



Taiwan Communiqué

Published by:

Formosan Association for Public Affairs
552 7th St. SE, Washington, D.C. 20003
Tel. (202) 547-3686

International edition, September / October 2010
Published 5 times a year
ISSN number: 1027-3999

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China's military challenge and Taiwan

During the past few months, there has been a sea change in the situation in East Asia: around the Korean Peninsula the tension heightened when North Korea torpedoed a South Korean ship and remained belligerent, while in the South China Sea the PRC's moves claiming "indisputable sovereignty" put other countries – including the United States — on edge.

Below we summarize the developments and then focus on the question where Taiwan under the Ma administration is heading. Will it associate itself with the US, Japan, South Korea and other nations that are concerned about Chinese expansionism, or will it increasingly side with China?

Photo: Japanese Coast Guard / AP

Chinese actions raise concerns

The situation around the Korean Peninsula went from bad to worse at the end of March 2010 when a torpedo sank the South Korean navy corvette *Cheonan*, killing the 46 sailors on board. When an



Japanese Coast Guard vessels chase intruding fishing boat from Taiwan out of the waters near the Senkaku Islands

international investigation concluded a few weeks later that it was a North Korean act of aggression, China refused to rein in North Korea and moved to protect its client from the fallout, watering down international sanctions.

The United States, Japan and South Korea responded to the sinking of the *Cheonan* by organizing joint military exercises in the Sea of Japan and Yellow Sea, designed to increase coordination and communication in times of crisis. However, this was vehemently opposed by China, which saw the move as restricting its room for maneuver in the region: during the past year, Chinese military ships had made increasingly aggressive incursions in the waters around Japan.

These incursions up North paralleled Chinese confrontations with ships from other countries down South in the South China Sea, raising concerns among the nations there, which all have territorial claims and counterclaims. The issue came to a boil at the ASEAN Regional Forum in Hanoi on 23 July 2010, when eleven Asian nations and the United States expressed concern about China's moves. US Secretary of State Hillary Clinton called freedom of navigation on the sea a US "national interest," and urged "a collaborative diplomatic process" by all claimants to resolve "the various territorial disputes without coercion."

Which way is the Ma administration tilting?

The developments are leading to increasing coordination and cooperation between the countries along the Western Pacific Rim to counter China's aggressive expansionism in the region. The question is, which way the Ma administration in Taiwan will be leaning. The previous administrations of Presidents Lee Teng-hui and Chen Shui-bian clearly considered themselves allies of the United States and other democratic nations, but the Ma Ying-jeou government has followed a policy of accommodation with China.

This policy was initially welcomed since it ostensibly "reduced tension" across the Strait, but increasingly questions are being asked about President Ma's ultimate goals: does he want Taiwan to remain a free and democratic nation, or is his goal eventual unification with China?

While Ma is not expected to make rash moves – he prides himself in his "predictability" and he desperately wants to be reelected in 2012 (see following story) — his policies definitely represent an "East Wind" blowing through Taiwan, and it will be interesting to see which side he will chose on issues such as the South China Sea: that of the US and its allies or that of China?

A harbinger of things to come may be seen in the developments surrounding the Senkaku islands, some 140 nautical miles Northeast of Taiwan, where during the first weeks of September 2010 activists from China, Hong Kong and Taiwan have launched incursions on fishing boats to exert “sovereignty” over the Japan-held islands.

One such incursion led to a collision on 7 September 2010 between a Chinese trawler and Japanese patrol vessels, whereupon the the Chinese captain and crew were arrested. The crew was released soon thereafter, but the captain was held, leading to strong protests from China.

A week later, in mid-September, the Ma administration added oil to the fire when it allowed a group of protesters from China, Hong Kong and Taiwan to set sail for the Senkakus and even sent some twelve Taiwan Coast Guard vessels along to “protect” the fishing boat. When the boats neared the 12 nautical mile zone surrounding the island, they were stopped by Japanese Coast Guard vessels, which prevented them from getting closer. After stand-off of several hours, the fishing boats and accompanying Taiwan Coast Guard vessels retreated back to Taiwan.

Interestingly, at around the same time, the Taiwanese and Chinese Coast Guard held the first-ever joint exercise between the Taiwan-held island of Kinmen and the Chinese coast. According to press reports some 30 rescue and Coast Guard vessels, three helicopters and 400 personnel from both sides joined the exercise.

Taiwan Communiqué comment: *If Taiwan wants to retain its freedom and democracy, it needs to clearly associate itself with other democratic nations in the region such as Japan and South Korea. All too often the Ma administration has given the impression that it has “shared values” with the Peoples’ Republic of China.*

Taiwan not only needs to continue to emphasize time and again that it treasures the “shared values” of democracy, human rights and freedom, but also live them and apply them in everyday actions and policies. During the past two years, these values have been undermined and whittled away too often by the Ma administration.

