harass Reporter," *Washington Post*, May 18, 1992, p. A1.

50. *Ibid.*

51. *Ibid.*

52. Don Oberdorfer, "China Issues Warning to Post Reporter," *Washington Post*, May 21, 1992, p. A38.

said, "Lei Feng gets trucked out in punk regalia, Party hymns are spoofed and the wooden language of Maoism finds a new lease on life in the jokes of streetwise kids and disco dancers." He cited the irreverent lyrics of twenty-one-year-old Beijing singer Zhang Guan's entry in a pop contest in March 1991:

While the granddads in their 70s lead the nation,
Uncles in their 60s take care of modernization.
Those in their 50s retire and take it easy;
Our brothers in their 40s are with money-making busy.
They say only once you're 30 do you really understand.
But where in all this do we 20-year-olds stand?
So what's left for us 20-year-olds — can someone tell me,
please?⁵³

Zhang's contemporary, rock singer Xie Chengqiang of Canton, posed the question even more poignantly in one of his MTV recordings, entitled "What's the 90s Gonna Bring?" The query seemed especially apt to audiences in Hong Kong, where the tape was shown on television. For an answer, young people did not turn to Party pronouncements, but to the divination classic *I Ching* (Book of Change), which filled shelves in bookstores in Beijing, according to Western observers.⁵⁴ Summing up the deep alienation behind the faddish youth culture and the inability of the carbonized cadres to cope with it, singer-dissident Hou Dejian, who was among the last hunger-strikers to remain in Tiananmen Square in June 1989 just before tanks rolled in, told the Hong Kong *South China Morning Post*: "The doctors and nurses in this big mental hospital called China seem to have lost control of their patients."⁵⁵

Resourceful Chinese university students, like their peers in other countries, would find ways to vent their pent-up feelings. In late 1991, "desk graffiti" became a craze among Beijing's major universities. Frustrated students, banned from expressing themselves publicly, wrote or inscribed their messages on classroom desks. According to the Hong Kong journal *Ming Pao*, in some schools more than ninety percent of the desks were full of such messages from students, many in the form of poetry, others as rhymed popular lyrics. Since desks were used by students of different levels and different departments, the "desk graffiti" became a most popular

53. Geremie Barme, "Filial Impieties in China," *Far Eastern Economic Review*, (Hong Kong), January 17, 1991, p. 35.

54. *Ibid.*

55. *Ibid.*

“underground” medium of communication. According to an unofficial survey, the “desk graffiti” fell under four broad categories: about thirty percent reflecting post-Tiananmen despair and loss of hope in the future; another thirty percent focusing on love; twenty percent critical of the government and social problems; fifteen percent expressing discontent with the discriminatory treatment of intellectuals. School authorities did not clamp down on this craze for fear of further alienating the students, so the desks were simply cleaned up periodically.⁵⁶

The “desk graffiti” on campus was a part of a larger youth culture in which alienated young people made their silent voices heard. In the Beijing streets, through the summer months of 1991, young people wore T-shirts emblazoned with messages in bold Chinese characters. These printed T-shirts, known as *wenhua shan*, or “cultural shirts,” suddenly became very popular among young people. They carried such messages as: “I am fed up. Leave me alone!” “Really exhausted!” “I don’t know how to please people.” “Getting rich is all there is.” “I can’t do a thing!” Commenting on the silent voice of the suffocated younger generation, a middle-aged woman said: “T-shirts are the only ‘private turf’ people have left, where they can try to express their feelings.” She was joined by a college professor, who said simply: “Kids feel stifled.”⁵⁷

Alarmed by this, the government banned the manufacture and sale of the T-shirts in July 1991 as “spiritually unhealthy.” The *Beijing Legal Daily*, an official newspaper, reported the confiscation of more than 1,000 offensive shirts, along with the printing equipment for twenty designs. “Cultural shirts transmit an ideology incompatible with our society,” said another newspaper, *China Youth Daily*, which denounced the “shady, negative and cynical words” on the shirts as bearing “dispirited and decadent feelings.” Not surprisingly, the paper, run by the Communist Youth League, saw the T-shirts as yet another subversive means the West employed in its “peaceful evolution” plot against China. “Cultural shirts are not a Chinese invention,” it declared. “They are only a foreign trick borrowed from the West. . . as an expression of decadent feelings.”⁵⁸

In the post-Tiananmen repressive cultural atmosphere, young people expressed themselves in other subtle ways. For example,

56. “Beijing Students Take to ‘Desk Graffiti’ to Vent Their Frustration,” *Shih-chieh Jih-pao*, November 4, 1991, p. 19.

57. Nicholas D. Kristof, “Even Gloomy T-shirts Fall Under Censorship,” *New York Times*, July 29, 1991, p. A4.

58. *Ibid.*

they flocked to many melancholy songs by Taiwan singers, among which the most popular was "Follow Your Feelings" by Su Rui, whose black leather jacket and closed-cropped hair presented unmistakably a rebellious image striking a responsive chord in the minds of many disheartened Chinese young people. The soothing lyrics were on many lips:

Following your feelings,
Grasping the hand of my dream.
My steps become ever lighter,
And steadily more cheerful.
With my smile allowed full play.
Love will arrest me anywhere. . .
Follow my feelings,
And be carried off by them.⁵⁹

While the lyrics were anything but incendiary, they were judged, in post-Tiananmen China, to be sufficiently decadent and subversive, standing in stark contrast to such politically correct songs as "Follow the Communist Party," "Socialism Is Good" and "Night Soil Collectors Coming Down the Mountain." By comparison, "Follow Your Feelings"—instead of perhaps "Thought of Deng Xiaoping"—was "bourgeois" and reflected subversive thought. The song sold 800,000 licensed copies and an unknown number of bootlegged and pirated copies before the government banned it.⁶⁰

Angry young people also demonstrated their hostility and disaffection through tattoos. According to the *People's Public Security News* on December 30, 1991, tattoos "denote acute anti-socialism" and would lead young people "into a life of crime." The tattoo phenomenon "has developed in recent years and tattoos often reflect an ideology that poisons and corrupts society," the official organ of the public security police said.⁶¹ The newspaper cited a study of 72 tattoo-wearers as revealing that most of them were hoodlums who had served time in labor-reform camps or prisons. They were "totally hostile to the socialist system" and expressed their hostility with tattoos. According to newspaper reports cited by the Agence

59. Nicholas D. Kristof, "A Pop Singer Shows Taiwan's Domination of Mainland Culture," *New York Times*, February 19, 1991, p. B1.

60. *Ibid.*

61. "Tattoos Seen as Defiant in China," *Washington Times*, December 30, 1991, p. A7.

France Presse (AFP), the People's Liberation Army decided to reject new recruits with tattoos.⁶²

In a comprehensive survey of the nation's universities and colleges, the State Education Commission in the spring of 1992 found dozens of universities unstable, "infiltrated by foreign and domestic hostile forces," and "becoming a marketplace for bourgeois liberalization."⁶³ The report, entitled "A Comprehensive Report on the Current Status of Ideology, Learning and Discipline of Colleges and Universities in the Nation," was compiled on the basis of surveys conducted since November 1991, encompassing 860 universities in the country. Ten of the nation's top universities, specifically Beijing University, Beijing Normal University, Beijing Space and Aeronautics University, Northwest University of Technology (Lanzhou), Wuhan University, Sichuan University, Chongqing University, Nanjing University, Henan University and Anhui University, were listed as places where "turmoil can happen anytime." Sixty-two other universities, mostly in the coastal areas or in provincial capitals inland, including such prominent institutions as People's University in Beijing, Fudan University in Shanghai, and Shenzhen University across the border from Hong Kong, were regarded as places where "turmoils are likely to occur." The report blamed "anti-China and anticommunist politicians and groups in the West, exiled hostile forces abroad, and domestic followers of bourgeois liberalization" for colluding in causing trouble.⁶⁴ As the anniversary of the June 1989 Tiananmen Massacre approached, tight security measures were taken, particularly in areas where these universities were located.

In another survey conducted at Beijing University in late 1992, students at China's most prestigious university condemned dogmatism in teaching and overt interference by the Party in university affairs. Results of the survey, entitled "Beida, Present and Future," by two student bodies, the "Ninetieth Society" and the "Sociological Society," were described in the *South China Morning Post* in Hong Kong on November 9, 1992. Of hundreds of students interviewed, 49.9 percent expressed "deep concern over declining academic standards and stifling political atmosphere," while only 6.2 percent were satisfied. On the reasons causing the crisis situation, 46.1 percent cited forced military training and 30.7 percent blamed

62. *Ibid.*

63. Guan Jiemin, "Crisis in the Nation's Universities," *Cheng Ming* (Hong Kong), June 1992, p. 21.

64. *Ibid.*

“administrative interference,” meaning Party control. On classroom teaching, 48 percent cited dogmatism and various restrictions as the main reasons behind the declining academic standards. Students felt that despite the fact that some hard-liners were removed from the State Education Commission, the university was still controlled by leftists who did not want to see students stray from the prescribed Party line.⁶⁵

For artists, the suffocating atmosphere in the art world during the post-Tiananmen years also continued through 1991 and 1992. It was hardly surprising that Party ideologues were no more aware of the latent and potential threat of the new generation of artists than the apparatchiks of the Brezhnev era in the former Soviet Union. With government policy alternating between limited relaxation and periodic tightening, artists were left with two choices if they were to remain artists: leaving the country in search of freedom of expression or fearlessly making their statements at home regardless of the consequences.

Art in China comes under the Art Bureau of the Party’s Propaganda Department and the government’s Ministry of Culture. In the words of Acting Culture Minister He Jingzhi: “For art to flourish in China, it is necessary to adhere to the socialist road.”⁶⁶ Many artists sought self-exile abroad. For example, Shi Hu, former editor of the People’s Art Publishing Company in Beijing, vanished for a year only to surface in May in Hong Kong armed with a passport from Tonga and 65 paintings in his luggage.

Others found their way to Japan, France and the United States. There they would face not cultural repressiveness, but the loneliness and self-doubt that spring, in the words of art historian Michael Sullivan of Oxford University, from “the competitiveness and materialism of the art worlds in Tokyo, Paris and New York.”⁶⁷ Artists who stayed home took advantage of limited relaxation to express themselves defiantly, turning out works showing themes of restiveness and confusion not unlike those found in the “misty poems” by the disenchanting post-Cultural Revolution writers a few years back. Many paintings in this genre, bearing the favorite caption “untitled,” look hauntingly Kafkaesque, including one “untitled” by Deng Lin, the daughter of Deng Xiaoping.

65. “Survey Shows Crisis at Beida [Beijing University],” *Shih-chieh Jih-pao*, November 10, 1992, p. 2.

66. Peter Seiditz, “Life After Landscape,” *Far Eastern Economic Review*, May 16, 1991, pp. 56-57.

67. *Ibid.*

The fact that Deng's daughter was able to exhibit her paintings was more than a sign of the degree of tolerance shown by the Party's cultural czars; because of her family connections, her very presence in the modern art scene was a boon to other artists. Many "non-socialist" artists were able to ride on her coattails. In her home province of Sichuan, for example, two young artists, Ye Yongqing and Yan Shu of the Sichuan Fine Arts Institute, painted subjects that hardly "adhere to the socialist road": the isolation of the individual in a collective society and the frightening change wrought by industrialization and environmental damage.⁶⁸ They would have been in trouble without her as a patron.

Never free of political influence, the film industry was caught in a suffocating web of controls enforced with a vengeance after the 1989 crackdown on the Tiananmen pro-democracy movement. In a country where art is supposed to be a tool of the Communist Party, film studios are state-owned and must toe the prevailing Party line. With the brief golden years of the mid-1980s gone and politics back in command, productions in the post-Tiananmen era reverted back to the monotonous days of the Cultural Revolution in the 1960s, when Mao's radical wife Jiang Qing was the cultural czar, featuring historical dramas glorifying the Communist Party and its revolutionary leaders. Major films included "Mao Zedong and His Son," set during the Korean War; and "Jiao Yulu," the story of an upright Party cadre serving the peasants in the poor northwestern province of Gansu.

The reimposition of strict ideological controls took the form of *san xing tongyi*, meaning unity of the three characteristics. "*San xing tongyi* refers to ideological content, artistic content and entertainment value," explained Zhen Changsong, vice director of the Xian Film Studio. "This phrase is used a lot in the Chinese film industry," Zhen said.⁶⁹ He cited his studio's major release, "After the Final Battle," a film glorifying the Chinese Communist practice of thought remolding better known in the West as brainwashing, as an example of meeting these criteria. The film was set in Beijing's Gongdelin Prison in the 1950s, where a number of high-ranking former Nationalist "war criminals" were set on the road "from forced ideological remolding to conscious remolding." After spending ten years reflecting on their crimes and comparing new China with the

68. *Ibid.*

69. David Holley, "China's Village Voice," *Los Angeles Times*, February 19, 1992, p. B8.

old society, a review in the official *China Daily* proudly proclaimed, "they finally recover from their stubbornness and lay down their arms ideologically." It was a hard job "helping those anticommunist diehards 'wash their brains' and change their political stance in so short a time," the review added.⁷⁰

Another phenomenon in the ideological arena during the period under review was the continued revival of Maoism. With hard-line leftists firmly in control of the Party ideological establishment, from the Propaganda Department to the official mouthpiece, the *People's Daily*, many Maoist ideas, including an emphasis on class struggle, once again became important slogans. It should be pointed out, however, that rightist reformers in 1991-1992 agreed on the need to dust off Maoist ideas to shore up the sagging popularity of the Party. The Party's seventieth founding anniversary in early July 1991 offered an opportunity for the leadership to inject fresh momentum into the ideological drive. For example, reform-minded Party General Secretary Jiang Zemin, in his keynote speech at a high-level conference to mark the anniversary, stressed that "class struggle will exist for a long time to come within certain areas in our country" because of attempts by "domestic and foreign bourgeois forces" to overthrow the Party.⁷¹ Jiang specifically cited the 1989 Tiananmen demonstrations as a proof of this. In speeches before Party officials, some ideologues went even further, calling for a return of class struggle to "root out undesirable elements within the Party." Former Party propaganda chief Deng Liqun, an ardent hard-liner with revived influence, spoke of the virtues of perennial struggle and even called for a reassessment of the Cultural Revolution, contending that some of that movement's original aims, especially the struggle against "capitalist roaders," were "correct and should be reaffirmed."⁷²

Maoism also came in handy in the new ideological campaign countering the alleged Western plot against China. In the late 1950s, Mao warned of efforts by capitalist countries to use "sugar-coated bullets" to subvert China's Communist system, particularly among succeeding generations of leaders. In 1991, recalling Mao's warning, Party ideologues routinely stressed the danger of "peace-

70. *Ibid.*

71. Tai Ming Cheung, "Convenient Cudgels," *Far Eastern Economic Review*, August 15, 1991, p. 18.

72. *Ibid.*

ful evolution” and urged the building of a “spiritual Great Wall” against decadent Western influences.⁷³

Almost like building blocks for this Great Wall, a revised edition of Mao’s collected works was published in early July 1991. According to the preface of the new edition, the new four volume set, containing Mao’s writings up to the early 60s, was issued pursuant to a decision of the Party Central Committee. Pointedly, the new edition includes an article by Mao not found in earlier editions. Entitled “Opposing Capitalism,” the article was said to have been lost for a period, but resurfaced in the early 60s and was authenticated by Mao himself. It is interesting to see its inclusion in the latest edition at a time when Beijing was vehemently opposing the alleged “peaceful evolution” plot against China by the West. Bearing the mark of Deng Xiaoping’s approval, the edition has a new cover, adorned with Deng’s calligraphy. In a propaganda blitz reminiscent of the little Red Book in the Cultural Revolution days, five million sets were printed for distribution throughout the country.⁷⁴ A Party Central Committee directive ordered all cadres to read it “at all times and study it unremittingly on a regular basis.”⁷⁵

While Party ideologues may want to bring back Mao to help the Party during a crisis, the renewed grassroots interest in Mao, ranging from the reappearance of Mao buttons to the display of Mao pictures by taxi drivers, was seen as an indication of widespread disaffection with the present leadership in China. Ignoring Mao’s horrendous mistakes, mass killing, and persecution second to no other person in history, many people remembered the early Maoist years as marked by stability and clean government, in contrast to the perceived lack of direction and rampant corruption today.⁷⁶ As a further indication of the fact that by 1991 Communist ideology was no longer relevant in the public mind, Mao pictures were treated as religious icons, with lorry and taxi drivers displaying them as good luck charms.⁷⁷

In a sarcastic way, Mao slogans also appeared on T-shirts, which were quickly banned by the authorities as reactionary. One slogan, “A single spark can light a prairie fire,” taken from a fa-

73. *Ibid.*

74. “Five Million Copies of Mao Works Printed,” *Shih-chieh Jih-pao*, June 28, 1991, p. 17.

75. See *supra* note 71.

76. *Ibid.*

77. Tai Ming Cheung, “Good Luck Charm,” *Far Eastern Economic Review*, August 15, 1991, p. 19.

mous Mao essay on the early success of the Communist movement in China, became popular in the months prior to the Party's seventieth anniversary. Since young people used the "cultural shirts" to vent their frustration and disaffection, the message behind the slogan was disquietingly clear to the ruling gerontocracy in Beijing: political protests can spread like a prairie fire and eventually bring about change. After the ban, a vendor said matter-of-factly: "The authorities said the shirts showed dissatisfaction with socialism and jeopardized the image of the country."⁷⁸

In their heavy-handed efforts to stamp out even the most innocuous forms of dissent and promote socialist awareness, local Party officials also tried to dictate what music the popular karaoke bars played. To stem the flow of "decadent" Hong Kong, Taiwan and Western popular music in recent years, the authorities, as part of the campaign that coincided with the Party anniversary observances in July 1991, released a collection of 500 revolutionary and upbeat folk songs that karaoke parlors in many prosperous coastal cities were required to stock. They included such Party favorites as "Without the Communist Party There Would Be No China" and "Socialism Is Good."⁷⁹

On Easter Sunday in 1991, more than 3,000 Beijing resident attended services at one church. A Reuters report said many young people turned to religion because of political disillusionment. One twenty-five-year-old student said: "We no longer have faith in Marxism. Religion will help fill a spiritual void."⁸⁰ He was one of the 3,000 people who attended Easter mass at the South Beijing Church. Another young man said that although few understood the meaning of the rites, they nevertheless "acquired spiritual solace" by attending the services.⁸¹

In their attempt to repair the badly tarnished image of the Party, the hard-liners in charge of propaganda co-opted the legend of Zhou Enlai, China's popular long-serving premier who died in 1976. And this was done in a thinly-veiled religious way. In a film released in October 1991, Zhou, who was said to have worked day and night to protect many comrades from Red Guard violence during the heyday of the Cultural Revolution, was depicted as the embodiment of such good socialist qualities as forbearance, self-

78. *Ibid.*

79. *Ibid.*

80. "Forsaking Marxism, 3,000 Attend Church Services," *Shih-chieh Jih-pao*, April 1, 1991, p. 14.

81. *Ibid.*

abnegation and discretion. The film, "Zhou Enlai," is heavy with religious symbolism. It not only assails the Cultural Revolution, the decade-long Maoist anarchy, but also shows an exhausted Zhou in his deathbed consumed by his devotion to his country.

In the Communist pantheon, Mao is often held in awe as a somewhat forbidding God the Father, while Zhou is adorned as an approachable intercessor. In the movie, Zhou is portrayed as a Christ-like redeemer who, for the sake of national economic development, interposed himself between the frail Chinese humanity and the violent forces of national turmoil, whether the Red Guards or the top level intrigues.⁸² Like Christ, the cinematic Zhou suffers and dies—but not before anointing Deng Xiaoping and many others as his chosen vicars on earth. As one observer pointed out, the film's visual borrowing from Roman Catholic iconography seemed almost too numerous to be coincidental: "the gaunt, bearded face in Zhou's last days, the formal pieta groups at the bedside, the focus on the trudging feet, the knotted, long-suffering brows." Even the lighting took on a washed Raphaelite tinge.⁸³

In the United States, exiled Chinese dissidents continued to speak out, discharging their intellectual "noblesse oblige." At a seminar in May 1991 at Princeton University, crusading journalist Liu Binyan characterized the years since the 1989 crackdown as marked by a general mood of "helplessness and hopelessness"—China's worst "spiritual crisis" since the Communist takeover forty years ago. Liu and other speakers addressed the main theme of the seminar: How should artists and intellectuals retain, in exile, their relevance to China's political evolution? Liu and Su Xiaokang, producer of the now banned anti-authoritarian television documentary *He Shang* (River Elegy), both warned against turning, in despair, to an apolitical "art for art's sake" attitude. Painter Zhang Langlang, veteran of a decade of political imprisonment, tackled the issue from another angle. He argued that for an artist, to ignore politics was itself an assault on Party control.⁸⁴

In Washington, participants in another seminar, also held in early May, concentrated on sanctions against Beijing on the eve of the scheduled renewal of China's most-favored-nation trading status with the United States. Exiled economist Chen Yizi, a brain-

82. Lincoln Kaye, "Peking Passion Play," *Far Eastern Economic Review*, October 31, 1991, p. 54.

83. *Ibid.*

84. Ashley Wright and Don Hains, "Talking Up a Storm," *Far Eastern Economic Review*, June 6, 1991, p. 36.

truster of deposed Party General Secretary Zhao Ziyang, urged the United States to curtail aid and loans to China's central government. Instead, he advocated expanded economic contacts with local and provincial administrations and non-state enterprises in order to force democratization in Beijing. Chen also urged U.S. radio broadcasts by exiles into China along the lines of such long-established beacons as Radio Free Europe. By helping exiled Chinese scholars, Chen added, the United States could prepare a pro-American elite for the "inevitable generational leadership transition" in Beijing. Although the exiles were "young, poorly organized and in many ways immature," Chen believed that with the right support, they could be forged into a "formidable force."⁸⁵

The Washington seminar also offered the dissidents an opportunity to compare China with the former Soviet Union and to examine their own role in China's reform process. Many saw the process of liberalization in China as having already gone too far to be reversed, citing the fact that even leftist hard-liners were joining the chorus chanting for economic reform. Zhu Jiaming, who advocated dialogue with Beijing, asserted that a more rational, dynamic economy would make for a more pluralistic society that would inevitably challenge central control. And the challenge was already more widespread than many outsiders realized, according to Chen Xingyu, of the Independent Federation of Chinese Students and Scholars. Taking issue with those who dismissed the Chinese Democracy Movement as an "elite phantasm," Chen reminded them that Wei Jingsheng, one of the most famous political dissidents, was an ordinary worker. And he added a widely known fact in China: Chinese from all walks of life helped smuggle Tiananmen dissidents out of China.⁸⁶

Chen also lamented that a double standard applied to China when it came to human rights. For too long, Chen charged, Westerners have acted as though "China and democracy were not even in the same dictionary," and the Beijing regime was somehow exempt from the Universal Declaration of Human Rights.⁸⁷ Earlier in the seminar, a number of Sinologists debunked the popular notion that China had no indigenous tradition of democracy or human rights. Professor Yu Ying-shih of Princeton University pointed out that as far back as the fourth century B.C., Mencius wrote about the

85. *Ibid.*

86. *Ibid.* Wei was released in late 1993.

87. *Ibid.*

legitimacy of tyrannicide on grounds that the monarch had broken his “social contract” with the people.⁸⁸

Human Rights Abuses Not Cultural-Bound

At a seminar on human rights at Columbia University in January 1991, Louis Henkin, emeritus professor at Columbia University Law School, dismissed the argument that the poor human rights record of the People’s Republic of China was attributable to the fact that Chinese culture was different. Saying that there is an international standard of national behavior regarding human rights, Henkin stressed that any given member of the international community must abide by the standards embodied in the Universal Declaration of Human Rights. No country should be allowed to ignore the declaration pleading an alleged lack of human rights concept in its traditional culture. To promote Chinese human rights, he argued, one must see to it that the Chinese government adhere to the spirit and letter of the Declaration in its conduct. One misses the point by engaging the Chinese government in an endless debate on whether the concept of human rights constituted a part of the Chinese tradition. Indeed, the concept of human rights was of neither Western nor Eastern origin, he said, as “modern history abounds with violations of human rights by Western nations as well.”⁸⁹

Essentially a concept that came to the fore in the 20th century, the concept of human rights, according to Henkin, was the product of evolution of human civilization—human communities in the world coming to a shared belief in the 20th century that values of civilized conduct should be observed by all, with no exception under any pretext. In the international community, therefore, China’s violation of human rights should not be tolerated just because Chinese culture is allegedly different. Henkin declared that in order to improve human rights conditions in China, the interna-

88. *Ibid.* For reference to Mencius, see D.C. Lau, trans., *Mencius*, Hong Kong: Chinese University of Hong Kong Press, 1979, vol. 1, p. 38; see also Yuan-li Wu, et al., *Human Rights in the People’s Republic of China*, Boulder, CO: Westview Press, 1988, pp. 2 and 10.

89. “Human Rights Concept: Universal or Cultural-bound?” *Shih-chieh Jih-pao*, January 19, 1991, p. 2.; “Should International Human Rights Standard Apply to China?” *Human Rights Tribune*, (New York), vol. 2, no. 2, April 1991, p. 31; notes were taken by Ta-ling Lee at the seminar.

tional community must first rid itself of the notion that China is different from other countries.⁹⁰

Commenting on overtures made by Beijing in early 1992 to exiled intellectuals and students abroad, welcoming their return and promising no retribution for their role in the Democracy Movement, many exiled leaders and participants of the movement were dubious of Beijing's intentions. Liu Binyan, who was expelled from the Party and named by Deng Xiaoping as one of the main instigators of the Tiananmen democracy movements, said in the United States that the overall political conditions in China were hardly conducive for the return of exiled movement leaders. Many of his friends remained in jail, others had lost their original jobs, still others were not allowed to work altogether, he said. Liu believed that exiled democracy activists might not land in jail if they returned, but they would not have the freedom to do what they really wanted to do. Consequently, they would be reduced to mere window dressings.

Intellectuals in China were not optimistic about the situation either. They were appalled by Deng's strategic maneuvers and his twice sacking handpicked successors. After Tiananmen, they had lost the last shred of confidence in Deng, Liu said. Yang Wei, a former graduate student at the University of Arizona who returned to China to join the Democracy Movement and was twice jailed in Shanghai by the government, said Beijing's overtures to students abroad lacked sincerity. Yang told the press in New York that the government's offer so far consisted of mere empty words, not backed up by actions.⁹¹

Interestingly enough, as Beijing was denouncing "peaceful evolution" as a Western plot designed to undermine Socialism in China, exiled Chinese intellectuals in the United States were almost unanimous in their belief that "peaceful evolution" offered the Chinese Communist Party the only option to move toward democracy without chaos and bloodshed. In a symposium in early 1992 commemorating the 100th issue of the U.S. edition of *Tansuo* (exploration), a magazine that first appeared in Beijing during the Democracy Wall days in early 1979 and was later banned by the government, most participants saw "peaceful evolution" as an evolutionary force in human civilization. By opposing peaceful evolu-

90. *Ibid.*

91. "Liu Binyan Unwilling to Return to China as 'Potted Plant,'" *Shih-chieh Jih-pao*, April 10, 1992, p. 18.

tion, the Chinese Communists were thus running against the tide of history.

Qian Jiaju, a noted economist, stressed that only "peaceful evolution" could save China, citing his own involvement in the Chinese revolution more than seventy years ago as a radical student. Modern capitalism, Qian said, too sought progress in peaceful evolution. Ge Yang, former editor of *Xin Guancha* (new observation) magazine in Beijing, made this analogy about "peaceful evolution" in China: "China is like an egg about to hatch. Now the shell is beginning to crack and the chick is about to break out of the shell."⁹² Zhao Huisheng, a former researcher at the State Council's Economic Research Center, pointed out that Deng's economic reform was essentially "peaceful evolution," designed to achieve privatization without destabilizing the society. Sima Lu, editor of *Tansuo*, concluded that contrary to the claim of the Chinese Communists that "peaceful evolution" was a plot by "international forces hostile to China," it was a precious part of China's cultural heritage.⁹³

In Paris, noted Chinese dissident Wang Ruowang told a seminar of Democracy Movement activists on November 16, 1992 that the Chinese Communists were confronted with six opposition forces. Wang, who was allowed to come to the United States as a visiting scholar at Columbia University in August 1992 after a long period of imprisonment and house arrest for criticizing the government, listed the following forces: (1) mushrooming underground democracy movements in the provinces; (2) a growing middle class as a result of economic reform, an inevitable force of "bourgeois liberalization;" (3) much-maligned intellectuals of three generations, such as the 4,000-odd members of the Writers' Association; (4) a growing number of reformist factions within the Party; (5) tens of thousands of Chinese intellectuals and students in exile, with knowledge and living experience in Western democracy; and, (6) political democracy and economic prosperity in Taiwan, threatening the very survival of the Chinese Communist Party as a stabilizing force in the "post peaceful evolution" China. Although he was in his 70s, Wang, who turned from a youthful Communist to a fervent anti-communist later in life, said he was much younger than Deng Xiaoping and he was eager to offer to the Chinese Democracy

92. "Peaceful Evolution Only Way Out for China," *Shih-chieh Jih-pao*, April 9, 1992, p. 18.

93. *Ibid.*

Movement abroad his half-century experience of struggling with the Communists.⁹⁴

In Washington, dissident groups also began to make substantive contributions to the debate in Congress on whether to renew MFN trading status with China. The exiles, through their knowledge and personal contacts with relatives and friends in China, were in a position to provide specifics about human rights infractions to help Congress draft "sanctions with teeth." The Chinese exile groups took a joint position on the MFN issue in tune with the overwhelming view in Congress, namely, that the trading status should be renewed, but subject to stringent conditions on such matters as press freedom, release of political prisoners and stopping exports of goods made by forced labor. The dissident groups reached a consensus position on the MFN in the realistic hope of avoiding the infliction of economic pain upon the Chinese public and the business community — two constituencies crucial to the future of the Democracy Movement.⁹⁵

To protest Premier Li Peng's appearance at the U.N. and meeting with President Bush in early 1992, exiled Chinese dissidents and democracy campaigners organized a large-scale rally on U.N. grounds on January 31. Several thousand people participated. The rally culminated in a mock trial of Li Peng, at which several victims of the 1989 Tiananmen military crackdown tearfully accused Li of serious violation of human rights. The trial was held under a live statue of liberty, featuring a young woman standing on a pedestal, wrapped in white sheets and holding up a torch painted in white, reminiscent of the statue of liberty in Tiananmen Square which was destroyed by tanks ordered into the square by Li Peng on that fateful night in 1989.

Chai Ling, one of the student leaders on the most-wanted list after the crackdown, told the crowd at the "trial" that after her escape from China, her sick mother and grandmother died within a month because they were denied any medical treatment because of her "crime." Under the Chinese Communists, "not only prisoners of conscience are denied human rights, even their families suffer the same fate," Chai said. Another accuser, Yao Yongzhan, a student from Hong Kong who had spent a year in a Chinese prison, appeared in handcuffs to tell of the torture he endured in prison.

94. "Wang Ruowang: Six Forces Opposing CCP," *Shih-chieh Jih-pao*, November 17, 1992, p. 14.

95. Stacy Mosher and Lincoln Kaye, "Home Thoughts Abroad," *Far Eastern Economic Review*, June 6, 1991, p. 34.

Bette Bao Lord, wife of former U.S. ambassador to China Winston Lord and a well-known writer, told the rally that for too long, the West had appeased the Li Peng regime in China. She deplored the Bush-Li meeting at the U.N., saying that it was clearly against the will of the majority of the people in both countries. Liu Binyan, the former reporter of the *People's Daily*, told the gathering not to become discouraged by the intensified repression in China. Despite tight control, Liu said, there were underground labor organizations in at least ten provinces and groups advocating democracy and human rights were "growing like bamboo shoots after a spring shower" on university campuses across China. "The Chinese people are waiting for the right moment," said the widely-respected former investigative reporter, who was booted out of the Party because his expose writing angered Deng Xiaoping. Liu asserted that repression may have produced tranquillity on the surface, but it only further alienated the populace.⁹⁶

A *New York Times* editorial saw President Bush's meeting with Li as a sign of encouragement for China's leftist hard-liners. It urged the President to redress the imbalance by appealing to the Chinese government to release two prominent jailed dissidents, Chen Ziming and Wang Juntao, who were serving thirteen year jail terms for advocating democracy. Li called the two "old tigers of four dynasties," meaning they have participated in four democracy movements since the close of the Maoist era in the mid-1970s. Citing Washington's argument that isolating China will not help democrats there, the editorial said: "If maintaining official contact has value, it should allow troubling issues to be raised."⁹⁷

Dissidents Urge Continued Western Pressure

Secretary of State James Baker's arrival in Beijing in mid-November 1991 provided another opportunity for political dissidents to let the world know their plight as well for the government to flex its muscle against the Western "peaceful evolution" plot against China. Earlier, an internal Party document had warned: "The West will now step up its pressure on China, and a small number of bourgeois liberal elements in China could try to take advantage of the situation."⁹⁸ Anticipating Baker would raise human rights issues,

96. "Mass Rally on Dag Hammarskjold Square," *Shih-chieh Jih-pao*, February 1, 1992, p. 21.

97. "Free Chen Ziming and Wang Juntao," *New York Times* editorial, February 13, 1992, p. A26.

