

晉謁教宗記

◎汪健生

去年九月的某一天，我的至友Serge Pun(潘繼澤)從緬甸打了通電話給我，告訴我仰光天主教的樞機主教為了兩個月後教宗訪問緬甸時所需的接待經費發愁，因為緬甸天主教的經費不足(電視公司實況直播是免費的，但是租用衛星頻道的費用是必須繳付的)，Serge當下承諾，為主教解憂，於是他決定邀我和另一位也是教友的好朋友，希望三人合力捐助這筆經費(金額略)，我在電話中也立即應允解囊相助，所需的款項即日就匯出了，當時覺得那是一個教徒應該做的事，尤其是召喚來自好友，更是義不容辭！根本沒有想到因此而得到了晉謁教宗的機會。

兩個月後，2017年11月20日Serge又打了一通電話問我想不想近距離見到教宗？我說「你開什麼玩笑？誰不想啊？」，我接著又問：「近距離是什麼意思？」，他說「只有我們幫助教會籌款的三個人及眷屬！」，原來是緬甸的樞機主教為了感謝我們的贊助，決定特別安排我們晉謁教宗。那時距離教宗訪緬，只剩下八天時間。

教宗11/27日到達仰光(我和內子 Polly 在同一天到達)，第二天，11/28日，教宗去首都「奈比多」接見翁山蘇姬和軍政首長，第三天，11/29日上午9點，教宗在仰光舉行露天祈禱彌撒，當天氣溫高達38度，教徒們為了取得前面一點的位子，從前一天晚上開始進場，彌撒開始前兩個小時，廣場已經擠滿了15萬人。彌撒在烈日下舉行，教徒們汗流浹背。我們的位置被安排在唯一有頂篷的VVIP區，雖然沒有曝曬在烈日下，我們西裝裡面的襯衫還是濕透了。當天下午教宗接見了東南亞各地約500位教士，主教及紅衣主教，那也是我生平第一次見到幾百位神父和主教像部隊一樣列隊站在一起！最後，約五點鐘，教宗在樞機主教府接見了唯一的私人團體，也是教宗訪緬唯一得到單獨晉謁及合照機會的團體；就是我們三個家族，共九人。我們在大廳恭候教宗約25分鐘左右，神聖的一刻終於來到了！教宗在隨扈的引領下，徐徐步入大廳，我們的心跳隨著教宗腳步的接近而加速，教宗經過長途飛行和兩天密集的活動後，看來稍有倦態，但是他卻面帶笑容和我們九



個人一一握手，降福並與我們三家人分別合照留影。讓我們非常感動和覺得榮幸的是在一對一見面時，教宗居然用他的雙手緊握住我們的手，那一股暖流從教宗的手直達我們心田，這真是讓我們得到了三生有幸的榮耀，對從小受洗的我來說，更是此生最大的福份！感謝主的恩賜！

最後，我想借此機會，簡單介紹一下教宗方濟各。他1936年12月17日出生在阿根廷，父親是位鐵路工人，大學時主修化工，和其他年輕人一樣，也酷愛足球和探戈；畢業後進修神學，後來成為神職人員，2013年3月13日當選教宗。他以簡樸，和藹可親的性格而出名。他可能是天主教有史以來最開明的教宗，他同情弱勢族群如殘疾人士，貧窮人群和難民，他主張包容，反對任何形式的歧視(種族，性別，婚姻形式，信仰)，他認為：「所有主流宗教都是通向同一位神的道路」而主張宗教包容。在對中國大陸任命天主教權的爭執中，他比歷任教宗都顯得有彈性得多。在世界各大媒體每年推選的世界最有影響力的人物中，教宗一定名列前茅；希望他能以其影響力，帶領世界走向和平，繁榮，包容，幸福的康莊大道！

必須做的必須做 評修憲和主席任期

◎謝芷生

當本月25日此消息傳來後，引起了海內外普遍的關注。人們難免會因此聯想，這是為習近平主席的繼續連任鋪平道路，量身打造的措施。現代各國憲法，對國家元首的任期及其可連任的次數，無不做了明文規定，非經修憲不得逾越。我國情況亦復如此。中國能從封建帝制，隨世界潮流演進到民主憲政，是政治制度上的一大躍進，這是歷經數代中國人拋頭顱灑熱血換取得來的偉大成就，我們應予以珍惜，予以維護。對此大家的看法應是一致的，並無異議。

憲法是國家的基本大法，是一切法律規章制度，以及國家組織架構賴以建立，維繫的基礎。一旦憲法發生動搖，則將面臨「禮崩樂壞」，導致國家大廈傾覆的危險，甚至會經歷土崩瓦解，亡無日的厄運。此所以文明各國對憲法的維護無不極其慎重，對其修改，或闡釋，都設下層層關卡，非專門機構，或特定人員無權為之。

