



Taiwan Communiqué

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Ma Ying-jeou drifting off to China *May 19th protest draws 150,000*

On 19 May 2012, the day before President Ma's inauguration in Taipei, some 150,000 people took part in a series of protests against the policies of the newly elected government. The main issues causing popular resentment were Ma's waffling on the US beef issue, the sudden hikes in electricity rates announced in April 2012 (see *Ma's popularity sinking deeper*, pp. 5-10), and the further drift of the Ma government in China's direction.

Photo: Taipei Times

The demonstration started in the afternoon, with protesters coming from three different locations in the city: National Taiwan University, Wanhua Railway Station and the Songshan Tobacco Plant. The three processions were respectively led by former DPP Presidential candidate Dr. Tsai Ing-wen, DPP acting chairperson Chen Chü, and former premier Su Tseng-chang, who was subsequently elected DPP chairperson on 27 May 2012.

The three processions converged at Beiping East Road, where the rally was held from 6:30 pm until well into the evening. The main theme of the rally was "*Hard Times, the president owes the public an explanation*" with speaker after speaker calling on the Ma government to do a better job at controlling fuel and electricity prices, to maintain



May 19th 2012 rally against Ma government policies

the ban on the import of beef containing ractopamine, and to reject the “One country, two areas” fallacy.

Former DPP Chairperson Dr. Tsai Ing-wen gave a moving speech, in which she said: *“We do not ask for much. We are only asking for a responsible president who will stand up and defend Taiwan’s sovereignty and democracy, and who runs an efficient and effective government.”*

Photo: Taipei Times



Dr. Tsai Ing-wen and other DPP leaders at the rally

Tsai then made a four-point statement in response to an impromptu press conference Ma had held on the afternoon of May 18th, in which Ma had acknowledged the public discontent, and made vague promises to do better. Tsai said: *“Ma’s remarks show that he really doesn’t*

understand why his standing in the polls are so low, and why the people are so unhappy with his policies. He did not say anything that touched the core of the problems.”

Inaugural address adds to confusion

On 20 May 2012, President Ma Ing-jeou was inaugurated for his second term in Taipei, in front of an audience of local officials and international dignitaries. In his address he lauded his accomplishments during his first term in office, in particular in regards to cross-Strait relations.

He then elaborated “five pillars” which would lead to national growth in what he termed the “golden decade”, bolstering the island’s global competitiveness. However, Prof. Wu Rong-I, a noted economist and president of the Taiwan Brain Trust think tank, commented after the address that the concepts were vague, conflicting and cliché, and would contribute little to solve Taiwan’s economic woes.

In his address, President Ma also elaborated on the island’s national security, and said that his policies had three legs: cross-Strait rapprochement, the use of “viable diplomacy”

to establish more international breathing space, and the use of military strength to deter external threats.

What he said under the cross-Strait rapprochement heading became most controversial, as he not only reiterated the anachronistic 1992 Consensus concept, but also stated that the newly-minted “One China, two areas” concept (see *Taiwan Communiqué* no 135, p. 11) referred to his idea that Taiwan and the Chinese mainland were part of “one Republic of China”.

Ma then gushed that the people of the two sides of the Strait “share a common Chinese ethnic heritage Common bloodlines, history and culture.” He also stated that “Taiwan’s experience in establishing democracy proves that it is not impossible for democratic institutions from abroad to take root in an ethnically Chinese society.”

At the end of his speech, he also referred to the persisting political divide in Taiwan, and said that despite the “many difficulties over the past several years between ruling and opposition parties” he believes “we share a common commitment to democracy.”

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comment: While Mr. Ma’s appeal to a Taiwan consensus at the end of his speech is to be appreciated, he himself is still the cause of much of the political divide on the island. During the election campaign for January’s presidential elections, he viciously attacked DPP candidate Dr. Tsai Ing-wen, when she proposed a “Taiwan Consensus” as a basis for moving forward instead of the anachronistic “1992 Consensus” lauded by Mr. Ma.



General criticism of Ma's second inauguration

His emphasis on a common Chinese heritage, bloodlines etc. also totally disregards the fact that a large majority of people on the island consider themselves “Taiwanese” and cherish the multicultural character of the society, which is based on Taiwanese aboriginal origins, and the Dutch, Spanish and Japanese influences which are part of Taiwan’s history.

The Taiwanese do not deny the Chinese heritage, but emphasize that it is part of a multi-faceted, and multi-cultural society, very much like the American culture being influenced not solely by its British origins but by a rich combination of influences from other cultures and societies.

But the statements by President Ma on the “One Republic of China, two areas” concept are the most peculiar and worrying, requiring a more detailed analysis, given below.

The “One ROC, two areas” fallacy

In the previous issue of *Taiwan Communiqué* we summarized the discussions in Taiwan on the new “One country, two areas” concept for cross-Straits relations, first mentioned by former KMT chairman Wu Poh-hsiung in a meeting with Chinese President Hu Jintao on 22 March 2012. The Ma administration subsequently stated that this concept was indeed the basis for its further dealings with China, which prompted a chorus of criticism in Taiwan and overseas.