98. Bruce W. Nelan, "Comes the Evolution," *Time*, November 25, 1991, p. 58.

including those involving political dissidents still in jail and the export to the United States of goods made by inmates in forced labor camps, a Foreign Ministry spokesman greeted Baker's arrival with a preemptive statement. Using precisely the kind of excuse Professor Henkin discussed above, the spokesman declared: "Because of different social systems, ideologies, values, cultures and traditions, it is only natural that China and the U.S. have different views on certain aspects of human rights." Referring to jailed pro-democracy dissidents, he said: "China has its laws and the handling of cases concerning violation of laws is entirely a matter of China's internal affairs."⁹⁹

Before Baker was able to press for the release of any dissidents, however, two more were detained by the government to prevent them from meeting with Baker's aides as previously arranged by the U.S. Embassy in Beijing. Hou Xiaotian, wife of Wang Juntao, told the BBC afterwards that on the eve of Baker's arrival, she was taken from her home by police in a midnight raid and put under house arrest in a Beijing suburb. Police brought her home after Baker left Beijing.¹⁰⁰

Another dissident, Dai Qing, a journalist who had also been scheduled to meet with Baker's aides, said she was abducted by police while trying to make a telephone call to the U.S. Embassy from a hotel. She was taken to a seaside resort 180 miles from Beijing and confined there until after Baker's departure. "I am O.K.," she told reporters after her return, "I am just very sad for my country, not myself." She urged the United States and other Western nations to keep up the pressure on the Chinese government to improve its human rights record.¹⁰¹

Despite her ordeal, Dai Qing was a beneficiary of the Baker visit, a classic example of external pressure producing tangible results, although at best in a piecemeal way. An outspoken journalist, she had been barred from leaving the country. However, apparently because of pressure from Mr. Baker, she was given a passport to travel to the United States. Dai was a Communist spy in the

99. "Baker Arrives in Beijing to Discuss Bilateral Affairs," *Shih-chieh Jih-pao*, November 15, 1991, p. 1.

100. Sheryl WuDunn, "China Detains Two Dissidents During Baker Visit," *New York Times*, November 18, 1991, p. 8; "Chinese Communists Detain Hou Xiaotian," *Shih-chieh Jih-pao*, November 19, 1991, p. 3.

101. "A Dissident Journalist Reappears in Beijing," *New York Times*, November 21, 1991, p. A18. Dai was allowed to come to the United States in early 1992 as a Nieman Fellow at Harvard University.

early 1980s but she came full circle in the ensuing years, quitting the Party and becoming a critic of communism. After the Tiananmen Massacre, she was imprisoned for ten months for her role in the Democracy Movement. During her imprisonment, her hair turned white, and she found herself begging for scraps of paper to write on and scribbling her feelings between the lines and on the margins of newspapers when she was allowed to read. “Many people spoke from their hearts and I discovered that what I had learned and what I had read were so different from real history,” she said. “I hope to expose the truth,” she added.¹⁰²

Although there was tight security on the campuses and efforts to prevent any problems, Beijing University students managed to greet Baker’s arrival with a wall poster, urging attention to human rights and calling for political pluralism. The poster, pasted on the main bulletin board, was signed by the “China Liberal and Democratic Party.” According to informed sources, the group was formed in January and boasted a membership of over 2,000 around the country.¹⁰³ In Shanghai, seventy-four-year-old dissident Wang Ruowang urged Baker to be tough with the government on human rights. Wang, respected as the grandfather of the dissident movement and who has been in and out of jail many times, told a Baltimore *Sun* correspondent that Baker must “let our government know that human rights is not an internal affair, but an international concern. He must tell the dictators to quit using ridiculous pretexts to hold on to their power.” Wang offered this blunt advice to Baker: “Apply pressure with no fear. They don’t want to admit it, but they are afraid of the U.S.”¹⁰⁴

In November 1991, the government launched a human rights offensive internationally to improve its badly stained image. In an eighty-seven page White Paper released by the State Council, Beijing detailed a gamut of government-guaranteed rights ranging from basic subsistence to freedom of worship. (See Appendix 1 for full text.) Citing a host of statistics, the document tried to demonstrate China’s success in improving the livelihood of the people, repeating the familiar argument that “economic rights”—meaning survival—are the most important of human rights and are a precondition for any other rights. It also insisted that there were “no polit-

102. Sheryl WuDunn, “Trading Cloak and Dagger for Pen and New Ideals,” *New York Times*, December 27, 1991, p. A4.

103. “Beida [Beijing University] Poster Urges Human Rights,” *Shih-chieh Jih-pao*, November 15, 1991, p. 1.

104. *Ibid.*

ical prisoners” in China and that all prisoners enjoyed political and “other civil rights;”¹⁰⁵ that the harsh one-child birth control policy (with widely reported late pregnancy abortions and female infanticide) relied mainly on “tireless publicity and educational work;” and that the forced job assignment policy for college graduates was the government’s way of assuring them “the right to work.”¹⁰⁶ Although China is a signatory to many international human rights accords, the document once again resorted to national sovereignty as a defense against outside criticism. Any country’s human rights stance “is circumscribed by historical, social, economic and cultural traditions. . . (and) falls by and large within the sovereignty of each country,” it asserted.¹⁰⁷

The release of the White Paper was a part of a propaganda barrage aimed at the West, particularly the United States. In a commentary on a memoir written by a former New York correspondent of *Xinhua*, the *People’s Daily* cited a litany of purported dark aspects of the United States, from election rigging to “persecution” of blacks and leftists. “With such a record of ‘human rights’ and ‘democracy,’ what call has the U.S. to meddle in the affairs of other countries?” the commentary asked. It added: “Yet in the wake of the Gulf War. . . some American politicians, intoxicated by victory. . . plan a U.S. dominated ‘New World Order’ based on U.S. concepts of democracy, freedom, human rights and even sovereignty.”¹⁰⁸

The Los Angeles riots in the spring of 1992 in the wake of the acquittal of two policemen accused of beating a black man, Rodney King, gave Beijing a propaganda bonanza on human rights. Hitting back at the United States, the *People’s Daily* declared almost gleefully: “The big racial conflict in Los Angeles shocked the whole world and it enabled the people to see that the phenomenon of human rights violations in the U.S. is much more serious than people imaged.” American blacks and minorities “are subjected to discrimination of every kind in American society and their human rights are not respected and guaranteed as they should be,” the official paper said. Contrasting China’s low official crime figures with U.S. “world leadership” in murder, robbery, rape, drug abuse, unemployment and racial discrimination, it concluded that “China is

105. See Chapter 5 on labor camps.

106. Lincoln Kaye, “The Right Stuff,” *Far Eastern Economic Review*, November 14, 1991, p. 13.

107. *Ibid.* For more analysis of the White Paper, see Chapter 8.

108. *Ibid.*

better than the U.S. in many kinds of human rights.”¹⁰⁹ *Beijing Review*, the official English weekly, also cited the Rodney King verdict as proof that U.S. legal system offered no justice to the minority. *Xinhua* also used the anti-Korean violence during the Los Angeles riots as a springboard for features on discrimination against Asian-Americans as scapegoats for U.S. economic ills.¹¹⁰

109. “Evil Consequences of Racial Discrimination,” *People’s Daily*, May 4, 1992, p. 1.

110. Lincoln Kaye, “From the Glass House,” *Far Eastern Economic Review*, May 21, 1992, p. 26.

CHAPTER 8

CHINA'S FOREIGN POLICY AND HUMAN RIGHTS, I

“The New Chinese apartheid. . .threatens finally to overwhelm and absorb us.”

—Dalai Lama*

“If the world hopes to see a reduction of tyranny in China, it must not appease China's leaders.”

—Dalai Lama**

“In China there is now no hope for democracy, no respect for human rights, and in trade there is a subversive effort to rob the West of its technology while selling weapons of mass destruction.”

—Senator Alan Cranston***

Introduction

Before 1989, China had an “edge” regarding international scrutiny of human rights violations. Both in terms of the number of victims and in terms of the grievousness of violations and the brutality, China was seldom taken to task. This changed after the Beijing Massacre of students in Tiananmen Square in June 1989. China's human rights record became the object of scrutiny by the press and by other governments. China no longer had the advantage it once had—though one cannot say that China was getting equal treatment inasmuch as much of the country is inaccessible. Also, the Chinese government took great pains to ensure that its human rights record was not known to the outside world. Being a big power, China was able to claim somewhat successfully that domestic issues were not the concern of other countries.

Still, China responded to foreign complaints about its human rights abuses and pressure to change. Its foreign policy decision-makers noticeably altered China's foreign policy to avoid foreign

* Cited in Susumu Awanohara, “Falling from Favor,” *Far Eastern Economic Review*, May 2, 1991, p. 10.

** *Ibid.*

*** Cited in Susumu Awanohara, “Status quo, no!” *Far Eastern Economic Review*, May 30, 1991, pp. 18-19.

criticism on its human rights abuses. It adopted specific policies to reduce or counteract foreign human rights concerns. Many of these actions were not sincere: China was still sticking to a policy of "hard on the inside, soft on the outside"—meaning that China sought to maintain internal stability by whatever means necessary and would not make concessions on human rights. Yet China made concessions to keep its foreign trade on track and sought to improve its human rights image to please foreign countries. In that effort to please, the human rights situation improved. This was noticeable in 1991.

Four topics, where human rights and China's foreign policy connect, are discussed below. They are: (1) foreign criticism of China's human rights record and pressure to elicit change, (2) U.S. pressure on China, particularly associated with the granting of most-favored-nation status to China; (3) China's arms sales and transfer of nuclear know-how—which has become a new "kind" of human rights concern; and, (4) China's response to external criticism and pressure.

During 1991 China was advantaged in terms of human rights criticism by the Gulf War. China played a critical role, having the veto in the U.N. Security Council which it might have used to obstruct U.N. efforts. Foreign governments, especially Western governments, were less critical of China at this time because Beijing might have obstructed the war effort but chose not to. Chinese leaders were also able to elicit sympathy abroad for victims of serious flooding in China during the year, thereby putting foreign nations in a position of being called on to help the Chinese people. This helped Beijing deal with human rights criticism and pressure. China also took actions, some positive and some negative, that seemed to reflect that the human rights issue was becoming more and more a foreign policy matter for China. The release of a number of well-known political prisoners during the year and the publication of a "Human Rights White Paper" at the end of the year underscored this.

Foreign Pressure on China

As the year began, China was responding to a visit to Beijing by U.S. Assistant Secretary for Human Rights Richard Schifter and Undersecretary of State for International Security Affairs Reginald Bartholomew. President Bush and Secretary of State Baker had earlier told Chinese Foreign Minister Qian Qichen that China had to accept the visits in order to improve strained U.S.-China rela-

tions.¹ While in Beijing, Schifter, accompanied by the U.S. Ambassador to China, James Lilley, submitted a list of 150 political prisoners about which the United States had special concern.² The list was said to contain names of student demonstrators who were arrested after the June Tiananmen Massacre as well as Tibetans, Catholic priests and some human rights victims who had been in prison for ten years or more.³

In February, the U.S. Department of State issued its annual country human rights report. The report, according to most observers, was more critical of China than usual in order to fend off the criticism of the Bush Administration and the Department of State for being too easy on China regarding human rights abuses.⁴ Clearly the report was more condemnatory than usual.

In a March visit to Britain, the Dalai Lama declared that he planned to withdraw concessions he had made to China on the issue of Tibetan independence and let the more hard-line assembly of his organization decide the issue.⁵ In Britain, he was not able to see Prime Minister John Major, but he did meet with Prince Charles. Later, he went to Dublin and met with Mary Robinson, Prime Minister of the Republic of Ireland.

In April, President Bush met the Dalai Lama—the first U.S. president ever to do so. White House officials were careful to point out that he came as a spiritual leader and that the United States does not recognize Tibet as an independent entity⁶. Still, the visit was viewed as a means by which Washington could apply pressure on China on human rights and other issues. President Bush no doubt also saw it as a means of balancing his China policy, which was seen as too conciliatory on human rights by many in the Congress and the public.

Meanwhile, in March, U.S. Assistant Secretary of State Richard Solomon disclosed that Ambassador James Lilley had recently met with high officials in the Ministry of Public Security, China's

1. Susumu Awanohara and Tai Ming Cheung, "Abusive Treatment," *Far Eastern Economic Review*, January 3, 1991, p. 8.

2. *Ibid.*

3. *Ibid.*

4. This opinion is shared by a number of China-watchers who noted at the time that the United States had been harsher than usual in criticizing China's human rights abuses. Some, however, said that China was simply not being given the "edge" anymore on human rights.

5. "Tibetan God-King Visits U.K.," *Asian Bulletin*, May 1991, p. 106.

6. Susumu Awanohara, "Falling from Favor," *Far Eastern Economic Review*, May 2, 1991, p. 10.

national police force, to discuss the plight of Chinese dissidents. The meeting, said Solomon, represented a break-through since Chinese officials had heretofore refused to discuss such issues, which they considered interference in China's internal affairs.⁷

In early May, Washington placed a ban on the sale of U.S.-made satellite parts to China. The move was made to show U.S. displeasure with China's missile sales to Third World countries. White House Press Secretary Marlin Fitzwater stated that the United States had "serious proliferation concerns" about China's exportation of missiles, missile technology and nuclear weapons assistance.⁸

With the deadline approaching on most-favored-nation status for China, U.S. Undersecretary of State Robert Kimmitt, later in the month, went to China in an apparent effort to get some concessions. He met with Foreign Minister Qian Qichen and broached the matter of amnesty for political prisoners who had engaged in non-violent acts. This was the first time a senior U.S. official made such a request publicly in China.⁹

In June, U.S. Undersecretary of State Bartholomew again travelled to China, but his agenda this time put arms talks as the top priority. At nearly the same time, former President Jimmy Carter visited China. He discussed human rights, but was careful to do it in a way so as to avoid offending the Chinese government.¹⁰

At this time, a bipartisan group of U.S. senators on the Foreign Relations Committee proposed a new radio broadcast network that would promote freedom and democracy in China, to be called Radio Free China. The bill was sponsored by Joseph Biden and Orrin Hatch. Senator Jesse Helms also backed the proposal. Biden said at the time: "The democratic ideal is alive in China, and we should not shrink from encouraging it."¹¹ Radio Free China was needed, said its sponsors because Voice of America, according to its mandate, broadcasts U.S. and international news to China, not news about domestic events in China. Broadcasting news on internal af-

7. "U.S. Official Discusses Arms Sales, Human Rights with Chinese," *Christian Science Monitor*, March 13, 1991, p. 5.

8. James Gerstenzang and David Lauter, "Bush Bars U.S. Satellite Gear Export to China," *Los Angeles Times*, May 1, 1991, p. A1.

9. "U.S. Official Urges China to Be Lenient," *Washington Post*, May 8, 1991, p. A24.

10. *Ibid.*

11. George Lardner, Jr., "'Free China' Radio Backed by Senators," *Washington Post*, June 10, 1991, p. A16.

fairs in a target country needs separate legislation.¹² Radio Free China was to be patterned after Radio Free Europe.

In July, a group of Australian politicians, diplomats and scholars seeking to investigate the human rights situation visited several cities in China. Although disagreements about access arose, the group did visit prisons and talks were held with Chinese officials. Sidney Jones, director of Asia Watch, remarked that the visit came about because of pressure applied on China, especially in the context of the most-favored-nation debate in Washington.¹³ Upon their return, some of the members of the group told reporters that they were very disturbed by what they saw, noting that, of 16,000 criminal cases filed in Shanghai in 1990, only thirty were acquitted and less than one-half had a defense attorney. Kevin Garratt, an official with the Department of Immigration who was with the group, stated that "Tibet is in danger of losing its culture." Senator Cris Schacht said that he had presented a list of two hundred dissidents held in Tibet, but was given information only about several of them.¹⁴ Alice Tay, a law professor from the University of Sydney, called the Chinese legal system "Stalinist"—noting that rights in the Constitution cannot be cited in most court cases.¹⁵

Meanwhile, the Dalai Lama visited the Soviet Union. The visit underscored the fact that changes in the world made human rights more important and that China might seek to follow the Soviet model and give Tibet greater autonomy, or at least more political freedoms.

In August, Japanese Prime Minister Toshiki Kaifu visited China. During his visit he urged Chinese leaders to improve their human rights record and limit its sales of weapons abroad. Kaifu made public statements concerning human rights, yet took a more low-key approach to dealing with China on this issue than most other Western leaders. However, he had more financial aid to offer—which he seemed to subtly tie to positive reactions on the part of the Chinese in the area of human rights.

In September, British Prime Minister John Major visited China. In Beijing for talks with Chinese leaders, he raised a number of human rights issues, including Chinese rule in Tibet and

12. *Ibid.*

13. "Human Rights Team Visits China," *Christian Science Monitor*, July 23, 1991, p. 12.

14. "Group Says China Lacks Freedoms," *Washington Post*, July 29, 1991, p. A6.

15. John Pomfret, "Stalinist China Alarms Delegation," *Washington Times*, July 29, 1991, p. A7.

the fate of democracy advocates. He also asked for an accounting of a list of detainees provided by the London-based Amnesty International. During a conversation with Premier Li Peng, Major reportedly lectured him on human rights and asked about the condition of dissidents Wang Juntao and Chen Ziming. However, critics in Britain said that his visit, the first by a Western head of government since the Tiananmen Massacre, legitimated Chinese leaders at a time when political repression remained intense.¹⁶ That China's newspapers and television gave broad coverage to the event seems to confirm what the critics said.

On the heels of the Major visit three members of the U.S. House of Representatives visited China: Ben Jones, John Miller and Nancy Pelosi. During their visit, they placed a banner (in both English and Chinese) in Tiananmen Square reading: "To those who died for democracy in China." A guard immediately encountered the three and took the roses each held and the banner. Miller reported that the policeman had "half grabbed me and half slapped me and yelled at me in Chinese." Police also detained employees of ABC, CBS and the Cable News Network who filmed the incident.¹⁷

In October, a United Nations resolution, passed by the Human Rights Subcommittee in Geneva, expressed concern about human rights violations in Tibet. The resolution, the first concerning Tibet since 1965, expressed concern at "continuing reports of violations of fundamental human rights and freedoms which threaten the distinct cultural, religious and national identity of the Tibetan people." It then called on China to "fully respect the fundamental rights and freedoms of the Tibetan people."¹⁸

On September 1, the International Federation for the Rights of Man criticized China for stepped-up repression of pro-democracy dissidents.¹⁹ Just days later, the United Nations issued its Human Freedom Index report measuring freedom in various nations of the world. China received just two points out of a possible forty and was ranked eighty-four among eighty-eight nations included in the report. Only Ethiopia, Romania, Libya and Iraq were ranked

16. David Holley, "British Leader Welcomed in China," *Washington Post*, September 3, 1991, p. A8.

17. Janet Snyder, "Police rough up U.S. lawmakers at Tiananmen," *Washington Times*, September 5, 1991, p. A7. Also see *Ibid.*

18. *Ibid.*

19. "Human Rights Issues Pressed as Western Leaders Resume Visits," *Asian Bulletin*, November 1991, p. 95.

lower.²⁰ Not long after this report, a bill was introduced in the U.S. Congress that would give human rights groups and U.S. importers the right to sue companies which imported goods produced by slave labor—a move clearly aimed at China.²¹

In mid-November, U.S. Secretary of State James Baker travelled to China to discuss human rights issues, China's sale of weapons and trade. Observers had described U.S.-China relations at the time as "at risk."²² Baker brought up the issue of current human rights abuses numerous times as well as the "tragedy of Tiananmen." He described human rights as a "cornerstone of U.S. foreign policy."²³ The visit was intended to put pressure on the Chinese government, but because it broke the earlier U.S. ban on high level contacts established after the Tiananmen Massacre, China may have gained from the visit. (National Security Advisor Brent Scowcroft had made two secretly-arranged trips to China in 1989.) Clearly, China had been asking for the visit and according to some observers "bought" it by not vetoing U.N. resolutions to take military action against Iraq.²⁴ The trip was made more controversial by reports at the time that the Bush Administration had suppressed information that China had violated an international treaty against biological weapons and was selling nuclear technology to Iran.²⁵

Baker, while in Beijing, also asked that 800 democracy advocates be released, that the Red Cross be allowed to visit political prisoners and that China stop jamming the Voice of America. Assistant Secretary for Human Rights Richard Schifter was with Baker, an apparent signal that the central goal of the trip related to improving the human rights situation in China.²⁶

20. *Ibid.*, p. 100.

21. Nancy Dunne, "China responds to U.S. ultimatum," *Financial Times*, October 1, 1991, p. 6.

22. Don Oberdorfer and Lena H. Sun, "Baker, in Beijing, Holds Talks with Chinese Leaders," *Washington Post*, November 16, 1991, p. A21.

23. *Ibid.*

24. Jim Mann, "Eager to Improve Ties, China Seeks Baker Visit," *Los Angeles Times*, October 18, 1991, p. A5.

25. Rowland Evans and Robert Novak, "Bakers Chinese Friends," *Washington Post*, November 18, 1991, p. A21.

26. Thomas L. Friedman, "Baker's China Trip Fails to Produce Pledge on Rights," *New York Times*, November 18, 1991, p. A1.

Most Favored Nation Status Issue

Surrounding the issue of granting China most favored nation (MFN) trade status by the United States, China in 1991 was widely and virulently criticized for various kinds of human rights violations. In fact, as human rights related to foreign policy, MFN status was clearly Beijing's most serious problem during the year.

Up to the time when Washington had to make a decision on whether to extend MFN to China, which had been made annually since it was granted in 1980, a number of issues relating to human rights were debated in the United States. None was so sensitive, however, as the issue of prison labor in China and the export of products made by political prisoners.

In April, *Businessweek* published an article based on a six-month investigation of China's use of prison labor to produce products for export, using U.S. Department of State documents and interviews with business executives and contractors. According to the State Department document provided to the *Businessweek*, Chinese officials put the amount of prison exported goods at \$100 million per year. But the report said it was probably much more than that.²⁷ Asia Watch subsequently published a report on the subject, which provided even more details. At almost the same time, Harry Wu, who was a political prisoner in China for nineteen years, visited China as a businessman wanting to purchase Chinese made products. His encounters with Chinese officials, including prison wardens and law enforcement personnel, were secretly taped and shown on American television. (See Chapter 4 for further details and a discussion of this issue as it relates to human rights violations in China.)

This prompted public debate in the United States regarding Chinese imports, particularly since U.S. laws prohibits the purchase of goods produced by political prisoners. The issue of forced labor, especially by prisoners of conscience, became related to the MFN issue and the expanding trade deficit with China. In short, the trade issue and the human rights issue became inextricably linked.

Senator Jesse Helms pushed the U.S. Customs Service to launch an investigation into the matter of Chinese products made by prison labor that reach the U.S. market. A list was made that included items ranging from wines to clothes to household appliances. (See Appendix 2.) Both prior to and after the publication of

27. "China's Ugly Export Secret: Prison Labor," *Businessweek*, April 22, 1991, p. 42.

this list, a number of U.S. companies announced, in some cases with considerable publicity, a break in their commercial relations with Chinese companies and/or the Chinese government. Joseph E. Seagram & Sons Inc., when it found out its boxes were being made by political prisoners after an American Bar Association delegation visited China in March, ended its joint venture agreement with a Chinese counterpart in Shanghai.²⁸ Others followed after the publication of the U.S. Customs Report.

The Asia Watch report and Harry Wu's tapes documenting the grim conditions in prison factories (plus the fact that this was part of official policy in China) underscored the gravity of the issue. Both drew attention to the fact that reeducation through labor, as opposed to reform through labor, which is an administrative punishment in China and does not require court proceedings, was increasing as a result of government policies that encouraged exports. According to one writer, the issue angered U.S. President Bush, prompting him to invite the Dalai Lama to the White House for an interview to send a signal to Beijing.²⁹ The importation of prison-made goods, forbidden under the Tariff Act of 1930, seemed to be one possible legal vehicle that could be used to preclude the import of such goods. However, it had previously been applied only once (to the Soviet Union for exporting canned crab meat in 1951).³⁰

In May, when Undersecretary of State Kimmitt visited China, he warned Chinese officials that there was strong opposition in the Congress and the American public to extending MFN to China unless there were improvements in China's human rights situation.³¹ At the same time, U.S. trade representative Carla Hills named China a "Special 301 nation (referring to nations with unfair trade practices)." She said at the time that China practiced piracy "across the board."³² This further linked the human rights condition to the U.S.-China trade problem.

Thus, the MFN debate became linked to a number of issues: China's nuclear proliferation, weapons sales, the U.S. trade deficit with China, China's cheating on trade, its piracy of intellectual

28. *Ibid.*, p. 116.

29. Colina MacDougall, "Cheap and plentiful—and made in a Chinese jail," *Financial Times*, May 2, 1991, p. 4.

30. *Ibid.*

31. James L. Tyson, "U.S. Diplomat To Warn Beijing," *Christian Science Monitor*, May 3, 1991, p. 7.

32. Yvonne Preston and Nancy Dunne, "Bush will need something to show for China deal," *Financial Times*, May 1, 1991, p. 5.

property, and Tibet (it being the fortieth anniversary of Chinese military occupation). As a result, these issues attracted more attention than would otherwise have been the case. This presented a special foreign policy problem for China.

President Bush announced weeks before the June 3 deadline that he would support the renewal of MFN. Bush, accused of being too pro-China, unconcerned with human rights and seeking a strategic advantage in relations with China when there was none, encountered resistance in Congress to his decision. Senator Ted Kennedy accused him of being "unwilling to stand up to China." Senator Daniel Patrick Moynihan and George Mitchell, Senate majority leader, introduced a bill to revoke China's MFN status. Congresswoman Nancy Pelosi, head of the Congressional Working Group on China, broached a bill that would give China conditional status for one year—contingent on human rights progress.³³

In July, the House of Representatives voted to cut MFN for China and to impose conditions on any renewal of such benefits for the following year. The conditions for renewal were that China release all those in jail for participating in the 1989 democracy demonstrations in Tiananmen Square and curb sales of ballistic missiles and nuclear materials. The first bill passed by 223 to 204 votes. The second got a bigger margin of support: 313 to 112. The former was not veto proof; the latter was.³⁴ Though this did not kill MFN because the Senate had yet to take up the issue, it did cause China considerable embarrassment and cast doubt on the future of U.S.-China policy in view of the human rights situation in China.

For example, the Pelosi Bill, sponsored by Nancy Pelosi, stated that China should account for and release all of those jailed after the Tiananmen demonstrations. It also called on China to stop its sale of missiles, nuclear technology and materials, and it called for an end to forced abortions. All of these demands were obviously unacceptable to Chinese leaders in Beijing.

Some members of Congress also made uncomplimentary statements about China and about U.S. China policy. Representative Charles Rose said that for the United States to "[lick] the boots of China" is "absolutely abominable."³⁵ Senator Lloyd Bentsen said

33. Nancy Dunne, "Bush defends status of China," *Financial Times*, May 10, 1991, p. 6.

34. Jim Mann, "House Rebuffs Bush on China's Trade Benefits," *Los Angeles Times*, July 11, 1991, p. A1.

35. Paul Clancy, "House votes today to put trade pressure on China," *USA Today*, July 10, 1991, p. 4A.

that the United States should push Chinese leaders "as far as we can push them."³⁶ China had its supporters in the U.S. House of Representatives, but the debate was generally negative and caused China embarrassment. China wanted to avoid a discussion of its human rights situation and the Tiananmen Massacre. The vulnerability of President Bush on this aspect of his China policy and the fact that this issue reflected party differences can partially explain the intensity of the debate.

The debate then moved to the Senate. Senate Majority Leader George Mitchell offered a bill, which, as a supporter of extending MFN, was seen by some as a pro-China bill. Yet, it added conditions to the House bill such as: ending the export of products made by prison labor, stopping the sale of weapons to the Khmer Rouge, complying with international agreements on Hong Kong, ending unfair trade practices, and halting arms proliferation. Thus China was taken to task for even more issues in the U.S. Congress and before the U.S. public.³⁷ Other conditions were proposed by other Senators. President Bush wrote a letter to the Senate at the time promising to push for human rights improvements in China if MFN were extended. Finally, a vote was taken and by a margin of 55 to 44 in favor of putting stringent conditions on extending MFN to China, the bill passed. However, President Bush vetoed the bill and MFN was extended for another year. Most observers considered Bush to have been hurt on the issue and China thoroughly embarrassed. Senator Mitchell said afterwards that Congress had repudiated President Bush's China policy and had sent a warning to Beijing's leaders.³⁸

The intense debate over granting MFN to China carried with it a number of implications. First, one may anticipate that the debate will continue. Second, by linking China's human rights abuses to trade, future debates on related issues will reopen the controversy. Third, Chinese students in the United States, whose political influence had waned very fast, with the press no longer interested in their stories about the Tiananmen Massacre, were able to develop a more united stance against canceling MFN. However, they supported adding more conditions to the re-extension of MFN while at

36. Paul Clancy, "House votes to strip China of trade status," *USA Today*, July 11, 1991, p. 4A

37. Guy Gugliotta, "China Trade Bill Moves to Senate Floor," *Washington Post*, June 28, 1991, p. A6.

38. Paul Houston, "Senate Says No to Bush China Policy," *Los Angeles Times*, July 24, 1991, p. A1.

the same time asking for evidence of compliance. In fact, the 40,000 member Independent Federation of Chinese Students and Scholars played a special role in this process and it and other groups demonstrated some skill in influencing Congress. Chinese students held demonstrations in Washington, including several on the Capitol steps, some joined by members of Congress.³⁹ This may be a bad omen for China.

China's Arms Sales and Contributions to Nuclear Proliferation

Though usually not considered a human rights abuse in the normal sense of that term, China's arms sales and its transfer of nuclear know-how have been the subject of considerable human rights controversy resulting in strong criticism against China. While one can question the logic of defining arms sales as a human rights violation, China in many instances responded as if the connections were valid, or at least serious. Clearly, it presented the same kind of foreign policy problem for China as human rights criticism.

China was accused in 1991 of trying to smuggle weapons to Iraq, even while Beijing supported the United Nations actions against that country, including an arms embargo. Though the charge was not proven, there seemed to be considerable circumstantial evidence and a motive (making its U.N. veto more valuable as leverage).⁴⁰

In February 1991, *Jane's Defense Weekly* reported that China continued to supply weapons to the Khmer Rouge notwithstanding the fact that it promised in November 1990 not to do so.⁴¹ The magazine cited Western intelligence and Khmer officers as sources.

In March, the United States asked Chinese officials for an explanation about reports that China was secretly helping Algeria build a nuclear reactor that intelligence sources report is too small for generating electricity and too big for research.⁴² In April, more information was published about Chinese sales to Pakistan of M-11 missile parts and to Syria of M-9 missiles. Mobile launchers, one report said, would arrive in Pakistan in a month along with dummy

39. Gary Lee, "Chinese Students Urge U.S. to Press Beijing for Human Rights Concessions," *Washington Post*, June 5, 1991, p. A27.

40. James L. Tyson, "China Tried To Sell Iraq Arms After Embargo," *Christian Science Monitor*, January 31, 1991, p. 1. The author cites unnamed Chinese military officers and Eastern European diplomats.

41. See "China continues arming Khmer Rouge," *Washington Times*, February 7, 1991, p. A2.

42. Bruce W. Nelan, "For Sale: Tools of Destruction," *Time*, April 22, 1991, p. 44.

missile frames.⁴³ These sales would enable Pakistan to bomb more cities in India and Syria more targets in Israel. It was also said that the reason National Security Advisor Brent Scowcroft went to China in December 1989 was to stop the sale to Syria.⁴⁴

In May, it was reported that a recent U.S. Defense Intelligence Agency study indicated that China's statements that it had refrained from selling missiles in the Middle East were false.⁴⁵ The report also said, according to a Bush Administration official, that it was the "conscious policy" of China to "covertly sell missiles to whoever can pay for them."⁴⁶ A Department of State report written at the same time reached a similar conclusion.⁴⁷ This was apparently the reason President Bush placed restrictions on certain exports to China at the time. Administration officials also reportedly said that China's sale of missiles violated a 1988 pledge to then Secretary of Defense Frank Carlucci. They further revealed that the United States was concerned with other facets of China's arms sales and contributions to nuclear proliferation that included the sale of facilities and technical aid to Iran to build Silkworm anti-ship missiles and M-class missiles. It also included CSS-2 East Wind intermediate range ballistic missiles sales to Saudi Arabia (the first time an entire intermediate range missile system had been transferred from one country to another), the sale of a nuclear reactor and weapons-related equipment to Algeria, attempts to sell M-9 missiles to Syria in 1988, and the sale of Silkworm missiles to Kuwait (one of which was fired by occupying Iraqi forces at a U.S. ship during the Gulf War).⁴⁸ One of the reasons cited for China's aggressive sales policies was that its ability to contract labor for various construction projects in the Middle East, which netted over one-half billion dollars a year, had been undermined as a result of China's stance in the Gulf War.⁴⁹

In June 1991, more serious public reports emerged of China's missile sales to Pakistan and Syria, causing further strains in U.S.-China relations. China expressed the position that if the United

43. *Ibid.*

44. *Ibid.*

45. Bill Gertz, "China can't say no to arms buyers," *Washington Times*, May 28, 1991, p. A1.

46. *Ibid.*

47. *Ibid.*

48. *Ibid.*

49. See James L. Tyson, "China's Gulf Policy Cost It Key Contracts," *Christian Science Monitor*, March 12, 1991, p. 6.

States and the Soviet Union can sell arms, China also should be able to sell arms. Beijing, however, promised to curtail arms sales. The apparent contradiction in positions occurred because of disagreement among top Chinese leaders about this issue and differences between the military and the Foreign Ministry.⁵⁰ Some observers expressed a grave concern over the sales to Pakistan because of progress in its nuclear weapons program and the fact the M-11 could serve as a delivery system to hit cities in India with nuclear bombs.⁵¹ Others said that the situation had become a crisis in view of the fact that the Chinese missiles were just in the process of being perfected after numerous tests in China. Senator Joseph Biden said of China's development of the M-9 at that time, that it is "the single most destabilizing development in the region."⁵² A few days later, Secretary of State James Baker said that China must refrain from these sales or face "profound consequences" in its relations with the United States.⁵³

In July, there were reports that China had shipped M-9 missiles to Cyprus, apparently destined for Syria and that China had admitted to selling "a very small number" of missiles to Pakistan.⁵⁴ The sanctions placed on the sale of satellite parts to China were related to these sales and reportedly the Department of State was in the process of recommending further actions.⁵⁵

Nicholas Kristof, a reporter for the *New York Times* in Beijing, wrote about China's arms sales noting that the reason for the vastness of the sales and China's unwillingness to stop the sales stemmed from arms producers (citing one in particular—Poly Technologies) being "in some respects more powerful than the Foreign Ministry." The reason was its ties with the military and with China's top leaders like President Yang Shangkun and Vice President Wang Zhen. Kristof noted that the son of a famous Chinese general had headed the company after it was formed in 1984, to be

50. Nicholas D. Kristof, "U.S. Feels Uneasy As Beijing Moves to Sell New Arms," *New York Times*, June 10, 1991, p. A1.

51. *Ibid.*

52. R. Jeffrey Smith, "U.S. to Press China to Half [sic] Missile Sales," *Washington Post*, June 11, 1991, p. A14.

53. Peter F. Sisk, "Baker warns Chinese on arms," *Washington Times*, June 13, 1991, p. A1.

54. Bill Gertz, "China, N. Korea secretly deliver missiles to Mideast via Cyprus," *Washington Times*, July 2, 1991, p. A4.

