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| FBI - [illegible] | |



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DANIEL K. INOUE
HAWAII

St. Rojiny
PRINCE KUHIO FEDERAL BUILDING
ROOM 6104, 300 ALA MOANA BOULEVARD
HONOLULU, HAWAII 96850
41 . . . (808) 546-7850

United States Senate

ROOM 442, RUSSELL SENATE BUILDING
WASHINGTON, D.C. 20510
(202) 224-3934

RECEIVED

JUL 11 1978

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July 6, 1978

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cong rep
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DEPT. OF JUSTICE
CENTRAL RECORDS UNIT
OFFICE OF LEGISLATIVE
AFFAIRS

Attorney General Griffin Bell
U.S. Department of Justice
Washington, D.C.

JUL 12 1978

Dear Attorney General Bell:

Recent articles in THE HONOLULU ADVERTISER suggest that Taiwanese students at the East-West Center in Honolulu are being informed on and intimidated by other students acting in service of the ruling Kuomintang Party of Taiwan. I am concerned that the Center's academic integrity and independence may be compromised if these allegations are true.

Since the Center receives most of its funding from the Federal Treasury, I would appreciate it if your Department would investigate this matter and, within the limits of applicable rules and regulations, inform me of its findings.

Your assistance will be most appreciated.

Alpha,

DANIEL K. INOUE
United States Senator

DKI:jmpl

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| O.R.O.M. | | |
| OFFICE OF LEGISLATIVE AFFAIRS | | |

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RAL

CRIMINAL DIV.
Inf. Sec. Section
CIV. RIGHTS DIV.

Director
Federal Bureau of Investigation

AUG 24 1978

Drew S. Days, III
Assistant Attorney General
Civil Rights Division

DSD:JFC:LKD:kif
DJ 144-21-NEW

UNSUBS, East-West Center
Honolulu, Hawaii,
Unknown Victims
Senator Inouye - Complainant
Interference with Federally
Protected Activities
CIVIL RIGHTS

Reference is made to copies of a letter from Senator Daniel Inouye containing allegations which may constitute a violation of 18 U.S.C. §245. Please conduct the following limited investigation.

1. Identify and interview the victims of the alleged harassment.
2. Submit copies of the Honolulu Advertiser articles referred to in Senator Inouye's letter.

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| AUG 24 1978 | |
| FBI - HONOLULU | |

[Redacted Box]

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TRANSMIT VIA: Airtel

PRECEDENCE: _____

CLASSIFICATION: _____

DATE: 8-30-78

TO: SAC, Honolulu

From: Director, FBI

UNSUBS, EAST-WEST CENTER
HONOLULU, HAWAII,
UNKNOWN VICTIM *WIKI*
SENATOR INOUE - COMPLAINANT
INTERFERENCE WITH FEDERALLY
PROTECTED ACTIVITIES
CIVIL RIGHTS

Enclosed are two copies of a self-explanatory Departmental letter dated 8-24-78.

Complete the requested investigation in accordance with the provisions of Section 44, Manual of Investigative Operations and Guidelines, and surep within 21 days of the receipt of this communication.

State in the first paragraph of the details of your report that it contains the results of a limited investigation and underscore the word limited
 preliminary preliminary

Advise all persons interviewed
 appropriate officials at the outset that this investigation is being conducted at the specific request of the U. S. Department of Justice.

Remarks:

Enc. (4)

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| SEP 5 1978 | |
| FBI - HONOLULU | |

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Case
FBI/DOJ

MAIL ROOM

x Airtel

9/25/78

TO: DIRECTOR, FBI
FROM: SAC, HONOLULU
SUBJECT: UNSUBS, EAST-WEST CENTER
HONOLULU, HAWAII,
UNKNOWN VICTIM
SENATOR DANIEL INOUE - COMPLAINANT
INTERFERENCE WITH FEDERALLY
PROTECTED ACTIVITIES
CIVIL RIGHTS
(HNfile: 44-250) (C)

UNSUBS;
UNIVERSITY OF HAWAII
HONOLULU, HAWAII
FARA - ROC
(HNfile: 97-311) (C)

Re Bureau airtel to Honolulu dated 8/30/78.

Enclosed for the Bureau are seven copies of an LHM captioned, "East-West Center, Honolulu, Hawaii." As the appendix to the LHM are news articles which appeared in local Honolulu newspapers and refer to the above captioned matters.

All persons interviewed were advised at the outset that this investigation is being conducted at the specific request of the U.S. Department of Justice.

Interview with the President of the East-West Center has not developed any factual information regarding possible victims of alleged harassment or "spying" by so-called agents of the

4 - Bureau (Enc. 7)
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(1 - 44-250)
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JEM/ctm
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Filed

HN 44-250
HN 97-311

Kuomintang (KMT) nor did the interview surface any specific allegation that a student or students at the East-West Center, which adjoins the campus of the University of Hawaii, have harassed or spied upon students from the Republic of China. Additionally, though a mechanism, which affords students who feel they are victims of harassment an opportunity to present allegations to the East-West Center administration, has been established, no such complaints have been made.

Honolulu, UACB, will not interview the authors of the newspaper articles, who are, in fact, grantees at the East-West Center, but who, according to a news article byline, have worked as journalists in the past. The articles clearly state that the unidentified ROC students who were quoted therein as making the nonspecific allegations of harassment and spying requested their identities be withheld. The authors honored this request. It is felt that interview with the journalists at this time for the purpose of seeking the identity of these sources would be unproductive.

In view of the foregoing and the absence of specific allegations and as liaison has been established to insure notification by the East-West Center administration of any specific complaints emanating from the Center or the University of Hawaii relative to harassment or spying, Honolulu is conducting no further inquiry regarding captioned matters. Honolulu will remain alert through appropriate established sources for information bearing on this matter. The Bureau will be advised of any pertinent developments.

Honolulu, Hawaii

September 25, 1978

EAST-WEST CENTER
HONOLULU, HAWAII

On September 19, 1978, [redacted]
[redacted] East-West Center (EWC), 1777 East-West Road,
Honolulu, Hawaii, was interviewed by Special Agents of
the Honolulu Office of the Federal Bureau of Investigation
regarding any knowledge he may have regarding allegations
made in articles appearing in the Honolulu Advertiser, a
Honolulu daily newspaper, that certain Republic of China
(ROC) students attending the EWC were the victims of harass-
ment or "spying" by other ROC students described as agents
of the Kuomintang (KMT) Party of the ROC, the ruling
political party on Taiwan.

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The EWC is described in a pamphlet distributed
by the institution as established in 1960 by
U.S. Congressional legislation with the purpose
of promoting better relations and understanding
among the people of Asia, the Pacific and the
U.S. Since 1975 the Center has been administered
by the international governing board of a public,
educational, nonprofit corporation established
by the Hawaii State legislature. Principal
funding comes from the U.S. Congress.

(See Appendix for copies of the news articles)

This document contains neither recommendations nor
conclusions of the FBI. It is the property of the
FBI and is loaned to your agency; it and its contents
are not to be distributed outside your agency.

7 - Bureau
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(1 - 44-250)
(1 - 97-311)

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Wm

Re: EAST-WEST CENTER
HONOLULU, HAWAII

[redacted] who has been [redacted] of the Center since 1967, stated that he is aware of the articles which appeared several months ago in the Honolulu Advertiser and which were written by [redacted] and [redacted] both EWC grantees engaged in graduate study in political science. He has also met on several occasions with groups of students and others who have attempted to have the EWC establish a board to investigate the allegations, a course of action he has declined to take. These various committees and groups felt that the Center could conduct an investigation by taking statements from alleged victims of harassment by other students. The Center administration rejected this suggestion on the grounds that it did not wish to become involved in counter-espionage work of its own. He stated that an atmosphere of trust is necessary for any successful operation of an educational institution and the creation of an apparatus to conduct inquiry into highly speculative and nebulous charges would undermine that necessary ingredient.

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[redacted] had no information that any so-called victim of this alleged harassment has come forward to EWC or University of Hawaii (UH) officials to make any specific allegations directed at others. He had no information relating to the possibility that certain students from the ROC were monitoring the activities of others on the campus. Though the issue has been dormant since the publication of the articles shortly before the end of the last academic term, he has advised officials at the EWC to be alert for any allegations of spying or complaints from victims and to let it be known that victims may approach these officials with complaints of harassment. To date no such information has come to light.

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Much of this problem has its origins in the animosity some native Taiwanese students from the ROC have for those ROC students who were born on the China mainland or who are the children of parents who came to Taiwan with the Nationalist forces in 1949. Additionally, the case of former EWC grantee [redacted] who was jailed in the ROC in [redacted] for sedition, has established the background for charges of KMT spying for similar charges were raised in connection with the [redacted] case ten years ago.

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Re: EAST-WEST CENTER
HONOLULU, HAWAII

[redacted] a former EWC grantee from the ROC was arrested in Taiwan in [redacted] and sentenced to seven years in prison for his involvement in anti-war activity while in Hawaii during the Vietnam conflict. He was released after serving four years and in 1975 returned to the University of Hawaii as [redacted]

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[redacted] has discussed the matter of alleged spying with ROC Consul General in Hawaii [redacted] who denied that any members of his Consulate or the KMT were involved in harassment or monitoring of ROC students or in the directing of others in this activity at the EWC.

He intends to advise the Board of Governors of the Center that should future allegations of spying or harassment surface that the alleged victim should be prepared to address appropriate law enforcement agencies with the specific allegations and that it was not the purpose or intention of the Center to investigate these cases if criminal conduct is alleged. He did not want the EWC to become a forum for political argument and quarrels between supporters of the ROC, the People's Republic of China (PRC) or an independent Taiwan.

He is of the opinion that certain political activists representing various student-faculty committees such as the Committee to Insure the Safety of Foreign Students, formed at the UH at about the time the news articles appeared, would prefer that he call for an investigation so that the onus for bringing the police into the matter and thus onto the Center campus would be on his shoulders and not theirs. He is reluctant to do this as it would only rekindle the matter and make more difficult the operation of the Center in an air of mutual trust and confidence.

Following meetings with the United States Attorney, Honolulu, Hawaii, and the Honolulu Police Department regarding the situation, he has decided that should allegations be made which would indicate a violation of law, he would contact the appropriate investigative agency or would direct anyone believing himself a victim of harassment or spying to said agency to provide what information he could.

Re: EAST-WEST CENTER
HONOLULU, HAWAII

He felt that additional inquiry at this time would only exacerbate the situation now dormant. Certain activists at the EWC occasionally demonstrate for varying causes, whether or not they will use the charges of so-called KMT spies on the EWC campus in future demonstrations is not clear. These charges were used last term as they appeared to offer greater chances of media coverage and "mileage" than any other cause in vogue at the time. He had no information to indicate any groups or committees on the UH campus or the EWC were operating under the direction of the ROC or the PRC.

The Honolulu

Advertiser

Aloha!

Today is Tuesday,

May 30, 1978

Students at UH

and EWC report

Taiwan is using spying pressure

The authors of this article are East-West Center grantees engaged in graduate study in political science at the University of Hawaii. They both have worked as journalists in the United States and Asia.

By ALAN MILLER
and JERRY SUSSMAN
Special to The Advertiser

Some students from Taiwan at the University of Hawaii and East-West Center are spied upon, harassed and reported on by fellow nationals working for the ruling Kuomintang Party (KMT) of Taiwan, according to many Taiwan students here.

Two students have stated in sworn affidavits that such an informer system is in operation on the campus and that they have been victimized by it. Several others have provided affidavits to support these charges.

The Taiwan students claim there are five to 10 KMT agents on campus; some of them paid regularly, who report on those whose personal associations, public or private statements, extracurricular activities or even reading habits are suspected of being critical of the martial law regime which has ruled Taiwan since 1949.

The students say the system is a continuation of the tactics that were used to build a case in the much-publicized incident of Chen Yu-hsi, a former East-West Center grantee and graduate student in economics at the University of Hawaii.

In 1968, Chen was sentenced to seven years in prison in Taiwan on charges stemming in part from his political activities while in Hawaii. Chen has since been freed and is in Hawaii as a political science teaching assistant and doctoral student.

In individually conducted interviews, 11 students, all of whom asked not to be identified, provided detailed accounts and case histories of a system which they say creates an atmosphere of fear and mistrust among the 68 students from Taiwan on the Manoa campus.

One source remarked: "The spies are the eyes of the KMT."

Any activities which interfere with another student's "expression of convictions" or "right to academic freedom" violate the University of Hawaii's code of student behavior.

Eleven Taiwan students interview-

ed said they feel they are under pressure not to discuss or take interest in any political matters, particularly those that might be labeled "leftist." They also say they are pressured to avoid certain individuals who have suspect political beliefs.

A number of those interviewed said they fear they may be interrogated, followed or denied jobs when they return home. Others were concerned that their passports wouldn't be renewed. In at least one case, a student's family reportedly was visited by the Investigation Bureau in Taiwan in connection with the student's behavior here.

Several students said they had been told that they had been reported to the Taiwan consulate here or back to Taiwan. One of these individuals, voice trembling, said: "I want to go home very much after I get my degree. But I don't know what's going to happen to me when I do."

Some students expressed fear of arrest and imprisonment.

A 1976 Amnesty International report cited a figure of 8,000 political prisoners held in Taiwan jails, some of them there since martial law was imposed in 1949. The study cited the use of torture to extract confessions and the death penalty for certain political offenses.

The sources here explained the operation this way:

STUDENTS AT UH AND EWC REPORT TAIWAN IS USING SPYING PRESSURE
(MAY 30, 1978 (TUESDAY)) - CONTINUED FROM PAGE 1

Consul-general here denies allegations

Taiwan's consul-general here denies that his country "employs anyone to spy upon, harass or report on our students abroad" and says his consulate "neither demands nor receives any report from any of the students."

Here is the reply from Hoh-tu Liu, consul-general for the Republic of China in Honolulu.

"To these allegations (in the accompanying stories) I wish to say emphatically that the Republic of China does not employ anyone to spy upon, harass or report on our students abroad. The consulate here neither demands nor receives any report from any of the students.

"The relationship between the consulate and our students here, either as a group or as individuals, is one similar to the relationship between students of any other country and

their embassies and consulates in foreign lands: For instance, it is perfectly normal and commonplace for any U.S. national to go to U.S. embassies or consulates or ICA (formerly USIS) libraries abroad for various reasons and functions.

"Furthermore, the Chinese Consulate here, like our consulates everywhere, does not fund the Chinese Students' Association (CSA) as alleged (in the stories). Nor does it serve as a base of the alleged operation, since no such operation exists.

"The consulate does, however, make from time to time suitable contributions in sums or in kind in aid of our students' activities such as spring outings or stage presentations, etc., and does so openly and on limited occasions."



Liu

Surveillance and control of students from Taiwan here are coordinated by the KMT's Standing Committee on the Manoa campus which works with the "Committee on Overseas Work" in Taiwan. The Standing Committee works closely with the consulate here, which acts as a conduit for funds and information as well as a base of operation.

The KMT's nationwide surveillance of Taiwan students in the United States monitors student activities through the use of paid agents, enrolled as university students, who watch and report on their colleagues. These reports are passed on to government investigators in Taiwan.

This "intelligence-gathering" process is outlined in the official "Rules and Regulations of KMT Overseas Work." The handbook includes instructions stating that "intelligence agents sent by the Party Central should act in coordination to establish a broad and fine intelligence network to carry out investigation and intelligence gathering. For the implementation of these methods, the committee working groups within the embassies and consulate generals in important overseas areas are in charge of unified direction, supervising and guiding the struggle against the bandits."

The goal is to ferret out suspected "separatists" and "pro-bandits," terms commonly used in Taiwan to refer to individuals who support the Taiwan independence movement or are regarded as pro-Peking. The term "pro-bandit" was used on a standardized report form which surfaced in California in 1976, a variation of which is widely believed to be in use here.

All of those contacted agreed that criticizing the KMT publicly will lead to being considered a "traitor" and being reported back to Taiwan as such.

Sources said \$50 payments reportedly are made by the consulate to informers for each report they submit.

The chairman of the KMT Standing Committee at the University of Hawaii and the East-West Center — whose job includes turning in regular reports on students — is reported to receive \$200-300 monthly plus operational expenses from the consulate. This payment is widely believed to be one cause of a power struggle within the KMT in Honolulu, which broke out into the open last fall.

This account was provided by a number of sources, including Chang Chen-ning (John Chang), an East-West Center grantee and the

chairman of the Standing Committee at that time, was challenged for power by another center grantee, Chen Meng-chien (Michael Chen), who arrived in 1975.

Michael Chen instructed other students from Taiwan not to associate with certain individuals because they were "leftist." He became embroiled in a dispute with the then-president of the Chinese Students Association at the University of Hawaii over Michael Chen's proposal to begin a pro-KMT letter-writing campaign to the White House.

This disagreement ended with Michael Chen's telling friends of the president that the president was influenced by leftists and then circulating an unsigned letter to the Taiwan student community charging "someone" — an apparent reference to the president — had tried to "sabotage" the campaign by spreading rumors, a charge punishable by death in Taiwan.

Michael Chen also argued with a Taiwan woman student over a social matter. Shortly afterward, she received a letter from her father, a KMT official, telling her to study hard and avoid other involvements.

In late 1976, Chen told doctoral student Tung Shui-liang that Chang had

Taiwan pressure

reported

MAY 30, 1978 - TUESDAY
CONTINUED FROM PAGE 1

reported to the consulate that Tung was putting up anti-KMT posters around campus.

Tung responded by writing a denial and signing it in the traditional Confucian manner — with his own blood, as a sign of his sincerity. He took the letter to the consul general and, before many other students, performed the ancient Chinese ritual of kowtowing — kneeling and touching the forehead to the ground — to demonstrate his respect and intense feelings.

Several months later, Chen circulated among Taiwan students copies of Tung's plea to the consul general along with an unsigned statement accusing Chang of running his own "mafia" on campus and persecuting students. Shortly thereafter, Chang resigned as head of the Standing Committee.

Chang is in Taiwan and could not be reached for comment. Tung declined to discuss the matter.

Last September, a poster written in Chinese appeared on campus bulletin boards containing a detailed account of this incident. It was attributed to "A Group of Chinese Students at UH," but was unsigned. The poster called for an investigation by the consul general and demanded that "all secret agents go home."

The poster was reprinted subsequently in the East-West Center participants' magazine, *Impulse*, and officials there were discussing whether to cut off magazine funding as a result. On Friday, the East-West Center said publication of the next issue could proceed, but with a disclaimer of any connection to the center itself.

There are 19 long-term participants from Taiwan presently at the East-West Center. One student said: "The Standing Committee operates out of (center dorm) Hale Manoa."

One reason given for this is that center grantees feel they are under close control by the Taiwan government. As students on a federally funded grant, they have visas which require them to return home before they can change to residency or working status upon completion of their studies. Regular University of Hawaii students here on different visas can change their status without leaving the United States.

In 1957, grantee Chen Yu-hsi was originally granted an extension of his stay to continue his studies, but suddenly had this extension revoked a year later by the Taiwan government.

He went to Japan, only to be deported to Taiwan six months later in handcuffs. The original charges against him included his political ac-

tivities at the East-West Center and the University of Hawaii as well as the allegation that he "read poems of bandit Mao." Although he initially faced the possibility of being given the death penalty, Chen eventually spent four years in prison before being released and returning to Hawaii.

The other explanation by student sources for use of the East-West Center by the KMT is the institution's reluctance to look into allegations about the informer system. While the center did later protest the actions of the Taiwan government in the Chen Yu-hsi case, it took no visible steps to prevent a recurrence.

Last month, the center's Board of Governors turned down a request by the EWC Participants' Association to set up an ombudsman committee

to monitor and investigate charges of spying at the center.

The operation of a surveillance and reporting system would violate the center's code on academic freedom. Taiwan students in the employ of the KMT and receiving regular payments — as chairmen of the Standing Committee — would also represent a breach of the terms of the center's contract for student participation which forbids outside employment.

Taiwan is the second-largest contributor of the 17 participating nations which have given the money to the center since its incorporation in 1975. Its total contribution of \$120,000 includes a recent \$20,000 gift.