The next few months will be a crucial period and it is up to the rulers in Taipei to show they are on the right side of history and not the odd-man-out. If they make the wrong choice, perhaps the voters in Taiwan will see to it that the KMT itself is on its way out.

“Big Five” elections in November

In our previous *Taiwan Communiqué* we presented a preview of the year-end “Big Five” elections for the mayors of the five major metropolitan areas in Taiwan (*Communiqué* no. 128, pp 8-11), to be held on 27 November 2010. Since then, a number of developments have taken place which may affect the outcome of the elections. A summary:

DPP increases chances of win in the North

In Taipei City a major scandal broke at the end of August 2010, seriously hurting the chances of reelection of incumbent KMT candidate Hau Lung-pin. It was discovered that a contractor associated with the KMT party was paid up to ten times the normal market price for flowers, shrubs and water piping at the upcoming 2010 Taipei International Flora Expo, and on the major Xincheng overpass near the site. On 7 September 2010, prosecutors raided the Taipei City Contractor’s Office and 26 other sites, and charged a number of people with corruption.

The events significantly increased the election chances for DPP candidate Mr. Su Tseng-chang. In several opinion polls in early September 2010, Mr. Su was ahead of mayor Hau by several percentage points.

In adjacent Taipei County (recently renamed Sinbei City), DPP Chairwoman Tsai Ing-wen is running a neck and neck race against former deputy Prime Minister Eric Chu. While the race is close, Tsai’s chances have also increased: in recent polls she was also running a couple percentage points ahead of Chu.

Further South, in the Central Taiwan city of Taichung, the DPP’s Su Jia-chyuan is still running an uphill battle against incumbent mayor Jason Hu. However, mayor Hu’s lead has been decreasing due to the continuing furor over the shooting on May 28th of a local gangland



Tsai Ing-wen



Su Tseng-chang

boss, presumably by a hit man of a rival gang. The uproar was not over the shooting itself, but over the fact that four police officers had been playing mahjong with the victim and made no effort to stop the crime or catch the shooter, diving under the table instead.

At the end of August a break was presumably made in the case when a young man was arrested and charged with being the hit man in the murder. The development may slow mayor Hu's slide in the polls, but questions remain about the growth in gangsterism in Taichung during his term, and what police officers were doing playing mahjong with a gangster in the first place.

In the two remaining cities where elections are to be held on November 27 – Greater Tainan and Greater Kaohsiung – it is the DPP that is having problems, but reportedly not serious enough to affect the outcome:

In Greater Kaohsiung, the situation became more complicated in early August 2010 when the present Kaohsiung County Magistrate Yang Chiu-hsing announced that he would run for the Greater Kaohsiung seat. In its selection process, the DPP had bypassed him in favor of Kaohsiung City Mayor Chen Chu, whose chances of being elected were considered much higher. This was borne out in subsequent opinion polls, which showed Chen Chu as retaining some 70 percent of the vote, with the remaining 30 percent almost equally divided by Magistrate Yang and KMT candidate Mrs. Huang Chao-sun.

In Greater Tainan the candidacy of DPP legislator William Lai still remains virtually unchallenged: in most opinion polls he garners some 85 percent of the vote against his KMT opponent Kuo Tien-tsai. A split within the DPP ranks was averted when DPP leaders were able to dissuade current Tainan mayor Hsu Tain-tsair from running as an independent. Hsu indicated his



Su Jia-chyuan



"William" Lai Ching-te



Ms. Chen Chü

interest in doing so in mid-August – after Kaohsiung County Magistrate Yang did announce his candidacy – but did not follow through. In mid-September he announced he would not run for office.

Elections could change political landscape, again

If the present trends hold, the DPP could win four out of the five seats up for grabs. This will represent a significant shift in the political landscape on the island, and a major harbinger of things to come in the 2012 Legislative Yuan and Presidential elections.

Copyright: Taipei Times

Such an outcome would represent a vote of no-confidence in the policies of the Ma administration, which came to power in 2008 on a platform of improving the economy, good governance, integrity and getting rid of corruption. On none of these points has the Kuomintang government scored well:



KMT artillery officers: "We're all out of pro-ECFA propaganda."

- *. **Economy.** Like other countries, Taiwan was hit hard by the global recession, and instead of lowering to 3% — as Ma had promised during his 2008 election campaign – the unemployment rate soared to 6% and has hovered there since then. In the first half of 2010 the economy strengthened significantly (primarily due to strong exports) but the unemployment rate has stayed high, and Ma's popularity remains stuck at around 30%.
- * **Good governance.** In spite of the KMT's claims to long experience in government, its aura of competence has gradually fallen by the wayside. This already started early on the Ma administration with the sheer police state atmosphere created during the visit of Chinese envoy Chen Yun-lin in November 2008, the inept reaction to typhoon Morakot in August 2009, the politization of the judicial system, and the mishandling of the "beef issue" with the United States.

