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New political party wins 23 seats

The Democratic Progressive Party makes a flying start

The December 6, 1986 "supplementary" elections for a limited number of seats in two national-level legislative bodies brought the newly- formed Democratic Progressive Party (DPP) a significant victory: it won 12 seats in the Legislative Yuan and 11 in the National Assembly.

The outcome exceeded all expectations: DPP leaders had cautiously hoped for 10 seats in both houses. The shift towards the DPP was particularly encouraging in view of efforts by the ruling Kuomintang and the government-controlled news media to distort the facts surrounding the confrontations between police and opposition supporters at Taiwan's international airport in Taoyuan (see story on page 15).



Crowd at opposition rally at Lung-shan Temple

On the following pages we present: a brief analysis of the election results; a number of highlights of the election campaign; and an overview of the results in statistical terms.

The main result of the election is that the new party — only three months old — has established itself as a credible force on Taiwan's political scene. All indications are that it has potential to grow rapidly, and — in due time — become a viable alternative to the KMT.

Opposition leader Chiang Peng-chien interpreted the results of the elections as an indication of the broad support in Taiwan for a multi-party political system. However, the ruling Kuomintang has yet to end its ban on the formation of new political parties, although, as early as October 1986, announcements were made — even by President Chiang himself — that this is being planned.

The outcome of the elections also indicates strong support for the new party's efforts to bring about an end to martial law. It can thus be taken as a signal to the Taiwan authorities to speed up the lifting of the 37-years' old martial law, and the associated draconian system of emergency rules and regulations. The martial law system significantly limits such basic freedoms as freedom of speech, freedom of the press, and freedom of association, which are laid down in the "Republic of China Constitution", promulgated by the Chinese Nationalists in Nanking, mainland China in 1946.

The DPP's success also prompted a wide discussion — both in Taiwan and in the international press — on the island's legal status, and on the issues of self-determination and Taiwan independence. We focus on this question in a separate section (see page 12).

The young party's new strength in the Legislative Yuan and National Assembly means an end to the automatism with which the Kuomintang used to be able to pass any measure to its liking. While the DPP will still be far outnumbered by the Kuomintang and its "permanent members", its voice will be heard more strongly, and any unpopular measure will be met with stiff resistance.

The large majorities with which several wives and lawyers of political prisoners were elected (see pages 6-9) indicated a continuing strong support for the human rights cause on the island. It was also a confirmation of their popularity as political leaders in their own right.

Taiwan Communiqué comment: *The Kuomintang, the government-controlled press and even one international publication (Asian Wall Street Journal, December 4, 1986) attempted to play down the role of those linked to the political prisoners and referred to them as martyrs, trying to draw "sympathy votes." We suggest that for the great*

majority of the prisoners' wives and lawyers, this assessment is pertinently incorrect. Certainly, people such as Mrs. Hsa Jung-shu, and lawyers You Ch'ing, Chiang Peng-chien, and Hsieh Chang-t'ing are experienced politicians, who command respect from the electorate for the way they perform their duties as legislators.

Campaign Highlights: Green is the Color

Although the election campaign formally started on 21 November, from the middle of October on DPP-candidates held fundraising “dinners” or “tea parties”, which attracted hundreds, and in some cases several thousands, of people. Typically, the people attending such activities would donate NT\$ 1,000 (approx. US\$ 28.—), and in return would receive a drink, some food, and — as the main course for the evening — a number of speeches by prominent opposition leaders.

In order to gain further momentum in their preparations for the upcoming campaign — and to bring some structure in their brand-new party — the DPP planned a party convention in the beginning of November. However, the authorities warned that no such gathering was allowed before the government's party ban had been lifted. In a typical cat-and-mouse fashion, the DPP went ahead with the gathering anyway, and the authorities pretended it didn't really happen.



The convention was held on Monday, 10 November 1986, in a fifth-floor meeting room in the Asiaworld Plaza Hotel. There, some 170 delegates, who had earlier been elected locally in the various districts and cities, approved a party charter and platform, and then elected a 31-member central committee and an 11-member advisory council. The central committee then elected an 11-member daily executive committee from among its own members elected a party chairman, lawyer Chiang Peng-chien.

Thus, when — on 21 November 1986 — the election campaign formally started, the DPP had its basic organizational framework in place, and was ready to go. Still, the authorities maintained that the DPP-candidates could only run as individual candidates, and prohibited them to use the DPP as their party affiliation on the ballots. The authorities also forbade the use of the DPP-flag (the island of Taiwan on a broad, white cross, against a green background) and the party's name in newspaper advertisements. As it was, only the Independence Evening Post was willing to print advertisements of

DPP-candidates. The major Kuomintang-controlled newspapers, such as the China Times or United Daily News, simply refused to print the DPP-candidates' paid advertisements with time schedules and locations of campaign meetings.

The authorities also accused the DPP of not portraying "the whole country" (i.e. mainland China) on its flag. DPP-chairman Chiang Peng-chien responded: "as soon as the Kuomintang has recovered the mainland, we will put China on our flag."

During the first eight days of the campaign, each candidate was allowed to organize a maximum of six campaign rallies per day (in the second week of the two-week campaign, only government-sponsored rallies were allowed). During the "private" campaigning, most of the candidates would rush from one rally to the next. At each gathering, campaign aides would "warm up" the crowd with speeches and singing. The candidate him- or herself would usually arrive just in time to give the final 20-25 minutes speech. Particularly for candidates in the rural areas this meant a taxing travel schedule, because of the large distances between towns.

The campaign rallies of the DPP-candidates generally attracted large crowds. Taiwan Communiqué editors attended some fifteen of the DPP-gatherings. Daytime-rallies usually drew audiences of two- to three-thousand people. The evening-gatherings drew much larger crowds: three- to six-thousand people for most candidates, while well-known candidates such as Dr. You Ching or Mr. Hsieh Chang-t'ing were able to draw between ten- and thirty five-thousand people to their rallies.

