

IN HUMAN RIGHTS, CHINA REMAINS IN THE MAOIST ERA

INTRODUCTION

In the years since Mao Zedong's death, the People's Republic of China has embarked on a program of economic reform, the speed and scale of which have captured the world's attention. Changes in laws have spurred a return to family farming, the reopening of rural markets, the establishment of privately owned shops, and thereby, increased freedom of choice in the economic sphere. What these promisingly pragmatic developments have obscured is the Communist Party's unwavering commitment to its own political and cultural ascendancy. The PRC remains a one-party, Leninist state determined to maintain tight control over how its populace thinks and behaves. Its record on human rights is as bad as the Soviet Union's.

The Maoist tactic of the mass mobilization campaign continues to be the primary means by which such control is exerted. The normal "rules" of society are suspended during these campaigns, exacting high costs in human rights. This has been the case for the three campaigns conducted since 1982 by PRC leader Deng Xiaoping. An Anti-Crime Campaign saw thousands of alleged criminals arrested, summarily tried, and then executed. An Anti-Spiritual Pollution Campaign, aimed at eliminating those cultural influences that have accompanied China's increasing contacts with the West, attacked artistic and personal freedoms. A Birth Control Campaign has led to millions--perhaps tens of millions--of forced abortions and sterilizations.

These systematic abuses of human rights should concern the United States, which makes protection of human rights a key component of its foreign policy. As such, the Reagan Administration should begin highlighting PRC human rights abuses, much as it does such violations in El Salvador, Chile, Korea, and other friendly countries. Washington should press Beijing to curb its

worst abuses. And the U.S. should halt economic and technical assistance to China in sectors affected by such human rights violations as forced abortions.

ECONOMIC LIBERALIZATION AND POLITICAL CONTROL

The PRC's adoption of capitalist techniques to revitalize the rural economy, modernize industry, and attract foreign investment means that it is abandoning significant features of its Soviet-style centrally planned economy. The aura of resurrected capitalism is nowhere stronger than in the countryside with the dissolution of the Maoist commune and the return to family farming. The peasants are better off economically today than they have been at any time since the communist revolution.

Yet too much should not be read into these changes. The economic reforms are stop-gap measures, and it is too soon to see whether they reflect changes in deep-seated Party beliefs about the "superiority of socialism." The official position is that Mao tried to achieve socialism too quickly and that now there is need to backtrack and first go through a "capitalistic" phase. The PRC remains a Leninist state, which practices political control according to the totalitarian Soviet model. Deng Xiaoping underscored this in 1982 when he promulgated the "Four Minimum Requirements" for China's political system: (1) the leadership of the Chinese Communist Party, (2) the socialist road, (3) the dictatorship of the proletariat, (4) Marxism-Leninism and the thought of Mao Zedong.

Mass mobilization campaigns thus continue to play a key role in the PRC political process. And during the heat of such campaigns, designed to accomplish major social change, cooperation is not voluntary but required. Public criticism and self-criticism, coupled with the threat of punishment, enforce participation. It is during these campaigns that human rights are most seriously abused.

The campaigns that have been launched under Deng Xiaoping reflect the same commitment to violent social engineering under Party direction that has characterized the PRC from its founding. The only significant change is that current campaigns have more narrowly focused goals than their predecessors. Whereas the Great Leap Forward and Cultural Revolution were attempts to radically transform Chinese society, campaigns today focus on maintaining state control while expediting industrialization.

ANTI-CRIME CAMPAIGN

One of the most promising portents of political liberalization following Deng's ascension to power in 1978 was the promulgation of the PRC's first codes of criminal law and procedure. The criminal justice system formerly had been controlled directly

by the Ministry of Public Security. Punishments and procedures had been arbitrary, trials had been held in secret or not at all, no limits had been placed on detention, and no right of appeal was recognized. The 1979 Criminal Code and the Law of Criminal Procedure promised to correct the worst of these deficiencies.

