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Sino-American Relations and Human Rights

June 4 and the Changing Nature of a Bilateral Relationship

David Zweig

FOR MANY YEARS, the strategic imperative had protected Sino-American relations. In the early 1970s, the United States and China ended their two decades of hostility and reestablished ties on the premise that a unified front would prevent the USSR from achieving global dominance. Under Henry Kissinger and Richard Nixon, improving ties with China primarily served the goal of squeezing the Soviet Union into helping resolve the United States' impasse in Vietnam as well as restructuring the international system and increasing global stability.[1] Even in the early Reagan years, China's role as a balance to the USSR remained the primary justification for improving ties with a communist China rather than a noncommunist one on Taiwan. The package of issues supporting United States–China ties included anticipated economic benefits to the United States, America's "special relationship" with China, and the general belief after 1978 that reforms were improving the lives of Chinese citizens in a way that was consistent with American values. Western media heralded these changes, lauded Deng Xiaoping, and reinforced popular feelings that America, as China's "big brother," should help China make the transition to a more market-oriented and more democratic society.

All these positive images pushed human rights far down the list of issues in Sino-American relations. Even the Carter administration, which institutionalized human rights in American foreign policy, never let this issue overshadow the strategic partnership.

According to A. Glenn Mower, Jr., both Carter and Reagan subordinated human rights to national security and national interest and demonstrated "a readiness to take advantage of loopholes in national human rights laws in order to extend aid to countries with poor human rights records for political/security reasons."[2] Under such circumstances, the arguments of congressional proponents of human rights, especially on Tibet, anticommunist allies of Taiwan, and human rights activists found little resonance in the White House and State Department.

Yet Sino-American relations were built on a soft foundation. According to Michael Oksenberg, only the strong support of President Jimmy Carter prevented Sino-American ties from falling prey to the lethargy of Washington's bureaucracy.[3] Popular opinion remained quite fickle and susceptible to rapid shifts. Most important, while many congressmen and American policy elites had passively supported American ties with China, no bloc of congressmen actively supported the People's Republic of China. Only in 1979, when Congress passed the Taiwan Relations Act, thereby directly intervening in Sino-American relations, did PRC officials recognize Congress's important foreign policy role, and since then, they have made greater efforts to build ties with members of that body.[4] In the words of one congressional observer, all these factors made Sino-American ties vulnerable to "single-issue politics."[5]

However, events of April–June 1989, culminating in the military assault on Beijing's citizenry, dramatically transformed the nature of Sino-American relations, catapulting human rights into the forefront of issues affecting this bilateral relationship. Popular opinion and media coverage of China switched dramatically, demonstrating widespread disillusionment with the Beijing government. Renewed interest in human rights abuses and increased questioning of the benefits of trade triggered a massive assault on United States China policy. While congressmen wanted to express their outrage at the betrayal of reform in Beijing, proponents of single-issue politics found fertile ground for asserting their particular anti-China grievances. New actors emerged on the scene, further undermining the People's Republic of China as a legitimate partner. Brick by brick, each policy that had contributed to the foundation of Sino-American ties was challenged under the

rubric that no regime which murdered its own children deserved the goodwill of the United States government.

In retrospect, the administrations in both China and the United States failed to recognize or accept that the defining nature of bilateral ties had changed. Both resisted challenges to their definition of the relationship and clung to the strategic and economic imperative. As a result, Sino-American relations went into a tailspin. Fortunately, by spring 1990 leaders in both countries recognized that the nature of their ties had changed and that some alteration in their own behavior was mandatory if Congress and Chinese hardliners were not to destroy the relationship. To understand the political process that ensued from mid-1989 through spring and summer 1990, we must understand how the June 4 crackdown changed the nature of relations between Washington and Beijing. This paper seeks to elucidate that change.

Human Rights as an Issue Area

A hierarchy of issues structures bilateral relations in the international system. Elites in two countries can establish ties for several reasons; yet some issues are critical in driving or limiting closer ties. If bilateral relations are to garner domestic support, public perceptions of the relationship in a democratic country must accept the public rationales of the political elites. Without some consensus on the major bilateral ties which structure a state's overall foreign policy direction, domestic challenges will emerge from the media and popularly elected officials who, for various reasons, try to reflect popular sentiments towards the nation's foreign policy. Which issues are dominant in a bilateral relationship determines much about that relationship: which constituencies have the authority to speak on it and with how much influence, the extent to which political elites can be challenged on a particular issue, and the level of popular attention to the issue and the salience attributed to it.

For Sino-American relations, as long as the administration defined the issue as strategic, the critical factor affecting China's status in Washington was China's ability to tie down Soviet forces in Asia. Within the business community, China's economic

reforms and its willingness to open its economy to American interests determined the level of support for the relationship. Although many participants in the Democracy Wall movement were arrested in 1979–80, undermining China's human rights record, China received most-favored-nation trade status in 1980. Definition of the issue as strategic and economic, stress on the positive aspects of reform, and the arrival of an improved domestic human rights climate in the 1980s ensured that China's continuing human rights abuses played almost no role in relations between the United States and China.

Chinese and American Views of Human Rights

Fundamental differences between Americans and Chinese on the nature of human rights affect bilateral ties. In the American conception of human rights, "the individual is central" and has a "core of retained rights," including a sacrosanct and inalienable right to participate in self-government.[6] Government power is limited primarily because it cannot infringe on individual rights. If government action "impinges on a fundamental right — essential privacy, political freedom, freedom from racial, religious, or other invidious discrimination — that action will stand only if upon strict scrutiny by the courts it is found to serve a compelling public interest."

In traditional China, "the individual was not central and no conception of individual rights existed in the sense known to the United States."[7] Individual participation in society was not on a voluntary basis and was subsumed in a variety of relations in a "familial, paternal hierarchy." According to Louis Henkin, "the ideal was not individual liberty or equality but order and harmony, not individual independence but selflessness and cooperation, not the freedom of individual conscience but conformity to orthodox truth."[8] The legitimacy of the government did not depend on the consent of the individual or the people, and while morality was a far more constraining force on government behavior for Confucianists as compared to Legalists, "neither Confucianism nor Legalism saw moral laws or individual rights as limiting the power of the state."[9]

Under socialism, individual interests remained subsumed by

collective or corporate ones. While the state in theory is the proletariat's tool for suppressing class enemies and promoting economic development, the individual can find fulfillment only within the collective, and his economic security can be advanced only if the state can promote the general welfare. While almost all rights outlined in the United States Constitution are addressed in the 1982 Chinese Constitution, these rights are subordinated in China to the needs of socialist society and are seen as instrumental in attaining the economic betterment of the whole. In this pursuit, the state is "maximal and pervasive."[10]

American and Chinese views differ as well on the Universal Declaration of Human Rights and basic international norms of human rights. While the United States stresses political and individual rights and since 1980 has downplayed social and economic rights, the Chinese Communist party stresses the latter. Although its various constitutions pay lip service to political and individual rights, government policy always subordinates these rights to socialist economic development and the social stability necessary in their eyes for economic development. Thus the Chinese constantly rebut their critics in the United States Congress, arguing that without economic development there can be no human rights in China and that this development can occur only with social stability.[11] If individual pursuit of political rights threatens that order, the state has the legal and moral obligation to the collective interest to suppress that individual and limit his actions.

Human Rights in Sino-American Relations before June 4

Before June 4, 1989, human rights played a limited role in Sino-American relations. Some members of Congress, angered by China's Tibet policy, tried to make human rights the central issue in bilateral ties after 1987; but pressure on this issue was limited, and forces in Congress who favored strategic and economic ties to the PRC fought an ongoing battle against guerrilla-type attacks on Sino-American relations.[12] Until the crackdown in Beijing on June 4, both the Reagan and Bush administrations succeeded in ensuring the predominance of strategic and economic issues.