An interesting indicator of how the public perceives “good governance” was an opinion poll released on 7 September 2010 by the **CommonWealth Magazine**, a business publication. The poll had asked respondents to give approval ratings to the mayors and county magistrates of Taiwan’s seven major cities and 18 counties. The six top-ranked municipalities are all governed by DPP administrators, while all bottom-ranked municipalities – including Taipei City, Taipei County and Taichung City, are governed by KMT administrators.

- * **Integrity and corruption.** The cases that did come to light both in Taipei and Taichung show that corruption is still very much part and parcel of the KMT culture. It also shows a familiar pattern of chumminess between office holders, police and unwelcome elements in society.

Overall, there are thus strong indications of a comeback for the DPP at the local level. This means that the party will have a much stronger starting position for the 2012 Legislative Yuan and Presidential races.

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ECFA signed and approved: now what?

Ma Administration pushes agreement through

In previous issues of *Taiwan Communiqué* we discussed the heated debate going on in Taiwan in the Spring of 2010 about the Economic Cooperation Framework Agreement (ECFA) with China, which was being proposed by the Ma administration. We in particular focused on the criticism by the democratic opposition in Taiwan that the agreement would push Taiwan into China’s sphere of influence, where it could use its increased economic leverage to extract political concessions.

The Ma administration subsequently pulled out all stops to paint a rosy picture, and on 29 June 2010 the agreement was signed in Chungking, PRC by the heads of Taiwan’s Strait Exchange Foundation (SEF) and China’s Association for Relations Across the Taiwan Strait (ARATS), the two pseudo-governmental bodies formally responsible for implementing cross Strait relations.

Legislative Yuan reneges on its role

The action then moved to the Legislative Yuan, where the Kuomintang – with its overwhelming majority of 74 out of 113 legislators – was able to push the legislation through the process without much discussion.

In the early stages, in early July, the Kuomintang used its majority to bypass a committee review and blocked a clause-by-clause discussion on the legislation, prompting the DPP to walk out. After an impasse and closed-door negotiations which lasted several weeks, it was decided that a special session would be held in mid-August, at which the DPP could propose specific amendments to the legislation, which would be voted on. This would be followed by a KMT proposal to vote on the legislation as a whole.

Photo: DPP



Anti-ECFA placards at rally in Taipei

As expected, in this third “Reading” on the floor of the legislature – which lasted some 10 hours of clause-by-clause deliberations – the DPP proposed 18 motions with amendments, which were all voted down on a party-line vote. Then the

Kuomintang made the motion to vote on the ECFA as a whole, which passed.

Taiwan Communiqué comment: *It is regrettable that the Legislative Yuan didn't make a better effort at exercising its duty of checks and balances. The many questions raised about its implications for Taiwan's sovereignty, economy, and international relations should have given the legislators food for thought and discussion.*

However, the KMT legislators simply decided to toe the party line, and accept the agreement as is. They could at least have raised the issue of free trade agreements with other countries, and demanded assurances that China would not object to those.

Another important issue is the referendum proposed by the Taiwan Solidarity Union. If the Kuomintang had been smart, they would have agreed to such a referendum: that would have strengthened their negotiating leverage with China, using the referendum as an argument to extract more concessions from the Chinese side.

Thus, the ECFA agreement weakened Taiwan's sovereignty by leaving its status nebulous, it weakened its democracy by undermining legislative checks and balances, while it remains very much in doubt what it will do to the island's economy.

And overall, it drives Taiwan closer to China, into an embrace from which it will be difficult to escape.

Major demonstration protests ECFA signing

The process leading up to the signing of the ECFA also prompted a large-scale demonstration in Taipei. On Saturday, 25 June 2010, some 100,000 people converged on Ketagalan Boulevard in front of the Presidential Office in Taipei to express their opposition to the pact. The rally had started at two separate locations in mid afternoon, and led by leading members of the DPP, the two groups paraded through the city and finally converged at the city center.

One group, headed by DPP Chairwoman Tsai Ing-wen, former President Lee Teng-hui and Taiwan Solidarity Chairman Huang Kun-hui, marched under a banner titled “Oppose the one-China Market”, while the second crowd, headed by former prime minister and current DPP Taipei mayoral candidate Su Tseng-chang and former vice-President Annette Lu marched under a “the People demand a Referendum” banner.

Photo: DPP



DPP Chair Tsai Ing-wen and former President Lee Teng-hui lead anti-ECFA demonstration on 25 June 2010

Former president Lee gave a hardhitting speech at the beginning of the march, strongly criticizing current president Ma for his China-leaning policies, and urging them to cast their votes in November “to teach a lesson to the Ma government which cherishes neither Taiwan nor its people.”

Once the crowd had arrived at Katagalan Boulevard, speeches were given by the DPP luminaries present, but in spite of a driving thunderstorm, the crowd continued to cheer the speakers on, and express disapproval of the ECFA agreement and the policies of the Ma government in general.