The KMT operation at Manoa is more subtle than it was a decade ago, according to the students. One

reason, they maintain, is that there are so many more books, periodicals, films and programs available today on mainland China, making it more difficult for the KMT to prevent Taiwan students from coming into contact with this material.

More important, they contend, America's movement toward increased ties with mainland China made the KMT far more careful not to do anything that might antagonize U.S. public opinion. The reaction to Chen Yu-hsi's imprisonment a decade ago was so intense, some students feel, that the KMT became especially cautious in Honolulu.

Whatever differences existed among Taiwan students were generally muted until about two years ago, when more heavy-handed tactics brought conflicts to the surface.

Why EWC rejected proposal for probe

The Executive Committee of the Board of Governors of the East-West Center rejected a proposal to investigate charges of spying among Taiwan graduate students because it would have meant having the center itself engage in a form of espionage, according to Everett Kleinjans, president of the center.

Commenting on The Advertiser's article, Kleinjans said formation of a "surveillance committee" to look into spy-charges would have been contrary to the goal of "international understanding" at the center. And, he said, such a committee would have been a "far greater threat" to academic freedom at the center than the alleged abuses cited in the news story.

Here is the full text of Kleinjans's response:

"The Executive Committee of the Center's Board of Governors at its meeting in April discussed charges of 'spying' among graduate students from the Republic of China made by an East-West Center Participants Association subcommittee headed by Mr. Jerry Sussman, co-author of the Advertiser article.

"The Executive Committee voted unanimously to reject the subcommittee's proposal to establish what in essence would be an official counterspy committee for the 'operation of a surveillance and reporting system' among graduate students, senior scholars and professionals from some 30 countries at the East-West Center.

"I feel strongly that such a center-sponsored surveillance system — despite its suggested label of 'standing committee on academic freedom' — would in itself pose a far greater threat to academic freedom among all the people at the center than the alleged abuses cited in unsigned posters on campus bulletin boards and in the Advertiser article.

"Similar allegations of spying are heard at many education institutions concerning various national groups of students, and are rampant about many governments at the United Nations and other international organizations. Most nations of the world seem to have what they regard as self-preserving mechanisms at work most of the time.



Everett Kleinjans
East-West Center president

"Unfortunately the nations of the world do not trust each other and feel they must resort to various means of gathering information on the grounds it is necessary to protect themselves.

"This distrust is the very reason for the establishment of the East-West Center, which this year, in addition to federal funding, is receiving more than half a million dollars from 17 Asian/Pacific governments to support its cooperative programs aimed at fostering mutual understanding.

"When people are accused of spying on each other, knowing what to do becomes a dilemma. If the center administration acted to monitor and investigate such accusations, it would be engaging in the very activity it seeks to remedy.

"Neither East-West Center administrators nor student committees can be empowered to act as judges and policemen in an educational institution dedicated, as we are, to promotion of international understanding through cooperative study, research and training.

"Yet the EWCPA subcommittee calls for a 'reporting system for monitoring transgressions' and for imposing 'official and binding sanctions in accordance with the center's mandate.' (There was no mention of 'ombudsman' — as reported in the Advertiser article — in the EWCPA proposal).

"Most of the Asian graduate students at the East-West Center, and at other educational institutions throughout this nation, have grown up and reached maturity in countries where institutions and governments do not have the same traditions of academic freedom and unfettered rights to criticize authority that have developed in the United States and Western Europe. As an educator with some experience in both worlds, I regret this.

"But, as president of the East-West Center, my overriding concern is to establish the basis for trust essential for any educational institution and to do the best we can to provide the opportunities for all of us to learn to understand people from cultures other than our own in the common search for peace.

"Chinese students, and others, have told me they don't want to be embroiled in a political struggle. Under the center policy on academic freedom they have the right to speak out or be silent, as they choose.

"A communication signed by 19 Chinese graduate students says, for example, that publication of anonymous spying charges 'has caused intolerable emotions and psychological damage among EWC Chinese participants.'

"Although both writers of the Advertiser article are East-West Center grantees and gathered their material and wrote the article while on center scholarships, they exercised the freedom accorded all grantees to speak only for themselves and not for the center.

"The center's policy on academic freedom, endorsed by the Board of Governors, states:

"The East-West Center embraces those aspects of academic freedom which guarantee the freedom to teach and the freedom to learn. Free inquiry and free expression for both participants and staff are indispensable and inseparable.

"Participants, whether from the United States or from foreign countries; as members of the academic community are encouraged to develop a capacity for critical judgment and to engage in sustained and independent search for the truth.

WHY EWC REJECTED PROPOSAL FOR PROBE
(CONTINUED - PAGE 2)

A-4 Tuesday, May 30, 1978 HONOLULU ADVERTISER

"Individuals from foreign countries, as full participants in the educational process at the East-West Center, have the right to pursue formal knowledge, verbal or written, in whatever directions and with whatever legitimately appropriate associations as are necessary, without fear or reprisal.

"For its part, the East-West Center guarantees all participants the freedom of silence. No participant is required to engage in research on any topic or make statements of any kind unless it is his/her wish to do so.

"The East-West Center would be most concerned if any government placed its own nationals in jeopardy for engaging in normal academic studies on its campus; it urges other governments to accept the concepts of academic freedom prevalent here if they intend for their nationals to study at this institution.

"The academic freedom policy statement has been circulated to all cooperating governments, to program representatives in Asia and the Pacific area, and is incorporated in all agreements signed by participants who received East-West Center awards."

University 'aware' of accusations

The University of Hawaii is "aware of the accusations of spying activity among foreign students" here, but can't act without a formal complaint, Manoa Campus Chancellor Douglas S. Yamamura said.

Yamamura's full statement concerning allegations raised in the accompanying stories:

"The university is aware of the accusations of spying activity among foreign students. However, without a person filing a formal complaint alleging some specific damages, it is difficult for us to pursue the matter effectively and take some sort of corrective action.

"As we state in our catalog, we believe that students from foreign countries should have the right to pursue formal knowledge in whatever directions they choose without fear of reprisal. We express again our concern about any government that places its own nationals in jeopardy for engaging in normal academic studies on our campuses and we continue to urge foreign governments to accept the concepts of academic freedom which prevail here if they intend for their nationals to study in Hawaii."



Yamamura
Manoa chancellor

Some say it's Kuomintang

Who controls students?

Some Taiwan students say that the ruling Kuomintang Party (KMT) on Taiwan controls the Chinese Students Association at the University of Hawaii through its president and that all Taiwan students are expected to participate fully in activities sponsored by the association.

The students say the association is largely funded and controlled by the Taiwan consulate here and that the consulate hand-picks the candidates for student association president.

Although there may be three or four different candidates for student association president, sources indicated it is understood that the KMT Standing Committee at Manoa prearranges who will be nominated so its hand-picked candidate will be elected.

Two years ago this process was challenged, but the KMT's reaction was swift and effective, according to several sources who provided similar accounts of the following incident:

Dolan Hoo, a graduate student in biophysics supported by students opposed to the KMT control of the CSA, ran for the association presidency without consulate approval. This was believed to be the first time anyone had ever dared to challenge the KMT in this way.

Hoo lost, but the KMT was reportedly furious about his candidacy. They examined the handwriting on the ballots after the election to learn which students had voted for Hoo.

Six months later, Hoo's mother flew to Honolulu. The family report-

edly had been visited by the Investigation Bureau in Taiwan and Hoo's brother, a pilot for China Airlines, had been told that his job might be jeopardized by Hoo's behavior in Hawaii.

In an emotional session, Hoo's mother begged her son not to participate in any activities other than his studies. At one point she reportedly threatened that if he didn't stay out of further trouble, she would commit suicide.

"Hoo is very quiet now," one student said. "He doesn't talk to Chinese students anymore. He's a victim."

Hoo declined comment on this account.

Various sources said the Chinese Students Association's annual \$2,000 budget comes almost entirely from the consulate, with some of the money channeled through other sources such as the government-owned China Airlines. Lin Wei-hung, a vice president of the association, said yesterday that "the consulate does not provide funds regularly, but only subsidizes social activities such as picnics and festivals."

Last year's association president, Kuo Tien-huei, turned out to be more independent-minded than his predecessors.

But when he tried to organize a group to discuss several topics including Taiwan's political future, violating one of the established taboos for Taiwan students overseas,

the consulate scheduled a party for the same evening as the discussion meeting.

"This gave everyone the definite feeling that the KMT did not approve," one source said. But Kuo said yesterday that he didn't remember about the party.

Kuo also attempted to liberalize the CSA's publication, *Hua Hsia-Tung Hsin*, which he said gets some help from the KMT, by including reprints from *China Tide*, a liberal Taiwan magazine. But the consulate, which exercises prior review of all stories, later censored other pieces, according to several students.

Kuo had indicated privately to friends that he was going to hold the election for his successor on campus, rather than in the established location at the consulate. But when he tried to send out a notice announcing this, the KMT reportedly interceded. The new president was chosen in the consulate.

Kuo was asked for comment about a week ago on those parts of this article relating to him. He declined, but yesterday, after vice president Lin Wei-hung of the Chinese Students Association discussed references to Kuo first with Advertiser editors and then with him, he came to the newspaper and made the remarks ascribed to him above.

Kuo was to leave at midnight last night for Taiwan to visit relatives. He has a scholarship at Purdue University beginning in the fall.

By Alan Miller and Jerry Sussman

National KMT spy network reported through campuses

The reported existence of an informer system among Taiwan students at the University of Hawaii and East-West Center is not unique but rather appears to be part of a nationwide Kuomintang (KMT) network whose existence has surfaced at colleges and universities around the United States.

Sources here — and elsewhere — charge that the KMT has agents on every campus with large numbers of Taiwan students.

• A university investigator who looked into such accusations at MIT in 1976, reported to MIT President Jerome Wiesner that there were "indications that the government of the Republic of China in Taiwan may operate a nationwide surveillance system to keep tabs on Taiwanese students in the U.S."

• John Marks, a former CIA agent, wrote in a Washington Post article in 1976 that, according to two State Department officials, the Taiwan intelligence service is active among Chinese students studying at U.S. universities.

• In 1976 the "Daily Californian", the newspaper at the University of California at Berkeley, published a series of articles detailing alleged

surveillance activities at Berkeley and Stanford University. The articles described a system of payoffs to KMT operatives for turning in other Chinese students.

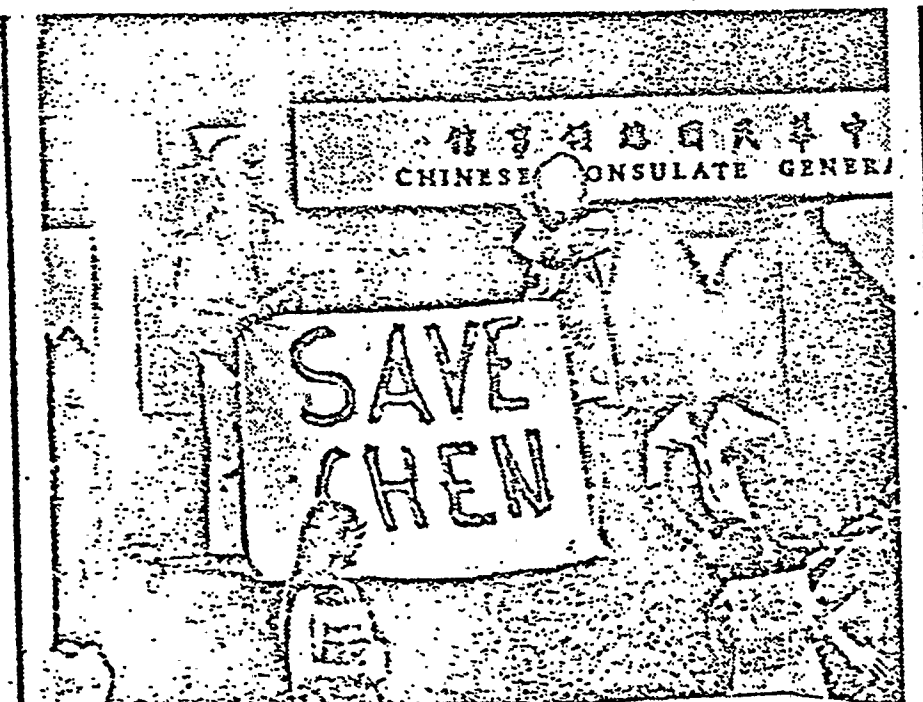
According to the student newspaper, top items on the agenda of the KMT's western U.S. regional conference in 1975 included "gaining control of the Chinese Students Associations at each campus," "disrupting pro-communist activities" and "damaging the reputations of the heads of pro-communist groups."

The paper also published a copy of a standardized "report form" which is designed for turning in those regarded as pro-Peking and those supporting the Taiwan independence movement.

• The daily Gainesville Sun carried a series of articles in 1976 on Taiwan student spying at the University of Florida. The paper obtained two sworn affidavits testifying in one case that a student had been approached and asked to report on other students, and in the other that a student's parents, relatives and associates had been threatened by the KMT.

• At Columbia University, a campus newspaper reported last month that a doctoral student who led a Taiwan student discussion group suddenly found that his passport had been revoked by his government, apparently the result of reports on him to Taiwan authorities.

Similar incidents have been reported in local and university newspapers at the University of Minnesota, University of Wisconsin, Cornell, Princeton, State University of New York, University of Chicago, Iowa State University and other campuses. A 1977 press release distributed by the National Association of Foreign Students' Advisors stated that the Kuomintang government in Taiwan "may operate a nationwide surveillance system to watch its students in the United States."



1968 Chen protest

Ten years ago, East-West Center grantee Chen Yu-hsi's jailing in Taiwan stirred protest at consulate general here

'Talking to you is very dangerous'

Speech, action dominated by fear

● authors of this article are East-West Center grantees engaged in graduate study in political science at the University of Hawaii. They have both worked as journalists in the United States and Asia.

By ALAN MILLER
and JERRY SUSSMAN

Every student we interviewed spoke of fear. And the behavior of each reflected fear.

They were reluctant to give home phone numbers. They would not speak over the phone. Individuals who agreed to talk asked to be picked up and later dropped off on street corners away from campus. Interviews were conducted in quiet, out-of-the-way places — and even then in hushed tones.

● One student said: "Talking to you like this is very dangerous. I still want to go back home. I want my job. I don't want my family to be threatened. There are no laws in Taiwan to stop the KMT (ruling Kuomintang party). Once they feel a student has become a threat, that's it."

Some students expressed caution about speaking candidly with fellow Taiwan students. One student said: "You cannot trust the guy you are talking to because he might be an informer."

Several students say they are

reluctant to speak up in classes in which there are other students from Taiwan whom they suspect of being informers. Some say they hesitate to contribute to political discussions of any kind because they were told in their pre-departure orientation in Taiwan not to talk about political matters while here.

A number of sources claimed that the UH political science department has been branded "pro-communist" by the KMT and that students coming to Manoa from Taiwan are discouraged from taking courses in that department.

Those who are perceived as "outsiders" — which means anyone not openly supportive of the KMT — are socially isolated by rumor spreading and an orientation process that instructs newcomers to avoid certain "leftist" students and professors.

On occasion, a KMT member has approached a group or organization and urged its leader not to allow a particular Taiwan student to join the group. In other cases, sources say, a person's loyalty or integrity has been cast in doubt through the publication of letters or posters which, though not naming the student, contain references which are recognizable to most Taiwan students.

This process originates in Taiwan, according to sources, when certain UH students go back to brief future

arrivals on correct behavior abroad and with whom to interact.

One of those interviewed who said he has been socially isolated by these tactics said he is denied the "opportunity to have personal relationships with other Taiwan students."

Many said they were angry at being denied the right to speak openly, to read freely, to attend and participate in discussions on politics, to study what they choose.

These students also shared another feeling: Disappointment that neither the East-West Center nor the University of Hawaii has investigated the charges which have surfaced.

Some said they understand that the center made no official inquiry in response to Chen Yu-hsi's arrest and imprisonment a decade ago. Few expect much to be done now.

Some of those interviewed also expressed antipathy for the KMT government, which has ruled in Taipei through martial law for the past three decades. They described the system in operation here and throughout the U.S. as an outgrowth of a more repressive situation at home. One source said: "There are secret spies in every corner of Taiwan. The government controls the people through its secret agencies.

"That is why," the student continued, "I came to a country in which I

thought I could breathe in an atmosphere of academic freedom. But secret reporting of student activity goes on here as well."

Virtually all of those interviewed expressed a desire to return to Taiwan. They asked not to be quoted by name or to be made identifiable through the use of any accounts or information that could be traced back to them.

One student anticipated that the KMT student group would circulate a letter door-to-door denying the charges contained in these articles, something which is generally done when an issue surfaces publicly. The student said he would sign the letter denying his own allegations rather than be held in suspicion. "If I don't sign, I will be reported," he maintained. "... It would be a barrier to my career and life in Taiwan."

"Of course this upsets me," another quietly remarked, his head down, eyes fixed on the ground. "But this is not my home. To me it is a kind of prison if I have to stay here.

"Before I was really scared about it. Now I no longer think about it. I just have to go."

Others feel they have no choice but to remain here, at least for the time being. One said dejectedly:

"I can't go back now. It would be too dangerous for my family and myself."

Report form

Kuomintang "report form" printed in University of California newspaper. It describes work done on campus, number of Chinese students, leaders of Chinese Students Association. Item 14 asks for "number of those close to the bandits (pro-communist)"; item 22, "leaders of the enemy." A similar form is believed to be in use here.

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| 敵對 (16) | 科 活 動 (25) | | |

填報人： 民國六十三年 月 日

Spy issue heads for EWC board

By GEORGE GARTIES
Advertiser Staff Writer

An East-West Center Board of Governors meeting Monday could turn into a forum for charges that some center students are spied on by their home government.

EWC President Everett Kleinjans told representatives from a coalition of local political groups yesterday that he would ask the board to listen to their call for measures to expel students found spying and to prevent spying in the future.

And the president of the official student body at the center told The Advertiser yesterday that he plans to ask the board what it is going to do about alleged spying among students from Taiwan.

Kleinjans told about 15 members of the Committee to Protect Foreign Students in Hawaii that he would ask the board to put two representatives on its agenda for the Monday meeting.

Farouk Babrakzai, head of the EWC Participants' Association, said he will ask the board how it plans to "defend the academic freedom it guarantees" at the center.

In a related development yesterday, the presidents of the two student body groups at the University of Hawaii announced that they have asked the U.S. Justice Department to investigate charges that Taiwanese students at the EWC spy on other Taiwanese students for the Republic of China's ruling Kuomintang Party (KMT).

Peter Rappa, president of the Graduate Student Organization, and Tim Farr, president of the Associated Students of the University of Hawaii, said at a press conference that they have not talked to any of the students involved in the alleged spying. But, they said, an investigation is needed to clear the matter up for the public.

The spying charges were first made public in detail in an Advertiser article May 30. The report quoted students from Taiwan as saying that from five to 10 of the Taiwan students at the center act as KMT agents, reporting on the political statements, public and private associations and reading habits of

other grantees from that nation.

The students, who asked not to be identified because they fear reprisals, said if they engaged in any activities that could be seen as anti-KMT, their families could be harassed, relatives could lose their jobs and the students could lose their visas.

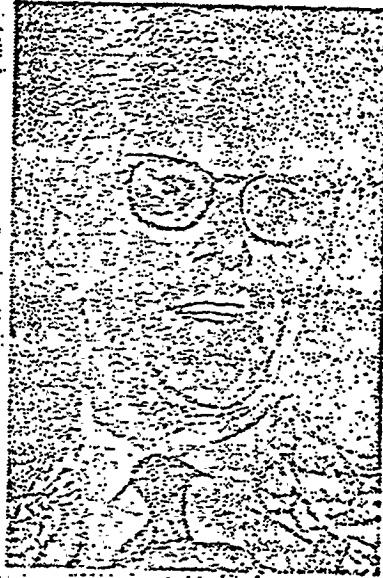
In April, the EWC executive committee rejected a proposal to investigate alleged spying at the center. It also voted down a request from the participants association to establish a "standing committee on academic freedom" to protect foreign students from spying.