In order to give some balanced coverage to the KMT-candidates, Taiwan Communiqué also attended half a dozen KMT rallies. Most of these were attended by only a few hundred people. In some cases, lesser-known candidates drew only a dozen or so people. Only some well-known KMT-candidates, such as Chao Shao-k'ang (who voiced criticism of his own party), were able to draw more than a thousand people.

Liveliest candidate

The most lively candidate of the whole campaign was Mr. Hsieh Chang-t'ing, one of the three DPP- candidates in Taipei City. He drew larger crowds than any other candidate because of his ability to discuss serious issues in an entertaining manner. His ability to poke fun at the short-sighted policies and practices of the ruling party became a much-discussed topic during the campaign. E.g., when talking about Taiwan's political isolation in the international arena and the Kuomintang's inability to change

this, he would say: “In the United States the Republicans have the elephant as their party symbol, while the Democrats have the donkey. We suggest that the Kuomintang chooses the ostrich — so it can continue to stick its neck in the sand.”

Mr. Hsieh, age 41, is a lawyer with degrees from National Taiwan University and Kyoto University in Japan. In 1980 he was a member of the defense team in the well-known “Kaohsiung Eight” trial, defending a fellow-lawyer, Mr. Yao Chia-wen. In 1981 he was elected as a member of the Taipei City Council, and re-elected in 1985.



Mr. Hsieh Chang-t'ing

Surprisingly, Mr. Hsieh narrowly lost the race for a seat in the Legislative Yuan. He received 70,663 votes — only some 3,600 less than the KMT-candidate who was elected with the lowest number of votes of the eight winners (out of 16 candidates running). Overall, the DPP had more than enough votes in Taipei City (31.3 %) to get their three candidates elected, but one of the other candidates, Mr. K'ang Ning-hsiang (who himself lost in 1983 in a similar glitch), received many more votes

(134,839) than were strictly required to win. Apparently the voters thought that Mr. Hsieh was certain to win, and thus cast their vote for a candidate, who seemingly needed their support more.

Election fraud suspected

Another unexpected DPP-loss took place in Taichung in Central Taiwan: Ms. CHANG Wen-ying, age 36, came in third after two KMT-candidates. According to the official results, Ms. Chang received some 61,171 votes, while the lowest elected candidate received 69,399 votes. However, Ms. Chang suspected fraud: she pointed out that in the Pei Tun district of Taichung, the number of votes cast was much greater than the number of voters registered in the area.

In the early morning of December 7, she led a protest to the Central Election Commission office in Taichung City. Several hundred of her supporters demonstrated

in front of the municipal building. Tension heightened when riot troops arrived. The prosecutor held an emergency hearing. The crowd dispersed after the prosecutor agreed to Ms. Chang's request and sealed off ballot boxes and lists of voters from five polling stations in Pei Tun district.

Ms. Chang is a dentist, who became well-known in Taiwan in early 1980, when she helped opposition leader Shih Ming-teh hide from the secret police after the "Kaohsiung Incident" of 10 December 1979. Ms. Chang was subsequently sentenced along with nine others — among whom Taiwan Presbyterian Church Gen-



Ms. Chang Wen-ying (L) and Mrs. Hsü Jung-shu campaigning

eral-Secretary Kao Chun-ming — by a military court, and served a two years' prison sentence. She is thus the first "Kaohsiung Incident" defendant to run for office.

At her rallies Ms. Chang drew large crowds (varying from 5,000 to 8,000), and told the audiences about her experience in prison. She now has her own dental clinic, and serves as a member of the board of the Taiwan Association for Human Rights.

What is in a cartoon ?

One of the strongest verbal attacks, made during the campaign by the authorities and Kuomintang candidates against the new DPP, was caused by a cartoon: DPP National Assembly candidate Dr. Hung Chi-chang, who ran for — and overwhelmingly won — a seat from Taipei County, used on his campaign flyer a cartoon drawn during the "green ribbon" campaign in April/May 1986 (see [Taiwan Communiqué](#) no. 25, p.2). The cartoon depicted a slightly befuddled President Chiang Ching-kuo, wrapped up in a green ribbon. The accompanying text argued in favor of direct elections of the President.

Immediately, the authorities, Kuomintang candidates, and the KMT-controlled media launched a vicious attack against Dr. Hung for “insulting the head of state.” Dr. Hung, and others who later used the cartoon in their campaign literature, responded that in the United States and Western Europe, heads of states are portrayed in a much more funny — and sometimes nasty — fashion. In their view, the cartoon was rather cute, and was not meant to be malicious at all.

The Election Results

Legislative Yuan. It was significant that in five of the eight election districts, DPP-candidates were the top vote-getters. In fact, the three candidates who had the highest overall scores in the voting for the 73 seats contested in the Legislative Yuan were all outspoken DPP-candidates:



1. Mrs. HSU Jung-shu, who received 191,840 votes, the highest number of votes island-wide. Mrs. Hsu is the wife of Formosa Magazine chief-editor Chang Chun-hung who was sentenced to a 12-year prison term following the 1979 “Kaohsiung Incident.” Mrs. Hsu was first elected to a seat in the Legislative Yuan in 1980 (with approximately 80,000 votes), and was re-elected in 1983 (with some 119,000 votes).
2. Dr. YOU Ch’ing, ran for a seat in the First District (Taipei and Ilan Counties, and Keelung City), where he received the highest score, 159,347 votes. In 1980, Dr. You headed the team of lawyers which defended the major eight defendants in the “Kaohsiung Incident” trial. For the past six years he has been a member of the Control Yuan.
3. Mr. HSu Kuo-tai received the highest score in the Second District (Taoyuan,

Hsinchu and Miaoli Counties) with 141,888 votes. Mr. Hsu is the younger brother of exiled opposition figure Hsu Hsin-liang, whose attempts to return to Taiwan were blocked by the authorities.