55. "U.S. weighs sanctions on China arms sales," *USA Today*, July 2, 1991, p. A4.

followed by He Ping, Deng Xiaoping's son-in-law.⁵⁶ An article in *International Affairs*, a noted scholarly journal published in China, said at this time that the Foreign Ministry had tried to restrain Poly Technologies, but was not successful.⁵⁷

In October, it was reported that China was also exporting biological weapons—in violation of the 1972 Biological Weapons Convention. Citing a secret White House report on the subject and noting the fact that the Pell Report (which comes out every January and documents various countries' compliance with arms agreements) was long overdue, one writer stated that China's clients for biological weapons were "radical-left totalitarian regimes such as Iran, Iraq, Syria, North Korea and Libya."⁵⁸

In December, Jack Anderson, the syndicated columnist, reported that President Bush had recently received a briefing informing him that China had recently supplied Saudi Arabia with both chemical and nuclear warheads for the CSS-2 missiles it had sold to that nation earlier. He said that the Central Intelligence Agency had provided some of the information to Bush on this matter and that the Saudi ambassador in the United States had been involved in the deal. The report said the evidence was not conclusive, but serious enough to be put in the President's Daily Brief.⁵⁹

China's Responses to Criticism and Pressure on Human Rights

Beijing's response to foreign criticism and pressure during 1991 varied from adopting new policies to improve the human rights condition in China and making it known that it was taking such action, to outright hostility regarding foreign criticism of China's human rights situation. To understand the inconsistency the reader needs to realize that the hard-line left and the rightist reformers take a different view on the subject and the Chinese leadership is factionalized between those two groups.

After Ambassador James Lilley, in late 1990, submitted a list of 150 political prisoners about whom the United States had special concern, he reported that the response was not hostile and that during talks on this and related matters there was an "improved atmos-

56. Nicholas D. Kristof, "Potent Office Weaves Web in China Arms," *New York Times*, August 21, 1991, p. A16.

57. *Ibid.*

58. Lally Weymouth, "Is China Exporting Biological Weapons?" *Washington Post*, October 18, 1991, p. A21.

59. Jack Anderson, "Report China Supplied Nuclear Materials," *Goshen News* (Indiana), December 12, 1991, p. 4.

phere.”⁶⁰ On the other hand, the Chinese press was very critical. The *People's Daily* blasted U.S. officials involved in broaching the human rights issues, calling them “dollar imperialists” and “hypocrites over human rights.”⁶¹ The same paper subsequently referred to people “making a living out of human rights” while criticizing nations that “lecture others about human rights.”⁶² China also made the United States pay a price since the meetings set a precedent in that they were the first involving high-level U.S. officials since the Tiananmen Massacre. In short, the meetings were the first direct dialogues publicly reported on the human rights issue in China, but also were made to appear by China as if the United States was no longer trying to isolate China and that relations had returned to normal.⁶³

When the U.S. Department of State issued its annual country assessments on human rights, a Chinese Foreign Ministry spokesperson condemned the “so-called” report, saying that it distorted and attacked China over its domestic issues. Foreign Ministry spokesman Li Zhaoxing called this “entirely unacceptable” and stated that it constituted “an unscrupulous interference in the internal affairs of many countries on the pretext of human rights.” He further asserted that it “cites false rumors to distort and attack China. . . .”⁶⁴ He added that it is “particularly ridiculous” that the report mentions population policy, state treasury bond purchases, public contributions to the Asian Games, and the building of water conservancy works as violations of human rights.⁶⁵ A few days later, the Chinese representative to the U.N. Human Rights Committee condemned “attempts to peddle ideology and one’s values in the name of human rights.” He also spoke of countries that “use human rights to practice power politics, interfere in other countries’ internal affairs and exert pressure on weak and small countries.” “Such practices,” he went on to say, “have seriously hampered international cooperation in the realm of human rights, poisoned in-

60. Susumu Awanohara and Tai Ming Cheung, “Abusive Treatment,” *Far Eastern Economic Review*, January 3, 1991, p. 8.

61. *Ibid.*

62. *Ibid.*

63. Jim Mann, “U.S. Rights Talks with China Mark Policy Shift,” *Los Angeles Times*, January 8, 1991, p. H7.

64. New China News Agency, February 7, 1991, cited in Foreign Broadcasting Information Service-China [hereafter FBIS], February 7, 1991, p. 1.

65. *Ibid.* Also see “Quarterly Chronicle and Documentation,” *China Quarterly*, January-March 1991, p. 436.

ternational relations and impeded the process of promoting and protecting human rights.”⁶⁶

Judging from several articles and statements issued before or immediately after the State Department’s report was published, China anticipated being condemned in the report and sought to refute the charges and present its own case. *Beijing Review* carried two articles on human rights at this time. One delineated China’s efforts to promote better human rights, which focused on the development of a legal system, family planning, minorities, religious freedom and civil rights—items discussed in the State Department report.⁶⁷ Another emphasized the economic aspects of human rights and related such rights to economic development—in a sense taking credit for an improved human condition in China because of successful economic policies.⁶⁸ At the same time, the *People’s Daily* carried a piece satirizing President Bush for having a double with him during a trip to Argentina. The piece mentioned Bush’s concern with assassination, but the double’s human rights were not considered by the “defender of human rights”—meaning Bush.⁶⁹

China’s response to the Dalai Lama’s visits was mixed, but mostly negative. On March 14, the *South China Morning Post* reported that a Tibetan had been arrested in Beijing spying for the Dalai Lama.⁷⁰ This happened while the Dalai Lama was in England. The next day the Chinese government criticized the British government for receiving the Dalai Lama and on March 21 it was reported that five monks had been arrested in Lhasa for staging a pro-independence rally.⁷¹ Immediately after his visit to the White House and talks with President Bush, Vice Foreign Minister Liu Huaqiu delivered a “strong protest” note to the U.S. embassy in Beijing. He noted that the action encourages the “independence of Tibet and undermines China’s unity of nationalities.” He went on to say that the U.S. action is “an unwelcome and dangerous contra-

66. New China News Agency, February 13, 1991, cited in FBIS-China, February 14, 1991, p. 1.

67. Guo Jisi, “China Promotes Human Rights,” *Beijing Review*, January 28-February 3, 1991, pp. 16-21.

68. Guo Jisi, “On Human Rights and Development Right,” *Beijing Review*, February 11-17, 1991, pp. 16-18.

69. Song Zhijian, “Commentary on Human Rights, Bush’s Double,” *People’s Daily*, January 27, 1991, cited in FBIS-China, February 8, 1991, p. 5.

70. “Tibetan God-King Visits U.K.,” *Asian Bulletin*, May 1991, p. 107.

71. *Ibid.*, p. 108.

diction.”⁷² Meanwhile, Chinese missions in the United States sent letters to various colleges and universities warning them against arranging speeches or other engagements for the Dalai Lama.⁷³ At almost the same time, however, a Tibetan holding a high position in the Chinese government said that China was still searching for the child they planned to make the Panchen Lama—thereby paying respect to Tibet’s religion (which Beijing has often condemned in the past as superstitious and feudalistic) and winning some points in its global public relations bid.⁷⁴ The Chinese media in the next few months also carried a number of articles about the improved human rights situation in Tibet compared to the past.⁷⁵

A few days later the *People’s Daily* reported that the United States had acted in violation of U.N. guaranteed economic, social and political rights, and had committed apartheid, racial discrimination, torture and sex discrimination.⁷⁶ Foreign Minister Qian said at the time that China was willing to discuss human rights in an international context, but would not be singled out for criticism. He went on to accuse the United States of hypocrisy for not ratifying some important conventions dealing with human rights because they conflicted with U.S. law.⁷⁷ Meanwhile *Wen Hui Bao* warned that China is “determined not to run its affairs according to any foreign country’s command.” The paper went on to criticize President Bush’s meeting with the Dalai Lama and his decision to ban the sale of satellite parts to China. In passing, it referred to the “swindle staged against China on the MFN issue.”⁷⁸

In May, in reaction to the Kimmitt visit, the Chinese Foreign Minister said that relations could not be improved by one side alone.⁷⁹ At the same time, the Chinese ambassador to the United States, Zhu Qizhen, apparently in anticipation of Congressional

72. “Bush-Dalai Lama Meeting Protested,” *Beijing Review*, April 29-May 5, 1991, p. 11. Also see “Quarterly Chronicle and Documentation,” *China Quarterly*, September 1991, p. 681.

73. *Ibid.*

74. “Quarterly Chronicle and Documentation,” *China Quarterly*, September 1991, p. 681.

75. See, for example, “Tibet: Human Rights Today and Yesterday,” *Beijing Review*, May 27-June 2, 1991, p. 20 and “Free Medical Care in Tibet,” *Beijing Review*, June 3-9, 1991, p. 22.

76. “Mending Foreign Relations: Defending Human Rights Record,” *Asian Bulletin*, June 1991, p. 103.

77. *Ibid.*, p. 108.

78. “China calls for two-way street,” *Washington Times*, May 7, 1991, p. A8.

79. “Qian plea on China-U.S. ties,” *Financial Times*, May 7, 1991, p. 3.

criticism about MFN, said that China would not accept any conditions attached to the renewal of the accord.⁸⁰ A few days later this same tough stance was reiterated by the Foreign Ministry, when a spokesman said that “the Chinese side will never accept the attachment of various conditions to the extension of the most-favored-nation treatment.”⁸¹ Another spokesman said that, regarding the canceling of MFN, “China is prepared for it.”⁸²

Late in the month, China issued a statement that seemed both defensive and conciliatory on the issue of exporting prison-made products. A Foreign Ministry spokesman said that China had not exported prison-made goods to the United States. But he also said that they could have gotten there through “management oversight,” and that the United States might bear some responsibility. He explained that China’s reforms had resulted in giving foreign trade enterprises considerable autonomy, resulting in the government not being able to control what goods were exported.⁸³

In early June 1991, China made what appeared to be a major concession regarding arms sales. President Yang Shangkun wrote a letter to President Bush saying China would accept an invitation to a conference of arms suppliers to discuss future weapons sales to Middle East nations.⁸⁴ However, it remained to be seen at the time what China would actually do.

In July, as noted above, China, probably in response to foreign pressure, received an Australian group that wanted to investigate human rights abuses in China. At almost the same time, Beijing announced that it was sending a group of scholars from the Academy of Social Sciences to the United States and Canada in the fall on what some observers called an “intelligence mission.” While the group was sent by the Party’s propaganda department and selecting it didn’t appear to mirror any change in policy on the part of the

80. Gus Constantine, “China says no to trade terms,” *Washington Times*, May 8, 1991, p. A3.

81. “Peking says it will not bow to pressure from the U.S.,” *Financial Times*, May 10, 1991, p. 6.

82. “China Ready for Worse Ties with U.S.,” *Journal of Commerce*, May 10, 1991, p. A3.

83. P.T. Bangsberg, “China Shifts Stance on Prison Labor,” *Journal of Commerce*, May 24, 1991, p. A5.

84. John E. Yang, “China Agrees to Confer on Mideast Arms Sales,” *Washington Post*, June 8, 1991, p. A17.

Party, it seemed to have been organized in response to what China felt from abroad on the human rights issue.⁸⁵

China's response to the proposed Radio Free China was totally negative and condemnatory. China's ambassador in Washington, Zhu Qizhen, said China did not recognize the commission that was created to study the proposal and could not receive it in China. John Hughes, chairman of the commission, said that unacceptable conditions had been set, thus precluding a visit. One of the conditions was the denial of a visa to Steven Mosher, one of the members of the commission. Mosher headed the Asian Studies Center at the Claremont Institute. He was expelled from China some years ago because of his research on forced abortions, after which Beijing put pressure on Stanford University to punish Mosher.⁸⁶

The Congressional debate, and votes on House and Senate bills relating to the issue of extending MFN to China, evoked harsh attacks on the United States and some conciliatory statements and actions, reflecting the fact that there were strong differences of opinion among Chinese leaders on what China's response should be. China sent a buying mission to the United States which purchased \$1.2 billion in goods, in order to lessen the U.S. trade deficit with China. In the realm of the human rights issue, Chinese officials hinted that some pro-democracy demonstrators would be released on parole. Beijing also informed U.S. officials, according to Western diplomats in China, that it was actively considering joining the Nuclear Non-Proliferation Treaty and the Missile Technology Control Regime. The Chinese government even provided information and interviews to American reporters on China's penal system, political prisoners and the country's most famous dissident, Wei Jingsheng. The interviews were unprecedented, as was the growing interest in China (reflected in research and public writings) among university researchers and think tanks in human rights. All of this signaled, according to some observers, a major shift in policy regarding human rights.⁸⁷ On the other hand, Chinese officials condemned the MFN debate as a U.S. effort to promote "peaceful evolution" in China. Also, there were a number of anti-American articles in the media with topics varying from U.S. help to the Na-

85. James L. Tyson, "China to Open Human Rights Door," *Christian Science Monitor*, July 23, 1991, p. 12.

86. John M. Goshko, "U.S. Radio Panel Cancels Planned Visit to Beijing," *Washington Post*, June 13, 1991, p. A10.

87. Lena H. Sun, "China Signals Change in Human Rights Approach," *Washington Post*, July 9, 1991, p. A12.

tionalists during the Chinese Civil War to starvation in Africa that was blamed on "U.S. oppression."⁸⁸

In July, the Chinese government provided unprecedented coverage of devastating floods in China and requested \$200 million in foreign relief. According to official reports, the flood caused damage exceeding U.S. \$10.6 billion and cost more than two thousand lives. The Chinese media stressed the role of the military in helping peasants and in general flood relief efforts, in an apparent attempt to improve the military's image tarnished by the Tiananmen Massacre in 1989. About 640,000 soldiers were given disaster relief duties at the time. The Chinese Communist Party also assigned such duties to cadres to help the party's image.⁸⁹ To what extent China's requests for help from foreign countries was an effort to get other nations to help rather than to criticize, or to put them in a position of appearing to want to condemn rather than help, is unclear. But it was a change in policy on China's part to ask for foreign help.

When the Dalai Lama subsequently visited the Soviet Union, China was very critical. Chinese officials said that it was "unacceptable. . . that officials of foreign countries meet the Dalai Lama in any capacity." *Xinhua* reported that the visit might "prejudice" Sino-Soviet relations.⁹⁰ When Japanese Prime Minister Kaifu visited China in August, President Yang Shangkun took the opportunity to say that the rest of the world has no business telling China to democratize.⁹¹

On the other hand, China seized the opportunity of the Kaifu visit, the first by a leader of a major power since the Tiananmen Massacre and, on the forty-sixth anniversary of the dropping of atomic bombs on Japan, announced that China had decided "in principle" to sign the Nuclear Non-Proliferation Treaty. A Chinese spokesman explained China's past reluctance to sign the treaty and said it now sought the "complete prohibition and thorough destruction of nuclear weapons." As the last nuclear power to agree to

88. Lena H. Sun, "On MFN, Chinese Send Mixed Signals," *Washington Post*, July 7, 1991, p. A22.

89. David Holley, "China Seeks Flood Aid—and Boost in Its Image," *Los Angeles Times*, August 4, 1991, p. A8.

90. "Human Rights Group Denied Access to Tibetan Prisons," *Asian Bulletin*, September 1991, p. 109.

91. R.R. Reid, "Japan Found Chinese Cooperative in Talks—Except on Democratization," *Washington Post*, August 15, 1991, p. A35.

non-proliferation, the United States and many other nations expressed pleasure at the Chinese decision.⁹²

In September, when British Prime Minister John Major visited China and brought up the human rights issue, Premier Li Peng retorted that he should not forget one hundred years of Chinese history when China was bullied by the West, during which time foreign countries "totally disregarded the rights of the Chinese people." He also asserted that the most fundamental right about which the Chinese are concerned is the right to eat.⁹³ The Chinese media meanwhile ignored Major's exhortations about human rights.⁹⁴ Later Premier Li told Prime Minister Major that the collapse of communism "would make no difference to political control in China."⁹⁵ Major did, however, receive one concession: Premier Li promised the release of Hong Kong businessman Luo Haixing, who had been imprisoned for helping two dissidents escape from China after the Tiananmen Massacre.⁹⁶

The Chinese media was even more bitter in its condemnation of the activities of the three members of the U.S. Congress who visited China at this time. The Foreign Ministry's statement was especially snide: "Dignified people like the U.S. congressmen, hiding from their hosts, went to Tiananmen Square to carry out illegal activities. . ."⁹⁷ *Xinhua* described it as a "premeditated farce that could only arouse great indignation from the Chinese people." It went on to describe what happened as a "deliberate anti-China incident."⁹⁸

In October, when the Human Rights Subcommittee of the United Nations passed a resolution about human rights violations in Tibet, the Chinese government rejected the resolution. The Foreign Ministry labelled it a plot to interfere in China's domestic af-

92. Sheryl WuDunn, "China Backs Pact on Nuclear Spread," *New York Times*, August 11, 1991, p. 1.

93. Lena H. Sun, "Prime Minister Major, in Beijing Takes Up Human Rights Issues," *Washington Post*, September 3, 1991, p. A21.

94. *Ibid.*

95. Philip Stephens, "China portrays UK visit as end of isolation," *Financial Times*, September 3, 1991, p. 1.

96. *Ibid.*

97. "U.S. Legislators Broke Law, Chinese Charge," *Washington Post*, September 6, 1991, p. A28.

98. *Ibid.*

fairs by “international forces” that have “connived with a small number of Tibetans separatists.”⁹⁹

In November, China’s State Council released a “White Paper” on human rights in an attempt to change from a defensive to an offensive strategy on human rights as it related to China’s relations with other nations. The eighty-seven page volume (see Appendix 1) was published in six languages and was used by the Foreign Ministry to present to foreign diplomats, particularly those who had criticized China’s human rights record. It was also sent to embassies and missions abroad. The document stresses economic rights, as has been typical of China and other communist countries in the past, and is replete with statistics to prove its points. It also assures the right to work. It guarantees direct elections at the local level, where voters choose deputies “whom they know and trust.” It states that there are no political prisoners in China (people held for their ideas alone), no people in prison for their religious beliefs (meaning their faith), and that family planning is based mainly on “tireless publicity and educational work.”

Critics pointed out that the document made such wild promises that it may cause China problems in the future, as foreign visitors will cite the document and ask China to fulfill its promises. It will also be seen as ridiculous for stating there are no political prisoners in China and no religious persecution. Thus, no one is taking the document seriously and it is viewed throughout the world as a propaganda piece rather than a credible rebuttal.¹⁰⁰

In any event, the Chinese press also went on the offensive. The *People’s Daily*, in a long commentary piece, catalogued U.S. human rights abuses that included election rigging, the persecution of blacks and leftists and a host of other problems. With such a record of human rights and democracy, it asked, “what call has the U.S. to meddle in the affairs of other countries?” It went on to say that, notwithstanding their record of human rights abuses, the United States, in the wake of the Gulf War, plans a “U.S.-dominated ‘New World Order’ based on the U.S. concepts of democracy, freedom, human rights and even sovereignty.”¹⁰¹

During the visit of U.S. Secretary of State Baker to China at year’s end, Beijing “made a commitment” not to sell certain kinds

99. “Peking Denounces U.N. Resolution on Tibet’s Human Rights,” *Asian Bulletin*, October 1991, p. 113.

100. See Lincoln Kaye, “The Right Stuff,” *Far Eastern Economic Review*, November 14, 1991, p. 13.

101. *Ibid.*

of missiles to Syria, Pakistan and some other countries. Chinese officials also promised an accounting of 800 dissidents Baker asked to be released. Beijing, however, did little more than make vague promises, and, according to most observers, got away cheap, while Baker broke the ban on high-level U.S. officials visiting China.¹⁰²

102. Thomas L. Friedman, "Baker's China Trip Fails to Produce Pledge on Rights," *New York Times*, November 18, 1991, p. A1.

CHAPTER 9

CHINA'S FOREIGN POLICY AND HUMAN RIGHTS, II

“Li is desperately attempting to avoid being made the fall guy for 1989.”

—Roderick MacFarquhar,
Harvard University*

“When senior Bush Administration officials sought to restore good relations with China after the Tiananmen massacre in 1989, they discovered that hard-line elements in the Beijing leadership were trying to undermine their efforts. Now it appears that these forces are trying once again to exacerbate tension between Washington and Beijing.”

—Jim Mann**

“The Foreign Ministry makes a commitment and then someone else reneges on it.”

—Richard Schifter, Assistant Secretary
of State for Human Rights
(until June 1992)***

Introduction

During 1992, China continued to be the focus of attention of nations around the world and of international organizations for its human rights violations. During the year, foreign countries criticized China for its human rights abuses and continued to link better diplomatic relations with China to improvements in human rights. It was the perception, especially among Western countries, that this would make a difference. And this indeed seemed to be the case. With China's economy becoming increasingly dependent upon for-

* Cited in Jim Mann, “Bush to Meet Chinese Premier in New York,” *Los Angeles Times*, January 30, 1992, p. A2.

** “Infighting in Beijing May Strain U.S. Ties,” *Los Angeles Times*, May 20, 1992, p. A2.

*** Cited in Robert S. Greenberger, “As Bush Is Set to Extend China's Favored Status, Broken Commitments Again May Be Response,” *Wall Street Journal*, May 29, 1992, p. A12.

eign investment and trade and China becoming more open, criticism did have an impact.

Again, as in 1991, the issue of granting China most-favored-nation trade status was a big issue in the United States and in Sino-American relations. However, it was not heard more often than in 1991—perhaps because it was an “old” issue to the press and there seemed little likelihood that President Bush would change his stance on the issue. Finally, a Congressional override of his veto seemed unlikely.

In 1992, China responded more often to foreign criticism than ever before. Though their responses were often harsh and defensive, Chinese leaders did not seem to want to provoke disputes over human rights issues. All in all, their reactions were more often attempts to refute charges or placate those making the accusations than bitter or angry replies.

On the other hand, as the split in China’s leadership between hard-line leftists and rightist reformists affected China’s human rights policies and actions internally, the same was the case for responses toward foreign countries. The left took a hard position on human rights abuses; the right sought to improve China’s human rights, or, in the case of dealing with human rights as a foreign policy issue, at least tried not to cause controversy, and tried to make as many denials and refutations as were needed. Generally, it seemed, putting forward a good image meant taking at least some actions that improved the lot of the Chinese citizen.

As during 1991, the Chinese Communist Party and government frequently used the media to express their views on human rights. The main document to come out of this effort was a report on the treatment of prisoners in China. While this was not as direct a response to its human rights problem, it was a major response nevertheless.

Foreign Criticism of China

In January, the U.S. Department of State issued its annual report on human rights, which included serious criticism of China. In the report, the United States accused China of “serious human rights abuses” including widespread political and religious repression. It said that China had increased its repression of dissidents during the second half of 1991. More specifically, it charged that China had heightened its alarm in the wake of the failed coup in the Soviet Union and the subsequent collapse of communism there. Summing up, the report said that China’s human rights practices

“remain repressive, falling far short of internationally accepted norms” while noting that “serious human rights abuses persisted.”¹

Critics, however, claimed that the report was too mild and that its release was timed so as to avoid offending China. Holly Burkhalter, the Washington Director of Human Rights Watch, said that the release of the report had been delayed so that it would not be seen before President Bush’s meeting with Premier Li Peng in New York. She asserted that it was a “cynical manipulation of human rights information for political ends.”²

Meanwhile, leaders of the permanent members of the U.N. Security Council met with Li in a “summit meeting” and put forward a document on principles of international conduct. The draft declaration, however, failed to mention China’s violation of U.N. protected human rights, an oversight to which the U.S. media responded negatively.³

Secretary of State James Baker, however, said that President Bush had told Premier Li bluntly that China’s record on human rights was “insufficient” and that he would like to see improvements. Baker also pointed out that Chinese officials had just signed on to the Nuclear Non-Proliferation Treaty and had agreed to the protection of intellectual property rights, two major points of serious disagreement with China over a long period of time.⁴

During Premier Li’s visit to the United Nations, demonstrators protested China’s treatment of Tibetans and other human rights offenses. Subsequently, in February, Asia Watch issued a report done jointly with the London-based Tibet Information Network citing 360 political prisoners in three prisons near Lhasa, far more, it said, than China officially admitted to.⁵

During Premier Li Peng’s visit to Europe, the Italian government offered China economic help but demanded that China improve its human rights situation. In Rome, the city mayor refused to meet Li and a member of the city council yelled “assassin,

1. Barbara Crossette, “As Bush and Li Peng Meet, A Report Takes China to Task on Human Rights,” *New York Times*, February 1, 1994, p. A6.

2. “Reformers Gather Strength for Economic Overhaul; Human Rights Still Issue of Contention,” *Asian Bulletin*, April 1992, p. 71.

3. “How to Greet Li Peng,” (editorial) *New York Times*, January 29, 1992, p. A20.

4. Jim Mann, “Official Dilemma: Should Bush Meet China’s Li?” *Los Angeles Times*, January 24, 1992, p. A4.

5. “Human Rights Groups Charge Abuses in Tibet,” *Asian Bulletin*, April 1992, p. 74.

assassin" when Li visited.⁶ In Switzerland, Premier Li also ran into another snub: the Swiss Minister of Justice canceled a lunch with him because of human rights concerns.⁷

In February, a bipartisan group of U.S. Senators wrote an unusual classified letter to Secretary of State Baker complaining about China's recent sales of arms to countries such as Iran.⁸ Two weeks later, the Senate voted, in a closed session, on a bill to tie the re-extension of China's most-favored-nation status to human rights, trade and the sale of weapons. More specifically, the bill required that China provide a full accounting of the release of those arrested during the Tiananmen crackdown. It also called for the end of "gross violations of internationally recognized human rights. . ."⁹ The bill, however, did not have a two-thirds majority necessary to overcome a presidential veto¹⁰ and in early March, President Bush vetoed the bill. At the time he said that it was "not productive" and that Beijing had agreed to protect U.S. property rights, abide by international missile technology control guidelines and, by April, to adhere to the Nuclear Non-Proliferation Treaty, as well as to discuss human rights.¹¹

Senator Lloyd Bentsen called Bush's veto "one in a line of bad decisions" on U.S. China policy since the Tiananmen massacre in 1989. Senate Majority leader George Mitchell said it "demonstrates the president's tenacious support for the communist Chinese leadership against the interest of the Chinese people."¹²

Meanwhile, the United Nations Human Rights Commission voted on a censure motion against China for violating human rights, especially in Tibet. Had the motion passed, it would have been the first condemnation of China in the forty-seven year history of the Commission.¹³ Even though the resolution failed to pass, it was the

6. "Italy Ties Assistance to China to Rights," *Washington Times*, January 18, 1992, p. A5.

7. "China Sends Out the Image-Fixers," *Washington Times*, Feb. 2, 1992, p. A1.

8. Jim Mann, "17 Senators Write Baker on China's Arms Sales," *Los Angeles Times*, Feb. 9, 1992, p. 85.

9. "Reformers Gather Strength for Economic Overhaul; Human Rights Still Issue of Contention," *Asian Bulletin*, April 1992, p. 74.

10. Guy Gugliotta, "Senate Backs China Trade Conditions," *Washington Post*, Feb. 26, 1992, p. A19.

11. Ann Devroy, "China Trade Curb Vetoed; Override Called Unlikely," *Washington Post*, March 3, 1992, p. A9.

12. *Ibid.*

13. "Reformers Score Major Victory Under Teng Hsiao-ping," *Southeast Asian Bulletin*, May 1992, p. 76.

source of considerable diplomatic pressure on China, according to Western observers.¹⁴

China's propaganda agencies at this time turned out a number of statements and articles on Tibet, arguing that Tibet enjoyed a full panoply of human rights. For example, *Beijing Review*, China's international news magazine run by the Chinese Communist Party, carried three articles in its early March edition on the subject. One described a Tibetan prison as a special school.¹⁵ A second, based on an interview with Gyamcan Norbu, head of the Tibet Autonomous Region and first published in the *People's Daily*, was entitled "Tibet Has a Bright Future." It described economic development in Tibet and the progress made on specific agricultural and construction projects. It was intended to bolster China's position that human rights depends upon economic progress and must be seen in that light. A third article, by a Tibetan professor on the issue of China's sovereignty over Tibet, argued that China has brought vast social and economic progress to Tibet.¹⁶ Notwithstanding China's efforts, on March 11, Tibetan refugees in India threw gasoline bombs at the Chinese embassy in New Delhi. Subsequently, the Dalai Lama said that China's Tibet policy was pushing Tibetans "to the brink of a bloody political struggle."¹⁷

In late March, U.S. union officials told the Reuters news agency that the State Department had suppressed evidence about Chinese factories that used prison labor to make shoes to send to the United States. Mabuel, a Hong Kong-based company, had allegedly produced shoes for two years prior to mid-1991 at the Flower City Leather Shoe Factory for the U.S. market and this was known by the U.S. Department of State. In fact, it was said that the foreign service people who found out about the factory were "chastised from above."¹⁸ After 1991, the factory set up another operation outside of the prison system, using released prisoners under contract.¹⁹

14. James L. Tyson, "China Avoids UN Censure, Prepares for Tibetan Protests," *Christian Science Monitor*, March 6, 1992, p. 3.

15. Ciu Liu, "Education Grows in Tibet," *Beijing Review*, March 2-8, 1992, pp. 21-25.

16. Dorje Tsedain, "Tibet: Human Rights and China's Sovereignty," *Beijing Review*, March 2-8, 1992, p. 26-29.

17. "U.S. Silent on Tibetan Human Rights Violations," *Asian Bulletin*, May 1992, p. 77.

18. "U.S. Reportedly Was Aware of Chinese Prison-Made Goods," *Journal of Commerce*, March 25, 1992, p. A4.

19. *Ibid.*

In April, Japanese Prime Minister Miyazawa told Chinese Communist Party chief Jiang Zemin, who was visiting Japan to promote the twentieth anniversary of Sino-Japanese diplomatic relations, that Japan was concerned with China's human rights abuses, and that it was not just the United States that noticed these problems. This was one of the few times Japan brought up the human rights issue with China outside the context of U.S.-China relations.²⁰ Miyazawa responded only vaguely to Jiang's request that Japan's Emperor and Empress visit China.²¹

In early May, the Dalai Lama visited Australia and urged Australia to put economic pressure on China to improve its human rights situation, saying that such pressure had succeeded in South Africa. He also asked Prime Minister Keating to allow the establishment of a Tibetan information office in Australia, a request that was given consideration.²²

At almost the same time, Amnesty International issued a report on Tibet that charged the Chinese government with "torturing children as young as fourteen." It also said that 200 Tibetan civilians had been killed by Chinese security forces between 1987 and 1990, in contrast to the twenty-eight deaths China reported.²³ Amnesty International called for the unconditional release of all political prisoners before the forty-first anniversary of communist rule in Tibet.

Later in the month, the London-based Tibetan Information Network reported that Tibetan monks and nuns had staged five demonstrations in Tibet between May 7 and 15.²⁴

On May 30, Asia Watch published a report on dissent and repression in Hunan Province (the birthplace of Mao). The report said that 1,000 people were detained in Hunan during the Democracy Movement protests in the spring of 1989, even though Hunan is very distant from Beijing. It said that 151 were still in jail or labor camps. The report was issued just before the anniversary of the June 4, 1989 Tiananmen Massacre.²⁵

20. Sam Jameson, "Japan Raises Rights Issue with China During Party Chief's Visit", *Los Angeles Times*, April 7, 1992, p. A4.

