



Taiwan Communiqué

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Legislative election results

A vote for closer relations with China?

On Saturday, 12 January 2008, Taiwan held its first legislative election since the 2005 restructuring of the Legislative Yuan, which reduced the number of seats in the LY from 225 to 113 seats and changed the election system from multi-seat districts to a mixed system of 73 single-seat election districts, six seats reserved for aborigines, and 34 at-large seats that are elected proportionally.

Overall, the Kuomintang won 81 seats and the DPP 27 seats, with the remaining five seats going to smaller parties or non-affiliated candidates. Below we first present some initial observations, the numbers, and some background on the two referendums on the ballot, and then a commentary by Prof. J. Bruce Jacobs, who was in Taiwan to observe the elections.

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Was this a vote for closer relations with China and a repudiation of the DPP's policies to enhance the Taiwanese identity? A closer look at the numbers shows that *the answer to both questions is a definitive "no."* The Taiwanese are proud of their achievements, politically, culturally,



The Kuomintang, rowing away in its boat, letting other political parties drown

economically and do want to live in peace with China, but do not want to be annexed by China and live under its authoritarian rule.

The KMT and DPP may differ on their approach to China, but both are in agreement that Taiwan is a free and democratic nation, and they want their country to be a full and equal member in the international community. In recent opinion polls in Taiwan, an overwhelming 95% of the respondents indicated they supported Taiwan's membership in the UN — and only differed on the question under which name this should occur, "Taiwan" or "ROC".

Was there a significant shift from one party to the other? Again, the answer is "no." But the Kuomintang was better in "getting-out-the-vote", and the new system worked to the disadvantage of the DPP (See "*The numbers*" below).

While the KMT is proclaiming support for democracy, its track record is flawed at best: in the transition to democracy in the 1980s and early 1990s, it had to be pushed every step of the way, and only grudgingly went along when change was inevitable. After the DPP gained power in 2000, the Kuomintang was anything but a loyal opposition, and obstructed the newly-established DPP government at every turn.

Taiwan Communiqué comment: *Many Taiwanese who have worked for many decades to enhance democracy in Taiwan are wondering what the implications are of the more than 2/3 majority of the KMT in the legislature, and question whether it bodes well for the fragile system of checks and balances on the island.*

It is thus essential for the international community to monitor the political developments in Taiwan closely, and ensure that the progress that has been made towards a democratic system on the island is not lost or undermined.

It is also unlikely that Beijing will fundamentally reduce its drive to isolate Taiwan politically: it will continue to try to draw allies away from Taiwan and block its participation in international organizations such as the UN and WHO. It is continuing to aim some 1300+ missiles at Taiwan.

So after the initial jubilation, the KMT will see that it can do very little to change Taiwan's predicament, and further frustration among the people on the island will set in. Furthermore, the impending economic downturn in the US will have a major downwards effect on China's economy, and will make it less attractive for the business community in Taiwan, which will start looking elsewhere.

The numbers

In the 34 at-large / proportional seats, the KMT received 51.2% of the vote (20 seats), the DPP 36.9% (14 seats), the New Party 3.9% and the TSU 3.5%. ***These percentages are the best indicator of the overall support of the various parties.***

For the at-large seats, a threshold of five percent of the vote is required to gain a seat: in effect, this means that smaller parties are shut out of the proportional seats. This plus their poor showing in the single-seat districts means that the New Party and TSU do not have any seats at all in the new legislature.

In the newly restructured single-seat-district races, the system is basically *winner take-all*. In these contests the KMT won a substantially larger number of races than forecast: taking 61 seats to the DPP's 13, with the rest going to a few candidates from small parties and independents.

The KMT landslide was a combination of the following factors:

1. Like in the USA and many other Western countries: **all politics is local**. This was a local election on local “bread-and-butter” issues like the economy. Although the economy is clipping along very well at a sustainable rate of nearly 6%, the impression was created by the pan-blue dominated media, that things were not going well.

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Taiwan's precarious dance to the tunes of the new electoral system music

2. The **restructured single-district system benefited the KMT** in a number of ways, and gave it an unfair advantage. There were built-in advantages for the KMT through a number of smaller districts like Kinmen, Matsu, Taitung and the six seats reserved for aboriginals, where the KMT has traditionally had a monopoly on power. This amounts to a 10-seat advantage right from the start.

The new electoral system thus turned out to be flawed, and is leading to imbalances in the exercise of Taiwan's democracy, since there is a significant discrepancy between the popular vote and the number of seats the KMT received. After the elections, even the KMT Speaker of the Legislative Yuan, Mr. Wang Chin-ping, acknowledged this problem and said the issue needs to be revisited.

