

Democracy on the Rocks: Taiwan's Troubled Political System Since 2000

DAFYDD FELL

During the 1990s Taiwan was praised as a model of democratic transition and as the first Chinese democracy. The first complete reelection of the parliaments and direct presidential election meant that less than ten years after the lifting of martial law, all major offices were subject to democratic election. The Democratic Progressive Party's (DPP) victory in the 2000 presidential election ended over fifty years of Kuomintang (KMT) rule and saw the island's first election-produced change in ruling parties. Taiwan's transition went remarkably smoothly with almost no political violence or the economic downfall that coincided with the democratization in east Europe.

The quality of Taiwanese democracy appeared promising in the 1990s. The one-party dominant system was replaced by a highly competitive system of institutionalized political parties. Another encouraging sign was that elections were fought on a range of issues rather than just personalities or a single divisive issue cleavage. The parties showed themselves to be highly responsive to moderate public opinion, for they moved from quite polarized positions at the outset of multi-party elections towards the center ground on the core political issues. Thus by the end of the decade, the leading parties had reached at least tacit agreement on most aspects of the thorny national identity and cross-Straits issues. The Taiwanese electorate contributed to this convergence by punishing with electoral defeats parties taking extreme positions. Electoral debate brought about tangible benefits for Taiwanese society, as the ruling party was forced to address some of the island's most critical problems. Thus the 1990s saw significant legislation to improve women's rights, tackle environmental problems, remove political corruption and create a universal and fairer social welfare system. Levels of political participation and political knowledge often exceeded those found in mature democracies, with voter turnout rates of over 80 percent and most voters able to locate parties on core issue spectrums. In short, by 2000 Taiwan was viewed as a democratic success story.

THE STATE OF DEMOCRACY IN TAIWAN

Six years after the change in ruling parties, the sense of pride in Taiwan's political system has been replaced by

disappointment, cynicism, and pessimism. Following the deeply contested 2004 presidential election, pro-KMT protestors carried banners proclaiming that Taiwan's "Democracy is Dead." Despite the post-election recount and the High Court's ruling rejecting the KMT's lawsuit that called for the election to be declared invalid, large sections of the population still believe the DPP guilty of election fraud and of faking the assassination attempt against Chen Shui-bian. The DPP government has also been blamed for its poor handling of the economy, as the post 2000 period has seen a serious economic recession and record levels of unemployment. The aftermath of the 2004 presidential election saw the most serious political violence for decades. Pan-Blue politicians led their supporters in attacking the Central Election Commission offices and the Kaohsiung District Court. While the 1990s witnessed a fluid pattern of inter-party cooperation over core political issues, since 2000 there has been a trend towards two highly antagonistic political camps. The hostility has spilled over into the legislative arena, which has seen gridlock, as the KMT has repeatedly blocked the ruling party's legislative bills. As other issues have faded in salience, electoral campaigns have increasingly been focused on the single and highly divisive national identity issue. Compared to the 1990s there has also been a rise in the amount of negative campaigning. In 2004 the KMT campaign focused on personal attacks on incumbent president Chen Shui-bian, comparing him to Saddam Hussein, Bin Laden, and Hitler. Unsurprisingly, these trends have heightened the sense that the parties are becoming more polarized.

Cross-Straits relations have remained tense throughout Chen's terms and fruitful negotiations are unlikely until there is another change in ruling party. The broad consensus between Taiwan's parties on national identity and handling of cross-Straits relations evident from the mid-1990s has been lost. This was most evident in two episodes. Firstly, in 2005 the leaders of all three Pan-Blue parties visited the People's Republic of China (PRC) for the first time. During their visits they failed to condemn the Anti-Secession Law, did not praise Taiwan's democracy, and agreed to cooperate with the PRC against Taiwanese independence.



[flickr.com/photos/wmjas/](https://www.flickr.com/photos/wmjas/)

Secondly, the seriousness of these divisions was revealed in the aftermath of Chen Shui-bian's decision to scrap the National Unification Guidelines (NUG) and National Unification Council in February 2006. Since the mid-1990s, the NUG had been largely ignored and even the KMT rarely ever made positive references to unification. However, in 2006 the KMT has joined the Chinese Communist Party (CCP) in condemning Chen's actions and promised to attempt to recall or impeach the president.