Yet no sooner had the codes been published than their safeguards began to be whittled away. In November 1979 an earlier statute was revived under which "vagrants" and other undesirables could be banished without public trial for up to four years to distant camps for "rehabilitation through labor." Then the limitations on pre-arrest detention and pre-trial incarceration were circumvented by special decrees. And the guarantee of an automatic supreme court review of all death penalties was revoked.

In fall 1983 the new criminal codes, already severely weakened, were all but cast aside as the Anti-Crime Campaign began. Amendments added six new categories of capital offense, bringing to 29 the crimes punishable by death. The time limit for appeals was shortened from ten to three days. The courts received new powers allowing them to execute offenders within as little as one week after arrest.¹

There were reports of quotas being set for capital punishment. On October 2, 1983, the Toronto Sun cited internal Chinese documents calling for 5,000 executions by mid-November 1983. The Agence France Presse reported that 200 people had been shot in each of China's provinces in the campaign's opening phase and that "most districts" were ordered to meet execution quotas.

The French Human Rights League, basing its estimates for the most part on posted announcements of group executions in the cities, put the number of people executed between August and November 1983 at 10,000. Since the campaign was not limited to the cities but was vigorously pursued even in such remote areas as Tibet, the number could be substantially higher. Experts in Taiwan, citing inside information, charged that 60,000 were executed in that period. A spokesman for the PRC Ministry of Public Security put the total number of arrests by November 1984 at 190,000.

As in all mass campaigns, local officials have used their expanded powers to settle personal vendettas. The arbitrary nature of the arrest and judicial process, the setting of quotas for executions, and personal abuses of power have resulted in incalculable violations of human rights during the Anti-Crime Campaign, which is slated to continue through 1986.

¹ See China--Violations of Human Rights: Prisoners of Conscience and the Death Penalty in the People's Republic of China (London: Amnesty International Publications, 1984).

THE ANTI-SPIRITUAL POLLUTION CAMPAIGN

Many Americans have expressed the hope that international cultural and scientific exchanges will improve the human rights situation in China. Yet Beijing seems determined to minimize the impact of Western political and social thought on the Chinese people.

In October 1983, Deng launched the Anti-Spiritual Pollution Campaign to quarantine his countrymen from "demoralizing" Western influences. He defined spiritual pollution as "all varieties of the corrupt and decadent ideologies of the bourgeoisie and other exploiting classes" and the dissemination of "sentiments of distrust towards the socialist and communist cause and the Communist Party leadership."²

The campaign's initial thrust was against pornography. It soon spread to "moral corruption," defined to include dancing, interest in foreign music and art, and wearing fashionable clothing. Literary, artistic, and personal expression of all kinds were viewed as "ideological deviation."

Those considered deviants were attacked verbally, forced to perform self-criticism before groups of their peers, and in cases considered serious, turned over to local public security officials for interrogation and imprisonment. As the campaign mounted, it displayed the same anti-Western bias as had the Cultural Revolution. There were reports that Chinese were jailed or sent to reeducation camps simply for meeting with foreigners, playing foreign games, or learning a foreign language. Translations and originals of some foreign publications were seized in libraries and universities and burned.

Party extremists in the cities seized the opportunity provided by the campaign to attack the new life style of urban youth, criticizing and punishing them for their bright clothing, high heels, permanent waves, and make-up. In the countryside, Maoist cadres took enterprising peasants to task for their "capitalistic" tendencies.

In the end, the campaign was cooled off because it threatened to interfere with economic modernization. Premier Zhao Ziyang in mid-1984 criticized the "inappropriate actions" of some officials, saying: "The people's demand for a better cultural and material life is justified and should be encouraged, and this should not be confused with spiritual contamination on the ideological front." Yet he also maintained that the ideological struggle against free thought and Western-style "humanism" will "have to be continued for a long time to come."³

² Renmin Ribao, November 16, 1983, p. 1.

³ Beijing Review, No. 24, June 11, 1984, p. 11.