3. **Overwhelming financial resources:** The KMT still has large amounts of funds amassed during the 50-year period it was the ruling party. It reportedly is the richest political party in the world with more than US 1 billion in assets. This was the subject of a "stolen assets" referendum proposed by the DPP (see below). An American observer who has lived in Taiwan for many years reported that the KMT candidates in many parts of the country engaged in extensive vote buying.

Reports in the Taiwan press also stated that vote-buying "reached a new high" in this election. The director-general of the National Police Agency, Mr. Hou Yo-yih said that the extent of corruption was serious, and needed to be reined in quickly.

4. **The extremely low voter turnout**, the lowest since the first legislative elections for all seats in the LY in 1992: approximately 56.6% as compared to 66-70% in previous elections. The largest block of eligible voters, 43.4%, thus did not vote at all. This points to a severe dissatisfaction of the electorate with the political infighting and confrontations in the legislature.

The KMT won 51.2% of those who cast their votes. This means that less than one-third, only 28.9% of the eligible voters voted for the KMT. Of course the percentage for the DPP was even lower: 36.9% of the 56.6% which amounts to 20.9% of the eligible voters.

5. During the past eight years, the **KMT has become much more "Taiwanese"**: although the top is still dominated by Chinese mainlanders, its members in the legislature are mostly Taiwanese and Taiwanese dominate its rallies.
6. **President Chen's combative style** did contribute to the loss in the elections: he was up-front in battling it out with the KMT, instead of remaining above the fray and "presidential". But it must be remembered that he started his Administration in 2000 with an olive branch in outstretched hand – reaching out to the KMT and even appointing a KMT Prime Minister.

However, the KMT responded with scorched-earth tactics, obstructing the DPP Administration at every turn, blocking the arms budget and other budgets, and

perpetually badgering the President. In the end, President Chen decided to fight back, and became just as confrontational as his opponents.

President Chen's style also galvanized the "pan-blue" supporters, while a significant section of disenchanted DPP supporters did stay home.

7. There was **no significant "shift" from one party to the other**: if one looks at the total numbers, each party retained their power base, but the KMT was simply much better at "getting-out-the-vote."

The numbers of votes and percentages for the DPP in all legislative elections since 1992 (Source: Central Election Commission):

Year	No. of votes	Percentage of vote
1992	3,093,128	33.18%
1995	3,132,156	33.17%
1998	2,966,834	29.42%
2001	3,447,740	33.38%
2004	3,471,429	35.73%
2008	3,610,106	36.91%

8. **A strong pro-KMT bias** in the major news media (**United Daily News** and **China Times**) is also a major factor in the overall tilt of the playing field against the DPP.
9. **The "pan-green" vote was split**: the DPP did not exert strong party discipline, and was not able to prevent a number of the present legislators — who were not nominated by the party and thus lost their seats during the aforementioned downsizing — from running. This divided the party's vote and further reduced the number of DPP seats. In addition, the competition with Lee Teng-hui's Taiwan Solidarity Union, its pan-green associate, split the vote even further.

Two referendums

This election was accompanied by two referendums: one initiated by the DPP which mandates the return of the stolen assets amassed during 50 years of one-party rule, and one initiated by the KMT on investigating high (read "DPP") officials for corruption.

Since, were it to pass, the assets referendum would severely impact the KMT's finances, the KMT worked to obstruct any referendum. Initially it tried to force balloting for the referendums at a different location from that for LY candidates ("two-step" voting).

However, when the Central Election Commission decided that the balloting for the referendums should take place at the same location and the same time as the voting for candidates, the KMT urged its voters not to vote in the referendum. There are also credible reports of local officials who are KMT members, at the polling stations urging voters not to cast their vote in the referendum or refusing to give out the ballots.

In the end, both referendums were voted on by only approx. 26% of the eligible voters, whereas voter turnout was 56.6%):

- * The DPP-sponsored referendum on *KMT stolen assets* received 91% of the approx. 4.25 million valid votes cast,
- * The KMT-sponsored referendum on *investigating high officials for corruption* received 58% of the 3.96 million. valid votes cast.

But since neither referendum achieved the required 50% of *eligible* voters—an incredibly high threshold not seen in any Western nation — neither referendum passed.

Another referendum, on Taiwan's entry into the United Nations – was not part of this legislative election, but is on the agenda on the occasion of the Presidential elections on March 22nd 2008. It is this referendum that has received the majority of attention in Washington ... and Beijing.

Can the DPP overcome a drubbing?

By J. Bruce Jacobs. *Prof. Jacobs is professor of Asian languages and studies and director of the Taiwan Research Unit at Monash University in Melbourne, Australia. This article first appeared in the Taipei Times on Monday, Jan 14, 2008. Reprinted with permission.*

Saturday's legislative elections, in which the Democratic Progressive Party (DPP) won less than one-fourth of the seats, were a disaster for the party and its worst result in legislative elections since Lee Teng-hui became president in 1988.

Saturday's results raise two important questions. First, why did the DPP do so badly? Second, how will the legislative elections result affect the presidential election of 22 March 2008?