Congressional activism on human rights policy reflected an overall assertiveness in foreign policy begun with the War Powers Act of 1970 and followed by specific human rights initiatives

beginning in 1973.[13] Congress regularly speaks out to express disappointment with foreign governments on human rights and to pressure the president to act. In its concern that states which mistreat their citizens not receive its help, Congress instituted legislation linking all countries' human rights policies to American development or security assistance.[14] The American legislature also invoked specific sanctions against selected countries violating acceptable human rights standards. Finally, President Carter institutionalized human rights as a critical component of American foreign policy by creating a Bureau of Human Rights and Humanitarian Affairs in the State Department in 1977 and legislating that the State Department submit to Congress an annual Human Rights Report on the situation in every country in the United Nations.[15] All these strategies affected the politics of human rights before and after June 4.

Overall, the situation in Tibet had been the only consistent congressional issue linking human rights and China. Although a hearing on human rights in China in 1987 found that abuses continued, especially in Tibet, Senator Claiborne Pell, a staunch supporter of Tibetan rights, reported himself that the human rights situation in China had improved.[16] Nevertheless, congressional advocates of human rights, especially for Tibetans, kept human rights on the agenda of Sino-American ties.[17] When protests led the PRC to crack down on Tibet on October 1, 1987, Congress denounced the action, called upon President Reagan to meet with the Dalai Lama, and threatened to link arms sales to China's human rights record, while Representative Tom Lantos called for Tibetan observer status at the United Nations.[18] State Department assertions that the PRC's government had the right to keep order in Tibet, since it was part of China, triggered strong congressional and media attacks on administration policy, forcing the State Department to devise new ways to address human rights in its dealings with China.

Congress was attempting to make human rights the primary issue in Sino-American relations with its amendment to the Foreign Relations Authorization Act of December 1987, which made PRC treatment of Tibet "an important factor" in the conduct of relations between the United States and China. And when the Chinese government responded in March 1989 to major riots in

Tibet by killing many protestors and instituting martial law, Congress was ready for a fight.

The administration's position on human rights before June 4 reflected trends in previous presidential administrations; with several proteges of former Secretary of State Kissinger now serving under George Bush, the United States did not consider human rights an important component of Sino-American relations. In a December 1988 policy address by Paula Dobriansky, deputy assistant secretary of state for human rights and humanitarian affairs, China was not mentioned once.[19] Her speech graphically outlined the Bush administration's thinking on human rights:

> In pursuing human rights policy, we also should continue to balance human rights concerns with other national security imperatives. . . . Our approach should be balanced and receptive to cultural and ethnic heritages of other countries. Yet under any circumstances, we should not ignore egregious human rights violations that cannot be excused by any cultural differences.

In an extremely sensitive passage, she asserts that

> the peculiarly American concept of human rights may appear alien and even dysfunctional to many foreign cultures and societies. In particular, many Third World traditional cultures emphasize corporate group rights. . . . In public policy matters, the United States should be mindful of this cultural diversity and not try to impose indiscriminately its own concept of morality and ethics on anybody.

Yet in terms of attention, the PRC did not escape the State Department's scrutiny. As events heated up in Tibet in 1987 and exploded in Beijing in 1989, the State Department's Human Rights Report responded accordingly (see table 1).

Due to its limited emphasis on human rights and its continued concerns over strategic alignments, the Bush administration did not press the case of Fang Lizhi, a leading Chinese dissident, who had begun a major campaign in early 1989 to gain the freedom of political prisoners. When he was not admitted to the president's banquet during an official visit to Beijing in early 1989, only a mild protest was registered. While many Americans recognized Fang's

Table 1
Country Reports on Human Rights Practices, 1985–1989
Report lengths in pages

	USSR	PRC	Taiwan	Canada	UK
1985	15	16	14	5	13
1986	18	15	13	3	10
1987	24	20	14	4	10
1988	23	21	16	5	17
1989	18	24	14	5	12

Source: Department of State, *Country Reports on Human Rights Practices for 1985, 1986, 1987, 1988,* and *1989.* Report submitted to the Committee on Foreign Affairs, House of Representatives, and Committee on Foreign Relations, U.S. Senate. The reports are published in February following the year studied.

importance and China's continued human rights abuses, the Bush administration was not going to get involved in the case of one dissident.[20]

Yet administration officials assert that there had been little pressure on them except from Congress to raise the profile of human rights in Sino-American relations. They pointed to the fact that human rights groups had not criticized the China section in the annual Human Rights Report — the administration's official position on human rights. In fact, the 1986 critique of the State Department Human Rights Report does not list China among the thirty-nine countries which human rights groups discussed.[21] According to officials in the Bureau of Human Rights and Humanitarian Affairs, there had never been any criticism of the report by the human rights community, and prior to June 4 very few people concerned about human rights ever visited the bureau. Nevertheless, even though human rights groups had been far more concerned with the softness of the 1986 report on Latin America and the Israel-occupied territories, China was addressed in the June 1988 and January 1989 critiques.

On the other hand, human rights groups had criticized the 1986 report for dropping the section, "Economic, Social and Cultural Situations," which reflects the American government's rejection of a state's efforts to improve living standards as part of a state's responsibility to respect human rights.[22] The economic approach to human rights represents China's position, and the inclusion of this assessment in the reports suggests a more favorable view of human rights progress in China among human rights groups throughout most of the 1980s before the 1987 crackdown in Tibet, as Deng's reforms significantly improved the economic, social, and cultural conditions of hundreds of millions of Chinese. Activists still opposed China's abuse of individual and political rights, but they did not raise this issue with the Bureau of Human Rights and Humanitarian Affairs.

Public opinion and media coverage did not place too much emphasis on human rights. According to one study, human rights received a dramatic boost in media attention during Carter's early years and did not return to pre-Carter levels under Reagan.[23] However, once "the content of the debate about human rights shifted more toward oppression in the Soviet Union and the meaning and consequences of international terrorism," human rights abuses were more likely to fade from media attention. American media significantly increased their reporting on human rights in China in 1987, when abuses were on the increase, and expanded their coverage in 1989 (see table 2).

There was also little change in public opinion towards human rights as a foreign policy goal during the Carter and Reagan years, excluding the issue of apartheid.[24] Most citizens, while supporting the protection of human rights abroad, decrease their concern when it is suggested that such protection might interfere with other foreign policy goals, such as containing communism or keeping good ties with strategically and economically important countries. China benefited from such views before June 4.

PRC Views: Human Rights and Sino-American Relations before June 4

China confronts a serious dilemma in dealing with the United States and other democratic countries on the issue of human rights. As mentioned above, cultural and political differences created very different views on human rights in China and the United States. Because foreign powers infringed on China's territorial integrity for a century before 1949, China's leaders are extremely

Table 2
Frequency of Articles Referring to Human Rights, 1983–1989

People's Republic of China

	1983	1984	1985	1986	1987	1988	1989	1990†
Washington Post	31	40	22	47	62	72	242	188
Los Angeles Times			41	47	82	61	251	184
Associated Press			101	97	157	148	493	472

Soviet Union

	1983	1984	1985	1986	1987	1988	1989	1990†
Washington Post	150	156	210	339	410	448	482	284
Los Angeles Times			280	353	427	420	480	266
Associated Press			811	987	1131	1142	1152	761

†projected from first ten months' data

sensitive about national sovereignty. China supports United Nations positions opposing interference in other countries' domestic affairs — hence China's strong embrace of the "Five Principles of Peaceful Coexistence" and its emphasis on noninterference in another country's internal affairs.

China's leaders also believed that the world cared little about human rights in China. Deng's famous statement that "China locked up Wei Jingsheng and no one cared" reflects that perspective; the world's lack of response to his jailing confirmed it.[25] And while the U.S. Congress made Tibet the core of its human rights dispute with China, in Chinese eyes Tibet represents issues of national security and national unity, as an autonomous Tibet could become a focus for foreign infiltration. Moreover, even India recognized Tibet as a part of China.

The widely accepted view that there are universal standards of human rights to which all states must subscribe, however, legitimizes interference in a country's affairs when it commits human rights abuses. In other arenas, China has relaxed its rigid

views on sovereignty — it allows on-site inspections by the International Atomic Energy Agency. In the human rights arena too, China must recognize that how it treats its people affects how governments deal with it.