DPP Chairwoman Tsai Ing-wen, wearing a long black raincoat and a Taiwanese farmer's hat, emphasized that in a democratic society important issues such as the ECFA should be decided through a public referendum. She warned that ECFA would in particular hurt the small and medium size businesses and farming communities, and that the income gap between rich and poor would increase further. She said: "democracy is the people's last weapon" and urged the people to use their vote in the November elections.

Opinion polls in Taiwan

Economic growth doesn't increase Ma popularity

During the past few months, Taiwan's economy has rebounded from the global recession which had hit hard in 2008-2009. With an projected overall annual growth of some 9.0% its recovery seems certain. However, this doesn't seem to be translating into increasing popularity for President Ma: his rating continues to hover around 30%, where it has been for almost two years.

Pro-independence sentiment grows

Recent opinion polls also show that in spite of President Ma Ying-jeou's China-leaning policies, the pro-independence sentiment has grown on the island. A poll published by the **Global Views Survey Research Center** in mid July 2010, found that 69.9% of the respondents said the two sides should not be unified. This is the highest figure since the Center began conducting the polls in February 2006.

The interesting thing is that this poll was taken right after the signing of the ECFA agreement at the end of June (see article on pp. 7-9). The poll also found that 66.1% of the respondents felt that it would be unnecessary for the two sides to unify, even if both sides had similar economic, political and social conditions.

Asked whether Taiwan should become a new and independent country, 49.1% said it should, 34.4% said it should not, and the remainder undecided or no opinion.

The poll results prompted the following editorial in the Taipei Times by former AIT Chairman Nat Bellocchi.

Reading Taiwan's Tea Leaves

By Nat Bellocchi, former chairman of the Board of the American Institute in Taiwan. This article first appeared in the Taipei Times on 23 September 2010. Reprinted with permission.

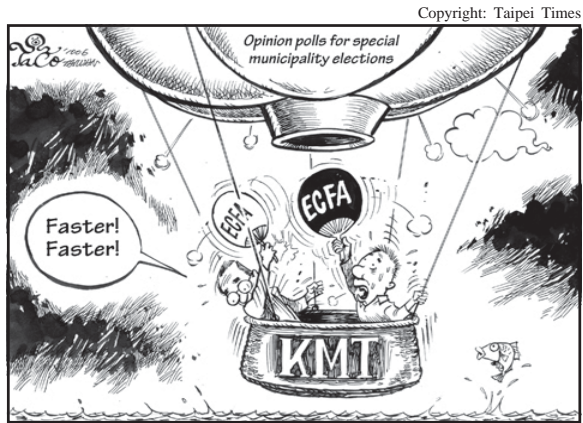
Understanding Taiwan's opinion polls requires insight and knowledge, not only of the island's political history but also of the political leaning of the polling organizations. In the old days, when the island was under a one-party martial law, pro-government publications and government organization simply tried to elicit praise and support for the authorities.

Democratization in the late 1980s and early 1990s changed all that, although the partisanship in some publications remains, while many people are still reluctant to answer queries from government organizations for fear of retribution, a leftover from the bad old days.

It is thus refreshing that some organizations like the Global Views Survey Research Center and National Chengchi University's Election Study Center have been able to develop professional and objective polling techniques, which give a much better insight in the views of the people in Taiwan.

A common refrain in comments from foreign observers is that the majority of the people on the island are for the "status quo." This is often used by those who intend to prove that the Taiwanese people do not want to "rock the boat" by moving to either unification or independence.

Indeed, if the question is phrased as: "what do you prefer: status quo, independence or unification?" some 50+ percent of the respondents will opt for the status quo, about a third for independence, while less than 10 percent are for unification.



ECFA not helping in sinking balloon of opinion polls for special municipality elections

However, in a July 2010 survey, Global Views asked whether the respondents were in favor of independence or not, 49.1 percent said they were supportive of ultimate independence while 34.4 percent were not. The same question on unification prompted 15.6 percent to support unification, while 69.9 percent voiced opposition.

The conclusion is that, if given a free choice, the people on the island would opt for their country to be recognized as a full member of the international community.

At present the PRC is preventing such a free choice, but it is also important to realize that often the international community seems to have uncritically accepted the Chinese discourse on Taiwan. I would argue that we should not look at the matter through China's glasses all the time, but take a more neutral and objective look instead.

The PRC generally presents the case that Taiwan "split-off" from China in 1949, and should be reunified, by force if necessary. The reality is otherwise: Taiwan was a Japanese colony until 1945, and was subsequently occupied by the losing side of the Chinese Civil War.

Confusion is also generated by the way we phrase our "One China" policy. All too often this is interpreted to mean that we consider Taiwan to be part of China. This is not the case: "One China" means that we recognize only one government as the government of China. In 1972 we "acknowledged" the Chinese position, but did not take that as our own. In the Taiwan Relations Act and other subsequent statements we emphasized that it is US policy that the future of the island be determined peacefully, and that this needs to be done with the assent of the people on the island. That is what democracy and freedom are all about.