There are at least three answers to the first question. The turnout of less than 58 percent — the lowest for legislative elections since 1972 — indicates widespread alienation among Taiwan's voters. The numbers attending campaign rallies were also quite low.

In the past, when speakers at rallies rhetorically asked: "Right or Wrong?" the audience would shout "Right!" During this campaign no one responded. In addition, several vote captains — on both sides of politics — whom this writer has known for a long time, sat out this election.

A second factor explaining poor support for the DPP is that the DPP government has been blamed for everything. Admittedly, the government had a number of failures and sometimes the party did not explain its achievements. In addition, the government has been blamed even when it was not responsible. One friend told me that the DPP was responsible for high oil and gasoline prices. When I questioned this, suggesting that the cause was the high global price of oil, my friend replied: "Well, at least the government should have made me feel better."

Incumbents often incur the anger of the voters after a couple of terms in office. In Australia, last October we turned out the conservative Howard government after 11 years, and last month South Koreans voted for a conservative new president after 10 years of progressive presidents.

Similarly, the Democrats won both houses of the US Congress in 2006 and a Democrat appears likely to replace the Republican President George W. Bush this November. So, at least part of the Chinese Nationalist Party's (KMT) success owes to a vote against the DPP as incumbents.

Third, many analysts (including this writer) argued that the single-member constituencies would create more moderate legislators as candidates would be forced to move to the center to gain sufficient votes. Thus, Li Ao, who gained a seat appealing to less than 6 percent of voters in his district under the old system, would not have gained a seat in the new legislature.

But analysts ignored the role of the party primaries. Most of the candidates nominated by the KMT and the DPP had strong local organizations but often rather unsavory reputations. This, too, contributed to voter alienation and the low turnout.

In addition, both parties, but especially the KMT, nominated party “hacks” for their legislator-at-large lists. The most obvious case is the KMT’s nomination of Chiu Yi, who spent time in prison for literally attacking the Kaohsiung District Court with a truck. Chiu also has been known to promote “revelations” that almost always prove to have no factual basis. But the KMT nominated him because of his “personal sacrifice” for the party in going to prison.

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In addition, in district races between a man and a woman, the KMT tended to give the district seat to the man and put the woman on the legislator-at-large list because half of party nominees for the latter had to be women.

How will the DPP’s legislative election disaster affect the presidential election? While the KMT has won a morale-lifting victory, the two elections are very different and the result will probably be very close.



The DPP's Frank Hsieh and the KMT's Ma Ying-jeou assessing their respective China policies

First, the legislative elections have been almost entirely local. Candidates have spoken of their contributions to individual schools, roads and flood prevention. There has been virtually no discussion of such national issues as identity, relations with China or relations with the US, Japan and other major democratic countries.

Second, when the campaign between presidential candidates Frank Hsieh and Ma Ying-jeou truly gets under way, both candidates will have to speak clearly and to the point about national issues and relations with China.

Though both candidates are moderates in their respective parties, some clear differences will emerge. Hsieh and his co-runner Su Tseng-chang will most likely be able to win the presidential and vice-presidential debates against Ma and his co-runner Vincent Siew. Ma’s inability to debate in the Hoklo language (commonly known as Taiwanese) could also prove a handicap among a wide variety of voters.

Third, with a landslide victory to the KMT in the legislative elections, DPP supporters — as well as some swing voters — will fear the KMT’s almost total control of the political system in the event of a KMT victory and may rally to support Hsieh to provide some controls over the KMT legislature. On the other hand, some voters may feel that electing Ma will end fractious relations between the executive and the legislature.

Finally, the issue of identity could prove crucial. Ma won the KMT chairmanship on a platform of reform, but after being elected he tended to talk to the old Mainlanders and did not implement any reforms. While Mainlanders, as the minority who have lost their formerly privileged positions, have led the way in “ethnic voting,” some ethnic Taiwanese are now questioning whether they can vote for a Mainlander for president. This feeling, too, will help Hsieh.

One final conundrum remains. What will be the role of President Chen Shui-bian in the presidential election now that he has resigned as DPP chairman?

Fairly or not, many believe Chen’s campaign efforts in the presidential election have been counter-productive. Will he step out of Hsieh’s way and allow Hsieh’s more moderate approach to shine through in the campaign? If so, Taiwan’s next president could be Frank Hsieh. If not, then Ma Ying-jeou will succeed Chen.

Taiwan’s referendum to enter the UN

In our previous issue of *Taiwan Communiqué* we discussed Taiwan’s referendum to enter the UN – scheduled to coincide with the upcoming Presidential elections on 22 March 2008 – and the close attention it had received, in particular from the EU and the US Administration (see “*Why the UN referendum is necessary*”, *Taiwan Communiqué* no. 116, pp. 1-3).

