

Taiwan's Democracy at Risk

Does History Repeat Itself?

History has shown that, whenever democracy prevails over authoritarian governance, such victory comes at a tremendous price. There is always struggle, and the individuals who lead democratic movements, along with their families and followers, often suffer greatly at the hands of the regimes that they try to supplant. This is certainly the case in Taiwan, where the violence and brutality of martial law terrorized the entire population for a long period of time, but the Kuomintang (KMT) ultimately gave way to open and free elections in which the long-suppressed opposition party, the Democratic Progressive Party ("DPP") won the presidential office. Unfortunately, since the KMT reclaimed the presidency with the election of Ma Ying-jeou in 2008, the KMT has taken steps that have eroded the democratic values that many Taiwanese fought so hard to achieve.

The evolution of democracy in Taiwan came at a high cost. Many Taiwanese lost their lives or their freedom at the hands of an authoritarian government. From the time that the Republic of China took administrative control over Taiwan in 1945, the KMT administrators treated the local Taiwanese population with contempt and brutality. The political, cultural and psychological conflicts between the KMT and the local Taiwanese population exploded with the infamous 228 Incident. On February 28, 1947, after KMT agents beat a cigarette vendor in Taipei, thousands of Taiwanese protested against the rule of the KMT. In response, the KMT launched a massive crackdown against Taiwanese who opposed the administration. At least 20,000 people were killed in the "white terror" that followed the 228 Incident, and martial law would become Taiwan's status quo for the next 40 years.

Taiwan under martial law was a place of terrifying repression. Opponents to the KMT who dared speak out were arrested or killed. The KMT enacted and enforced laws that prohibited assembly or publication of any dissent against the government. Opposition political parties were banned. Even Taiwanese emigrants to the United States and other countries who participated in pro-democracy organizations and activities were spied upon and, in some cases, killed by KMT agents. The KMT sent a clear message to Taiwanese that, if you chose to speak out against the government, you did so at your and your family's peril. That, however, did not deter many people from

"Most unbearable is that a democratically-elected government is using undemocratic methods to consolidate its power and destroy its opposition, as did many dictators in history."

working towards a democratic Taiwan during those martial law years.

The Kaohsiung Incident is generally viewed as a significant catalyst for the ultimate democratization of Taiwan. In 1979, the KMT responded to peaceful human rights rallies in Kaohsiung with soldiers and military police. Following the incident, the KMT arrested and imprisoned many prominent opposition leaders. Following these events, however, the pro-democratic Taiwan movement,

both within and outside Taiwan, became much more organized and much more prominent.

The struggles of pro-democracy forces in Taiwan culminated in the creation of the DPP in 1986, the lifting of martial law in 1987, the first open presidential elections in Taiwan in 1996, and the election of a DPP candidate, Chen Shui-bien, as president of Taiwan in 2000. As remarkable as it was that an opposition party candidate was able to win the highest elected office in Taiwan and assume power in a peaceful transition, it may be even more impressive that this occurred only 13 years after martial law was lifted in Taiwan. In a very short time, Taiwan transformed from a repressive, authoritarian one-party dictatorship into a full-fledged democracy, where free speech, free assembly and open media are the norm. Taiwan's democracy is truly remarkable.

The election of President Ma in 2008 again marked a peaceful transition of power from the DPP to the then-opposition party KMT, another sign of the robustness of Taiwan's democracy. Unfortunately, however, since re-assuming power the KMT has taken some very undemocratic actions that remind Taiwanese society of the days of one-party authoritarian rule.

Almost immediately after taking power, prosecutors in the KMT government arrested and detained a number of high-ranking DPP officials on various charges, including the former President, the former Interior Minister, the former National Security Council Secretary General, and the Chiayi County Magistrate. The government's methods, including detention without trial for extended periods of time and the notorious skit mocking President Chen performed by the very prosecutors who



Dr. Peng Ming-min

are handling Chen's case, only lend credence to allegations that the KMT's motivations are pseudo-legal vendetta designed to inflict severe political damage upon the DPP and its leadership, rather than the pursuit of justice in a fair and impartial manner.

When the head of the Taiwan Affairs Office of the People's Republic of China, traveled to Taiwan in November 2008, his visit was marked by numerous protests by many Taiwanese, including supporters from both political parties. In response to the protests, soldiers and police fought with protesters, and the KMT later proposed changes to freedom of assembly laws that would give police the discretion to decide whether to make significant changes to the time and location of, or even cancel, any rally.

At the end of July, 2009, President Ma was elected to be the chairman of the KMT, a repudiation of his prior repeated promise that, if elected president, he would not serve as KMT party chair. KMT chairmanship will enable Ma to meet with Chinese President and chairman of the Chinese Communist Party Hu Jintao, not as heads of state, which China would not accept, but as the heads of two political parties recognized by China. Although Ma has publicly stated that he did not at this

time intend to meet with President Hu as KMT chairman, his careful choice of words leaves open the possibility that at a later date, he may decide it is appropriate to do so. Ma would be in a position to make decisions as the head of the KMT that could have a major impact on Taiwan's sovereignty and democracy, while circumventing the democratic institutions and processes in Taiwan that would help ensure that any such decisions are at least challenged by opponents and critics.