The “One country, two areas” also drew a sharp rebuke from former DPP chairperson and presidential candidate Dr. Tsai Ing-wen who addressed an open letter to President Ma on 11 May 2012, in which she asked “*Is Taiwan a nation? Are Taiwan and China the same nation? And is “one country, two areas” now the core principle for future cross-Straits policy?*”

Dr. Tsai added that maintaining cross-strait peace and stability are a heavy responsibility of Taiwan’s President, but this does not mean that Taiwan should bow to Beijing and compromise on its sovereignty. She said that Ma’s interpretation of the Constitution is totally wrong, as it denies Taiwan a national identity in exchange for some petty economic concessions from the Chinese side, pushing Taiwan into the same subordinate status as Hong Kong.

In his inaugural speech Ma actually made the situation even more confusing by referring to *One Republic of China, two areas*, adding that *...when we speak of “one China”, naturally it is the Republic of China.*

Taiwan Communiqué comment: *This statement shows that Ma is really living in a Never Never Land. If he would grow up and look around him, he would see that everyone else in the world considers the PRC to be the real China. No one in his right mind would think that “China” is Mr. Ma’s outdated Republic of China, and even fewer people would think that the mainland is part of the ROC. But this is the silly fiction in which Ma and his government are presently wrapping themselves.*

It is also interesting to note that according to one pro-Kuomintang observer in the US, Mr. Douglas Paal, this statement was made in response to demands from senior Chinese officials, who indicated before the inauguration they needed a “small concession” from Ma: that he reassert in some way that Taiwan is part of a greater “One China” (Outlook for cross-Strait relations, Carnegie Endowment, 12 June 2012).

If Mr. Paal’s assertions are correct, then Ma’s inaugural statements are even more worrisome, as he is then taking his directives directly from Beijing. This would not bode well for Taiwan’s democracy and its future.

Ma’s popularity sinking deeper

Opinion polls show sharp decline

Although in the January 2012 presidential elections President Ma Ing-jeou was elected with a comfortable majority (51.6% over 45.6% for his main opponent, DPP Chairwoman Dr. Tsai Ing-wen), his popularity has been dropping sharply during the past two months.

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The first indications came in mid-April 2012 when two major polling organizations reported that the President’s popularity ratings had dropped to around 20%: the pro-government **TVBS** poll of 19 April 2012 showed a popularity rating of 22% while the **Taiwan Braintrust**, a think tank aligned with the democratic opposition of the DPP, showed that Ma’s popularity had sunk to 18.7%, the lowest approval rating since typhoon Morakot in August 2009.



Ma Ying-jeou on his horse: "I don't think my drive to stabilize retail prices is working"

Subsequent polls confirmed the dismal picture for the Ma administration: at the end of April 2012 the **Taiwan Thinktank**, another green-leaning institution published a poll

showing Ma's popularity sinking and discontent with his policies rising sharply. Interestingly, the Thinktank poll also indicated that 77.6% of the respondents said that issues related to people's daily lives should be top priority, while only 5.7% said that cross-Strait relations was the most important issue.

In mid-May there were yet two more opinion polls: The newly established **Taiwan Indicators Research Survey** (TIRS, who grew out of the Global Views Survey organization which was closed down in October 2011) showed that 67.1% of the respondents disapproved of Ma's performance. The survey also indicated some interesting responses about Ma inaugural address: 36.3% were not happy with the address, 16.7% agreed with the speech, while a whopping 47.3% were not aware of what was said in the speech or did not answer.

In the following section we briefly elaborate on the reasons and issues that prompted the sudden decline in popularity.

Mishandling the US beef issue

In our previous issue we reported that the relations between Taiwan and the US were off to a rocky start in the New Year, when right after the elections it became clear that the Ma administration intended to ease restrictions on the import of US beef containing ractopamine, a growth hormone feed additive (*Where is the beef, Taiwan Communiqué* no. 135, pp. 13-15).

The debate intensified in April 2012, with many civic groups and the democratic opposition of the DPP and Taiwan Solidarity Union opposing relaxation of the restrictions, and expressing support for the import of organic beef from the

US instead. This follows a model set by the European Union, which recently signed an agreement with the US providing for the import ractopamine-free beef only.



US beef issue: "What is our commander doing on the other side?"

The arguments for applying the EU model to Taiwan were set out in an article in the **Taipei Times** by Dr. Winston Dang, a former US EPA official who served as Taiwan's minister for environmental protection in the DPP administration: *Taiwan can learn from the EU over the beef issue*, Taipei Times, 29 March 2012, <http://www.taipeitimes.com/News/editorials/archives/2012/03/29/2003528947>

However, the Ma administration continued to insist on ending the ban on ractopamine altogether, and started to push for an amendment of the Act Governing Food Safety, which presently contains a provision passed by the Legislative Yuan in January 2010, banning the growth hormone substance.

Photo: Taipei Times

But the battle proved to be a tough one: due to grassroots pressure in support of strict food safety measures, even a number of Kuo-mintang legislators defied the Ma administration by refraining from supporting the government-sponsored amendment. At a legislative session



Democratic opposition legislators protest handling of the beef issue in the Legislative Yuan

on 27 April 2012, the absence of 14 KMT lawmakers resulted in a tie that was only broken when the Legislative Speaker Wang Jin-pyng cast his vote.