21. *Ibid.*

22. "AI Report Cites Human Rights Violations in Tibet," *Asian Bulletin*, July 1992, p. 94.

23. *Ibid.*

24. *Ibid.*

25. See "Third Tiananmen Anniversary Passes Quietly; Teng's Reform Receives Further Boost," *Asian Bulletin*, August 1992, p. 70.

This report was based on information provided by a dissident who had been jailed at the time and who had, upon his release, escaped to the United States. He said that there was a 1,000-member underground organization in China "working to promote democratic reform." Speaking at the National Press Club, he said that dissidents had many organizations that communicated with each other.²⁶

During the anniversary of the Tiananmen Massacre, the United States, Japan, Germany and France expressed outrage to the Chinese government over the beating of a Japanese correspondent and the detention of ten other news people. Richard Boucher of the State Department lodged a protest with the Ministry of Foreign Affairs. ABC sent a protest to China's ambassador to the United States, saying that three of its representatives were beaten. A Japanese Embassy spokesman in Beijing said that Japan was considering "further action" over the beating of Atsushi Yamagawa of the Tokyo Broadcasting System. France made an official protest and called for a general amnesty of all prisoners of conscience in China. The German government sent a formal protest to Beijing and one to the Chinese Embassy in Bonn over the questioning of Edgar Bauer, a German journalist who had been detained by Chinese authorities.²⁷

At about the same time, the Tibetan Information Network complained that sixty-nine people had been arrested in a rural area of Tibet for supporting pro-independence activities. It said they were arrested for putting up posters.²⁸

Meanwhile, the *Los Angeles Times* reported that the U.S. Defense Department had evidence that some American soldiers captured during the Korean War were sent to China for psychological and medical experiments. The tests were to determine differences between whites and blacks and people from one region of the United States compared to another in their ability to withstand interrogation and torture. The information, which came from an East European military officer, was considered credible enough that the United States sent a high level delegation to Beijing to follow up. In addition, Secretary of Defense Richard Cheney turned over the

26. *Ibid.*

27. See *ibid.*

28. "Tibetan Leader Resumes Contact With Peking," *Asian Bulletin*, August 1992, p. 73.

report to the National Security Council and the Central Intelligence Agency.²⁹

In September, China was criticized by a number of human rights organizations abroad for the arrest of Shen Tong, the first of China's exiled leaders of the 1989 Democracy Movement to return home. Shen had been a student in Beijing University in 1989 and had helped lead student protests. He subsequently fled to the United States and founded the Democracy for China Fund in Newton, Massachusetts. He returned to China in August to establish a branch of his organization in Beijing. A number of rights groups hit China over the arrest and renewed their call for amnesty for all of those involved in the Democracy Movement and those arrested in June 1989 and after.³⁰ (For more on the Shen Tong case, see Chapter 6).

In September, China faced criticism from the U.S. House of Representatives; at the time that body voted to override President Bush's veto of a bill to put conditions on renewing MFN status to China. Bush's critics in the House said that years of keeping open channels of communications and making concessions had not worked and it was time to penalize China for its poor human rights record, proliferation of weapons and trade practices. Meanwhile, Nelson Mandela, visiting China to receive an honorary degree from Beijing University, criticized China for its lack of human rights.³¹

In October, it was reported that, at the initiative of Senator Edward Kennedy, seventy-four U.S. Senators signed a toughly-worded, critical letter to Premier Li Peng demanding the immediate release of Shen Tong. The Senators also charged the Chinese government with violating "international human rights standards." The letter stated: "It is clear these individuals are being detained because of their efforts to exercise their basic human rights." The letter also accused Chinese leaders of breaking their promise that exiled dissidents associated with the 1989 demonstrations could return home without fear of persecution.³²

At almost the same time, President Bush signed a bill granting amnesty and permanent residence to thousands of Chinese who

29. Cited in "Reform Drive Retains Momentum," *Asian Bulletin*, September 1992, p. 72.

30. See "Returned Pro-Democracy Movement Leader Arrested; 14th Party Congress to Convene," *Asian Bulletin*, November 1992, p. 66.

31. See "Dissident Shen Tong Released, Deported," *Asian Bulletin*, December 1992, p. 89.

32. *Ibid.*, p. 90.

were in the United States at the time of the Tiananmen massacre and feared returning home.³³

Meanwhile, a U.S. commission recommended to Congress that the United States establish a Radio Free China or a Radio Free Asia. More specifically the proposal was to establish an organization to broadcast radio programs, focusing on internal events in “totalitarian” Asian nations. It was also debated whether to expand Voice of America broadcasts to include programs analyzing internal events in these countries. Clearly the main target was China.³⁴

In December, Amnesty International issued another report on China which charged that “brutal and sometimes fatal torture” had become endemic in Chinese jails in the last decade with prisoners suffering more abuses than ten years ago. The report went on to say: “We believe the law enforcement and justice system in China actually fosters torture.”³⁵ (For more on the Chinese penal system, see Chapters 4 and 5).

This report came out as the United States Congress sent its first delegation to China since the election of Bill Clinton to the presidency. Members of the group told Chinese leaders that they could no longer count on President Bush’s veto and that China’s human rights record would be linked to MFN. Members also asked Chinese officials to release those in jail for non-violent crimes and amnesty for political prisoners. The delegation, however, also spoke favorably about renewing high level military exchanges with China.³⁶ And the visit was followed by an announcement from the U.S. State Department that the United States was lifting arms sanctions against China.

China’s Response to Human Rights Criticism

The Chinese press reported very selectively on Premier Li Peng’s trip to Europe, especially when the host-country expressed human rights concerns. Some protests and some embarrassing statements made by European leaders were not reported in China.

When in New York at the United Nations summit meeting, Premier Li Peng asserted that China had been “consistent” in abiding by the purpose and principles of the United Nations Charter.

33. *Ibid.*

34. See Susumu Awanohara, “Home Truths,” *Far Eastern Economic Review*, Oct. 1, 1991, p. 16.

35. “Power Struggles Continue as Teng Tightens Grip: Yeltsin Visits,” *Asian Bulletin*, February 1993, p. 71.

36. *Ibid.*

He also stated, however, that “in essence the issue of human rights falls within the sovereignty of each country.” Further he asserted that it is “neither appropriate nor workable to demand that all countries measure up to the human rights criteria or models of one or a small number of countries.”³⁷

A few days later the state radio in China blasted the U.S. Department of State’s human rights report, saying that it “interfered with China’s internal affairs.”³⁸ On February 8, the *People’s Daily* reported that Premier Li Peng had “set the West straight” on the issue of human rights during his recent trip abroad. While in Europe, the paper said, he had encountered many with relatively close views to China’s while others expressed their understanding of China’s position and still others learned about China’s position and increased their understanding.³⁹

On February 14, *Xinhua* published a strong criticism of “bully countries” that try to impose their human rights standards on others. The report cited a speech by the Chinese Ambassador to the United Nations in which the Ambassador talked about the “double standards of bully countries who sought to impose their concepts of freedom on others.” Ambassador Fan Guofeng went on to say that the “pattern of development, social system and measures to safeguard human rights should be decided upon by sovereign countries alone.”⁴⁰

A few days later, China’s Vice Premier Zhu Rongji declared, at the end of a visit to Australia, that relations between China and Australia had “returned to normal” despite differences on human rights. On February 19, China’s official media blasted an unnamed American Congresswoman (but clearly referring to Nancy Pelosi), who “styles herself as the most stubborn ‘human rights warrior’ and came to China and criticized us for not having human rights.”⁴¹ The *People’s Daily* went on to say that “if someone in AIDS-ravaged San Francisco stood up and asked her why she didn’t do something to protect the ‘natural weapon’ (meaning the penis) and. . .having it come back and hit you in the head. . .this is the

37. “Reformers Gather Strength for Economic Overhaul; Human Rights Still Issue of Contention,” *Asian Bulletin*, April 1992, p. 72.

38. *Ibid.*

39. *Ibid.*, p. 73.

40. “Reformers Gather Strength for Economic Overhaul; Human Rights Still Issue of Contention,” *Asian Bulletin*, April 1992, p. 73

41. *Ibid.*

human rights boomerang effect.”⁴² The paper went on to assail U.S. critics for ignoring their own country’s problems, particularly AIDS.

On February 26, Chinese officials attacked the U.S. Senate bill that attached conditions to the renewal of most favored nation status for China, linking MFN, among other things, to a full accounting and release of prisoners arrested during the Tiananmen massacre. China said the bill violated the “principles of mutual benefit of bilateral trade.”⁴³ However, two days later Beijing released the names and sentences of eleven people convicted during the Democracy Movement and claimed it had “closed the book” on the case.⁴⁴

At the same time, however, it was reported that China had sentenced seven other dissidents who had been detained after the Tiananmen massacre and that others were not allowed to leave the country. In addition, China was breaking a promise to U.S. Secretary of State James Baker in November to grant visas to dissidents not charged with a crime.⁴⁵ The Chinese Foreign Ministry replied that it had promised only to allow those people to apply to leave. Foreign Minister Qian Qichen said at the time that “it is impossible for just one superpower to dominate the world and monopolize international affairs” and criticized the United States human rights policies toward Taiwan, Libya and Iraq.⁴⁶

On March 3, Beijing applauded President Bush’s veto of the Senate bill, saying: “We believe it was a very wise decision which will be of great help to the future development of Sino-U.S. relations. . .”⁴⁷ Less than a week later, China’s foreign minister announced that China was formally acceding to the Nuclear Non-Proliferation Treaty (the last nuclear power to do so).⁴⁸

Meanwhile, China rallied support of a number of Third World countries against the U.N. Human Rights Commission censure motion, causing the motion to go down in defeat. A Chinese Foreign Ministry spokesman said: “Our just cause enjoys wide support

42. *Ibid.*

43. *Ibid.*

44. *Ibid.*, p. 74.

45. “China’s Black Marks,” *U.S. News and World Reports*, March 9, 1992, p. 13.

46. David Holley, “China Declares It Won’t Be Bullied by West,” *Los Angeles Times*, March 24, 1992, p. A2.

47. “Reformers Score Major Victory Under Teng Hsiao-ping,” *Asian Bulletin*, May 1992, p. 74.

48. *Ibid.*

while an unjust cause finds little support.”⁴⁹ He went on to say that the resolution was aimed, under the guise of human rights, at supporting a “small group of separatist Tibetan exiles who want to separate from China.”⁵⁰ Third World nations supported Beijing, however, because of the sovereignty issue and not because they rejected complaints of human rights problems in Tibet.⁵¹ China’s victory, however, was attributed by Western reporters to a split between the United States and European countries over whether to charge China with human rights violations overall or focus on Tibet. This being the case, some expected China to be censured again by the body in the future.⁵² China also responded to U.S. criticism of human rights violations in Tibet by denying visas to two well known senators, Clayborne Pell, head of the Foreign Relations Committee, and David Boren, head of the Select Committee on Intelligence, who wanted to visit Tibet.⁵³

In April, when Japan’s prime minister criticized China for human rights violations, Jiang Zemin replied that the right of survival of China’s population is more important than political rights. He also asserted that human rights “should not be linked to relations between two countries.” He further said that foreign comments about human rights in China “constitutes interference in domestic affairs, which China will not accept.”⁵⁴

In early May, the Chinese government expelled eight European labor activists for demonstrating in Tiananmen Square for free labor unions. At the same time, China blasted the United States for human rights violations in connection with the Los Angeles riots. *Xinhua* said the riot “was not accidental” and “revealed human rights violations such as serious racial discrimination and abuse of force by police. . .” Subsequently, the Chinese government told the United States to “put its own house in order before telling China to clean up its human rights record. The *People’s Daily* stated: “You apologists who proclaim the importance of human rights, waving your clubs and interfering. . .” “Why don’t you open your eyes and

49. *Ibid.*, p. 76.

50. *Ibid.*

51. *Ibid.*

52. Tom Carter, “China Spared Rights Rap by Western Split,” *Washington Times*, March 18, 1992, p. A9.

53. “China Spites the Senate,” (editorial) *New York Times*, April 8, 1992, p. A24.

54. Sam Jameson, “Japan Raises Rights Issue with China During Party Chief’s Visit,” *Los Angeles Times*, April 7, 1992, p. A4.

look at your own domestic situation?"⁵⁵ On May 10, the *People's Daily* launched another attack, calling the United States hypocritical for pursuing 'human rights diplomacy' abroad while failing to protect citizens' rights at home.⁵⁶

On May 17, Chinese police searched the Beijing bureau office of the *Washington Post* and accused Lena Sun, the *Post's* representative, of activities incompatible with her status. On May 20, *Xinhua* reported that Sun had obtained documents illegally and had been issued a serious warning. It later reported that the State Security officials had found "more than ten confidential documents she had obtained illegally."⁵⁷ On May 31, it was reported that the Chinese Communist Party had ordered Chinese journalists to sever all ties with foreign reporters.⁵⁸ This was done either in response to the problem with Lena Sun, or because of the coming anniversary of the Tiananmen massacre, or both.

On the other hand, Sun was let off with a warning rather than expulsion. And at this time three Catholic priests were released after many years in prison for professing loyalty to the Vatican rather than the "Patriotic Church" in China.⁵⁹

In early June, approaching the third anniversary of the Tiananmen Massacre, the Chinese government took various measures to preclude any protest or anti-government activities in China. This included sealing off the entire college district in the northwest part of Beijing. It also led to the detention of foreign reporters, and the beating of one, a Japanese representative of the Tokyo Broadcasting System, by the security police. It also included the detention of four labor activists the government thought were about to stage a protest demonstration.⁶⁰ (For more on Beijing's anti-West stance and harassment of foreign journalists, see Chapters 3, 6, and 7).

Not long after, however, Beijing approved the choice of a Tibetan "Living Buddha,"—the first since China launched the Tibetan democratic reform in 1959. This also ended a three-year

55. "U.S. Human Rights Policy Criticized; Foreign Reporter Detained," *Asian Bulletin*, July 1992, p. 92.

56. *Ibid.*

57. *Ibid.*

58. *Ibid.*

59. See Lincoln Kaye, "Earning Credit," *Far Eastern Economic Review*, June 4, 1992, p. 17.

60. "Third Tiananmen Anniversary Passes Quietly: Teng's Reforms Receive Further Boost," *Asian Bulletin*, August 1992, p. 71.

hiatus in talks between Beijing and Tibet's government in exile.⁶¹ Apparently, Chinese leaders sought a reconciliation with Tibetans abroad and were willing to sacrifice principles to do so. Their moves may also have been prompted by bad publicity China had received over Tibet in recent months.

In July, it was reported that Beijing had offered to hold talks with pro-independence Tibetans on the subject of Tibetan autonomy. Exiled Tibetans in India said the offer was intended to weaken the independence movement and was motivated by Chinese fears that independence advocates in Inner Mongolia and Xinjiang had been inspired by the Tibetans.⁶²

In mid-August, it was reported in Hong Kong that China had decided to open Tibet to the outside world to ensure economic prosperity and weaken ethnic separatism. Tibetan exiles, however, saw the move as a pretext for settling more Chinese in Tibet to further change the demographics of the area. They declared that this was part of Beijing's "1992 Plan" and 100,000 Chinese had been moved into the area in June and July as part of China's "final solution" of the Tibet problem.⁶³

On another issue, Beijing shortly thereafter refuted a charge in the *Los Angeles Times* about Chinese tests on American POWs during the Korean War. *Xinhua* denied that Americans had been used as guinea pigs, that they died because of tests, or that they were executed.⁶⁴ At the same time, in August, China released a report on its penal system. The report said that torture was banned, the crime rate in China was low and convicts were well-fed. An official of the State Council's Information Office said the report was needed because some "international forces have constantly criticized China for violating human rights by making use of the subject of imprisoning and reforming criminals." *Xinhua* said the report would "help the world better understand the building of a socialist legal system in China."⁶⁵ Statements on both of these issues seemed to reflect strong concern in Beijing about China's im-

61. "Chinese leaders OK choice of Tibetan 'Living Buddha,'" *Washington Times*, June 29, 1992, p. A8.

62. "Tibetans Discuss Prospects for Future Settlement," *Asian Bulletin*, September 1992, p. 73-74.

63. See Hong Kong *Standard*, August 14, 1992 cited in "'Final Solution for Tibet,'" *Asian Bulletin*, October 1992, p. 68.

64. "Reform Drive Retains Momentum," *Asian Bulletin*, September 1992, p. 72.

65. "Browling Mars Shenzhen Stock Market Shareout," *Asian Bulletin*, October 1992, p. 68.

age abroad on human rights. (For more discussions on this report, see Chapter 4).

A few weeks later, Beijing issued a “white paper” on human rights in Tibet. The report, which came from the State Council, was entitled “Tibet—Its Ownership and Human Rights Situation.” The report denied human rights problems in Tibet. It also made a firm claim to Tibet as Chinese territory and contended that most Tibetans were loyal to Beijing. Officials at this time said they were willing to negotiate with the Dalai Lama, but they were anticipating a “long struggle.”⁶⁶ The Dalai Lama rejected calls for negotiations, saying that he could not accept talks with pre-conditions.

On October 2, the Chinese government reported that Shen Tong had been deported, thus responding to U.S. pressure. However, the Foreign Ministry issued an official statement saying that Shen had confessed to illegal activities relating to the establishment of anti-government organizations in China “at the instigation and with the support of certain foreign forces.”⁶⁷

On October 14, China’s Foreign Ministry called “unacceptable” President Bush’s decision to provide amnesty to 70,000 Chinese students in the United States. Ministry officials said the decision is a “grave step” that “contravenes the spirit of relevant agreements” between the United States and China.⁶⁸

In November, China released another prominent dissident, Bao Zunxin. Bao had been convicted of “instigating and participating in the turmoil and riots” of 1989. He was the most well-known dissident to be released from jail early. His release seemed to result from continued U.S. pressure on China to release those incarcerated in connection with the 1989 demonstrations.⁶⁹

On December 5, a seven-member group of U.S. Senators visited Tibet—the first for such a visit. A Chinese official said that the visit would “enhance the friendly ties between Tibet of China and the United States.” The decision to allow the senators to visit was seen as both a friendly gesture by China toward President-elect Clinton and a reaction to Clinton’s tough statements about human rights problems in China.⁷⁰

66. “Peking Issues White Paper on Tibet,” *Asian Bulletin*, November 1992, p. 67.

67. “Dissident Shen Tong Released, Deported,” *Asian Bulletin*, December 1992, p. 90.

68. *Ibid.*

69. “Teng Further Consolidates Power With Military Reshuffle,” *Asian Bulletin*, January 1993, p. 78.

70. “Ten Jailed Over Tibet Protest,” *Asian Bulletin*, February 1993, p. 74.

Conclusions

During 1992, there was considerable criticism abroad of China's human rights condition. A major portion of this came from the United States. And China proved more sensitive to criticism from the United States than from elsewhere. China responded to almost all of the criticism. Its basic or most frequently heard argument was that human rights issues are matters of domestic politics and Chinese sovereignty protects it from any legal responsibility vis-a-vis other countries. Thus, other nations should refrain from criticizing China on human rights matters. Of course, under such logic, one would think that Chinese leaders would have refused to respond to most criticism and complaints; clearly that was not the case. They responded, often directly and to almost every foreign criticism. This was done in the form of Foreign Ministry statements, replies made by the State Council (China's cabinet) and via the Chinese media (newspapers and China's official news agency). In many cases, China responded in general terms or in advance of expected criticism, but very often the response was in the form of a specific rebuttal.

Beijing sought to give the impression that it would not make concessions on human rights because of foreign criticism or complaints. But this was patently not the case. In fact, one could argue from an assessment of the criticism leveled at China during 1992 and the Chinese response that foreign countries assailing China on human rights were quite effective in getting China to change—at least in forcing them to make some efforts to improve its image. And generally, efforts to improve China's image led to some actions that resulted in prisoners being released from jail or being allowed to leave the country as well as other moves that improved China's human rights situation.

It is also clear that, during the year, the Chinese leadership was split or factionalized on the issue of how to respond to foreign criticism on its human rights abuses—just as it was divided on other issues. The left in the Party and government sought to exacerbate tense or strained relations with other countries over human rights, with the aim of restoring the hard-line, egalitarian communism of the Maoist period. They obviously did not mind and, in fact, seemed to favor isolationism that would be the consequence of such policies.

Specifically, the Party left appeared to be behind the decision to refuse two prominent U.S. Senators visas to visit China and Tibet, and a few days later behind the beating of Han Dongfang, who

Secretary of State James Baker was reportedly told would be allowed to leave China. The search of the offices of Lena Sun, the *Washington Post's* correspondent in Beijing, was no doubt another such case. All of this came in the weeks leading up to the June 4 deadline for President Bush to decide whether to extend most favored nation status for China. The two Senators denied visas were prominent in the debate on U.S.-China trade.

It seemed that the hard-line left did not want MFN renewed and sought to provoke serious friction in U.S.-China relations. Harry Harding of the Brookings Institution in Washington, observing this, said that "it seems that someone in China has an interest in making trouble." Donald Anderson, former U.S. diplomat in China and president of the U.S.-China Business Council asked rhetorically: "Is there a faction in Beijing that would like to screw up relations with the West?"⁷¹

It was reported that hard-liners in the Party pointedly sought to embarrass reformist Qiao Shi, who controls China's security apparatus, by ordering the search of Lena Sun's office. A Bush Administration official said that Premier Li Peng, a hard-liner, was personally involved in the rejection of visas for Senators Pell and Boren.⁷² Then Assistant Secretary of State for Asia and the Pacific, Richard Solomon, spoke about the problems in the context of China's leadership situation that "could produce volatile situations."⁷³

According to one observer, this explained why China made so many promises regarding issues of friction with the United States, including human rights issues, yet the promises were not kept. Beijing promised Secretary of State Baker in November 1991 that it would grant visas to twenty or so dissidents; as of May it had released only two. Chinese leaders also promised Baker to stop exporting prison-made goods to the United States, but didn't. China pledged to account for hundreds of political prisoners jailed after the Tiananmen Massacre, but supplied mostly useless information. Chinese negotiators vowed to improve trade opportunities and pro-

71. Both are cited in Jim Mann, "Infighting in Beijing May Strain U.S. Ties," *Los Angeles Times*, May 20, 1992, p. A2.

72. *Ibid.*

73. See Lincoln Kaye, "Earning Credit," *Far Eastern Economic Review*, June 4, 1992, p. 17.

gress relating to arms sales to nations hostile to the United States, but did very little.⁷⁴

Ironically, Chinese students, many of whom sympathized with and/or were part of the Democracy Movement of 1989, organized and sought to influence the U.S. Congress to make the MFN decision more difficult, apparently abetting the hard-line leftists in Beijing. For example, Zhao Haiqing, head of a 42,000 member Chinese student organization in the United States (the biggest in the United States), said that "some form of conditions on MFN was the only way." His aim was to win enough support in Congress to override President Bush's veto.⁷⁵

74. See Robert S. Greenberger, "As Bush Is Set to Extend China's Favored Status, Broken Commitments Again May Be Response," *Wall Street Journal*, May 29, 1992, p. A12.

75. Gary Lee, "Taking on the President Over China's Trade Status," *Washington Post*, June 1, 1992, p. 17.

APPENDIX 1

THE WHITE PAPER

Human Rights in China

Information Office of the State Council
November 1991, Beijing, China

Preface

It has been a long-cherished ideal of mankind to enjoy human rights in the full sense of the term. Since this great term — human rights — was coined centuries ago, people of all nations have achieved great results in their unremitting struggle for human rights. However, on a global scale, modern society has fallen far short of the lofty goal of securing the full range of human rights for people the world over. And this is why numerous people with lofty ideals are still working determinedly for this cause.

Under long years of oppression by the “three big mountains” — imperialism, feudalism and bureaucrat-capitalism — people in old China did not have any human rights to speak of. Suffering bitterly from this, the Chinese people fought for more than a century, defying death and personal sacrifices and advancing wave upon wave, in an arduous struggle to overthrow the “three big mountains” and gain their human rights. The situation in respect to human rights in China took a basic turn for the better after the founding of the People’s Republic of China. Greatly treasuring this hard-

won achievement, the Chinese government and people have spared no effort to safeguard human rights and steadily improve their human rights situation, and have achieved remarkable results. This has won full confirmation and fair appraisal from all people who have a real understanding of Chinese conditions and who are not prejudiced.

The issue of human rights has become one of great significance and common concern in the world community. The series of declarations and conventions adopted by the United Nations have won the support and respect of many countries. The Chinese government has also highly appraised the Universal Declaration of Human Rights, considering it the first international human rights document that has laid the foundation for the practice of human rights in the world arena. However, the evolution of the situation in regard to human rights is circumscribed by the historical, social, economic and cultural conditions of various nations, and involves a process of historical development. Owing to tremendous differences in historical background, social system, cultural tradition and economic development, countries differ in their understanding and practice of

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human rights. From their different situations, they have taken different attitudes towards the relevant UN conventions. Despite its international aspect, the issue of human rights falls by and large within the sovereignty of each country. Therefore, a country's human rights situation should not be judged in total disregard of its history and national conditions, nor can it be evaluated according to a preconceived model or the conditions of another country or region. Such is the practical attitude, the attitude of seeking truth from facts.

From their own historical conditions, the realities of their own country and their long practical experience, the Chinese people have derived their own viewpoints on the human rights issue and formulated relevant laws and policies. It is stipulated in the Constitution of the People's Republic of China that all power in the People's Republic of China belongs to the people. Chinese human rights have three salient characteristics. First, extensiveness. It is not a minority of the people or part of a class or social stratum but the entire Chinese citizenry who constitutes the subject enjoying human rights. The human rights enjoyed by the Chinese citizenry encompass an extensive scope, including not only survival, personal and political rights, but also economic, cultural and social rights. The state pays full attention to safeguarding both individual and collective rights. Second, equality. China has adopted the socialist system after abolishing the system of exploitation and eliminating the exploiting classes. The Chinese citizenry enjoys all civic rights equally irrespective of the money and property status as well as of nationality, race, sex, occupation, family background, religion, level of education and duration of residence. Third, authenticity. The state provides guarantees in terms of system, laws and material means for the realization of human rights. The various civic rights prescribed in the Constitution and other state laws are in accord with what people enjoy in real life. China's human rights legislation and policies are endorsed and supported by the people of all nationalities and social strata and by all the political parties, social organizations and all walks of life.

As a developing country, China has suffered from setbacks while safeguarding and developing human rights. Although much has

been achieved in this regard, there is still much room for improvement. It remains a long-term historical task for the Chinese people and government to continue to promote human rights and strive for the noble goal of full implementation of human rights as required by China's socialism.

In order to help the international community understand the human rights situation as it is in China, we present the following brief account of China's basic position on and practice of human rights.

I. The Right to Subsistence—the Foremost Human Right The Chinese People Long Fight for

It is a simple truth that, for any country or nation, the right to subsistence is the most important of all human rights, without which the other rights are out of the question. The Universal Declaration of Human Rights affirms that everyone has the right to life, liberty and the security of person. In old China, aggression by imperialism and oppression by feudalism and bureaucrat-capitalism deprived the people of all guarantee for their lives, and an uncountable number of them perished in war and famine. To solve their human rights problems, the first thing for the Chinese people to do is, for historical reasons, to secure the right to subsistence.

Without national independence, there would be no guarantee for the people's lives. When imperialist aggression became the major threat to their lives, the Chinese people had to win national independence before they could gain the right to subsistence. After the Opium War of 1840, China, hitherto a big feudal kingdom, was gradually turned into a semi-colonial, semi-feudal country. During the 110 years from 1840 to 1949, the British, French, Japanese, US and Russian imperialist powers waged hundreds of wars on varying scales against China, causing immeasurable losses to the lives and property of the Chinese people.

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— The imperialists massacred Chinese people in untold numbers during their aggressive wars. In 1900, the troops of the Eight Allied Powers — Germany, Japan, Britain, Russia, France, the United States, Italy and Austria — killed, burned and looted, razing Tanggu, a town of 50,000 residents, to utter ruins, reducing Tianjin's population from one million to 100,000, killing countless people when they entered Beijing, where more than 1,700 were slaughtered at Zhuangwangfu alone. During Japan's full-scale invasion of China which began in 1937, more than 21 million people were killed or wounded and 10 million people mutilated to death. In the six weeks beginning from December 13, 1937, the Japanese invaders killed 300,000 people in Nanjing.

— The imperialists sold, maltreated and caused the death of numerous Chinese laborers, plunging countless people in old China into an abyss of misery. According to incomplete statistics, more than 12 million indentured Chinese laborers were sold to various parts of the world from the mid-19th century through the 1920s. Coaxed and abducted, these laborers were thrown into lockups, known as "pigsties," where they were branded with the names of their would-be destinations. During the 1852-58 period, 40,000 people were put in such "pigsties" in Shantou alone, and more than 8,000 of them were done to death there. Equally horrifying was the death toll of ill-treated laborers in factories and mines run by imperialists across China. During the Japanese occupation, no less than 2 million laborers perished from maltreatment and exhaustion in Northeast China. Once the laborers died, their remains were thrown into mountain gullies or pits dug into bare hillsides. So far more than 80 such massive pits have been found, with over 700,000 skeletons of the victims in them.

— Under the imperialists' colonial rule, the Chinese people had their fill of humiliation and there was no personal dignity to speak of. The foreign aggressors enjoyed "extraterritoriality" in those days. On December 24, 1946 Peking University student Shen Chong was raped by William Pierson, an American GI, but, to the great indignation of the Chinese people, the criminal, handled unilaterally by the American side, was acquitted and released. Imperialist powers exercised administrative,

legislative, judicial, police and financial powers in the "concessions" they had set up in China, turning them into "states within a state" that were thoroughly independent of the Chinese administrative and legal systems. In 1885, foreign aggressors put up a signboard at the entrance of a park in the French concession; in a blatant insult to the Chinese people, it read, "Chinese and dogs not admitted."

— Forcing more than 1,100 unequal treaties on China, the imperialists plundered Chinese wealth on a large scale. Statistics show that, by way of these unequal treaties, the foreign aggressors made away with more than 100 billion taels of silver as war indemnities and other payments in the past century. Through the Sino-British Treaty of Nanking, the Sino-Japanese Treaty of Shimonoseki, the International Protocol of 1901 and five other such treaties alone, 1,953 million taels of silver in indemnity were extorted, 16 times the 1901 revenue of the Qing government. The Treaty of Shimonoseki alone earned Japan 230 million taels of silver in extortion money, about four and a half times its annual national revenue. The losses resulting from the destruction and looting by the invaders in wars against China were even more incalculable. During Japan's full-scale war of aggression against China (1937-45), 930 Chinese cities were occupied, causing US\$62 billion in direct losses and US\$500 billion in indirect losses. With their state sovereignty impaired and their social wealth plundered or destroyed, the Chinese people were deprived of the basic conditions for survival.

In face of the crumbling state sovereignty and the calamities wrought upon their lives, for over a century the Chinese people fought the foreign aggressors in an indomitable struggle for national salvation and independence. The Taiping Heavenly Kingdom Movement, the Boxers Movement and the Revolution of 1911 which overthrew the Qing Dynasty broke out during this period. These revolutionary movements dealt heavy blows to imperialist influences in China, but they failed to deliver the nation from semi-colonialism. A fundamental change took place only after the Chinese people, under the leadership of the Chinese Communist Party, overthrew the Kuomintang reactionary rule and founded the People's Republic

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of China. After its birth in 1921, the Communist Party of China set the clear-cut goal in its political program to "overthrow the oppression by international imperialism and achieve the complete independence of the Chinese nation" and to "overthrow the warlords and unite China into a real democratic republic"; it led the people in an arduous struggle culminating in victory in the national democratic revolution.

The founding of the People's Republic of China eradicated the forces of imperialism, feudalism and bureaucrat-capitalism in the Chinese mainland, put an end to the nation's history of dismemberment, oppression and humiliation at the hands of alien powers for well over a century and to long years of turbulence characterized by incessant war and social disunity, and realized the people's cherished dream of national independence and unification. The Chinese nation, which makes up one-fourth of the world's population, is no longer one that the aggressors could kill and insult at will. The Chinese people have stood up as the masters of their own country; for the first time they have won real human dignity and the respect of the whole world. The Chinese people have won the basic guarantee for their life and security.

National independence has protected the Chinese people from being trodden under the heels of foreign invaders. However, the problem of the people's right to subsistence can be truly soiled only when their basic means of livelihood are guaranteed.

To eat their fill and dress warmly were the fundamental demand of the Chinese people who had long suffered cold and hunger. Far from meeting this demand, successive regimes in old China brought even more disasters to the people. In those days, landlords and rich peasants who accounted for 10 percent of the rural population held 70 percent of the land, while the poor peasants and farm laborers who accounted for 70 percent of the rural population owned only 10 percent of the land. The bureaucrat-comprador bourgeoisie who accounted for only a small fraction of the population monopolized 80 percent of the industrial capital and controlled the economic lifelines of the country. The Chinese people were repeatedly exploited by land rent, taxes, usury and

industrial and commercial capital. The exploitation and poverty they suffered were of a degree rarely seen in other parts of the world. According to 1932 statistics, the Chinese peasants were subjected to 1,656 kinds of exorbitant taxes and levies, which took away 60-90 percent of their harvests. The people's miseries were exacerbated and their lives made all the harsher by the reactionary governments who, politically corrupt and impotent, surrendered China's sovereign rights under humiliating terms and served as tools of foreign imperialist rule, and by the separatist regime of warlords who were embroiled in endless wars. It was estimated that 80 percent of the populace in old China suffered to varying degrees of starvation and tens of thousands — hundreds of thousands in some cases — died of it every year. A major natural disaster invariably left the land strewn with corpses of hunger victims. More than 3.7 million lives were lost when floods hit east China in 1931. In 1943, a crop failure in Henan Province took the lives of 3 million people and left 15 million subsisting on grass and bark and struggling on the verge of death. After the victory of the War of Resistance Against Japan, the reactionary Kuomintang government launched a civil war, fed on the flesh and blood of the people and caused total economic collapse. In 1946, 10 million people died of hunger countrywide. In 1947, 100 million, or 22 percent of the national population then, were under the constant threat of hunger.