We also could have a much more meaningful discussion on the possible solutions if we move away from proxy debates on whether Taiwan is a state or not. By the most basic definition under international law, the 1933 Montevideo Convention, Taiwan is a nation state (it has territory, a stable population, a government and the capacity to enter into relations with the other states).

The question is rather, "as what" does it seek international recognition? The old Kuomintang sought recognition as government of all of China. In 1991, under President Lee Teng-hui, it restricted its claims to Taiwan and surrounding islands but retained the "Republic of China" title. This was continued under the DPP administration, although many in the DPP wish to move towards international recognition as "Taiwan."

Which route is taken depends on the democratic dynamics on the island itself. What the international community needs to ensure is that the people on the island can make their decisions freely, without outside coercion by China.

The Pentagon annual report on China

No missile drawdown in spite of “reconciliation”

On 16 August 2010, the US Pentagon released its long-awaited annual report on China’s military power, now retitled “Military and Security Developments involving the People’s Republic of China.” The report presents a comprehensive overview of China’s military growth, its shorter- and medium term tactics, and its long-term strategies.

Two main points stand out which are of great importance to Taiwan and its future: China’s intensified efforts to develop capabilities that would deny the United States access to the Western Pacific Rim in times of crisis, and the fact that in spite of the so-called “rapprochement” going on between the PRC and Taiwan, China is continuing its military buildup and missile deployment aimed at Taiwan.



Still no US decision on the F-16s for Taiwan

On the first point, anti access and area denial capacity, the report describes the development of anti-ship cruise and ballistic missiles which seem designed to attack US aircraft carriers in the region. It also reports that Chinese strategists are “looking at contingencies beyond” Taiwan and intend to expand China’s military reach “deep into the Western Pacific” up to the US territory of Guam.

On the second point, the report says that the ongoing “positive trends” across the Taiwan Strait have had no positive effect on the military balance across the Strait. On the contrary, it states that “China’s military buildup along its East Coast continued unabated.” It adds: “There have been no meaningful actions on the part of the mainland ... to reduce the PRC military presence opposite the island.”

What is happening with the F-16s?

After the announcement of the January 29th 2010 arms sale package to Taiwan, the main question became: “What will the Obama Administration do about the F-16s?” Administration officials themselves were tightlipped, except to say that the issue was “being studied.”

In the US House of Representatives, a broad coalition expressed support for the sale in a letter to President Barack Obama, dated 12 May 2010, urging the President to “...*move ahead immediately with the sale of F-16s to Taiwan.*” The letter was signed by 136 members of Congress, led by two co-chairs of the Congressional Taiwan Caucus, Congresswoman Shelley Berkley (D-NV) and Lincoln Diaz-Balart (R-FL).

Meanwhile, two Washington-based organizations published reports specifically dealing with the declining balance of airpower across the Strait, emphasizing the necessity to redress that balance:

On 11 May 2010, **the US-Taiwan Business Council** released a report titled “The Balance of Air Power in the Taiwan Strait” at a function in the Capitol Building. In the report it presented an analysis of the current state of Taiwan’s air defense, and argued strongly in favor of the F-16 sale.

Two weeks later, on 25 May 2010, **Project 2049**, the thinktank headed by former Deputy Assistant Secretary for East Asia & Pacific Randall Schriver, presented a report titled “Evolving Aerospace Trends in the Asia Pacific Region, Implications for Stability in the Taiwan Strait and Beyond.” This report focused on China’s military expansion and modernization of its air force and missile systems aimed at Taiwan, and proposed measures to address the situation.

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The silly games big nations play...

.... also at Little League baseball

By Gary Schmitt, director of the Program on Advanced Strategic Studies at the American Enterprise Institute (AEI). Mr. Schmitt is a former staff director of the Senate Select Committee on Intelligence. This article first appeared on The American Enterpriseblog of AEI on August 30th 2010. Reprinted with permission.

On Saturday August 28th 2010, two teams from Asia played for the Little League international championship. One team was from Japan, the other from the Republic of China—commonly referred to as Taiwan. In an exciting, extra-inning game, the team of 11- and 12-year-olds from Japan came from behind to win 3–2. (The Japanese then went on to defeat a team from Hawaii for the overall Little League championship on Sunday, while the team from Taiwan defeated a team from Texas in the third-place consolation game, which was also played on Sunday.)

Photo: Jerry Tsai

The championship tournament, held in South Williamsport, Pennsylvania, is a big deal, drawing top Little League teams from around not only the United States but also from Europe, the Caribbean, Latin America, Asia, and the nations of the Pacific. The games are televised on ESPN and, for the final weekend, are covered by ABC, with top-of-the-line announcers doing the play-by-play and color commentary.



Green-clad supporters of Taiwan's Little League team at Williamsport

But if you were watching the game on TV or looked online, you would never know that the team from Taiwan is from the Republic of China or Taiwan. Instead, the team is designated as “Chinese Taipei.” Now, one would think that, when it comes to a game meant for children, that great power politics wouldn’t play a part but, unfortunately, that’s not the case.