Since then, there have been several more reactions: on December 6th by Deputy Assistant Secretary of State Thomas Christensen, on December 10th by AIT Chairman of the Board Ray Burghardt, and on December 21st by Secretary of State Condoleezza Rice herself. Below, we first discuss Secretary Rice’s statement, and then reprint an editorial in the **Taipei Times** by FAPA Executive Director Prof. Wen-yen Chen, who responds to the statements by Messrs. Christensen and Burghardt.

Condoleezza Rice plays Ebenezer Scrooge

In a speech on 21 December 2007, in which she gave an overview of developments around the world, Secretary Rice briefly touched on Taiwan. She stated:

“In the Taiwan Strait, for example, the United States remains committed to peace and security. We oppose any threat to use force and any unilateral move by either side to change the status quo. We have a One China policy and we do not support independence for Taiwan.

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As we have stated in recent months, we think that Taiwan’s referendum to apply to the United Nations under the name “Taiwan” is a provocative policy. It unnecessarily raises tensions in the Taiwan Strait and it promises no real benefits for the people of Taiwan on the international stage. That is why we oppose this referendum.”



Santa USA dropping the Condi Rice comments bomb down Taiwan's chimney

The statement – just before the Christmas holidays — was reminiscent of a latter-day version of Charles Dickens’ Ebenezer Scrooge, and prompted a flood of angry letters and e-mails from the Taiwanese-American community to the State Department and the White House.

In many of the letters, members of the community termed the statement “inconsistent with American basic principles of freedom and democracy”, and asked why the democratic expression of the will of the Taiwanese people is labeled “provocative”, while the US seems to condone China’s military threats and missile buildup.

In Taipei itself, the DPP government expressed its disappointment at the statement. Foreign Minister James Huang said that his government regretted the U.S. comments and urged Washington not to give in to pressure from China on the matter. *“Although China has made a lot of efforts and put a lot of pressure on the U.S., we still hope the U.S. side will see this matter in a calm and collected way,”* Huang said.

Taiwan Communiqué comment: *The statement by Secretary Rice undermines the democratization process in Taiwan and democracy in Asia as a whole. It also shows that the US government still pursues an anachronistic of the 1970s, when it normalized relations with China, and de-recognized the Kuomintang regime as the ruler of all of China.*

However, since then, Taiwan has undergone a remarkable transition to democracy in the late 1980s and early 1990s, and transformed itself into a free nation that wants to be a full and equal member in the international family of nations.

It is time for the US and Western Europe to adopt a policy showing a new vision which is clearly based on the fundamental principles for which we claim to stand: human rights, democracy and self-determination.

This would of course continue recognition of the government in Beijing as government of the PRC, and engagement of China on a host of issues: “responsible stakeholdership” in the international community. But it would also mean giving a clear signal to China that its military threats against Taiwan and international isolation of the island are counterproductive and out of place.

It also means that the West would help ensure that the people of the island have a free choice on their future. Giving in to China’s pressure on the UN referendum issue runs counter to that basic principle.

The US needs to do the right thing

By Prof. Wen-yen Chen. *Prof. Chen is Executive Director of the Formosan Association for Public Affairs in Washington DC. This article was first published in the Taipei Times on 19 December 2007. Reprinted with permission.*

In the middle of World War II, Winston Churchill remarked “*You can always rely on the Americans to do the right thing ... after they have exhausted all other options.*” He was expressing his exasperation with the American zigzagging and idiosyncrasies in the fight against Nazi Germany and Japan.

Similarly, we are hereby expressing our exasperation with the recent statements by officials of the Bush Administration, opposing the referendum to enter the UN under

the name Taiwan: on December 6th, Deputy Assistant Secretary of State Thomas Christensen reiterated his opposition, while a few days later, AIT Chairman Ray Burghardt made similar statements during a visit to Taipei.

These statements are undermining democracy in Taiwan and are playing into China's hands. As an organization of American citizens of Taiwanese descent we find this unacceptable.

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The statements undermine democracy because they go against the fundamental principle of self-determination: that the people have the right to express their views on major issues that affect their future. Taiwan has a very special history because after World War II it was occupied by the losing side of the Chinese Civil War. But after its remarkable transition to democracy, it is now a free and democratic nation that wants to be a full and equal member in the international family of nations.



Taiwan's basketball player to the US: "What kind of cheerleader are you?"

The present American opposition to the Taiwan referendum also goes against the grain of the basic American principles of democracy and human rights, which are enshrined in the US Declaration of Independence and US Constitution: "*Life, Liberty and the Pursuit of Happiness*" are universal values that the people of Taiwan cherish as much as Americans.

The statements by Messrs. Christensen and Burghardt are also antithetical to a level playing field in Taiwan: by singling out the DPP referendum and not saying anything about the KMT referendum — which also supports joining the United Nations — Messrs. Christensen and Burghardt are taking sides in the internal debate on the island, and are influencing the ongoing election campaign: no doubt their statements will be played up by the pan-blue press.