THE POPULATION CONTROL CAMPAIGN

No post-Mao campaign has more seriously violated the human rights of the Chinese people than the PRC's effort to check population growth. The current campaign began in 1979. A decision the following year to keep the population below 1.2 billion decreed a limit of one child per family for the next two decades.

In theory, this was to be achieved by a system of economic rewards and penalties. Couples choosing to have a second or third child would be taxed for doing so. But because these penalties were so heavy, amounting in some cases to more than a year's income, abortion became the standard official response to unsanctioned pregnancies.

Typical of the policies promulgated in this campaign was that of Wang Pingshan, vice-governor of Canton province and member of the Central Committee of the Chinese Communist Party. He stated:

Those women who have already given birth to one child must be fitted with IUDs, and couples who already have two children must undergo sterilization of either the husband or the wife. Women with unplanned pregnancies must adopt remedial measures [i.e., abortion] as soon as possible. This is based on the directives of the Chinese Communist Party Central Committee and the State Council and on the summation of family planning practices of many years....To put [the policy on childbirth] precisely, all state cadres, workers and employees, and urban residents, except for special cases which must be approved, may have only one child per couple. One child per couple is promoted universally in the rural areas....Birth plan targets must be strictly set according to the policy on childbirth.

The Quota System for Births

Vice-governor Wang's references to "unplanned pregnancies" and "birth plan targets" were not made casually. By 1981 a nationwide quota system for births was in place. Annual birth figures for provinces are now set, then divided proportionately by prefecture, county, town, and district. Each work "unit"--village, factory, or government bureau to which all Chinese are assigned--receives a yearly allotment of allowable births.

The quotas given to the basic units are very small. In a South China commune in 1979-1980, a typical neighborhood had a quota of only seven babies a year.⁴ Before that time, newborns annually had numbered fifteen to twenty, and therefore, the quota

⁴ The author conducted field research in South China from 1979-1980 under the U.S.-China Scholarly Exchange Program.

meant nearly a 300 percent reduction in the number of births permitted. As a result, there were far more couples awaiting parenthood than "conception certificates" available, and many newly married couples have had to remain childless for years before being awarded a certificate.

Deciding who gets a certificate is the prerogative of local party officials, who often set additional conditions--such as future sterilization--for the applicants. How this "licensing of first births" worked in one South China commune was described by a population control worker. "Every village will be given an annual quota of babies," she explained. "Newlyweds who wish to have a child must apply to the commune birth control office for a birth quota. To receive this, they must meet two conditions: They must fall within their brigade's yearly quota. And they must agree to have only one child." Couples who conceive a child without first obtaining a permit are ordered to attend birth control meetings, at which they are pressured to accept the one child limit and sterilization. "After all, sterilization is better than abortion," the official declared.

To ensure that local officials enforce the central government's population control policies, various rewards and sanctions have been established. From the early 1980s on, local officials have been required to take the lead in family planning. They are expected to be the first in their units to sign a single child pledge, to abort a child who does not have a certificate, and to accept sterilization. Cadres forced to limit the size of their own families inevitably are zealous in limiting that of others.

Even more effective is the "official's job responsibility system," first introduced in 1982. This program requires each local official to guarantee in writing that no one in his unit will violate the government's "late marriage, late births, few births, quality birth" regulation. If every marriage is a "late" marriage, every birth a "quota" birth, and all couples stop childbearing after one child, the official receives a commendation and a cash bonus. But if even one couple in his unit marries before the legal minimum age (approximately age 24) or has an over-quota birth, the official has his wages docked. Predictably, local officials bear down heavily on members of their units who threaten the state plan.

The Use of Coercion

As in other campaigns, excesses have been rampant. In spring 1981, officials in Huiyang prefecture in Canton province ordered that all unborn children not covered by the quota had to be aborted. Force was to be used where necessary. House-to-house searches in each village in the prefecture yielded nonquota expectant mothers, including many in their last months of pregnancy. The public security bureau of one county even issued arrest warrants on which the word "pregnant" was entered as the offence for which the women were charged. Women were bound hand

and foot, thrown into hog cages, and delivered by the truckload to rural abortion clinics. There they were strapped down on operating tables and aborted. This local campaign lasted for fifty days. The number of victims, mothers and infants, in one county alone reached 38,000.