Because of asinine rules set by the Department of State back in the late 1970s when the U.S. government decided to formally recognize the People’s Republic of China (PRC) and end official diplomatic ties to the Republic of China, the good folks from that country are prohibited from using “Republic of China” in the United States when referring to their nation. Nor are they allowed to use the informal name “Taiwan.”

Because of PRC bullying, the initial obstinacy of the Kuomintang (KMT) —the party that ruled the ROC as a one-party state for some five decades—in refusing to have anything to do with a name that suggested it was not the legitimate government of all

China, and the continuing pusillanimity of one American administration after another, the people of this now self-governing island cannot use Taiwan here in the United States lest it suggest that there are two distinct governments and two distinct peoples, and not “one China.”

However, as it is sometimes said, “out of the mouths of babes” comes true understanding. As ABC’s Brent Musburger was attempting to explain to his audience why the team from the ROC was called “Chinese Taipei” when the team was neither from China nor from Taipei, but from Kaohsiung, a city to the island’s south, he finally just short-handed it all by noting that it was just a case of politics.

But, tellingly and to his credit, he then went on to say that whenever you asked one of the players where they were from, they all responded, “Taiwan.” Now, if I had to bet given what I know of Chinese diplomats, I’d say that ABC has already gotten a call from the PRC embassy about Musburger’s last remark.

Of course, that doesn’t change the fact—which the players of course reflected—that Taiwan has become an independent, democratic polity whose citizens, while largely ethnically Chinese, do not (in poll after poll) think of themselves as belonging to the mainland in any shape or form.

How embarrassing it is that the United States, the world’s leading democracy, continues to play this game—and, even more embarrassingly, does so in the games children play.

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Erosion of justice and democracy

High Court reduces Chen sentence to 20 years

On 10 June 2010, the High Court in Taipei handed down its verdict in the embezzlement and corruption case against former President Chen Shui-bian and his wife Wu Shu-jen, upholding the guilty verdict but reducing the sentences to twenty years imprisonment.

The verdict prompted reactions of disappointment in Taiwan and overseas. FAPA President Bob Yang stated “*The reduction of the sentences does not take away the fact that the trial has been highly partisan and unfair. In any democratic country*

the severe flaws in the judicial process and the obvious bias of the prosecution would have been ample reason to throw the case out of court and dismiss the charges.”

Both the democratic opposition in Taiwan and international scholars, such as former Harvard Law professor Jerome Cohen and others, pointed to the persistent partisanship and lack of fairness in the proceedings against Chen and his associates. They also mentioned the frequent abuse by prosecutors who leaked damaging information about Chen to the press.

Photo: Taipei Times

Prof. Bruce Jacobs of Monash University in Australia, a prominent Taiwan expert, is quoted by Kyodo News as saying: *“serious problems with judicial procedure and the nature of evidence presented will continue to haunt the legal system and major media outlets that report on it in a partisan manner.”*



Former President Chen Shui-bian on his way to a High Court session

He added that it was inappropriate for Chen to be kept in detention during the trial and appeal process, and that the reasons given by the Court for the continued detention were “flimsy.” According to press reports in Taiwan, the High Court will now decide next week whether to release Chen pending his further appeal to the Supreme Court in Taiwan.

Prof. Bob Yang said the trial illustrates that Taiwan’s judiciary is still tainted by its repressive past, when it was under full control of the Kuomintang, which ruled Taiwan under Martial Law from 1949 through 1987, the longest in recent history. He concluded *“Taiwan needs a fundamental judicial reform, which brings it into the 21st Century, and in line with the principles of a democracy in which there is clear separation of powers.”*

Report from Washington

Taiwan-into-the-UN resolution introduced

On September 14th 2010 — the same day the annual session of the General Assembly of the United Nations kicked off in New York — Representatives Scott Garrett (R-NJ), John Duncan (R-TN), Mike Coffman (R-CO) and Walter Jones (R-NC) introduced Congressional resolution HCR316 calling for Taiwan’s full membership in the United Nations. The resolution concludes that “it is the sense of the Congress that Taiwan and its 23,000,000 people deserve membership in the United Nations”

Over the years, several resolutions in support of full UN membership for Taiwan have been introduced in and passed by the United States Congress. Congressman Garrett himself introduced HCR250 in the previous 110th Congress.

Other resolutions in support of meaningful participation of Taiwan in the World Health Organization and the International Civil Aviation Organization have been introduced and passed by Congress as well.



**Congressman Scott Garrett
(R-NJ)**

In a Dear Colleague letter to other House members Rep. Garrett stated: *“The people of Taiwan and their freely elected government continue to be ignored by the United Nations. [...] Not only is this continued ignorance clearly counter to the lofty goals of the United Nations, it is also dangerous. Because of Taiwan’s difficulties in gaining recognition with the world body, they have been excluded from many of the World Health Organization’s structures to prevent the international spread of disease.”*

In memoriam Dr. Lin Tsung-yi

A towering figure in Taiwan and overseas

On 20 July 2010, Dr. Lin Tsung-yi passed away at the age of 89 in Vancouver Canada, where he had worked and lived since the mid-1970s. Dr. Lin was a towering figure, both in his field of psychiatry and in the overseas Taiwanese community.