Dissatisfaction with the political system has been reflected in both opinion polls and political participation. The public's satisfaction rates for President Chen's performance have hit record lows of between ten and fifteen percent since December 2005. Intense and incessant inter-party struggles have also contributed to the falling election turnout rates, most notably only 23.35 percent for the May 2005 National Assembly elections.

The gloomy appraisal of the state of democracy should not be taken too far. When historians come to assess the legislative record of the Chen Shui-bian era, it will be seen that partisan consensus was actually reached on a surprising number of formerly controversial and divisive issues. Much important legislation has been passed to address the problems of political corruption, such as the Political Donations Bill of 2004. The march towards gender equality has also continued, after a decade-long struggle, feminist groups finally saw the

Equal Employment Law passed in 2002. After a decade of debate on pensions, universal pensions were introduced in 2002. In 2001 all the parties were able to reach a consensus at the Economic Development Conference on removing the "Go Slow Be Patient" restrictions on cross-strait trade and investment. Perhaps most surprising of all was the cross-party support for constitutional changes, such as the 2003 Referendum Bill and the changes to the election system passed in 2004-5. Thus in 2007 Taiwan will hold its first legislative election under the single-member district two-vote system. It is hoped that this new system will help strengthen political parties, reduce political corruption and encourage voters to select better and more moderate candidates. It was also encouraging to see that the parties were able to allow the judicial system to resolve conflicts over both the Fourth Nuclear Power Plant construction and the validity of the 2004 presidential election.

TAIWAN'S DEMOCRATIC PROBLEMS POST-2000

Although the two Chen terms are not without achievement, it cannot be denied that there is a great deal of disillusionment with Taiwan's political system and the performance of the DPP government. Thus we must ask ourselves, what is at the root of Taiwan's post-2000 democratic problems and what are some potential solutions? These can be divided into two areas: institutional and behavioral.

One of the root problems of the poor government performance and party antagonism has been the existence of minority government. The presidential party has never had a majority in the Legislative Yuan, which has always been controlled by the Pan-Blue alliance. Moreover, the Legislative Yuan no longer has the power of approval for the premier and his cabinet. Thus since 2000, Chen has made appointments without consultation or negotiation with the majority party. The legitimacy of Chen's first term was further reduced by the fact that he had been elected by only 39 percent of the vote, while the combined vote of the two Pan-Blue candidates was approximately 60 percent.

Three constitutional reforms are required to tackle the problems created by minority government. Firstly, a presidential run-off should be required when the winning candidate fails to gain over 50 percent of the vote. This would avoid the limited legitimacy that Chen had during his first term. Although there was not a third candidate in 2004, it cannot be ruled out that a significant third or even fourth candidate would stand in the future. Secondly, Taiwan should follow the French practice of the president appointing a premier from the party or coalition of parties with a majority in the legislature. In addition, the premier and cabinet should be subject to a legislative vote of confirmation. This would create a more workable relationship between the legislative and executive branches, and reduce the gridlock and partisan hostility that has been such a feature of the DPP era.

Unfortunately, these reforms were not included in the limited constitutional reforms of 2005. Constitutional reforms now require a three-quarters majority in the legislature, a high hurdle to achieve in this time of partisan hostility. KMT chairman Ma Ying-jeou has recently stated that he opposes further constitutional reforms. However, Ma did pledge that if the KMT wins the presidency it would follow the practice of the majority party in the legislature forming the cabinet. This reluctance to consider further constitutional reform is closely related to the fact that such reform has become associated with Taiwan independence. Thus the KMT position appears designed to avoid antagonizing the PRC. In short, if as is expected, Ma does win the next presidential election and is true to his word, minority government should be avoided.