In opposing the Taiwan referendum, the US officials are regrettably doing the bidding of the authoritarian PRC leaders in Beijing: Beijing has long ago learned that the shortest way to Taipei goes through Washington and are now manipulating the US into trying to “control” Taiwan. In spite of US denials, the US is letting itself be used to “co-manage” Taiwan.

Of course the PRC does not like the referendum, but the referendum itself does not disturb peace and stability in the Taiwan Strait: it should be clear to our friends in the State Department and White House that China’s military threats against Taiwan and its relentless campaign to isolate Taiwan internationally are the real source of tension and instability.

As we have indicated earlier, the purpose of the referendum is threefold: 1) in order to let the international community know that the Taiwanese people have no intention of letting themselves be subdued by an authoritarian regime in Beijing. 2) to let the world know that the Taiwanese people want their country to be a full and equal member in the international community. 3) to counter the PRC’s relentless pressure to isolate Taiwan and push it into a corner.

Messrs. Christensen and Burghardt also made statements to the effect that they want to stick to the faulty and outdated “One China” policy. In this regard we would like to quote one of Mr. Burghardt’s own statements, which says: *“One of the wonderful things about democracy is that when new leaders come in, the new leaders present a new opportunity.”*

We certainly hope that when a new leader comes into power in Washington, he/she will see fit to ditch the anachronistic “One China” policy and replace it with a new and pragmatic policy which is based on the clear reality that Taiwan is now a free and democratic nation in its own right.

In the meantime, we of course hope that the Bush Administration will be sensible and rational on the issue of the UN referendum in Taiwan, and not over-react. For the time being it should remain quiet on the issue and let democracy in Taiwan take its course.

And after everything is said and done, America should of course follow Mr. Churchill’s advise: do the right thing and support Taiwan’s membership in international organizations.

The Presbyterian Church speaks out

Declaration on UN membership for Taiwan

As we reported in the previous issue of *Taiwan Communiqué*, in early December 2007 the Taiwan Presbyterian Church commemorated the 30th anniversary of its 1977 Declaration on Human Rights. Below we present the Declaration on UN membership for Taiwan, which was adopted at the meeting.

Taipei, Taiwan, 7 December 2007

Declaration of the Right for Taiwan to Join the United Nations

To the member states of the United Nations, the peoples and nations of the world who love justice and peace, and to all churches around the world.

On the eve of the fifty-ninth anniversary of the United Nations' Universal Declaration of Human Rights and in the spirit of our 1977 Declaration on Human Rights and our 1985 Confession of Faith, we declare:

Since the end of World War II in 1945, colonized peoples of the world have been exercising the basic human right of self-determination, thus becoming independent nations. The 23 million people of Taiwan remain the exception in that their inalienable right to statehood has been ignored or even actively opposed by member states of the United Nations. Clearly, the spirit of the Universal Declaration of Human Rights has not been implemented worldwide. This overt neglect is an injustice and an outright violation of the human rights of the Taiwanese people.

Though the Taiwanese people had been successively ruled by foreign colonial powers, in 1996, they were able for the first time to directly elect a president in a democratic procedure that achieved a bloodless and peaceful revolution. Moreover they were even able to complete a peaceful transfer of power in 2000.

A native Taiwanese administration led by the Democratic Progressive Party replaced the Chinese Nationalist (KMT) regime which had implemented their colonial rule over Taiwan for several decades by means of martial law. As a result of this change the Taiwanese people today express a strong demand to join the United Nations using the name “Taiwan”.

However, China, the superpower to the west of Taiwan, has repeatedly exerted its emerging influence on the international community to violate, suppress, and isolate Taiwan in a way that has brutally oppressed the Taiwanese people and their fundamental rights. Despite being grieved and incensed by this degradation, we stand on the belief that human rights are ordained by God and that Taiwan has the right to membership in the United Nations so that the dignity of the Taiwanese people will be upheld by the international community.

Therefore we solemnly make this appeal to the world. We urge all to courageously support the Taiwanese people, who have been left on the outside, and open the door to United Nations membership so that hand in hand together we can promote justice and peace throughout the world.

“The Lord has told you, O man, what is good; and what does the Lord require of you but to do justice, and to love kindness, and to walk humbly with your God?” (Micah 6:8)

May God bless the United Nations, peoples and churches around the world.
Amen.

The General Assembly of the Presbyterian Church in Taiwan
Moderator: Rev. Dr. James Kheng-chiong Phoann
General Secretary: Rev. Andrew Tek-khiam Tiunn
December 7, 2007

Consolidating human rights and democracy

In December 2007, two events took place in Taiwan, which represented an attempt to consolidate human rights and democracy on the island: the opening of the Chingmei Human Rights Memorial Park and the renaming of the former Chiang Kai-shek Memorial Hall into Democracy Memorial Hall. Below are two reports.