In three subsequent sessions, on May 4th, May 12th and May 25th 2012, the Kuomintang was only barely able to defeat an opposition motion to halt imports of US beef containing ractopamine. Interestingly, even the pan-blue People's First Party (PFP) of James Soong sided with the opposition on the issue.

In early June 2012, the US poured on the steam when USTR representative Ron Kirk told Taiwan's Economics Minister Shih Yeh-shiang at an APEC meeting that the US will not resume high-level trade talks in the TIFA (Trade & Investment Framework Agreement) context unless the beef issue is resolved.

President Ma followed suit and made it clear to the dissident KMT legislators in early June that if they did not follow the government policy line, they would not receive the KMT's support in upcoming elections. Still, many of the KMT legislators hesitated, as opinion polls showed strong grassroots support for a continuation of the ractopamine ban.

On 10 June 2012 a number of civic groups including the **Consumers Foundation** demonstrated again in Taipei against a schedule vote in the legislature on lifting the ban. Foundation chairwoman Joann Su asked why the government was in such a hurry, in particular since the Codex Alimentarius Commission, an international forum dealing with such issues, is scheduled to come out with a report on maximum safe levels of ractopamine in July 2012. "*Why can't we wait*" she asked.

On 11 June 2012, a poll released by **Taiwan Indicators Research Survey** (TIRS) showed that 63.4 percent of respondents *disagreed* with the government's claim that easing the ban on US beef imports was necessary for the resumption of (TIFA) negotiations with the US. Only 26.5 percent of respondents said they accepted the precondition. The poll also showed that 46.8 percent of the respondents said they support recalling legislators who favor relaxing the ban compared with 39.4 percent who did not support a recall.

When this issue of *Taiwan Communiqué* went to press, the Legislative Yuan had not made a decision yet while the legislative session officially ended on June 15th. There were reports however that the Ma administration would lift the ractopamine ban by executive order or that the legislature would hold a special session.

Taiwan Communiqué comment: *It is regrettable that the beef issue has become such a major bone of contention between the US and Taiwan. As we have stated earlier, it is first and foremost a legitimate health issue, and secondly a protest against the high-handed handling of the issue by the Ma administration.*

As of now, it seems that the US is forcing a solution down Taiwan's throat by linking it to resumption of TIFA talks. This is a mistake which is not in the interest of the long-term relations between Taiwan and the United States. As the senior partner in the relationship, the US needs to show its magnanimity, move forward with TIFA and deal with the beef issue in that context.

Forcing it down Taiwan's throat will also not sit well with those on the island who have worked hardest to achieve democracy. The present strong-armed tactics by the Ma administration and abuse of its power in the Legislative Yuan is undermining the quality of democracy on the island.

In order to achieve a real long-term solution we do suggest that the US seriously consider the EU model as a model for dealing with the beef issue in relation to Taiwan. If there is a political will, there will be a way.

A steep hike in electricity rates

The second issue leading to a sharp decline in Ma's popularity was the announcement that the government-run utility company, Taipower, was going to increase the electricity rates in mid-May 2012 by a whopping 35%. The reports led to an immediate backlash by the general public as well as legislators across the political spectrum.

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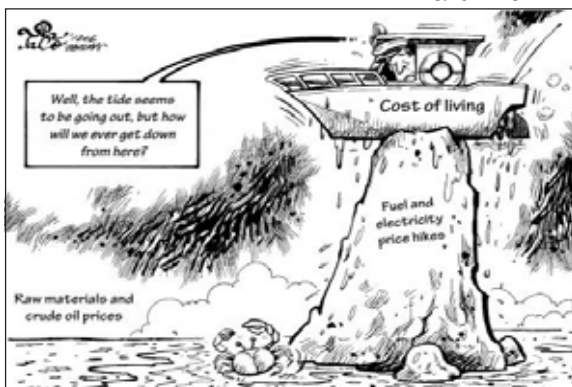
Taipower officially announced the rate hikes on April 12th, but the strong backlash prompted the Economic Affairs Ministry, which oversees the utility company, to temporarily block the move in an attempt to soothe the public anger and to create time to find alternatives.

Even the usually strongly pro-Kuomintang big companies like chipmaker UMC strongly protested the move, while business groups called for a

more gradual rise in stages. The electricity rate hikes came on top of increases in gasoline and oil prices, also government-controlled, on 1 April 2012.

The DPP and civic groups charged that the fact that Taipower and the Chinese Petroleum Corp. are state-run companies and have a monopoly has led to major inefficiencies. They suggest that a major streamlining of both organizations is required before any rate hikes can be considered.

On 1 May 2012, President Ma himself announced a revised rate hike plan under which a hike of 14% would be implemented in June, another one in December 2012, and the remaining 7% "after the public is satisfied with Taipower's reform efforts."



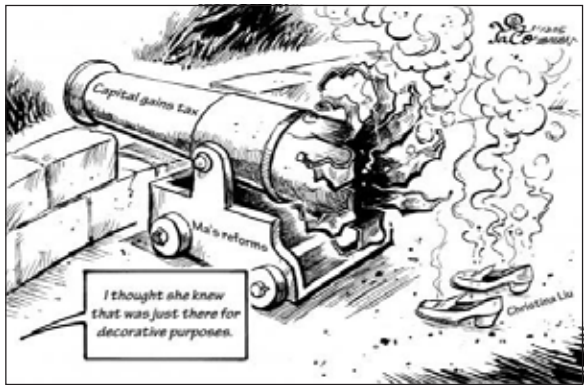
Fuel and electricity price hikes driving up the cost of living

The capital gains tax debacle

In early April 2012, Taiwan’s ministry of finance announced it would submit a tax and fiscal reform plan to the Legislative Yuan, and that a capital gains tax would be a major element of the plan.