He was born in 1920 in Tainan, when Taiwan was still a Japanese colony. Both his parents had received higher education in Japan, so son Lin Tsung-yi also went to Japan, receiving a degree from Tokyo Imperial School of Medicine, now the University of Tokyo. He went on to do postgraduate training at Harvard and in London.



Dr. Lin Tsung-yi (1921-2010)

In 1947, Dr. Lin's father Lim Bo-sheng, who was Dean of the College of Arts and Humanity at National Taiwan University at the time as well as publisher and editor of the newspaper **Min Pao**, was one of the most prominent victims of the massacre perpetrated by soldiers of the Chinese Nationalist Kuomintang. In the 1920s he had been the first Taiwanese to receive a PhD from Columbia University, and after

1945 became a leader of the Formosan movement protesting the corruption and repression by the Nationalists. The tragedy deeply influenced Dr. Lin and the family: many years later he became a leader of the "remember 228" movement.

In the early 1950s, Dr. Lin started important studies on mental disorder, showing striking similarities in the symptoms and prevalence of schizophrenia across cultures in Western and developing countries. He devised and helped establish a modern health care system in Taiwan and rose to international prominence when he was appointed director of mental health at the World Health Organization (WHO).

In 1969, Dr. Lin moved to the University of Michigan where he taught and did research until 1973, when he joined the faculty of the University of British Columbia, where he

worked until his retirement in 1985. From 1974 through 1979 he served as president of the World Federation of Mental Health.

In the meantime, Dr. Lin was also an active member in the overseas Taiwanese community, giving speeches at annual conferences and providing leadership in the democratic movement which eventually led to the democratic transition on the island in the late 1980s and early 1990s. In 1997, on the 50th commemoration of the 228 Massacre of 1947, Dr. Lin convened a conference and subsequently published a book titled “An introduction to the 2-28 tragedy in Taiwan: for world citizens” laying out a blueprint for remembrance and reconciliation.

Dr. Lin is survived by his wife Mei-chen, five children, 11 grandchildren, and one great-grandson. We will miss him dearly.

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Book Review

The Path to Taiwan’s Democracy

by Ambassador Nat Bellocchi, reviewed by Gerrit van der Wees

This book is Ambassador Bellocchi’s autobiography: in the first half, he describes his early life through his ambassadorship in Botswana in the late 1980s. The second half of the book covers his years as Chairman of the Board of the American Institute in Taiwan (1990-1995), and contains his writings, analyses, and anecdotes during a particular turbulent but also exciting period in US-Taiwan relations.

Born of Italian immigrants in Upstate New York, he grew up during the Depression and World War II. His father lost his job early in the Depression, and passed away in 1938, leaving his mother to raise him and his sister. After having finished high school at the end of the War, he went to study engineering at Georgia, driving ambulances and other odd jobs to pay his way through college.

When the Korean War broke out in 1950, he joined the Army and after some six months of training was sent to Korea, where he and his men were hit hard by wave after wave of Chinese soldiers. After completing his stint in the Army, he enrolled in the School of Foreign Service at Georgetown University, and decided to become a diplomatic

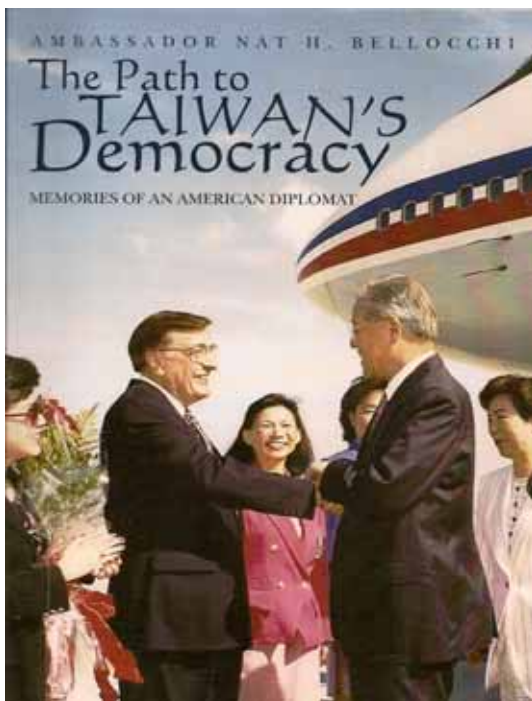
courier. This work brought him to Eastern Europe, Africa, Middle East and the Far East, giving him a wealth of experience in foreign lands and with foreign cultures. It also almost cost him his life: once his plane developed engine trouble and had to ditch in the Mediterranean. Bellocchi – and his diplomatic pouches – survived the crash.