Kleinjans said at the time of the article that any attempt at "counter-spionage" would be as serious an infringement on academic freedom as any spying that might be going on.

Members of the Committee to Protect Foreign Students in Hawaii called Kleinjans' argument a straw man. It would not be necessary to spy on suspected spies, they said. They suggested that an investigating committee, which could take testimony either publicly or behind closed doors, would serve the purpose.

Kleinjans said he would "think deeply" about the committee's suggestion, but did not guarantee that he would come out with a new position statement by this afternoon, as the committee asked.

The committee consists of representatives from the American Civil Liberties Union, the American Friends Service Committee, Catholic Action, the Chinese Community Service Association, the Hawaii Coalition for Normalizing U.S.-China Relations, Hawaii Friends of Indo-



Everett Kleinjans
"Thinking deeply"

china, the Hawaii Union of Socialists, the Micronesia Support Committee, the National Association of Chinese-Americans, The People's Fund and the Union of Democratic Filipinos.

Babarakzai said the participants' association believes that the EWC board should do something about any spying that might be going on at the center. He said he would suggest that the board try to find out how other universities have dealt with similar problems.

The UH student body presidents said in their letter to the Justice Department that an investigation should be made because any spying might "be in violation of the Foreign Agents Registration Act" and "involve potential abuses of the human rights of individuals studying in this country."

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A-18

Wednesday, June 21, 1978

East-West Center Stand Makes Sense

The Board of Governors of the East-West Center has been forced to confront the problem of attempts by foreign governments to control the activities of grantees from their countries while enrolled at the center.

The board's decision — to condemn such attempts in principle but to reject demands that the center investigate allegations that such efforts were made on behalf of the Republic of China and take remedial action — was bound to leave protesters unsatisfied.

The rationale for the board's position is that it would be inappropriate for the East-West Center to get involved in what would amount to counterintelligence activities — in effect to spy on the spies.

We believe the board's position is the only realistic one under the circumstances.

The center, after all, is not equipped to handle such problems. And it must deal with governments that do not share our emphasis on the rights of free speech, thought and political association. (Admitting students from Communist China instead of those from Taiwan would not alter the situation.)

If the center took punitive action in such cases it would be difficult for it to obtain the continued cooperation of the affected governments. Yet, given the facts of life in Asia, it would be impossible for the center to function if it limited its activities to those countries where democracy as we understand the term is practiced.

Although the center should maintain a hands-off attitude in these matters, we do not suggest that this is the proper position for the federal government. The Justice Department should investigate all serious allegations of this sort and prosecute violations of our laws. The state of U.S. relations with the offending government should not be a consideration in decisions to take action.

If a grantee were convicted in a spying case, it would be appropriate for the East-West Center to expel the offender. But the board is saying the center shouldn't try to do the work of the law enforcement agencies, and that seems like a sensible position.

HONOLULU STAR-BULLETIN
SATURDAY, JUNE 17, 1978

UH Students Ask Spy Probe

By Associated Press

Student groups at the University of Hawaii yesterday said they are asking the U.S. Justice Department to investigate charges of student spying at the East-West Center.

The charges involve Taiwanese students at the Center.

At a news conference yesterday, the leaders of the graduate students and the Associated Students of the University of Hawaii said they have written U.S. Attorney Griffin Bell, asking him to look into the charges.

Tim Farr, ASUH president, said the spying charges have made a farce of academic freedom at the University and the Center.

Farr said he is concerned not only that administrators are unwilling to ensure the rights of their students, but also that students will not be able to study freely at the University.

The student leaders said they have not verified the charges themselves, but expect the proper agencies to do so.

UH teaching assistant Chen:

Isolated by pro-Taiwan students

SUNDAY
JUNE 18-1978

By ALAN MILLER
Special to The Advertiser

Chen Yu-hsi, University of Hawaii teaching assistant whose jailing in Taiwan a decade ago precipitated a celebrated academic-freedom protest here, says he has been isolated by pro-Taiwan government students at the university and East-West Center since returning here in 1975.

Chen reluctantly agreed to a request for an interview last week, but declined to go into details. He stressed that he is focusing on his academic work as a teaching assistant and Ph.D. candidate, which is why he returned to Hawaii.

However, it was learned from other sources that since coming back to Honolulu Chen reportedly has been informed on and isolated from other Taiwan students by tactics of University of Hawaii and East-West Center students who are also agents of the ruling Kuomintang (KMT) Party of Taiwan. These sources asked not to be identified.

One source said, "Chen's really a victim. He's suffered a great deal."

An official of the KMT, here on an East-West Center grant in 1975, reportedly told a number of Taiwan students that Chen's release from prison in 1971 was due to foreign pressure and that the KMT still considered him a "criminal." The official reportedly warned that students who befriend Chen may face prosecution upon returning home.

Chen, a former East-West Center grantee, was sentenced to seven years in prison in 1968 for "sedition" stemming in part from his involvement in the antiwar movement while in Hawaii during the Vietnam conflict. Chen served four years in prison before being released after an international outcry against his treatment.

When Chen returned here in 1975, the Taiwan government denied his wife permission to join him. After her request for a passport was denied for 18 months, last year a resolution was introduced in the Hawaii Senate urging the Taiwan government to issue her a document. On the eve of a public hearing here on the resolution, the government in Taipei announced she could leave. She arrived in Hawaii in April 1977.

Sources said Chen's wife was told in October 1976 she would not be allowed to leave Taiwan because the Ministry of Education had received reports from Hawaii that Chen was involved in anti-government activities.



Chen Yu-hsi

Chen said these reports were fabricated.

Sources told this writer that Chen recently has been reported back to Taiwan as being "pro-Communist." Chen said he had heard nothing about this.

The effort to isolate the 39-year-old Chen on campus has taken several forms. Some Taiwan students indicated they were advised before coming to Hawaii to stay away from those who might be considered leftist. Sources related that several KMT members on campus told Taiwan students that Chen was anti-government and to be avoided.

On one occasion, a KMT official participating in an East-West Center program reportedly told a friend of Chen's that associating with him might be dangerous.

Sources also said that after Chen received his teaching assistantship from the political science department, a student working for the KMT started a rumor that Chen was receiving funds from mainland China.

Chen denied this allegation. He said his only source of income is his teaching assistantship.

Shortly after returning to Hawaii, Chen attempted to join an all-Taiwan co-op at the East-West Center.

Although his request was initially accepted, a few hours before what was to be Chen's first meal, the group informed him his request had been rejected.

A senior member of the group, a KMT representative, reportedly had told others that Chen could not be accepted because his membership would endanger every member of the co-op.

"This is why," one student explained, "no Taiwan students dare make friends with Chen."

Chen was labeled as one of four alleged pro-Communists on campus by rumors circulated two years ago after an anti-KMT demonstration at Klum Gym.

Two weeks ago, an unsigned six-page flyer referring to an alleged pro-Peking "Gang of Four in Hawaii" was received by Taiwan students on the Manoa campus. The mailing did not mention Chen by name (three individuals were named) but alluded to a "quasi-Ph.D."

It charged these four "dictatorial" and "tyrannical" individuals have "exerted themselves on behalf of the socialist motherland." Although it was attributed to "an old leftist" — an apparent attempt to suggest a split among "leftists" here modeled after that which took place in China two years ago — sources said it was sent by students in the service of the KMT at the university.

One of those mentioned as being part of the "Gang of Four in Hawaii" was Tony Wu, a former University of Hawaii student from Taiwan who is now a local physician and U.S. resident.

Since returning from a seven-week trip to mainland China in 1975, Wu has been isolated from other Taiwan students as well as being harassed and publicly branded as pro-Communist.

After the trip, Wu related, he received many anonymous phone calls. The caller would tell Wu he shouldn't have gone to China, warn him to watch his step, and hang up. Wu, whose family is on Taiwan, changed his place of residence in an effort to end this.

Sources said some students told others that Wu was leftist and not to interact with him. At a Chinese Student Association-sponsored picnic that Wu attended, a KMT member reportedly approached another student and instructed him to stay away from Wu.

Then, during a heated discussion at an East-West Center-sponsored program involving Taiwan last fall, a EWC grantee from Taiwan stood

up, pointed at Wu and said: "This man took money from Communist China."

Wu denied the charge.

Another student commented: "This put Wu in a very dangerous position. It damaged his reputation and further isolated him from others. Furthermore, it jeopardized his family on Taiwan."

Wu, 31, recently recalled his first encounter with the KMT surveillance system reported to be in operation on campus here. He was reading a book on mainland China in the library shortly after entering the School of Public Health when another student from Taiwan approached him to ask why he was reading such material.

Although he would like to return to Taiwan eventually, Wu said it would be dangerous for him to go back now. One source, when asked what might happen to Wu if he returned home, declared: "He'd be given the death penalty. Since he visited China and is critical of the KMT, they consider him pro-Communist. The punishment for this crime in Taiwan is death."

(Copyright 1978 by Alan Miller)

HONOLULU ADVERTISER

THURSDAY, JUNE 15, 1978

EWC petition asks action on spy allegations

Some 55 American participants at the East-West Center are asking the center's Board of Governors to take action over allegations that foreign students there are spied upon and harassed by informers and "agents" of their own countries.

The board is due to meet in Honolulu June 19 after a closed "executive" session the preceding day. It is not known whether the widely-publicized allegations of spying on campus by students from Taiwan are to be on the agenda.

However, in April the board's executive committee discussed charges made by a center student government committee that students from Taiwan were being spied upon.

According to Everett Kleinjans, president of the center, the executive committee voted unanimously to reject a proposal that the center investigate the charges. It also rejected a proposal that a "standing committee on academic freedom" be established to protect foreign students and others from spying.

The request for action from the 55 American participants at the center was circulated in the form of a petition after The Advertiser published a report that students from Taiwan say there are five to 10 agents of the Taiwan's ruling Kuomintang (KMT) Party operating on the University of Hawaii and center campus.

The Taiwan students in sworn affidavits said the agents, some of them paid, report on the personal associations, public and private statements, extracurricular activities and even reading habits of students suspected of being critical of the martial law government which has ruled Taiwan since 1949.

The Taiwan students said the informer system is similar to the one that was used to build a case against Chen Yu-hsi, a former center grantee who in 1968 was sentenced to prison in Taiwan for political activities while in Hawaii.

The American students petition to the center board states, "We . . . are concerned about the current state of academic freedom at the East-West Center and are disappointed by the administration's lack of creative response to recent allegations of foreign informers here."

The petition urges as a "minimum course of action" that the center "should offer assistance in obtaining protection, including asylum, to any person affiliated with the center who anticipated reprisals upon return to their home country resulting from the pursuit of academic freedom."

It also calls for the center to define in detail the center's policy on academic freedom and to advise all foreign governments that center participants are required to abide by the center's code on academic freedom.

The center already has a five-paragraph policy on academic freedom which is circulated to all cooperating governments and included in all agreements signed by center participants, according to Kleinjans.

Several other petitions urging the center's board of governors to take action on the spy charges are said to be circulating on the university campus.

Articles called misleading

The articles by Jerry Sussman and Alan Miller (5/30) concerning spying on U.H. and EWC students from the Republic of China (Taiwan) have prompted heated and rampant controversy within the East-West Center, at the University of Hawaii, and throughout the local community.

The publication was followed up by radio and TV reports. This sensational, attention-getting story was a coup de grace for both The Advertiser and EWC grantees Sussman and Miller.

The fifth month of the year of the horse was destined to be an unfavorable time for Taiwan. First, Vice President Walter Mondale delivered a major speech at the East-West Center on May 10 on foreign policy and close allies without mentioning Taiwan.

Ten days later, U.S. presidential security adviser Zbigniew Brzezinski set out for Peking to confer with Hua Kuo-feng on the inauguration day of the new president of the Republic of China on Taiwan. And to end out the month, the poignant incident of spy charges has embarrassed many Chinese in Hawaii. Consequently, the great majority of Chinese students on the U.H. campus have become entrapped in tumultuous silence.

The incident at the U.H. and EWC... has confirmed what I predicted in a political review published in Taipei Dec. 5, 1977.

In this case, The Advertiser has contributed tremendously in helping to shock bias-free residents through the unbalanced and one-sided fabrications of political events, plus extremely sensational headlines and editorial techniques. Unfortunately, what The Advertiser has revealed is extremely misleading. The Advertiser has entirely neglected the genuine balance of the overall picture by publishing only distorted views.

In order to prevent intellectual image of the readers from being contaminated by some ugly political campaigns, it is mandatory that the impact of The Advertiser's story be "distilled" for impartial judgement.

Despite the sworn affidavits claimed by Sussman and Miller, what their articles are in desperate need of are objectivity and truthfulness.

Amid the rampant political contention,

there exists the underlying fact that Chinese students on campus, either from Taiwan or Hong Kong, do not necessarily share completely the same ideology. That is, the students are divided due to the present political situation.

However, the great majority of Chinese from Taiwan are inclined to ROC, due primarily to their identity and natural commitment. As a Taiwanese without any "party" affiliation, I, for instance, am eager to go back to join my fellow citizens for the overall betterment of that free society.

Other campus agents

Revelations concerning Kuomintang informers at the East-West Center should come as no surprise to those familiar with the activities of dictators friendly to the CIA.

Agents from Chile, Iran, Korea, Taiwan, South Africa and other repressive regimes spy on and harass their citizens here much as they do back in their own countries, often with the approval and connivance of U.S. intelligence agencies.

According to the shah of Iran, agents of his secret police, SAVAK, are in the U.S. to check on "anybody who becomes affiliated with circles and organizations hostile to my country." Iranian students in the U.S. are the main targets. According to columnist Jack Anderson, "SAVAK agents hound and harass Iranians with the full knowledge and sometimes assistance of the CIA."

During a visit of the shah to the U.S. last December, SAVAK agents reportedly bribed Iranian students from all over the country to demonstrate support for the shah outside the White House. Iranian dissidents were refused a permit by Washington police but demonstrated anyway, wearing masks to conceal their identity.

A State Department official told a congressional hearing that "at least 85 percent" of the Korean CIA's efforts here "are directed toward intimidation of Korean residents of the

U.S." There were reportedly 23 KCIA agents operating in the U.S. in 1976, with an unknown number of informers, and as many as SAVAK agents and their informers among Iranian student population.

Our CIA has used American universities to provide cover and personnel for its cover operations. It enlists hundreds of professors in its secret research programs. It has hundreds of "spotters" on American campuses who select potential agents, primarily foreign students. Background checks are made of possible recruits without their knowledge or approval.

The Church Committee's report on the CIA, even though censored, revealed that the agency's secret relations with hundreds of university personnel were sufficient "to prejudice, not destroy, the integrity of American universities."

Because the CIA does not wish to be exposed in operating abroad, there is no formal agreement between Washington and the dictators on how many intelligence agents may maintain in the other country. Until the U.S. is willing to remove its covert agents from countries around the globe, foreign citizens in this country will have their civil constitutional rights violated by foreign agents who are here with the approval and assistance of the U.S. government.

CHEN-CHING
East-West Center

WILLIAM RE

Board Rebuffs Demonstrators

No Spying Probe

at the EWC

The East-West Center's Board of Governors yesterday said it condemns "in the strongest possible terms" any actions which interfere with academic freedom, but will not establish an investigative arm to look into charges that the Taiwanese government is operating a spy network on campus to monitor some of the center's Taiwanese grantees.

The policy statement came on the same day that about 30 people, several of them hooded to protect their identities, demonstrated at the EWC to protest the alleged spy ring, which organizers said threatened the well-being and freedom of students, their friends and families.

The demonstration before Jefferson Hall was scheduled to coincide with a semi-annual meeting of the board, and was organized by a coalition of 11 groups calling themselves the Committee to Protect Foreign Students in Hawaii.

FOLLOWING the march, about 40 demonstrators confronted board members with their demands during a sometimes heated 70-minute informal meeting.

Board chairman Mary G.F. Bitterman said university authorities would stick to the policy statement passed unanimously by the board earlier in the day, which "condemns, in the strongest possible terms, any actions or statements on the part of anyone which may tend to interfere with the academic freedom of any participant at the center."

The "statement of condemnation," which was added to the EWC's policy on academic freedom, falls short of pressing for an investigation into the alleged spy ring, a key demand of the demonstrators. The statement says the board and EWC do not "inquire into or interfere" with a grantee's political beliefs and activities, and will not establish an "investigative and surveillance mechanism" to chase down grantees who reportedly are infringing on others' academic freedom.

Such counterintelligence, Bitterman said, is not within the "purview" of the board and works against academic freedom.

"WE'RE TRYING to grapple with the questions," she said. "What we

enunciate in our statement is, that there are only certain areas over which we have control." Appropriate government authorities must take it from there, she said.

But the disappointed demonstrators called the counterintelligence argument a "smokescreen" and said the board should take some action "to get the ball rolling."

"The issue is not dead, it will not go away," said spokesman Reinhardt Mohr, executive director of the American Civil Liberties Union. "You have a duty to act and we're waiting to see what's going to be done."

Allegations that the Kuomintang government in Taiwan is running an informer system at the EWC were raised in articles written by EWC grantees Jerry Sussman and Alan Miller and published in the Honolulu Advertiser. According to the authors, informers are paid through the Taiwanese consulate here to monitor the political activities, studies and reading habits of Taiwanese students attending the EWC.

YESTERDAY'S noontime march began while board members and guests lunched in Jefferson Hall's basement cafeteria.

The demonstrators, led by University of Hawaii professor Oliver Lee, chanted, listened to short speeches and carried signs with slogans such as "East-West Center supports dictators" and "Beware: spies at work here."

About 15 of them wore white hoods with openings cut for eyes and nose. Not all of those disguised were Taiwanese. One of them, a Pakistani, said he was masked "because we're afraid of the repercussions which may come if our governments find out what our names are. There is much fear here."

John M. Black, administrative chairman for the student publication Impulse, told the crowd he would sue the center through the ACLU if funds for the magazine are not released.

IMPULSE, WHICH is published two or three times annually, had its funding removed after printing an English translation of a poster concerning the alleged spy network. Black said the board agreed to release the money on condition that all articles first be submitted to the board for review. That, he said, is prior censorship and unacceptable.

HONOLULU STAR-BULLETIN

TUESDAY JUNE 20, 1975

EWC secretary Robert B. Hewett said the funds were taken away because the center was concerned about libel suits.

A meeting between some board members and Impulse editors was scheduled for today.

The ACLU's Mohr, another speaker, said suspicion caused by the spying "poisons the atmosphere of academic freedom and human rights" and points to the larger issue of CIA and FBI informants monitoring American students and foreign governments sponsoring their own agents on campus.

"The evidence at this point is overwhelming. It constantly amazes me, the ostrichlike attitude taken by the authorities," said Mohr, whose ACLU has offered legal assistance to all "victims" of the spying.

LEE CALLED the board's new policy "basically just a stonewalling statement."

Lee told the demonstrators that the board would listen to their demands after coming out of an afternoon executive session, closed to the

public. A few minutes after they entered the board room, though, chairman Bitterman adjourned the meeting so members could attend a reception, leading to shouts of "fraud" and "liar."

Bitterman and some other board members, including former U.S. Sen. William Fulbright, remained to hear the demonstrators.

The Committee to Protect Foreign Students listed five demands:

—Dismissal from campus of all "spies and informers."

—A clear EWC and university statement of "serious intent to act on these charges of spying."

—Protection and support for victims, including asylum if necessary and desired.

—Punishment and enforcement of a statement on academic freedom, violation of which would lead to expulsion.

—No prior censorship and continued funding for Impulse magazine.

THE BOARD'S new policy statement calls for establishment of a "more formal information-receiving mechanism" to hear allegations of violations of academic freedom, but said the body would not be set up for "investigation, accusation or punishment."

Bitterman said the board is confined in its jurisdiction to "humble and limited areas," and questioned the firmness of evidence that spying exists.

"We don't think allegations are evidence. We don't see this as established fact," she said.

EWC to listen to 'spy' complaints

By GEORGE GARTIES
Advertiser Staff Writer

The East-West Center Board of Governors yesterday announced the formation of a "mechanism" for hearing EWC participants' complaints of spying, harassment or other infringements on their academic freedom.