Former prison becomes human rights museum

From when it was built in 1968 until the late 1980s, the Chingmei Detention Center served as the major prison where the Kuomintang authorities detained political prisoners. After the December 1979 **Kaohsiung Incident**, when the KMT arrested virtually all major leaders of the Taiwan democratic opposition, a military court was held at Chingmei which sentenced the eight major leaders to prison sentences ranging from 12 years to life imprisonment.

Photo: Taiwan Communiqué



Kaohsiung mayor Chen Chü

Many leaders of the present DPP government were either defendants (such as Examination Yuan President Yao Chia-wen, Vice-President Annette Lu, or Kaohsiung Mayor Chen Chü) or

defense lawyers (President Chen, Prime Minister Chang, Presidential Candidate Frank Hsieh) in the Kaohsiung Incident trials.

On 10 December 2007, the DPP government hosted a formal opening of the Human Rights Memorial Park: President Chen, Vice President Lu, Mayor Chen Chü and several other officials spoke of the importance of the site as a memorial to remind future generations that they should not forget this part of the past, and they should make every effort to prevent it from happening again.

The gathering was attended by some 50 former political prisoners who had been locked up at the Detention Center, some for up to fifteen years. Also in attendance were human rights workers from Germany, Japan and the Netherlands – including the editors of *Taiwan Communiqué* — who worked for many years for the release of the political prisoners.

Several of the former prisoners, such as Mr. Huang Hua, told about their incarceration at the Detention Center, and recounted how they had experienced the many years behind bars, in a number of cases undergoing cruel torture and solitary confinement for lengthy periods of time. Visitors were able to see for themselves the dingy confines of the cells, the lack of adequate facilities, and learn of the inhuman treatment by the prison guards.

Photo: Taiwan Communiqué



Huang Hua (R) and fellow former political prisoner

Taiwan Communiqué comment:

It is indeed to be hoped that the Memorial Park will play a role similar to the Holocaust Museum or places like Auschwitz, Dachau or Bergen-Belsen, and that both present and future generations of Taiwanese will be imbued with a deep moral conviction that this will never happen again.

Chiang Kai-shek Memorial becomes Democracy Memorial Hall

Just two days earlier, on 8 December 2007, the DPP authorities finalized implementation of the renaming of the old *Chiang Kai-shek Memorial Hall* to *Democracy Memorial Hall*. The old CKS Memorial Hall was constructed in the late 1970s, after the death of Chiang in 1975. It has a temple-like structure, a vast garden, surrounded by a wall and a gate, and is located right in the center of Taipei, within view of the Presidential Palace.

While Chiang was considered something of a hero by the Chinese Nationalists, whom he led from 1925 through the loss of the Chinese Civil War in 1949 until his death in 1975, to the native Taiwanese he was a repressive dictator who deprived them of their freedom and democracy through some 38 years of martial law, and who gave the orders for the February 28 massacre of 1947 in which up to 28,000 people lost their lives, among whom many students, intellectuals and leading members of the Taiwanese society.

Thus, the presence of the CKS Memorial Hall increasingly became a political eye-sore to the DPP government, and – albeit at a late stage – it decided to rename it Democracy Memorial Hall. This however, galvanized the “pan-blue” supporters of the Kuomintang, and contributed to the large turn-out for the Kuomintang in the January 12th 2008 elections (see article page 1).



Workers putting up the new characters on the Democracy Memorial Gate

Report from Washington

HFAC Chairman Tom Lantos leaving

On 2 January 2008, US Congressman Tom Lantos, the powerful chairman of the House Foreign Affairs Committee (HFAC), announced that he would not seek re-election at the end of the year, and would retire after completing his present term. Mr. Lantos is 79 years old, and recently learned that he had cancer of the esophagus.

Over the years, Mr. Lantos was a faithful ally of Taiwan in the US Congress, and took many initiatives in support of democracy in Taiwan and the island’s membership in international organizations. He supported resolutions in support of Taiwan’s membership in the United Nations and the World Health Organization, and in 2005 spoke out strongly against the EU’s lifting of the arms embargo against China.

In the House, Mr. Lantos also serves as Chairman of the Congressional Human Rights Caucus and was a member of the Congressional Taiwan Caucus. He was born in Hungary and is a Holocaust survivor. His experience under both Nazism and Communism made him a lifelong fighter for human rights and democracy around the world.

Perhaps his most memorable statement was made in September 2003, when he expressed his concern that the democratically-elected President of Taiwan was not allowed by the State Department to visit Washington, and said: *“If Taiwan were any other nation, President Chen would be welcome to the White House Rose Garden Ceremony, a state dinner and the opportunity to address a joint session of Congress.”*

The Taiwanese people and the Taiwanese-American community in the United States are thankful for what he has said and done for Taiwan, and will sorely miss him in the work in Congress.