The announcement was a follow up to statements made by president Ma, who, during the campaign in the run-up to the January 2012 elections, said he would introduce such legislation. He was responding to charges by DPP candidate Dr. Tsai Ing-wen that his government only favored the rich and big business, and didn’t care about the average citizen.

On 12 April 2012, a draft bill was submitted to the Cabinet for review, however, when details emerged, they caused a major uproar among Ma’s powerbase in the business community. By the end of April, industrial and financial leaders were in open revolt against the plans.



Copyright: Taipei Times

I thought she (Finance Minister Christina Liu) knew she was just there for decorative purposes

Finance Minister Christina Liu, who had just become minister in January 2012, had put her reputation on the proposals and tried to stick to her guns. Initially Ma supported the Finance Ministry proposals. In a meeting with the KMT Central Standing Committee on 9 May 2012, he stated “The KMT will solemnly devote itself to pushing the policy. The public should not doubt our determination to promote tax reform.”

However, after the KMT Caucus in the Legislative Yuan came up with an alternative, watered-down version, Ma got weak knees and dropped his support for the original proposals, prompting Finance Minister Christina Liu to submit her resignation on 29 May 2012.

The debacle and flip-flop added to the overall image of lack of cohesion and even incompetence within the Ma administration, contributing further to the sharp decline in popularity of the president, prompting the Wall Street Journal to refer to him as the “lamest of lame ducks” (*Taiwan’s president: already starting to quack?*, WSJ, 31 May 2012).

Taiwan's democracy: whose is it anyway?

By Julian Baum, former correspondent for the Far Eastern Economic Review and The Christian Science Monitor

It should not be surprising that the ruling Chinese Nationalist Party (Kuomintang or KMT) boasts that Taiwan's democracy is a "Chinese democracy" and that it is the "pride of ethnic Chinese" around the world and the "first democracy on Chinese soil", as President Ma Ying-jeou has said in speeches during the past year.

This emphasis on its Chineseness has been an inherent part of the Kuomintang rule, since the Chinese Nationalists fled to the island in 1949. However, the present situation begs the question whether democracy was achieved *due to* or *in spite of* the Chinese character. I would argue that the main driver of democratization was the desire of the native Taiwanese to achieve democracy and human rights. For decades, they were disenfranchised and eventually pushed through a democratization that was resisted and opposed by the Chinese Nationalist rulers.

One of the KMT's explicit goals during the decades of martial law (1949-1988) was to sinicize the Taiwanese people, their culture and governing institutions, which the KMT rulers claimed were "insufficiently Chinese" after half a century of Japanese rule. The coercive program of cultivating and imposing an imported identity ranged widely, from language and history to moral education and political ideology.

Recently, political scientist Huang Kwei-bo of National Chengchi University told a conference in Washington DC that Taiwan has preserved the best of Chinese tradition and culture since 1949. He proposed that Taiwan's public diplomacy strategy should focus on the island-nation's exemplification of a "Chinese" society that should be emulated in China itself. "We're proud to say that Taiwan's culture is Chinese culture with Taiwan characteristics," Huang told an audience at the Brookings Institution in May.

Is this good public diplomacy? Or is it the latest phase of a decades' long campaign to legitimate the KMT as the rightful heir to the Chinese nation-state and as the moral superior of its historic rival in Beijing? It is surely some of both.

That this society is a model of liberal democracy is no small achievement. But it's one that belongs to the Taiwanese people and should not be exploited for partisan advantage or cast in merely ethnic terms.

There is no question that contemporary Taiwan has absorbed traditional Chinese culture, political ideas and institutions. Waves of immigrants from China and especially the transference of the KMT's party-state in 1949 have influenced Taiwanese society and politics and structured its governing institutions, sometimes in helpful ways.

But transplanted values and institutions must adapt to survive in new soil. At some point they take on a new identity, especially when what ultimately distinguishes them are the very ingredients missing at their original source. In Taiwan's case, these include the principle of the sovereignty of citizens over their government and one of the most active civil societies in Asia.

With these transformations no longer in dispute, the KMT must recognize that beyond the revered symbols and legacy of their party-state lies a society and government newly revealed. The result is an island-republic and its people who are Taiwanese, with Chinese characteristics, not the other way around.

Even those who are strong advocates of the KMT's traditions and governing philosophy acknowledge the many distinctive aspects to Taiwan's culture and politics that are absent in contemporary China and have no precedent in the past. "Taiwan's democratization....seems unique compared with other Chinese societies in the twentieth century," wrote Linda Chao and Ramon Myers in their interpretation of Taiwan's political development, *The First Chinese Democracy, Political Life in the Republic of China on Taiwan*. (Johns Hopkins Press: 1998).