憲法的嚴肅性，及其神聖不可侵犯的地位，固如上述，但亦絕非全然不可碰觸。我國現行憲法79條規定，國家主席任期為5年，且連任不得超過兩次。依此規定則習主席應

于2023年任期屆滿後卸任。大家的普遍印象，習主席是大陸建國以來，繼毛澤東，鄧小平之後，最有能力，最有氣魄的國家領導人。他就任後，國家各個方面取得的長足進步，可為明證。若他受憲法任期所限，不得不卸任，無法繼續領導國家，朝實現中華民族偉大復興的目標前進，實屬遺憾。尤其目前正值國家綜合國力，可望超越美國，成為世界第一富強國家的關鍵時期。此時若被迫「陣前換將」，雖不至功虧一簣，但總難免使國家在奔向偉大復興的征途上，徒增不確定因素，此實非智者所應為者也。因此必須尋找出，能同時兼顧維護憲法尊嚴，及國家持續高速發展的途徑來。

習主席曾長期在閩浙滬三地工作，尤其在福建更長達17年5個月，對臺灣風土民情了若指掌。在職期間與臺胞過往甚密，培養了與臺灣人民的深厚感情，因此始終堅持能以和平方式完成兩岸統一。自去年520民進黨執政後，不承認「九二共識」，且奉行了親美日，

反大陸的政治路線，使兩岸和平統一幾陷絕境。在眾人咸認大陸此時必將以「武統」取代「和統」時，習主席卻在去年中共十九大上，仍淳淳呼籲台執政當局，能回到「九二共識」上來，並給予了臺胞與內地同等的待遇。習主席若能繼續領導國家，以其仁厚溫良的胸懷，不僅是大陸人民之福，亦會是臺灣人民之福。

為著維護憲法的穩定，及國家的長治久安，各國憲法對條文的修訂無不設有較高門檻，我國憲法亦不例外。根據我國現行憲法第64條規定，經全國人民代表大會常務委員，或1/5以上全國人大代表提議，並獲得全國人大代表2/3以上多數通過，最後由全國人大代表大會行使修憲職權，依憲法規定程式進行修改。因此只要全國人大依法修改了憲法中有關國家主席連任的限制，習主席依修改後憲法的規定，第三度，甚或第四度連任國家主席，都無違憲之虞了。但憲法硬性限制連任次數固欠缺彈性，但若不加限制，則易為野心分子所趁，有產生終身制元首之虞，此亦有違實施民主憲政的初衷。究竟應如何衡量取捨，相信全國人大會做出合理安排，我們且拭目以待。

「兩岸猿聲啼不住，輕舟已過萬重山」，有關國家主席連任次數的修改，難免引來議論紛紛。但只要認為正確，必須做的，就要毅然決然地去做，切莫因害怕議論或批評而裹足不前。



網址 <http://www.us-chinaforum.org>

投稿信箱: uschinaforum138@gmail.com

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刊頭設計 劉學武

每星期六出刊
第241期

推進中美相互瞭解合作 促成海峽兩岸和平統一 倡導和諧平等多元世界

※要求川普總統否決臺灣旅行法※

希望各位朋友們到白宮網站上去簽名連署，要求美國總統否決 veto 臺灣旅行法。我們需要在30天內有十萬個簽名。臺灣旅行法不是只是政治問題，直接影響到中美關係，沒有穩定的中美關係，哪有我們在美華僑的好日子！大家都知道如果蔡英文到華盛頓見美國總統意味著什麼！如果美國軍艦靠上臺灣島意味著什麼！我們兩岸三地的華人願意看到血濃於水的同胞同室操戈嗎？中美關係惡化，大打貿易戰，我們在美國有好日子過嗎？所以這個法案與我們在美華人朋友的生活，工作息息相關！鼓勵朋友們儘量發出去，鼓勵大家上網連署，爭取在30天內連署10萬簽名。

請大家點擊以下連結，填上姓名，郵址，再到郵件裡點確認，連署即成功。
<https://petitions.whitehouse.gov/petition/we-american-chinese-business-advisory-consortium-request-president-veto-hr-535-taiwan-travel-act>

臺灣旅行法 ◎佟秉宇

美中博弈下的臺灣走向

美國參議院真會挑日子，偏偏選在今年二月二十八日全票通過了台灣旅行法(Taiwan Travel Act)，這是繼美國眾議院於今年一月十日以口頭表決的方式通過後，完成了立法系統裡的步驟，將此法案擺在了川普的桌上，只差他的簽名就可把此法案變成正式法律。

這讓我想起了李敖說過的一句話，「台灣就像中國大陸的翠丸，美國要找點兒大陸的麻煩就把台灣拿在手裏捏一捏，」看你就範吧！再加上這通過的日子挑在讓人揪心的228這天，捏傷了的翠丸上再來撒點兒鹽，痛得你跳腳之外還特別氣憤！