Other, less brutal, techniques also have been used. Typically a pregnant woman is arrested, taken from her home and family, jailed miles away, and subjected to continuous grueling propaganda sessions. She and her family are fined, harassed, and threatened. These measures, says Beijing, are "voluntary" rather than "coercive" if the woman walks to the abortion clinic under her own power.

Over Quota Births

Surveys of peasant preferences reveal widespread opposition to the official norm of one child per family. Generally women prefer two or more children.

Some women manage to become pregnant by having their state-inserted IUDs removed by so-called "black" or illegal doctors for a small fee. They keep their pregnancies secret and tell only their families. They avoid prenatal physicals to prevent clinic midwives from reporting their conditions to the authorities. The women continue to work in the fields as usual, binding their abdomens under their pants and blouses to hide the pregnancy. Many avoid detection until only two or three months from term. Others practice what is called "childbirth on the run," leaving their home villages and going to live in the hills or in relatives' homes in distant towns and villages.

Such resistance means that abortion in the second and third trimesters of pregnancy is common. Although abortion supposedly is illegal in China after the first trimester of pregnancy, this law is violated with impunity by officials under pressure to meet their quotas.

Those women who manage to carry their over quota children to term face yet another obstacle. In many areas of China, a woman brought into the delivery room must prove that she has a quota for the child she is carrying. Those who cannot produce a government-issued birth certificate are aborted on the spot. In South China the child is killed by means of a "poison shot" into the womb or by strangling it as it emerges. In one area of North China the usual method is an injection of formaldehyde into the soft spot of the infant's head or the actual crushing of its skull by forceps.⁵

⁵ Michael Weisskopf, "Abortion Tears at Fabric of Chinese Society," The Washington Post, January 7, 1985, p. A20.

The Killing of Baby Girls

It is in the killing of newborn baby girls that peasant resistance to the one child policy finds its most tragic expression. Traditionally, the arrival of a son has been a more important event in the life of a peasant family than the birth of a daughter. For the peasant, the arrival of a son heralds a relaxed and secure old age; the coming of a daughter, on the other hand, portends poverty during one's declining years.

Beijing's one child per family campaign has raised the stakes considerably. If the child is not male, the choice is a stark one: either kill or abandon the newborn infant, thus reserving your one child quota for the birth of a boy, or face an assuredly uncertain old age. Given such a choice, many peasants decide in favor of their own security, and trade the infant's life for their own needs in old age.

The strict enforcement of the quota system not only leads parents to commit this desperate act but encourages local officials to overlook it. The rewards and punishments for meeting birth quotas discourage local officials from preventing female infanticide. Each baby girl who dies at birth or disappears soon thereafter is one less birth to count.

Human Costs of Birth Control in China

The human cost of the birth control campaign is staggering. Based on calculations from official statistics, deaths from female infanticide from 1981 to date have probably reached 1,300,000. Higher mortality rates among women denied prenatal care because of over-quota children or abortion late in term suggest that this casualty list could rise by several hundred thousand.

But the main cost of the campaign must be counted in aborted lives. Between 1971 and 1984, China's state-run abortion clinics performed over 114,000,000 abortions. Tens of millions of these unborn children were killed late in term, and a substantial number murdered by government doctors at the actual time of birth.

Foreign Assistance to China's Birth Control Program

One of the most disturbing aspects of China's population control campaign is the cooperation of foreign family planning advocacy groups. For example, Werner Fornos, president of the Population Institute, an organization with close ties to the PRC's State Family Planning Commission, repeatedly has defended the Chinese program during visits to that country. In 1982 he praised it as being a "very well organized and good motivational program with strong political commitment" and one that "the world should copy." In November 1984 he said that "China has shown the world what can be done when people conscientiously tackle the