Chao and Myers are among the most prominent defenders of the KMT's accomplishments and heritage. They incorrectly credit the *'tangwai'* and founders of the Democratic Progressive Party with only a minor role in Taiwan's democratic revolution and ignore the continuing risks to democracy of the KMT's autocratic legacy. But even these KMT-friendly scholars recognize the exceptional circumstances that allowed the peaceful development of democratic institutions and identify what sets Taiwan apart.

Other scholars of Taiwan's political history credit the Presbyterian Church with a vital role in leading and nurturing respect for human and political rights during the troubled years of martial law and well into the democratic era. Like the church in medieval Europe and through the ages, the Presbyterians and other faith groups in Taiwan offered refuge to dissidents, solidarity with an international network of activists, and resources for resisting an autocratic regime and eventually enfranchising civil liberties.

Political sociologist Richard Madsen shows how other faith traditions have influenced the democratic outcome. Madsen documents a religious renaissance among Buddhist and Taoist groups during the past several decades that coincides with and reinforces the transition to democracy by stabilizing community relations and harmonizing fragmented populations.

“Taiwan’s democracy has often seemed on the verge of chaos, [but] it has not fallen into chaos, and one important reason it has not done so has been the modernizing, healing, and solidarity producing influence of [these] religious groups...” Madsen writes in *Democracy’s Dharma, Religious Renaissance and Political Development in Taiwan* (University of California Press, 2007).

The contributions of these religious groups have gone largely unnoticed by Western experts on Taiwan’s politics. One reason for this, Madsen says, is skepticism that religion can play a positive role in establishing the norms of democratic equality and community, a proposition famously documented in 19th-century America by Alexis de Tocqueville, but often ignored by modern social science.

Madsen also observes that religious groups in Taiwan are helping to modernize Confucian traditions to make them more compatible with modern thought and democratic values, another development that has no clear parallel in China.

The social transformation most crucial to democracy is popular self-awakening to citizen responsibility, civic activism, and caring for community. These cultural norms must be developed at the grassroots. While they may not extend to the entire population, there should be a critical mass of active responsible citizens to make democracy work. Taiwan has reached this critical mass. Even President Ma has noted that the island’s 40,000 civic organizations and vibrant civil society are the heart of Taiwanese democracy.

Whatever its complex history, Taiwan’s governing system and democracy now belong to the Taiwanese people. Democracy may be a universal value and must always be a work in progress. But its specific forms are distinctive, if not unique. The island-nation’s democratic traditions and institutions are not a passing accommodation of local demands or a prize won in a quest for some larger goal. They are the distinctive and permanent legacy of a society that has justly claimed its right to self-government as a Taiwanese democracy.

Taiwan and Chinese dissident Chen Guangcheng *Taiwan's beacon starts to flicker*

By Nat Bellocchi. Mr. Bellocchi served as chairman of the American Institute in Taiwan from 1990 to 1995. This article first appeared in the *Taipei Times*, 29 May 2012. Reprinted with permission.

A few weeks ago I wrote an article about the Bo Xilai dismissal in which I argued that his case was illustrative of the endemic corruption in China and that it would be good for Taiwan to build better firewalls between itself and China so that it is better protected when things go wrong in Beijing (*"Leading by example is a good way to influence," Taipei Times*, April 30, page 8).

Copyright: Taipei Times

This time I would like to focus on a very different case: that of the blind human rights lawyer Chen Guangcheng, who was able to come to the US with his family last week, but only after protracted high-level negotiations between the US and China. The Chen case attracted widespread international attention because of the outrageous injustice he and his family had to suffer at the hands of the Chinese authorities.



Universal rights that apply to all places

However, Chen was lucky: He had many supporters and the Western media were able to highlight the case and bring it to the attention of the international public. Many millions of people in China are less fortunate and have to suffer in silence and obscurity. The basic problem is that China still languishes under an authoritarian political system, in which there is no justice or freedom to speak out.

The Chinese Communist Party (CCP), the military, the People's Armed Police and a wealthy elite become more corrupt by the day, while the average citizen has very little room for maneuver and cannot speak out against injustice at the risk of ending up in prison or worse.

How does this connect to Taiwan? My main point is that China is becoming increasingly corrupt and repressive, and that it would therefore be prudent to keep a safe distance from China and work toward a future in which Taiwan is a full and equal member of the international family of nations. The people of Taiwan worked so hard to achieve democracy only 20 years ago and they need to keep working hard to safeguard that democracy.

Erosion of democracy and human rights is not something that happens overnight, but is a process in which these freedoms are slowly whittled away. If Taiwan is to be a bulwark for democracy in East Asia, its people need to stand up and speak up when they see injustice.

This is especially important when this injustice takes place in China: the CCP regime thinks it can gradually take over Taiwan by undermining its democratic foundations. It needs to hear loud and clear that the people of Taiwan will defend not only their own democracy and human rights, but will also speak up for freedom and justice elsewhere.

This voice for freedom and justice needs to be raised in the face of Chinese repression in Tibet and East Turkestan, and also in regard to what the CCP government is doing to its own people. That is why the people of Taiwan need to strongly express themselves in support of Chen.

In closing, I would like to paraphrase the famous quote from the German pastor **Martin Niemöller**, who criticized the inaction and hesitance of the German intelligentsia to speak out during the Nazi rise in the 1930s. In the present circumstance, this quote might read as follows:

“First they came for the Tibetans, and I did not speak out because I was not a Tibetan. Then they came for the Uyghurs, and I did not speak out because I was not a Uighur. Then they came for Chen Guangcheng, and I did not speak out, because I was not a blind lawyer. Then they came for me, and there was no one left to speak out for me.”