Ever since the founding of the People's Republic of China in 1949, the Communist Party of China and the Chinese government have always placed the task of helping the people get enough to wear and eat on the top of the agenda. For the first three years of the People's Republic, the Chinese people, led by their government, concentrated their efforts on healing the wounds of war and quickly restored the national economy to the record level in history. On this basis, China lost no time to complete the socialist transformation of agriculture, handicraft industry and capitalist industry and commerce, thus uprooting the system of exploitation, instituting the system of socialism and, for the first time in history, turning the people into masters of the means of production and beneficiaries of social wealth. This fired the people with soaring enthusiasm for building a

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new China and a new life, emancipated the social productive forces and set the economy on the track of unprecedented growth. Since 1979, China has switched the focus of its work to economic construction, begun reform and opening to the outside world, and set the goal of building socialism with Chinese characteristics. This has further expanded the social productive forces and enabled the nation to basically solve the problem of feeding and clothing its 1.1 billion people.

Tilling 7 percent of the world's total cultivated land — averaging only 1.3 *mu* (one *mu* equals one-fifteenth of one hectare) per capita as against 12.16 *mu* in the United States and the world's average of 4.52 *mu* — China has nevertheless succeeded in feeding a population that makes up 22 percent of the world's total. Contrary to some Western politicians' prediction that no Chinese government could solve the problem of feeding its people, socialist China has done it by its own efforts. The past 40-odd years have witnessed a marked increase in the average annual per-capita consumption of major consumer goods despite a yearly average population increase of 14 million. A survey shows that the daily caloric intake of food per resident in China was 2,270 in 1952, 2,311 in 1978 and 2,630 in 1990, approaching the world's average.

The life-span of the Chinese people has lengthened and their health improved considerably. According to statistics, the population's average life expectancy increased from 35 years before liberation to 70 years in 1988, higher than the average level in the world's medium-income countries, while the death rate dropped from 33 per thousand before liberation to 6.67 per thousand in 1990, which was one of the lowest death rates in the world. China's 1987 infant mortality of 31 per thousand approached the level of high-income countries. The health of the Chinese people, especially the physical development of youngsters, has greatly improved as compared with the situation in old China. An average 15-year-old boy in 1979 was 1.8 centimeters taller and 2.1 kilograms heavier than his counterparts living during the 1937-41 period; and an average girl of the same age in 1979 was 1.3 centimeters taller and 1 kilogram heavier. Since 1979, the health of the Chinese people has

improved further. The label on old China, "sick man of East Asia," has long been consigned to the dustbin of history.

The problem of food and clothing having been basically solved, the people have been guaranteed with the basic right to subsistence. This is a historical achievement made by the Chinese people and government in seeking and protecting human rights.

However, to protect the people's right to subsistence and improve their living conditions remains an issue of paramount importance in China today. China has gained independence, but it is still a developing country with limited national strength. The preservation of national independence and state sovereignty and the freedom from imperialist subjugation are, therefore, the very fundamental conditions for the survival and development of the Chinese people. Although China has basically solved the problem of food and clothing, its economy is still at a fairly low level, its standard of living falls considerably short of that in developed countries, and the pressure of a huge population and relative per-capita paucity of resources will continue to restrict the socio-economic development and the improvement of the people's lives. The people's right to subsistence will still be threatened in the event of a social turmoil or other disasters. Therefore it is the fundamental wish and demand of the Chinese people and a long-term, urgent task of the Chinese government to maintain national stability, concentrate their effort on developing the productive forces along the line which has proven to be successful, persist in reform and opening to the outside world, strive to rejuvenate the national economy and boost the national strength, and, on the basis of having solved the problem of food and clothing, secure a well-off livelihood for the people throughout the country so that their right to subsistence will no longer be threatened.

II. The Chinese People Have Gained Extensive Political Rights

While struggling for the right to subsistence, the Chinese people have waged a heroic

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struggle for democratic rights.

The people did not have any democratic rights to speak of in semi-feudal, semi-colonial China. The Revolution of 1911 led by Dr. Sun Yat-sen, the great forerunner of bourgeois-democratic revolution, overthrew the feudal Qing Dynasty and gave rise to the Republic of China. He hoped to establish a Western-style democratic system in China, but the fruits of the revolution were snatched by Yuan Shikai, a feudal warlord. Then parliament became a mere instrument for warlords in power struggle, and there occurred the scandal of the "parliament of pigs" and bribery in electing a president. His dream unfulfilled, Dr. Sun died in sorrow and indignation, which found expression in his famous admonition: "The revolution has not yet succeeded." Many Chinese had cherished illusions about the US-supported Chiang Kai-shek government. However, Chiang turned out to be just another warlord under whose fascist rule millions of democracy-seeking people perished in bloody massacres. He adopted a non-resistance policy towards the Japanese invasion while stepping up the civil war, ignoring opposition from the Chinese Communists, patriots and democrats from all walks of life and the broad masses of the people. He launched the all-out civil war after the victory of the War of Resistance Against Japan, again violating the ardent wish for peace, democracy and reconstruction of the Communist Party, the democratic parties and the people throughout China. Driven beyond the limits of forbearance, the people rose up in arms and in the end toppled Chiang's reactionary rule.

Since the very day of its founding, the Communist Party of China has been holding high the banner of democracy and human rights. It encouraged and assisted Dr. Sun in reorganizing the Kuomintang, effected the cooperation between the Kuomintang and the Communist Party and launched the Northern Expedition against the reactionary rule of the warlords. After Chiang Kai-shek betrayed the democratic revolution, the Party united all patriots and democrats and led the people in a struggle against civil war, hunger, autocracy and persecution. In the liberated areas it established democratic governments, drew up laws which

guaranteed the people's democratic rights and resolutely implemented its own democratic program. The democratic system in the liberated areas attracted numerous patriotic and democratic fighters and became the hope of the entire people. Under the Party's leadership, the Chinese people overthrew the Kuomintang reactionaries' dictatorial rule and founded the democratic and free People's Republic of China.

The Chinese people gained real democratic rights after the founding of New China. In explicit terms the Constitution stipulates that all power in the People's Republic of China belongs to the people. That the people are masters of their own country is the essence of China's democratic politics. By stating that the People's Republic of China is a socialist state of the people's democratic dictatorship led by the working class and based on the alliance of workers and peasants, the Constitution has established the status of the workers, peasants and other working people as masters of the country and thus invested the laboring people who were at the bottom rung of the social ladder in old China with lawful democratic rights. Equality of men and women, as provided by the Constitution, has enabled women, who account for half of the Chinese population, to gain the same rights as men in politics, economy, culture, society and family life. The stipulation that all nationalities in China are equal has ensured that all the nation's minority nationalities enjoy equal democratic rights with the Han people.

To guarantee that the people are the real masters of the country with the right to run the country's economic and social affairs, China has adopted, in light of its actual conditions, the people's congresses as the state's basic political system. Deputies to the people's congresses at all levels are chosen through democratic elections. The Constitution stipulates that all citizens of the People's Republic of China who have reached the age of 18 have the right to vote and stand for election, regardless of nationality, race, sex, occupation, family background, religious belief, education, property status, or length of residence, with the exception of persons deprived of their political rights by law. Taking into consideration its vast territory, large population, inconvenient transpor-

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tation and relatively low economic and cultural development, China has adopted an election system appropriate to its actual conditions. That is, deputies to people's congresses at the county level or below are elected directly, while those to people's congresses above the county level are elected indirectly. This election system makes it possible for the people to choose deputies whom they know and trust. The election system has been improved in recent year on the basis of past experience. For instance, more candidates are posted than the number of deputies to be elected, instead of an equal number as before. The right to vote has been widely exercised by the Chinese people. According to statistics from the 1990 county- and township-level direct elections, 99.97 percent of the citizens at 18 years of age or above enjoyed the right to vote. Generally speaking, upwards of 90 percent of the voters participate in the elections held in the various provinces, autonomous regions and municipalities. The most striking characteristic of China's electoral system is that elections are not manipulated by money and that deputies are not elected on the basis of boasting and empty promises but according to their actual contributions to the country and society; their attitude in serving the people and their close relations with the people. It is clear from the election results that the elected are broadly representative, that is, representative of people of all social strata and all trades and professions. Of the 2,970 deputies to the Seventh National People's Congress, 684, or 23 percent, are workers and farmers; 697, or 23.4 percent, are intellectuals; 733, or 24.7 percent, are government functionaries; 540, or 18.2 percent, are democratic party members and patriots with no party affiliations; 267, or 9 percent, are from the People's Liberation Army; and 49, or 1.6 percent, are returned overseas Chinese.

The National People's Congress is the supreme organ of state power. It has legislative power. It elects or removes president and vice-presidents of the People's Republic of China, chairman of the Central Military Commission, president of the Supreme People's Court and procurator-general of the Supreme People's Procuratorate; and appoints or removes premier, vice-premiers, state councilors, ministers, ministers in charge of commissions, auditor-

general and secretary-general. All administrative, judicial and procuratorial organs of the state are created by the National People's Congress, responsible to it and supervised by it. Following the principle of democratic centralism, the National People's Congress adopts major policy decisions after full airing of opinions; and once adopted, these policies are carried out in a concerted effort. In this way, the People's Congress can not only represent the people's common will but also become instrumental for the people in running state, economic and social affairs. Coming from among the people, the people's deputies are responsible to the people and supervised by the people; their close contact with the masses and wide knowledge of the actual situation enable them to fully reflect the people's wishes, formulate laws suited to reality and supervise the work of government organs.

The Chinese Communist Party is the ruling party of socialist China and the representative of the interests of the people throughout the country. Its leadership position has been the result of the historical choice made by the Chinese people during their protracted and arduous struggle for independence and emancipation. The leadership of the Party is mainly an ideological and political leadership. The Party derives its ideas and policies from the people's concentrated will and then turns them into state laws and decisions which are passed by the National People's Congress through the state's legal procedures. The Party does not take the place of the government in the state's leadership system. The Party conducts its activities within the framework of the Constitution and the law and has no right to transcend the Constitution and the law. All Party members, like all citizens in the country, are equal before the law.

The system of multi-party cooperation and political consultation under the leadership of the Communist Party is the basic political system that gives expression to people's democracy. It guarantees that all social strata, people's organizations and patriots from various quarters can express their opinions and play a role in the country's political and social life. There are in China eight democratic parties apart from the Communist Party; they are the Revolutionary Committee of the Chinese Kuomin-

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tang, the China Democratic League, the China Democratic National Construction Association, the China Association for Promoting Democracy, the Chinese Peasants and Workers Democratic Party, the China Zhi Gong Dang (Party for Public Interest), the Jiu San Society (September 3rd Society) and the Taiwan Democratic Self-Government League. Cooperation between the Communist Party and these democratic parties took shape during the democratic revolution before 1949, the year New China was founded. The leading role of the Communist Party in the cooperation is recognized by the democratic parties as it has been evolved in long years of common struggle. These democratic parties shared with the Communist Party the same basic political ideas whether in the struggle for overthrowing the "three big mountains" or during the period of building New China. Enjoying political freedom and organizational independence, all these democratic parties have developed greatly. They are neither parties out of office nor opposition parties, but parties participating in state affairs. As China's ruling party, the Communist Party repeatedly asks these democratic parties for their opinions on every major state affair and consult with them for solutions. Relations between the Communist Party and the democratic parties follow the guideline of "long-term coexistence and mutual supervision, treating each other with full sincerity and sharing weal or woe." Full play has been given to the role of the democratic parties in participating in and discussing state affairs, democratic supervision and uniting all the people. Many members of the democratic parties have assumed leading posts in organs of state power, government departments and judicial organs. Of the 19 vice-chairmen elected by the Seventh National People's Congress at its First Session, seven are members of democratic parties. Nearly 1,200 members of the democratic parties and personages with no party affiliations are holding leading posts in governments above the county level.

The Chinese People's Political Consultative Conference (CPPCC) consists of representatives of all the political parties and people's organizations and from among patriots and democrats who support socialism and the reunification of the motherland. New China's first

Central People's Government was elected by the First Chinese People's Political Consultative Conference. After the establishment of the National People's Congress as the supreme organ of state power, the CPPCC became an organization of the patriotic united front. It provides a forum for discussions on major state policies and principles and big issues in social life and plays a supervisory role through suggestions and criticisms. The CPPCC usually convenes simultaneously with the people's congress at the corresponding level. The system of political consultation has played an important role in promoting democracy.

China attaches great importance to the promotion of democracy at the grass-roots level so as to guarantee that citizens can directly exercise their political rights. Neighborhood Committees are the grass-roots democratic organizations in urban areas, and their counterparts in rural areas are Village Committees. As self-governing organizations established by the people, these committees deal with matters concerning public welfare and residents' well-being while assisting local governments in mediating family and neighborhood disputes, conducting ideological education and maintaining public order. Most Chinese enterprises have adopted the system of workers' congress, which is the basic form of democratic management through which workers participate in the decision-making and management of the enterprises and supervise the enterprise leaders. Over the last few years, virtually all directors and managers of large and medium-sized state enterprises have been examined and their work appraised with the participation and supervision of the workers' congresses.

The Constitution provides for a wide range of political rights to citizens. In addition to the right to vote and to be elected mentioned above, citizens also enjoy freedoms of speech, the press, assembly, association, procession and demonstration. There is no news censorship in China. Statistics show that of all the newspapers and magazines in China, only one-fifth are run by Party and state organizations, and the others belong to various democratic parties, social organizations, academic associations and people's organizations. By law citizens have the right to intellectual property, such as copyright, and the right to publication, patent, tra-

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demark, discovery, invention and scientific and technological achievement. It is a matter of personal freedom for a citizen to decide what book he will write, what point of view he will use in writing it and which publishing house he will choose to have his book published. Statistics show that an overwhelming majority of the 80,224 titles of books printed in 1990 with a total impression of 5.64 billion copies were signed by individual authors. As to the freedom of association, the 1990 statistics showed that there were 2,000 associations, including societies, research institutes, foundations, federations and clubs. All these associations operate freely within the framework of the Constitution and the law.

The Constitution also rules that citizens have the right to criticize and make suggestions regarding any state organ or functionary and the right to make to relevant state organs complaints or charges against, or exposures of, any state organ or functionary for violation of the law or dereliction of duty.

The Constitution provides that freedom of the person of citizens of the People's Republic of China is inviolable. Unlawful detention or deprivation of citizens' freedom of the person by other means and unlawful search of the person of citizens are prohibited; the personal dignity of citizens is inviolable, and insult, libel, false accusation or false incrimination directed against citizens by any means is prohibited; the residences of citizens are inviolable and unlawful search of, or intrusion into, a citizen's residence is prohibited; freedom and privacy of correspondence are protected by law, and those who hide, discard, damage or illegally open other people's letters, once discovered, shall be seriously dealt with, and grave cases shall be prosecuted.

The Constitution provides that China implements the system of people's democratic dictatorship, which combines democracy among the people and dictatorship against the people's enemies. To guarantee the people's democratic rights and other lawful rights and interests, China pays great attention to improving its legal system. It has promulgated and put into effect a series of major laws, including the Constitution, the Criminal Law, the Law of Criminal Procedure, the General Provisions of the Civil Law, the Law of Civil Procedure and

the Law of Administrative Procedure. During the 1979-1990 period, the National People's Congress and its Standing Committees made 99 laws and 21 decisions on legislative amendments and passed 52 resolutions and decisions on legal matters; the State Council formulated more than 700 administrative laws and regulations; and the people's congresses and their standing committees of various provinces, autonomous regions and municipalities and provincial capital cities formulated numerous local laws and administrative rules and regulations, of which more than 1,000 were about human rights.

The unity between rights and duties is a basic principle of China's legal system. The Constitution stipulates that every citizen is entitled to the rights prescribed by the Constitution and the law and at the same time must perform the duties prescribed by the Constitution and the law, and that in exercising their freedoms and rights, citizens may not infringe upon the interests of the state, of society or of the collective, or upon the lawful freedoms and rights of other citizens. Legally citizens are the subjects of both rights and duties. Everyone is equal before the rights and duties prescribed by the Constitution and the law. No organization or individual may enjoy the privilege of being above the Constitution and the law.

Practice of the past 40-odd years since liberation proves that the socialist democracy and legal system adopted by China are suited to the country's actual conditions and that the people is satisfied with it. It goes without saying that the building of this democratic politics and this legal system is no smooth sailing. There were times when democracy and law were seriously violated, such as happened during the "cultural revolution" (1966-76). Nevertheless, the Communist Party, backed by the people, corrected these mistakes and set the nation's socialist democracy and legal system back to the course of steady development. Upholding the general policy of reform and opening to the outside world and giving great attention to building socialist democratic politics, China is striving to improve and strictly enforce the socialist legal system and continuing the work to reform and improve the political system — all for the purpose of ensuring that the people can fully enjoy their civic rights and better exercise their

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political right of running the country.

III. Citizens Enjoy Economic, Cultural and Social Rights

The human rights advocated by China encompass not only the right to subsistence and the civic and political rights, but also economic, cultural and social rights. The Chinese government pays due attention to the protection and realization of the rights of the country, the various nationalities and private citizens to economic, cultural, social and political development.

Socialist China eliminated the system of exploitation of man by man, thus making it possible for the first time in history for all working people to secure the right to equal economic development. China upholds the socialist system of public ownership of the means of production as the mainstay while at the same time permitting and encouraging the appropriate development of other economic sectors as supplements to the socialist economy. It will neither adopt a unitary public ownership system, which is divorced from the nation's current level of development of productive forces, nor practice privatization, which tends to shake the dominant position of public ownership in the national economy. Public ownership of the means of production constitutes the basis of China's socialist economic system. It guarantees that the major means of production in society are possessed by all the working people through the ownership by the whole people and the collective ownership by the laboring masses. The working people enjoy the right to manage, control and use the means of production. According to statistics, the total social investment in fixed assets in China came to 444.9 billion yuan in 1990, of which 291.9 billion yuan, or 65.6 percent, was invested in units owned by the whole people, and 52.9 billion, or 11.9 percent, in collectively-owned units. That is to say, the bigger share (77.5 percent) of the social investment in fixed assets is owned by the state and the collectives of the laboring masses.

The distribution system adopted in China is mainly based on the principle of "from each according to his ability, to each according to his work." At the same time, the government allows and encourages some people to become rich first by the sweat of their brow and through legitimate business activities. Those who get rich first can then help others, so that common prosperity can be achieved. This brings into play the enthusiasm of the laboring masses and at the same time prevents polarization. China is one of the nations that register the lowest income gap in the world. According to 1990 statistics, the 20 percent of urban dwellers with the highest spendable incomes earn only 2.5 times as much as the 20 percent with the lowest incomes. This very fact has made it possible for China, an economically underdeveloped country, to guarantee the livelihood of its 1.1 billion people and avoid social confrontation resulting from polarization.

Economic equality has motivated the laboring people to a great extent and brought about speedy growth of the Chinese economy.

Over the past 40-odd post-liberation years and particularly in the past decade and more since the adoption of the policy of reform and opening to the outside world, China has all along been in the front rank of the world in terms of the rate of economic growth. The annual increase of GNP was 6.9 percent during the 1953-90 period and 8.8 percent during the 1979-90 period. China now leads the world in the output of many important products, including grain, cotton, pork, beef, mutton, cloth, coal, cement and television sets; and it has also emerged as one of the world's biggest producers of steel, crude oil, electricity and synthetic fibers.

With the growth of the national economy, the overall living standards of the Chinese people have greatly improved. Statistics show that in 1990 China's national income came to 1,442.9 billion yuan, or 11.9 times the 1952 figure of 58.9 billion yuan calculated according to constant prices. A good part of the national income was spent on consumer goods. In 1990, consumer spending amounted to 944.4 billion yuan, which was 8.4 times the 1952 figure of 47.7 billion yuan according to constant prices. Of the total volume of consumption, 810 billion yuan was spent by individual consumers,

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which was 7.3 times the 43.4 billion yuan in 1952 according to constant prices. The per-capita volume of consumption for the Chinese residents averaged 714 yuan in 1990, 3.7 times more than in 1952 according to constant prices, despite a 98.9 percent population increase in the intervening years. Now that the Chinese people have solved the basic problems of food and clothing, they are working their way toward a well-to-do life. According to statistics, in 1990 every hundred rural families owned 118.3 bicycles and 44.4 TV sets; and every hundred urban households owned 188.6 bicycles, 111.4 TV sets, 42.3 refrigerators and 78.4 washing machines. In addition, the housing conditions of Chinese residents have improved, with the 1990 average per-capita living space increased to 7.1 square meters from 3.6 square meters in 1978 for urban dwellers and to 17.8 square meters from 8.1 square meters in 1978 for rural inhabitants. The speeds at which the economy grows and the people's living standards improve in New China are not only something inconceivable in old China, but also among the highest in the world community.

The right to work is a basic right of the citizens. In old China, people were deprived of the right to work according to their own will. This right was controlled by the landlords and capitalists, the owners of the means of production. The working people were constantly threatened by the prospect of unemployment. When China was liberated in 1949, a total of 4.742 million, or 60 percent of the total labor force in the cities, were jobless. It is stipulated in the Constitution that Chinese citizens have both the right and the duty to work. The government took all sorts of measures and solved the problem of unemployment, thereby enabling the masses of the working people to take part in socialist construction as masters of the society. In the 12 years between 1979 and 1990, a total of 94 million new jobs were created in urban areas. With the expansion of the productive forces, the problem of rural surplus labor emerged as a major issue. The Chinese government has adopted the policy for some of the farmers to "leave the field but remain in the village," and, by vigorously developing rural enterprises and encouraging individual households to run industrial and sideline occupations along specialized lines, found the fundamental

way out for the surplus labor force in rural areas. Since 1985, the unemployment rate in urban areas has remained at around 2.5 percent, which is fairly low as compared with other countries in the world.

The Constitution provides that public property and the legitimate property of citizens are protected. Public property owned by the state, collective property owned by the working people, and the legitimate property owned by individuals are all protected by law. Any organization or individual is thus forbidden to occupy, seize, share out or destroy such properties. It is also forbidden to seal up, withhold, freeze or confiscate such properties by illegal means. The state protects the citizens' ownership and inheritance rights to their legitimate income, savings, housing and other legitimate properties. The rights of use and contract management of state-owned land, forests, mountains, grassland, uncultivated land, beaches and waters obtained by units under public ownership and collective ownership and private citizens through legal means are protected by law. Whoever infringes upon such rights shall be dealt with by legal means. At present, there are more than 90,000 private enterprises in China. Like the properties of units under public ownership or collectively owned by the laboring people, the legitimate properties of private enterprises are under the protection of law and shall not be illegally seized, scaled up or confiscated. The Chinese government also provides legal protection to foreign investment, joint ventures with Chinese and foreign investment and solely foreign-owned enterprises in China.

The right of education is an important prerequisite for the overall, free development of human beings. In old China, the majority of the working people did not have such a right. With only less than 20 percent of school-age children going to school, more than 80 percent of the total population were illiterate. After the founding of New China, the government took various measures to guarantee the citizens' right of education by devoting great efforts to the development of education. By 1989, China had set up 1.045 million schools at various levels in urban and rural areas. Among them 1,075 were regular institutions of higher learning. In 1990, about 99.77 percent of school-age

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children in the cities and 97.29 percent of school-age children in the countryside were attending school. The numbers of college, middle school and primary school students were respectively 17.6 times, 40.3 times, and 5 times the 1949 figures. During the 1949-90 period, a total of 7.608 million graduate and undergraduate students completed their college education, almost 40 times the total between 1912 and 1948 in old China.

Since China adopted the policy of reform and opening to the outside world, the number of students studying abroad has been rapidly increasing. Since 1978, China has sent 150,000 students in various disciplines of learning to study in 86 countries and regions. So far almost 50,000 of them have returned after finishing their studies, and over 100,000 of them are staying abroad. After the political incident of 1989, the number of Chinese going abroad to study has not decreased but has increased to some extent. In 1990, China completed its plan of sending 3,000 government-sponsored students abroad for academic pursuits. Meanwhile, about 6,000 students were sent to foreign countries by various units, and 20,000 (not including those enrolled in Australian and Japanese language schools) paid their own way to study abroad.

According to statistics of departments concerned in Beijing, Shanghai and Guangzhou, more than 3,000 students have returned from overseas and have started work at their new posts during the past two years. In the meantime, more than 5,700 students have returned to countries where they study after coming home to visit relatives, take vacation or do short-term jobs. According to international norm, Chinese students who are sponsored by the government to study abroad have the duty to return to serve their home country. The Chinese government, always valuing returned students and creating favorable working conditions for them upon return to China, has set up special organizations to take direct responsibility in receiving and arranging suitable jobs for returned students. More than 70 post-doctoral mobile research centers and short-term working stations have been set up by the Chinese Academy of Sciences and various universities, offering fine research and living conditions for those who have returned. Moreover, the

Chinese government and related departments have set up a number of foundations to raise funds for scientific research and to aid returned students in research and teaching activities.

The Chinese citizens enjoy freedom of scientific research and literary and artistic creation. In order to promote the development of scientific research and to bring about cultural and artistic prosperity, the Chinese government upholds the guideline of "serving the people and socialism" and the principle of "letting a hundred flowers blossom and a hundred of schools of thought contend." Since the founding of New China, the contingent of scientists and technicians has steadily expanded. In 1990, state-run units employed a total of 10.808 million natural scientists and technical workers, 24.4 times more than the 1952 figure of 425,000. The State Commission of Natural Science Foundation has since its establishment in February 1986 accepted 34,847 applications for scientific research projects which call for a total allotment of 2.31 billion yuan. Large numbers of outstanding achievements have been registered in the field of science and technology. In biological science, Chinese scientists succeeded in making synthetic bovine insulin and in converting yeast alanine into synthetic ribonucleic acid (RNA); in agricultural science, experiments in hybrid paddy rice have been successful; in high-energy physics, an electron-positron collider was constructed; other achievements in high technology are represented by the successful explosion of atomic and hydrogen bombs, the making of supercomputers capable of 100 million calculations per second, the launching of the Long March III carrier rocket and the research in satellite telecommunications and superconductivity. In all these fields, China has either reached or approached advanced world levels.

China has formed a legal system to protect intellectual property rights. A trademark law and a patent law have been promulgated and put in force. On June 1, 1991, a copyright law went into effect. According to 1990 statistics, more than 270,000 valid trademarks have been registered; and 66 countries and regions have applied for patent rights in China. By the end of 1990, American enterprises alone have applied for registration of 12,528 patent rights in

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China.

Public health facilities are a necessary guarantee for the human rights of life and health. In old China, health organizations and technicians were in short supply and at a low level and the majority of them were concentrated in urban areas. After the founding of New China, a public health network was gradually established. Covering all the cities and countryside, this network includes many kinds of health organizations at various levels and employs different types of public health workers. In 1990, there were 209,000 health institutions across the land, 56.9 times that of 1949. The number of hospital beds rose to 2.624 million, a 32.8-fold increase; and the number of professional health workers reached 3.898 million, 7.7 times that of 1949. In the countryside where the majority of Chinese people live, there are 47,749 hospitals at the township level; health centers or clinics have been set up in 86.2 percent of all villages; the number of hospital beds has reached 1.502 million; and there are 1.232 million medical personnel and professional health workers. In China, every doctor serves an average of 649 people whereas in medium-income countries the figure is 2,390. With the development of medical and public health undertakings, the incidence of infectious and endemic diseases has been drastically reduced. Such highly infectious diseases as leprosy, cholera, the plague, and smallpox have been basically eradicated. Snail fever, Kaschin-Beck disease, the Keshan disease and other endemic diseases have come under control. The development of medical care and epidemic prevention has greatly improved the health of the Chinese people. Impressed by what he called China's "surprising" achievements in medical care, Dr. Bernard P. Kean, the World Health Organization's representative in China, said that he could hardly believe it was a developing country by looking only at such statistics as life expectancy, infant mortality, and causes of death.

The Chinese nation has a fine tradition of respecting elderly people. This tradition has been carried forward in New China. Senior citizens have the right to material assistance from the state and society. By the end of 1990, there had been 23.01 million people in the whole country living on retirement pensions.

The proportion of the number of retired workers to the number of workers still in service is 1:6. In 1990, the pension for an average retired worker was 60 percent of the average pay for a worker in service, which ensured the livelihood of senior citizens in retirement, who also had the help and care of people from all walks of life. In urban areas, one of the major tasks of Neighborhood Committees is to help widowed senior citizens and safeguard their rights and interests. Welfare institutions and senior citizen homes have been set up respectively by the state and the collective enterprises to provide board and lodging and other free services for senior citizens without relatives to depend on. In rural areas, childless and infirm old people are guaranteed food, clothing, housing, medical care and burial expenses by society and collectives. The legal rights of senior citizens are protected by law; it is forbidden to abuse, insult, slander, ill-treat or abandon them. Adult offspring have the obligation to provide for their parents.

China attaches great importance to guaranteeing the rights of women, children and teenagers.

According to the Constitution, women share equal rights with men in political, economic, cultural, social and family life. Like men, they have the right to elect and to be elected. A considerable percentage of people's deputies and officials at various levels are women. Of the people's deputies elected in 1988 to the Seventh National People's Congress, 634, or 21.3 percent, were women. At present, 5,600 women serve as judges in the people's courts. The state lays special stress on training and promoting women cadres. The number of women serving in government offices has increased from 366,000 in 1951 to 8.7 million; this accounts for 28.8 percent of the total number of civil servants. In China, men and women get equal pay for equal work. Working women enjoy the right of special labor protection and labor insurance. The total number of women workers in China has increased from 600,000 in 1949 to 53 million. Women's right to education is also duly respected. In 1990, the total number of female students at school reached 78.81 million. These included 700,000 college students, 21.56 million middle-school students and 56.56 million primary school students, ac-

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counting for 33.7 percent, 42.2 percent and 46.2 percent respectively of the total number of students at school and college.

The state also pays special attention to protecting women's right to freedom of choice in marriage and forbids mercenary and arranged marriages and other acts of interference in other people's freedom of marriage. The judicial departments have taken stern measures according to law against criminals engaged in the sale of women.

The state has formulated laws and regulations to protect children. It is strictly forbidden to ill-treat and sell children and to use child labor. In order to safeguard the life and health of children, the state has issued a decision on strengthening and improving the health care in nurseries and kindergartens, and formulated special regulations to prevent and treat diseases such as infantile paralysis, smallpox, diphtheria and tuberculosis. China enjoys a relatively high rate of health care for children and of schooling for school-age children compared with other developing countries. The rate of inoculated children in China has almost reached the average level of developed countries.

However, China is still a developing country which is marked for its backward economic and cultural development, and much remains to be done to further expand the people's economic, cultural and social rights. In the Ten-Year Program for the National Economy and Social Development (1991-2000), concrete targets and measures are set forth for the further improvement of the people's economic, cultural and social rights.

IV. Guarantee of Human Rights in China's Judicial Work

The aim and task of China's judicial work is to protect the basic rights, freedoms, and other legal rights and interests of the whole people in accordance with law, protect public property and citizens' lawfully-owned private property, maintain social order, guarantee the smooth progress of the modernization drive,

and punish the small number of criminals according to law. All this shows that China attaches great importance to human rights protection in the administration of justice.

China's public security and judicial organs follow the following principles in carrying out their duties: (1) All citizens are equal in regard to the applicability of law. In accordance with the law, each citizen's legal rights and interests shall be protected, and any citizen's offenses against the law and his criminal activities shall be looked into; (2) China's public security and judicial organs shall base themselves on facts and regard the law as the criterion in the conduct of all cases; (3) The procuratorate and the court shall independently exercise their respective procuratorial and judicial authority. They shall only obey the law and not be interfered with by any administrative organ, social organization or person. While dealing with criminal cases, the people's court, the people's procuratorate and the public security organ shall divide their work according to law, cooperate with and moderate one another. They should exercise their authority only within the scope of their own responsibilities and are not allowed to supersede one another. Procuratorial organs shall oversee whether the activities in public security organs, courts, prisons and reform-through-labor institutions are legal. These principles of justice are clearly stipulated in China's law, and they provide the legal guarantee for safeguarding human rights in the state's judicial activities.

In every link of the work of public security and judicial organs and in the judicial procedure, China's law provides definite and strict stipulations to protect and guarantee human rights in an effective way.

1. Detention and Arrest

China's Constitution provides that it is prohibited to take people into custody illegally or to deprive or limit citizens' personal freedom in other illegal ways. Without the permission or decision of the people's procuratorate or the decision of the people's court, and the dispensation of public security organs, no citizen can be arrested. In order to guarantee the proper use of the compulsory measure of arrest and to prevent infringement of the right of innocent people, the Constitution and the law

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vest procuratorial organs with the authority of investigation and approval before any arrest is made. According to law, public security organs have the authority to detain. If the internee is not convinced by the detention, he may appeal to the public security or procuratorial organs. If suspects detained by public security organs need to be arrested, this should be approved by the people's procuratorate; if the people's procuratorate does not approve the arrests, the public security organs should release them upon receiving notice from people's procuratorates. China's procuratorial organs and people's courts should promptly investigate and deal with cases involving staff members in governmental departments and other citizens depriving or limiting citizens' personal freedom.