Sino-American Relations and Human Rights after June 4

When the Chinese government used armed force, killed hundreds of citizens to end the occupation of Tiananmen Square, invented a "class conspiracy" to justify it, arrested thousands of political activists, and executed dozens of workers without proper appeal, it transformed the core of Sino-American relations. Worldwide revulsion erupted as millions watched on television an apparent massacre in the square where only a few weeks earlier idealistic youths had demonstrated for democracy. Public emotion moved human rights to the top of the list of issues determining Sino-American ties for many Americans, for the media, and for most members of Congress.

Any American who opposed China for any reason could now put his case against China on the public agenda. The Tiananmen crackdown strengthened the hand of those who resented the double standard applied to China's human rights abuses.[26] The media went on an anti-China tirade that lasted until mid-1990. In some academic circles, one could not ask questions about the government's motives without first denouncing the current Chinese regime as the most barbaric government in world history. This one act of repression expanded the scope of active opponents of Sino-American ties and increased the number of people within the United States who wanted to punish China. American supporters of good relations with China who tried to understand the government's actions or who felt that such a crackdown was not surprising, given the nature of the regime, were forced into silence. When they expressed their views they were roundly denounced.

Yet President Bush added oil to the flame of righteous indignation by refusing to recognize that human rights had become the heart of the Sino-American relationship. Rather than strongly denouncing the Chinese government's actions and publicly recognizing the seriousness of China's human rights violation, he tried too quickly to walk a line between expressing dismay and maintain-

ing good ties with the regime that had shot its own people.[27] As a result, he risked losing control of the issue, and Congress pressed forward with a host of sanctions. The president found his credibility and authority under attack by an American media that pointed out the double standard, made more glaring by the collapse of communism in central Europe. Human rights organizations found good grounds for criticizing the president's lack of response to individual suffering and even torture.[28]

Under these pressures, the president was forced into a reactive mode, constantly responding to congressional actions in ways that made it appear that he was acting on behalf of the Chinese government and defending China's interests rather than promoting American foreign policy interests, including human rights. He chose to adopt secretive tactics to keep lines of communication open with Beijing, and when these were discovered, it appeared as if he were working at the beck and call of the "perpetrators of the Beijing Massacre." His decision to veto the Pelosi bill and the subsequent announcement of the Scowcroft mission allowed the Democrats to challenge the president's personal capabilities and turned China policy into a highly partisan issue, politicizing Sino-American relations to a degree unknown for two decades. Moreover, when the president did respond to domestic pressure to prove his "human rights credibility," he took positions that were sometimes more harmful to China's interests than the policies of his congressional opponents.

The president's efforts to keep control of China policy caused serious divisions within the administration. According to administration sources, some senior officials in the State Department and the White House concluded that although stressing the strategic relationship and engaging China's leaders in dialogue was correct, the domestic climate made a public defense of this position politically infeasible. State Department officials who reportedly had qualms about the China policy also discouraged administration officials from talking publicly about it. As a result, the administration had to defend its China policy until early 1990.

The White House also felt that reducing public attention to China and avoiding exacerbation of bilateral strains would slow the decline in Sino-American ties. But in fact this strategy reinforced congressional criticism that the administration did not know what it was doing. A perception developed in Congress that

the administration's reticence to defend its policy implied that the administration itself viewed the policy as indefensible. According to some sources, only after Under Secretary of State Lawrence Eagleburger's public testimony in early February did many members of Congress become convinced that the administration had a real policy and that it might get the Chinese to move forward on critical issues of interest to the United States.

President Bush's apparent insensitivity to the human rights dimension of China policy, his conflicts with a Congress pressing that agenda, and perhaps the media's anger at having been "duped" by the Chinese into believing that democracy was coming in China led the American press to swing from characterizing "Deng as the open-door westernizer" to presenting "Deng as the Butcher of Tiananmen."[29] Editorials and articles railed against the president, and due to the desire of the press to prove that the president's policy was wrong, they distorted many stories during this period. They refused to recognize the role played by the Scowcroft visit in stemming the tide of leftism in late 1989.[30] They understated the significance of the lifting of martial law in mid-January, and the formidable politics behind that move was never acknowledged. Every release of several hundred detainees was portrayed as a cosmetic act to win the favor of foreigners; yet for those who were released and for the people in China life was improving.[31] Had the media presented the lifting of martial law as a victory for moderate forces, or taken the prisoner releases more seriously, they would have had to recognize the utility of the Bush strategy, including visits to China by Nixon and Scowcroft. Yet for journalists and members of Congress, these visits symbolized administration insensitivity to Chinese suffering and the willingness of the American government to ignore human rights in the pursuit of strategic ties. Given the apparent immorality of this strategy, how could they accept the fact that it might succeed?

Once major newspapers and television news editors decided that the story in China was the suppression of human rights and the struggles of the brave Chinese people to throw off the oppressive yoke of the Chinese Communist party, few stories appeared even into mid-1990 that did not focus on arrests, popular disillusionment, and anti-government hostility. While some moderation in the political climate in China began in mid-February, no prominent American newspaper ran such stories. According to a

survey at Harvard University's Kennedy School's Barrone Institute, reports written by Western and Japanese embassy officials in Beijing for their home governments were far more upbeat than the articles that were appearing in the American press.[32] Some American journalists in China admitted that they had become so disillusioned by the government's crackdown that they could not bring themselves to write such stories, although they knew a favorable political shift was occurring. They also knew what their editors would run. As a result the media presented to the American public only a partial picture of post-June 4 life in China.[33]

Finally, once China policy became a human rights issue, new actors entered the policy debate. The most important group was the Chinese students living in the United States, who used the issue of human rights both to attack a government they abhorred and to ensure their own security in America. Other actors, such as immigration lawyers and human rights activists who had previously been far more concerned with Central America, joined the battle over China policy.

Chinese Views of Human Rights and Sino-American Ties after June 4

Events on June 4 significantly changed China's foreign policy by altering leadership attitudes toward the international system, increasing the influence of some actors who had previously played a minimal role in Sino-American ties, and silencing many former advocates of good relations between Beijing and Washington. The international response to the Tiananmen crackdown intensified the threat perception of China's old guard and convinced them that the U.S. Congress and China's enemies in the United States were allied with domestic forces aiming to topple CCP rule. While many Chinese leaders may have seen the violent nature of the crackdown as harmful to party interests, they did recognize that some forceful political action had become necessary to ensure the continued dominance of the CCP. The Western reaction to that decision suggested that the West did not recognize the party's right to self-preservation. Economic sanctions imposed on China undermined the Communist party's ability to ensure economic development and challenged the utility of China's "open door

policy," the two of which form the basis of legitimacy of Deng's reformist regime.