That is why it is essential for the Taiwanese people to speak out whenever they see injustice, in Taiwan, in China or elsewhere.

Former President Chen Shui-bian's health *Prison conditions continue to cause concern*

In the previous issue of *Taiwan Communiqué* we reported on the health and prison conditions of former President Chen, who is serving 17 ½ years on two partially concurrent prison sentences. In early March 2012, he was hospitalized and underwent treatment for heart problems. But after a week he was returned to prison, prompting anger among his supporters in Taiwan, and an international campaign for a medical parole by Taiwanese-American organizations in the United States.

Photo: Taipei Times

Since then the former president was examined twice: on May 9th two courageous medical doctors, Dr. Wen-je Ko chairman, Department of Traumatology, National Taiwan University Hospital, and Dr. Cheng-deng Kuo of the Taipei Veterans General Hospital visited him in the prison and were allowed to do a quick check-up.



Former President Chen, being returned to the prison

On 23 May 2012, the former president was allowed out of prison for six hours for a fuller examination at Cheng Kung Memorial Hospital in Taipei. However, the doctors complained that this was by far not long enough to do the tests necessary for a full diagnosis of his ailments. They were particularly concerned about a darkening of his skin and cold and sweaty limbs. They also said he suffered from stomach acid reflux and damage to his knee caps as he was forced to kneel down on the floor because of the lack of a chair or bed in his cell.

The doctors also called for Chen to be able to work outside his prison cell, like all other prisoners. At present, the prison authorities do not allow him to work, for “reasons of security.” The doctors argued that the former president could do some gardening or library work in order to reduce the claustrophobic effects of being in a cell for 23+ hours a day.

Also, in early June 2012 a team of doctors from the United States visited Chen in prison and concluded that the conditions of Chen’s confinement are “unacceptable” and are

affecting Chen's physical as well as mental health. Dr. Ken Yoneda and Dr. Charles Whitcomb, who both teach at UC-Davis in California were accompanied by Taiwanese-American Dr. Joe Lin, and visited Chen in prison on 11 June 2012.

They said that Chen's health and the conditions of his confinement were "disturbing" and an issue of human rights and humanitarianism. They urged a medical parole, and said that if the conditions were not corrected, Chen would develop post-traumatic stress disorder.

Members of Congress urge investigation

On 20 April 2012, Congressman Dan Lungren (R-CA) released a letter addressed to Reps. Frank Wolf (R-VA) and Jim McGovern (D-MA), co-chairs of the United States Congress Tom Lantos Human Rights Commission, strongly urging them to investigate the continued incarceration of Taiwan's former president Chen Shui-bian.

Lungren is a member of the Lantos Commission, which is a bipartisan congressional caucus of 79 members of the U.S. House of Representatives, with a mission to "*promote, defend and advocate internationally recognized human rights norms in a nonpartisan manner, both within and outside of Congress, as enshrined in the Universal Declaration of Human Rights and other relevant human rights instruments.*"

In the letter to the Commission co-chairs, Lungren called attention to "disturbing reports that have emerged in recent weeks about the deterioration in the health and physical condition of the former President of Taiwan, Chen Shui-bian."

Lungren referenced reports by Taiwanese media that Chen had been diagnosed with a prostate tumor, acute coronary syndrome, and potentially fatal reduced blood flow to the heart, during a comprehensive medical exam in March. The former president's doctors attribute his poor health to deprivation of sunlight and confinement to a small cramped cell inside Taoyuan County prison, where he is permitted only 30 minutes of exercise per day, contrary to established international human rights norms.

The letter cites Section 2(c) of the Taiwan Relations Act, which states, "*The preservation and enhancement of the human rights of all the people on Taiwan are hereby reaffirmed as objectives of the United States,*" as the statutory basis for the U.S. Congress to investigate Chen's case, and requests that the Commission "*strongly urge the government of Taiwan to grant former president Chen medical parole in order to receive adequate medical treatment.*"

A few days later, on 26 April 2012, another California Congressman, Edward R. Royce (D-CA) sent a letter to Taiwan President Ma Ying-jeou, expressing his concern about the deteriorating health and physical condition of former President Chen. Congressman Royce urged president Ma to grant the former president medical parole in order to receive adequate medical treatment.

Former Alaska Governor Murkowski speaks out

By Frank Murkowski, former governor of Alaska and a US senator. This article first appeared in the Taipei Times on 7 June 2012 under the title “Treatment of Chen is a national disgrace.” Reprinted with permission.

As a former governor of Alaska (2002 to 2006) and also having served for 22 years in the US Senate, I have a strong interest in US relations with East Asia. Within that context, Taiwan is a place close to my heart, because I personally got to know the two men who pushed Taiwan in the direction of democracy, former presidents Lee Teng-hui and Chen Shui-bian.