The second root problem lies in the political behavior of Taiwanese politicians. In contrast to the consensual politics of much of the 1990s, in the post-2000 period party leaders and elected politicians have taken highly

confrontational measures. One of the root causes of the hostility between the parties was Pan-Blue anger over the presidential results in 2000 and 2004. The sense that Chen Shui-bian stole these two elections has been at the heart of the confrontational approaches adopted by the Pan Blue leaders Lien Chan and James Soong. Their contention that the 2004 election featured electoral fraud, and their failure to fully accept the results of the recount and the High Court's ruling have seriously damaged the legitimacy of Taiwan's electoral and judicial system. There

has been a breakdown of trust between party leaders, with meetings between Pan-Green and Pan-Blue leaders being very rare. The loss of inter-party consensus on cross-Straits relations was most obvious in the willingness of Pan Blue leaders to ignore the overall consensus on opposing the Anti-Secession Law and join

the CCP in condemning Taiwan independence. Although the joint declarations with the CCP may well have reduced cross-Straits tensions, they were domestically divisive and damaging for the legitimacy of the Taiwanese elected government.

On a number of occasions the KMT lost the opportunity to create internal unity in favor of pleasing hard-core supporters and the PRC. For instance, if the KMT had supported the February 2004 "Hand in Hand" rally, the 2004 referendums, and the rally against the Anti-Secession Law in 2005, it would have created domestic unity and allowed the KMT to share the credit for these initiatives. Similarly, though the KMT condemns the DPP for not addressing economic issues, the KMT shows little interest in the DPP's desire to hold a second economic development conference and are now again threatening a legislative boycott of government bills.

The Pan-Greens must also take some responsibility for the antagonistic relationship between parties. Despite its minority government status, the DPP has attempted to push through measures unacceptable to the opposition and not done enough to seek common ground. This was apparent in its sudden announcement that construction on the Fourth Nuclear Power

Station would cease in late 2000, the decision to hold the 2004 referendums and the decision to scrap the NUG in 2006. In all three cases, the critical factor in the KMT's hostile response was the complete lack of consultation. In reality, on all three issues the actual position gap between parties is not as wide as the public perceives and there was great room for compromise. Instead the DPP's tactics, while possibly scoring points with core supporters and contributing to electoral support were damaging for

When historians come to assess the legislative record of the Chen Shui-bian era, it will be seen that partisan consensus was actually reached on a surprising number of formerly controversial and divisive issues.

In repeated surveys, the public has shown that they see environmental protection, economic development, crime, political corruption and education as more pressing than the independence versus unification question.



[flickr.com/photos/aep/](https://www.flickr.com/photos/aep/)

internal unity and the political system as a whole. Another overlapping area where political behavior has been damaging has been the increased focus by the DPP on divisive national identity issues and the dropping of their 1990s focus on social issues. In repeated election campaigns of the post 2000 period the DPP has centered its campaign on controversial identity issues and which have served to antagonize opposition parties and their supporters.

Thus it is up to the leaders of both camps to show greater restraint and to seek consensus, particularly on matters pertaining to national identity. An ideal start would be to hold a national affairs conference on the model seen in 1990 and 1996. Similarly, the parties should try to engage in more trust-building measures, such as more face-to-face leadership meetings and greater consultations prior to the announcement of new policies. In election campaigns politicians should also try to take more moderate positions, particularly on national identity matters and to try to shift the focus on to more social issues. In repeated surveys, the public has shown that they see environmental protection, economic development, crime, political corruption and education as more pressing than the independence versus unification question. Like political analysts, Taiwanese voters appear to be suffering from cross-strait and national identity fatigue. Thus it is up to the parties to mobilize on an alternative set of political issues. This did happen in the 1990s, but it will take great political determination for Taiwan's politicians to stop from falling back on the stale but tried and tested identity question.