The Tiananmen incident let some leaders reintroduce "class analysis" into foreign policy, which painted a conspiratorial picture of the Western critique of China's human rights behavior. Western criticism of Chinese human rights abuses was not simply "interference" but was seen as one tactic in the long-term strategy of "peaceful evolution" by which American politicians and diplomats had for the past forty years sought to overthrow the party and undermine China's global status. In the United States, China's leaders witnessed the ascension of actors who had for years resisted Sino-American ties, such as the human rights lobby, the anti-family-planning forces, anticommunists and pro-Taiwan forces, and those who opposed China's growing challenge to American economic interests. As the shift of emphasis allowed for these people to take center stage in Congress, it made it appear in China as if long-term American opponents of the PRC were now in a position to challenge it on all fronts.[34]

This shift in attention to human rights threatened China's leaders internally as well. While one day they may regret the verdict made on June 4, it became impossible for China's leaders to accept that the efforts to ensure party leadership and maintain the stability necessary for economic development could be first and foremost an infringement on people's human rights. Most important, Deng did not see that his decision to use force was wrong in that it would arm his opponents and undermine party rule.[35]

The attack on China in the United States also silenced many Chinese advocates of Sino-American ties and gave power to those who sought to undermine these links. Before June 4, Deng retained the final say on all aspects of China's United States policy; after June 4, other leaders and institutions could attack many of the linkages in the American-Chinese relationship. For example, in August 1989, when one of the old guard who rose to power in May–June criticized the Foreign Ministry for allowing its staff to be trained in the United States under funding by an American foundation, the training program was canceled. Officials in China's Foreign Ministry, who themselves seemed to believe that the CCP had used excessive force, stressed in all sincerity that the criticism

of China's human rights policy would only be seen as interference in China's internal affairs and could never be recognized as legitimate.[36] After the June 4 crackdown, officials in the Chinese embassy in Washington began to use "class struggle" and "class analysis" in their reports to the State Education Commission on the Chinese students.[37] These reports could only reinforce the belief in China that class enemies were trying to undermine Sino-American relations. Finally, Chinese in Washington were unable to launch any effort to improve China's position in the United States. Only in August 1989 was the embassy informed of the government's official position on the Tiananmen crackdown and the public position they were to take. Moreover, most of them could not immediately defend publicly a policy they initially so strongly opposed; they preferred not to approach Congress rather than try to explain what for them was an unexplainable policy.

Thus, China could not respond to the new salience of human rights in Sino-American relations. For domestic reasons, as they tried to quell anti-government hostility, the leadership could not admit the human rights nature of the issue; to do so internationally would have justified the foreign attack on the government's legitimacy. The rise of Li Peng as the head of the Foreign Policy Leadership Small Group further complicated the issue, for if China accepted the Western critique that China had abused its people, the prime minister, who had been the major target of the demonstrators and who had declared martial law, would be the most likely leader to fall from power. Similarly, public recognition of human rights abuses would threaten Deng's authority, since he had sent in the troops.

Thus if the Sino-American relationship was to get unstuck, President Bush had to send a clear, unambiguous message to China's leaders that, although he deplored their excessive use of force, he was not part of what appeared to them to be a global conspiracy to overthrow the CCP. Scowcroft's visit, and the inclusion in the party of a personal friend of the president's, helped to defuse the fear in China of a global threat. Once that relaxation occurred, and once China recognized that sanctions would not undermine China's ability to export, China could take tentative steps to release its political prisoners, which it hoped would deflate the attack on China's human rights record. While officially they

continue to deny any human rights abuses, Chinese leaders' actions since the spring of 1990 show that they recognize the importance of human rights in relations between Washington and Beijing and the need for China to respond to those concerns.[38]

Case Studies

This section will examine several critical issues in Sino-American ties since June 4, and illustrate how the question of human rights affected politics in Washington and Sino-American relations. For each case, variations in the nature of the issue — whether it was a human rights issue, a partisan political one, an economic one, or simply declaratory policy — as well as the timing of the policy debate, what issues had been fought out before, the perceived stakes involved, and who had legitimacy to speak on the issue, all affected the policy process and its outcome.

The Sanctions Bill: Negotiating an Acceptable Amendment

The negotiations on this bill occurred before a major split had developed between the administration and Congress, so the level of acrimony was not high. Second, control over the policy remained in the hands of people who were concerned about expressing outrage at China's gross human rights abuses but who were also interested in maintaining economic links that were beneficial to American business and political links with China that were in America's national interest. The issue came down to whether the president could maintain control over the nature of the sanctions. Through negotiations, he was able to do so.

According to some congressional staffers, relatively weak support for China on the Hill meant that supporters of stable Sino-American relations were constantly warding off guerrilla attacks from a variety of fronts. China and the White House were not without friends in Congress who could beat back congressional efforts to undermine Sino-American ties.[39] For example, when some congressmen tried to block the launching of American satellites on Chinese rockets, supporters of China in the House of

Representatives had been able to protect this new form of Sino-American cooperation. But after June 4 all bets were off. According to one Republican staffer, "Between the best efforts of the Chinese government and the policy of the President of the U.S., we were left with no recourse but to support sanctions." Even Republicans who favored continuing most-favored-nation status for China in the belief that American business in China advanced human rights more than cutting trade, had to support sanctions. A "feeding frenzy" on China ensued in Congress. Much of the reaction was based on genuine outrage, as most members felt that Congress as an institution had to demonstrate its horror at the events in China. Yet it has to be admitted that few could afford to be seen as inactive on such a public moral issue. A slow response on this apparently clear-cut human rights question would allow future electoral opponents to attack incumbents for ignoring constituent concerns.

Amendments to the Foreign Assistance Authorization Bill poured into the *Congressional Record.* Losers of earlier battles on China-related issues tried to reverse verdicts. Opponents of the Chinese satellite launch, who had lost the battle once, put forward an amendment opposing it as violating the prohibition on military sales and transfer of technology to human rights offenders. New initiatives, such as Congressman John Edward Porter's efforts to put through a Hong Kong resolution — which would not have passed before June 4 — were accelerated through Congress.[40]

The immense number of proposed amendments forced House Foreign Affairs Committee staffers to pile up all of them and bargain over them as they put together an omnibus China Sanctions Amendment. This way they hoped to satisfy those who had listed amendments without having all the amendments put forward one by one in Congress. The decision on which amendments were included fell into the hands of people who, while desirous of sending a clear signal to China, would not let human rights abuses scuttle two decades of China rapprochement. The majority and minority sides of the House committee tried to limit the impact of sanctions on American business interests. Sanctions on the export of "dual use" technology were excluded, as were sanctions on the high-value goods readily available from other sources. In the words of one staffer, "If you start to put a human rights yardstick next to trade, you wind up trading with yourself."

Included, too, was an exemption from sanctions for the sale of "inertial navigation systems" — a code word for Boeing planes whose sale was pending.[41] While the sanctions sent a strong message to China, significant aspects of the economic relationship were protected.

A deal was also struck on the wording of the "waiver authority." The White House wanted the broadest terminology possible, which would allow the president to lift individual sanctions and protect American business interests. Initially, the House bill provided for the president to waive sanctions only in the interest of "national security."[42] The Senate's version, however, allowed the president to lift sanctions if it was in the "national interest."[43] No final deal was struck in the House/Senate conference committee until General Scowcroft, head of the National Security Council, promised Congressman Solarz that the president would not veto the bill over the China amendment if it included the broader waiver authority.[44] Although Solarz angered Democrats who felt "national interest" gave the president too much leeway, a compromise was achieved which allowed the president to authorize the sale of Boeing planes and satellites.

Yet in his effort to match congressional activism, President Bush pressed his global allies to impose sanctions on China which were more onerous than those imposed by Congress. Besides the initial sanctions of ending military sales and high-technology exports to China and stopping high-level governmental exchanges, the administration put strong pressure on bilateral and multilateral lending agencies to freeze their activities with China. Thus the flow of funds to China from international lending agencies dried up completely. By July 1989, the G-7 had frozen $10 billion in aid and loans from the World Bank and Japan as well as another $780 million in World Bank loans slated for the end of June. These restrictions, more than anything imposed by Congress, hurt the Chinese economy by halting many critical, centrally controlled development projects. Thus while congressional anger toward the president was not inconsequential on the sanctions issue, the two parties worked together, and supporters of President Bush in Congress cooperated with their colleagues who opposed him. A sanctions bill acceptable to the administration was passed, and no major split occurred between Congress and the president.

The Pelosi Bill: China Policy and Political Partisanship

The politics of the Pelosi bill differed greatly from the sanctions bill. New actors on China policy emerged, especially Nancy Pelosi and the Chinese students. The protracted debate involved issues of freedom from persecution and freedom of thought, values which lie at the heart of the American ethos. The president's secret diplomacy infuriated Congress and the media, making this a highly partisan issue. His tactics also cost him support within the administration. In the end, the nature of the fight politicized China policy in a way that could take years to overcome.

