

The Trial of Wei Jingsheng

On December 13, 1995, democracy activist Wei Jingsheng was sentenced to fourteen years in jail and deprived of his political rights for three years by the First Intermediate People's Court in Beijing. Wei had been found guilty of subversion. Since Wei's appeal was rejected by the Beijing Higher People's Court, foreign governments, including those of the United States, France, and Germany, have expressed their disappointment and regret over the case and asked the Beijing authorities to release Wei. In response, the Chinese have argued that Wei is by no means the "fighter for democracy and human rights" that the West claims him to be, but merely a common criminal. Beijing has also criticized these countries for interfering in mainland China's internal affairs and infringing upon its sovereignty.

Wei's case has been handled in largely the same way it was when he was imprisoned the first time, sixteen years ago. After a long period of detention, Wei was suddenly brought to trial and given a long sentence. The only difference this time is that instead of being charged with being a "counterrevolutionary," Wei was accused of intending to "subvert the government."

At the time of the "democracy wall" protests of 1978-79, mainland China was undergoing a change of leadership just as it is today. The most noted writers of the *dazibao*, including Wei, Ren Wandong, and Yang Jing, were all sent to prison. Wei's sentence was the longest and his case evoked the widest repercussions. Today, as power is once again being transferred to another set of leaders and the country is experiencing notable economic growth as a result of economic reform, Wei has again been sentenced to a long prison term. Is Wei's punishment supposed to serve as a warning to other activists who may be contemplating taking advantage of a power struggle at the top?

In his 1979 poster entitled "Democracy or New Dictatorship?" Wei claimed that Deng Xiaoping was mainland China's "new dictator." The massacre in Tiananmen Square a decade later proved that he was correct. In fact, Wei was only exercising his right to freedom of speech. The charge that he sold military secrets to Western news-

men during the war with Vietnam does not hold water either. What he told the foreign press was all common knowledge in Beijing anyway. The only reason for his fifteen-year sentence was that he criticized Deng Xiaoping.

The evidence against Wei this time is no more convincing. According to mainland Chinese reports, Wei helped finance the democracy movement through art exhibitions sponsored by a company with a capital of only HK\$10,000 established in Hong Kong by his younger brother and a Hong Kong reporter. The company was also said to have purchased 12.5 percent of the shares of a credit cooperative in Beijing that was trying to raise money for the democracy movement. The prosecution also claimed that Wei had met with American officials when U.S. Undersecretary of State Peter Tarnoff visited the Chinese mainland in August 1995. None of this amounts to proof that Wei committed the "crime" of engaging in political activities during a period when he was deprived of his political rights, and it is even less proof that he was engaged in subversion.

According to the 1982 version of mainland China's constitution, citizens have freedom of speech, assembly, and association. Wei was doing no more than exercising these rights. Therefore, we can only conclude that there are political reasons why Beijing's leaders want to nip any possible resurgence of the democracy movement in the bud. But whatever the reasons, Beijing should understand that it must abide by internationally recognized principles if it wants to gain the respect of the international community.

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