



Taiwan Communiqué

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“Big Five” election results

A comeback for the DPP

The results of the elections held on 27 November 2010 for the mayor positions of the five largest municipalities in Taiwan (“Big Five”) represent a comeback for the opposition DPP. In spite of the fact that it won only two out of the five positions, it garnered 49.9 percent of the vote, while the KMT received only 44.5 percent, with 5.6 percent going to independents.

Photo: Taipei Times

The battle was fought hardest in the North, where both in Taipei City and Sinbei City (formerly Taipei County) the races were relatively close. In Taipei City, the DPP’s Su Tseng-chang lost by about 12 percent to mayor Hau Lung-pin. In adjacent Sinbei City, DPP Chairperson Tsai Ing-wen lost by only five percent to former deputy prime minister Eric Chu, making her a likely candidate for the 2012 presidential race.



**DPP Chair Tsai Ing-wen at her final campaign rally
on election eve, 26 November 2010**

In the Southern cities of Kaohsiung and Tainan, traditionally strongholds of the DPP, the margins were much larger, and the two DPP candidates, Ms. Chen Chü in Kaohsiung, and Mr. William Lai in Tainan, handily won their respective races. In the Central Taiwan town of Taichung, incumbent KMT mayor Jason Hu only narrowly won against his DPP challenger Mr. Su Jia-chyuan, but by an unexpectedly slight margin of 2.2 percent.

The most significant result of the election was the DPP's gain in the overall vote count: it garnered 3.77 mln. votes against the KMT's 3.37 mln., thus gaining 49.9 percent of the vote. This is an indication of the shift away from the Ma administration: the margin the KMT held over the DPP in the 2008 elections has all but evaporated. The result is also a good indication of the direction in which the 2012 elections may go, as the five municipalities represent some 60 percent of the total population.

The election was marred by the shooting of the son of former KMT vice-President Lien Chan, Mr. Sean Lien, who was shot in the face at an election eve rally in Yonghe, near Taipei. The gunman, reportedly a local gangster, apparently mistook Lien for the local candidate for whom Lien was campaigning. Observers in Taiwan said the shooting had the effect of mobilizing the pan-blue voters to go to the polls, playing a key role in the outcome.



Mr. Lai Ching-te
winner in Tainan



Ms. Chen Chü
winner in Kaohsiung

Implications for Ma Ying-jeou's China policy

Looking at the main issues which affected the outcome of the elections, one can distinguish a number of factors:

- * **The economy:** while the economy is picking up very well, this has not translated into more jobs yet. In addition, many are concerned that the Economic Cooperation Framework Agreement (ECFA), signed with China at the end of June 2010, will actually cost jobs.
- * **Good governance:** in spite of its touted "experience" the KMT has not performed very well, either domestically or internationally. In a survey of counties and cities, the top

six “good governance” locations were governed by DPP administrators. Domestically, the lackadaisical response to typhoon Morakot also sticks in the mind of many, while internationally little real progress has been made.

- * **“Clean” government:** over time, the KMT charges against former DPP officials such as Chen Shui-bian have worn thin (see below) while there have been a number of new cases all involving KMT officials or cities governed by the KMT. In Taipei the case of the corruption surrounding the International Flora Expo damaged the position of KMT mayor Hau, while in Taichung City the cozy relations between police and local gangsters didn’t help the image of mayor Jason Hu. In separate cases, several High Court justices were indicted on charges of accepting bribes from local KMT officials.

Copyright: Taipei Times



However, an important underlying issue in the elections was relations with China. To

China about Ma Ying-jeou: *He's getting in the mood for some "political dialogue"...*

many in Taiwan, the Ma administration has gone too far and too fast in its rapprochement with China (see article below). People obviously do want good relations with China, but feel that Ma has sacrificed too much, and that there has been little reciprocity from the Beijing side. Recent remarks to Associated Press that he might move towards "political dialogue" with China raised the heckles of many in Taiwan.

The results of the elections will thus put a brake on the Ma administration’s “accommodation-with-China” approach. China has not given Taiwan any international space – except for a token gesture at the World Health Assembly where Taiwan’s minister sits on a back-bench with no right to speak.

China has actually increased the number of missiles aimed at Taiwan, while the Economic Cooperation Framework Agreement (ECFA) pushes Taiwan into an unwelcome closer embrace with China, giving China more leverage to exert its political influence on the island.

Ma will thus need to go back to the political center in Taiwan, and emphasize a “Taiwan First” policy, which does a better job in protecting the democratic achievements of the country and enhance its future as a free and democratic nation.

As seen recently in the public reactions in Taiwan to the spat at the Tokyo Film Festival and the disqualification of taekwondo athlete Yang Shu-chun at the Asian Games in China (see article below), the people on the island have less tolerance for rude slights by China and do not look kindly on officials or a government which condones them.