At the outset, the events surrounding this bill followed a somewhat similar pattern to the development of the sanctions issue. In response to events in Beijing, congressional actors moved quickly to "give concrete form" to their anger. Many staffers had been frustrated by the plethora of non-binding, declaratory resolutions that had appeared following the Tiananmen crackdown and wanted something meaningful.

Popular emotion was intense. Numerous members of Congress who had not previously been involved on China policy were under pressure to act. Nancy Pelosi, a second-term Democrat from San Francisco, had not been active on China but had supported Central American refugees. So when Chinese constituents called her to do something, members of her staff contacted immigration lawyers with whom they had worked on the issue of Central American refugees and wrote the Pelosi bill (H.R. 2712). Chinese students, who previously had not played a role in Sino-American relations, became what one congressional staffer called "an unbelievably effective lobby." Three days after the drafting of the Pelosi bill, a group of Chinese students who knew the content of the bill deluged Pelosi's office with letters, faxes, and phone calls. Pelosi's office then directed them to contact their own congressmen. Overnight the bill had 250 cosponsors. Chinese students from every state came to lobby Congress. Every campus sent representatives, and they worked almost every congressional district in the country. No doubt, some had reason to fear the Public Security Bureau or investigations within their place of work if they returned to China; others thought that their presence in the United States during this period might later be used against them in promotion decisions if they returned to the PRC. Yet the students overstated

the threat to their security and were willing to sacrifice future Sino-American educational exchanges to ensure their access to permanent residence status.[45]

The human rights issue gave some members of Congress an important opportunity for national attention. Although Congresswoman Nancy Pelosi had not been active on Chinese human rights, she had found an important issue on which to expand her influence. By the time this question was settled, she had been appointed chairperson of a new informal congressional committee on China policy. Another congressman who had tried to help the students, Steve Gunderson, of Wisconsin, was less successful in finding the right approach. He had put forward an amendment to set up a committee to help the Chinese students with financial matters, but when the staff working on the omnibus sanctions bill discovered that the Institute for International Education was already doing this with private funds, Gunderson's initiative was dropped in the House-Senate conference committee.

The administration once again appeared to be on the wrong side of a clear-cut issue of human rights when the president chose not to sign H.R. 2712. With thousands of people in China being arrested for exercising their right to influence government policy, how could the president fail to protect Chinese citizens in the United States who had pursued that same right? Even though the president followed his pocket veto of H.R. 2712 by instituting a presidential directive that offered protection to an even greater number of Chinese citizens, his decision to introduce only limited sanctions soon after June 4 made many congressmen and students fearful that at some future point he might succumb to Chinese pressure and revoke his own directive. During the Christmas recess, Congress and the Chinese students felt justified in doubting the president's word. While he had included a moratorium on high-level exchanges in his sanctions package, the president announced to the shock of Congress and the world that Scowcroft, Eagleburger, and other Americans were visiting Beijing. In fact, it was soon revealed that in July, only one month after the Tiananmen crackdown, these same diplomats had gone to Beijing at the president's request. In the environment of public mistrust fueled by the president's obvious efforts to justify his secret diplomacy by manipulating words such as "exchanges" and "visits," Congress decided to protect the students and fight the president's veto.

Some Democrats saw the president's apparent insensitivity to human rights and his refusal to openly confront the Chinese as a way to embarrass him, and they turned this issue into a personal and partisan battle, with Senate Majority Leader George Mitchell leading in accusing President Bush of having "kowtowed" to the Chinese.

When the House met after Christmas, it quickly overrode the veto, leaving the battle to be won or lost in the Senate. Seeking support from conservative Republicans, the president portrayed this as a partisan issue, arguing that the Democrats wanted to use the controversy to weaken him. His staff made a video of all the times Senator Mitchell had accused the president of "kowtowing" to the Chinese and showed it as an illustration of the Democrats' strategy to Republicans they hoped to persuade. The issue of human rights and China policy got lost in the battle.

The president pulled out all stops to prevent the override of his veto, adding his own partisan efforts to rally right-wing congressional support. In the words of one supporter of the Pelosi bill, this was "the most serious lobbying effort by the administration ever." Reports suggest that administration officials targeted senators who had potential ethics problems, including Dave Durenberger, Alfonse D'Amato, and John McCain, and pressured them not support the veto override. In the end, eight undecided senators went along with the president, and his veto was sustained.

The battle over the Pelosi bill also highlighted splits within the administration, particularly between the White House and the State Department. In justifying the presidential veto of this bill, the administration spoke with several different voices, leaving both its critics and its allies befuddled. Initially, the State Department and Chief of Staff Sununu both said that the president opposed the bill because it might cause the Chinese to cancel exchanges and therefore prevent other Chinese from coming to the United States. Another State Department official asserted that the veto was to protect exchange programs worldwide. Yet when the president justified this policy, he did so arguing that he "opposed Congressional micromanagment of foreign policy."

A recent explanation links the veto to the Scowcroft visit. According to administration sources, the Chinese were furious about this bill and threatened to cancel the trip unless the bill were vetoed. Deng could not meet Scowcroft unless the administration

distanced itself from a Congress which seemed bent on overthrowing the CCP and abetting a "brain drain" to the United States. Deng reportedly sent a message that he wanted to get out of the bind that the crackdown had imposed on Sino-American relations; the defeat of the Pelosi Bill was part of that effort to help him.

Yet to prove that he could protect the students as well as Congress could, the president's directive went beyond the Pelosi bill on two counts: the president's directive concerning work authorization applied to *all* PRC nationals who were in the United States on June 5, 1989, whereas congressional proposals covered only individuals in a lawful student exchange or having visitor status. Thus the president also protected people whose visas had expired. Second, in the section concerning forced abortion and coerced sterilization, the president's directive offered protection "to all foreign nationals, regardless of their country of origin," while H.R. 2712 covered only PRC nationals.[46] This outcome left both Congress and the Chinese angry at him. According to Chinese sources, President Bush had told Chinese officials that his student policy would be more favorable to the regime. But the furor over his veto forced him to introduce a policy that was quite pro-student, leaving the Chinese feeling betrayed and angered. It also angered members of Congress and their staffs, with whom he had fought a fierce battle, and left them wondering why he had reacted so forcefully in the first place.

Human Rights Report

The Human Rights Report was the administration's first public recognition after June 4 that there was a major human rights problem in China that had to be addressed. The 1989 report was much tougher than its 1988 predecessor. According to officials in the Bureau of Human Rights and Humanitarian Affairs, the deteriorating human rights situation in China led them to make the report more honest. Thus the report finds that Chinese "authorities clearly used excessive deadly force" against "peaceful demonstrators" in Tiananmen Square.[47]

However, the tenor of the report changed dramatically. While Chinese efforts to improve human rights in China — by introducing new laws — were emphasized in previous reports and problems in implementing human rights policy were downplayed, the

1989 report focused on abuses that had been going on for several years. For example, it criticized China for not succeeding in "stopping abductions and the trading of women and children" and stated that "there is no evidence" that discrimination against women had been reduced. While previous reports had highlighted Chinese legal strictures against torture and human rights abuses, had accepted Chinese contentions that they were working to improve human rights in China, and had even stated that they expected the "liberalizing trend" would "continue," the 1989 report admitted that torture is "persistent and consistent," and spoke of "slippage" on human rights. Whereas the 1988 report found no forced labor outside prisons and labor camps, the 1989 report observes that few Chinese at all have any significant degree of choice in their employment, something the State Department knew all along but never stressed. Thus any implication ended that the Chinese government had taken progressive measures and that only implementation was lagging. Finally, concerns were put aside about the sensibilities of the Chinese ruling elite, which had influenced past reports. The report chastised a "few senior leaders" who to maintain power killed citizens and carried out a crackdown and "a massive disinformation campaign aimed at rewriting history."