But the board announced that it would not investigate recently published charges that some students from Taiwan inform on other students for the country's ruling Kuomintang Party.

The action comes in response to a controversy at the East-West Center and in the community over Advertiser articles which quoted several students from Taiwan as saying there are paid informers — administered by the local Taiwanese consulate — who keep tabs on other students' personal and political associations, statements and reading habits.

In its statement, approved unanimously at yesterday's meeting, the board:

- Restated the center's policy on academic freedom which reads in part, "The EWC embraces those aspects of academic freedom which guarantee the freedom to teach and the freedom to learn . . . (and) would be most concerned if any government placed its own nationals in jeopardy for engaging in normal academic studies on its campus; it urges other governments to accept the concepts of academic freedom prevalent here if they intend for their nationals to study at this institution."

- Condemned, "in the strongest possible terms, any actions or statements on the part of anyone which may tend to interfere with the academic freedom of any participant at the center."

- Stated that the board would not conduct an investigation of specific charges of spying or set up a body to investigate such charges because "such inquiry would be contrary to the center's policy on academic freedom."

- Stated that the board intends to have a mechanism set up for participants who think their freedom has been interfered with to get "information" and "suggestions concern-

ing conceivable legal avenues of recourse" for participants.

The statement, adopted after about an hour's discussion, had been worked out in discussions over the weekend, according to Dr. Mary Bitterman, board chairwoman.

During the discussion, board members repeatedly said it is not the center's job to try to catch or try spies. That, they agreed, would be a matter for the State Department or the courts.

If the proper authorities find that there are agents of foreign governments operating at the center, the government "either sends them home or puts them in jail," board member J. William Fulbright said at one point.

But Fulbright, the former U.S. senator from Arkansas, and other members took pains to say they did not consider harassment by a foreign government of its students here something that falls under the "traditional concept of academic freedom" in U.S. institutions.

"I thought (infringement of academic freedom) was restraint by the institution," while the present allegations of informing deal with relations between governments, he said.

If the charges are true, he said, "I don't see how this institution is equipped to deal with such issues . . . it's a matter for our own government to deal with."

Board member Lucien W. Pye, a professor at Massachusetts Institute of Technology, disagreed with members who said guarantees of academic freedom do not guarantee freedom from being reported on to a student's home country. The institution has "an obligation to create an atmosphere where people feel they are free," he said.

If the institution does not provide some channel for complaints about spying, "where can people turn to?" he asked. The mechanism set up should provide a "contact point" for participants who "feel they are under undue stress," he said.

The board settled on the concept of a "mechanism" to hear complaints, and to counsel students about how to deal with any harassment.

The members agreed that the EWC administration and the board cannot investigate individuals. Several references were made to congressional investigations of alleged Communists as an example of the kind of thing the board wanted to avoid.

During a lunch break, Fulbright elaborated on a participant's options if he finds he is being informed on.

"Assuming that all these 'facts' (in the present spying allegations) are true . . . the proper approach would be through the State Department," he said. And if any federal law on registration of agents of foreign governments is broken, grand jury or court action could be taken.

Fulbright would be inclined to advise a participant who thought he was the victim of informing or harassment to go to the district attorney with his case.

While the board took its lunch break, a group of about 75 people from the Committee to Protect Foreign Students in Hawaii demonstrated in front of Jefferson Hall, where the meeting was held. About 12 of the demonstrators wore white hoods, and group leaders claimed they were foreign students afraid of being reported to their home governments.

They demanded that proven in-

formers be expelled from the EWC, that the EWC board and administration issue statements condemning activities on campus by foreign governments, that the center help any victims of informers who want to get asylum here and that money be released for publishing Impulse, the participants' magazine that has been suspended after its publication of a poster naming alleged informers for the Taiwanese government.

The demonstrators marched in a circle for about an hour, carrying signs and chanting such slogans as: "East-West Center/ show concern/ for human rights/ and freedom to learn."

Board secretary Robert Hewitt spoke briefly with demonstration leaders, who then announced that the board would listen to their demands.

After lunch, the board held a closed session on the center's budget, then the meeting was opened to the public again. The demonstrators packed into the meeting room, in

time to hear the meeting being adjourned.

As the board members started to leave, the demonstrators jeered and challenged them to stay and hear the demonstrators' side.

About half of the members stayed on and listened to an hour of speeches and comments on the spying issue and what was called the board's lack of courage in dealing with it.

Reinhard Mohr of the American Civil Liberties Union and Stewart Meacham of the American Friends Service Committee said the morning statement by the board did not address their demands fully.

Mohr and Meacham said the center could — through existing disciplinary procedures — collect enough information on accused informers to expel them. And the two were not satisfied that the statement by the board was a strong condemnation of such activity at the center.

After an hour, they left unsatisfied.

Students 'dare not go home'

Chen Yu-hsi points to informers

Thousands of Taiwan students in this country "dare not go home, even for a visit, because they know — or suspect — they have been informed on" by the ruling Kuomintang Party, Chen Yu-hsi, University of Hawaii teaching assistant, said yesterday.

Chen, who was jailed in Taiwan in 1968 in part for anti-Vietnam War activities while an East-West Center grantee, said he had been a victim of the informer system.

In his first major public discussion of his case, Chen prepared a statement for the East-West Center's Board of Governors, which has been in session here since Sunday.

The board had adjourned its meeting yesterday shortly before Chen completed his statement — but it was received by Dr. Mary Bitterman, board chairwoman. She said the center's corporate secretary would make copies and distribute them to the other board members.

The text of Chen's statement follows:

"First of all, I would like to thank the Board of Governors of the East-West Center for graciously accepting this statement, which embodies my

grave concern over the recently reported spying at the East-West Center and the University of Hawaii.

"I am concerned not only because the spying issue involves my homeland, Taiwan, but also because it has affected me personally. People in Hawaii will recall the agonizing experience which many of them and myself went through together a decade ago when an informer system here contributed to my plight as a political prisoner back

home. Today many people are distressed to learn that the same system persists, threatening our academic freedom and victimizing students.

"When the Ministry of Education in Taipei made a sudden move to suspend my Ph.D. program and force me to return home in 1967, the East-West Center was apparently not aware that a foreign informer system was undermining the lofty ideals to which the center dedicated itself. It subsequently became clear that the move was the result of secret reports sent in on my activity here by at least one informer. I have reason to believe this individual was also an EWC participant. But no attempt was ever made to investigate the operation of informers here, despite the overwhelming local efforts to restore my freedom.

"Perhaps this is why the unwholesome mechanism of spying has continued to be operative. It haunted me a second time when my wife's application to join me here was rejected on the grounds of fabricated reports about my so-called 'anti-government' activities in Hawaii. The Ministry of Education in Taipei told her in October 1976 that such reports were in their files.

Furthermore, if I have recently been informed on as being 'pro-Communist,' as Alan Miller's copyrighted article reveals, it seems that a second 'Chen case' is in store for me if I ever return home. This jeopardizes my regained freedom, since one is not truly free if he is denied the freedom to return to his homeland in safety.

In fact, this is the predicament in which thousands of Taiwan students in this country have found themselves. They dare not go home, even for a visit, because they know — or suspect — they have been informed on. If many of them do feel safe, it is because they are protected by their permanent residency in the U.S. Others have to remain in this country as illegal aliens or flee to other countries.

Since the early 1970s, many Taiwan students on the U.S. Mainland have had their passports revoked on grounds that they engaged in 'anti-government' activities. The latest case is that of Li Yiao-chung, a Columbia University student.

Foremost among Mr. Li's alleged crimes is chairing a forum on China affairs. He has appealed to the Columbia administration for help.

Educators in this country should be seriously concerned about this unhealthy situation. It should be recognized that not only academic freedom is at stake; this matter concerns basic

human rights as well.

As part of the nationwide network against Taiwan students, the informer system at work at the East-West Center and the University of Hawaii also has taken its own toll as revealed by Miller and Sussman's articles in The Honolulu Advertiser.

Its continued existence hurts not only the victims themselves, but also threatens the foundation of the center and university as humanistic institutions dedicated to the unfettered exchange of ideas.

It is encouraging that the EWC Board of Governors has shown concern about this issue and decided to take certain measures to protect academic freedom. This is a positive step forward. I would further respectfully request that the Board of Governors take additional effective actions to protect those foreign students whose safety and well-being are endangered by the informer system and to insure that the fear and distrust generated by the spying mechanism are completely eliminated.

I believe that the efforts made by the Board of Governors in this regard will be instrumental in furthering the cause of mutual understanding and cultural interchange for which the center was established.

E-WC 'spying'

Campus agents

To my dismay, Alan Miller and Jerry Sussman's report of the so-called "spy case" is not compatible with existing facts. Being an East-West Center grantee from Taiwan, and a resident of Hale Ma'aha, I am not even aware that there are

letters

five to ten KMT agents here. I have not even noticed at all that fear caused by "being spied upon" or "harassed" exists on the campus. Why is there such a great discrepancy between my understanding and the authors' reports?

From the story I can see that the authors' biased generalization concerning Taiwan is partially caused by a very small group of Chinese from Taiwan, who are either over-exaggerative about Taiwan's situation or unintentionally reactive

I have no connection with the ruling administration on Taiwan. However, I am obliged to react to the unfair and biased criticism it receives. To my knowledge, the silent majority of the Chinese students in the UH and EWC share with me my feelings.

MUTSUX HSU
Research Intern, Cultural Learning
Institute, The East West Center

'Feels the pressure'

I think Miss Tsai Bie-Yun was right in saying that she felt no pressure from the Kuomintang government. I also believe that some other students from Taiwan do not feel the pressure either. They are either working for the KMT (not necessarily as "agents") or are politically apathetic like many people in Taiwan under the repressive martial law.

But many Chinese students here, including myself, do feel the pressure. We do have access to all kinds of publications as Tsai said, but we dare not read publications from mainland China and Hong Kong when fellow Chinese students are around.

Most Taiwan students dare not borrow these materials from the U.H. library because they suspect their names may be referred to the KMT. Extremely few Taiwan students make use of the reading room and materials in the Asian Collection of Hamilton Library. This is something Chancellor Yamamura and President Kleinjans have to show concern about...

Those who work for the KMT may enjoy "academic freedom." The problem is that the spy activity of some (if not all) of them makes it impossible for other Taiwan students to do the same.

NAME WITHHELD

TRANSMIT VIA: Airtel

PRECEDENCE: _____

CLASSIFICATION: _____

DATE: 10/2/78

To: SAC, Honolulu

From: Director, FBI

UNSUBS, EAST-WEST CENTER
HONOLULU, HAWAII,
UNKNOWN VICTIM
SENATOR INOUE - COMPLAINANT
INTERFERENCE WITH FEDERALLY
PROTECTED ACTIVITIES
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TO: DIRECTOR, FBI
FROM: SAC, HONOLULU (44-250) (C)
SUBJECT: UNSUBS, EAST-WEST CENTER
HONOLULU, HAWAII,
UNKNOWN VICTIM
SENATOR INOUE - COMPLAINANT
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UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Honolulu, Hawaii

January 8, 1979

In Reply, Please Refer to
File No.

EAST-WEST CENTER
HONOLULU, HAWAII

The following articles appeared in the Honolulu Advertiser, a Honolulu daily newspaper, on the dates December 15, 19 and 21, 1978, and refer to charges that certain Republic of China (ROC) students attending the East-West Center were the victims of harassment or "spying" by other ROC students described as agents of the Kuomintang Party of the ROC, the ruling political party in Taiwan.

The East-West Center is described in a pamphlet distributed by the institution as established in 1960 by U.S. Congressional legislation with the purpose of promoting better relations and understanding among the people of Asia, the Pacific and the U.S. Since 1975 the Center has been administered by the international governing board of a public, educational, nonprofit corporation established by the Hawaii State Legislature. Principal funding comes from the U.S. Congress.

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**Spies watch
foreign students
at UH, EWC,
probers insist**

HONOLULU ADVERTISER

HONOLULU

FRIDAY, 12-15-78

PAGES A-1, 5

By TOM KASER

Advertiser-University Writer

A University of Hawaii committee says it has found "irrefutable" evidence that intelligence activities have been directed at certain foreign students at the university and the East-West Center.

Such surveillance exists, says the first of what will be several reports to the chancellor of the Manoa campus, and it seriously threatens academic freedom.

In sharp contrast to an opposite, hands-off policy adopted by the East-West Center's Board of Governors last June, the university's Ad Hoc Committee on Foreign Students Concerns says in its report that:

"The university is compelled — morally, ethically and legally — to take any and all actions within the law and its power to eliminate such activities, invoking appropriate sanctions whenever possible against those responsible."

The committee's report does not deal with specific instances of spying, but The Advertiser has learned of some of the testimony given to the committee by at least six foreign students, most of them current or former East-West Center participants.

All the complaints heard by the committee so far deal with intelligence activities and pressures directed against students from Taiwan by fellow nationals working for the ruling Kuomintang Party (KMT) of Taiwan.

According to testimony given to the university committee, there are definite "institutional arrangements" by which the KMT does its surveillance in Hawaii. Money and information from the KMT in Taiwan flow into Hawaii through the Taiwan consul general here, and then down a chain-of-command that eventually reaches the University of Hawaii campus, the committee was told.

(The consulate general here has denied earlier reports that it plays any spying role involving students.)

Closely allied with the consul general is the Hawaii KMT Standing Committee, whose members are not known publicly or, for that matter, by the approximately 60 members of the Chinese Students Association, the final link in the chain, committee testimony said.

The current "kingpin" on the Standing Committee reportedly is a former University of Hawaii student who now drives a taxi for a large Honolulu taxi company.

The committee was told that the Standing Committee has opened an account, under a fictitious name, at one of the Liberty Bank branches in Honolulu, and it is from this account that student informers at the university and the East-West Center are paid for reporting the "subversive" activities of other Chinese students. The going rate is \$50 per report, testimony said.

The KMT Standing Committee is said to be interested in the activities of two types of Taiwan students: "bandits," meaning Communists or suspected Communists, and "independent Taiwanese," meaning natives of Taiwan before Chiang Kai-shek took the Chinese Nationalists there in 1949.

The university's ad hoc committee has been told, among other things, that the Standing Committee puts pressures on Taiwan students who do things at the university or the East-West Center that they are not allowed to do in Taiwan.

For example, the University of Hawaii's political science department is regarded by the KMT as left-leaning, and some Taiwan stu-

From Page

dents have been told not to take courses in that department, according to a source close to the university's ad hoc committee.

One student who was already enrolled in a political science course was told by the KMT Standing Committee not to read a book that had been assigned. He was thus faced with the decision of not reading the book and getting a low grade, or reading the book and being "reported" to the KMT in Taiwan.

In another case, three Taiwan participants at the East-West Center wanted to do research papers on a topic they later learned was not acceptable to the KMT Standing Committee.

In short, sources close to the university's ad hoc committee say the testimony they have received is consistent with the main point of articles published in The Advertiser last May: that there are paid informers administered by the KMT Standing Committee through the Taiwan consulate, who keep tabs on other Taiwanese students' personal and

political associations, statements and reading habits.

In response to those articles, the East-West Center's Board of Governors defended academic freedom and denounced any intelligence activities that might exist. But the board also decided not to investigate.

Said a policy statement adopted by the board: "It is not the practice or policy of the board or the East-West Center to inquire into or interfere with the political beliefs or political activities of any (East-West Center)

participant.

Such inquiries, the board added, would be contrary to the board's policy on academic freedom. Ironically, it is that same principle — academic freedom — that has stimulated the university to respond with its investigation committee.

"Although (this) committee realizes that abuses could occur in taking direct and decisive action, we believe they need not be a necessary concomitant," says the committee's first interim report.

"Not taking such action would condone the infringement of academic freedom within our university community — a monstrous, outrageous posture for any institution of higher learning."

The committee reported to the Manoa chancellor that intelligence activities against students are not unique to the University of Hawaii and the East-West Center. The committee wrote to several Mainland universities that also have surveillance problems and received responses from such institutions.

A-10 Tuesday, Dec. 19, 1978 HONOLULU ADVERTISER

Taiwanese students deny spy reports

Sixty-four University of Hawaii students from Taiwan have sent an open letter to The Advertiser denying reports that political spying goes on against Taiwan students at the university.

"We have always enjoyed complete academic freedom on campus without harassment from anyone," says the letter, which objects to the "negative aspersion" cast upon all Taiwan students because of spying allegations.

The letter is critical of the university's Ad Hoc Committee on Foreign Students' Concerns for reporting there is "irrefutable" evidence from at least six Taiwan students that spying exists. And the letter is critical of The Advertiser for publishing such reports.

The reporting of this matter has been done in such a way as to imply that all Chinese students (from Tai-

wan), especially those who are members of the KMT (Nationalist Party of Taiwan), spy on one another and are in constant danger of being informed on.

"This is definitely not so, and we want everyone, including the Ad Hoc Committee, to understand this.

"In the final analysis, the political intrigue of this entire situation may reflect the efforts of others to injure us merely because we are from Taiwan, rather than because they (the committee members) wish to uphold our rights.

The 64 signators say they have not been interviewed by the university committee and don't know of any students who have.

"The majority of (Taiwan) students have never felt threatened by an 'informer' system and do not really know of the existence of a so-called 'informer network.'"

Chinese students: no spies or intimidation

A statement signed by 64 Chinese students from Taiwan

We strongly feel that a negative aspersion has been cast upon our integrity both as students and as individuals. We want to clarify this complicated situation, which is both unfavorable and hazardous to the Chinese students from Taiwan pursuing advanced studies here at the University of Hawaii.

We are appalled at the news reports in the Honolulu Advertiser (12/15) focusing on the partial information released by the UH Ad Hoc Committee on Foreign Students' concerns alleging intelligence activities on campus.

We would like to make it known that we have always enjoyed complete academic freedom on campus without harassment from anyone.

No one has told us which books to read and which not to read, which movies to watch and which to shun, or which paper topics to write about and which not to. The majority of Chinese students have never felt threatened by any "informer" system, and do not really know of the existence of a so-called "informer network."

We ourselves also would like to know the reasons why these supposedly harassed students were singled out for harassment by this so-called "informer system" when the majority of students have not been.

One of the most cherished principles underlying the American Constitutional system is the belief that every individual is innocent until proved guilty. Any complete investigation should be conducted on a wide and comprehensive basis before reaching any final conclusion.

In this connection, we feel sorry that none of us has been questioned before the committee released their

results and made them known to the public through the mass media.

It was in the name of protecting academic freedom, against harassment by intelligence activities that the committee decided to conduct the investigation. Yet,

commentary

Commentary offers space to readers who want to express thoughtful, reasoned opinions at greater length than provided by the Letters column, generally 500 to 700 words. Contributions are welcomed, especially those in disagreement with general prevailing viewpoints. All will be considered, but none can be returned. Each should be typed and bear signature, address and occupation of writer.

we feel that the real harassment is not from any intelligence activities but from "evidence" open to interpretation and subject to verification, and from rumors which the biased mass media interpretation has helped to spread.

Just as America's Constitutional freedom of speech and freedom of association was once endangered by McCarthyism, so has our freedom been placed in jeopardy. And any attempt to defend ourselves immediately invites the claim that we too are spies. This is not only false, but a complete distortion of the facts.

Is it not possible that the committee, with the best of intentions, may have been unwittingly influenced by

people with other motives, so that what they have come up with has become not just a matter of protecting academic freedom?

Is not there the possibility that those who act in the name of academic freedom are being affected by some political maneuvers? What real proof do we have that there really has been harassment?

The reporting of this matter has been done in such a way as to imply that all Chinese students, especially those who are members of KMT (Nationalist Party), spy on one another and are in constant danger of being informed on. This is definitely not so, and we want everyone including the committee to know this.

In the final analysis, the political intrigue of this entire situation may reflect the efforts of others to injure us merely because we are from Taiwan, rather than because they wish to uphold our rights.

Many Americans have already become pawns in the politics of the "China-Taiwan" issue without themselves realizing it. An obvious example is the timing of President Carter's decision to establish diplomatic relations with Mainland China.