The US needs to reassess its position

Taiwan Communiqué comment: *For the US, the comeback of the DPP is also a signal that it should adjust its posture. The general refrain until now has been that the US welcomes the reduction of tension in the Taiwan Strait. The problem with this perception is of course that this “reduction of tension” is an artificial one, only occurring because Beijing feels that Taiwan is moving within its grasp.*

It is dawning on policymakers and observers in Washington that engagement with China along the previous accommodating lines is not working for major powers like the United States and the European Union. Over the past half year we have seen a much firmer attitude from the West—as well as much more “hedging”—in response to China’s belligerent approaches to regional issues such as the South China Sea, the Senkaku conflict with Japan, and the lack of cooperation from China in reining in North Korea (see article below).

So, if China behaves in this fashion towards major powers, what can Taiwan expect when push comes to shove in its relations with China? The present election results in Taiwan show that the people on the island are reasserting their democracy and freedom. This is anathema to the rulers in Beijing, and they are bound to significantly increase their pressure on Taiwan, particularly if the present trend continues and the Taiwanese elect a DPP president in 2012.

Against this background it is essential that the US and Western Europe enhance ties with Taiwan and increase cooperation and communication in a variety of areas, ranging from economics and politics to culture. Policymakers in Washington and the European capitals need to have a better understanding of where the people of Taiwan are coming from in terms of their identity. They need to have a better understanding of where they want to go with their future.

We need to avoid the mistakes of the past, e.g. when during the martial law period (1949-1987) Taiwan was perceived as “Free China”, while the rights and freedoms of the people there were severely suppressed by the Kuomintang regime.

And even during the administrations of Presidents Clinton and George W. Bush, decisions were made which showed a complete disregard for the freedoms and rights of the Taiwanese: in June 1998 Clinton pronounced his “Three Noes”, while in December 2003 Bush wagged his finger at then President Chen, warning him not to proceed with a democratic referendum. Both were detrimental to the right of the people on the island to determine their own future.

*President Obama can and will do better. During his election campaign in 2008 he advocated “change we can believe in.” In the present situation the Taiwanese people look for change **they** can believe in. This needs to be a change in a positive direction, away from the anachronistic “One China policy” mantra. This needs to be “out-of-the-box” thinking which moves Taiwan out of its diplomatic isolation and in the direction of acceptance as a full and equal member in the international community of nations.*

China’s rise and security in East Asia

During the past months, the tensions in East Asia have increased significantly. From the North Korean shelling of a South Korean island on 23 November 2010 to the encounter

between Japanese Coast Guard vessels and a Chinese fishing boat near the Senkakus in early September 2010 (see **Taiwan Communiqué** no. 129), all incidents have one common thread: China’s increasing assertiveness and decreasing willingness to be a “responsible stakeholder.” Here we take a closer look at the issues.

Photo: AFP



Smoke billowing from the South Korean Yeonpyeong island after the shelling by North Korea

Connecting the dots from Korea to the South China Sea

By most accounts, the turning point occurred in March 2010, when a North Korean torpedo sank the South Korean Navy ship *Cheonan*, while at around the same time, Chinese officials asserted to an American delegation that China had “*indisputable sovereignty*” over the South China Sea.

Before that, there had of course been the Chinese antics at Copenhagen, preventing a comprehensive accord on global warming, and the angry temper tantrums over the January 2010 arms sales to Taiwan and the February 2010 meeting between president Obama and the Dalai Lama. However, those had been perceived as isolated incidents. Now there was a trend.

The recent shelling by North Korea, as well as the disclosure by a visiting US scientist that North Korea has built an ultra-modern centrifuge plant, capable of enriching uranium for the North’s nuclear weapons program, only showed that the North is acting out of control, and willing to take almost any action to up the ante.

This simply means that appeals to China to rein in its client state have fallen on deaf ears. To the contrary, China has bent over backwards to protect its client-neighbor from international sanctions: in the United Nations, it ran interference for the North Koreans, preventing any effective sanctions from being passed, while repeatedly hosting North Korean officials, from Kim Jung-il down, on lavish visits to China.

The Senkaku imbroglio continued

In the previous issue of *Taiwan Communiqué* (No. 129) we reported on the encounter between two Japanese Coast Guard vessels and a Chinese fishing boat near the Senkaku Islands, some 140 nautical miles North of Taiwan. After increasingly threatening language from Beijing officials, the Japanese subsequently decided to reduce tension by releasing the arrested fishing boat captain.

However, the Chinese continued their belligerent language, demanding compensation, which the Japanese government rejected. The case took a new turn a few weeks later when videos of the encounter were posted on YouTube. The videos show that prior to the first collision, the Japanese Coast Guard vessel was running a slow circle around the Chinese fishing boat, when the Chinese boat suddenly accelerated (visible from smoke from the smokestack and the wake of the vessel) and rammed the stern of the Japanese Coast Guard ship.