Further significant DPP-victories were:

Taipei City:

- * Mr. K'ANG Ning-hsiang, well-known opposition leader, served in the Legislative Yuan from 1975 through 1983;
- * Mrs. WU Shu-cheng, wife of imprisoned lawyer CHEN Shui-pien. Mrs. WU is paralyzed from the waist down after she was run down by a farm tractor in a suspicious "accident" during the November 1985 local elections;

Kaohsiung City:

- * Mr. WANG Yi-hsiung, a lawyer with a Ph.D. from Paris.
- * Mr. CHANG Chun-hsiung, incumbent Legislative Yuan-member, lawyer;

First District (Taipei and Ilan Counties, and Keelung City):

- * Mr. HUANG Huang-hsiung, lawyer, served in the Legislative from 1980 through 1983;

Fourth District (Yun-lin, Chiayi, Tainan Counties):

- * Mr. CHU Kao-cheng, an outspoken lawyer trained in West Germany;

Fifth District (Kaohsiung County, Pingtung and Penghu Counties):

- * Mr. CHIU Lien-hui, former County Magistrate of Pingtung County;
- * Mr. YU Chen-hsien, son of DPP Kaohsiung County Magistrate Mrs. Yu Chen Yueh-ying;

Professional groups: Mr. Wang Tsung-sung, who was surprisingly elected as a labour-group representative. His victory is a sign that workers in Taiwan are becoming increasingly aware of their rights, and they want to vote for candidates who advocate reforms and who can speak out for their rights.

The overall results are given below. With regard to Kuomintang candidates we distinguish between persons nominated by the party, persons approved by the party (i.e. not nominated but running with the KMT's blessing), and other KMT candidates (KMT-members running without the party's blessing).

	Candidates	Elected	Pct. of Seats	No. of Votes	Pct. of Votes
KMT nominated	62	55	75.3 %	4,620,402	61.48 %
KMT approved	12	4	5.5 %	487,231	6.48 %
Other KMT members	17	0	0.0 %	143,818	1.91 %
Sub-total KMT	91	59	80.8 %	5,251,451	69.87 %
Democr. Progressive Party	19	12	16.4 %	1,666,509	22.17 %
Democr. Socialist Party	1	0	0.0 %	1,180	0.02 %
Young China Party	2	0	0.0 %	6,244	0.08 %
Non-affiliated	24	2	2.7 %	590,719	7.86 %
TOTAL	137	73	100. %	7,516,103	100.0 %

From these statistics it is apparent that the DPP's share of the votes was significantly higher than its percentage of the seats won: this is an inherent weakness of the election system in Taiwan, which has multi-member districts. Under this system, votes are cast for individual candidates, who are each running for one of several seats in a district. Under such a system it is necessary for a party to make sure it doesn't have too many candidates in any particular district, which would result in a split of votes. It is also essential to spread the available votes evenly over the candidates, such that as few votes as possible are "lost." While this time the tangwai managed to limit the number of candidates, it was still difficult to achieve an even spread of the votes.

In the new Legislative Yuan, the DPP will have 13 members: the 12 elected on 6 December, and one, Mr. Fei Hsi-ping, a mainlander, who is the only opposition member among the some 231 remaining aging "permanent representatives", elected in China in 1947.

National Assembly

In the voting for 84 seats contested in the National Assembly, two out of the three highest scoring candidates were DPP-candidates:

- * Dr. HUNG Chi-ch'ang, the DPP-candidate in Taipei County, unexpectedly won the highest number of votes of any National Assembly candidate: 161,384 votes. Dr. Hung is an energetic young psychiatrist, who heads the psychiatry division at Mackay Hospital in Taipei. He is the chairman of the Editors and Writers Association, and is also a driving force behind the Labor Rights Group.

- * The person with the third highest overall score in the National Assembly was Mrs. YAO Chou Ching-yu, Taiwan's most well-known human rights advocate. She received the highest number of votes in Taipei City: 125,283 votes. She is thus able to continue her work with renewed strength.

Further well-known DPP-winners are:

- * HUANG Chao-hui, a former campaign aide for many opposition-candidates in Kaohsiung. He is being prosecuted in connection with an incident during the November 1985 election for Kaohsiung City Council (see Taiwan Communiqué no. 25, p.12);
- * Mrs. WENG Chin-chu, the wife of former political prisoner Liu Fung-sung
- * Mr. TSAI Shih-yuan, the publisher of Progress magazine;
- * Mrs. Hsu Mei-ying and Mr. Wu Tse-lang, who were respectively elected into the National Assembly as labour-group and business-group representatives.

	Candidates	Elected	Pct. of Seats	No. of Votes	Pct. of Votes
KMT nominated	59	53	63.1 %	3,481,731	46.9 %
KMT approved	24	15	17.9 %	1,227,495	16.5 %
Other KMT members	19	0	0.0 %	360,696	4.9 %
Sub-total KMT	102	68	81.0 %	5,069,922	68.3 %
Democr. Progressive Party	25	11	13.1 %	1,403,290	18.9 %
Democr. Socialist Party	2	1	1.2 %	69,150	0.9 %
Young China Party	3	0	0.0 %	17,053	0.2 %
Non-affiliated	37	4	4.8 %	862,990	11.6 %
TOTAL	169	84	100. %	7,422,405	100. %

Overall, the 11 DPP seats mean a considerable strengthening of the opposition in the National Assembly: up until now, Mrs. Yao Chou Ching-yu and one other assemblyman were de facto the only opposition members.

The DPP Boycotts Control Yuan Voting

On 10 January 1987, "elections" take place in Taiwan for 22 seats in the Control Yuan. This administrative watchdog body — which has the power of impeachment (but hardly ever uses it) — is supposed to have a total membership of 180, but more than 120 of the original members, elected on the mainland in 1947, have died. The present membership is 69, of whom 37 are mainland leftovers who have "permanent" seats. The remaining 10 members (69 - 22 - 37) were selected by the Kuomintang from the overseas Chinese community.