Congressman Lantos

Free Trade Agreement resolution introduced in Senate

Just before the Christmas recess, Senators Max Baucus (D-MT) and Jon Kyl (R-AZ) introduced a Resolution in the Senate in support of a Free Trade Agreement between the United States and Taiwan. The resolution, S.Con.Res.-60, notes that Taiwan is the US 9th largest trading partner, and is the 6th largest market for US agricultural products, the 3rd largest buyer of US corn, the 4th largest buyer of US soybeans, the 5th largest buyer of US beef, and the 6th largest buyer of US wheat.

The resolution also recount the important high-tech links between Taiwan and the US, and lauds Taiwan for its democracy and free market economy, which “shares with the US principles and values that provide a strong foundation for open, fair and mutually beneficial trade relations. The operative part of the resolution concludes:

Now, therefore, be it Resolved **by the Senate (the House of Representatives concurring)**, That it is the sense of Congress that the United States should increase trade opportunities with Taiwan and should launch negotiations for a free trade agreement with Taiwan.

Taiwan Communiqué comment: *It is highly peculiar that the Bush Administration is not more forthcoming on a Free Trade Agreement with Taiwan. As the statistics show, Taiwan is a major trading partner of the United States, and an FTA would bring significant additional benefits to both countries.*

But instead, Mr. Bush recently signed an FTA with Peru (which has only US\$ 9 bln. two-way trade with the US – against US\$ 61 bln. for Taiwan) and the US Administration notified Congress that it will “aggressively” push FTA’s for Panama and Columbia, which are also way down on the scale of trading nations.

US Congress calls for international observers

On 19 December 2007, the chairman of the House Foreign Affairs Committee Rep. Tom Lantos (D-CA) and ranking member on the Committee Rep. Ileana Ros-Lehtinen (R-FL) introduced a resolution encouraging international delegations to observe the March 2008 presidential elections in Taiwan. The resolution aims to recognize and support Taiwan’s democratic achievements.

In the resolution, the Representatives applaud Taiwan’s democratic achievements and laud its routinely held fair and free elections in a multiparty system. The resolution concludes: “*the United States Government should reaffirm its unwavering commitment to Taiwan’s democracy and security and international delegations should be encouraged to visit Taiwan for the purpose of witnessing the presidential elections in March 2008.*”

FAPA Executive Director Wen-yen Chen commented: “*Chairman Lantos and ranking member Ros-Lehtinen are both long-time Taiwan observers and supporters. They understand the upcoming March 2008 elections are critical to Taiwan’s continued development into a full-fledged independent democracy. Especially the presidential elections will coincide with the important United Nations referendum. The delegations will not only have the opportunity to observe “democracy in action”, it will also be the best medium for showcasing Taiwan’s impressive political and economic achievements in the international community.*”

In the Limelight

In this feature of *Taiwan Communiqué*, we focus on an organization or person who made an impact on the understanding of Taiwan in the world today. This limelight is focused on former Congressman Lester L. Wolff (D-NY), who was one of the co-authors of the 1979 Taiwan Relations Act.

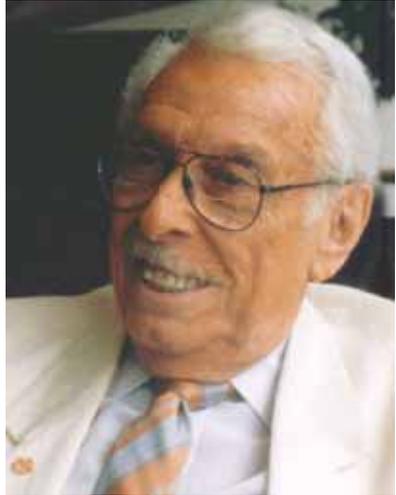
Taiwan, de facto/ de jure / status quo

By former Congressman Lester L. Wolff

This is an abridged version of remarks made by former Congressman Wolff at the annual Thanksgiving Banquet of the Taiwanese Association of America – Greater Washington Chapter – on November 3rd 2007.

First a few words of how I learned about US decision in December 1978 to de-recognize the Kuomintang authorities in Taiwan and to establish relations with the PRC. I was chairman of the Sub-Committee for Asia and the Pacific at the time (1975-1981), so one would think that the Carter Administration would have let me know beforehand. But no, I received a phone call from a friend, who told me: “*listen to the radio, Carter is breaking ties with Taiwan.*” So much for good planning!!