The second collision took place when a second Japanese vessel ran parallel to the Chinese ship, telling it to stop. The fishing boat then suddenly veered to the left and ran against the side of the Japanese vessel.

Photo: Japanese Coast Guard

The videos thus show that both collisions were not accidental, but the result of rather provocative behavior by the Chinese fishing boat. The videos also show that the crews of the Japanese boats were not expecting any physical contact with the Chinese boat: there is commotion among the Japanese **after** this first bumping, denoting



Chinese fishing boat veering into Japanese Coast Guard vessel near the Senkaku Islands

it was a surprise to them. However, the Chinese crewmen, who can see the bumping coming, stand around on the deck – there is no visible commotion about the impending bumping or any attempt to avoid it. This does betray a degree of intentionality.

Is Taiwan the weak link?

An interesting piece of information in the aftermath of the Senkaku encounter was that the KMT government of President Ma stated on 29 September 2010 that it has “*no objection to China’s claim of sovereignty*” over the disputed islands, since according to the ROC Constitution, “*China is still considered a territory of the ROC*” (sic).

The Taipei government also objected to the United States when Secretary of State Hillary Clinton offered to mediate between Japan and China on the Senkaku issue. The foreign ministry in Taipei announced that on 4 November 2010, it had expressed concern to the US regarding the Clinton offer to mediate between Japan and China on the islands. The ministry said that it had told the US that Taiwan is one of the countries claiming sovereignty, and that the US should keep that in mind.

The overall tendency in all of these conflicts has been for the Ma government to minimize its differences with China and thereby distancing itself from democratic allies like Japan,

South Korea and even the United States. In the new-found solidarity among countries which border China or border the waters claimed by China, the Ma government thus increasingly seems the odd-man-out.

Rapprochement on the rocks?

Now, moving from the broader East Asian perspective to the more specific bilateral Taiwan-China perspective, it has to be noted that the picture is not that rosy either: in spite of the general perception that “rapprochement” was proceeding on course, there have been a number of developments which indicate that rapprochement is on the rocks. A brief summary.

China increasing number of missiles

The major indicator that all is not well on the Eastern front, is that China still has not removed **any** missiles aimed at Taiwan. To the contrary: in July 2010 Taiwan’s ministry of defense announced that the Chinese had continued to increase the number of missiles aimed at Taiwan, bringing it to a total of over 1,600 in mid-2010. Deputy defense minister Andrew Yang told news media at the time that the People’s Liberation Army appeared to plan to boost the number of short-range ballistic and cruise missiles facing Taiwan to 1,960 before the year’s end.



Chinese missiles at 2009 parade in Beijing

In early October 2010, at a high-level conference organized by the US-Taiwan Business Council, deputy minister Yang stated that the Chinese threat against Taiwan had “never diminished.” Yang added that China was continuing its preparations for “contingency operations” to respond to any change in relations across the Taiwan Strait.

Yang also mentioned that in June 2010, at the very same time that Taiwan and China signed the Economic Cooperation Framework Agreement (ECFA), Chinese Minister of National Defense Liang Guanglie told a Japanese delegation that Taiwan was “the focus” of China’s military buildup. Yang said the sharp contrast between the ECFA and Liang’s comments about the military buildup indicated that the Chinese threat would not diminish but could even increase.

Slight at the Tokyo Film festival

However, the continued abrasiveness was not restricted to military affairs. The opening of the prestigious 2010 Tokyo International Film Festival was marred by a serious incident when the head of the Chinese delegation, Jiang Ping, insisted that Taiwan could only participate if it changed its name to “Taiwan, China” or “Chinese, Taipei.”

The Taiwanese delegation refused to change its name, stating that it had always participated in the festival under the name “Taiwan.” The last-minute objections from the Chinese side prevented actors, actresses and movie producers from Taiwan to participate in the opening ceremonies and walk the famous “green carpet” of the festival.



Taiwanese actresses leaving the Tokyo International Film Festival opening ceremony

The incident in Tokyo came just one day after the PRC's

Taiwan Affairs Office Director Wang Yi told a conference in the US that Taiwan’s participation in international organizations would have to first be “approved” by Beijing.

The Chinese moves caused a political storm in Taiwan, where both sides of the political spectrum strongly condemned the heavy-handedness of the Chinese delegation, and even led to a resolution in the Legislative Yuan declaring Chinese delegation leader Jiang Ping *persona non grata* in Taiwan.

Interestingly, president Ma himself referred to the Film Festival episode in mid-November 2010, when in an interview with the Central News Agency he warned China not to “humiliate” Taiwan in international forums, saying that this would risk “wiping out” the mutual trust and goodwill that has built up during the past two years.