The 22 Control Yuan members representing Taiwan are “elected” by the Taiwan Provincial Assembly and by the Taipei and Kaohsiung City Councils, in the following manner:

5 members to be elected by the 51-member Taipei City Council;

5 members to be elected by the 42-member Kaohsiung City Council; and

12 members to be elected by the 77-member Provincial Assembly;

At the end of the registration period, which closed on 15 December 1986, 17 candidates had registered in Taipei, 8 in Kaohsiung, and 33 in the rest of Taiwan.

Until two years ago, the voting procedure was relatively simple- each member of the Assembly or City Councils had one vote. With 12 members plus three non-affiliated supporters in the Provincial Assembly, the opposition could get 2 members elected into the Control Yuan. However, in 1984, with a very peculiar amendment of the Election and Recall Law, the Kuomintang authorities changed the rules. Now each member of the Provincial Assembly, Taipei City Council, and Kaohsiung City Council must cast plural votes for different candidates — 6 votes in the Assembly and 2 in the City Councils. This has the effect of diluting the few votes of the DPP members.

Thus, under the new rules, each member in the Provincial Assembly must cast his or her 6 votes for 6 different candidates. The 59 Kuomintang- members in the Assembly can spread their $59 * 6 = 354$ votes over their 12 candidates, so that each of these candidates receives approximately 29 votes. Since the Assembly counts only 12 DPP-members, they could contribute a maximum of only 12 votes to each of six candidates. The new system makes it thus possible for the Kuomintang to achieve a 100 % score.

Presumably, the new rules were designed to counter vote-buying, which had become widespread under the old system. However, all indications are that in the present Control Yuan “election” campaign, vote-buying attained epidemic proportions. Even the pro-government press reported that Taipei City councillors were being offered NT\$1 to NT\$2 million per vote, while in members of the Kaohsiung City Council were apparently able to receive up to NT\$3 million per vote (NT\$1 million is approximately equivalent to US\$ 28,000).

The main reason why the new rules were introduced in 1984, was that the Kuomintang wanted to prevent Dr. You Ch’ing — who was elected to the Control Yuan in 1980 — from running for a second six-years’ term. Dr. You had made good use of his position in the watchdog body, and had initiated a large number of inquiries into corruption and mismanagement. The Election and Recall Law amendment was thus named the “You Ch’ing” amendment. As it turned out, Dr. You ran for a seat in the Legislative Yuan, and was elected with the largest number of votes in his district.

In protest against the new rules, the DPP told its members of the Provincial Assembly and the Taipei and Kaohsiung City Councils to boycott the Control Yuan elections. In an attempt to make the elections appear less rigged, the Kuomintang announced on November 30 that it would nominate candidates for only 9 out of the 12 members to be elected by the Provincial Assembly, and for only 3 out of the 5 members to be elected by the respective city councils.

Overall representativeness still low

With the changes resulting from these elections, the overall picture of the three legislative bodies is as given below. These statistics are based on data issued by the Government Information Office at a press conference in Taipei on November 25, 1986.

	LEGISLATIVE YUAN	NATIONAL ASSEMBLY	CONTROL YUAN
Elected directly by the people on Taiwan:	54	57	--
(S)lected from:			
Professional groups:	16	16	
Women's groups:	--	7	
Aborigines:	2	2	
"Fukien Province":	1	2	
Total number of seats contested on Taiwan:	73	84	22
Appointed from over- seas Chinese groups	27	--	10
"Permanent members", ** remaining from 1947	231	900	37
TOTAL PRESENT MEMBERSHIP	331	984	69
Percentage elected directly	16.3 %	5.8 %	0.0 %

The "permanent members" were elected in China in 1947, and have held on to their seats since then. However, some 600 of the 900 permanent members in the National Assembly are "selected alternate delegates", meaning that they themselves were not elected on the mainland, but were only candidates in those elections. They have now been appointed by the Kuomintang authorities to succeed members who have died since 1947.

The Self-Determination Issue

The results of the elections in Taiwan prompted a number of commentators in the international press to discuss the issues of self-determination and Taiwan independence. The International Herald Tribune highlighted the matter with three articles (the three IHT issues were banned by the authorities in Taiwan), the Washington Post, the New York Times, and the Wall Street Journal dedicated editorials to it, while the London-based Economist contributed a most enlightening editorial, titled “We’re not China.”

The discussion was brought about by the fact that “self-determination” figured prominently in the election-platform of the new opposition party, the Democratic Progressive Party (DPP): the first article of the 12-plank platform stated: “The future of Taiwan should be decided by all the people on Taiwan.” Taken together with other articles in the platform - which emphasized the need for full democracy on the island — this statement represents a clear and refreshingly new alternative to the ruling Kuomintang’s worn-out “recover the mainland” policy.

It was the first time in recent history that this matter has been discussed so widely. Of course the issue is not new: observers familiar with Taiwan politics know that among native Taiwanese — particularly in the overseas communities in the U.S., Japan, and Europe — support for these ideas is widespread. However, in Taiwan itself the ruling Chinese Nationalists have kept a tight lid on such views: until very recently, anyone discussing “independence” openly was quickly put behind bars, while the word “self-determination” was banned: opposition candidates using this term in their campaign literature or in speeches were warned that they were subject to prosecution.

Kuomintang: an accommodation with the majority

The reasons for the Kuomintang’s apprehension are clear: the rulers in Taipei still claim to be the rightful government of all of China. Abandoning this claim would e.g. mean elections for the full legislature by the present population of Taiwan. This would undermine the legitimacy of their rule even further: a Legislative Yuan or a National Assembly without an overwhelming majority of “permanent” mainland seats (as is presently the case), but “only” with representatives elected from Taiwan, could not be counted on to keep old myths such as “recover the mainland” alive.