Then, I had planned a visit to Taipei in early January 1979. I received an urgent call from the State Department, saying “*please don’t go, since we cannot guarantee your safety.*” Mr. Christopher had just been to Taipei, and his car had been pelted with eggs and tomatoes. I told them: “*As soon as you are elected to Congress from New York, I will let you decide. But as long as I am the elected Congressman, I decide.*”



Congressman Lester L. Wolff

I went to Taiwan, and stayed at the Grand Hotel. There I got a phone call from Chiang Ching-kuo, who told me: “*I have 6,000 security police around your hotel to protect you.*” I told him: “*I am just a simple Congressman from New York, I don’t need all that.*”

So, now to my speech: For many years the United States in its desire to oppose Communism dug its head in the sand and continued to recognize the Republic of China as the official government of China. It wasn’t however, until the Nixon administration that the *de facto* and *de jure* elements regarding the existence of the Peoples Republic and Taiwan came into blurred focus.

The Nationalists (KMT) on Taiwan continued to pursue their “One China” policy that, included invasion of the Mainland, to “pacify the renegades of red China.” and the newly-ensconced forces of the PLA and Mao. On the other hand the newly organized Peoples Republic of China set their own “One China” policy on reining in the “renegade part of China” that had to be reunited, even if it meant an invasion and the subjugation of a people who sought their own destiny.

That all changed however by a series of events that took place in 1978 when the Carter Administration derecognized the ROC, recognized the PRC, and the American version of the Chinese *comic opera* headlined “One China” began its matinee appearances.

Enter a new cast of characters, the United States Congress, who were determined to endorse the recognition of the PRC, but at the same time sought to formalize the informal relationship with Taiwan and protect its people from any denial of their rights to their own destiny. I know this transition first hand, because I, as Chairman of Asian Affairs in the US House of Representatives, had an integral role in the negotiations that took place.

If one reads the US State Department records, they will become aware of the fact that it was my conversations with Deng Xiaoping (acting as a go between), and the information passed on to President Carter that influenced the decision to move from the informal relationship of Liaison offices with the PRC that existed at the time to full diplomatic relations.

At the same time I was working with numerous members of the House and Senate (including Senators Kennedy, Cranston and Rep. Zablocki) and, as one of the principal authors and floor manager, helped produce the Taiwan Relations Act. These circumstances have provided me with intimate knowledge of the content and intent of the TRA, and its intentions for future US policy.

When the original legislation was passed over to the House as the *de jure* instrument, it was titled the **Taiwan Enabling Act**. We, who rewrote what was passed over to us, were *admonished by the Carter Administration officials at that time to delete all references relating to the “Republic of China” and substitute “Taiwan” in its stead.*

Thus began the charade of informal relations with Taiwan, a policy which was just as wrongheaded as the one which until that time overlooked the 1.2 billion people who lived in the Peoples Republic of China.

However one thing the passage of the Taiwan Relations Act accomplished was a name change. No longer did the United States have a relationship — formal or informal — with the Republic of China, but any and all relationships were with the people of Taiwan. I, therefore, find it very hard to understand the recent flurry by the US position, that we do not favor a change of name by the people and authorities of Taiwan. We, the USA, were the ones who made that change of name in 1979!!

There is a *status quo* recognizing the *de facto* situation. China is China - an internationally recognized nation. However, Taiwan is a democratically constituted *de facto* entity. To deny the people of Taiwan the right to the decisions of its own people, is to fly in the face of the United Nations Declaration of Human Rights which clearly states the right of a people to their own destiny.

The principle of self-determination is prominently embodied in Article I of the Charter of the United Nations. Earlier it was explicitly embraced by US President Woodrow Wilson, by Lenin and others, and became the guiding principle for the reconstruction of Europe following World War I. The principle was incorporated into the 1941 Atlantic Charter and the Dumbarton Oaks proposals which evolved into the United Nations Charter.

Its inclusion in the UN Charter marks the universal recognition of the principle as fundamental to the maintenance of friendly relations and peace among states. The concept of self-determination is a very powerful one. As Wolfgang Danspeckgruber put it: “*No other concept is as powerful, visceral, emotional, unruly, as steep in creating aspirations and hopes as self-determination.*” The principle and fundamental right to self-determination of all peoples is thus firmly established in international law.

The foregoing underlines the “puzzle wrapped in an enigma.” The world faces many problems and opportunities. Carefully steering a course that is acceptable to both sides of the Taiwan Straits is not an easy one, but is a must if we are to maintain peace in the region and to ensure the basic human rights of the Taiwanese people.

My long standing affection for people on both sides of the Taiwan Straits and my history in the cause of human rights are the basic reasons I have attempted to put into perspective the historical background of the so called “Taiwan question”. I believe there are answers. If sincerity and reason prevail we will find a resolution that accommodates to both sides and meets the true needs of all involved.

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The goals of FAPA are: 1) to promote international support for the right of the people of Taiwan (Formosa) to establish an independent and democratic country, and to join the international community; 2) to advance the rights and interests of Taiwanese communities throughout the world; and 3) to promote peace and security for Taiwan

Internet homepages: www.fapa.org and www.taiwandc.org

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