According to officials in the bureau, the tougher language was also due to the fact that since June 4 they had far more information than ever before. The sharper critique on population policy was due to the fact that Congressman Chris Smith, a pro-life activist, had supplied more information. However, other administration officials said such information had always been available, particularly since the information Congressman Smith and others provided consisted mostly of unsubstantiated allegations from the Chinese press in 1981–84. The State Department had simply rejected the information until after June 4, when it became necessary to use it. Previously the State Department had just updated the report, resisting pressures to beef it up; but it had been easier to resist these pressures before June 4, 1989. Perhaps, too, after the Tiananmen crackdown, the drafters of the Human Rights Report were themselves less willing to resist these pressures.

The report was first drafted in Beijing in October, then edited in the State Department, mostly by the China desk and the Bureau of Human Rights and Humanitarian Affairs. While many working-

level officials anticipated high-level pressure to dilute the strong language in the embassy's draft, such pressure did not materialize, so the report's tone remained essentially as written. Three plausible explanations for the lack of pressure include high-level inattention to the report in the crush of other business, warnings from Congress not to water down what was known to be a tough embassy draft, or a decision that China's limited response to the Scowcroft visit did not justify a softer tone. Yet while the document was part of the public realm and surprised the Chinese by its frankness, it was only declaratory policy. Though a really tough criticism of China, it had no teeth and was unlikely to harm American business interests or the strategic relationship. It did, however, play a role, as several witnesses in the congressional hearings on MFN cited the report as proof that China's human rights situation "has deteriorated in virtually every area."[48]

MFN: Economic Interest and the Emergence of a Coalition

The fight over MFN followed a different pattern. There was a battle over the definition of the issue, as the president wanted to make it an economic issue and detach it from human rights. But to do so, the president had to expand the range of participants in the debate. The high price of the Pelosi bill battle meant that, without significant help from Beijing and from American supporters of strong ties to China, the president preferred not to act alone on this issue. But Congress, the Chinese students, the human rights community, and an important sector of the American community interested in China policy were intent on maintaining the linkage and saw MFN as an important economic lever with which to send a message to Beijing on its human rights policy. The president advised the Chinese that if they wanted to keep MFN, they had to defuse the saliency of their human rights policy. Fang Lizhi's release was Deng's contribution to this policy debate.

To mobilize support, the president decided to warn American and Hong Kong businessmen, as well as the Chinese, that he might not exercise a veto to ensure continuation of MFN.[49] As a result, actors who had an economic interest in the policy, but who had not been involved in the sanctions or Pelosi bill debates, moved to the fore. The U.S.-China Business Council prepared a very persuasive document showing the impact of increased tariffs on

imports from China for American retailers and consumers. The presidents of the American Chamber of Commerce in both Hong Kong and Beijing spoke at the congressional hearings. Also, the heads of many important trade organizations, including wheat exporters, toy manufacturers, and the American Association of Exporters and Importers, all presented material to the House committees addressing the MFN issue as an economic one. In his presentation to the House Subcommittee on Asian and Pacific Affairs, M. David Lampton, president of the National Committee on U.S.-China Relations, argued that ending MFN sent a message that "the United States is insensitive, if not hostile to the economic aspirations of all China's people."[50] Liberals who had bashed the president for his China policy shifted sides on this issue, expressing their concerns about the impact of revoking MFN on both China's and Hong Kong's economies and their belief in keeping the door to China open.[51] Even some Chinese dissidents began their own lobbying efforts to stress the economic costs to China of revoking MFN.[52]

The timing, too, was different. By the time of the debate on MFN, the bottom floor had been reached in Sino-American ties. Much of the emotionality of the summer of 1989 had apparently passed, particularly among the American public. Also, the Chinese finally realized that they could not expect help from the president without some give on their part first. Numerous Americans warned Chinese Foreign Ministry officials and higher-level leaders that the president had used up all his cards defeating the Pelosi bill and that they would have to contribute something on human rights — such as more prisoner releases or the release of Fang Lizhi — if they wanted the president to protect bilateral ties.[53]

The Chinese did release more prisoners and lifted martial law in Tibet, so that by May 1990, when the president had to make his decision on MFN, the Chinese government claimed that only 437 prisoners arrested after June 4 remained in jail. Then in early July, at Deng's bequest, the Chinese government allowed Fang Lizhi and his wife to leave China. China's leaders seemed finally to have learned that Sino-American relations had become a human rights issue.

To some extent, splits began to emerge within the Democratic leadership, as Senator George Mitchell continued to press the Chinese human rights issue. Meanwhile, Speaker of the House

Thomas Foley, whose constituency in Washington state has extensive trade relations with China, began to approach it from a foreign trade perspective.[54]

Nevertheless, anger in the House and continued lobbying by Chinese students who opposed China trade made saving MFN an uphill battle.[55] In some ways the administration appeared to be out of touch with the mood of Congress. For Congress, the issue was whether to reject the president's authorization of MFN or to accept his determination to waive the Jackson-Vanek amendment, but with conditions.[56] Thus although Richard Solomon, assistant secretary of state for East Asian and Pacific affairs, argued that the president's decision on May 24, 1990, to continue MFN unconditionally was in the national interest — focusing on the positive role of MFN in promoting American business, China's human rights, Hong Kong's future, and continuing Sino-American dialogue — Congressman Solarz warned him to argue instead for a conditional one-year extension as the best deal the administration was going to receive from Congress. If, however, the administration worked for a full extension, he said, "You run the real risk of ending up with an immediate termination of MFN."[57]

Congressman Solarz was correct. House Speaker Foley, who wanted to preserve MFN, failed to get the House Rules Committee to send the MFN bill to the House floor with no opportunity for amendments. He even went back to the committee and demanded that it reconvene to ensure that no challenges could be raised against it. In the end, the House rejected the president's certification of MFN status for China, but the Senate, distracted by the budget crisis, never met on it. Thus, the president's certification was allowed to stand. MFN for China remains highly contentious, as efforts failed to make it only an economic issue. China's human rights policies remain key to congressional actions and Sino-American foreign policy.

Conclusion

What will be the future role of human rights in Sino-American relations? Is it here to stay as a significant issue? How important is external pressure in improving China's human rights policy?

Without a strong lobby in Congress to protect China policy,

ties between the United States and the PRC remain vulnerable to single-issue constituents who either oppose China's human rights policy or use it to advance their own particular causes. And while China policy was relatively immune to impact from the human rights issue for most of the past ten years, in the post-June 4 era Sino-American ties will remain highly vulnerable for several reasons. A new coalition of opponents to China has evolved composed of right-to-life advocates, liberal human rights activists, trade protectionists, and anticommunists, who for different reasons share a common interest and act in ways that can further weaken Sino-American relations. Moreover, the shift in the strategic global environment and the declining Soviet threat has reduced China's strategic importance to the United States. The disillusionment of American business with China and the current economic retrenchment and go-slow approach to economic reform in China also undermine some of the economic rationales for the relationship.[58] Finally, the ballooning trade deficit with China — in 1990 it was $12 billion — will give ample ammunition to those who question why the American government continues its double standard on human rights abuses in the Soviet Union and China. All these factors will be counterposed to Chinese and administration efforts to downplay the human rights component in Sino-American ties.

But there is good news in this. China clearly abuses its people's human rights. Most members of China's old guard care little about human rights and see it only as a bargaining chip in their ties with the United States. Police at the local levels are free from any effective monitoring and the courts regularly lock people up without proper proceedings. Serious work will be necessary to reverse the negative impact of the post-Tiananmen crackdown on the progress that had been made in human rights under the Deng reforms. Until a free press is instituted, Chinese people will be forced to rely on outside pressures, such as strong public criticism, formal diplomatic protests, and even some economic sanctions, as well as their own internal public opinion, passed up through various channels to state leaders, to improve the human rights climate in China. Therefore, while Congress's political activism in support of Chinese human rights — such as their rejection of MFN and efforts to pry Tibet free from Chinese control (which will trigger recalcitrance) — is likely to be counterproductive, the increased salience of human rights in Sino-American relations should help improve China's domestic human rights environment.