Still, coming to an accommodation with the native Taiwanese majority on the island (85 % of the population of 19 million) is essential for the Chinese Nationalists. The

mainlanders on the island are in a numeric minority and they know it. Until recently they were able to keep a tight rein on political expression and activity outside their own Kuomintang. A combination of factors, both inside and outside the island, has ended this:

Firstly, there is an increasing political awareness on the island, which is not only due to the increasing importance of a well-educated middle class — as is often emphasized by the Taipei authorities — but primarily to an increasingly active, cohesive, and inventive opposition. The formation of the DPP in September 1986, and the party's excellent performance in the December elections means that there is now a viable political alternative in Taiwan: the DPP has proven to be a credible force, to be reckoned with in the future.

Secondly, the people on the island realize that the present policies of the Kuomintang are leading Taiwan into yet deeper international diplomatic isolation. While the authorities argue that they continue to keep “substantive” (i.e. mainly economic) relations with most countries in the world, the fact that only some 23 nations (either small ones in the Pacific, or authoritarian regimes in Africa or Latin America) maintain formal diplomatic relations with the so-called “Republic of China” is not lost on the Taiwanese. They are looking for an alternative.

Thirdly, both in the United States and Europe, there has been a growing awareness of the undemocratic nature of the political system in Taiwan. Politicians, church leaders and human rights groups exerted a continuous pressure on the Kuomintang to move towards democracy. Particularly in the United States Congress, such as Senators Edward Kennedy (D-Massachusetts), Claiborne Pell (D-Rhode Island), who is the new chairman of the Senate Foreign Relations Committee, and David Durenberger (R-Minnesota), and Congressmen Stephen Solarz (D-NY) and Jim Leach (R-Iowa) have — since the Kaohsiung Incident of December 1979 — worked hard to convince the Taiwan authorities to end human rights violations and move towards a democratic political system. These efforts are starting to have some cumulative effect.

Also, some less-conservative elements within the Kuomintang have begun to realize that in the long run the stability on the island can only be guaranteed if the people have a commensurate say in the government. However, the Kuomintang as a whole is an archaic structure and will move in that direction only very slowly. Particularly the old diehards in the military and secret police organizations will attempt to keep their power-structure in place as long as possible.

Chinese unfinished business

The elderly leaders in Peking see the “liberation” of Taiwan as the last piece of unfinished business in their long struggle with the Kuomintang. Just like the old stalwarts of the Kuomintang, they still consider Taiwan to be a “province” of their China. This claim stems from the last phase of the Chinese civil war, which was fought on the mainland, and in which the native Taiwanese had no part. It wasn’t until after the Cairo Declaration of 1943 (when the Allied Powers unwisely — and without consulting the island’s population — supported Chiang Kai-shek’s claim to Japan-occupied Taiwan) that the Chinese Communists started to voice any claim to sovereignty over the island.

The emphasis given by the DPP to the principle of self-determination apparently caused some disquiet in Peking. In a speech on November 12 on the occasion of celebrations of Sun Yat-sen’s 120th birthday, the chairman of the National People’s Congress, Mr. Peng Zhen, expressed criticism, while on 3 December 1986, Foreign Ministry spokesman Ma Yu-chen declared that he was “firmly opposed” to any moves by Taiwan to seek independence.

Taiwanese basic rights

Thus, both the authorities in Taipei as well as those in Peking appear to want to prevent a discussion on self-determination. This will not be so easy: self-determination is a basic right enshrined in the Charter of the United Nations. It is not to be thrown overboard for the sake of political expediency. All members of the United Nations, including the PRC, are bound to abide by this basic principle. If it is applicable to such outposts of human civilization as Vanuatu and Namibia, which have only a few hundred thousand inhabitants, certainly it is applicable to the 19 million people of Taiwan.

Both the Taipei authorities as well as those in Peking also immediately equate self-determination with independence. Leading DPP- politicians point out that this isn’t necessarily the case: the basic principle underlying self-determination is that all the people on the island together (including those mainlanders who consider the island their home) should — in a democratic manner — decide the future status of the island. This presupposes the existence of a democratic political system, and emphasizes the manner in which a decision should be arrived at. It does not pre-determine the outcome of the decision-making process: this could well be independence, but peaceful reunification, or perhaps an appropriate intermediate solution acceptable to the people

of the island, are not excluded.

It is thus essential that the process of democratization runs its course until the island's people have a fully democratic system. At that time — when a democratically-elected government can speak for the people of the island — a fruitful discussion on Taiwan's future status can be held.

Peaceful coexistence

While the present elderly leaders in Peking and Taipei obviously view the relations between Taiwan and China against the background of their confrontation of over 40 years ago, there is no reason to believe that at some time in the future a new, younger generation of leaders in Peking cannot come to an accommodation with a new and democratically- elected government in Taipei. Then, a peaceful coexistence between China and Taiwan might become possible.

The Taoyuan Airport Incident

Mr. Hsu Hsin-liang is kept out

A few days before the elections took place, a number of incidents occurred at Taiwan's international airport in Taoyuan, some 40 km to the West of Taipei. Mr. Hsu Hsin-liang, an opposition figure who has been living in exile in the United States for the past seven years, had announced he would return to Taiwan.

On Sunday, November 30, and Tuesday, December 2nd, several thousand of Mr. Hsu's supporters attempted to go to the airport to welcome him, but police and riot troops blocked all access roads. Several confrontations occurred. The Kuomintang and the government-controlled news media lost no time in exploiting these, and attempted to pin the blame on the DPP. The leaders of the new party were quick to respond: they had videotapes, showing a version of events which differed significantly from the official version. Below we give an overall account of the sequence of events:

A battle zone

On Sunday morning, the four-lane access road to the international airport looked like a battle zone just before the battle. Rows and rows of helmeted, heavily armed riot troops blocked the road in both directions. Riot control trucks and fire engines stood at the ready. Armored busses loaded with standby troops stood a little way back towards the airport itself. A high barbed wire barricade — backed by a thick line of crack troops — separated the thus heavily-protected airport from...what enemy ?