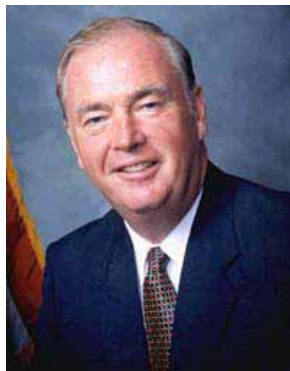
Since that time, Taiwan has gone through some more cycles of change of government, which is an inherent part of a democratic system. Indeed, in January, I headed the observer mission of the International Committee for Fair Elections in Taiwan (ICFET), an international group of 19 academics from eight countries.

Our report on our findings is scheduled to come out in the next few weeks and I can already say that our conclusion is that the elections were mostly free, but only partly fair. You can read more details when the report comes out.

However, my comments here are not about the elections, but about the overall direction of the country.

It is undoubtedly clear that Taiwan lives in the shadow of an aggressive neighbor, but it should not allow that to determine its future as a free and democratic nation.

Taiwanese have worked long and hard for their democracy, and they need to continue to work hard to preserve and nurture their freedom and liberty. This work needs to be done



Frank Murkowski

internally, when they assess the functioning of the system of checks and balances — the legislature needs to be a stronghold of democracy where people with vision look after the longer-term interests of their constituents.

Freedom and liberty also need to be nurtured in the judicial system. Many observers say that the judiciary is still strongly influenced by the politics of the ruling party and that there is a strong need for judicial reform. The legal community needs to champion the democratic process in Taiwan.

This brings me to a very specific issue of injustice — the way Chen is being treated. I am not discussing whether he was or was not guilty — although a number of international observers, such as Jerome Cohen, question whether he received a fair trial. I am specifically focusing on his need for adequate medical treatment and the conditions under which he is being detained.

Most recently, on May 23, Chen was allowed to go to Cheng Kung Memorial Hospital for only six hours. Doctors said that they would need much more time to treat him adequately and that the six-hour time span had been a “political condition” imposed by the authorities.

The right thing to do would be for the authorities to release him on medical parole.

The second aspect is the conditions under which he is being detained — a small cell, with no bed, chair or desk. If he wants to write, he has to lie down on the floor. Such treatment is unconscionable and reminiscent of the Soviet Union more than 45 years ago, not Taiwan in 2012.

The least that needs to be done is to give him an adequate cell, with a chair, desk and regular bed. Like other prisoners, he should be allowed to work outside his cell in the daytime, engaging in some physical activity. Finally, he should have full access to his lawyer and comprehensive medical care.

Dealing with controversial issues like this is not easy, but a fair and humanitarian resolution is essential if Taiwan wants to be considered a full democracy, worthy of international respect.

Report from Washington

House resolution calls for normalization of relations

On Monday, 7 May 2012, United States Congressmen Michael McCaul (R-TX), Robert Andrews (D-NJ), and Sam Johnson (R-TX) introduced a new resolution in the U.S. House of Representatives, calling on the United States government to resume diplomatic relations with Taiwan.

H. Con. Res. 122 urges the President to: (1) abandon the fundamentally flawed ‘One China Policy’ in favor of a more realistic ‘Once China, One Taiwan Policy’ that recognizes Taiwan as a sovereign and independent country, (2) begin the process of resuming normal diplomatic relations with Taiwan; and (3) aggressively support Taiwan’s full participation in the United Nations “*and any other international organization of... for which statehood is a requirement for membership.*”

Of the five countries in the world that the United States government currently does not diplomatically recognize (Iran, North Korea, Cuba, Bhutan and Taiwan), Taiwan is the only full-fledged democracy.

Similar resolutions were introduced in 2005 and 2007 by former Congressman and outspoken Taiwan supporter Tom Tancredo (R-CO), and again in 2009 by former Congressman John Linder (R-GA), another staunch Taiwan advocate in the U.S. House of Representatives prior to his retirement.

Furthermore, the resolution affirms that the Taiwan Relations Act and the Six Assurances constitute the cornerstone of United States-Taiwan relations and establishes “*the reality that Taiwan has functioned as an independent and sovereign country for over half a century.*”



Michael McCaul (R-TX)



Robert Andrews (D-NJ)

Berman urges California to drop “Province of China”

In a letter dated 30 April 2012, ranking member of the House Foreign Affairs committee Rep. Howard Berman (D-CA) called on the California Secretary of State to correct an error in its online voter registration system that forces Taiwan-born California residents to list their place of birth as “Taiwan, Province of China.”

In the previous weeks, numerous Taiwanese Americans in California tried to register to vote online, but were unable to enter their country of birth as “Taiwan”, because the drop down menu for the internet-based voter registration system in California does not allow for such an option. Instead, the system refers to Taiwan as “Taiwan, Province of China.”



Howard Berman (D-CA)

Rep. Howard Berman caught wind of this and wrote to California Secretary of State Debra L. Bowen that: *“With the May 15 registration deadline quickly approaching for California voters, Taiwan-born U.S. citizens in California will be unable to register to vote without signing their name under an inaccurate statement in an official government document.”*

Berman continued: *“It has been long-standing U.S. policy that the U.S. government refers to Taiwan as ‘Taiwan.’ Federal and quasi-federal agencies such as Amtrak, the U.S. Postal Service, and the U.S. State Department, all refer to Taiwan simply as ‘Taiwan.’”* He concluded: *“I would respectfully request that your office, as a government agency, adopt the same terminology in reference to Taiwan.”*

In 1994, Rep. Berman was the primary force behind US legislation allowing for Taiwanese Americans to list “Taiwan” as their place of birth in their American passports instead of “China.” A few days after the Berman letter, the California Secretary of State corrected the error.