The recent developments in Taiwan politics raise two critical questions: (1) is the democracy that has been achieved in Taiwan now at risk under the current government leadership? (2) what does regression of democracy mean for the long-term future of Taiwan?

I believe the answer to the first question is clearly yes, based on the points I raised above. When authoritarian regimes face challenge, the first thing they always do is cut off criticism of the leadership and hunt down opposition leaders. Though perhaps not so ruthlessly as during the martial law years, the KMT is acting to silence its DPP adversaries, through detention and high-profile public discrediting of DPP leaders, and move the legal and social pendulum towards restrictions on free speech, free press and free assembly. A truly democratic leadership would be confident enough to permit critics and opponents to speak out, but this administration, unfortunately, has shown a lack of such confidence.

I am very encouraged, however, that the KMT's actions have not gone unanswered. Half a million people hit the streets, protesting and demonstrating against government policies, and movements like the Wild Strawberries student organizations so effectively protested

government actions and police abuses during and after visit to Taiwan by a senior PRC official that President Ma was forced to address the students. Freedom House, an independent advocacy group in the United States whose goal is to promote freedom, democracy and civil liberties throughout the world, called for the investigation of conflicts between police and protesters. Even Jerome Cohen, a professor at New York University's School of Law and supporter and mentor of President Ma, was publicly and highly critical of the handling of the prosecution of President Chen by President Ma and the KMT prosecutors. It is essential that critics continue to speak out now, as they did in pre-democratic Taiwan, to demand respect for democratic institutions and civil liberties in Taiwan.

As to the second question about the long-term prospects of Taiwan, I am deeply concerned that the loss of democracy today could set Taiwan on an irreversible course where Taiwan's fate is decided by forces other than the wishes of the Taiwanese people.

We all know that China wants to annex Taiwan, by force if necessary, and govern it as a part of the People's Republic of China, regardless of the wishes of Taiwan's 23 million inhabitants. We can also assume that the United States, Taiwan's primary defender and benefactor, does not desire a conflict with China over Taiwan, given the U.S.'s preoccupation with other international issues and the high stakes that would be involved in a U.S.-China conflict. The diplomatic and military balance of power between China and Taiwan has overwhelmingly shifted in China's favor. The KMT and China's government have already demonstrated their willingness to talk and work together,

(continued on back cover)



Formosa Foundation

Terri Giles, Executive Director
350 S. Figueroa Street, Suite 275
Los Angeles, CA 90071-1200
www.formosafoundation.org

Taiwan's Democracy at Risk (continued from page 3)



Dr. Peng Ming-min

while castigating any opposition in Taiwan. If KMT governmental policies continue to trend in an undemocratic direction, the DPP or any other opposition party for that matter will inevitably spend more time defending itself from a systematic campaign by the KMT to discredit and silence it, and less time participating in governing and making public policy for Taiwan. As President Ma draws Taiwan and China closer, without democratic checks and balances, he could agree to an arrangement with China and the United States that would be difficult, if not impossible, to unwind in the future, even if it does not represent the wishes of

opposition (as did many dictators in history). Taiwan's democracy came at a great cost to its people, but it is truly a shining light in Asia and around the world. The impact of Taiwan's democratic backsliding under KMT rule is dire for the people of Taiwan, with respect to both civil liberties and governmental transparency in the immediate future and ultimate self-determination for Taiwan in the more distant horizon. The people of Taiwan, as before, will have to struggle to protect its current democracy, but this struggle is indeed imperative. There is simply too much at stake for this and future generations of the Taiwanese people.

the Taiwanese people. So, in my view, the current erosion of democracy in Taiwan has potentially ominous consequences for the Taiwanese people.

The most unbearable is the fact that a democratically-elected government assumes office is using undemocratic methods to consolidate its power and destroy its

Dr. Peng Ming-Min was educated in Taiwan and Japan before earning his master's degree from Canada's McGill University, and Ph.D. in law from the University of Paris, France. In 1964 Peng was already a respected scholar and promising government appointee when he was imprisoned and subsequently placed under house arrest for secretly issuing a "Manifesto to Save Taiwan". He dramatically escaped from the island in 1970 and was granted political asylum in Sweden. The United States issued him a visa that same year. While teaching at American universities, Peng published a personal memoir, "A Taste of Freedom" shattering the KMT's one-China myth and making a strong argument for Taiwan's self-determination -- ideas which continue to inspire to this day. He co-founded the Formosa Association for Public Affairs in 1981 that consolidated the advocacy efforts of Taiwanese Americans.

Dr. Peng's 22-year exile ended in 1992 after Taiwan's President Lee Teng-hui issued a general amnesty to all political prisoners. In 1996 Peng was nominated by the opposition party (DPP) to run in the country's first direct presidential election. When former President Chen Shui-bian was elected in 2000, Peng was appointed as Senior Advisor to the President, a post he held until 2008. Peng continues to devote his energy to preserving Taiwan's sovereignty and identity.