At the other side a festive crowd gathered. At 11:00 a.m. there were perhaps 1,500 people. Later in the afternoon the crowd grew to some 5,000. Some small campaign trucks of Mr. Hsu's younger brother Hsu Kuo-tai drove down the wrong side of the highway — up to the barricade, their loudspeakers blaring campaign songs. People waved the green flags of the new opposition party: the island Taiwan on a broad white cross against a green background — Taiwan at the crossroads.

For passengers trying to catch their planes, the situation was less festive: a long traffic jam of cars and buses had formed in front of the barricade. At 11:00 a.m. it was perhaps 2 kilometers long. Passengers got out of their vehicles and walked towards the barricade — a long line of nicely dressed ladies and gentlemen, mainly Japanese, Chinese and a sprinkle of others. At the barricade a small passage had been left open, and people who could show airline tickets were allowed to go through.

By 11:30 a.m., the police apparently felt that they could risk opening the barrier a bit further to let cars go through — one by one. In order to create a larger opening, the riot troops used their sticks to push part of the crowd aside. There was some pushing, shoving, and rocks were thrown back and forth between the police and a group of unidentified men on the lower embankment of the road. The fire engines aimed their water cannons at the crowd and sprayed them with water in an attempt to disperse the people. One water cannon used water mixed with red dye.

The confrontation subsided when some DPP officials arrived at the scene and persuaded the crowd to stay calm. Interestingly, during this first episode, a military officer was overheard ordering the riot troops to try to destroy the video camera of a DPP-reporter at the scene.

Repaying an old political debt

A second confrontation occurred at around 2:00 p.m., when 85-years old Mr. Yu Teng-fa arrived after walking some 10 kilometers from Chung-li. Mr. Yu is the patriarch of a Kaohsiung-based political clan, which has dominated local politics there for more than three decades. Mr. Yu came to repay an old political debt to Mr. Hsu Hsin-liang: in January 1979, Mr. Yu and his son were arrested in one of Taiwan's infamous political cases of the seventies. Mr. Hsu and a number of other opposition leaders protested the arrest by holding the first public demonstration in Taiwan since the late forties. The demonstration took place on 22 January 1979 in Kaohsiung. The KMT authorities subsequently ousted Mr. Hsu from his job as Taoyuan County Magistrate for helping organize the protest.

On Sunday, November 30, the arrival of Mr. Yu apparently caused a major commotion among the crowd, which prompted the police to attempt to disperse the crowd again by pushing people away, and spraying them with water. When this did not succeed, tear-gas canisters were fired into the crowd, which had grown to some 5,000. The mood of the gathering turned increasingly angry, and rocks started to fly back and forth between crowd and police. Videotapes which were later distributed widely throughout the island showed that police apparently initiated this episode of stone throwing.

Leading opposition members, such as DPP-chairman Chiang Peng-chien, attempted to cool the situation, but Mr. Chiang himself was hit by a stone, coming from the direction of the riot troops, wounding him slightly. After a while, calm was restored to the area...but the crowd, the barricades, and the riot troops remained in position. In mid-afternoon, a 12-member DPP-delegation was allowed to pass through the barricades and go to the airport's terminal building — about a kilometer further down the road — to see whether Mr. Hsu has arrived or not. Other DPP-officials remained behind, leading the crowd in the singing of folksongs.

Nothing much happened for several hours. Finally, at around 8:00 p.m., the 12-member DPP-delegation returned, and informed the crowd that Mr. Hsu had not been allowed to board any Cathay Pacific flight from Tokyo to Taipei. Mr. Chiang Peng-chien told the people to go home.

The black-and-white police car episode

As the people began to disperse, one of the most interesting episodes of the day occurred: earlier in the afternoon, a long line of regular black-and-white police cars had arrived. Up until that point in time, only grey riot trucks and armored buses, and the red fire engines had been present at the scene. Some 30 of the black-and-white cars, mainly from some towns near Taipei, had driven down the freeway in the direction of the airport. However, because of the traffic jam and the presence of the crowd on the highway to the airport, they had not been able to get any closer than approximately a kilometer or so from the place where the barricade had been erected. The policemen first just sat in their cars, apparently not knowing what to do. After a while, they got out, and started to walk towards the barbed wire barricade (and the scene of the earlier confrontations), simply leaving their patrol cars behind, unattended.

When the crowd was breaking up at around 8:00 p.m., a number of unidentified people started to damage the police cars. First tires were punctured, then windows were smashed, and finally cars were overturned. DPP-officials tried to prevent people from doing this, but to no avail: when DPP-chairman Chiang Peng-chien attempted to stop a group of young men, he was met with a string of verbal abuse.

Police violence without reason

December 2nd was yet another day full of tension: Mr. Hsu Hsin-liang had secretly flown from Japan to Manila, and was trying to get into Taiwan from that direction. He did get on a Philippine Airlines plane, in cognito. But he disclosed his identity when the plane landed in Taoyuan, and quickly security agents boarded the plane and prevented him from leaving the aircraft. The stand-off lasted for a couple of hours, after which the jet took off again, back to Manila...with Mr. Hsu on board.

In the meantime, large numbers of people had gathered in front of the barricades on the airport access road again. However, some 35 supporters who had arrived earlier in their cars and wanted to pass through the security checks, were herded into a cordoned-off area, where — without any provocation — they were dragged out of their cars and beaten severely by the military police. Later, they were taken to a military base, where they were interrogated and beaten again. They were not released until 8:00 p.m., after Mr. Hsu younger brother, Mr. Hsu Kuo-tai went to the Chung-li police station to protest the illegal detention of these people.