China's Law of Criminal Procedure provides specific regulations on the deadline for handling criminal cases. At the same time, special regulations have been formulated on the deadline for major and complicated cases according to actual conditions. The Supplementary Regulations on Deadline in Handling Criminal Cases, issued by the Standing Committee of the National People's Congress in July 1984, provides extension and calculation of the deadline for investigation and detaining, the deadline for the first trial and second trial, and the deadline for supplementary investigation of major and complicated cases.

2. Search and the Obtaining of Evidence

China's Constitution provides that it is prohibited to illegally search a citizen's body, and to illegally search or intrude into citizens' houses. The Law of Criminal Procedure provides that in order to search for criminal evidence and seize criminals, public security organs can search the body, articles, residence and other places concerned of the accused as well as those who may hide criminals or criminal evidence, but should do it strictly according to legal procedure. Procuratorial organs should strictly supervise law enforcement in the investigating activities of public security organs.

As a matter of principle and discipline for China's public security and judicial organs in handling cases, it is strictly prohibited to extort confessions by torture. Whenever a case of violating this principle and discipline occurs, it should be dealt with according to law. In 1990,

China's procuratorial organs filed for investigation 472 cases which involved extorting confessions by torture. This has not only protected citizens' personal rights effectively, but also taught law enforcement officials a lesson.

3. Prosecution and Trial

Whether a case should be prosecuted after investigation or exempt from prosecution should be decided by procuratorial organs after overall and careful examination according to legal procedure; this is to ensure the timeliness, accuracy, and legality of a punishment, and at the same time, to prevent innocent citizens from unjust prosecution and prevent citizens' rights from infringement. In 1990, after examining cases to be prosecuted or exempt from prosecution, which were referred to them by investigating organs, the procuratorial organs at various levels in the country decided to exempt 3,507 people from prosecution.

The people's courts carry out a public trial system. Cases should be tried publicly, except those involving state secrets or individual privacy and involving minors, which according to law shall not be heard publicly. The main points of a case, the name of the accused, the time and place of the trial should be announced before the hearing, and visitors should be allowed into the court. During the hearing, all the facts and evidence on which the case on file is based should be investigated and checked in court. All activities in court should be carried out publicly except when the case is being reviewed during court recession. These include issuing the indictment by the public prosecutor, court investigation, questioning witnesses, debate and the final statement by the accused. The verdicts in all cases, including cases of non-public trial in accordance with law, should be pronounced publicly.

During the judicial process the people's court makes it a point to collect the evidence as comprehensively as possible according to legal procedure. With no other evidence except the confession of the accused as a basis, the accused cannot be pronounced guilty or sentenced; without the confession of the accused but with ample and reliable evidence, the accused can be pronounced guilty and sentenced.

The accused has the right to defense. According to the Law of Criminal Procedure, the

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accused, besides exercising his right to defend himself, can also entrust a lawyer, or close relatives, or other citizens to take up the defense on his behalf. When the public prosecutor institutes a case before the court, if the accused does not entrust his defense to a lawyer, the people's court can appoint one for him. During the trial, the accused has the right to terminate a lawyer's action in his defense and entrust another to take it up. After the people's court decides to hear a case, a duplicate copy of the indictment should be made available to the accused at least seven days before the opening session of the court in order that he may learn what crime or crimes he is being prosecuted for and the reasons why he is being prosecuted, and that he has enough time to prepare his defense and get in touch with his lawyer. During the prosecution, the people's court should strictly comply with the regulations of the Constitution and the Law of Criminal Procedure, and earnestly guarantee the right of the accused to defense.

The accused has the right to appeal to a higher court and the right of petition. In deciding cases the Chinese courts follow the system whereby the court of second instance is the court of last instance. According to law, if a party refuses to accept the judgement and ruling of the first trial, he may appeal to a higher people's court; if he remains unconvinced by the judgement and ruling which are legal in effect, he may petition to people's courts or procuratorial organs. Appealing to a higher court will not increase the punishment.

China's Criminal Law has special regulations on juvenile crime and criminal responsibility. Those who have reached the age of 14 but not of 16 should be responsible for crimes of murder, serious injury, robbery, arson, hardened thievery and other felonies against public order; those who have reached the age of 14 but not of 18 should receive lenient punishment or mitigated punishment if they commit crimes; as for those who are exempt from punishment because they have not reached the age of 16, their parents or guardians should be ordered to subject them to discipline, and if necessary the government can take them away for custody and education.

Lawsuit procedures and judicial activities are strictly supervised as to their legality. In

1990, China's procuratorial organs put forward suggestions for the correction of illegal practice in 3,200 instances, thereby effectively guaranteeing citizens' legal rights and interests in lawsuits and judicial activities.

China, like most countries in the world, maintains capital punishment, but imposes very stringent restrictive regulations on the use of this extreme measure. China's Criminal Law states, "Capital punishment is applied only to criminals who are guilty of the most heinous crimes." It also provides that capital punishment is not applied to criminals who have not reached the age of 18 when they commit crimes or to women who are pregnant when they are on trial. China's Law of Criminal Procedure provides for a special review procedure in cases of capital punishment. That is, the judgement in cases of capital punishment, except for those made by the Supreme People's Court according to law, should be reported to the Supreme People's Court or to a high people's court authorized by it after the second, or final, instance; only after all the facts, evidence, convictions, sentences and trial procedures are comprehensively investigated and checked and approved can the judgement take legal effect. After the examination and approval, if a lower people's court finds that there may be mistakes in a judgement, it should stop enforcement of the punishment and immediately report to a higher people's court with the authority of examination and approval, or to the Supreme People's Court, in order that a ruling may be made by it.

China's law also provides a system allowing a two-year reprieve in carrying out a death sentence. That is, in cases where criminals should receive the death penalty but the sentence need not be carried out at once, capital punishment can be announced with a two-year reprieve and reform through forced labor, in order to observe the offender's behavior. If the offender sincerely repents and mends his ways, after the two-year reprieve expires, the punishment can be reduced to life imprisonment; if a criminal really repents, mends his ways and performs meritorious services after the two-year suspension expires, his punishment can be reduced to a set term of imprisonment from 15 years to 20 years. Practice has shown that most of the criminals who are given the death pen-

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ality with reprieve have had their punishment reduced to life imprisonment or a set term of imprisonment, after expiration of the two-year reprieve. The system of announcing the death sentence with a two-year reprieve and forced labor, as provided in China's Criminal Law, is an original creation in the application of capital punishment. It is an effective system by which strict control is exercised over the use of capital punishment in China.

4. No "Political Prisoners" in China

In China, ideas alone, in the absence of action which violates the criminal law, do not constitute a crime; nobody will be sentenced to punishment merely because he holds dissenting political views. So-called political prisoners do not exist in China. In Chinese Criminal Law "counter-revolutionary crime" refers to crime which endangers state security, i.e., criminal acts which are not only committed with the purpose of overthrowing state power and the socialist system, but which are also listed in Articles 91-102 of the Criminal Law as criminal acts, such as those carried out in conspiring to overthrow the government or splitting the country, those carried out in gathering a crowd in armed rebellion, and espionage activities. These kinds of criminal acts that endanger state security are punishable in any country. In 1980, in handling the case of the Lin Biao and Jiang Qing counter-revolutionary cliques, the special court of the Supreme People's Court strictly implemented this principle by prosecuting members of the cliques according to law for their criminal acts while leaving alone matters concerning the political line.

5. Prison Work and Criminals' Rights

At present there are in all 680 prisons and reform-through-labor institutions in China, holding 1.1 million criminals in detention. The rate of imprisonment is 0.99 per thousand of the total population. Compared with the rate of imprisonment of 4.13 per thousand in one of the Western developed countries according to 1990 statistics of its ministry of justice, China's rate is quite low.

China's prisons and reform-through-labor institutions receive, strictly according to law, criminals sent to them to enforce sentences passed by the courts. If they find the relevant

legal documents not complete or the judgement not yet in effect legally, they have the legal right to refuse to take the persons in custody. Prisons and reform-through-labor institutions should notify a prisoner's family members of his whereabouts within three days after taking him into custody. According to China's law, most prisoners are allowed to serve their sentences in the area where they reside to make it convenient for their family members to visit them and for the units where they used to work to help educate them. The allegation that in China some citizens are sent to labor camps without trial or sent away in some form of exile within the country is a distortion of the system whereby prisons and reform-through-labor institutions in China take criminals into custody: it is a groundless fabrication.

In China, the rights of prisoners while serving their sentences are protected by law.

According to China's law, all prisoners, with exception of those who have been legally deprived of their political rights, have the right to vote. Prisoners also have the right to appeal, the right of defense, the right of immunity from insult to their dignity and from infringement of personal security and of legal property, the right of complaint, the right of accusation, and other civic rights which have not been curtailed by the law.

Convicted criminals, while serving their sentences, have the right to contact family members and other relatives regularly by correspondence or visits. If an important event happens in a criminal's family such as critical illness or the death of a directly-related family member, and if it is really necessary for the criminal himself to go back home to handle matters, he can be permitted to go home for a short period of time.

While serving their sentences, prisoners can read newspapers, magazines and books, watch television, listen to the radio, and take part in recreational and sports activities that are beneficial to the body and mind. In prisons and reform-through-labor institutions there are libraries where criminals can go to read. Like ordinary citizens, prisoners who are serving their sentences have the freedom of religious belief. Prisoners with religious beliefs can maintain their beliefs, and allowances are made for the customs and habits of prisoners

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of minority nationalities.

Prisoners are accorded the material treatment necessary in their daily lives. The state covers their living and medical expenses, and their grain, edible oil and non-staple food rations are set according to the same standards for local residents. All prisons and reform-through-labor institutions are staffed with an appropriate number of doctors; in professional medical institutions, medical facilities and hospital beds are set aside in prisoners' exclusive service: on an average, there are 14.8 hospital beds for every thousand prisoners, and those critically ill are sent to hospitals outside the prison for treatment or, on approval, may seek medical treatment on bail according to law. Prisoners' needs for medical care are guaranteed.

The people's procuratorates provide legal supervision of the protection of criminals' legitimate rights and interests. They send full-time prosecuting attorneys to jails and other places of surveillance to check whether the working and living facilities and conditions and the surveillance work are legitimate, to hear the opinions of those under surveillance, accept and look into their complaints and appeals, and deal with violations of law promptly when discovered.

The prisons and reform-through-labor institutions in China are not designed merely to punish the criminals but to educate them and turn them into law-abiding citizens by organizing them to take part in physical labor, learn legal and ordinary knowledge and master productive skills. Prisoners who have taken educational or technical training courses and passed examinations given by local education or labor departments are given certificates corresponding to their levels of education or technical grades. The validity of such certificates is recognized in society. By the end of 1990, about 720,000 certificates for literacy or diplomas for completing courses up to the college level had been issued to those serving terms in prisons and reform-through-labor institutions; over 510,000 had attended various technical training courses, and 398,000 received certificates of technical qualification. Prisoners thus find it easier to find jobs on release after serving their sentence.

China's law stipulates that prisoners who

really show repentance and have rendered meritorious service can, upon rulings of the people's courts, have their sentences commuted or be put on parole. In 1990, 18 percent of the criminals in custody were accorded such treatments.

Thanks to the humanitarian, scientific and civilized management of the prisons and reform-through-labor institutions, the recidivism rate has for many years stood at 6-8 percent. Many prisoners have returned to society and become key members or engineers in their enterprises, and some of them have become model workers or labor heroes. Compared with the situation in one developed country in the West, where, according to 1989 judicial statistics, 41.4 percent of ex-prisoners returned to jail, China has come a long way in reforming and educating criminals. China's prisons and reform-through-labor institutions have won global acclaim for their achievements in turning the overwhelming majority of criminals, including the last emperor of the feudal Qing Dynasty and war criminals, into law-abiding citizens and qualified personnel helpful to the country's development.

6. Prison Labor

China's law stipulates that all prisoners able to work should take part in physical labor. This is also the practice adopted in many countries worldwide. China's policy of reforming criminals through labor is designed to help those serving prison terms mend their old ways by acquiring the labor habit and fostering a sense of social responsibility, discipline and obedience to the law. This policy enables criminals in custody to stay healthy through a regular working life and avoid feelings of depression and apathy resulting from a prolonged monotonous and idle prison life. It also helps them learn productive skills and knowledge of one kind or another so that they can find a job after being released from prison and avoid committing new crimes because of difficulties in making a living. China's policy of reforming criminals through labor is not simply for the purpose of punishment; it is a humanitarian policy conducive to the reform, and the physical and mental health, of the criminals.

By the Chinese law, criminals work for no more than eight hours a day and take time off

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during holidays and festivals; they are entitled to the same grain, edible oil, and non-staple food rations and the same labor and health protection as accorded to workers of state-run enterprises engaged in the same type of work; those who overfulfill their production quotas are given bonuses and those holding technical titles at and above the middle grade are entitled to monthly technical allowances and opportunities of on-the-job vocational and technical training.

Prison labor products are mostly used to meet the needs within the prison system, and only a small quantity enters the domestic market through normal channels. The export of prison products is prohibited. China's foreign trade departments, which handle the export of Chinese commodities in a unified way, have never granted foreign trade rights to reform-through-labor institutions.

7. Education through Labor and the Rights of Those Being Educated through Labor

The work of education through labor in China is based on the 1957 Decision on Education through Labor and other regulations adopted by the Standing Committee of the National People's Congress. Education through labor is not a criminal but an administrative punishment. Education-through-labor administrative committees have been set up by the people's governments of various provinces, autonomous regions, municipalities as well as large and medium-sized cities, and the work is under the supervision of the people's procuratorates. It is stipulated that those eligible for education through labor should meet the requirements of relevant laws and regulations. For example, they should be at or above the age of 16 and have upset the public order in a large or medium-sized city but refused to mend their ways despite repeated admonition, or they have committed an offense not serious enough for criminal punishment. The decision to put a person under education-through-labor is made through a strict legal procedure and under a system of legal supervision in order to avoid subjecting the wrong person to the program.

After the education-through-labor administrative committee has according to related regulations made the decision to put a person an education-through-labor program ranging

from one to three years, the person and his family members are entitled to be informed about the reasons for the decision and the duration of the program. If the person takes exception to the decision, he may appeal to the administrative committee or lodge a complaint with the people's court according to the Law of Administrative Procedure. If the education-through-labor institution finds that the person does not conform to the qualifications for the education-through-labor program or that he should have been sentenced to criminal punishment, it may report the case to the reeducation-through-labor administrative committee for review.

Those undergoing education through labor are entitled to civic rights prescribed by the Constitution and the law, except that they must comply with the measures taken according to the regulations on education through labor to restrict some of their rights. For instance, they are not deprived of their political rights and have the right to vote according to law; they have the freedom of correspondence and the right to take time off during festivals and holidays; during the period of education through labor they are allowed to meet with their family members, those who are married can live together with their spouses during visits, and they can be granted leave of absence or go home to visit family members during holidays. Those who have acquitted themselves well while being educated may have their term reduced or be released ahead of time. Every year about 50 percent of the people undergoing the education-through-labor program have their term reduced or are released ahead of time.

The education-through-labor institutions follow the policy of educating, persuading and redeeming the offenders, with the emphasis on redeeming. Classes are opened, and instructors assigned, in these institutions to conduct systematic ideological, cultural and technical education. Offenders under the education-through-labor program work no more than six hours every day.

An average of 50,000 people have been brought under the education-through-labor program annually since it was instituted. The overwhelming majority of those who have been reeducated have turned over a new leaf, and

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many have become valuable participants in building the country. According to surveys conducted over the last few years, only 7 percent of those released from the education-through-labor program have lapsed into offense or crime. The program has done what families, workplaces and schools cannot do: to prevent those who have dabbled in crime from committing further anti-social actions and breaking the law and to turn them into constructive members of society. Both the public and family members of the offenders speak highly of the program for its role in forestalling and reducing crime and maintaining public order.

China's public security and judicial organs have carried out their responsibilities strictly according to law and played an important role in protecting and guaranteeing the citizens' rights and freedoms. That explains why China has long been one of the countries with the lowest incidence of criminal cases and crime rate in the world. In 1990, the incidence of criminal cases and crime rate in China were 2 per thousand and 0.6 per thousand respectively, considerably lower than the figures in some developed Western countries, which ran as high as 60 per thousand and 20 per thousand respectively.

V. Guarantee of the Right To Work

A citizen's right to work is the essential condition for his right to subsistence. Without the right to work, there will be no guarantee for the right to subsistence. The Constitution and the law provide that citizens have the right to work, rest, receive vocational training and be paid for their labor and that they have the right to labor protection and social security.

Having a job is the direct embodiment of the right to work. In China, with its large population and weak economy, employment is an outstanding social issue. In old China, corruption on the part of the Kuomintang government and the civil war it unleashed led the national economy to overall collapse and the bankruptcy of large numbers of industrial and

commercial enterprises. By the beginning of 1948, 70-80 percent of the factories in Tianjin had shut down; in Guangdong, the number of factories shrank from more than 400 to less than 100; and in Shanghai, numerous factories were closed down and the 3,000-odd factories that survived had to run at 20 percent of their normal capacity. Numerous workers lost their jobs as a result of the massive number of industrial and commercial closedowns. By 1949, the year the nation was liberated, 4,742,000 workers, or 60 percent of the nation's total, were jobless. Such was the heavy social burden New China inherited from the old society.

After the founding of New China, the people's government attached great importance to this problem and took various practical measures to ensure employment. In less than four years, virtually all the unemployed left over from old China started work again. Since then, with the annual population growth of 14 million, employment has always been a cardinal issue in China's economic life. For a considerably long period of time, job-waiting people in urban areas basically counted on the government for job placements and most of them were employed in public works. Since the policy of reform and opening to the outside world was adopted in 1979, China has instituted a multi-ownership economic system with public ownership of the means of production taking the dominant position. The employment system whereby the state assigns virtually all the jobs has been revamped and the principle has been carried out to open up all avenues for job opportunities by combining the efforts in three fields—job placements by labor departments, employment in enterprises organized by those who need jobs, and self-employment. Labor companies have been established in the service of job-seekers, and vocational training has been expanded to improve the laborer's qualities and provide them with as many job opportunities as possible. To solve the problem of employment of the rural surplus labor force resulting from the development of production and the improvement of productivity, the government has devoted major efforts to setting up rural enterprises and encouraged farmers to develop industrial and sideline occupations along specialized lines and on a household basis. Thus those farmers who have quit farming can have work

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to do without leaving their villages. Meanwhile, plans have been made for some of the surplus laborers to work in cities. In the economic rectification designed to raise the economic efficiency of enterprises and deepen their reform, a number of enterprises have been closed down, suspended, merged or switched to other lines of production in the last couple of years. The government, attaching great importance to the resettlement of the workers in these enterprises, has provided short- or medium-term training so that they can adapt to their new jobs quickly. In 1990, the number of workers in urban and rural areas reached 567 million, about 3.1 times what it was in 1949; the number of employees in cities and towns topped 147.3 million, 9.6 times that in 1949; and the urban and rural unemployment rate stood at only 2.5 percent.

In old China, women, who accounted for half of the nation's total population, not only suffered class oppression, but also had no right in the family, because of failure to gain economic independence. Those who were able to find jobs in society were subjected to every kind of discrimination. In New China, women enjoy the same right to work as men. The government devotes major efforts to developing social welfare, including nurseries and kindergartens, and encourages women to take up jobs, enabling them to acquire economic as well as political independence. The state law and policies provide special protection for women's employment. The Constitution provides the principle of equal pay for equal work to men and women alike. The government labor department intervenes and ensures that the mistake is corrected promptly whenever women are found to be discriminated against in their work units, and it stipulates that women get their normal pay during maternity leave. As a result, the number of employed women has been increased steadily, and their field of employment constantly expanding. Nowadays, women's employment rate has exceeded 96 percent in town and the countryside, trailing behind that of men's by less than two percentage points.

College graduates' employment is fully guaranteed in China. The situation is a far cry from old China, when graduation was synonymous to unemployment for college students. Since the founding of New China, the govern-

ment has followed the policy of unified job assignment for all college graduates and thus ensured that every one of them has the opportunity to work. In the past 10 years, the government has reformed the job assignment system by combining the students' own choices with the state's guarantee of jobs. The state sees to it that, in light of the needs of various areas in economic development, every college graduate is provided with a suitable job on a voluntary basis. This is why unemployment is out of the question for college graduates in China.

In socialist China, the government guarantees the basic necessities of every worker and his family and sees to it that their life gradually improves with economic growth. Although Chinese workers have relatively low monetary wages, they enjoy a large amount of subsidies, including financial subsidies for housing, children's attendance at nursery and school and staple and non-staple foods, as well as social insurance such as medical treatment, industrial injury and retirement pension and many other welfare items, which are not counted in the wages. Statistics indicate that urban residents in China pay only 3-5 percent of their living expenses for housing, communication and medical treatment. Since China carried out reforms in 1979, past payment measures have been modified. On the basis of economic growth and labor-productivity increase, workers' wage levels have been raised proportionally. Therefore, the wage levels of workers have increased rapidly, and there has been an obvious improvement in the consumption level of all Chinese residents. Statistics in 1990 showed that the average consumption level per capita of urban residents had increased from 149 yuan in 1952 to 1,442 yuan, an inflation-adjusted increase of 3.8 times.

China pays close attention to labor protection and has issued 1,682 laws, rules and regulations in 29 categories in this regard, while 28 provinces, autonomous regions and municipalities directly under the central government have their own local laws and regulations for labor protection. In addition, 452 articles of state technical standards regarding occupational safety and hygiene have been enacted throughout the country. China has established a state supervision system insuring labor safety, hygiene, protection for female workers and

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a work-hour and vacation schedule. So far more than 2,700 labor supervision institutions have been set up throughout China with some 30,000 supervisory personnel. The duty of the supervision institutions is to monitor the work of enterprises and their management with regard to labor safety and hygiene so as to stimulate the enterprises to improve working conditions constantly.

China adopts the policy of "safety first and prevention first" in labor protection, and combines state inspection with enterprise management and worker supervision. The government requires that 10 to 20 percent of the enterprise's annual renovation fund be used for labor safety and hygiene. Labor protection is regarded by the state as an important factor in appraising the management skill of an enterprise. In cases of casualties, an investigation will be conducted to look into the responsibility of the leaders and personnel concerned.

China provides free medical service in the urban state institutions and undertakings and co-operative medical service in most rural areas. Thus both urban and rural workers are assured of medical care. Those wounded or disabled on the job are provided living expenses from the state or the collective. In order to raise the level of labor protection, China has set up many testing centers for occupational safety and hygiene and labor-safety education offices. Dozens of universities have established safety-engineering departments. Labor and industry departments have set up scores of scientific research institutes which attempt to strengthen labor safety and improve working conditions for workers through scientific research, designing, production, usage and management. Compared with the Sixth Five-Year Plan period (1981-85), these efforts resulted in a 9.53 percent decrease in on-duty deaths and a 37.95 percent decrease in serious injury in state-owned and large collective enterprises during the Seventh Five-Year Plan period (1986-90).

The Chinese government pays special attention to the protection of female workers. In July 1988, the State Council promulgated Regulations on Labor Protection of Female Workers, laying down specific guidelines. For example, it is forbidden to make female workers engage in particularly strenuous work or work harmful to their physiological well-being. Also

stipulated are concrete protections for female workers during the menstrual period, and also during pregnancy, maternity leave and breastfeeding, at which periods, their basic wages must remain the same and their work-contracts cannot be terminated. In recent years, a special fund has been established in many places to offer living subsidies to women during breastfeeding and leave.

Chinese workers are the masters of their enterprises. Workers' interests are closely connected with the enterprises' prosperity, and there is no conflict of fundamental interests between the managers and the workers. This reality determines that China's system of protecting workers' rights is different from that under the wage-labor system. According to China's Law Concerning the Industrial Enterprises Owned by the Whole People, workers can directly participate in the formulation and supervision of regulations concerning the enterprise's operation, management, labor, personnel, wage, welfare, social security, collective welfare, etc. through the workers congress. China's trade unions play a particularly important role in the protection of workers' right to work. Since China adopted the policy of reform and opening to the outside world in 1979, trade unions have accomplished the following five tasks: They have, first, actively practiced and improved the system of workers' congresses; second, set up various workers' schools to perfect the education system; third, organized labor emulation drives and mobilized workers and staff to overfulfill state plans; fourth, protected workers' material and spiritual interests and guaranteed their welfare; and fifth, set up committees to deal with labor disputes.

In July 1987, the State Council issued the Interim Rules on Labor Disputes in State-Owned Enterprises. Aimed at readjusting labor relations in state-owned enterprises, this administrative law deals with disputes arising from the implementation of labor contracts and the dismissal of workers who violate discipline. Institutions specialized in handling these disputes include the enterprise labor dispute mediation committee, local labor dispute arbitration committee and the people's court. Most disputes are resolved through mediation by the committees. Only a minority of cases are settled through arbitration or by the people's

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court. Incomplete statistics show that in 1990 enterprise labor dispute mediation committees and local labor dispute arbitration committees throughout China handled 18,573 labor dispute cases and settled 16,813, of which 15,881 were settled through mediation with a success rate as high as 94 percent. Only 932 cases were settled through arbitration, about 6 percent of the total decided cases. There were only 218 cases settled through court suit after arbitration failed, accounting for about 1.2 percent of the total number of completed cases.

The Chinese government attaches great importance to labor legislation. In accordance with the Constitution, the State Council and state labor administration departments have promulgated laws and regulations regarding wages, welfare, worker safety and health, as well as vocational training and grading, working and resting hours, trade unions and democratic management of enterprises. At present, the drafting of a labor law is under way.

VI. Citizens Enjoy Freedom of Religious Belief

There are many religions in China, such as Buddhism, Daoism, Islam, Catholicism and Protestantism. Among them Buddhism, Daoism and Islam are more widely accepted. It is difficult to count the number of Buddhist and Daoist believers, since there are no strict admittance rites. Minority nationalities such as the Hui, Uygur, Kazak, Tatar, Tajik, Uzbek, Kirgiz, Dongxiang, Salar and Bonan believe in Islam, a total of 17 million people. There are 3.5 million and 4.5 million people in China following Catholicism and Protestantism respectively.

China's Constitution stipulates that citizens enjoy freedom of religious belief. The state protects normal religious activities and the lawful rights and interests of the religious circles. The Criminal Law, Civil Law, Electoral Law, Military Service Law and Compulsory Education Law and some other laws make clear and

specific provisions protecting religious freedom and equal rights of religious citizens. No state organ, social organization or individual may compel citizens to believe in, or not to believe in, any religion; nor may they discriminate against citizens who believe in, or do not believe in, any religion. State functionaries who illegally deprive a citizen of the freedom of religious belief shall be investigated, and legal responsibility affixed where due according to Article 147 of the Criminal Law.

The government has established departments of religious affairs responsible for the implementation of the policy of religious freedom. During the "cultural revolution," the government's religious policy was violated. After the "cultural revolution," especially since China initiated the reform and opening to the outside world, the Chinese government has done a great deal of work and made notable achievements in restoring, amplifying and implementing the policy of religious freedom and guaranteeing citizens' rights in this regard.

With the support and help of the Chinese government, religious facilities destroyed during the "cultural revolution" have gradually been restored and repaired. By the end of 1989, more than 40,000 monasteries, temples and churches had been restored and opened to the public upon approval of the governments at various levels. Houses and land used for religious purposes are exempted from taxes. Temples, monasteries and churches which need repair but lack money get assistance from the government. Since 1980, financial allocations from the central government for the maintenance of temples, monasteries and churches have reached over 140 million yuan. The maintenance of the Potala Palace in Tibet received 35 million yuan from the government. Local governments also allocated funds for the maintenance of temples, monasteries and churches.

There are now eight national religious organizations in China. They are: the China Buddhist Association, the China Daoist Association, the China Islamic Association, the Chinese Patriotic Catholic Association, the National Administration Commission of the Chinese Catholic Church, the Chinese Catholic Bishops College, the Three-Self Patriotic

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Movement Committee of the Protestant Churches of China and the China Christian Council. There are also 164 provincial-level and more than 2,000 county-level religious organizations. All religious organizations and all religious citizens can independently organize religious activities and perform their religious duties under the protection of the Constitution and the law. There are 47 religious colleges in China, such as the Chinese Institute of Buddhist Studies, the Institute of Islamic Theology, the Jinling Union Theological Seminary of the Chinese Protestant Churches in Nanjing, the Chinese Catholic Seminary and the Chinese Institute of Daoist Studies. Since 1980, more than 2,000 young professional religious personnel have been graduated from religious colleges and more than 100 religious students have been sent to 12 countries and regions of the world for further studies. China has more than ten religious publications and about 200,000 professional religious personnel — nearly 9,000 of them are deputies to the people's congresses and members of the Chinese People's Political Consultative Conference at various levels. Along with deputies and members from other circles, they participate in discussions of state affairs and enjoy equal democratic rights politically.

In China, because of these policies, different religions and religious organizations as well as religious people and non-religious people respect each other and live in harmony.

The religious freedom that Chinese citizens enjoy under the Constitution and the law entails certain obligations stipulated by the same. The Constitution makes it clear that no one may make use of religion to engage in activities that disrupt public order, impair the health of other citizens or interfere with the state's educational system. Those who engage in criminal activities under the subterfuge of religion shall be dealt with according to law, whether they are religious people or not. Law-breaking believers, like other law-breaking citizens, are dealt with according to law. Among the religious people who were dealt with according to law, some were engaged in subversion against the state regime or activities endangering national security, some instigated the masses to defy state laws and regulations, others incited

the masses to infighting that seriously disturbed public order, and still others swindled money, molested other people physically and mentally and seduced women in the name of religion. In short, none of them were arrested only because of their religious beliefs.

Guided by the principles of independence, self-rule and self-management, Chinese religions oppose any outside control or interference in their internal affairs so as to safeguard Chinese citizens' real enjoyment of freedom of religious belief. Before the founding of the People's Republic of China, China's Catholic and Protestant churches were all under the control of foreign religious forces. Dozens of "foreign missions" and "religious orders and congregations" carved out spheres of influence on the Chinese land, forming many "states within a state." At that time there were 143 Catholic dioceses in China, but only about 20 bishops were Chinese nationals — and they were powerless — a good indication of the semi-feudal and semi-colonial nature of the old Chinese society. Chinese Catholic and Protestant circles resented this state of affairs and, as early as in the 1920s, some insightful people proposed that the Chinese church do its own missionary work, support itself and manage its own affairs. But these proposals were not realized in old China. After the founding of New China, Chinese religious circles rid themselves of foreign control and realized self-management, self-support and self-propagation. The Chinese people finally control their own religious organizations.

The Chinese government actively supports Chinese religious organizations and religious personnel in their friendly exchanges with foreign religious organizations and personnel on the basis of independence, equality and mutual respect. International relationships between religious circles are regarded as part of the non-governmental exchange of the Chinese people with other peoples of the world. In recent years, Chinese religious organizations have established and developed friendly relations with more than 70 countries and regions and sent delegations to many international religious conferences and symposiums. Chinese religious groups have joined world religious groups such as the World Fellowship of Buddh-

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ists, the Supreme Council for Islamic Affairs, the World Conference on Religion and Peace, the Asian Conference on Religion and Peace and the World Council of Churches. Since 1955, excluding the "cultural revolution" period, the Chinese Muslims have never stopped their pilgrimages to Mecca. The Chinese government has offered all kinds of facility and assistance for these trips. Between 1955 and 1990 more than 11,000 Chinese Muslims participated in the Mecca pilgrimages, several dozen times the total before the founding of New China. In recent years the annual number of pilgrims has surpassed 1,000 — 1,500 in 1987, 1,100 in 1988, 2,400 in 1989, 1,480 in 1990, and 1,517 in 1991.

VII. Guarantee of the Rights of the Minority Nationalities

China is a unified, multi-national country, with 56 nationalities in all. The Han people take up 92 percent of the total population of the country, leaving 8 percent for the other 55 nationalities. To realize equality, unity and common prosperity among the nationalities is China's basic principle guiding relationships between nationalities. The Constitution provides that all nationalities in the People's Republic of China are equal. The state protects the lawful rights and interests of the minority nationalities and upholds and develops the relationship of equality, unity and mutual assistance among all of China's nationalities. Discrimination against and oppression of any nationality are prohibited, and any acts that undermine the unity and create splits among the nationalities are also prohibited. The Constitution clearly stipulates that in striving for unity among all its nationalities, China opposes great-nation chauvinism, especially great-Han chauvinism, as well as local nationalism.

In old China, severe national discrimination and oppression existed over a long period of time. Many of the minority nationalities, who were in straitened circumstances and not

countenanced, had to hide in the mountains and live a life of seclusion from the outside world.

After the People's Republic of China was founded in 1949, discrimination against and oppression of minority nationalities were abolished and their condition underwent a thorough change. In the 1950s, the Chinese government organized a large-scale investigation for identification of the nationalities. After scientific differentiation, 55 minority nationalities were acknowledged and this fact was announced publicly. Most of the minority nationalities, for the first time in China's history, became equal members of the great family of Chinese nationalities.