Ma stated *“It took us a year and half to work out the Economic Cooperation Framework Agreement [ECFA], which has received widespread praise. However, another Jiang Ping incident or two could instantly wipe out the achievement.”* He added: *“The Jiang Ping incident is simply the tip of an iceberg,”* implying there were many other instances of similar behavior by the Chinese.

Taekwondo “sockgate” at Asian Games

Yet another major furor erupted in Taiwan on 17 November 2010, when Taiwanese taekwondo athlete Yang Shu-chun, who was competing in the Asian Games in Guangzhou, China, was disqualified after a technician, who was reportedly close to the Chinese competitor for the gold medal, went to the Korean referees and complained about the size of the sensors Yang had had on her socks.

Yang reportedly had removed the sensors, which had been carefully checked and approved by the referees before the match, but in spite of that, the referees disqualified her, depriving her of an almost certain gold medal. The matter was quickly dubbed “Sockgate” in Taiwan, and created a major uproar, eventually prompting the Ma administration to promise to lodge a formal complaint with the Lausanne-based Court of Arbitration for Sport.

Videos of the taekwondo match showed that after Yang was called over for an inspection with 12 seconds left in the first round of her bout, a referee went to the other side of the mat to pick up the two sensors that had been previously discarded and brought them back to the head referee, who made the decision to disqualify Yang.

Photo: Taipei Times



Taekwondo athlete Yang in tears after her disqualification

Images of a devastated Yang, sitting on the mat and refusing to leave, were played over and over on Taiwanese television, angering many, not only about the unfairness of the decision, but also about the initial lackadaisical response of officials of the Ma government, which sprung into action only belatedly.

Wall Street Journal: War clouds over Taiwan

The fast-changing developments in the Taiwan-China relations were summarized very eloquently in a 16 November 2010 article in the **Asian Wall Street Journal** by Mr. J. Michael Cole, titled “*War Clouds over Taiwan.*” In the article, Mr. Cole, the deputy news editor of the Taipei Times, argued that the détente between Taiwan is only a temporary phenomenon.

He stated that Beijing’s recent “goodwill” toward Taiwan, which culminated in the signing in late June of the Economic Cooperation Framework Agreement, is fully in line with its stated strategy to complete the consolidation of China after a “century of humiliation.”



**USS George Washington steaming into the Yellow Sea
for joint maneuvers with South Korea**

He added that “*while the Ma administration maintains that the ECFA and other such deals are purely economic in nature and have no political implications, Chinese officials and leading academics are convinced that Taiwan is unwittingly preparing the way for eventual unification.*”

He then stated that “*Beijing is doomed to disappointment, though, because its position on Taiwan is based on a key assumption: The prospect of material gain will eventually transcend politics and be sufficient to win hearts and minds. This is misguided.*”

By referring to the example of Tibet, Mr. Cole then showed that such policies never work, as “*...economic benefits alone are insufficient to influence a people’s sense of identity.*”

In fact, closer contact can even serve to amplify small differences and solidify identities. Many Taiwanese happily do business with China, but for them this does not change the fact that they are Taiwanese, not Chinese.”

He said that “Beijing is set for a rude awakening when, sometime in 2012 or soon afterward, it pushes for political talks with Taiwan on the island’s future status.” He adds that “At that point, Mr. Ma will be constrained by domestic political factors as he seeks re-election, and the Taiwanese electorate will not give him the same leeway on political matters that it has on economic issues. If Mr. Ma is re-elected, Beijing will find it increasingly difficult, beyond 2012, to get Taipei to cooperate on politics, sovereignty and unification, leaving military force as Beijing’s sole recourse.”

Mr. Cole then went on to express deep concern about the erosion of Taiwan’s defense capabilities, saying that “The Ma administration’s cuts in its defense budget, combined with Washington’s growing reluctance to sell Taiwan the modern weapons it needs to defend itself, are creating a dangerous vacuum in Taiwan’s military development at a time when the People’s Liberation Army is manufacturing, acquiring and deploying increasingly sophisticated weapons.”

He concluded by saying that Taipei, Washington and the international community should make sure that Taiwan continues to have a credible defense to prevent Beijing from launching an attack on Taiwan. “The costs of military deterrence are tiny compared to those of a conflict should China miscalculate its ability to overcome the Taiwanese will to maintain its separate identity.”

Erosion of justice and democracy

During the past two months there were several developments in the continuing saga of the prosecution of former president Chen Shui-bian and his wife. Interestingly, on 5 November 2010, the Taipei District Court declared the former president not-guilty on the money laundering charges against him. However, a few days later, the Supreme Court handed down a final verdict of 11 years imprisonment for both Chen and his wife in the separate case of a land deal near the Hsinchu Science Park.

Below you find a summary of these two cases, followed by a commentary on how KMT political influence still permeates the judiciary system in spite of pious pronouncements by the Ma administration on separation of powers.