Trying to twist the facts

Right after the incidents on Sunday, the Kuomintang authorities and the government-controlled media tried to capitalize on the violence, and attempted to pin the blame on the DPP. The three TV-networks frequently replayed videotapes showing rock-throwing and the damaged police vehicles. The leaders of the new party were quick to respond: at a press conference on December 3rd, they ran their own videotapes, showing a version of events which differed significantly from the official version. The tapes also showed that a considerable measure of the responsibility for the violence rested with the police: policemen were shown hurling rocks at the crowd.

DPP-spokesmen also pointed out that damaging the patrol cars may even have been a set-up. Which police chief in his right mind would leave some 30 patrol cars unattended at the location of such a highly volatile situation ? DPP-spokesmen said they suspected that some elements in the secret police could have arranged this, so that instigators could subsequently damage the cars.

During the last few days before the election, opposition candidates attracted large crowds at their respective campaign headquarters by showing their own videotapes of the airport events. Also, on 3 December, the Independence Evening Post (the only relatively objective and responsible daily newspaper in Taiwan, all others are closely controlled by the ruling Kuomintang) published an account of the December 2nd beating of Mr. Hsu's supporters by military police.

By the time the voting took place on December 6th, the issue of violence at the Taoyuan Airport had backfired on the authorities, and public sympathy was turning towards the DPP. Still, the KMT's smear-campaign did cost the DPP votes: opposition leaders felt that without the incident, the DPP's score would have been even higher.

“Lifting Martial Law” and other stories

New “National Security Law” passed by Executive Yuan

On 22 December 1986, a draft of the new “National Security Law” was submitted by the Ministry of Interior to the Executive Yuan (Cabinet). The new law will replace the 37-years' old martial law, which is being lifted. The draft was then further discussed

by the KMT's Policy Coordination Committee, and by a group of KMT-members of the Legislative Yuan. One press report in Taiwan stated that the legislative committee initially rejected the draft, "because it does not include restrictions on workers' strikes and demonstrations." Final approval of the draft by the Executive Yuan was expected to take place on 8 January 1987.

On 15 October 1986, the Central Standing Committee of the ruling KMT party had approved recommendations to lift martial law and the long-standing ban on new political parties. However, it immediately added that martial law and the ban on new parties would remain in effect until new national security legislation had been enacted, and the existing "Statute governing civil organizations during the period of Communist Rebellion" and the "Election and Recall law" were revised by the Legislative Yuan.

The last step which remains to be taken before martial law is actually lifted, is thus approval of the new "National Security Law" by the Legislative Yuan. Apparently the Taiwan authorities want to push this through the parliamentary body before the end of the current session. At the beginning of February 1987 the newly-elected Legislative Yuan will start its work.

Below, we present a brief outline of the I I articles of the "National Security Law":

1. This law is stipulated in accordance with Article 23 of the Constitution;
2. "Assembly and association" must be conducted in accordance with the Constitution, in support of the government's anti-communist policy, and be anti-separatist;
3. Exit and entry (into and out of Taiwan) must be approved by the Bureau of Entry- and Exit-Administration;
4. Security personnel are authorized to search airplanes, automobiles, and boats, and to examine travelers' luggage upon arrival and departure;
5. The mountains and the coasts will remain restricted areas;
6. Authorizes the Executive branch to write regulations concerning the implementation of Articles 3, 4, and 5;
- 7 and 8: stipulate penalties for violations of Articles 2, 3, 4, and 5. Penalties include fines, prison sentences, or hard labor;

9. Military personnel will be tried in military court;
10. Non-military persons who were tried in military courts, and whose case have not been closed yet, can file for appeal in civil courts on the day after martial law is lifted;
11. The date of entry into force of this law will be decided by the Executive Yuan.

Apparently, the draft submitted by the Ministry of Interior also contained an article requiring prior approval from the security authorities for “assembly and association.” This article was deleted by the Executive Yuan. As it is, Article 2 will be the most controversial part of the new law: it touches the sensitive issue of “separatism” (see “the Self-determination issue” on page 12).

The opposition Democratic Progressive Party is strongly opposed to the new law as a whole. In their opinion it is “old wine in new bottles.” The major difference between the old martial law and the new law is that civilians will not be tried in military court anymore. However, Article 2 means that there will still be no freedom of assembly and association: it will still be possible to haul people into (civil) court on vague “anti-communist” or “anti-separatist” charges.

The DPP argues that it is not necessary to pass a National Security Law in order to tell people to abide by the Constitution. It is essential to give the right example. In fact, they say, the Kuomintang itself has violated the Constitution by keeping in place martial law and other emergency legislation which restricted the rights and freedoms laid down in the Constitution. The DPP is as anticommunist as the Kuomintang itself, but feels that continuing to pretend to be the rightful government of China — as the Kuomintang is doing — is pushing Taiwan further into isolation in the international arena.

The DPP argues that the “anti-separatist” provision of the new law is in violation of the freedom of expression clause of the Constitution, and contrary to the principle of self-determination, as laid down in the Charter of the United Nations.

Ending the ban on new political parties

In preparation for lifting the ban on new political parties, the KMT authorities are presently revising the controversial “Statute governing civil organizations during the period of Communist Rebellion” in order to provide a legal basis for the regulation of activities of new political parties.

A prominent legal scholar at Taiwan National University, professor Lee Hong-hsi, has questioned the validity of keeping this statute on the books at all, as it was enacted more than 40 years ago on the mainland as an emergency decree, during China's war with Japan. It should have been abolished when the war ended. Now the KMT authorities want to revise an outdated law in order to restrict the activities of new political parties.