New China brought about the system of regional autonomy for minority nationalities. Organs of self-government were set up in regions where people of minority nationalities live in compact communities, and the internal affairs of the minority nationalities were handled by themselves. At present, there are throughout the country 159 national autonomous areas, including five autonomous regions, 30 autonomous prefectures and 124 autonomous counties (or banners). National autonomous areas exercise all rights of self-government in accordance with the Law of the People's Republic of China on Regional National Autonomy and may work out autonomous rules and specific regulations according to local political, economic and cultural characteristics. Without violating the Constitution and the law, autonomous regions have the right to adopt special policies and flexible measures; autonomous organs can apply for permission to make alterations or desist from implementing resolutions, decisions, orders and instructions made by higher-level state organs if they are not in accordance with the situation in autonomous regions. Organs of self-government have the right to handle local financial, economic, cultural and educational affairs. In regions where people of a number of nationalities live together or in scattered communities, more than 1,500 national townships were established so as to enable minority nationalities to enjoy equal rights to the fullest.

In New China the political rights of minority nationalities are ensured.

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Before liberation, the minority nationalities, like the majority of the Han people, suffered under severe oppression by the reactionary ruling class. The oppression in some areas took more savage and cruel forms than in others. For instance, in old Tibet, over 95 percent of Tibetans, from generation to generation, were serfs attached to officials, nobles and lamaseries. According to the 13-Article Code and the 16-Article Code which had been enforced for several hundred years in old Tibet, Tibetans were divided into three classes and nine grades. The lives of ironsmiths, butchers and women, who were declared an inferior grade of inferior class in explicit terms, were as cheap and worthless as a straw rope. This feudal serf system with its hierarchy of three classes and nine grades was bolstered by cruel punishments such as gouging out eyes, cutting off feet, removing the tongue, chopping off hands and arms, pushing an offender off a cliff or drowning. Under such circumstances, the human rights of the majority of laboring people were out of the question.

After New China was founded, the old system was abolished and democratic reforms were carried out in one minority area after another. In Tibet, the serfs shook off their chains, and are no longer serf-owners' private property that can be bought, sold, transferred, bartered or used to clear a debt, no longer to suffer the above-mentioned savage punishments, and no longer divided into the three classes and nine grades. Thanks to the democratic reform, the minority nationalities, oppressed for generations, obtained the freedom of person and human dignity, won basic human rights and for the first time became masters of their own destiny.

Today, the minority nationalities, as equals of the Han nationality, enjoy all the civil rights which are set down in the Constitution and the law. In addition, the minority nationalities enjoy some special rights accorded to them by law.

The right of the minority nationalities to participate in the exercise of the supreme power of the state is specially protected. The Constitution stipulates that "all the minority nationalities are entitled to appropriate representation" in the National People's Con-

gress (NPC), the highest organ of state power. The proportion of deputies elected by the minority nationalities to the NPC in the total number of NPC deputies is always about twice as large as the proportion of members of the minority nationalities in the country's total population. Of the deputies to the Seventh National People's Congress, 455 or 15 percent come from minority nationalities. And even the Loba, Hezhe and Monba nationalities, with only several thousand people, are represented in the NPC.

The local people's congress is the local organ of state power. As prescribed in China's Electoral Law, in areas where the people of minority nationalities live in compact communities, each minority nationality of a compact community should have its own deputies to the local people's congress. The law also has stipulations for special consideration to be given to the deputies from each minority nationality in the election. According to these stipulations, if the total population of a minority nationality in a region where people of minority nationalities live in compact communities is less than 15 percent of the total population of the region, the population that each deputy of the minority nationality represents can be less than the population that each deputy to the local people's congress represents.

The Chinese people of all nationalities are eligible to hold any posts in the state organ and government departments. In this respect, there is also no discrimination against the minority nationalities. For instance, not a few members of minority nationalities are holding or once held such high-ranking state posts as vice-president of the state, vice-chairman of the Standing Committee of the NPC, vice-premier of the State Council, president of the Supreme People's Court, and vice-chairman of the National Committee of the Chinese People's Political Consultative Conference (CPPCC). The Law on Regional National Autonomy prescribes that citizens of the minority nationality that exercises regional national autonomy should serve as director or deputy-director of the standing committee of the people's congress of the autonomous region; and the chairman of the regional autonomous government and head of the administration of the autonomous pre-

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fecture and the autonomous county should be citizens of the nationality that exercises self-government. The staff and officials of the people's governments of the autonomous regions, and of the departments affiliated to them, should include members of the nationality that exercises regional national autonomy and members of other minority nationalities. Statistics show that in 1989 the number of minority officials made up 17.27 percent of the total number of directors and deputy-directors of the standing committees of the people's congresses of various provinces, autonomous regions and municipalities directly under the central government. The number of minority officials made up 12.66 percent of the governors or vice-governors of provinces, mayors or deputy-mayors of municipalities, and chairmen or vice-chairmen of autonomous regions. Of the directors or deputy-directors of the standing committees of the people's congresses at levels of city, prefecture and autonomous prefecture, minority officials reached 14.20 percent. The number of minority officials among mayors or deputy-mayors, commissioners and directors of prefectures took up 11.90 percent. Of the directors or deputy-directors of the standing committees of the people's congresses at the county level, minority officials totalled 17.30 percent. Minority officials made up 15.16 percent of county magistrates. All these proportions surpass 8 percent which is the proportion covered by the population of the minority nationalities in the total population of the country.

The state always pays close attention to training cadres from among people of minority nationalities. In recent years, the number of minority nationality cadres has gone up at a rate of more than 10,000 people annually. Now there are 37,000 Tibetan cadres throughout Tibet, making up 66.6 percent of the total number of cadres; this breaks down to about 72 percent at autonomous-region level and 61.2 percent at county level. The number of Mongolian cadres accounted for 50 percent of the total number of cadres in Inner Mongolia Autonomous Region.

The rights of the national autonomous regions to economic, cultural and social development are given special consideration. Before

the founding of the People's Republic of China, the economic, cultural and social development in minority areas was extremely backward. At that time, some areas were still at the stage of primitive clan communes, with people practicing slash-and-burn cultivation. The minority nationalities lived in dire poverty. The average life expectancy was only 30 years, and epidemic diseases were rampant, with the result that the population decreased year after year. After the founding of New China, the people's government actively helped the minority nationalities develop their economies and culture in an effort to change their outdated mode of production. This enabled them to leap over several historical stages of social development. Now most of the minority nationalities have solved the problem of food and clothing, and the total population of the minority nationalities increased from 35 million in 1953 to 91.20 million in 1990. The growth rate of the population of minority nationalities is faster than that of the Hans. The average life expectancy of the minority nationalities is over 60, an increase of more than 30 years over the past.

In order to help minority nationalities develop their economies, the state has carried out economic construction on a large scale in minority areas. In some of these areas where there was no industry at all in the past, many large modern industrial enterprises have been set up. These include the Karamay Oilfield in Xinjiang Uygur Autonomous Region, the Baotou Iron and Steel Co. in the Inner Mongolia Autonomous Region, the Longyang Xia Hydroelectric Power Station in Qinghai, the Daba Power Plant in Guizhou, the Yangbajin Thermal and Power Station in Tibet, the Guizhou Aluminium Works in Guizhou, the Hologol River Coalfield in Inner Mongolia, the North Xinjiang Railway in Xinjiang, the Sichuan-Tibet Highway and the Qinghai-Tibet Highway. Before liberation, there were no highways worthy of the name in Tibet. When the British wanted to send a car to the Dalai Lama as a gift, it had to be dismantled and carried to Lhasa by yak-back. At present, a highway network centered on Lhasa has been built, its mileage reaching 21,800 kilometers, and many domestic and international airlines have already opened. The state always gives aid in the

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form of labor, material and financial resources to national autonomous regions. Today the central government provides subsidies totalling nearly 8 billion yuan a year to minority areas in eight provinces and autonomous regions. Of them, Tibet receives more than 1.2 billion yuan. Besides, the state also allocates special funds totalling 600 million yuan a year to aid minority areas, such as development funds to support underdeveloped areas, subsidies for areas inhabited by minority nationalities, special investments in capital construction in frontier areas, as well as operating expenses to subsidize border construction. The government pursues a tax-reduction and tax-exemption policy towards poverty-stricken minority areas in addition to many special measures adopted to lighten their financial burdens, provide preferential investment for them and send them help in the form of brain power and wholesale contract to enable them to get rid of poverty. Special funds have been set up to supply food and clothing to minority areas. The government has also arranged for the economically developed areas to provide assistance to the economic construction in minority areas. The economic construction in minority areas has made great progress thanks to help from the state and efforts by the local people. The total output value of industry and agriculture of minority regions in 1949 was 3.66 billion yuan; of this, 3.12 billion yuan came from agricultural production and 540 million yuan from industrial production. In the same areas the total industrial and agricultural output value in 1990 came to 227.28 billion yuan, an increase of 23.6 times by calculating at 1980 constant price. Of this, the value of agricultural output was 97.776 billion yuan, up 8.1 times; and 129.506 billion yuan for industry, a hike of 135.5 times.

As for employment policy, the Chinese government has formulated a special policy for the minority nationalities. The government requires that state-owned enterprises in minority areas give precedence to local citizens of the minority nationalities over all others when recruiting workers, and that various local governments, when recruiting workers for state-owned enterprises, should employ minority farmers and herdsmen from rural and pastoral

areas in a planned way.

The Chinese government has greatly developed medical and health undertakings in the minority regions, tackling the problem of shortage of doctors and medicine that has existed for a long time there. In 1990, health organizations in those regions increased to 31,973, providing 359,830 hospital beds, and the ranks of doctors and nurses have grown to 488,600. While furthering the practice of modern medicine, the government encourages the development of traditional minority medical practice including the Tibetan, Uygur, Mongolian and Dai medicines. The central government has sent a large number of medical teams to minority regions. During the period from 1973 to mid-1987, the state organized medical teams totalling 2,600 persons from some dozen provinces and cities and sent them into Tibet.

The Chinese government has paid a great deal of attention to maintaining and developing the excellent traditional cultures of various nationalities, and made tremendous efforts to promote the culture and education of the minority nationalities. By 1990, there had been 75 institutions of higher learning established in minority areas where in previous years there were none. A total of 12 nationality colleges run specially for minority nationality students have been set up in different parts of the country. In addition, some well-known universities including Beijing University and Qinghua University run classes specially for minority nationality students. When enrolling new students, colleges and vocational secondary schools appropriately relax admission standards for minority examinees. The government has actively created conditions for teenagers living in pastoral and remote areas to receive education by establishing boarding schools in minority areas, where students coming from pastoral, mountainous and poverty-stricken areas usually enjoy grants-in-aid. The state has transferred many teachers from inland and coastal areas to remote minority regions to help expand educational undertakings there. Between 1974 and 1988, the number of teachers helping in Tibet alone numbered 2,969. The enrollment of minority students in colleges and universities throughout the country in 1989 was 102.4 times that of 1950; in ordinary middle

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schools, they totalled 70.3 times that of 1951; and in primary schools, 11.2 times that of 1951.

China's law stipulates that all minority peoples have the freedom to use and develop their own spoken and written languages. In the performance of their functions, the self-government organs in autonomous regions should use one or several locally used languages according to the regulations of autonomy set by the autonomous regions. Those organs which simultaneously use several commonly used languages in their work can give priority to the language of the nationality which exercises regional autonomy. The spoken and written languages of minority nationalities are equal to the Han language (Chinese) in judicial activities. Citizens of all nationalities have the right to use the language of their own nationality in legal proceedings. Trials in regions where minority nationalities live in compact communities or which are inhabited by many nationalities should be conducted in the commonly used language of the locality. Indictments, court verdicts, notices and other documents, if necessary, should be written in one or several local languages.

The central government supports minority nationalities in the development of culture and education through the use of their own languages and has helped ten minority nationalities create their own script. Both central and regional specialized publishing houses and news agencies were established to publish minority-language newspapers, magazines and books, which in 1989, according to statistics, were respectively 3.1, 7.6 and 5.8 times the number published throughout the country in 1952. People in minority regions can tune in to the Central People's Broadcasting Station every day to listen to programs in Mongolian, Tibetan, Uygur, Kazak and Korean languages. Each minority region runs radio and TV programs in one or several minority languages appropriate to the nationality population living there.

The Chinese government fully respects the traditional culture and customs of minority nationalities, supports various minority arts, and encourages minority people to go in for all forms of artistic and sports activities. People from minority areas can take holidays on their

own traditional festivals. Gold, silver and other raw materials are allotted in certain amounts by the government to the minority peoples for the production of the daily necessities or luxury articles including silks, satins, shoes, hats, jewelry, jade artifacts and gold or silver ornaments.

The disparity between the minority regions and the inland and coastal areas arose and developed over a long historical period. For more than 40 years since the People's Republic was founded, the Chinese government has made positive achievements in its effort to narrow the gap, promote social development and bring about a change for the better in the backward minority areas.

VIII. Family Planning and Protection of Human Rights

The Chinese government implements a family planning policy in the light of the Constitution, with the aim of promoting economic and social development, raising people's living standards, enhancing the quality of its population and safeguarding the people's rights to enjoy a better life.

China is a developing country with the biggest population in the world. Many people, little arable land, comparatively inadequate per-capita share of natural resources plus a relatively backward economy and culture — these features spell out China's basic national conditions.

The population which is expanding too quickly poses a sharp contradiction to economic and social development, the utilization of resources and environmental protection, places a serious constraint on China's economic and social development, and drags improvement of livelihood and the quality of the people. By the end of 1990, the mainland population had reached 1.14 billion. With such an immense population base, China, despite the implementation of birth control, still sees a yearly net increase of 17 million people, a number equal

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to the population of a medium-sized country. As for the per-capita area of cultivated land, it had dropped to 1.3 *mu*, representing only 25 percent of the world average. Similarly, the per-capita share of freshwater resources is just one quarter of the world average. China's grain production ranks first in the world, but divided among the population, the amount of grain per person accounts for just 22 percent of that in the United States. More than a quarter of the annual addition to the national income is consumed by the new population born during the same year. As a result, funds for accumulation have to be cut, and the speed of economic growth slowed down. The rapid swelling of the population has brought about many pressures on the country's employment, education, housing, medical care, and communications and transportation. Faced with the gravity of this situation, the government, in order to guarantee people's minimum living conditions and to enable citizens not only to have enough to eat and wear but also to grow better off, cannot do as some people imagine — wait for a high level of economic development to initiate a natural decline in birthrate. If we did so, the population would grow without restriction, and the economy would deteriorate steadily. Hence, China has to strive for economic growth by trying in every possible way to increase the productive forces, while at the same time practice the policy of family planning to strictly control population growth so that it may suit economic and social development. This is the only correct choice that any government responsible to the people and their descendants can make under China's given set of special circumstances.

It is universally acknowledged that China has achieved tremendous successes in family planning. The birthrate dropped by a big margin from 33.43 per thousand in 1970 to 21.06 per thousand in 1990, and the natural population growth dropped from 25.83 per thousand to 14.39 per thousand. In 1970, the child-bearing rate of Chinese women was 5.81, and the figure decreased to 2.31 in 1990. At present, the above three indicators are lower than the average level of other developing countries. To a certain extent, this success has mitigated the contradiction between China's ballooning

population and its economic and social development. It has played an important role in advancing socialist modernization and raising the living standard and the quality of the population. Also it has been an important contribution to the stability of the world's population.

The Chinese government, proceeding from national conditions, has fixed the target of population growth and formulated the following family planning policy: delayed marriage and postponement of having children, giving birth to fewer but healthier children, and one family, one child. Rural families facing genuine difficulties (including households with a single daughter) can have a second child after an interval of several years. Family planning is also being encouraged among minority nationalities to further their well-being and prosperity, and is based on the minority people's own free will. The specific requirements for minorities are different from those for Han families and are determined by the governments of autonomous regions and provinces according to the population, economy, resources, culture and customs of each nationality. Such a population policy, taking into account both the state's necessity to control population growth and the masses' real problems and degree of acceptance, tallies with China's actual economic and social situation and conforms to the people's fundamental interests. As experience proves, the policy has been understood and supported by the masses after thoroughgoing publicity and education. The fourth census showed that among the children born in 1989 throughout the country, the more-than-three-children birthrate dropped to 19.32 percent from 62.21 percent in 1970.

China adheres to the principle of combining government guidance with the wishes of the masses when carrying out its family planning policy. Since it involves all families, it would be impossible to put the policy into effect in a country with a population of more than 1.1 billion without the masses' understanding, support and conscientious participation. Family planning is also a reform of social custom and cannot possibly be carried out just by administrative orders. In the countryside, which is inhabited by 80 percent of the population,

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millennia-old traditional ideas remain influential, the economy is backward in some areas, and the social welfare and guarantee systems are still inadequate. People have real difficulties in their production and livelihood. Given these factors, the government has always given priority to tireless publicity and educational work among the masses to enhance public awareness that birth control, as a fundamental policy, has a direct bearing on the nation's prosperity and people's happy family life.

Government officials are required to take the lead in carrying out the policy and set a good example. In recent years, the Chinese Family Planning Association has set up more than 600,000 grass-roots branches with 32 million members to aid the masses in self-education, self-management and self-service, combining ideological education with helping the masses solve practical problems.

At the same time, the government has adopted some necessary economic and administrative measures as supplementary means. These measures are all adopted in keeping with the law, and with the ultimate aim of persuasion.

The family planning program puts contraception first, to protect the health of women and children. The government has made great efforts to spread scientific knowledge of contraceptive practices, and to provide couples of child-bearing age who do not want child with safe, efficacious, simple and inexpensive contraceptives and the choice of a birth-control operation. At present, about 75 percent of the couples of child-bearing age throughout the country are resorting to various kinds of contraceptive practices. All forms of forced abortion are resolutely opposed. Artificial abortion, only as a remedy for contraception failure, is performed on a voluntary basis and with guarantee of safety. In a situation of a notably lower birthrate, the ratio of annual births to artificial abortions is about the medium level in the current world. This has resulted from effective practices of contraception. Now China is adopting practical and effective measures to further lower the ratio.

China's population policy has two objectives: control of population growth and im-

provement in quality of the population. Work in this field not only encourages couples of child-bearing age to have fewer children but also provides them with mother care, baby care and advice on optimum methods of child-bearing and child-rearing. These services include pre-marriage check-ups, heredity consultation, pre-natal diagnosis and care during pregnancy to help couples have sound, healthy babies.

Drowning or abandoning female infants, a pernicious practice left over from feudal society, occurs much less often now, but has not been stamped out entirely in some remote areas. China's law clearly forbids the drowning of infants and other acts of killing them. The government has adopted practical measures for handling these kinds of criminal offenses according to law.

China's family planning policy fully conforms to Item 9 of the United Nations' Declaration of Mexico City on Population and Growth in 1984, which demands that "countries which consider that their population growth rate hinders their national development plans should adopt appropriate population plans and programs." It also accords with the UN World Population Plan of Action which stresses that every country has the sovereign right to formulate and implement its own population policy. Some people who censure China's family planning policy as "violating human rights" and being "inhuman" do not understand or consider China's real situation. But some others have deliberately distorted the facts in an attempt to put pressure on China and interfere in China's internal affairs. China has only two alternatives in handling its population problem: to implement the family planning policy or to allow blind growth in births. The former choice enables children to be born and grow up healthily and live a better life, while the latter one leads to unrestrained expansion of population so that the majority of the people will be short of food and clothing, while some will even tend to die young. Which of the two pays more attention to human rights and is more humane? The answer is obvious.

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IX. Guarantee of Human Rights for the Disabled

An estimate based on a sample survey in 1987 shows that in the mainland of China there are about 51 million disabled people, or 5 percent of the population. The Chinese government has paid close attention to the question of rights of the disabled and provided them special assistance and protection in order to reduce or eliminate the effects of disability and the external obstacles and guarantee their rights.

China's Constitution provides that the state guarantees that the disabled enjoy the same civic rights as the able-bodied. The Standing Committee of the National People's Congress adopted the Law of the People's Republic of China on the Protection of Disabled Persons in December 1990. This law, guided by the principles of "equality," "participation" and "co-enjoyment," stipulates that the disabled enjoy equal rights with other citizens and are protected from infringement. It also states that measures of support and help shall be taken to develop undertakings for the handicapped, promote their equal participation in social life and guarantee their share of the material and cultural achievements of society. Many important laws such as the Criminal Law, the Criminal Procedure Law, the General Principles of the Civil Law, the Civil Procedure Law, the Marriage Law, the Inheritance Law, the Electoral Law, the Military Service Law and the Compulsory Education Law, have special provisions guaranteeing the rights and interests of the handicapped.

In accordance with these laws, the Chinese government has worked out specific policies, rules and regulations to protect the rights and interests of the disabled. For example, the China Five-Year Work Program for People with Disability, the Several Viewpoints on Developing the Education for People with Disability, the Program for the Implementation of Three Rehabilitation Projects for People with Disability, the Circular on Tax Exemption for Private Business Run by Disabled People and the Circular on Tax Exemption for Social Wel-

fare Production Units. Authorities in some provinces, municipalities directly under the central government and autonomous regions have worked out local laws and regulations to safeguard the right and interests of the disabled. Many local governments have adopted concrete measures to provide the disabled with preferential assistance, treatment and care.

To guarantee the right of the disabled to elect and to be elected, China's Electoral Law stipulates that those who are unable to write their vote may ask others whom they trust to write for them. Appraisal of the mentally or intellectually handicapped who are unable to participate in elections has to be made by hospitals and other appropriate departments and approved by the election committees.

Chinese law guarantees the property rights and other civil rights and interests of the disabled. For the disabled who are unable to file a civil suit, the law stipulates requirements for their qualified guardians. The Inheritance Law of the People's Republic of China details measures protective of the right to inheritance of property of the disabled people who are unable to work and without resources. Chinese law also prohibits ill-treatment and abandonment of the disabled by family members. The disabled who cannot work or live independently have the right to require other family members to support them. The legal provider of a disabled person must fulfill his duty of supporting him.

The Chinese government and social organizations have made great efforts in ensuring rehabilitation, education, employment, cultural life, welfare and a good environment for the disabled.

Chinese laws prohibit discrimination, insult and injury against the handicapped or their ill-treatment and abandonment. Those who take advantage of the disability of the disabled to infringe upon their personal rights or other legitimate rights and interests and thus commit a criminal act will be punished severely according to law. Disabled violators of the criminal law will be exempted from criminal responsibility, or have their punishment mitigated or waived in full consideration of their intellectual, mental or physiological capacity in being responsible for their action. The laws also offer

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the disabled, especially the mentally or intellectually handicapped, who are involved in criminal, civil or administrative procedures, special protection of their procedural rights and the necessary legal assistance.

In March 1988, with approval of the Chinese government, the China Disabled Persons' Federation was established. The federation represents the common interests of all the disabled, protects their lawful rights and interests and mobilizes social forces to serve them. It has established its local branches on the basis of national administrative divisions. Federations of the disabled have been set up in all provinces, municipalities and counties, except in Taiwan. And grass-roots associations of the disabled have been set up in about one third of the townships, subdistricts and factories with a concentration of disabled workers. The federations help local governments to administer and develop undertakings for the handicapped and play an important role in safeguarding their rights. For example, the Beijing Federation of the Disabled has in recent years helped the government in doing five things: work out the Beijing Regulations on the Protection of Disabled Persons; mobilize society to open nearly 100 training courses for mentally retarded children, hearing and speech training courses for deaf children and work-rehabilitation centers for the mentally retarded and establish a community rehabilitation network of several levels; set up one school for the blind, four schools for deaf-mutes and six schools for mentally retarded children; find jobs for the urban disabled, raising their employment rate to 90 percent; and conduct a general survey and registration of five kinds of disabled persons in Beijing, building files, finding out the causes of child disability and recommending preventive measures. The country's unified organization of the disabled has played an important role in developing services for the disabled and has achieved great successes.

In order to help the disabled recover or remedy their capacities and enhance their participation in social life and ability to enjoy their rights, the State Council in 1988 approved the National Program of Three Projects for the Rehabilitation of the Disabled. The govern-

ment and society have poured huge human and material resources in the three rehabilitation projects: curing of cataracts, rectifying sequelae of polio, and hearing and speech training for deaf children. In the past three years 500,000 cataract operations have been performed with a success rate of 99.76 percent; 160,000 polio sequelae have been rectified with an effectiveness rate of 98.7 percent, enabling many young disabled to improve their limb functions, enter schools or take up jobs; and 10,000 deaf-mute children under seven have received speech training, with an effectiveness rate of 80 percent. Some deaf-mute children entered ordinary schools after they were rehabilitated, and some won first prizes in national children's poem recitation competitions. Every year the federation and health departments at all levels dispatch medical teams to cure cataract and polio patients in minority areas such as Xinjiang and Tibet and remote, impoverished and mountainous areas. These teams work under difficult conditions and yet their success has been remarkable.

A national network of community rehabilitation centers in both urban and rural regions is being built. About 2,300 grass-roots community rehabilitation centers, 750 handicapped-children's care centers and training classes, and 1,300 work-rehabilitation centers for the mentally and intellectually handicapped have appeared in cities and towns. The 16 neighborhood offices of the Shenhe District in Shenyang, Liaoning Province, have established handicapped children's pre-school education and care centers, along with a variety of disabled service programs for training, rehabilitation, welfare, match-making and social security funds.

China has made great efforts to develop education for the disabled by opening special classes in ordinary schools and setting up special education schools. Twenty-seven provinces, autonomous regions and municipalities directly under the central government, as well as 70 prefectures and cities have mapped out and implemented local education development programs for the disabled.

In the past three years various kinds of special education schools have increased annually by 20 percent, and the special classes in

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ordinary schools have doubled. The number of blind, deaf and mentally retarded pupils attending these special schools and classes increased by 30 percent every year. The number of disabled youth receiving higher education is constantly increasing. In the last two years about 4,700 self-taught disabled persons won college diplomas through special examinations.

The Chinese government, attaching great importance to vocational education for the disabled, has established for them 28 vocational education centers. The special education schools also offer professional skill training courses. The state has set up massage medical schools for the blind in Luoyang, Xian, Nanjing and Taiyuan. Each province and city also started courses and trained a large number of blind massage doctors. The Shanghai Technical School for Young Deaf-Mutes offers woodwork, metalwork and fine arts courses. Its graduates are employed in 16 provinces, autonomous regions and municipalities directly under the central government, and many of them have become engineers or assistant engineers.

The state has a preferential policy in developing education for the disabled. China's financial departments provide subsidies for special education. Apart from tuition-fees exemption and scholarships for the disabled students receiving compulsory education, there are also prizes to encourage and support self-taught disabled youths.

The Chinese government supports many welfare enterprises in which the disabled are employed. It supports them in every way, in their production, management, technology, funding, taxation and marketing. With the help of the government's preferential policy, welfare enterprises increased rapidly from 1,022 in 1979 to 42,000 in 1990. In the 1980s the number of handicapped people working in these enterprises increased by 67,000 each year, bringing the total to 750,000. Government organs and other institutions and enterprises also employ some handicapped people. At the same time, the country encourages the handicapped to open individual businesses.

At present, among the 5.18 million urban handicapped aged 16 to 59, about 2.60 million are employed. The employment rate is now at 50.19 percent. In rural areas there are about 17

million handicapped aged 16 to 59, and 10.30 million of them are engaged in raising crops or livestock. This means that 60.55 percent of the rural handicapped have jobs.

The government's cultural departments at all levels actively organize and support cultural, sport and recreational activities of the disabled, enriching their life and guaranteeing their equal cultural rights. Today, there are in China 1,770 centers for the disabled to carry out activities such as calligraphy, painting, photography, stamp collecting, track and field, ball games, chess, art performances and quizzes. The China Sports Association for the Disabled, established in 1983, has joined seven world handicapped sports organizations. At international games China's handicapped athletes have won nearly 400 medals, and set many world records.

By means of welfare measures such as aid, relief, subsidy, provisions, insurance and special care, the government has ensured and improved the livelihood of the disabled. There are 1.4 million disabled who are unable to work and have no legal providers and living resources. In rural areas, these people are protected under the five-guarantee system — the guarantees of food, clothing, housing, medical treatment and burial expenses — or live in welfare homes, while in urban areas, they are provided with regular relief or collective living facilities. Throughout China there are almost 40,000 welfare facilities capable of accommodating about 80,000 handicapped people. Governments at all levels offer preferential conditions for the handicapped by reducing or exempting taxes and fees in their work, education, medical care and living, cultural and recreational expenses. Customs duties have been reduced or exempted for special goods and equipment imported for the use of the handicapped. The blind can travel by public bus, trolley, underground and ferry free of charge.

The government and the Disabled Persons' Federation have paid attention to eliminating discrimination against and prejudice toward the disabled. Great efforts have been made to create a social environment in which the disabled are respected and helped. Tens of thousands of people, under the banner of "society

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for the disabled and vice versa," participated in activities such as the Day of the Disabled, Helping-the-Disabled Day and Humanitarian Publicity Week. The "Young Pioneers' Helping-the-Handicapped Activities" involving more than 10 million children have been going on for the past five years. Activities such as "building families for the handicapped and being friends to them" have been widely attended. China has set May 19 of each year as the legal "national day for helping the handicapped."

China is gradually expanding the building of obstacle-free facilities so that the handicapped can participate in social life more easily. Slope passages and handrails have been built for the convenience of the handicapped on streets and in shops, hotels, theaters, libraries, airports and other public places in Beijing, Shenzhen, Shanghai, Shenyang and Guangzhou.

China has actively participated in the international community's efforts to secure the rights and interests of the handicapped. In 1982, when the United Nations General Assembly designated the ten year period from 1983 to 1992 as the "United Nations Decade of Disabled Persons," the Chinese government accepted its World Program of Action Concerning Disabled Persons. The China Organizational Committee of the United Nations Decade of Disabled Persons, with the participation of 22 governmental departments and the China Disabled Persons' Federation, was formed to lead and co-ordinate the work. In 1987, upon approval by the Standing Committee of the National People's Congress, the Chinese government accepted the Convention Concerning Vocational Rehabilitation and Employment (Disabled Persons) passed by the International Labor Conference in 1983. Both the government and the organizations of the disabled in China have been praised by the United Nations and the international community for their endeavors and achievements in guaranteeing the human rights of the disabled. In 1988 UN Secretary-General Perez de Cuellar awarded the "Peace Messengers Award" and "Special Award" to China's organizations of the disabled.

X. Active Participation in International Human Rights Activities

China recognizes and respects the purposes and principles of the Charter of the United Nations related to the protection and promotion of human rights. It appreciates and supports the efforts of the UN in promoting universal respect for human rights and fundamental freedoms, and takes an active part in UN activities in the human rights field. China advocates mutual respect for state sovereignty and maintains that priority should be given to the safeguarding of the right of the people of the developing countries to subsistence and development, thus creating the necessary conditions for people all over the world to enjoy various human rights. China is opposed to interfering in other countries' internal affairs on the pretext of human rights and has made unremitting efforts to eliminate various abnormal phenomena and strengthen international cooperation in the field of human rights.

In April 1955, Chinese Premier Zhou Enlai signed the "Draft Final Communiqué of the Asian-African Conference" (also known as the "Bandung Declaration") at the Asian and African Conference held in Bandung, Indonesia. The communiqué declared that the conference fully supports the fundamental principles concerning human rights laid down in the UN Charter, and made the "respect for fundamental human rights and for the purposes and principles of the Charter of the United Nations" the first of the ten principles of peaceful coexistence. In May of the same year, Zhou Enlai, speaking at an enlarged session of the Standing Committee of the National People's Congress, said that "the ten principles contained in the Bandung Declaration also include respect for fundamental human rights and for the purposes and principles of the Charter of the United Nations.... All these are the principles that have been consistently advocated by the Chinese people and adhered to by China."

In his speech during the general debate at the 41st session of the United Nations General Assembly held in 1986, the Chinese foreign

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minister, when mentioning the 20th anniversary of the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights, pointed out that "the two covenants have played a positive role in realizing the purposes and principles of the UN Charter concerning respect for human rights. The Chinese government has consistently supported these purposes and principles." In September 1988, the Chinese foreign minister pointed out in his speech at the 43rd session of the United Nations General Assembly that the "Universal Declaration of Human Rights" is "the first international instrument which systematically sets forth the specific contents regarding respect for and protection of fundamental human rights. Despite its historical limitations, the Declaration has exerted a far-reaching influence on the development of the post-war international human rights activities and played a positive role in this regard."

China has taken an active part in the UN activities in the sphere of human rights. Since resuming its lawful seat in the United Nations in 1971, China has sent its delegation to attend every session of the UN Economic and Social Council and of the UN General Assembly, and has taken an active part in deliberation of human rights issues and stated its views on the issue of human rights, making its contributions to enriching the connotation of the concept of human rights. Chinese delegations attended as observers the UN Human Rights Commission's sessions in 1979, 1980 and 1981. China was elected a member of the Human Rights Commission at the first regular session of the UN Economic and Social Council and has been a member ever since. Since 1984 the human rights affairs experts recommended by China to the Human Rights Commission have been continually elected members and alternate members of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. The Chinese members have played an important role in the sub-commission. They have become members of the Working Group on Indigenous Populations and the Working Group on Communications affiliated to the sub-commission.