District Court: Chen Shui-bian not guilty

On 5 November 2010, the Taipei District Court handed down a not-guilty verdict in the money laundering case against the former president and his wife. The case had been brought against the former president in December 2009. The Special Investigation Panel prosecutors charged that Chen and his wife had accepted some US\$ 19 mln from Cathay Financial Holding and an amount of approx. US\$ 6 mln. from Yuanta Securities in order to facilitate the consolidation of the banking sector.

Photo: Taipei Times

During the trial, Chen had repeatedly insisted that he had had no knowledge of the transactions, and that his wife had considered them as campaign donations.

The Court argued there was insufficient proof, and that in any case, the president had no power to influence the consolidation of the banking sector, since – according to the Constitution – that was not included in his responsibilities. Nineteen co-defendants who had been indicted were also cleared of the money laundering charges.



Former President Chen Shui-bian arriving at the High Court building for a hearing

The not-guilty verdict came as quite a surprise: international observers had become accustomed to “pre-cooked guilty verdicts” by the courts in Taiwan, which generally toe the line of the present KMT government. It is seen as a consequence of many decades of political control, during which the KMT was able to influence the judicial system.

However, right after the verdict was pronounced, there was a wave of criticism of the Court, and in particular the presiding judge, Chou Chan-chun, from the side of the Kuomintang. From president Ma on down, KMT officials strongly chided the judge for “neglect of duties.” This prompted us to write the OpEd “*The justice system and politics in Taiwan.*” See below.

Supreme Court hands down 11 years' sentence

On 11 November 2010, the Taiwan Supreme Court handed down a verdict in a different case: the Court sentenced the former president and his wife to eleven years imprisonment for accepting bribes of up to US\$ 10 million in a land deal case involving the Hsinchu Science Park.

In the same ruling, Chen and his wife were also sentenced to eight years imprisonment on charges that they accepted US\$ 330,000 from former Taipei Financial Center Corp. chairwoman Diana Chen in exchange for helping her secure an appointment at a securities firm. Chen and his wife maintained that it was a political donation, and that they had no say in appointments at the firm. It was not clear if the sentences would be served concurrently.

Three other cases against the former president, including charges related to another land deal, money laundering and embezzling secret diplomatic funds, for which the High Court had sentenced Chen to 20 years imprisonment, were returned by the Supreme Court for another ruling by the lower court.

Observers in Taipei were not only surprised by the severity of the sentence but also by the timing of the verdict, which came much earlier than originally foreseen. They feel that this was expedited for two reasons: a) to counterbalance the “not-guilty” verdict handed down by the District Court just a week before, and b) to hang out the dirty laundry of the corruption cases against Chen just ahead of the 27 November 2010 “Big Five” elections.

The justice system and politics in Taiwan

By Gerrit van der Wees, editor of Taiwan Communiqué. This article was first published in the Taipei Times on 11 November 2010. Reprinted with permission.

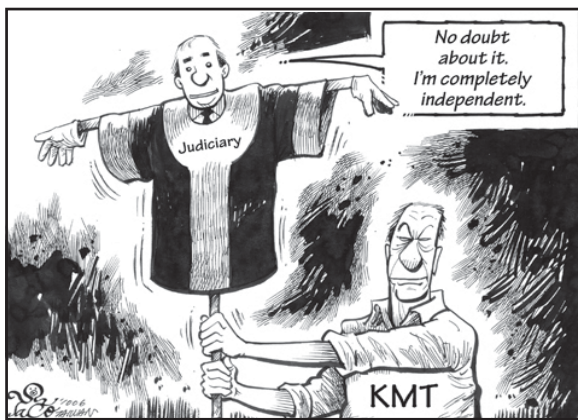
As one of the co-signers of several letters by a group of about 30 international academics and writers to President Ma Ying-jeou about the erosion of justice in Taiwan since he took office in May 2008, I was pleased to hear about the Taipei District Court's verdict on Friday acquitting former president Chen Shui-bian and his wife of money-laundering charges. Finally, I thought, Taiwan's judicial system is moving in the direction of fairness and impartiality.

However, we were in for a rude awakening when over the weekend the Chinese Nationalist Party (KMT) — from Ma on down — displayed partisanship at its worst when party members lambasted the court's ruling and urged voters to “vent their displeasure” at the upcoming elections for five special municipalities on Nov. 27.

At a KMT election event in Tainan on Sunday morning, Ma is reported to have stated that while the judiciary must be independent, it must not isolate itself from the outside world or deviate from public expectations. “The judiciary must protect the interests of the good and the honest. That is the least the system can do,” Ma said.

Copyright: Taipei Times

Ma's implication was of course that the district court was not living up to public expectations and that it was not protecting “the good and the honest.” It is indeed interesting to see Ma's sudden change of heart about the court system: For the past two years, the courts perpetrated one atrocious gaffe after another — both in the case of Chen and others — and appeals for judiciary reform were met with either stony silence or a blasé state-



Judiciary: No doubt about it. I'm completely independent

ment that “we will not interfere in the judiciary.” Now Ma and KMT officials are falling over each other to condemn a ruling they don't like.