Through the shrewd Machiavellian manipulation of Teng Hsiao-ping, President Carter has been lured into making the normalization announcement only one week prior to Taiwan's general parliamentary election. As both sides have long realized that politics will decide the future of the China-Taiwan issue, Teng Hsiao-ping must have been fully aware that the announcement would provoke social uncertainty and political instability within the forthcoming election process in Taiwan.

Earlier this year, President Carter already slapped Taiwan in the face by sending his national security adviser, Zbigniew Brzezinski to Peking during the Presidential inauguration of Taiwan's Chiang Ching-

kuo. Now, once again, President Carter has committed another reproachable act in his dealings with Taiwan during this critical time of her general parliamentary election.

That a U.S. president who has consistently upheld moral and ethical standards should choose such a time to abandon a long-standing faithful ally in such a manner in favor of "recognizing simple realities", and subjecting the "human rights" issue to strategic selectivity, is really outrageous to us who have trusted American credibility so wholeheartedly and for so long.

Returning to the issue of academic freedom and speaking as a group of freedom-loving and peace-loving students, we wish to point out that the handling of a situation like this will have a long-term impact not only on students from Taiwan, but also on numerous students from other countries and cultures.

We wish to emphasize once more, and once and for all, that we have come to the U.S. to achieve various academic goals, and that we do not enjoy the idea of being dragged into subtle and ruthless political struggles that others wish to carry on.

Finally, we also wish to point out that this statement is being made and signed right in the midst of the final exams when other students enjoy perfect freedom from harassment. Harassed by UH reports, newspaper headlines, rumors and inquiring glances on people's faces, we acutely feel that our academic freedom is being literally shattered under the pretext of the protection of academic freedom.

Consequently, we hope to make our heart-felt views and attitudes known to the public through this open letter. We hope to be left in peace to pursue our academic goals undisturbed. Thank you very much for giving us your attention.

Doi believes there was spying at EWC— despite lack of proof

By TOM KASER

Advertiser University Writer

Retired Circuit Judge Masato Doi says he is reasonably satisfied political spying among East-West Center students has occurred, even though he has found no hard evidence.

Doi was retained by the center in February to look into published charges of political surveillance. Yesterday he released a 25-page report of his findings.

He said he believes the charges were true, that the media played an important deterrent role in reporting them, and that the center can and should impose stronger sanctions against such activity.

First reports of student spying at the East-West Center were published in The Advertiser a year ago, and last December a University of Hawaii Ad Hoc Committee on Foreign Students' Concerns said it had found "irrefutable" evidence that intelligence activities have been directed at certain foreign students — especially from Taiwan — whose associations, statements or reading habits made them suspect of being critical of their home government.

Doi says in his report that he tried to uncover hard evidence of "monitoring," (which he says is a more objective and accurate term than spying) but could only find strong circumstantial evidence. Despite ample publicity of his appointment and his eagerness to meet with anyone having information about political surveillance, there was no response, he said.

"(And) I did not think it appropriate to actively 'nose around' and initiate inquiries, thereby creating an atmosphere that center participants — especially those from Taiwan — were under some sort of investigation."

The chairman of the university's ad hoc committee tried to set up confidential interviews between Doi and Taiwanese students who gave the committee important information, but the students refused.

Still, Doi cites the following as indirect evidence that monitoring occurred:

- In 1968, East-West Center student Chen Yu-hsi was charged in his native Taiwan with having read the "wrong" books (especially *Prisoner of Conscience*, by Yasuo Kawata) in the Oriental section of the East-West Center library.

- Although Chen's conviction and imprisonment were based on his alleged activities in Japan and not at the East-West Center, "official references to his book-reading carry the clear inference that he had been monitored (at the East-West Center)."

- Doi received several affidavits that corroborate portions of The Advertiser's initial stories in May 1978 reporting the existence of "spying" on and among East-West Center students.

- Allegations of spying on Taiwan students, especially by representatives of Taiwan's ruling Kuomintang Party (KMT), have been reported at several other American universities, including the Massachusetts Institute of Technology, the University of Wisconsin, the University of California, the State University of New York at Stony Brook, Cornell, Princeton and Stanford.

- From interviews in Washington with staff members of the State Department and the Senate Intelligence Committee, Doi said he learned that Taiwan has an "Overseas Chinese Affairs Commission" whose function is to monitor all Taiwan nationals overseas. He also learned that every Taiwan consulate located in an area with a sizable Taiwanese population "would have on its staff at least one representative of that commission."

- Doi said he was told by the University of Hawaii's Ad Hoc Committee on Foreign Students' Concerns that The Advertiser's report last December on the committee's main finding — that there is irrefutable evidence of intelligence activities on campus — was "substantially correct."

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Said Doi of this and other evidence: "The very nature of (political monitoring of and among foreign students) is such as to make it improbable that direct evidence of its occurrence would be readily forthcoming. But there is sufficient evidence, even though not of the type admissible in a court of law, to permit a reasonable conclusion that monitoring occurred."

The reports of KMT surveillance at the University of Hawaii and the East-West Center alleged that such activity was coordinated by a local KMT Standing Committee that received money from Taiwan via the now-closed Taiwan Consulate here and paid informers — at \$50 a report — from a Liberty Bank checking account that was registered under a fictitious name.

Doi maintains there is nothing wrong with the existence of a KMT Standing Committee on campus. East-West Center policy, he said, "correctly asserts that (the center) will not inquire into or interfere with the political beliefs or political activities of any participant and that a participant should be free to be a member of . . . any political party and its committees."

Rather, he thinks the problem lies in the activity of conducting political surveillance, reporting to authorities on a person's political attitudes, and warning him against suspect political activities and associations.

"Placing someone under surveillance in itself inhibits free inquiry, but where reporting follows or warnings are given with the threat of unfortunate repercussions ensuing, the chilling impact . . . resulting from fear and reprisal becomes clear."

In discussing how the East-West Center can act more effectively against political monitoring, Doi says the center's strongly worded statement on academic freedom is excellent because it expressly warns against intrusion by foreign governments. But he warns that this may mean more to American minds nurtured in a climate of free political inquiry and expression than to foreign minds conditioned to other values.

"The political and social climate (in other countries) may have instilled in some (East-West Center) participants a belief that reporting anti-government leanings . . . is the loyal thing to do, so that they rationalize a nonrelevance between monitoring and academic freedom, or rationalize monitoring as an exception to the principle of academic freedom," he said.

"This may not be difficult to do where one is caught between competing values: monitoring what he has been taught are illegal activities, and abiding by academic principles to which he has agreed but which are foreign to his upbringing."

Still, the East-West Center has the right and the duty to act incisively against political monitoring of its participants, he maintains. The center's existing policies and practices do "in substance permit sanctions (against) monitoring, but (they) should be adjusted, and certain policies should be clarified."

Specifically, Doi recommends the following:

- The center's Board of Governors should make its existing policy on academic freedom more specific "to preclude any misunderstandings or hedging" about the center's attitude toward monitoring. He gives specific suggestions for sharpening that policy statement.

- In order to preclude any misunderstanding that political monitoring at the East-West Center might constitute a political activity that is insulated against sanction by the center, he recommends the following addition (in italics) to an existing center policy: "It is not the practice or policy of the Board of Governors or the EWC to inquire into or interfere with the political beliefs or political activities of any participant, as long as such activities do not infringe on or abridge the rights and freedoms of others . . ."

- The center's revised policy on academic freedom should be distributed annually to all consulates in Hawaii (and other agencies performing consular functions here) whose nationals are East-West Center participants.

- The center's Participants Grievance Committee should be limited in activity to the consideration of political-monitoring complaints only, and its title should be changed to reflect this.

- The committee should have its functions enlarged to include decision-making on whether to file institutional charges, counsel a complainant on processes external to the center, prosecute if an institutional charge is filed, and make appropriate recommendations to the center's administration.

- The committee's membership should be enlarged to include several participants.

Doi said he considered recommending that an ombudsman independent of the center be established, but I believe that the existing mechanisms should be given a period of observation before such action is contemplated."

He recommended against the establishment of moratoriums against the future acceptance of participants from countries found guilty of political monitoring. Such an action, he said, would conflict with the center's mission to promote better relations and understanding between nations.



The EAST-WEST CENTER

Center for Cultural and Technical Interchange Between East and West, Inc.

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June 28, 1979

[Redacted]

Federal Bureau of Investigation
Prince Kuhio Federal Building
Honolulu, Hawaii 96813

Dear [Redacted]

President [Redacted] has asked me to send you a copy of Judge [Redacted] report on the Taiwan informing issue, with thanks for your help and consideration on this matter.

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Sincerely

[Redacted Signature]

EX-OFFICIO MEMBERS

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International Communication Agency
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TO: [REDACTED] President
East-West Center
Honolulu, Hawaii

FROM: [REDACTED] Consultant
4874 Poola Street
Honolulu, Hawaii

SUBJECT: ⁰ Investigation of Alleged "Spying" Among Center
Participants

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ASSIGNMENT

My assignment was to analyze the charges reported in the news media in 1978 of "spying" among East-West Center ("Center") participants and advise the Center President on feasible courses of action which might be taken in connection with such charges.

DEFINITION OF PROBLEM

A. Center Commitment to Academic Freedom.

The Center must by law "uphold and preserve academic freedom in all of the programs and activities of the East-West Center. The corporation shall adopt a policy statement on academic freedom which shall extend to all programs and activities and all participants and staff of the East-West Center." (Act 82, Session Laws of Hawaii 1975, establishing the Center as a public corporation) Center policy on academic freedom guarantees "freedom to teach and freedom to learn," espouses "free inquiry and free expression," encourages "critical judgment...and independent search for the truth," and declares the right "to pursue formal knowledge, verbal or written, in whatever directions and with whatever legitimately appropriate associations as are necessary, without fear of reprisal." (Academic freedom policy, adopted by Board of Governors July 1, 1975)

B. Media Reports of Monitoring.

Monitoring of Taiwan students at the University of Hawaii and the Center was alleged in the media last year, with the following being mentioned:

1. Reporting to officials of the Taiwan government or the Kuomintang Party on those Taiwan nationals whose associations, statements or reading habits made them suspect of being critical of the Taiwan government.

2. [redacted] telling [redacted] that [redacted] had "reported" [redacted] to the consulate to the effect that [redacted] was putting up anti-Kuomintang posters on campus, as a consequence of which [redacted] went through a ritual of denial before the consulate. [redacted] were all Center participants.)

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3. [redacted] having a social dispute with a woman and the woman shortly thereafter receiving a letter from her father to "study hard and avoid other involvements."

4. Students being advised by a Kuomintang (KMT) Standing Committee whose membership is not publicly known not to take certain courses, not to read certain books, not to do research on a certain topic.

5. Some students feeling pressured not to take interest in political matters and to avoid certain individuals.

6. The 1968 [redacted] incident, in which [redacted] was accused and questioned for having read the "wrong" books while a participant at the Center. He was tried by a military tribunal in Taiwan, found guilty of sedition for writing propaganda in favor of the Chinese Communists while in Japan after he left the Center, and sentenced to prison.

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7. Existence of a KMT Standing Committee on the Manoa campus, working together with the Taiwan government's Committee on Overseas Work which monitors Taiwan nationals in other countries.

8. The Chinese Students Association being controlled by the Taiwan consulate (pre-selecting the president, funding it, discouraging opposition candidates, holding elections on consulate premises, censoring its publications).

9. Informer payments being made from a Liberty Bank account under a fictitious name.

C. Problem: Academic Freedom Chilled by Monitoring.

The media stories prominently mentioned utilization of the Taiwan consulate and an on-campus KMT Standing Committee to do monitoring. It should be noted that the continued existence of a consulate (now replaced by the Taiwan Coordinating Council for North American Affairs under the new relationship between the United States and Taiwan) to service its nationals is appropriate and must be accepted. Nor is there anything wrong in there being a KMT Standing Committee on campus: Center policy correctly asserts that it will not

"inquire into or interfere with the political beliefs or political activities of any participant" (Board of Governors policy statement, June 19, 1978), and a participant should be free to be a member of the KMT Party (or other political party) and any of its committees.

The problem lies in the activity of conducting political surveillance, reporting to authorities on a person's political attitudes, warning him against suspect political activities, associations, etc. Placing one under surveillance in itself inhibits free inquiry, but where reporting follows or warnings are given with the threat of unfortunate repercussions ensuing, the chilling impact on academic freedom resulting from fear of reprisal becomes clear.

The objectionable activity (political surveillance, reporting, warning) is more accurately and comprehensively (as well as more objectively and unemotionally) characterized by the term "monitoring" rather than "spying" and will be so characterized in this report.

A basic contributory factor to the problem is the political character of the particular government which is involved in monitoring its nationals. Monitoring is conducted with the purpose of maintaining political stability. In the case of some nations with one dominant political element in power, stability is equated with national security and with that element's perpetuation in power; so that dissident or "anti-government" activity may be punished by law or other means. It should be noted that students from such countries could be under some degree of academic constraint even if no active monitoring occurred--but monitoring makes it worse.

Promoting "better relations and understanding between the United States and the nations of the East through the administration and operation of the East-West center as an educational institution" is a prime objective of the Center, and this calls for mutual understanding of each other's values and problems. This is a two-way street. The many nations of the Pacific basin have varying political structures and ideologies, some not in harmony with American standards and ideals. But the Center is obligated to accept and understand this circumstance and deal with all of them. On the other hand, every country which consents to exposure of its nationals to the educational opportunities provided by the Center program and every participant who applies for and is granted such opportunities must understand and abide by the Center's mandated commitment to academic freedom.

DID MONITORING OCCUR?

My review of the monitoring problem was not pursued with a view towards discovering culprits for prosecution. Rather, I engaged in a historical review to ascertain to a reasonable degree of certainty whether or not such activity occurred. I am reasonably satisfied that it did.

My review did not produce any direct evidence of monitoring: that is, no one gave me personal testimony as to any specific act of monitoring. Although notice of my appointment as a consultant and my interest in meeting with anyone having any information to share was publicized adequately, there was no response. I did not think it appropriate to actively "nose around" and initiate inquiries, thereby creating an atmosphere that Center participants, and especially those from Taiwan, were all under some sort of investigation.

The University of Hawaii (Manoa campus) Ad Hoc Committee on Foreign Students' Concerns, appointed by former Chancellor Douglas Yamamura, referred to "irrefutable facts of intelligence activities on our campus..." in its Interim Report of December 4, 1978. This reference was made on the basis of confidential personal interviews arranged through intermediaries with some Taiwan students by several members of the Ad Hoc Committee. The efforts of Dean [redacted] (University Arts and Sciences Department), chairman of the Committee, to arrange interviews for me with those Taiwan students proved unsuccessful, the students not wishing any further involvement in the matter.

Despite the lack of direct evidence, I am reasonably satisfied that monitoring occurred. To conclude otherwise would be to ignore the following:

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1. The 1968 [redacted] incident in which he was charged in Taiwan with having read the "wrong" books in the Oriental section of the Center library. ("Prisoner of Conscience" by Yasuo Kawata, 1975, 21st Century Books.) Although his conviction and imprisonment were based on his alleged activities in Japan and not at the Center, official references to his book-reading carry the clear inference that he had been monitored.

2. Several affidavits corroborative of portions of the May, 1978 media articles. (Honolulu Advertiser files which I read on a confidential basis.)

3. Allegations of "spying" on Taiwan students reported at numerous universities, among them: Massachusetts Institute of Technology, University of Wisconsin, University of

California, State University of New York at Stony Brook, University of Florida, Cornell University, University of Chicago, University of Minnesota, Princeton University, Stanford University, and Iowa University.

4. Interviews in Washington, D. C., with staff members in the State Department and on the Senate Committee on Intelligence. I was advised that in the case of Taiwan, its "Sixth Commission," one among the number of commissions which govern the country, is called the Overseas Chinese Affairs Commission (or the Committee on Overseas Work) whose function is to monitor all overseas Taiwan nationals, and that every consulate located in an area with any sizable Taiwan population would have on its staff at least one representative of that commission.

5. The monitoring activity reported in the news media on December 15, 1978, resulting from testimony alleged to have been given to the University Ad Hoc Committee. Upon meeting with the Committee, I was assured by its members that the article was substantially correct.

The very nature of the activity is such as to make it improbable that direct evidence of its occurrence would be readily forthcoming. But there is sufficient evidence, even though not of the type admissible in a court of law, to permit a reasonable conclusion that monitoring occurred.

More importantly, even if it be conceded that "hard evidence" did not surface in my review, still there is ample ground to form a reasonable suspicion that such activity occurred. And this in itself justifies a concerted effort to deter monitoring in the future.

EXISTING MECHANISMS AND PROCEDURES

Charges of monitoring had been raised prior to the May 1978 media articles. The Executive Committee of the Board of Governors in its April 1978 meeting rejected a proposal made by a Center Participants Association sub-committee that the Center create a committee which would "provide a reporting system for monitoring transgressions against academic freedom," the reasoning being that this would result in counter-spying and embroil the Center in the very activity to which objection was being made.

In its June 19, 1978 meeting, the Board adopted a policy statement which:

1. directed appropriate publication and distribution of Center policy on academic freedom;
2. condemned any action which may tend to interfere with academic freedom and made this condemnation a part of Center academic freedom policy;
3. declared that the Center does not "inquire into or interfere with the political beliefs or political activities" of participants;
4. declared that the Center will not establish an "investigative and surveillance mechanism to investigate, accuse, convict or punish any participant who it is claimed has interfered with the academic freedom of a participant--such action again being inconsistent with the Center's policy on academic freedom and its status as an educational institution"; and
5. recommended the establishment of "a more formal information-receiving mechanism for Center participants to communicate information and views to persons designated by the Center's administration about possible academic freedom interference, not for the purpose of investigation, accusation or punishment, but for informational purposes and appropriate suggestions concerning conceivable legal avenues of recourse for the participant."

The two actions mentioned in the policy statement have been taken: the academic freedom policy statement is published and distributed in appropriate Center publications and is made a part of each participant's award agreement; and a Participants Grievance Committee has been created as an information-receiving mechanism.

Presently existing Center mechanisms and procedures dealing with monitoring are the following:

(a) Policy statement on academic freedom, adopted July 1, 1975, as amended on June 19, 1978. This tracks the statements on academic freedom contained in the Community Standards for the University (Manoa Campus) but is much more specific and stronger in its references to monitoring in that it contains the following language which is not found in the University's formulation: "Individuals...have the right to pursue formal knowledge, verbal or written, in whatever directions and with whatever legitimately appropriate associations as are necessary, without fear of reprisal.... The East-West Center would be most concerned if any government placed its own nationals in jeopardy for engaging in normal

academic studies on its campus; it urges other governments to accept the concepts of academic freedom prevalent here if they intend for their nationals to study at this institution. The Board of Governors of the East-West Center condemns in the strongest possible terms, any action or statements on the part of anyone which may tend to interfere with the academic freedom of any participant at the Center."

(b) The academic freedom policy is contained in the Center catalog, circulated annually to all parties involved in the participant selection process, and made a part of a participant's award agreement.

(c) The Participants Grievance Committee services participants who wish to report any monitoring activity. The Committee is comprised of [redacted] (Vice President for Administration), one staff representative from each of the five Institutes and one staff representative from Open Grants. A participant wishing to report any monitoring activity may see his Institute (or Open Grants) representative on a strictly confidential basis. If further action is appropriate and the participant agrees in advance, the representative will convey the information to [redacted] who will then, on a confidential basis, consult as appropriate with the full Committee, Center corporate counsel, and external legal authorities to determine which of the following courses should be followed:

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(1) appropriate institutional disciplinary action under existing procedures (Section 3060 of the Participant Policies);

(2) referral to external law enforcement authorities; or

(3) no action.

What emerges under the foregoing procedures is an information-receiving process centered on [redacted] who, as a last step, makes a decision on what to do about the information received. The Committee acts only as an advisory group. If he decides to take no further action or to refer the matter to an external law enforcement agency, Center activity would terminate; if his decision is that appropriate institutional disciplinary proceedings should be considered, Section 3060 of the Participant Policies is invoked.