In part this shift may already be under way, for something has changed in the way the Deng regime deals with its internal political enemies. While it still executes some of its working class foes and deals harshly with those whose organizational skills really challenge communist power, most of the Chinese intellectuals who were arrested in June–July 1989 were released within a year.[59] Had this been 1957, the time of the Anti-Rightist Campaign, or the Cultural Revolution, almost all of these political prisoners would have stayed in jail for ten to twenty years. While China argued that it would not yield to external pressure, greater economic interdependence has decreased China's ability to withstand economic sanctions and international opprobrium. Fang Lizhi's release is the proof.

While Mao could close China down, today's hardliners could not do so even if they desired it, because of Deng's certain resistance to any such prospect. Moreover, the vested interests in many parts of the country, including among some very important leaders, favor continuing interaction and openness. While the Chinese government denounced the 1989 Human Rights Report, for the first time it responded officially to the substance of the report by providing a written critique. Some — though not all — State Department officials are hopeful that this exchange will lead to a productive dialogue on human rights issues. The reception in China in December 1990 of Assistant Secretary of State for Human Rights and Humanitarian Affairs Richard Schifter, who presented a list of 150 names of political activists currently under arrest to the ministries responsible for perpetuating most of China's human rights abuses, is a further sign of a shift in the way China handles the public side of the human rights issue.

One hopes that China's leaders understand the human component of human rights, but it is doubtful. They instead appear as determined as ever to hold onto power. As their children become more entwined in the economy and in benefiting from their control over it, they too are likely to back political and military suppression, even as they wish that their support were not required. In the short run, a fundamental shift in China's real view of human rights is unlikely. Should new serious challenges to CCP

dominance emerge, human rights abuses will follow. When they do, the U.S. Congress, pushed by the new anti-PRC coalition, may find popular support among the American body politic and society in the post-June 4 era for new sanctions and new limitations on Sino-American relations. At such moments, the president will be hard pressed to preserve good Sino-American ties.

Yet openness and reform have their virtues. We should anticipate a change as China recognizes the fundamental nature of its response to human rights and the need to improve its performance if it wishes to keep Western loans and technology flowing into the PRC. Ten years of Deng's reforms have had a significant impact. For a decade Deng told the Chinese intellectuals that they were part of "the people" and had the right to participate actively in China's modernization drive. Their views and China's ties to the outside will have their impact. In the words of one of the author's Chinese friends, a well-known political hardliner, "The world has become internationalized and China cannot go on its own as in the 1950s and 1960s and ignore what the world thinks about it. We have to be concerned and try to deal with these issues. China cannot go back on its open policy. The people would not accept it, and this has led to changes in China, in people's views and people's demands." Let us hope he is right.

NOTES

Funds for research and travel for this paper were provided by the Hewlett Research Grant, Fletcher School of Law and Diplomacy, Tufts University. Research assistance was provided by Alexias Feringa Thurman, Wayne White, and Yang Yi. Special thanks goes to Kenneth Lieberthal, Hurst Hannum, Alfred Rubin, and especially William Tow for their helpful and challenging comments. All errors are my own.

1. Henry Kissinger, *White House Years* (Boston: Little, Brown and Company, 1979), p. 164.
2. A. Glenn Mower, Jr., *Human Rights and American Foreign Policy: The Carter and Reagan Experiences* (New York: Greenwood Press, 1987), p. 153.
3. Michael Oksenberg, "The Dynamics of the Sino-American Relationship," in Richard Solomon, ed., *The China Factor* (Englewood Cliffs, NJ: Prentice Hall, 1981), p. 198.
4. According to one Chinese official, despite a great emphasis on building ties with Congress, both by inviting congressmen and their staffs to visit China and by delegations from China's National People's Congress to America, the ideological and political differences over Taiwan, Tibet, human rights, and birth control, as well as limited financial resources, make it quite difficult for China to win over congressmen.
5. Much of the information collected for this paper comes from a series of confidential interviews conducted in early August 1990 with administration officials, congressional aides, and Chinese officials.
6. Louis Henkin, "The Human Rights Idea in Contemporary China: A Comparative Perspective," in R. Randle Edwards, Louis Henkin, and Andrew J. Nathan, eds., *Human Rights in Contemporary China* (New York: Columbia University Press, 1986), pp. 14–16.
7. Henkin, "Human Rights Idea in Contemporary China," p. 21.
8. Ibid.
9. Andrew J. Nathan, "Sources of Chinese Rights Thinking," in Edwards, Henkin, and Nathan, eds., *Human Rights in Contemporary China,* p. 127.
10. Ibid., p. 161.
11. According to a noted specialist on human rights, Hurst Hannum, the assertion that economic development took precedence over individual rights was quite common in the 1960s and 1970s. But as the international regime on human rights became more legitimate, this argument was abandoned by most states except China.
12. Author's interview, 1990.

13. David P. Forsythe, *Human Rights and U.S. Foreign Policy: Congress Reconsidered* (Gainesville, FL: University of Florida Press, 1988).
14. See Stephen B. Cohen, "Conditioning U.S. Security Assistance on Human Rights Practices," *American Journal of International Law* 76, No. 2 (April 1982), pp. 246–79.
15. As a result of these two pieces of legislation, every United States embassy has a human rights officer in the political section who is responsible for, among other tasks, writing the first draft of the human rights report, and therefore is known within the host country as someone who can be involved in checking up human rights abuses.
16. Gary W. Vause, *Tibet to Tiananmen: Chinese Human Rights and United States Foreign Policy,* University of Maryland Occasional Papers Series in Contemporary Asian Studies, no. 6 (Baltimore: University of Maryland School of Law, 1989), p. 15.
17. The most active is Congressmen Tom Lantos, a staunch supporter of Tibetan independence, who sees the suppression of Tibetan efforts for self-rule as a holocaust. For Lantos, any violator of human rights must be taken to task, but he is now particularly irked by the double standard which allows China to escape precepts imposed on countries such as the USSR. In September 1987, with the help of the Congressional Human Rights Caucus, he brought the Dalai Lama to Washington and created tensions in Sino-American relations when his statements to Congress recognized the Dalai Lama's government-in-exile. The Dalai Lama was accorded some trappings of a head of state, which Lantos claims was a conscious action to advance the claim for Tibetan independence. See Vause, *Tibet to Tiananmen,* p. 37.
18. Ibid.
19. Paula Dobriansky, "Human Rights Policy: Future Opportunities and Challenges," *Current Policy,* No. 1143 (Washington, DC: United States Department of State, Bureau of Public of Affairs, Office of Public Communications, January 1989).
20. For Ambassador Winston Lord and particularly his wife, who was actively involved in promoting human rights in China through regular contacts with leading Chinese intellectuals, human rights in China took on an extremely personal component, since many of the people abused by the government were regular attendees at ambassadorial functions. Bette Bao Lord described many of her ties with government intellectuals who suffered human rights abuses during the Cultural Revolution in her recent book, *Legacies: A Chinese Mosaic* (New York: Knopf, 1990), especially pp. 40–69.
21. Watch Committees and Lawyers Committee for Human Rights, *Critique: A Review of the Department of State's Country Reports on Human Rights Practices for 1986,* April 1987, submitted to the State Department.