Illustrative of the venom with which the KMT is approaching the matter is the fact that KMT caucus secretary-general Lin Tsang-min and the party's Greater Kaohsiung mayoral candidate, KMT Legislator Huang Chao-shun, trotted off to the Control Yuan to ask it to censure the lead judge, Chou Chan-chun, for “neglect of duties” in the case. In fact, the judge should be highly commended for letting legal arguments prevail over political considerations.

It is also intriguing to note that KMT Secretary-General King Pu-tsung announced that “pushing for judicial reform and fighting corruption” had been added as themes for an upcoming “Walk for Taipei” scheduled for Nov. 21 in support of KMT Taipei Mayor Hau

Lung-bin. The irony is that Hau has been in hot water when it was discovered that a contractor associated with the KMT was paid up to 10 times the market price for work for the Taipei International Flora Expo.

Why do we get the feeling that King's newfound enthusiasm for judicial reform and his stance against corruption will focus exclusively on the case against the former president and will not touch on the shenanigans of Hau and his city officials?

While this may be expected of party hacks like King and Hau who are trying to play politics with the situation, one would have expected Ma to take a higher road. Isn't he, as president of the country, expected to rise above local politics?

Yes, Taiwan is in serious need of judicial reform, but appeals in that direction during the past two years — including from Jerome Cohen, Ma's erstwhile adviser at Harvard — have fallen on deaf ears in the Presidential Office. If Ma is really serious about judicial reform and about fairness and impartiality in the system, he would invite his old mentor to Taiwan and initiate a truly bipartisan effort in that direction.

Report from Washington

Implications of US election results

The US mid-term elections of 2 November 2010 were basically over domestic issues: the Tea Party revolt was primarily a protest against “big government” and “business as usual” in Washington, while in the view of many on the conservative side of the political spectrum, the measures taken by the Obama administration on health care and economic recovery represented an unwanted expansion of the government's influence.

There was little discussion on foreign affairs, except perhaps the pace of withdrawal from Iraq and Afghanistan. How then will the new Congress affect US relations with Taiwan? A Congress in which the Republicans have a major say — a majority in the House and a close minority



Ileana Ros-Lehtinen

in the Senate – will be much more assertive vis-à-vis the Democratic administration.

On issues related to Taiwan we can expect the new chair of the House Foreign Affairs Committee, Ileana Ros-Lehtinen (R-FL) to make a push for stronger US support for Taiwan's defense, in particular the sale of F-16s.

Another issue where one can expect a renewed push is on trade relations with Taiwan. The existing Trade and Investment Framework (TIFA), which has languished during the past few years, primarily over the beef issue, is being restarted, and will get closer Congressional oversight with the election of Republican Rob Portman of Ohio to the Senate. A former US trade representative, Portman is expected to boost action on free trade in general and on US-Taiwan trade in particular.

Support for Taiwan in the House is also strengthened by the election of Steve Chabot (R-OH), who regained the congressional seat he had held for 14 years until his defeat in 2008. In his years in Congress, Chabot strongly supported full membership of Taiwan in international organizations. He is slated to become vice chairman of the Taiwan caucus, a position vacated by retiring Florida Republican Lincoln Diaz-Balart.



Senator-elect Rob Portman (R-OH)



Congressman-elect Steve Chabot (R-OH)

Bill Clinton missed an opportunity

By Nat Bellocchi, former chairman of the American Institute in Taiwan.

This article was first published in the Taipei Times on 18 November 2010. Reprinted with permission.

It is good that former US president Bill Clinton had an opportunity to visit Taiwan (on 14-15 November 2010 - Ed.). The island's political isolation has led to the peculiar phenomenon that only future and past US presidents — and secretaries of state or defense for that matter — can visit the democratic nation.

But the matter raises an important question: Why can't a current US president visit? The obvious reason is, of course, that China would strenuously object. Still, if our purpose is to support democracy in East Asia, it behooves the US to move toward normalization of relations with Taiwan.

US President Barack Obama just completed a tour through Asia in which he rightly emphasized strengthening ties with democracies in the region, such as India, Indonesia, South Korea and Japan. He broke new ground by advocating a seat in the UN Security Council for India, the world's most populous democracy.

Photo: Taipei Times

That kind of out-of-the-box thinking is also required in US policies toward Taiwan. The US is presently stuck in a "one China" policy mantra tracing its root to the 1970s, when we had a situation in which two regimes both claimed to be the legitimate government of China. That was resolved by normalizing ties with China and establishing diplomatic relations with Beijing as the government of China. However, we did not define Taiwan's status, except to say that its future needed to be determined by peaceful means.