In a related matter, on 19 June 2012, Congressman Berman wrote a letter to Department of Homeland Security Secretary Janet Napolitano, urging her that DHS and its agencies such as the Customs and Border Protection stop the erroneous reference to "China (Taiwan)" on I-94 and other forms. He stated in the letter: *“It has been a long-standing U.S. policy that the U.S. government refers to Taiwan as ‘Taiwan.’”*

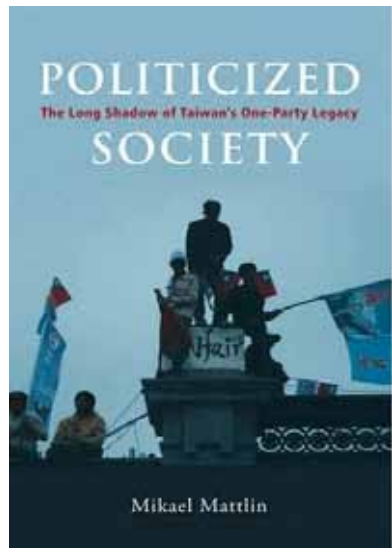
Book Review

Politicized Society: *The Long Shadow of Taiwan's One-party Legacy*

by Mikael Mattlin. Reviewed by Jonathan Sullivan, University of Nottingham

The China Quarterly recently asked me to review Mikael Mattlin's book *Politicized Society: The long shadow of Taiwan's one-party legacy* (2011, Copenhagen: NIAS). I'm glad they did, because it is terrific. I have excerpted the more relevant bits of the review below. If you're reading this blog, chances are you'll want to get hold of this book. It is highly recommended.

As I write this review, Taiwan is in the throes of a typically vibrant campaign, the first combined election for the presidency and parliament (*This review was written before the January 2012 elections - Ed.*). Candidates have put forward their platforms, and attacked and defended their opponents' and their own policies in election ads, at rallies and in televised debates. The opposition candidate, Tsai Ing-wen has mobilized dissatisfaction with incumbent President Ma Ying-jeou's performance and put forward an alternative vision for Taiwan's economic development and relationship with China. That she and her DPP party have become viable challengers to the current regime is a sure sign of the competitiveness and health of Taiwan's democracy.



Given this scenario, it may seem an incongruous moment to note that all is not well with democracy in Taiwan. In this carefully reasoned and strongly argued book (which avoids regressing into polemics despite the major thrust and substantive implications of its theories), Mikael Mattlin provides the most cogent argument yet that many aspects of Taiwan's democratic consolidation remain incomplete. Despite voting for the fifth time for their president, and the genuine prospect of a third change of party-in-power, this book explicitly articulates what many Taiwan scholars have long intimated. Namely, Taiwan possesses the veneer of democracy, but many formal and informal political

structures (including those that fall under the rubric of political culture) are essentially unchanged since the one party era.

Breaking with the conventional wisdom that invokes national identity cleavages as an explanation for political polarization, Mattlin argues that incremental liberalization led by an authoritarian party state allowed it to maintain its power, by carefully choosing what would change (and what would not) and modifying its behaviour accordingly. In the absence of a complete break from the ancien regime, the KMT was able to shape the form that post-democratic political and social structures would take, and ensured that it would continue to benefit from them. At the same time, because it allowed ostensibly free and fair elections and other trappings of democracy, it was able to satisfy the majority of citizens' desire for "democracy," while stealthily ensuring its grip on power.

This is not a polemical text, but it doesn't shirk from laying blame at the KMT's door for refusing to embrace the deep seated democratic reforms that Taiwan needed to make a full transition from the one party era. This refusal is most seriously manifest in its continuing cultivation of patronage networks at all levels of society. And more obviously in the party's essential refusal to cede power following presidential elections in 2000 and 2004.

Never fully accepting that it was no longer the "in-party", the KMT obstructed Chen Shui-bian at every turn, responding to his appointment of a KMT Premier by trying to impeach him. Pan-blue obstructionism in the Legislative Yuan brought it to a virtual standstill. And then, despite losing again in 2004, a result that the party tried its best to annul, Lien Chan visited the PRC in 2005 as if he was an elected head of state.

Clearly there is no quick fix to the serious problems that Mattlin carefully documents, and the book will not convince you that a Ma or Tsai victory in 2012 will facilitate the requisite reforms. Indeed, there is evidence in these pages that elections only serve to exacerbate politicization and ensure the continuation of a long held winner-takes-all mentality. Because Taiwan's political culture has not developed beyond a zero sum conception of democratic competition, parties are essentially engaged in permanent mobilization efforts, hindering both governance and further democratic reform. *Because underlying structural conditions that have not changed since the one party era, the procedural aspects of democracy are a thin veneer under which non-democratic behaviours persist.*

The full title of the book is: **Politicized Society: The Long Shadow of Taiwan's One-party Legacy**, by Mikael Mattlin, until recently lecturing in world politics at the University of Helsinki, presently a research fellow at the Finnish Institute of International Affairs. Published by NIAS Press, Copenhagen, June 2011.

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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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