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(d) Under Section 3060, an initial determination is made by the Institute director or his designee or other appropriate staff member of the Center that a participant was guilty of some ground stated in Section 3060 and that

disciplinary sanction should be imposed. Monitoring could fall under the following misconduct grounds stated in Section 3060.1: "Failure to comply with specific provisions and general policies as embodied in the participant's award agreement and in Center program and participant policies and procedures" and "Behavior which is clearly detrimental to the physical, emotional, and educational welfare of fellow participants or which exhibits gross insensitivity to the rights, privacy, and cultural background of other participants." The initial decision is made by one individual, but before any disciplinary action is imposed, the participant is given written notice of the charge and advised of his appeal rights. Sanctions range from reprimand to award termination.

(e) If the participant decides to appeal from the initial decision he has two avenues: (1) an informal appeal consisting of an administrative review by "the supervisor/director, the vice-president for Academic Affairs, and the President"; and (2) a formal appeal with a full hearing before the Participants Appeals Board comprised of two staff members appointed by the President and three participants selected by the Center Participant Association (Section 1450 of the Participant Policies). The adverse parties before the Appeals Board are the official bringing the charges (the staff member who made the initial finding of guilt) and the accused participant.

(f) The Appeals Board decision may be appealed by either party to the President who "shall have final responsibility for the disposition of all cases."

EVALUATION OF EXISTING MECHANISMS AND PROCEDURES

A. Center Statement on Academic Freedom.

The Center statement on academic freedom is an excellent one which is strongly worded: it not only tracks the substance of the University's statement but is more specific and goes further in expressly warning against intrusion by foreign governments.

However, clear as the statement may be to American participants and American minds nurtured in a climate in which free political inquiry and expression are an accepted tradition and even granted that foreign participants all readily agree to the "principle of academic freedom," it may be that the broader applications of the concept are not truly appreciated by them. Specifically, the political and social climate of maturation may have instilled in some participants a belief that reporting anti-government leanings (whether on their own

initiative or as a result of recruitment by their government) is the loyal thing to do, so that they rationalize a non-relevance between monitoring and academic freedom or rationalize monitoring as an exception to the principle of academic freedom. This may not be difficult to do where one is caught between competing values: monitoring what he has been taught are illegal activities, and abiding by academic principles to which he has agreed but which are foreign to his upbringing.

To insure against any such rationalizations and any misunderstandings as to the applicability of the academic freedom principle to the monitoring activity, I suggest that monitoring be specifically referred to in the Center statement. This would not only bluntly and explicitly outline the objectionable conduct but also highlight and focus attention on the specific activities which have been the center of so much controversy. Addition of language along the following lines is suggested: "Any monitoring (conducting surveillance, reporting to government officials, issuing threatening warnings, etc.) directly or indirectly, of political studies, activities, associations, attitudes or opinions of any participant, student, staff or other member of the East-West Center or the University of Hawaii academic community constitutes such interference."

In connection with the suggestion that monitoring be specifically proscribed, I note that the policy statement of the Board on June 19, 1978, states that it is not the Center's practice or policy to "inquire into or interfere with the political beliefs or political activities of any participant-- in fact such inquiry would be contrary to the Board's policy on academic freedom." Is monitoring of political activities and attitudes a "political activity" within the meaning of the Board statement? Considered in context with Center condemnation of "any actions or statements on the part of anyone which may tend to interfere with the academic freedom of any participant," monitoring should not be considered an insulated "political activity." But to prevent any misunderstanding, it would be advisable to qualify the present statement by adding that non-interference applies to political activity "as long as such activity does not infringe on or abridge the rights and freedoms of others." (Compare the standard in the 1978 "Standards and Responsibilities in International Educational Exchange" adopted by the National Association of Foreign Student Affairs: "An individual should have the right to choose any social, cultural, or political action or activity, as long as these activities do not infringe on or abridge the rights and freedoms of other individuals or groups.")

B. Notice of Center Policy.

Adequate notice of the Center policy on academic freedom is given to participants and those involved in the process of selecting them. However, there should be a distribution of the policy (especially with the suggested amendment) directly to all consulates (and other agencies performing consular functions) in Hawaii whose nationals are Center participants. This should not be considered an affront or a pre-judgment that any country conducts monitoring but should be considered only a logical step to implement the Center's academic freedom policy, which already from the time of its original adoption in 1975 contained the statement addressed to foreign governments expressing the Center's concern in this problem area. Such distribution should be done annually as a reminder.

The language used in the Degree Student's award agreement form to notice the participant of the policy is: "All participants are expected to adhere to the Center's policy on academic freedom...." The form requires compliance with some of the other Center policies by the use of the word "must." Although it may appear like quibbling, I suggest that the phrase "are expected to" be changed to "must" for emphasis.

C. Mechanisms and Procedures Dealing with Monitoring.

Existing mechanisms and procedures dealing with monitoring are in two phases: the first phase consists of the newly-formed information-receiving mechanism comprised of the Participants Grievance Committee (PGC), with [redacted] having the key role in analyzing the complaint and deciding what, if anything, should be done; and the second phase, if [redacted] decides that institutional disciplinary action may be justified, consists of the standing disciplinary action policies and procedures for various kinds of participant misconduct.

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First Phase: Participants Grievance Committee (PGC)

In this phase, I believe that the problem is too sensitive for decision-making as to action or no-action to be made by one individual on an informal basis: a group decision after a hearing should be involved. The PGC is an appropriate group to which this function could be assigned.

To highlight the monitoring issue, the PGC should be confined to dealing exclusively with complaints of monitoring--and perhaps its title should be changed to reflect its focus (e.g., Participants Anti-Surveillance Committee) and some

participants added to its membership. Participant addition would be significant and effective in maintaining participant awareness of the committee and the issue, as well as adding to its credibility.

It may be said that complainants will hesitate going to the PGC because it is comprised of Center staff with bias in favor of a complainant's own government. No complaints have been received by the PGC since its formation last summer, but this is probably because of the extensive publicity given the issue (the University's Ad Hoc Committee also has had no new incidents reported to it). It is best not to pre-judge the situation and to test the mechanism over a period of time and let experience dictate any changes which may be required.

In this first phase, the PGC should on a strictly confidential basis receive and listen to all complaints of monitoring and decide whether:

- (1) to file an institutional charge before the Center Participant Appeals Board against a participant if it finds probable cause of guilt; or
- (2) to make appropriate recommendations to Center administration; or
- (3) to take no action; and
- (4) in any event, to counsel the complainant as to other alternative courses of action which may possibly afford relief (private counsel, law enforcement agencies, University mechanisms, etc.).

Existing procedures under Section 3060 (which call for the initial decision that disciplinary sanctions should be imposed to be made by one staff member) appear adequate for the handling of other types of grievances. Past complaints have been satisfactorily settled through informal administrative consultations. So that no change is suggested in this respect.

However, monitoring should be addressed specially, and using the PGC as the initial decision-making mechanism will do so. Not only will a complainant be given the benefit of a group decision but an accused will have been accorded a grand jury type screening of a complaint before a charge is placed. A fall-out benefit may be a highlighting of the monitoring issue to increase participant awareness.

If the foregoing concept is accepted, detailed standards and procedures can be developed. Hearings before the Committee should be informal. All proceedings and records must be kept strictly confidential. The identity of the complainant must not be revealed at any time without his prior

consent. An accused is not entitled to be at a PGC hearing, although there may be circumstances when he may be invited to attend (e.g., when the complainant has no objection). Testimonial evidence which is hearsay may be received but only if it is demonstrably inconvenient to produce the witness in person. However, no charge should be placed unless such witness agrees in advance to testify in person before the Appeals Board. Because a decision to charge may very well be made on "one-sided" evidence, a complaint must be carefully evaluated, and an institutional charge should be filed only if the evidence is sufficient to ground a reasonable belief that an accused was guilty of monitoring.

An institutional charge should be filed only where the accused is a Center participant who is subject to Center disciplinary action. However, the PGC should listen to all complaints made by Center participants even though the accused may not be a Center participant. The PGC, although not in a position to lodge an institutional charge, may refer the complaint to some outside agency or may make appropriate recommendations to the Center administration for dealing with the complaint.

First Phase: Alternatives to Center
Disciplinary Action

When a complaint is heard by the PGC, it should not only notify the complainant of its decision but also discuss with him possible courses of action additional to Center disciplinary proceedings. In this regard, I had discussions with the following persons: In Honolulu with [redacted] U. S. District Attorney; [redacted] District Director of the Immigration and Naturalization Service; and [redacted] Special Agent of the Federal Bureau of Investigation; and in Washington, D. C., with [redacted] Coordinator for Taiwan Affairs, State Department; [redacted] Chief of the Statutory Unit of the Internal Security Section, Criminal Division, Justice Department; [redacted] Executive Vice-President, National Association of Foreign Student Affairs; and Messrs. [redacted] Deputy Assistant Commissioner for Inspections and Criminal Investigator, respectively, for the Immigration and Naturalization Service.

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Possible alternatives which may be discussed are:

1. Criminal prosecution. Except for any deterrent impact which a criminal investigation itself may have on an accused, there is little hope of relief. The possibility of conviction is remote.

(a) State. In order to be criminal, conduct must be specifically prohibited by legislation (Hawaii Revised Statutes, Section 701-102), and there are no monitoring offenses in Hawaii. The words "intimidated," "threatened," "pressured," and "harassed" are often used in connection with monitoring and its effect on those monitored. H.R.S. Section 707-715 (terroristic threatening) requires a threat to cause bodily injury or serious property damage; H.R.S. Section 707-724 (criminal coercion) covers a "do this (or don't do that) or else I will..." type of conduct; and H.R.S. Section 711-1106 (harassment) covers specific types of conduct (assaults, insults, taunts, challenges, nuisance telephone calls) engaged in with intent to harass, annoy or alarm. None of the state penal statutes describe the type of conduct which constitutes monitoring.

(b) Federal. On the federal level, there are several statutes which relate to "foreign agents."

(i) 18 U.S.C. 951 et seq. requires persons other than a diplomatic or consular officer to give notice to the Secretary of State before acting as an "agent of a foreign government." The term "agent" is not defined in the statute. If it is given a broad interpretation, it may apply to monitoring but would be constitutionally suspect. (Professor [redacted] of the University of Wisconsin Law School has severely criticized this statute.) I was informed that the Justice Department employs this statute only in conjunction with 18 U.S.C. 793 and 794 which cover the classical espionage activities in national defense matters directed against the interests of the United States or for the advantage of a foreign nation. Thus, prosecution under this statute is unlikely.

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However, a "practical" use of this statute is the justification which it may give a law enforcement agency to conduct an investigation into monitoring. This will be discussed later in connection with possible FBI involvement.

(ii) 22 U.S.C. 611 et seq. requires registration with the U. S. Attorney General by persons who act as agents of foreign principals. The specific types of conduct which would make a person an agent are expressly defined: the conduct aimed at is propaganda activities and the purpose of the statute is to require revelation of the identity of those who propagandize on behalf of foreign principals. Even its requirement of registration by agents who engage in "political activities" is restricted in that the term "political activities" is defined as propaganda activities intended to influence the United States. Campus monitoring of foreign nationals by foreign nationals does not fall within the ambit of this statute.

(iii) 50 U.S.C. 851 et seq. requires registration with the Attorney General by persons who have knowledge of or instruction or assignment in espionage or sabotage. This calls for registration because of status and not activity, and is inapplicable to monitoring.

Additional to the inapplicability or improbable employment of criminal statutes to the monitoring activity, the following points may be noted:

a. Although the federal statutes carry penalties of fine and imprisonment, and in the case of 22 U.S.C. 611 et seq. the possibility of deportation, the violation occurs when the affected individual does not register or give the required notice. Thus, the end result of an agency investigation may well be merely a direction to the individual involved to give the required notice or to register.

b. Each of the notice and registration statutes contain exemptions for consular officials, and in the case of 22 U.S.C. 611 et seq. an exemption for those engaged in academic pursuits, exemptions which create a formidable barrier to conviction.

c. An accused in a criminal case has a right to confrontation, a point which must be explained in discussing alternatives with a complainant interested in maintaining anonymity.

2. Federal Bureau of Investigation. The FBI will investigate monitoring if a complaint is made. In fact, when the spying activity was reported last year, the Center President contacted the FBI and it opened a file on this issue. However, the file was closed when no witnesses surfaced to provide evidence and the President did not wish to have FBI presence on the campus initiated by the Center administration. Of course, an individual complainant would have a right to complain directly to the FBI and have it conduct an investigation. The following may be noted concerning FBI involvement:

(a) Its investigation would be based on a possible violation of 18 U.S.C. 951 (which requires prior notice to the Secretary of State before acting as an "agent of a foreign government"). As previously pointed out, actual prosecution under this statute is remote. The decision as to whether an offense occurred and whether prosecution should ensue is one that is made by the U. S. District Attorney and not the FBI, the latter only doing the investigating and reporting on the facts.

(b) The practical benefit to be gained by FBI involvement lies in whatever chilling effect the investigation itself may have on the monitoring activity.

(c) Importantly, the reaction to FBI presence on campus on the part of the academic community would in all probability be antagonistic, especially if the circumstances of the complaint required a wide-ranging investigation. Interestingly, even my retention as a consultant to review the monitoring problem has been viewed with suspicion by some protestors against "Taiwan spies" as being perhaps a deceptive maneuver, taken not as a sincere attempt to seek a solution but taken in collusion with the FBI in order to set the stage for Center invitation to the FBI to conduct campus surveillance of participants expected in the future from the People's Republic of China.

3. Civil rights. As a general proposition, aliens are entitled to the full and equal benefits of all laws (42 U.S.C. 1981). The following federal statutes deal with civil rights but none covers the monitoring situation:

(a) 18 U.S.C. 241 (conspiracy against rights of citizens) makes it a crime to "conspire to injure, oppress, threaten or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States...." The victim must be a citizen.

(b) 18 U.S.C. 242 (deprivation of rights under color of law) makes it a crime for anyone "under color of any law, statute, ordinance, regulation, or custom" to deprive "any inhabitant" of any rights, privileges or immunities under the constitution or laws of the United States. This covers aliens but the deprivation must be under color of American law--and monitoring is not.

(c) 18 U.S.C. 1983 (civil rights act) makes an individual liable if, "under color of any statute, ordinance, regulation, custom, or usage of any State or Territory," he subjects any person to the deprivation of any rights, privileges or immunities secured by law and the constitution. Again, although applicable to aliens, the deprivation must occur under color of American law--and monitoring is not.

4. Immigration and Naturalization Service (INS). INS involvement may be relevant because it has deportation powers. Here, too, the probability of successful deportation of "spies" is remote. The INS will initiate deportation proceedings only on grounds delineated to be within the Service's jurisdiction. Monitoring fellow nationals is not a ground stated in the immigration laws. Conviction of crimes "involving moral turpitude" is a ground for deportation under the immigration laws (8 U.S.C. 1251). However, even assuming

that monitoring involves "moral turpitude" (which is a questionable proposition from a legal standpoint, repugnant as the activity may be to academic freedom), the chances of obtaining any criminal conviction is, as was previously pointed out, remote.

Where a complainant fears political persecution should he return to his country, he may seek asylum in the United States. 8 U.S.C. 1253 provides that the Attorney General may "withhold deportation" (which would follow the end of an individual's legal stay) of an alien who "would be subject to physical persecution on account of race, religion or political opinion and for such period of time as he deems to be necessary for such reason." The procedure to gain asylum is initiated by petitioning the INS director, who acts for the Attorney General. The State Department is advisory to the director and will make its recommendations on a case-by-case basis. A strong case of probable persecution is required. Asylum, when granted, is subject to review on an annual basis.

5. University of Hawaii (Manoa Campus). The University has mechanisms for dealing with alleged violations of academic freedom and with alleged impermissible behavior: procedures set up by the Faculty Senate deal with infringement of a faculty member's academic freedom; and the University Student Conduct Committee has jurisdiction to recommend sanctions, including expulsion, to the University president for violation of University Community Standards which include the right

"1. To academic freedom: including the freedom to speak, inquire, to hear and be heard.
.....

"10. To be free from harassment and/or surveillance designed to harass."

Referral of a complaint to the University mechanism is especially pertinent whenever an accused is a member of the University community.

After the monitoring issue was raised last year the then Chancellor [redacted] appointed on August 4, 1978, an Ad Hoc Committee on Foreign Students' Concerns to look into the matter of students under unwanted surveillance. In creating the Ad Hoc Committee, the Chancellor stated that although the University already had mechanisms to deal with impermissible behavior, no complaints had been filed, presumably because the victims of monitoring feared reprisals if identified and University procedures provide for confrontation when charges are made. A focus of the Committee was to be on the possibility of imposition of sanctions without according the right of confrontation to an accused. If a complainant is to be advised of

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possible relief through University mechanisms, the existence of the Ad Hoc Committee should also be explained to him. This is because secrecy considerations may be paramount with him, and the Ad Hoc Committee is extremely conscious of the anonymity factor whereas proceedings before the Student Conduct Committee accord confrontation rights.

6. Department of State. It may be possible to "sanction" consular officers through State Department action. Contact and communication between them and their nationals are to be expected in the performance of their duties. But where monitoring activity infringing upon academic freedom can be proved, the State Department may be requested to declare the official involved to be "persona non grata" for engaging in "improper" activities, even though no "illegality" may be involved.

7. Private litigation. Private litigation by a complainant against a defendant based on concepts of defamation, invasion of privacy, or intentional infliction of mental or emotional distress are possibilities. However, given the nature of the activities involved, I question the viability of any such suit. A complainant should never be advised on whether or not to institute a suit but should only be informed of this possibility and counseled to seek legal advice if he desires to pursue it further.

8. Center administration. Where institutional charges are not filed by the PGC, it may nevertheless, in an appropriate case, make recommendations to the Center President as a result of the complaint. Decision not to file may have been made because the complainant does not wish to become identified, or because the accused is not a Center participant, or because the evidence does not quite measure up to justify a formal charge. The PGC may, however, recommend to the administration that appropriate measures be taken to apprise the accused of the filing of monitoring complaints in language designed to deter any further monitoring.

All appropriate alternatives should be discussed with a complainant, and the PGC should aid him in making contact and presentation if he wishes to pursue any of them. However, frankly put, I see little promise that any effective action can be taken by agencies external to an educational institution where monitoring of a foreign national by a foreign national is concerned.

Second Phase: Participants Appeal Board (PAB)

If the PGC decides to file an institutional charge, it will do so (only with the prior concurrence of the complainant) before the Participants Appeal Board (PAB). The PGC should be responsible for the prosecution of the charge before the PAB. The procedures governing the hearing of the charge should substantially be those set forth in Section 1450 of the Participant Policies, including the right of confrontation to an accused and the right to final appeal to the Center President. Detailed standards and procedures before the PAB can be formulated if the suggested mechanisms are accepted.

Second Phase: Confrontation Rights

A principle which should be adhered to at the level of the PAB hearing deserves further discussion: the right of confrontation should be accorded to the accused. Before the PGC, which holds a hearing which is at most accusatory, an accused is not given that right. As previously mentioned, given the nature of the problem, an individual complaining about monitoring may be unwilling to testify publicly for fear of reprisal. Should an accused participant be found guilty and his award terminated (expelled) without giving him the right to confront and question his accusers?

A primary focus of the University Ad Hoc Committee has been on this issue of confrontation, the Chancellor having asked it "to determine whether it is possible to establish within the University a mechanism for investigating allegations when the traditional right of the accused to face his accuser is denied, and further if such a mechanism could be established and prove acceptable to the University community, what the legal implications of any administratively-imposed sanction would be...."

The Ad Hoc Committee made an Interim Report on December 8, 1978, in which, noting that procedural requirements surrounding available legal remedies may be inhibitory to effective action (presumably referring to the desire of a complainant to remain anonymous), it expressed a belief "that procedural modifications are possible, for processes internal to the University at least, which would be mitigatory in regard to this situation."

I met with the Committee and had several discussions with its chairman [redacted], who has been most cooperative. The Committee has not concluded its work and there is no timetable to its existence. It presently (May 1979) has under discussion procedures which attempt to preserve anonymity for a complainant by denying an accused the right of confrontation. (Exhibit "A" attached to

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this report.) I emphasize that the concepts outlined in Exhibit "A" are only being discussed and evaluated (not adopted) at this time and represent an attempt to meet what is a troublesome obstacle in dealing with the monitoring issue: the understandable reluctance of those claiming to be monitored to reveal their identities and make open accusations for fear of retaliation.