Clinton during his Taiwan visit

Now we have a totally different situation: Taiwan has transformed itself into a fully free and democratic nation, and if we want it to maintain its democracy, we need to do more to pull it into the circle of democratic nations in Asia.

In this regard, Clinton could have helped. During his visit, he could have lauded the fact that the Taiwanese engineered a momentous transition to democracy under former presidents Lee Teng-hui and Chen Shui-bian. Sustaining this democracy is important, particularly in view of Taiwan's current drift in China's direction.

Clinton should also have ensured that his visit was truly bipartisan, from Taiwan's perspective that is. Taiwan is in the middle of a heated election campaign for the five special municipalities. Statements favoring particular policies, such as the recently concluded Economic Cooperation Framework Agreement (ECFA) with China, should have been avoided, as that represented taking sides in a controversial domestic issue.

Clinton could have also helped by emphasizing that a democratic Taiwan fully deserves a place at the table in international organizations such as the UN and the WHO. Its exclusion from these organizations is an outdated artifact from the past. The great majority of Taiwanese want to see Taiwan become an active member in the international community.

Finally, Clinton could have helped by nudging Taiwan in the right direction when it comes to judicial reforms. Freedom House has documented cases of infringement on individual rights and lack of due process by police organizations and the judiciary, while international academics have pointed to flaws and bias in legal proceedings against Chen and other former Democratic Progressive Party officials. Indeed, Clinton could have echoed calls for judicial reforms made by New York law professor Jerome Cohen.

The US often says that it wants to stay true to its democratic principles and give meaning to the human rights that officials say are universal. The confluence of Obama's trip to Asia with Clinton's trip to Taiwan presented a historic opportunity to emphasize US determination to move Taiwan out of the political isolation imposed on it by an unfortunate twist of history, and bring it into the mainstream of the international community of nations.

Book Review

America's security and Taiwan's freedom Speeches and essays by Li Thian-hok

By Jay Loo, reviewed by Gerrit van der Wees

Li Thian-hok is the pen name for Mr. Jay Loo, a Taiwanese-American living in Pennsylvania, who came to the United States in 1951, right after high school. In the mid-1950s, as a young student at the University of Pennsylvania he initiated the first Taiwan independence organization in North America, the **Formosans' Free Formosa**.

He majored political science and macro economics at the University of Minnesota and went on to graduate school at the Woodrow Wilson School at Princeton. Early on, he started writing about events in Taiwan and the desire of the native Formosans to

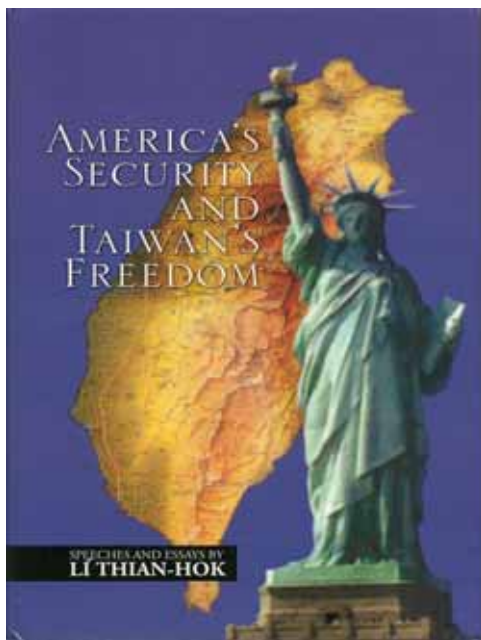
international recognition as a free, democratic and independent Taiwan. Major articles by him were published in **Foreign Affairs** (“*The China Impasse, a Formosan View*”, April 1958, <http://www.taiwandc.org/hst-jloo-fa58.pdf>) and **The New Republic** (“*Formosans Know What They Want*”, November 1958, <http://www.taiwandc.org/hst-jloo-nr58.pdf>).

However, his writing and activism in the 1950s didn’t bring much income, and Mr. Loo went into the pension and actuarial consulting business to provide for his family, raising two sons. From the early 1960s through the late 1990s he lived and worked in a small town North of Philadelphia. In 1997 he retired from his consulting work and started to engage in politics again, primarily by giving talks and writing articles.

The bulk of this book thus consists of speeches and articles spanning the period 1997–2010. He starts with the most recent ones, and then works his way back in time. This approach gives the reader a good insight into the present issues and problems, after which the previous events and developments gradually unfold.

Mr. Loo’s speeches and essays present excellent insights into the developments during this period. He is always thorough in his presentation of the facts, and then adds his views on the policies and positions of the people involved. His major theme is China’s increasing military threat and economic entanglement of Taiwan, and what can be done to keep Taiwan free and democratic.