22. According to the 1986 Human Rights Report, the State Department dropped this category because "the concept of economic, social, and cultural rights is often confused, sometimes willfully, by repressive governments claiming that in order to promote these rights they may deny their citizens the rights to integrity of the person as well as civil and political rights." *Critique,* pp. 3–4.
23. Anne E. Geyer and Robert Y. Shapiro, "The Polls — A Report: Human Rights," *Public Opinion Quarterly* 52, No. 3 (Fall 1988), pp. 386–98.
24. Ibid.
25. The desire to maintain communist power and the entire CCP system, which stresses suppression of all political challenges, means that many CCP officials have little respect for individual human rights. Particularly when political liberalization creates instability, most CCP leaders would support tightening the political system. For Deng Xiaoping's comment on Wei Jingsheng, see "Central Document" (Zhongfa) No. 1, 6 January 1987, in *Chinese Law and Government,* Spring 1988, p. 19.
26. According to people close to Congressman Lantos, many moderates on the issue of human rights who had previously not wanted to believe his claims about abuses in Tibet were convinced by the June 4 crackdown that he had not been exaggerating.
27. Perhaps the conflict in the United States was inevitable, given the popular and congressional anger and the president's commitment to maintaining relations with China. Could the president have taken stronger actions and have still pursued a dialogue with the Chinese leadership in a way that allowed him to be well positioned for reestablishing meaningful ties when the Chinese finished their internal and anti-foreign post-Tiananmen paroxysm? For a comprehensive critique of administration policy, see Human Rights Watch, *The Bush Administration's Record on Human Rights in 1989,* January 1990.
28. Asia Watch, *Punishment Season: Human Rights in China after Martial Law* (New York: Asia Watch Committee, 1990), pp. 59–68.
29 James C. Thomson, "Jilted Again: The U.S. Media's Courtship with Democracy in China," *Gannett Center Journal* 3, No. 4 (Fall 1989), p. 91.
30. According to several Chinese sources, tension on Beijing's streets relaxed immediately after Scowcroft's visit was announced in the *People's Daily.* After Scowcroft asked for the lifting of martial law Deng called on Jiang Zemin, who worked for one month before he could do so. Most important, it proved to Deng and the old guard that President Bush was not working with the Congress to try to overthrow CCP rule in China. Without the Scowcroft visit, martial law would not have been lifted in China so soon after Ceausescu's execution.
31. The Chinese government contributed to this cynical view that pris-

oner releases were cosmetic by neither announcing the number of arrests nor publishing the names of released prisoners. Western journalists remained unsure as to the percentage of prisoners who remained in jail. Also, while the lifting of martial law took the troops off the streets, the number of People's Armed Police reportedly increased.

32. See a report by Michael Berlin at a round-table seminar, Fairbank Center, Harvard University, 4 June 1990, in author's possession.
33. For my own, more optimistic views, see David Zweig, "Bloody, but Unbowed," China Focus 1, No. 3 (November 1990), p. 4.
34. This perspective was confirmed by well-informed Chinese colleagues, who argued that Chinese leaders feared the sanctions as an extension of the effort to overthrow them or change China's political system. Therefore, for these leaders, the criticism of China's human rights policy became major interference in China's internal affairs.
35. After all, one of the main issues of the student movement which Deng had resisted was the revocation of the April 26 editorial in the People's Daily. If Deng could not accept that he was wrong on that decision, he clearly could not recognize his error in calling for the use of force.
36. Interviews in Beijing by the author in March 1990.
37. Interview at the Fairbank Center, Harvard University with a former employee of the Chinese embassy in Washington.
38. At a meeting in March 1990, officials from the Foreign Ministry, Education Commission, Ministries of Public Security and State Security, and the Organizational Bureau and Propaganda Department of the Central Committee, recognized that Sino-American relations had collapsed since the Tiananmen crackdown. They recognized that lifting martial law and releasing political prisoners had limited impact. While they recognized that some Americans, including President Bush, wanted to use a carrot-and-stick approach, maintaining dialogue while denouncing the "June 4 event," they saw releasing prisoners as one of the few "cards" in their hand. See Memorandum from Dr. Haiching Zhao, *Secret Documents from the Chinese Government Relating to Foreign Policy and Chinese Students in the United States and Canada,* 10 May 1990.
39. When congressional supporters of American launch companies tried to block the sales, Defense Department officials argued that the sale to China was tied to efforts to pressure Beijing to be more responsible and not sell destabilizing missile systems to Middle East countries. Once Defense Department officials presented the issue as one of national security to members of the House Subcommittee on East Asia and the Pacific, opponents of the sale could not challenge it.

40. Still, Congressman Lantos was unable to use this omnibus sanctions bill to press for withdrawing MFN from China; the MFN issue belongs to the Ways and Means Committee, which would have challenged the amendment as overstepping jurisdictional lines. Had the amendment included sanctions on MFN, White House supporters in Congress were prepared to use their contacts on Ways and Means to stop the amendment.
41. The member who put this point in the bill did so to save Boeing, but did not tell people why it was being put there. This was the first sale to go through after June 4.
42. Initially, Democrats pressed the House Subcommittee on Asia and the Pacific for a conditional waiver, dependent on the Chinese meeting a list of human rights improvements. But under pressure from presidential supporters on the committee, the bill included only the proviso that either China meet a set of human rights conditions or the president could determine that it was in the interests of national security.
43. One cynical source said that "national interest" means what is politically possible. Yet the term really reflects the ongoing battle between national interest — defined as military security or economic benefits to some American companies — and human rights as to which should be more salient in determining United States foreign policy, as well as a struggle between the president and the Congress over who controls export policy.
44. Republicans on the House subcommittee had worked all along to get a bill that the president would not have to veto, feeling that a weaker bill was clearly better than no bill or a vetoed bill — which would send the Chinese the wrong message. Their ability to threaten Solarz that the president might veto the bill was part of their strategy to get a bill through that would allow the president to protect American business interests in China.
45. Many people in China felt that the students in America were "crossing the river and blowing up the bridge" (*guo he che qiao*) as a way to ensure that they would be allowed to stay.
46. Alexis Feringa Thurman, "The American Response to Tiananmen: Perceptions and Problems," Unpublished Paper, Fletcher School of Law and Diplomacy, Spring 1990, p. 9.
47. See U.S. Department of State, *Country Reports on Human Rights Practices for 1989,* Report submitted to the Committee on Foreign Affairs, House of Representatives and Committee on Foreign Relations, United States Senate. Special thanks to Wayne White for his analysis of the changes in the reports.
48. See Hearings before the Subcommittee on Human Rights and International Organizations, Pacific Affairs, and on International Eco-

nomic Policy and Trade of the Committee on Foreign Affairs, House of Representatives, *Most Favored Nation Status for the People's Republic of China,* 101st Cong., 2nd Sess., 16 and 24 May 1990, p. 7. See also the comments by Congressman Smith which went into the record, pp. 94–95.

49. Author's interview in Washington, August 1990.
50. *Most Favored Nation Status for the People's Republic of China,* p. 22.
51. "Don't Punish the Wrong China" (editorial), *New York Times,* 27 April 1990, p. 34, and "Keeping China's Door Open" (editorial), *Boston Globe,* 15 May 1990, p. 15.
52. The most important of these groups was the China Information Center in Newton, Massachusetts, which had always been seen as a center of anti-China dissidents. Chinese at the center lobbied in favor of MFN in direct conflict with the more radical Independent Federation of Chinese Students and Scholars. Although some of them even supported the president's veto of the Pelosi bill if it increased the likelihood that China would allow more students to go overseas, they too had been intimidated by radical student groups and did not speak out until the MFN debate.
53. A delegation from the United States National Committee on U.S.-China Relations, led by its director, Mike Lampton, made this point in Beijing during March 1990. In the author's own meetings with Zhang Yijun, the director of the North American and Oceania Bureau of the Chinese Foreign Ministry, and with the head of that ministry's American desk in March 1990, both raised the question of whether President Bush had any capital left to help China on MFN. I asserted that the president could not help China if the PRC failed to extend an initial concession to the United States on the human rights issue.
54. Clifford Krauss, "Democratic Leaders Divided on China Trade," *New York Times,* 9 October 1990, p. A-5.
55. The Chinese student organizations reportedly favored "conditional renewal" but feared that if they took that position Congress might give China unconditional renewal. So they advocated overturning MFN expecting or hoping to get Congress to agree to "conditional renewal." Author interviews in Washington, August 1990.
56. See comments by Stephen Solarz in *Most Favored Nation Status for the People's Republic of China,* p. 266.
57. Ibid.
58. Lynn Chu, "Chimera of the China Market," *Atlantic* 266, No. 4, (October 1990), pp. 56–68.
59. The stiffest sentences, thirteen years each for Wang Juntao and Chen Ziming, stem from their long histories of political activism and their abilities to create unofficial political and social organizations.

Part Two

Functional Collaboration