這幾年來美國眼看著中國的國力日益增強，經濟、軍事方面的實力都逼近了美國的規模與水準，心裏不是滋味兒，不停的或是教唆亞洲的小盟國或是自己親自出馬來給大陸使絆子，這回是完美的利用了民進黨控制下的台灣這個心甘做棋子的地方來找大陸的麻煩！

讓我們來探索一下美國立法與行政部門在這個法案上的做法：首先，參議院與眾議院的法案文本是一樣的，這表示參議院對此案並不是很上心，拿了眾議院的文本來走個形式；再者，眾議院是用口頭表決的方式通過的，亦即，眾議院議長(House Speaker)問在場的眾議員贊成的人說Aye，反對的人說No。雖然它也是眾議院四個合法投票方式之一，但畢竟是粗糙而且急速通過一個不受眾議員們重視的法案所用的方式。更值得注意的是參議院

通過的過程：二月28日12:45 PM 參議院開會，從開始一直到 6:24 PM 最後一位參議員哈桑(Hassan)發表對佛羅里達州學校槍殺案談話，整個參議院都沒有隻字片語討論台灣旅行法案，而是在會談總結期間一口氣通過了包括台灣旅行法在內的七個法案。精彩吧？

再看行政部門：美國國務院亞洲事務發言人 Michael Cavey 三月一日表示，美國憲法的設計是讓行政部門與立法部門成為獨立且分開的政府部門，雙方在制定美國外交政策上都扮演重要角色，可是沒有任何一方可以控制或替代另一方。什麼意思？就是說立法部門的程式我們已經走完了，現在法案在川普總統的桌上，他可以在上面簽字讓它成為法律，如何執行由川普說了算，或者無限期壓在桌上不簽，其間的取捨就看川普和中國的討價還價了。這還不清楚嗎？台灣是徹底被用來當做一枚談判的棋子了，但卻要承擔發生意外的風險。蔡英文真不知要把台灣帶向何方？

瞭解了美國的運作，中國該怎麼做應該是比較清晰了，即，不能讓美國與台灣有正式的官方往來！台灣是中國的領土，如果大陸不能以強硬的方式捍衛中國的領土主權，以後的麻煩會越來越多。再加上近來台獨分子在台灣的瘋狂作為，大陸必須有敢戰的準備，必須將美國與台獨分子進一步合作的可能徹底摧毀。我建議大陸宣佈：美國官員以正式身分身訪上臺灣之日，便是大陸武統台灣之時！

Focusing on Term-Limit Is Missing the Mark on China's Constitution Revision

China's Constitution Revision prepared and submitted by the Central Committee of the Chinese Communist Party (CCP) to be ratified by China's 13th National People's Congress (NPC) in its first plenary session (March, 2018) is dominating the Western press. Before we examine the details of this amendment and its implication, let's review the history of the constitutional amendments of the U.S. to provide a comparison and discussion.

National Constitution, ratified by the people and/or its representatives, is the document prescribing the structure of the government, the rights of the people and rule base for governance and serving the people. Every country is founded on its Constitution which can be amended as needed by a due process defined in the Constitution. The U.S. declared its independence in 1776 but its Constitution was first written and ratified in 1787 during the Philadelphia Convention. Subsequently to this day, there were 11,539 proposals for amendment but only twenty seven being approved by the Congress. The First twelve (ten of which are the bill of rights defining people's freedom and rights) were approved by the Congress in 1789 and sent to the States for ratification. By December, 1791, the ten Bills of Rights of people were ratified including freedom of religion, speech, press, assembly, bearing arms, security and personal effects, protection from search and seizure, warrant for arrest with due cause, guarantee of proper indictment, speedy public trial with jury, prohibition of double jeopardy and any rights not specified by the constitution and all powers not specifically granted to the government.

The fourteenth amendment (1868) is a significant one offering a clear, simple definition of citizenship with all enjoying equal treatment. The 22nd amendment is also significant concerning the presidency's term limit. The 27 amendments endured a long debate process till Congress approved them in 1992 for State ratification. To this date, six of 27 have not been ratified by the required number of states; two were closed and four were still pending. This signifies that Constitution Revision is a very serious matter and highly dependent on the procedure requirement in the original Constitution.

China's Constitution like many others defines the country's people's rights and duties, the structure of the State and the government hierarchy including the NPC and its formation and duties. What is different and unique in China's Constitution is the Chinese style of Communism prescribed as a socialistic economic system with public ownership of the means of production (such as land). Like the U.S. Constitution, China's Constitution consists of versions of 1975, 1978, 1982 (amended through 2004), 1988, 1993,

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1999, and 2004 amendments, 2007 resolution on amendments, 2012 revised constitution and the latest 2017 resolution on amending the Constitution yet to be ratified by the 13th NPC this month.