The nearly eighty essays written for the **Taipei Times** in the period 2000-2009 present keen insights into both US policy towards Taiwan and China, as well as into the attempts by the DPP administration of President Chen Shui-bian to develop its policies. Mr. Loo is strongly critical of the DPP administration for its positions, e.g. its inadequate attention to national defense and its meandering “active opening, effective management” economic policy towards China, which made Taiwan overly dependent on China.



He is also sharply critical of US policy towards Taiwan, failing Washington for its lack of understanding of Taiwan's complex history and politics and not appreciating Taiwan's strategic value, both because of its location straddling the sea lanes and its existence as a free democracy in East Asia. In various articles he takes straight aim at flip-flops by US officials ranging from Senator John Kerry (D-MA), Secretary of State Colin Powell, and Deputy Secretary of State Robert Zoellick.

But his strongest criticism is reserved for the Kuomintang and the Chinese Communist Party. He charges that these two parties, the former antagonists in China's decades-long Civil War, are now collaborating to turn a democratic Taiwan into a province of a repressive and authoritarian PRC.

Loo's work presents a detailed and well-argued narrative from the perspective of the native Taiwanese, who inhabited Taiwan long before the arrival of Chiang Kai-shek and his Chinese Nationalists after World War II. The bitter division in Taiwan caused by the Nationalists' forty years of repressive rule is a key element in the understanding of politics on the island. Loo's argument—made in several articles on commemorating 228—is that the wounds of the past can only be healed if the Kuomintang truly atones for its repressive history and truly identifies with Taiwan as its home. Neither has happened, since the present Kuomintang leadership is dismissive of any attempts at transitional justice and has haughtily emphasized the island's "Chinese" identity.

As one of the commentators on the book, former State Department diplomat John J. Tkacik, stated: *Jay T. Loo's book is a treasure trove of insights into America's six decades of conflicted emotions towards Taiwan.* Highly recommended.

The full title of the book is: **America's Security and Taiwan's Freedom: Speeches and Essays by Li Thian-hok.** By Jay T. Loo. Published by Xlibris Corp., February 2010.

Taiwan Communiqué at Thirty

A message to our readers

It is thirty years ago this month that we launched our publication *Taiwan Communiqué*. It has been quite a journey, for the publication and for us personally: in 1980 we were graduate students at the University of Washington in Seattle, desperately trying to think

of ways to help the leaders of the democratic opposition in Taiwan, who were imprisoned after the December 1979 Kaohsiung Incident. The Kaohsiung event and its aftermath prompted us to start publishing the Communiqué, as the international media paid scant attention to the events in Taiwan, and the Kuomintang authorities were able to make outsiders believe their twisted version of the events of December 1979.

We felt the need to get the truth out to the world and get the outside world to understand the facts about the lack of democracy and human rights in Taiwan. After the *tangwai* leaders were sentenced to long prison terms ranging from twelve years to life imprisonment we decided to publish **Taiwan Communiqué** on a regular basis. It became a bi-monthly publication. Little did we know that it would last for the next 30 years.

Now we are well-established in Washington DC, working to help the US Congress, the Obama administration, think-tanks, foreign embassies, news media and others understand political developments in and around Taiwan. In the intervening years Taiwan made its momentous transition to democracy, and we were so fortunate to be close observers, chronicling events and developments as they occurred.

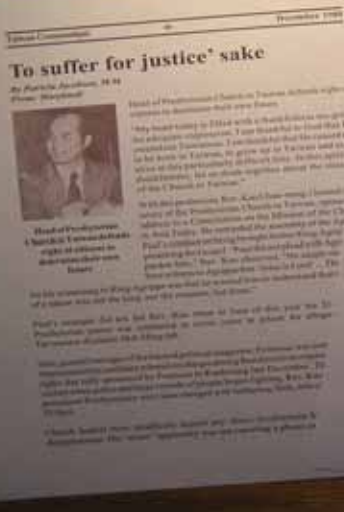
The most significant development in those thirty years was the persistent effort of the people in Taiwan to work towards freedom and democracy on the island. Those efforts paid off when the Democratic Progressive Party was established in September 1986, and the Kuomintang finally lifted martial law in 1987. Taiwan became a free and democratic nation, but regrettably many anomalies remain: it still lingers in diplomatic isolation and has to maintain a defense against a belligerent neighbor that is aggressively claiming sovereignty over Taiwan.

So we need to continue our work: we need to continue to raise awareness among policymakers, and inform the news media and other organizations about what the people of Taiwan really want. All too often, the Kuomintang rulers – past and present — have succeeded in creating the erroneous impression that its views and positions were broadly shared among the island's population. This was – and is – simply not the case.

We will continue to emphasize that the Taiwanese people do not want to be absorbed by China, but want to be a full and equal member of the international family of nations.

On the next page we present a few of the early covers and pages of the publication. The full list of back issues can be accessed at <http://www.taiwandc.org/twcom/>

Gerrit & Mei-chin van der Wees
Editors, Taiwan Communiqué



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

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

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