It is my considered opinion that the right of confrontation should be preserved before the PAB, which determines the question of guilt.

In 1957, criticizing a court decision which upheld the expulsion of a school student, Professor of Law Emeritus [redacted] of Harvard wrote: "At this time when many are worried about dismissal from public service, when only because of the overriding need to protect the public safety is the identity of informers kept secret, when we proudly contrast the full hearings before our courts with those in the benighted countries which have no due process protection, when many of our courts are so careful in the protection of those charged with crimes that they will not permit the use of evidence illegally obtained, our sense of justice should be outraged by denial to students of the normal safeguards." He found it shocking that some courts were permitting expulsion of students at hearings in which the student was not told of the identity of the accusers.

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A more recent, and in my opinion better, judicial view is that contained in Black Coalition v. Portland School District No. 1, 484 F.2d. 1040, decided in 1973 by the Ninth Circuit Court of Appeals. The court stated that school expulsion procedures which failed to provide "a hearing at which the student could be represented by counsel and, through counsel, present witnesses on his own behalf, and cross-examine adverse witnesses" were lacking in constitutional due process.

Granted that foreign laws and practices repugnant to us manifest themselves in the monitoring activity causing severe distress to those monitored and posing a definite threat to academic freedom, it still is not sufficient reason for us to abandon our own values and forsake due process and fair hearings. It is one thing to curse the darkness; it is quite another to douse our own candles.

BOARD POLICY AND THE EVALUATION

In evaluating the existing mechanisms and procedures, I have suggested some adjustments in receiving, charging and determining the validity of complaints about monitoring. In doing this, the question may arise whether they comport with the Board of Governors policy statement of June 19, 1978, which declared that it will not establish an "investigative and surveillance mechanism to investigate, accuse, convict or punish any participant who it is claimed has interfered with the academic freedom of a participant--such action again being inconsistent with the Center's policy on academic freedom and its status as an educational institution" and which recommended that a more formal mechanism be established "not for the purpose of investigation, accusation or punishment, but for informational purposes and appropriate suggestions concerning conceivable legal avenues of recourse for the participants." I believe my suggestions may be reconciled with the Board's statement.

Adoption of the June 19, 1978, statement must be viewed in the light of the proposal (rejected in April by the Executive Committee) made by the Center Participants Association's sub-committee on Human Rights and Academic Freedom that the Center set up a standing committee which would "provide a reporting system for monitoring transgressions against academic freedom...."

The heart of the Board's statement is its opposition to the establishment of any counter-spy operation at the Center, an activity which not only would have a chilling effect on academic freedom (the inhibitory impact of continuing surveillance on free expression, associations and learning pursuits) but also would create an intolerable atmosphere of distrust. On-going "surveillance"--the "watch or observation kept over a person, especially one under suspicion or a prisoner" (Webster's New 20th Century Dictionary, Unabridged)--is the target of the statement.

And in the same spirit, the Board's restriction that a mechanism be set up not for "investigation" should be viewed as a proscription against conducting a "search" for possible monitoring activity but not against conducting a "detailed examination" or a "systematic inquiry" into allegations of monitoring (both connotations of "investigation" are found in Webster's New 20th Century Dictionary). Further, as to "investigation" in the sense of conducting an examination or inquiry in a hearing with "accusation" and "punishment" being involved, it should be noted that Sections 3060, 3063 and 1450 of the Participant Policies already provide mechanisms and

procedures under which alleged misconduct (including violations of Center policies of which academic freedom is one) is subjected to inquiry and discipline--which is as it should be.

The Participants Grievance Committee is presently limited to listening to, evaluating and routing the complaints. A possible routing is for institutional disciplinary action, in which case investigation, accusation and conviction may follow. The adjustment which I suggest merely shifts the accusatory function from the appropriate staff member (under the provisions of Section 3060) to the PGC. The PGC will continue to listen to complaints and will continue to counsel participants on alternative avenues of recourse, but will do so as a group. It will have the added function of providing a group decision on whether or not to place an institutional charge and of prosecuting the charge before the Participants Appeal Board.

Thus, the adjustments I suggest are not in conflict with the Board's policy statement and are only refinements of existing Center policies and procedures.

CERTAIN CONCEPTS NOT ADOPTED

The University Ad Hoc Committee received responses from various universities upon its request for information which would aid it in its endeavor to develop policies, regulations and procedures to control intelligence activities on campus. The responses indicate that no campus has dealt with the problem of foreign monitoring specifically. Nearly every investigation centered on the existence of covert relationships between the academic community, principally staff members, and our own intelligence agencies, particularly the CIA, and not on any activity of monitoring. Despite the numerous reports of foreign monitoring, no campus reported any concrete action taken on that specific problem, which is indicative of its difficulty.

The one response which dealt with a situation analogous to foreign monitoring was that made by the University of Illinois at Chicago Circle. The problem there was campus surveillance by the Chicago police department directed against anti-war meetings, rallies and demonstrations, against those favoring draft resistance and those favoring abolition of ROTC. The solution recommended by an ad hoc committee was: adoption of a statement in opposition to police surveillance; adoption of a policy that no member of the university community shall engage in surveillance activities and upon violation, appropriate groups to investigate and propose sanctions including dismissal; restriction on university record-keeping which relate to a student's political activity and restriction on university

transmittal of a student's expression of ideas to outside agencies; meeting between appropriate university personnel and city officials to obtain written assurances and commitment that political surveillance would be terminated, with the development of procedures with the police department for monitoring compliance. Except for the last item, Center mechanisms, policies and procedures already in substance satisfy those recommendations (Center policies on academic freedom and political beliefs and activities, and the mechanisms and procedures for sanctioning violations). As to the last item, where foreign consulates are involved, it would be impractical to suggest the negotiation by the Center of agreements (an outright denial of monitoring--as was issued by the Taiwan consulate--can be anticipated), and as to Center participants, their award agreements already incorporate an agreement to uphold academic freedom. As for monitoring compliance by Center participants through continuing surveillance, this would be the very thing which Board policy proscribes, and correctly so.

The suggestion has been advanced that an ombudsman independent of the Center be appointed to deal with the monitoring problem. The ombudsman concept basically is one which calls for listening to a complaint, investigating its validity, and urging and encouraging corrective action through persuasion. No adjudicative or sanctioning powers are involved.

Mechanisms to invoke disciplinary actions, including termination of awards, should be made available (as they now are) even if an ombudsman is appointed.

The Participants Grievance Committee is in a position to perform the functions of an ombudsman. Without proceeding to disciplinary action and without adjudicating guilt, upon a determination that a complaint is meritorious it can recommend to the Center President that appropriate measures be taken to exhort or persuade cessation of objectionable activity (without necessarily adjudicating that such activity occurred). Of course, the PGC is not "independent" of the Center, and independence is a basic element in the ombudsman concept. However, I do not believe it necessary at this point in time to go outside the Center and create an additional office. Publicity apparently has had an effective impact on monitoring. Add to it a highlighting of mechanisms and procedures to deal specifically and exclusively with the monitoring activity as suggested in this report, and it is my opinion that a period of observation is in order before the creation of an outside ombudsman should be considered.

Lastly, declaration of a moratorium upon future acceptance of participants from a country that is found guilty of monitoring was considered as a possible deterrent. It would be unwise to adopt such a policy. Center objective is to promote better relations and understanding between the United States and nations of the East through the process of giving grants and scholarships to students and scholars from the various countries, whatever their ideology. Excluding individuals from a country would be to deny them an opportunity to be exposed to and gain an understanding of not only the United States but also the other nations of the East. The Center is not only an educational institution but also an instrumentality with a specifically articulated mission which compels it to maintain contact and communication with all the nations of the East, whatever their political attributes.

CENTER STAFF

This report has addressed itself to monitoring activity by outsiders and participants but not by Center staff members (allegations were never raised against them). Of course, the academic freedom policy applies fully to the staff. The mechanisms and procedures heretofore discussed may, with appropriate adjustments, be used to sanction Center staff members (the action of the Appeals Board would be to recommend to the Center President that certain action, including dismissal, be taken, where a staff member is guilty of monitoring).

CONCLUSION AND SUMMARY OF RECOMMENDATIONS

Monitoring of foreign students by their own countries is an intractable problem because (1) the problem itself stems from the political character of countries over which the Center has no jurisdiction while its mandated mission is to promote better relations and understanding with them through invitation of their students and scholars; (2) machinery external to an educational institution (University and Center) is ineffectual because externally there is no definitive proscription against such monitoring; and (3) the anonymity understandably insisted on by complainants for fear of possible reprisal inhibits prosecution of a complaint within the procedures provided by the Center and the University as well as prosecution of a complaint before external agencies for such remedial measures as may be available.

Given the difficulties involved, the Center still must make available the mechanisms and procedures to sanction monitoring because it infringes on academic freedom. The Center's existing

machinery does in substance permit sanctions for monitoring but it should be adjusted and certain Board policies should be clarified.

My recommendations are:

1. The Board policy statement on academic freedom adopted July 1, 1975, as amended on June 19, 1978, is excellent. However, in order to preclude any misunderstanding or hedging, it should be further amended by proscribing the monitoring activity in specific terms, for example: "Any monitoring (conducting surveillance, reporting to government officials, issuing threatening warnings, etc.) directly or indirectly, of political studies, activities, associations, attitudes or opinions of any participant, student, staff or other member of the East-West Center or the University of Hawaii academic community constitutes such interference." (See pages 8-9)

2. In order to preclude any misunderstanding that monitoring might be political activity which is insulated against sanction, the Board statement of June 19, 1978, should be clarified by excepting activities which infringe on the rights of others, as follows: "3) It is not the practice or policy of the Board of Governors or the EWC to inquire into or interfere with the political beliefs or political activities of any participant, as long as such activities do not infringe on or abridge the rights and freedoms of others--in fact such inquiry would be contrary to the Board's policy on academic freedom." Addition of the underlined portion is recommended. (See pages 8-9)

3. The Center policy on academic freedom should be distributed annually to all consulates (and other agencies performing consular functions) in Hawaii whose nationals are Center participants. (See page 10)

4. The Participants Grievance Committee should

(a) be limited in its scope of activity to the consideration of monitoring complaints exclusively and have its title changed to reflect this;

(b) have its functions enlarged to include decision-making on whether to file institutional charges, counseling a complainant on processes external to the Center, responsibility for prosecution if an institutional charge is filed, and making appropriate recommendations to Center administration; and

(c) have its membership enlarged to include several participants.

The foregoing adjustments will result in the committee making available to a complainant direct access to a confidential hearing before a group and a group decision on his complaint, which would be more acceptable than an individual decision on such a sensitive issue. (See pages 10-11)'

If the foregoing recommendations are acceptable, some detailed amendments to the Participant Policies will be in order, for example: inclusion of the Participants Grievance Committee and its jurisdiction, standards and procedures; appropriate adjustments in the Participants Board of Appeals standards and procedures as they may relate to monitoring charges.

Setting up an ombudsman independent of the Center was considered, but I believe that the existing mechanisms should be given a period of observation before such action is contemplated. (See page 22)

Declaration of a moratorium upon future acceptance of participants from countries found guilty of monitoring should not be considered. It would conflict with the Center's mission to promote better relations and understanding between nations. (See page 23)

Given the circumstances of the monitoring problem, one of the most effective deterrents is impressing an awareness of the repugnance with which the activity is viewed. My recommendations are designed to accomplish this objective in addition to providing channels for sanctioning an offender.

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Honolulu, Hawaii 96821

May 29, 1979

A. Establish a new committee entitled the Academic Freedom Committee for Foreign Nationals .

This committee shall have the following responsibilities:

1. To oversee to ensure that foreign nationals enjoy the full range of academic freedom.
2. To hear, investigate and respond to foreign nationals who allege that their academic freedom has been violated while maintaining strict confidentiality regarding the identity of the complainant.
3. If there seems to be sufficient cause, the committee may refer the complainant to an appropriate decision-making committee for processing (such as the Student Conduct Committee, the Grievance Committee or the Academic Freedom Committee) if the complainant is willing to file a public charge on his/her own behalf.
4. If the complainant is not willing to reveal their own identity by filing their own complaint but would like some redress, he/she may ask the committee to serve as a surrogate complainant before the appropriate committee(s).
5. If the committee decides that there is sufficient evidence for a complaint, and valid fear of reprisal from the foreign government of the complainant should their identity be known, in order to protect the complainant the committee may decide to act as a surrogate accuser before the decision-making committee.
6. The records on any particular case will be destroyed as soon as the committee has established that no further action is needed on the case. Furthermore, the original complainant has the option at anytime to withdraw his/her complaint and an explanation of such action is not necessary. In addition, the complainant has the option of submitting a verbal or written complaint to the committee and the committee must not reproduce or distribute any of this material without the consent of the complainant.
7. The committee will submit an annual public report of its findings for the year and any recommendation that the committee feels necessary. However, the committee will not release any information that violates the Federal Privacy Act or other existing statutes regarding confidential information.
8. The committee will be composed of: two (2) faculty members, one (1) ASUH member, one (1) GSO member, and one (1) member of the administration. Each member shall be recommended by their respective organizations to the Chancellor prior to May 1 of each year. The Chancellor's office will appoint faculty members for a two-year term and student members to a one-year term beginning May 1 and ending April 30.

Mar 19/79

Hearing Process in the case of a Surrogate Accuser

The hearing shall be of an informal nature and need not adhere strictly to technical rules followed by the courts of law.

Open hearings will be held; or upon the request of the accused restricted open hearings or closed hearings will be held. Public attendance at a restricted open hearing may be limited to representatives of the press.

The accused may request a closed hearing; such a request to be received in writing by the Chairman at least two (2) days in advance of the date set for the hearings. In this event only the following individuals will be admitted to the hearing room: ^{decision-making} committee members, the accused and his counsel (if any), a recorder, the person bringing the allegation, witnesses, and the Attorney General or other attorney to advise the Committee on questions of law and procedure. Witnesses shall only be present during the hearing for the purpose of giving testimony and responding to questions addressed to them.

The accused shall be afforded due process:

- a. If he/she desires, he may be assisted by an advisor or attorney. If the accused does intend to have an advisor or attorney present, he/she must advise the Chairman of the ^{decision-making} Committee in writing of this intention as well as providing the person's name at least two (2) days prior to the hearing. The ^{decision-making} Committee may, upon request of the surrogate accuser, obtain legal counsel.
- b. The accused has a right to present evidence and witnesses, and to hear and to question witnesses. If the surrogate accuser or the decision-making committee feels that it is necessary to keep the identity of the original complainant a secret, then the accused person will not have the right to cross-examine the complainant directly.

The decision-making committee will endeavor, however, to provide a procedure that is as close an equivalent to cross-examination as is possible under the circumstances. The committee will, for example, give the accused person as many details about the nature of the accusations as is possible without revealing the identity of the original complainant. The committee will then ask the accused what questions the accused would like to ask the complainant, and the committee will undertake to ask the complainant these questions (without the presence of the accused). The committee will furthermore carefully question the complainant's to test the validity of the complainant's charges. When making its decision, the committee will take into account the fact that the accused has not had the opportunity to cross-examine the complainant directly.

Mar 19/79

Additional protections will be provided to the accused in the appeal process: If the accused appeals the committee's decision to the Chancellor, the Chancellor will be informed (in confidence) of the identity of the original complainant and of the committee's attempts to test and corroborate the complainant's charges. The Chancellor will then make an independent evaluation of the validity of these charges in light of the absence of direct cross-examination.

- c. The decision-making committee shall operate on the principle that the person is innocent until proven guilty with the burden of proof resting upon the accuser. The guilt or innocence of the accused shall be determined solely upon matters that have been introduced into evidence at the hearing proceedings. No punishment or sanction may be recommended until the allegations have been proved by a preponderance of the evidence. During the hearings of the decision-making committee and while review and any appeal are pending, the accused shall enjoy the same University status he held prior to the allegation.
- d. Tape recordings of all testimony, other evidence that is introduced for consideration, and the abstract of the hearing shall be maintained by the decision-making committee. The accused shall be provided, on request, an abstract of the proceedings of the hearing and shall have access to a verbatim tape recording of the hearing.

'Asks victims to investigate'

Campus-spying

report assailed

By JOHN GROVE, OLIVER LEE, and JOHN WITECK
For the Committee to Protect Foreign Students in Hawaii

In May 1978 The Advertiser published a major expose about students from Taiwan having been spied upon, harassed and reported on by other Taiwanese working for the ruling Kuomintang Party of Taiwan.

The expose, based on documentary evidence and confidential interviews with 11 Taiwanese students at the University of Hawaii and the East-West Center, once again riveted Hawaii's attention on a festering problem which a decade earlier had stunned the community by way of the case of Chen Yu-hsi.

IN 1968, CHEN, a Taiwanese student at the East-West Center who received his master's degree here

commentary

Commentary offers space to readers who want to express thoughtful, reasoned opinions at greater length than provided by the Letters column, generally 500 to 700 words. Contributions are welcomed, especially those in disagreement with general prevailing viewpoints. All will be considered, but none can be returned. Each should be typed and bear signature, address and occupation of writer.

and planned to go on for his Ph.D. at Brown University, was abruptly ordered by his government to return to Taiwan. He went to Japan instead, but several months later was physically abducted by the Japanese immigration service, working in league with the Taiwan government, and forced to return to Taiwan.

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There he was court-martialed, one of the initial charges against him being that he had read Mao Tse-tung's writings at the East-West Center library. The charge was obviously based on information supplied by Taiwanese agents keeping an eye on library users.

Chen was given a seven-year prison sentence. Chancellor Kleinjans of the East-West Center, while working behind the scenes to get Chen released on "humanitarian grounds," never publicly criticized the Taiwan government for its role in the Chen case. Throughout the years Kleinjans has taken the position, in small meetings, that for the center it is important to maintain good relations with the Asian governments it is working with; and that, if this conflicts with the academic freedom of its students, then academic freedom just has to take a back seat. We submit that this is an intolerable position for the head of an American institution of higher learning to be taking.

FOLLOWING THE SPY expose last year, Kleinjans' initial response was to reaffirm his long-standing commitment to do nothing about the issue. At the university, Chancellor Yamamura of the Manoa campus likewise took a do-nothing position.

Within days, the Committee to Protect Foreign Students in Hawaii was formed, composed of 15 communi-

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ty organizations ranging from the American Civil Liberties Union to the U.S.-China Peoples Friendship Association. The committee sent delegations to see both Kleinjans and Yamamura, urging action to put an end to foreign spying on campus. At the center's board of governors meeting in June 1978 we had 80 people staging a militant demonstration.

Prodded by these and other community pressures, including several critical editorials in *The Advertiser*, Yamamura appointed an Ad Hoc Committee on Foreign Students' Concerns, chaired by the dean of arts and sciences. That committee, after extensive investigation, last December issued a strong report which affirmed "the irrefutable facts of intelligence activities on our campus, involving surveillance of foreign students and leading to their intimidation, harassment and punishment, including incarceration." The report urged "direct and decisive action" and said that "not taking such action would condone the infringement of academic freedom within our university — a monstrous, outrageous posture for any institution of higher learning."

THE EAST-WEST CENTER administration, stung by this report, also wanting to defuse the next demonstration by our committee, last January set up a Participants Grievance Committee (PGC) of administrators to receive complaints from students who believe they're being spied upon. Predictably, since foreign students had no reason to believe that their confidential complaints would remain confidential (especially since the committee was set up a few days after the director of the FBI was in Honolulu talking with Kleinjans about intelligence gathering), no students came forth to file complaints.

In February, the center hired former Circuit Court Judge Masato Doi to study the "legal ramifications" of the spy issue. In late May Doi issued his report, stating that he is "reasonably satisfied" that spying on foreign students did take place at the center, and urging that a concerted effort be made to deter such activities in the future. Significantly, he learned directly from the State Department what *The Advertiser* expose had revealed, namely that Taiwan does have a Committee on Overseas Work "whose function is to monitor all overseas Taiwan nationals."