The proposed revision and amendments by the Central Committee of the CCP can be summarized concisely in terms of definition, clarification and energizing the functions and effectiveness of the socialistic political and economic system with Chinese characteristics. The total 21 revisions can be grouped in four categories: 1. Adding words to clarify the direction, method and focus of China's future development to include Xi's thoughts and to anticipate new era, emphasize scientific development, and clarify win-win peaceful development under a 'Human Common Goal'. 2. Adding phrases to sustain reform, achieve Great Rejuvenation (Great Chinese culture and dignity), and cultivate patriotic attitude (e.g. oath on the Constitution to take office), racial and minority harmony, and socialistic values as well as paying attention to environmental improvements. 3. Establishing organizational change by emphasizing law-based (治) rather than system-based (制) governance, giving more power to NPC in election and supervision, restricting NPC representatives and members to serve in administrative or monitoring and supervising roles in other branches of government, empowering NPC to elect the chief of the new monitoring and supervising branch (監察) separated from the executive branch. (Noteworthy point: this branch was uniquely described in China's founding father, Sun Yat Sen's Book, Three Principles of People, which has been practiced by KMT under Chiang Kai-Shek till today in Taiwan as a watch dog on the government.)

The revision of Article 79 in China's Constitution, removing the second sentence in "The term (of President and Vice President) is the same as the NPC's term. They shall serve no more than two consecutive terms." Implies that the Chinese leader can serve without term-limit. This has been the focus of the Western Press with numerous articles cautioning the world leaders that they have to deal with a smart and powerful Chinese leader for his life time. However, this implication is highly speculative. We can examine the term limit issue in the U.S. and China's Constitution and offer a far more rational interpretation and implication analysis.

In the original U.S. Constitution, there was no term limit set on the Presidency. When George Washington resigned after serving his second term, he essentially established a convention that the U.S. President will serve only two terms, eight years. This practice persisted over 152 years till President Franklin Roosevelt, served four terms and died in his 4th

term (1933-1947). Roosevelt was a capable President and the U.S. was facing the threat of World War II, the US Congress and the American people supported his Presidency extending to third and fourth term to lead the nation in war. When Roosevelt died in 1947 after the war was ended, the Congress approved the 22nd Amendment to limit the Presidency to two consecutive terms, based on the speculation that the US bi-partisan system may not be able to return to the two-term convention established by Washington. Of course, such a speculation had no real evidence.

The supreme leader Mao of China served for his entire life (1949-1976 in Power) with great achievement in uniting the nation but also with devastating social programs sunk China in misery. When Deng Xiao Ping emerged as the strong leader (1978-1992) with an agenda for reform and focused economic development, he was the de facto leader till his death even holding no official position from 1982-1992. It was Deng who restored the figure head position of Presidency and divided the power between the party Secretary General and the Premier (head of State Council, the Executive Branch) all three led by the paramount leader Deng. Deng instrumented the two-term limitation (1982) in order to prevent the formation of a convention of life-long leadership like Chairman Mao. The two-term limit was practiced during Deng's era (1982-1992) through Hu Yao Bang (1978-1987), Jiang Zemin (1992-2002), Hu Jintao (2002-2012) and Xi Jinping (2012-Present). From Jiang to Xi, they all have had the three positions, General Secretary of CCP, Chairman of the Military Commission (of CCP and National) and the President of China but Xi is the only one now holding all three positions concurrently.

Though the Western press is speculating the removal of the two-term limit on the Presidency as a possible sign for more authoritative power and life-long service for President Xi; personally, I believe that this move may just be Xi's design to figure out a way to ensure a sustainable law-based governance with smooth transition so that the long-term objectives of China's national rejuvenation can be accomplished. China's rapid rise is envied by her neighbors including great powers like the U.S. and Japan targeting China as a security threat. Xi's past performance adequately demonstrated his ability as a great leader not only for China but also for the world. The Chinese people by and large support his tenure extension beyond second term. One might even draw parallel to Franklin Roosevelt's term extension discussed above, considering Xi in a critical time with a critical task to fulfill (including the grand scheme of One Belt and One Route, OBOR). The more pressure the other nations are putting on China thwarting her peaceful rise and limiting her leadership in pursuing a 'Human Common Goal', the more support the Chinese people and third world nations will offer to Xi demanding his leadership beyond his second term.

President Xi and the NPC have a lot of options and leeway to structure a transition scheme with structure and term limits redefined for the future round of Chinese leaders. One can observe some hints from the detailed revisions presented to the 13th NPC. Focusing on the term limit and making wrong interpretations is missing the mark of assessing China's Constitution Revision.