After five years of globetrotting, Bellocchi decided to settle down into the “regular” Foreign Service. Hong Kong was the first of a long list of postings, which also included Laos, Taiwan (Chinese language training at Taichung and embassy in Taipei), Washington, and then Vietnam during the height of the Vietnam War.

A second round of senior postings in the late 1970s and 1980s included Tokyo, Senior Seminar in Washington, India, a second stop in Hong Kong, Deputy Assistant Secretary at Intelligence and Research (INR) back in Washington, and finally as ambassador in Botswana.

Then, at an age when most people retire, Bellocchi accepted an appointment as Chairman of the American Institute in Taiwan, the agency formally representing the United States in its informal relations with Taiwan. It was to become, in his own words, “...the most difficult and historic journey of my entire life.” This is where the second half of the book begins.

Chapters Six through Twelve cover the years (1990-1995) he served as AIT Chairman. He starts with a bit of historic overview on the 1979 de-recognition of the Kuomintang government as the government of China, the Taiwan Relations Act (TRA) and the subsequent vagaries in US policy towards Taiwan since then.



A main theme in this section is that the US policy establishment, and particularly the State Department, had problems adjusting itself to the new reality that Taiwan had made a momentous transition to democracy, and had become, in Bellocchi's words, "...an entirely different kind of entity" from 1979, when the TRA was written.

He doesn't argue for changing the TRA, but says that "...policies that better accommodate to a democratic Taiwan could be pursued with the support of the Act as written." He gives the examples of human rights and membership in international organizations – to which the TRA refers in specific clauses – and faults Washington for not mustering the political will to take a more principled and supportive stance on these issues.

He also has some poignant words about the "one China" policy. He writes: "*One should know that although we have a "one China" policy, we have never defined "China" (there have been many in China's long history); that we recognize the government in Beijing as the government of China; that we have never said that Taiwan is part of China; that the US position on the sovereignty of Taiwan is that it is yet to be determined; and that we have no preference for any resolution on the issue between the two sides of the Taiwan Strait other than it be peacefully resolved.*" (Emphasis added).

One would wish that some of the subsequent and present-day policymakers would have remained a bit closer to this original definition, instead of getting stuck in endless reiterations of the confusing "one China" mantra or drifting off into unhelpful formulations such as "no support for Taiwan independence" or "no support for membership in international organizations that require statehood."

Bellocchi also has few kind words for the US Government "Guidelines" which rule contacts with Taiwan. He writes that these guidelines, which are reiterated by the State Department in official codes to US embassies abroad every year, "... range from the inefficient to the silly." The guidelines e.g. prohibit using US government stationery in correspondence with Taiwan, prohibit US officials from receiving Taiwan counterparts in their offices, or attending official functions organized by Taiwan.

Bellocchi gives a year by year account of his chairmanship at AIT, and describes in detail the policy discussions which went on, in particular the ill-fated Taiwan Policy Review of 1993-95, which was in Bellocchi's view a lost opportunity in adapting US policy to the fast-changing situation in Taiwan. He writes: "...the important changes

that were turning Taiwan from an authoritarian political system to democracy were given rhetorical support but brought no differences managing the bilateral relations.”

The book also contains the personal account by Bellocchi of two key meetings with then president Lee Teng-hui. The first one was during the stopover in Honolulu in May 1994, when the US government did not allow President Lee off the airport for meetings with the local community, forcing the President to stay on the Boeing 747 during the refueling, angering him in the process.

The second meeting was in June 1995 at Cornell University, and took place under totally different circumstances: Congress had gotten into the act and had prevailed on the Clinton Administration to allow Lee to visit his alma mater and give a speech there. The House had voted 396 to 0 and the Senate 91 to 1 to grant Lee a visa. Bellocchi presents new insights into the US decision making and reactions within the US government to the Lee visit.

The Cornell episode prompted China to ratchet up tension in the area by launching missiles into the seas surrounding Taiwan. The tension didn't abate until March 1996, when – during the first-ever Taiwan presidential elections – China repeated missile firings which finally prompted the US to move aircraft carrier battle groups into the region.

Bellocchi spends quite a number of pages going through the various scenarios for Taiwan's future, and describing the US policies needed to move in that direction. He in particular argues for stronger support for democracy in Taiwan, and for the country's membership in international organizations. He writes that *“Its diplomatic isolation is very broadly and very deeply felt.”*

Overall, it is a comprehensive book, with many insights into US policymaking – or lack thereof – in the 1990s. An excellent account by an American diplomat who stood for basic American values and principles.

The complete title of the book is ***The Path to Taiwan's Democracy: Memories of an American Diplomat***. By Ambassador Nat. H. Bellocchi. Published by: Amazon.com. July 2010.

FROM:
Formosan Association for
Public Affairs
552 7th St. S.E.
WASHINGTON, DC 20003

First-class Mail
U.S. Postage PAID
Washington DC
Permit no. 354

ISSN Number: 1027-3999

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September / October 2010

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Book Review

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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

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