DPP-leaders have emphasized that there should be fair, open, and peaceful competition between the various parties, and that this competition should be on a basis of equality. As long as the authorities attempt to maintain laws that bias the structure of the political system in Taiwan, so that it is stacked in favor of the Kuomintang, true democracy still has a long way to go.

Freedom of the Press ?

DPP-chairman's book banned

In the beginning of December 1986, the chairman of the DPP, Chiang Peng-chien published a book, titled "Ballots instead of Bullets", which is a collection of his interpellations in the Legislative Yuan. Mr. Chiang was elected into the Legislative Yuan in 1983, but did not run for re-election in 1986, since during his 1983 election campaign he made a promise to serve only one term. Quite a number of legislators in Taiwan find public service rather lucrative, and try to get elected time and again. By running for only one term, Mr. Chiang wanted to set a good example in this respect.



Chiang Peng-chien

During the past three years he initiated a great number of interpellations on a wide variety of issues, ranging from domestic affairs, the economy, and education to very sensitive matters, such as human rights, press freedom, and foreign policy. The book contained a collection of these interpellations.

Some ten days after publication, Mr. Chiang was very surprised to find out that his book had apparently been banned: several bookstore owners informed him that they had received instructions from the Taiwan Garrison Command that the book was banned

and could not be sold. On 18 December 1986, in an interpellation in the Legislative Yuan, Mr. Chiang asked when and why his book was banned, as he himself had not even received a banning order.

The muzzling of the press continues

The election campaign was a contradictory period for press freedom in Taiwan. On the one hand, banned magazines were openly available at the election rallies of opposition candidates: at the entrances and in the back of the gathering places there would usually be at least two or three tables, loaded with magazines and books which would ordinarily prompt speedy confiscation by security agents. Now, however, large numbers of back issues of the various tangwai magazines, and books such as Henry Liu's critical biography of President Chiang Ching-kuo, and a translation of Sterling Seagrave's "Soong Dynasty", were sold openly.

On the other hand, regular newsstands would be very hesitant to sell any of the few tangwai magazines still being published. At one newsstand in Taipei, the owner seemed very scared when asked for a tangwai publication, and he looked around very carefully to make sure there were no agents around, before he pulled a couple of magazines out...still from deep under the counter.

Actually, around the time of the election, there were only two or three magazines left: Democratic Times and New Point of View. All others "mainstream tangwai" magazines stopped appearing, mainly due to lack of income, caused by the continuing banning and confiscations by the Garrison Command.

One new publication started to appear just before the campaign period: it was named Tangwai Times, and was set up to be the official publication of the new DPP. It had a relative simple 4-page format, but contained an important overview of DPP-candidates and their positions on a variety of issues. It provided a DPP rebuttal to the official government misinformation campaigns regarding the incidents which took place at the international airport at Taoyuan on November 14th, and on November 30th and December 2nd.

“Revealing military secrets” ?

Now that the elections are over, the Taiwan authorities have resumed their censorship crackdown on the opposition press. The first targets are two opposition magazines, the

Taipei-based Min Chu Tien Ti and the lesser-known Taichung-based Ling Hsien. The Taiwan Garrison Command has filed a suit against the two magazines, accusing them of “disseminating rumors.” The Taipei Prosecutor’s office held the first hearing on December 13, 1986.

The Taiwan Garrison Command charged that both magazines published “inaccurate information” when they reported that between one- and two-thousand soldiers drowned on 21 August 1986, after two military ships capsized near the Pescadores islands in the wake of typhoon Wayne. Min Chu Tien Ti published two articles “Floating bodies in the Taiwan Straits” and “A full account of a military transport ship accident” respectively in issue No. 136 (September 1986) and issue No. 141 (October 1986).

Named as defendants are the publisher of Min Chu Tien Ti, Ms. Yeh Chu-lan and the magazine’s chief editor, Lin Shih-yu. Also named as defendants are the publisher and chief editor of Ling Hsien, Mr. Su Ming-wei, chief writer Chiu Kuo-chen, and contributor Yang Kuo. If convicted, the five could be sentenced to jail terms of up to five years.

The information about the drowning of soldiers had been circulating in Taiwan after a number of families were informed that their sons had drowned, but they were told by the military authorities to keep quiet about this. Also, fishermen in the area reported to have seen many bodies in uniform floating in the sea after the typhoon. Until now the Defense Ministry has denied that the incident took place, but has denied lawyers for the defendants access to the Ministry’s records.

Notes

Presbyterian Church calls for democracy

On 10 November 1986, just before the recent elections, the Presbyterian Church in Taiwan issued a pastoral letter, titled “A Call for Increased Democracy in our Nation.” In the past, the Church has courageously and frequently spoken out against the lack of democracy and human rights on the island. In this most recent appeal, the Church urged the Taiwan authorities to:

- (1) Endeavor to enter the United Nations and join all kinds of international organizations so that our country may keep its own independent position internationally and

have it nationhood affirmed through the world.

- (2) Govern completely in accordance with the requirements of our democratic constitution. Abolish martial law as soon as possible without replacing it by another similar law. Promote the independence of the civil courts and the separation of the military and the police from party allegiance in order to guarantee the people's freedom and rights as prescribed in the Constitution.
- (3) Strictly enforce the holding of truly fair, open and honest elections. Completely eliminate bribery in elections and abuses during the casting and counting of the votes. Make the mass media independent of party ties; and, moreover, strictly forbid civil servants, teachers and security personnel from intervening in elections.
- (4) Respect human rights and rectify past deficiencies in the verdicts of the civil courts by immediately setting free all prisoners of conscience, political prisoners and those who have been detained without going through due process of law. Thus peace and harmony will grow in our society.

In the conclusion, the letter stated: "...In order that we may find a remedy for the present national crisis we must face reality bravely and adopt effective measures to overcome the political difficulties which beset our nation both within and without. That our country's integrity, independence and dignity may be preserved and protected and our people may enjoy a truly free and harmonious life."

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