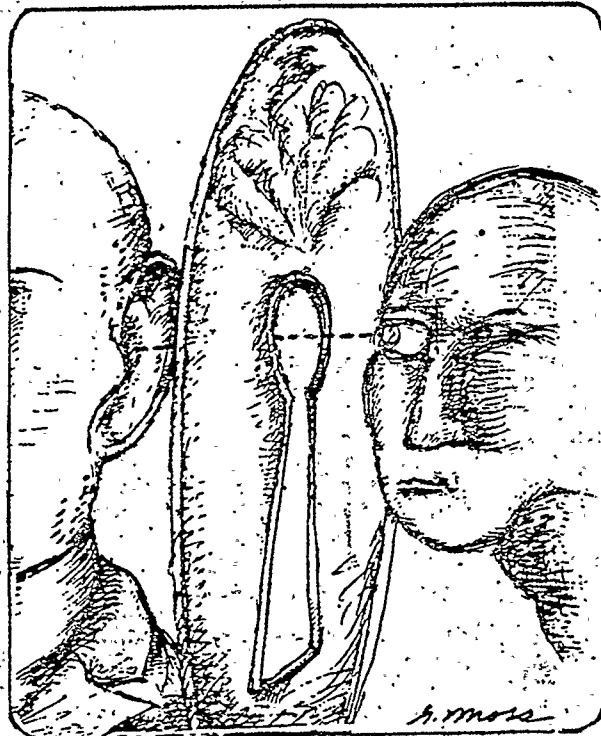
Unfortunately, Doi's proposals for coping with the problem, while marginally improving the existing mechanisms, suffer from the fundamental irrelevance of that very mechanism: tinkering with the PGC will not change the fact that the victims of spying do not trust its members, and they therefore will not file complaints in the future any more than they have so far.

ANOTHER CRIPPLING weakness of the Doi report is that, while acknowledging that the center has the power to punish spies if they are discovered (such as by ending their grants), Doi puts the decisive burden for such discovery on the victims of spying — a burden he knows they cannot bear. Doi correctly points out that before a person accused of spying is punished he should be given a formal hearing.

He properly insists that if the charges against the accused are based on testimony by an alleged victim, the accused should have the right to face his accuser. But Doi also acknowledges that such victims dare not publicly "reveal their identities and make open accusa-

tion for fear of retaliation" by their home governments, and that therefore this particular route leads to a dead end.

Doi's mistake, as suggested above, was to saddle the victims of spying with the whole responsibility of uncovering and then making charges against specific perpetrators of spying, harassing, and reporting. This is like asking the victim of burglary to investigate who burglarized his house in the dead of night and then basing the whole prosecution on the victim's testimony. In both cases, the victim knows he has been victimized,



and knows some of the relevant circumstances, but he does not necessarily know who did it, nor should he be expected to do the job of investigating, for which he is not equipped.

IN BOTH CASES, the task of investigation and levying charges, and, most importantly, the task of minimizing the possibility of future transgressions, belongs to the authorities who have the responsibility to protect the public interest in the realms under discussion; in the case of spying at the center and the university, this responsibility belongs to the respective administrations and not to the victims of spying.

In answer to Yamamura's initial attempt to shift the burden of proof and the burden of action onto the victims, *The Advertiser* in an editorial made the point well by saying:

"One wonders if the university would be equally reluctant to act if it had no formal complaint but was 'aware' of credible reports of a dope or prostitution ring operating from one of its dorms."

There is wisdom in the saying, "where there's a will there's a way." Since Kleinjans demonstrably lacks the will, it is no wonder that he, supposedly with much regret, has not been able to find a way.

Added authority for EWC grievance committee

by LESLIE OKA
staff reporter

East-West Center participants who think they are being spied on, intimidated or harassed now have a new and stronger EWC grievance committee to take their complaints to.

The EWC's Committee on

Complaints of Political Monitoring, formed last fall, has the added authority "to charge an accused center participant or staff member with spying if it finds probable cause that the accused is engaged in spying adversely affecting academic freedom," said Richard Takasaki, committee chairman.

THE EWC Council of Directors last fall formed the committee after recommendations made by retired circuit Judge Masato Doi last summer in an extensive study of political monitoring. The study was made following complaints by Taiwanese students who said they were being spied upon.

The committee is also authorized to:

- Charge an accused person with political monitoring (defined as the surveillance of and/or the reporting on the political leanings and attitudes of others to government officials).

- Make appropriate re-

commendations to the center administration.

- Counsel a participant on alternatives to take.

- Take no action.

A person filing a complaint begins by contacting a committee member. If further action is appropriate, the committee will evaluate the case, Takasaki said.

If the committee decides to charge an accused center participant or staff member with spying, it will file the charge with the center's disciplinary board.

disciplinary board.

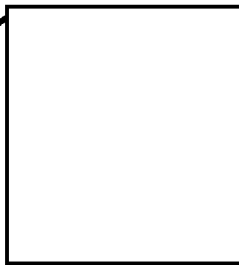
THE BOARD works to ensure that the standards of due process are met for any staff-initiated disciplinary action.

If a participant is subject to disciplinary action, the harshest penalty that could be given is the termination of his or her grant, Takasaki said.

So far, there have been no cases of spying that have led the center to take disciplinary actions, he said.

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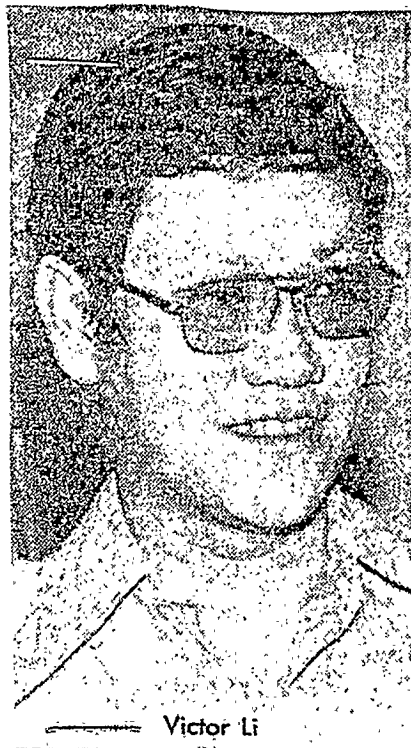
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East-West Center Has a Rising Star



Victor Li

VICTOR Hao Li is young, bright and rising.

He is the president of the East-West Center at the University of Hawaii.

The East-West Center was established here 20 years ago with federal funds to promote better U.S. relations with the Asia-Pacific area through cooperative academic and technical endeavors involving people from different nations and cultures.

Li, 39, is a good example of what the Center is all about. He was born in China, reared and educated in the United States and was naturalized as a citizen in 1957.

He was graduated from Columbia University with a mathematics degree in 1961. Three years later he received a doctorate in jurisprudence cum laude from Columbia's law school. He also holds degrees from Harvard Law School.

INTERNATIONALLY known for research and writing on China's

legal system and foreign trade practices, he is considered a specialist both on Taiwan and the People's Republic of China.

He has been a consultant for the U.S. Senate Foreign Relations Committee since 1979.

He has been to Mainland China on study trips six times and had an interview with Premier Chou En-lai.

Li served as a host-interpreter for the visit of the Chinese ping-pong team that opened up American relations with the People's Republic of China in 1972.

Li taught law at Columbia University and the University of Michigan and a summer session of the University of Hawaii's Asian Studies program.

He has been a member of the Stanford University Law School faculty since 1972. He has been a visiting professor at the University of Hawaii Law School and at the UCLA School of Law.

LI HAS WRITTEN or edited five books and helped produce two films on China. One, a documentary called "The Barefoot Doctors of Rural China," won the University Film Association Award for the Best Educational Film in 1975.

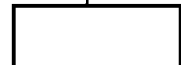
Li is married to Arlene Lum, a former writer for the Honolulu Star-Bulletin. They have two sons.

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Li Is Top Candidate for East-West Center

By Helen Altorn
and Gregg Kakesako.
Star-Bulletin Writers

Victor H. Li, 39, a Stanford University law professor who specializes in Chinese and international law, reportedly is a leading contender for the presidency of the East-West Center.

Reached yesterday in New York where he is attending a Social Sciences Research Council meeting, Li confirmed that he has had discussions with the committee searching for a successor to Everett Kleinjans.

Kleinjans resigned from the East-West Center presidency Sept. 30 after 12 years and Lee-Jay Cho, director of the center's Population Institute, is serving as acting president.

Li said he was in Honolulu for a few days to meet with members of the search committee and to learn more about the center and what the presidency entails.

However, he said there are other candidates and a decision hasn't been made.

Dr. Edwin Young, University of

Wisconsin economics professor and member of the East-West Center's Board of Governors who heads the search committee, couldn't be reached for comment.

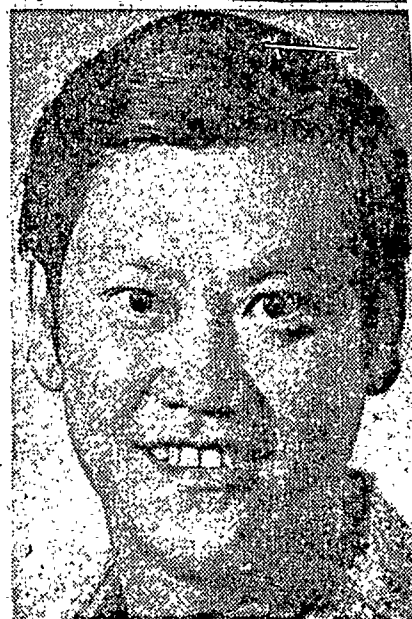
But sources told the Star-Bulletin that the noted China scholar appears to be the most prominent candidate for the position.

YOUNG HAS said that the search committee, comprised of six members of the Board of Governors, will make a recommendation at the next board meeting in Honolulu Feb. 2.

Li was a visiting law professor at the University of Hawaii in 1977 and is married to former Star-Bulletin writer Arlene Lum.

He presented a paper at an East-West Center Conference on "Problems of Law and Society, Asia, the Pacific and the United States" which was used as the basis for a film shown on Hawaii Public Television earlier this year.

The case study concerned a factory worker in China and was entitled, "The Trial of Worker Guo." Li wrote the script for the center-produced film and the drama was performed



Victor Li

by local Chinese-Americans.

Li also was associate director of a documentary film on Chinese health care which won the University Films Association award for the best educational film of 1975.

He is considered a specialist both on Taiwan and the People's Republic of China and he travels extensively as a lecturer and consultant on U.S.-China relations.

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Noted China Scholar Picked to Head EWC

By June Watanabe
Star-Bulletin Writer

A special search committee of the East-West Center's Board of Governors has recommended the appointment of Victor Hao Li to succeed Everett Kleinjans as president of the East-West Center.

The Star-Bulletin reported two weeks ago that Li, 39, a Stanford University professor of international legal studies, was a leading contender for the center's presidency.

Edwin Young, former president of the University of Wisconsin system and chairman of the six-member search committee, said the unanimous recommendation will be taken up by the Board of Governors Feb. 2.

Meanwhile, Lee-Jay Cho will continue to serve as acting president through Sept. 30, 1981, according to Kenneth F.C. Char, chairman of the Board of Governors.

Cho, who has been director of the center's Population Institute since 1974, was named acting president Oct. 1, when Kleinjans retired after 12 years as chief executive officer.

IF APPROVED by the center's International Board of Governors, Li's appointment would take effect Oct. 1, 1981.

Li, a noted China scholar who is

married to former Star-Bulletin writer Arlene Lum, was a visiting law professor at the University of Hawaii in 1977.

Born in China, Li came to the United States with his parents and became a naturalized citizen in 1957. His father, Gen. Han Hun Li, was governor of Kwantung Province in China from 1938 to 1945 and now lives in New York.

Li received a bachelor's degree in mathematics from Columbia University and a doctorate in jurisprudence cum laude as a Harlan Fiske Stone scholar at the university three years later. He also holds degrees from Harvard University.

He has authored or edited five books and numerous scholarly articles and helped produce two films on China. One of those films was a 30-minute dramatization of a trial in the People's Republic produced by the EWC's Culture Learning Institute.

Li is considered a specialist both on Taiwan and the People's Republic of China.



Victor Li

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Management Development



Time Management for Managers and Supervisors (CEP81-124XS)

Identifying and eliminating time wasters, such as procrastination and indecision; paperwork; interruptions; fuzzy priority systems; handling trivia; eliminating crisis creation; using the talents of others; avoiding doing the work of subordinates; the role of the boss in managing time as a help or hindrance to the performance of subordinates; establishing a Time Management by Objectives Program for total time control. 8 CPE UNITS

Sect. I (CEP81-124BXS), Ala Moana Hotel, Plumeria Room, May 6, Wed, 8:30 am-3:30 pm, 1 mtg., \$65

SPECIAL PROGRAM ON MAUI

Sect. II (CEP81-124CXS), Maui Community College, Apr 28, Tue, 8:30 am-3:30 pm, 1 mtg., \$55

Harold Reimer, Management Development Consultant, is President of Reimer and Associates, and employee training and management development firm in San Rafael, California. He has presented a wide variety of management and supervisory workshops for business organizations, professional associations and governmental agencies.

Handling the Unsatisfactory Employee (CEP81-135XS)

Identifying the three types of unsatisfactory performance; the role of attitude; establishing a program to prevent unsatisfactory performance; the technique of counseling to eliminate unsatisfactory performance; how to discipline; using progressive discipline; analysis of unsatisfactory performance incidents; a logic for analyzing and identifying causes to many unsatisfactory performance situations. 8 CPE UNITS

• Ala Moana Hotel, Carnation Room
May 1, Fri., 8:30 am-3:30 pm, 1 mtg., \$65

Harold W. Reimer, Management Development Consultant

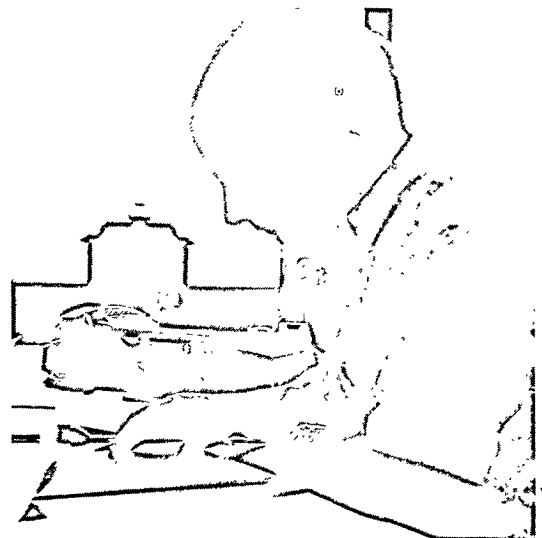
Introduction to Supervision (CEP81-123S)

This workshop provides a practical approach to supervision with the following topics emphasized: interviewing and selecting job applicants; writing and discussing the formal performance review; training and developing subordinates; handling complaints and problems from subordinates; establishing a positive motivational climate; how to delegate; ways for supervisors to emerge as the leaders of their units; maintaining proper communication between supervisors and subordinates; making the transition to the job of the supervisor. 16 CPE UNITS

• Ala Moana Hotel, Plumeria Room
May 7 & 8, Thur & Fri, 8:30 am-3:30 pm,
2 mtgs., \$110

Harold Reimer, Management Development Consultant.

For instructors biographical information, see *Writing Effective Letters, Memos and Reports*.



Assertive Management

(CEP81-130XS)

For managers, key staff members, department heads, supervisors in business, non-profit and governmental organizations. This seminar emphasizes an action-oriented approach that enables you to develop a direct, positive management style. Learn to use specific tools to resolve conflict situations. Be persistent in getting plans into action. Turn an error into a positive action. Manage staff motivation. Topics include: finding that elusive middle ground—neither steamroller nor doormat; building options, not obligations; staying in the game as a supervisor—avoiding the outcome trap; requesting and refusing responsibility; taking distance with accountability; using balanced feedback for impact without polarization—the effective use of criticism and support in management; using administrative power; receiving criticism—turning an error into a positive action; getting the ball rolling—initiating and perpetuating change for you and your department. 8 CPE UNITS

• Pagoda Hotel, East Room
Apr 9, Thur, 9 am-4 pm, 1 mtg., \$65

Terry L. Paulson, PhD, President, Paulson and Associate, North Hollywood, Calif.

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A Luncheon Forum with Dr. Victor Hao Li

Traffic Accident Analysis and Reconstruction

(CEP81-139S)

This course will be of value to traffic safety engineers, police officials, accident investigators, insurance claims adjusters, and attorneys. A frequent result of a traffic accident involving one or more motor vehicles and/or pedestrians is a claim for damages due to fatalities, personal injuries, and property damages. The purpose of this course is to present as concisely as possible the most relevant information required to analyze and understand exactly what happens in traffic accidents, and to review the scientific principles on which traffic accident reconstruction is based.

• May 21 & 22, Thurs & Fri, 8:30 am-4:30 pm, 2 mtgs., \$130

Haim Reizes, Head of Traffic Accident Investigation, National Transportation Safety Board, U.S. Dept. of Transportation. For further information, please call 948-8244 for a detailed flyer.

on The Future of US-China Relations

(CEP81-141S)

• Friday, April 10, 1981

Pagoda Hotel, International Ballroom

11:30 am — 1:30 pm

Registration and No Host Cocktails at 11:30 am

Fee: \$10

Co-sponsored by the

Center for Asian and Pacific Studies

College of Continuing Education and Community Service

Pacific and Asian Affairs Council

Victor Hao Li is professor of international legal studies at Stanford University and the newly appointed president of the East West Center, effective Oct. 1, 1981. Dr. Li received a bachelor's degree in mathematics at Columbia and a doctorate in jurisprudence cum laude at the Columbia Law School as a Harlan Fiske Stone Scholar. He taught law at Columbia, the University of Michigan, and at the summer session of the University of Hawaii Asian Studies Program. In 1972 he joined the faculty of Stanford Law School, where he was appointed to the Lewis Talbot and Nadine Hearn Shelton chair of international legal studies in 1974. He was a director for the Center of East Asian Studies in 1974-76.

Internationally known for his research and writing on China's legal system and foreign trade practices, Dr. Li has been a consultant for the U.S. Senate foreign relations committee. In 1979 he produced studies for the committee on U.S.-China relations during the period of normalization of diplomatic contacts.

He served as a host-interpreter for the visit of the Chinese ping-pong team which opened up American relationships with the People's Republic of China in 1972. He has been to mainland China five times since on study visits, which included an interview with Premier Chou En-lai. In 1978 and 1979 he lectured in Taiwan at the invitation of the Academia Sinica and the Institute of International Relations.

Dr. Li was a visiting professor at the University of Hawaii Law School in 1977. In 1976 he was a scholar-in-residence at the Carnegie Endowment for International Peace and in 1978 he was a visiting professor at the University of California at

Los Angeles School of Law. Other academic degrees include an LL.M. and S.J.D. from Harvard Law School.

Dr. Li is the author of five books and numerous scholarly journal articles. He played a key role in production of two films on China. One was a 30-minute dramatization of a trial in the People's Republic of China by the East-West Center's Culture Learning Institute.



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Cliff



Memorandum

~~CONFIDENTIAL~~

To : DIRECTOR, FBI

Date 2/23/83

(C) From : SAC, HONOLULU [redacted] (P)

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(C) Subject : [redacted]

Re San Francisco airtel to the Bureau, dated 12/4/82.

For information of FBIHQ and San Francisco, the enclosed report with referenced San Francisco airtel captioned "Investigation of Alleged Spying Among Center Participants" had been investigated by the Honolulu Division, and results submitted by Honolulu airtel and LHM, dated 9/25/78, captioned "Unsubs; East-West Center, Honolulu, Hawaii; Unknown Victim; Senator Daniel Inouye-Complainant; Interference with Federally Protected Activities; Civil Rights; (HNfile: 44-250) (C); and Unsubs; University of Hawaii, Honolulu, Hawaii; FARA-ROC; (HNfile 97-311) (C). A copy of the referenced report had been submitted by the East-West Center to the FBI, Honolulu on 6/28/79. No information has been received since that time concerning alleged spying on campus. (C)

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- ③ - Honolulu
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