China has taken an active part in drafting

and formulating international legal instruments on human rights within the UN, and has sent delegates to participate in working groups charged with drafting these instruments, including the UN Convention on the Rights of Children, the International Convention on the Protection of the Rights of All Migrant Workers and Their Families, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, and the Declaration on the Protection of Rights of Persons Belonging to National, Ethnic, Religious and Linguistic Minorities. The meetings of these working groups paid much attention to the suggestions and amendments put forward by China. Since 1981 China has participated in every session of the governmental experts group organized by the UN Commission on Human Rights to draft the Declaration on the Right to Development and made positive suggestions until the Declaration on the Right to Development was passed by the 41st session of the UN General Assembly in 1986. China energetically supported the Commission on Human Rights in conducting worldwide consultation on the implementation of the right to development and supported the proposal that the right to development be discussed as an independent agenda item in the Human Rights Commission. China has always been a co-sponsor country of the Human Rights Commission's resolution on the right to development.

Since 1980 the Chinese government has successively signed, ratified and acceded to seven UN human rights conventions, namely the Convention on the Prevention and Punishment of the Crime of Genocide, the International Convention on the Suppression and Punishment of the Crimes of Apartheid, the Convention on the Elimination of All Forms of Discrimination against Women, the International Convention on the Elimination of All Forms of Racial Discrimination, the Convention Relating to the Status of Refugees, the Protocol Relating to the Status of Refugees, and the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punish-

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ment. The Chinese government has always submitted reports on the implementation of the related conventions, and seriously and earnestly performed the obligations it has undertaken.

China has always upheld justice and made unremitting efforts to safeguard the right of third world countries to national self-determination and to stop massive infringements on human rights. As is well known, China has for many years made unremitting efforts to seek a just and reasonable resolution of a series of major human rights issues, including the questions of Cambodia, Afghanistan, the occupied Palestinian and Arab territories, South Africa and Namibia, and Panama.

China pays close attention to the issue of the right to development. China believes that as history develops, the concept and connotation of human rights also develop constantly. The Declaration on the Right to Development provides that human rights refer to both individual rights and collective rights. This means a breakthrough in the traditional concept of human rights and represents a result won through many years of struggle by the newly-emerging independent countries and the international community, a result of great significance. In the world today the gap between the rich and the poor becomes wider and wider. Social and economic growth in many developing countries is slow, and one-third of the population in developing countries still live below the poverty line. To the people in the developing countries, the most urgent human rights are still the right to subsistence and the right to economic, social and cultural development. Therefore, attention should first be given to the right to development. China appeals to the international community to attach importance and give attention to the developing countries' right to development and adopt positive and effective measures to eliminate injustice and unreasonable practice in the world economic order. An earnest effort must be made to improve the international economic environment, alleviate and gradually eliminate factors disadvantageous to developing countries and establish a new international economic order. Factors which have a negative influence on the right to development, such as racism, colonialism, hegemonism and foreign aggression, occu-

pation and interference must be eliminated. A favorable international environment must be created for the realization of the right to development.

Over a long period in the UN activities in the human rights field, China has firmly opposed to any country making use of the issue of human rights to sell its own values, ideology, political standards and mode of development, and to any country interfering in the internal affairs of other countries on the pretext of human rights, the internal affairs of developing countries in particular, and so hurting the sovereignty and dignity of many developing countries. Together with other developing countries, China has waged a resolute struggle against all such acts of interference, and upheld justice by speaking out from a sense of fairness. China has always maintained that human rights are essentially matters within the domestic jurisdiction of a country. Respect for each country's sovereignty and non-interference in internal affairs are universally recognized principles of international law, which are applicable to all fields of international relations, and of course applicable to the field of human rights as well. Section 7 of Article 2 of the Charter of the United Nations stipulates that "Nothing contained in the present Charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state...." The Declaration on the Inadmissibility of Intervention in the Domestic Affairs of States and the Protection of Their Independence and Sovereignty, the Declaration on Principles of International Law Concerning Friendly Relations and Cooperation Among States in Accordance With the Charter of the United Nations, and the Declaration on the Inadmissibility of Intervention and Interference in the Internal Affairs of States, which were all adopted by the United Nations, contain the following explicit provisions: "No State or group of States has the right to intervene, directly or indirectly, for any reason whatsoever, in the internal or external affairs of any other State," and every state has the duty "to refrain from the exploitation and the distortion of human rights issues as a means of interference in the internal affairs of States, of exerting

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pressure on other States or creating distrust and disorder within and among States or groups of States." These provisions of international instruments reflect the will of the overwhelming majority of countries to safeguard the fundamental principles of international law and maintain a normal relationship between states. They are basic principles that must be followed in international human rights activities. The argument that the principle of non-interference in internal affairs does not apply to the issue of human rights is, in essence, a demand that sovereign states give up their state sovereignty in the field of human rights, a demand that is contrary to international law. Using the human rights issue for the political purpose of imposing the ideology of one country on another is no longer a question of human rights, but a manifestation of power politics in the form of interference in the internal affairs of other countries. Such abnormal practice in international human rights activities must be eliminated.

China is in favor of strengthening international cooperation in the realm of human rights on the basis of mutual understanding and seeking a common ground while reserving differences. However, no country in its effort to realize and protect human rights can take a route that is divorced from its history and its economic, political and cultural realities. A human rights system must be ratified and protected by each sovereign state through its domestic legislation. As pointed out in a resolution of the UN General Assembly at its 45th session: "Each State has the right freely to choose and develop its political, social, economic and cultural systems." It is also noted in the resolution of the 46th conference on human rights that no single mode of development is applicable to all cultures and peoples. It is neither proper nor feasible for any country to judge other countries by the yardstick of its own mode or to impose its own mode on others. Therefore, the purpose of international pro-

tection of human rights and related activities should be to promote normal cooperation in the international field of human rights and international harmony, mutual understanding and mutual respect. Consideration should be given to the differing views on human rights held by countries with different political, economic and social systems, as well as different historical, religious and cultural backgrounds. International human rights activities should be carried on in the spirit of seeking common ground while reserving differences, mutual respect, and the promotion of understanding and cooperation.

China has always held that to effect international protection of human rights, the international community should interfere with and stop acts that endanger world peace and security, such as gross human rights violations caused by colonialism, racism, foreign aggression and occupation, as well as apartheid, racial discrimination, genocide, slave trade and serious violation of human rights by international terrorist organizations. These are important aspects of international cooperation in the realm of human rights and an arduous task facing current international human rights protection activities.

There is now a change over the world pattern from the old to the new, and the world is more turbulent than before. Hegemonism and power politics continue to exist and endanger world peace and development. Interference in other countries' internal affairs by the pushing of power politics on the pretext of human rights are obstructing the realization of human rights and fundamental freedoms. In face of such a world situation, China is ready to work with the international community in a continued and unremitting effort to build a just and reasonable new order of international relations and to realize the purpose of the United Nations to uphold and promote human rights and fundamental freedoms. ■

APPENDIX 2

1.

PRODUCTS PRODUCED BY FORCED LABOR IN THE PEOPLE'S REPUBLIC OF CHINA*

Agricultural products

Canned goods [<i>The Observer</i> (London), February 27, 1990]	Manchuria Prisons
Corn [<i>Central Daily News</i> (International Edition), June 13, 1991]	Xinjiang Province Prisons
Cotton [<i>Central Daily News</i> (International Edition), June 13, 1991]	Xinjiang Province Prisons
Fruit [<i>Yunnan Nianjian 1986</i> , December 1986]	Yunnan Province Prisons
Fruit [<u>PRC Forced Labor Camps Export Goods to the West</u> . Library of Congress, Far Eastern Law Division. April 19, 1991]	Zhejiang Prison
Grapes [Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]	Qinghe "Clean River" Farm
Livestock products [<i>Yunnan Nianjian 1986</i> , December 1986]	Yunnan Province Prisons
Potatoes [<i>The Observer</i> (London), February 27, 1990]	Unknown
Prawns [Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]	Qinghe "Clean River" Farm
Processed agricultural products [<i>Yunnan Nianjian 1986</i> , December 1986]	Yunnan Province Prisons
Processed milk [<i>The Observer</i> (London), February 27, 1990]	Manchuria Prisons
Sugar [<i>The Observer</i> (London), February 27, 1990]	Manchuria Prisons
Sugar beets [<i>The Observer</i> (London), February 27, 1990]	Unknown

* *Chinese Forced Labor Exports to the United States*, hearing before the Subcommittee on Human Rights and International Organizations and on Int'l Economic Policy and Trade of the Committee on Foreign Affairs, House of Representatives, Washington, D.C.: U.S. Government Printing Office, 1992, pp. 200-211.

- Sugar cane
[*Yunnan Nianjian* 1986, December 1986] Yunnan Province Prisons
- Tea
[*Yunnan Nianjian* 1986, December 1986] Guangxi Prison
- Tea ("Golden Sail" brand)
[Dr. Stephen Mosher, Testimony before the Senate Foreign Relations Committee, June 6, 1990] Guangdong Province Prisons
- Tea
[Asia Watch: Prison Labor in China, April 19, 1991] Red Star Tea Farm
(Guandong Province)
- Tea (Yingdeh Black Tea)
[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990] Guangdong Province Prisons
- Tea
[*Yunnan Nianjian* 1986, December 1986] Yunnan Province Prisons
- Tea
[PRC Forced Labor Camps Export Goods to the West. Library of Congress, Far Eastern Law Division. April 19, 1991] Zhejiang Prison
- Wine ("Dynasty Dry Rose" brand)
[*Financial Times*, April 4, 1990] Tuanhe Labor Camp, Beijing

Automobiles, Other Vehicles and Automotive Parts

- Automobiles
[*Yunnan Nianjian* 1986, December 1986] Yunnan Province Prisons
- Battery driven vehicles
[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990] Qinghe "Clean River" Farm
- I-beams for automobiles
[Asia Watch: Prison Labor in China, April 19, 1991] Yaan Prison
(Sichuan Province)
- Radiators
[*The Observer* (London), February 27, 1990] Beijing area prisons
- Universal valves
[Asia Watch: Prison Labor in China, April 19, 1991] Yaan Prison
(Sichuan Province)

Construction materials

- Asbestos** Sichuan Province Prisons
 [Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law
 Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products.
 June 20, 1991.]
- Bricks** Unknown
 [*The Observer* (London), February 27, 1990]
- Granite for construction and decoration** Sichuan Province Prisons
 [Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law
 Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products.
 June 20, 1991.]
- Granite for construction and decoration** Shanxi Province Prisons
 [Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law
 Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products.
 June 20, 1991.]
- Granite for construction and decoration** Shandong Province Prisons
 [Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law
 Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products.
 June 20, 1991.]
- Graphite products** Laixi Prisons
(Shandong Province)
 [Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law
 Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products.
 June 20, 1991.]
- High Carbon Graphite** Shandong Province Prisons
 [*Shandong Nianjian* 1987, April 1988]
- Iron pressure welded steel pipe** Shandong Province Prisons
 [*Shandong Nianjian* 1987, April 1988]
- Marble slabs** Guandong Province Prisons
 [*Asia Watch: Prison Labor in China*, April 19, 1991]
- Nails** Sun Garden Processing Factory
 [*Central Daily News* (International Edition), June 13, 1991]
- Plate glass** Hebei Prison
 [Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6,
 1990]

- Siliconit
[*Shandong Nianjian* 1987, April 1988] Shandong Province Prisons
- Terrazzo
[*Asia Watch: Prison Labor in China*, April 19, 1991] Guangdong Province Prisons
- Tiles
[*The Observer* (London), February 27, 1990] Unknown
- Consumer goods**
- Artificial Flowers
[*China Post*, May 7, 1991] Canton Number One Detention Center
- Arts and crafts
[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990] Qinghe "Clean River" Farm
- Ceramics
[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990] Qinghe "Clean River" Farm
- Circuit boards assemblies
for televisions and radio
cassette players
[Cable from U.S. Consulate Guangzhou (Canton). January 26, 1990] Guangzhou Prison
- Electric fans
[*Asia Watch: Prison Labor in China*, April 19, 1991] Sichuan Province No. 2 Prison
- Flashlights
[*Asia Watch, Prison Labor in China*, April 19, 1991] Guangdong Province Prisons
- Garden shears
[*Central Daily News* (International Edition), June 13, 1991] Sun Garden Processing Factory
- Containers**
- Cardboard containers
[*Businessweek*, April 22, 1991] Shanghai Number 1 Prison
- Fertilizers**
- Phosphate fertilizers
[*Yunnan Nianjian* 1986, December 1986] Yunnan Province Prisons

Water chestnut fertilizers
[*Yunnan Nianjian* 1986, December 1986]

Yunnan Province Prisons

Hardware

Galvanized wire
[*Asia Watch: Prison Labor in China*, April 19, 1991]

Sichuan Province No. 2 Prison

Hardware
[*Businessweek*, April 22, 1991]

Guangdong Province Prisons

Three-sided book cutter
[*Shandong Nianjian* 1987, April 1988]

Shandong Province Prisons

Hand wrenches ("Work" or "Gong" brand)
[Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products. June 20, 1991.]

Shanghai Prison Factory

Hand wrenches
[Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products. June 20, 1991.]

Anhui Province Prisons

Hand wrenches
[Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products. June 20, 1991.]

Shanxi Province Prisons

ZY 5140 column shaped vertical drill
[*Asia Watch: Prison Labor in China*, April 19, 1991]

Sichuan Province No. 2 Prison
(Zigong Detachment)

Heavy Equipment

3L-10/8 Air Compressors
[*Shandong Nianjian* 1987, April 1988]

Shandong Province Prisons

BC6060 Shapers
[*Shandong Nianjian* 1987, April 1988]

Shandong Province Prisons

Bench clamps
[*Asia Watch: Forced Labor in China*, April 19, 1991]

Guangdong Prisons Prisons

Boilers
[*Businessweek*, April 22, 1991]

Guangdong Province Prisons

- Clamps
New Birth Machinery Factory
(Hebei Province)
[Forced Labor in the People's Republic of China, Library of Congress, April 2, 1990]
- Clamps
Xinsheng Machinery Factory
(Cangzhou)
[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]
- Clay clinkers
Shandong Province Prisons
[*Shandong Nianjian* 1987, April 1988]
- Conveyor belts
Shandong Province Prisons
[*Shandong Nianjian* 1987, April 1988]
- Cylindrical piston pumps
Shandong Province Prisons
[*Shandong Nianjian* 1987, April 1988]
- Diesel engines
Guangxi Prison
[*Yunnan Nianjian* 1986, December 1986]
- Diesel engines
Gold Horse Diesel Factory
(Hebei Province)
[Forced Labor in the People's Republic of China, Library of Congress, April 2, 1990]
- Diesel engines
Golden Horse Diesel Factory
(Yunnan Province)
[*Yunnan Nianjian* 1986, December 1986]
- Diesel engines
Xinsheng Machinery Factory
(Cangzhou)
[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]
- Electric spark forming machine tools
Shandong Province Prisons
[*Shandong Nianjian* 1987, April 1988]
- Gasoline electric generators
Shandong Province Prisons
[*Shandong Nianjian* 1987, April 1988]
- Graphite electrodes
Shandong Province Prisons
[*Shandong Nianjian* 1987, April 1988]
- Machine parts
Beijing area prisons
[*The Observer* (London), February 27, 1990]

7.

Mine tools [Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]	Hebei Province Prisons
Narrow gauge mine tubs [<i>Shandong Nianjian</i> 1987, April 1988]	Shandong Province Prisons
Power transformer [Asia Watch: Prison Labor in China, April 19, 1991]	The Deng Fong Co. Ltd. (Shenzhen) (Guandong Province)
Reciprocating cylindrical piston pumps [<i>Shandong Nianjian</i> 1987, April 1988]	Shandong Province Prisons
Rubber aquatic products [<i>Yunnan Nianjian</i> 1986, December 1986]	Shandong Province Prisons
Shaping machines [<u>PRC Forced Labor Camps Export Goods to the West</u> , Library of Congress, Far Eastern Law Library, April 19, 1991]	Shandong Qingdo Life Building Factory
Sprayers ("Clouded Mountain" brand) [<i>Yunnan Nianjian</i> 1986, December, 1986]	Yunnan Province Prisons
Thread roller [<i>Shandong Nianjian</i> 1987, April 1988]	Shandong Province Prisons
Turbo Generator [<i>Shandong Nianjian</i> 1987, April 1988]	Shandong Province Prisons
Medicines	
Medicinal materials [<i>Yunnan Nianjian</i> 1986, December 1986]	Yunnan Province Prisons
Raw and semi-processed materials	
A carbon and calcium chemical [<i>Central Daily News</i> (International Edition), June 13, 1991]	Sunshan Chemical Industry Factory (Chungching)
Coal [<i>Central Daily News</i> (International Edition), June 13, 1991]	Jinpu mountain region prisons (Changye, Shanxi Province)

Coking coal
Wanjia Detachment, Chengdu
(Sichuan Province)

[Asia Watch: Prison Labor in China, April 19, 1991]

Lead
Guju City Prisons
[*Central Daily News* (International Edition), June 13, 1991]

Pig Iron
Sichuan Province No. 2 Prison
(Wangcang Detachment)

[Asia Watch: Prison Labor in China, April 19, 1991]

Smokeless coal
Jiangouxigu mine
(Taiyuan, Shanxi Province)

[*Central Daily News* (International Edition), June 13, 1991]

Sandals and Shoes

Children's running shoes
Guangdong Province Prisons
[*Businessweek*, April 22, 1991]

Sandals
Guangdong Province Prisons
[*Businessweek*, April 22, 1991]

Shoelace tips
Unknown
[*Businessweek*, April 22, 1991]

Shoes
Guangdong Province Prisons
[*Businessweek*, April 22, 1991]

Sneakers
Guangdong Province Prisons
[*Businessweek*, April 22, 1991]

Sneakers
Beijing No. 1 Prison
[*Central Daily News* (International Edition), June 13, 1991]

Vinyl Slippers
Wanjia Labor Camp
[*Businessweek*, April 22, 1991]

Textiles and garments

Assembled garments
Guangdong
[Unclassified cable from U.S. Consulate Guangzhou (Canton). January 26, 1990]

Cotton
Hebei Province Prisons
[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]

9.

Cotton cloth	New Life Cotton Cloth Mill (Nantong County, Jiangsu)
[Asia Watch: Prison Labor in China, April 19,1991]	
Cotton t-shirts	New Life Cotton Cloth Mill (Nantong County, Jiangsu)
[Asia Watch: Prison Labor in China, April 19,1991]	
Denim	New Life Cotton Cloth Mill (Nantong County, Jiangsu)
[Asia Watch: Prison Labor in China, April 19,1991]	
Denim wool fabric	New Life Cotton Cloth Mill (Nantong County, Jiangsu)
[Asia Watch: Prison Labor in China, April 19,1991]	
Dye products	Xinsheng Dye Factory (Jin Zhou Prison)
[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]	
Knit grey	New Life Cotton Cloth Mill (Nantong County, Jiangsu)
[Asia Watch: Prison Labor in China, April 19,1991]	
Knitted cloth	New Life Weaving Factory
[<i>Businessweek</i> , April 22, 1991]	
Knit underwear	New Life Cotton Cloth Mill (Nantong County, Jiangsu)
[Asia Watch: Prison Labor in China, April 19,1991]	
Knitwear	Qinghe "Clean River" Farm
[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]	
Leather goods	Pigskin Export (Sichuan Province)
[<u>PRC Forced Labor Camps Export Goods to the West</u> . Library of Congress, Far Eastern Law Library. April 19, 1991]	
Leather work gloves	Anshun City Prisons (Guizhou Province)
[Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products. June 20, 1991.]	

Leather work gloves

Jinan City Prisons
(Shandong Province)

[Letter from Tao-tai Hsia and Wendy I. Zeldin, Library of Congress, Far Eastern Law Division to Sen. Jesse Helms Regarding Material on China's Labor Reform Products. June 20, 1991.]

Silk

Hebei Province Prisons

[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]

Stockings

Beijing area prisons

[*The Observer* (London), February 27, 1990]

Textiles

Qinghe "Clean River" Farm

[Dr. Stephen Mosher, testimony before the Senate Foreign Relations Committee, June 6, 1990]

Towels

Beijing area prisons

[*The Observer* (London), February 27, 1990]

Woollen knitwear

Red Star Woollen Textile Mill
(Guandong Province)

[Asia Watch: Prison Labor in China, April 19, 1991]

[All information comes from open sources]

**Prison Factories Identified in Library of Congress'
Far Eastern Law Library Report:
PRC Forced Labor Camps Export Goods to the West**

Dalian Quartz Products Factory
Hebei Cangzhou Machinery Plant
Hebei New Life Chemical Plant
Magang Pipe Works (Tianjin)
Lianoning Shenyang New Life Chemical Plant
Qingdao Life Building Machine Plant
Shanghai Labor Machinery Plant
Sichuan Huidong Lead and Zinc Mine
Sichuan New Health Asbestos Mine
Yunnan Agricultural Machinery Plant

**Other Products Produced in
"Reform-Through-Labor" Prisons¹**

Live Animals
Meat and Edible Meat Offal
Dairy Products and other products of animal origin
Fish, Crustaceans and Aquatic Vertebrae
Live Trees, Plants
Vegetables and Fruits
Coffee, Tea and Spices
Cereals and Grains
Sugar, Cocoa and Cocoa products
Beverages and Vinegar
Tobacco and Tobacco substitutes
Printed Books
Silk, Wool, Woven Fabric, Textile Fabric and Apparel Articles
Ceramics, Glass, Iron, Steel, Copper, Nickel, Aluminum, Lead, Zinc, Tin, Base
Metals
Tools, Cuttery, Boilers, Electric, Machinery Vehicles
Coal, Precious and Semi-precious Stones, Earth Metals
Cosmetics Oils, Soaps, Candles
Chemicals
Nuclear Reactors, Boilers, Machinery and Parts
Metal for satellites

¹Tao-Tai Hsia. Forced Labor in the People's Republic of China. Library of Congress, Far Eastern Law Library. April 2, 1990 and Dr. Stephen Mosher, Testimony before the Senate Foreign Relations Committee, June 6, 1990.

APPENDIX 3

ANTI-LI PENG POEM*

七律
TITLE
元宵
AUTHOR
留美學生 朱海洪

東風拂面催桃李，
鴉鷹舒翅展鵬程。
玉盤照海下熱淚，
游子登台思故城。
休負平生報國志，
人民有我勝萬金。
偷起急追振華夏，
且待神州遍地春。

The poem above was written by Zhu Haihong, a Chinese student studying in the United States. It appeared in the Overseas Edition of People's Daily on March 20, 1991. The publication of the poem was a big embarrassment for the Chinese government and the Chinese Communist Party, since it contains an anti-Li Peng message that was not noticed before the paper went to press. Subsequently several people working for People's Daily were fired or transferred.

The poem, in the Qi Lu style (eight verses of seven characters each, with every second verse rhyming) is entitled Yuan Xiao, meaning the 15th day of the first moon. The first full moon of the new year is a traditional day for Chinese family reunions.

The author is thinking about his homeland and writes:

The east wind brushes the face and hastens
the peach and plum blossoms....

However, when the Chinese characters are read diagonally between the two lines as shown above, there is a hidden seven-character verse. It reads as follows:

Li Peng must step down to arrest popular
indignation

The message is clear: Li Peng's role in the Tiananmen Massacre makes him unqualified to hold the office of head of government and the people are angry because he remains in that office. This fits with the poem's last verse, anticipating his resignation, which reads:

We are awaiting the arrival of spring over all the
mainland

* Source: The poem was published in *People's Daily* (overseas edition), March 20, 1991 and cited in an article by Lena Sun, in *Washington Post*, March 26, 1991. See also, *Cheng Ming* (Hong Kong), May 1991, p. 94.

BIBLIOGRAPHY

The books, pamphlets and articles listed below were published in 1991 and 1992 about human rights in China. Most concern one or more aspects of human rights condition in the People's Republic of China. Some concern the political, economic or social situation in China that may have contributed to human rights problems, or provide the milieu in which the human rights situation can be better understood. A few concern how human rights issues affected China's relations with other countries in the world.

Several newsletters or regular publications are also recommended reading, such as the *CAHR Newsletter*, published by the Chinese Association for Human Rights in Taipei, the monthly publication *Hong Kong Monitor* and *Human Rights Tribune*, a bi-monthly magazine published in New York.

Articles

- Awanohara, Susuma. "Loss of Patience." *Far Eastern Economic Review*, Vol: 155, Issue 23 (June 11, 1992).
- Brown, W.N. "Sovereignty and Human Rights." *Beijing Review* 35:12-16 (June 1, 1992).
- Campbell, Todd. "China; A Favored Nation?" *Scholastic Update [Teacher's Edition]*, Vol: 125 (September 1992).
- Carney, Christopher. "Human Rights, China, and U.S. Foreign Policy: Is a New Standard Needed?" *Asian Affairs: An American Review*, Vol: 19 (Fall 1992).
- Clifford, Mark. "Peak Performer." *Far Eastern Economic Review*, Vol: 155, Issue 31 (Aug. 6, 1992).
- Dicker, Richard. "Inside the Chinese Gulag." *Index on Censorship*, Vol: 21, Issue 8 (September 1992).
- Drinan, R.F and T. T. Kuo. "The 1991 Battle for Human Rights in China." *Human Rights Quarterly*, 14:21-42 (February 1992).
- Fang, Lizhi. "China is a World Problem." *Index on Censorship*, Vol: 21, Issue 8 (September 1992).
- Fang, Lizhi. "No Double Standard for Asia." *New Perspectives Quarterly*, Vol: 9, Issue 1 (Winter 1992).
- Fang, Lizhi and Richard Dicker. "Portraits of Oppression." *Sciences*, Vol: 32 (September 1992).
- Gang, Dai. "Shanghai Scholars and Experts on Human Rights." *Beijing Review*, 35:26-7 (March 16, 1992).
- Huan, Namgyal and Meng. "Tibet Prisoner Dies of Illness." *Beijing Review*, 35:20 (April 27, 1992).

- Ingram, Paul. "The Tragedy of Tibet." *Contemporary Review*, Vol: 261, Issue 1520 (September 1992).
- Josephs, Hilary K. "The Chinese Democracy Movement in U.S. Perspective." *Pacific Basin Law Journal*, 10:285-328 (Spring 1992).
- Kaye, Lincoln. "From the Glass House: China Chides U.S. on Riots, Defends Own Record." *Far Eastern Economic Review*, 155:26-7 (May 21, 1992).
- Kaye, Lincoln. "Dissent at Your Peril: China Arrests Activists and Expels Foreigners." *Far Eastern Economic Review*, 155:13 (September 10, 1992).
- Kaye, Lincoln. "Square Bashing." *Far Eastern Economic Review*, Vol: 155, Issue 24 (June 8, 1992).
- Kaye, Lincoln. "Turn of the Screw." *Far Eastern Economic Review*, 155:32-3 (April 23, 1992).
- Lama, Dalia. "Tibet is Asia's Lithuania." *New Perspectives Quarterly*, Vol: 9, Issue 1. (Winter 1992).
- Lek, Hor Tan. "Purely an Internal Matter?" *Index on Censorship*, Vol: 21, Issue 3 (September 1992).
- Lilley, James R. "An American View: U.S. relations with the PRC and Taiwan." *Journal of Northeast Asian Studies*, Vol: 11 (Fall 1992).
- Liu, Binyan, James Baker and David Schlesinger. "The Beijing-Tokyo Axis Against Human Rights." *New Perspectives Quarterly*, Vol: 9, Issue 1 (Winter 1992).
- Liu, Wenzong. "U.S. 'Diplomacy' of Human Rights." *Beijing Review*, 35:11-15 (June 8, 1992).
- Lo, C.W.H. "Deng Xiaoping's Ideas on Law: China on the Threshold of a Legal Order." *Asian Survey* 32:649-65 (July 1992).
- Lo, Carlos Wing-Hung. "The Chinese Communist Party's Perception of Crisis and Methods of Crisis Solving During the 1989 Democratic Movement: a Legal Perspective." *Asian Affairs*, 19:97-120 (Summer 1992).
- Myers, Robert J. "Rethinking Human Rights." *Society*, Vol: 30, Issue 3 (November 1992).
- Norbu, Soinam. "Tibetans Enjoy All Human Rights." *Beijing Review*, 35:15-17 (April 13, 1992).
- "PRC Forced Labor Camps Export Goods to the West." Washington, DC: Library of Congress, Far Eastern Law Division (April 19, 1991).
- "Prison Labor in China." Washington, DC: Asiawatch (April 19, 1991).

- Scobell, A. "Why the People's Army Fired on the People: The Chinese Military and Tiananmen." *Armed Forces Social*, 18:193-213 (Winter 1992).
- Seltzer, Richard. "U.S. Scientists Urge Release of Jailed Chinese Colleagues." *Chemical and Engineering News*, Vol: 70, Issue 24 (June 15, 1992).
- Smith, Jackie. "The 1989 Chinese Student Movement: Lessons for Nonviolent Activists." *Peace and Change*, 17:82-101 (Jan. 1992).
- "Tibetans on Human Rights in Tibet." *Beijing Review*, 35:7 (October 5, 1992).
- Tsedain, Dorje. "Tibet: Human Rights and China's Sovereignty." *Beijing Review*, 35:26-29 (March 2, 1992)
- "The Uncountry." *New Republic*, Vol: 206, Issue 23, p. 7 (June 8, 1992).
- "U.N. Vote on Tibet Resolution Hailed." *Beijing Review*, 35:7 (March 16, 1992).
- "U.S. Officials Allegations Refuted." *Beijing Review*, 35:27 (March 2, 1992).
- Wark, Andrew. "The Bloody Seed of Chinese Persecution." *Christianity Today*, Vol: 36, Issue 14 (Nov 23, 1992).
- White M.K. "Prospects for Democratization in China." *Problems of Communism*, 41:58-70, (May/June 1992).
- Xiao Kong. "U.S. Contradicts Itself on Human Rights." *Beijing Review*, 35:17 (March 30, 1992).
- Xiong Sihao. "Beijing Judge Denies Manhandling 'Dissident.'" *Beijing Review*, 35:7 (June 8, 1992).
- Zhou, Duo. "Path of Pluralism." *Far Eastern Economic Review* 156:13 (January 7, 1992).

Books:

- Chan, Ming K. and David J. Clark (eds). *The Hong Kong Basic Law: Blueprint for "Stability and Prosperity" under Chinese Sovereignty?* Armonk, N.Y.: M.E. Sharpe, Inc., 1991.
- Cherrington, Ruth. *China's Students: The Struggle For Democracy.* London: Routledge, 1991.
- China: Punishment Without Crime: Administrative Detention,* London: Amnesty International, 1991.
- Gelatt, Timothy. *Lawyers in China: The Past Decade and Beyond.* Baltimore: University of Maryland School of Law, 1991.

- Goodman, David S.G. and Gerald Segal, eds. *China in the Nineties: Crisis Management and Beyond*. Oxford: Clarendon Press, 1991.
- Goodrich, Anne S. *Peking Paper Gods: A Look at Home Worship*. Nettetal: Steyler Verlagf, 1991.
- Hore, Charlie. *The Road to Tiananmen Square..* London: Bookmarks, 1991.
- Larson, Wendy. *Literary Authority and Modern Chinese Writer: Ambivalence and Autobiography*. Durham: Duke University Press, 1991.
- Lull, James. *China Turned On: Television, Reform, and Resistance*. London & New York: Routledge, 1991.
- Rai, Shirin M. *Resistance and Reaction: University Politics in Post-Mao China*. Hemel Hempstead: Harvester Wheatsheaf, 1991.
- Rosemont, Henry Jr. *A Chinese Mirror: Moral Reflections on Political Economy and Society*. LaSalle, IL: Open Court Publishing Company, 1991.
- Saunders, Harold H., Melvyn C. Goldstein, Richard Holbrooke, Sidney R. Jones, David Lampton and Dwight Perkins. *Tibet: Issues for Americans*. Washington D.C.: National Committee on U.S.-China Relations, China Policy Series No. 4, 1992.
- Tilas, Barna. *Economic Reform and Political Reform Attempts in China, 1979-1989*. Heidelberg: Springer-Verlag, 1991.
- Unger, Jonathan (ed.). *The Pro-Democracy Movement Protests in China: Reports from the Provinces*. Armonk, New York and London: M.E. Sharpe Inc., 1991.
- Wasserstrom, Jeffrey. *Student Protest in Twentieth-Century China: The View from Shanghai*. Stanford: Stanford University Press, 1991.

Human Rights Publications:

- Anthems of Defeat: Crackdown in Hunan Province 1989-1992, May 1992.
- The Beijing Trials, February 1991.
- The Case of Wang Juntao, March 1991.
- Chinese Workers Receive Harsh Sentences, March 1991.
- Continuing Crackdown in Inner Mongolia, March 1992.
- Crackdown in Inner Mongolia, June 1991.
- Defense Statement of Chen Ziming, June 1992.
- Evidence of Crackdown on Labor Movement Mounts, May 1992.
- Forced Labor Exports from China: Update No. 1, September 1991.
- Forced Labor Exports from China: Update No. 2, November 1991.

Freedom of Religion in China, January 1992.
Guilt by Association: Documents from Trials, July 1991.
Persecution after Prison: Released Dissidents, November 1991.
Prison Labor in China, April 1991.
Political Prisoners Abused in Liaoning Province, September 1992.
Recent Political Trials in China, March 1992.
Religious Repression in China Persists, April 1992.
Rough Justice in Beijing, January 1991.
The Trial of Bao Tong, August 1992.
Two Years After Tiananmen: Political Prisoners in China, June 1991.
Update on Arrests in China, January 1991.
Update on Arrests in China: February 1991.
Update on Arrests in China: No. 3, April 1991.

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