On reflection the problems of elite political behavior appear much harder to resolve than those of political institutions. There was great hope that Ma Ying-jeou's replacement of Lien as KMT chair and the fading from the political scene of Soong boded well for a new age of rapprochement. Ma has talked of a more rational relationship between the parties and has shown some signs of trying to reduce the gap between parties by agreeing to join Chen on the same stage at ceremonies for New Year and the February 28 Memorial Day. It is also encouraging to note that Ma has ruled out following in Lien's footsteps and visiting the PRC in the run up to the 2008 presidential election. However, the hoped-for breakthrough has not yet occurred. Nine months after becoming KMT chair, Ma has yet to hold a face-to-face meeting with Chen. Despite Ma's talk of dealing rationally with the dispute over military procurement, the arms bill continues to be blocked by the Pan-Blue-controlled legislature. In fact, Ma's support for the Pan-Blue bid to either recall or impeach Chen for scrapping the NUG and to hold mass anti-Chen demonstrations looks likely to return Taiwan to heights of inter-party tensions seen in 2000-2001 and 2004. Even though Ma would prefer a more consensual approach, he is unable to control the antics of the more extreme Pan-Blue legislators. Instead he is being forced into confrontational tactics that though popular with deep Blue voters may well damage his long-term electoral fortunes and Taiwan's political stability.

The political behavior of the ruling party, particularly Chen Shui-bian also shows no sign of a movement away

from antagonistic and identity orientated politics. In contrast to the stress on anti-corruption and social welfare the DPP adopted in 2000 and 2001, there has been a shift back to divisive identity campaigns, such as the calls for name rectification in 2004 and condemning Lien Chan for trying to sell out Taiwan in the December 2005 election rather than offering a blueprint for local governance. We see a similar pattern in the decision to scrap the NUG in February 2006. The NUG had been a dead issue since the mid 1990s. However, by scrapping them, Chen may well have brought them back to life! Chen's motivations are related to the 2008 presidential campaign and an attempt to make the KMT take or be perceived as taking an unpopular pro-unification stance.

In addition, by inciting KMT demonstrations, a recall vote and legislative gridlock, Chen hopes that the public demand for stability will lead to an anti-KMT backlash, similar to the one seen in response to the KMT's recall drive in 2000-2001 and violent demonstrations in 2004. Although Ma and the KMT are falling into Chen's trap, it is again disappointing that Chen is placing long-term election goals above good governance and any hope of political consensus.

A final example of Chen's future identity orientation is his determination to push ahead with a new constitution before the end of his second term. If he were aiming solely at limited constitutional revisions, this would be less damaging. However, a new constitution is seen both in Taiwan and abroad as a step towards Taiwan independence. Since Chen would require a three-quarters majority in the Legislative Yuan, his push is doomed to failure and will only further antagonize inter-party relations.

CONCLUSION

I have compared Taiwan's political development before and after the change of ruling parties in 2000. There is no doubt that the first two DPP administrations are not without achievement. Nevertheless, the recession, political conflict and gridlock, and continued cross-Straits tensions have damaged both the domestic and international reputation of Taiwan's political system. The root causes of the political performance have been poor institutional design and antagonistic political behavior of the leading parties. A number of institutional reforms and a more consensual or cooperative political behavior have been suggested. In the short-term, the chances of improvement are poor, as the KMT still rules out constitutional

reforms and both parties appear set on a collision course in the year and a half before the 2008 presidential election.

Rather than ending on a pessimistic note, there is actually a more optimistic scenario for the post-2008 period. This depends of a combination of political institutions and voting behavior to drag the parties back towards the center. In December 2007, the new single-member district electoral system will come into force. This is likely to favor more "middle of the road" politicians and either weed out extremists and corrupt politicians or force radicals to take more centrist stances. Four months later the presidential election will take place. The previous three presidential elections have each encouraged candidates to move towards more centrist positions, we can thus expect this to happen again.

The second and overlapping force that will encourage more centrist politics is that of public opinion. A long-term examination Taiwanese public opinion polls reveals the moderate nature of the Taiwanese voters on the core political issues. Taiwanese parties and their candidates are very responsive to the electoral market and history has shown repeatedly that the electorate will punish extremist candidates on both sides of the political spectrum. Thus it is up to voters to maintain this record. If, as seems quite likely, the DPP is defeated in 2008, it can be hoped that the new generation of leaders will react

in an introspective way to defeat in the same way as the party did after defeat in 1991. In other words, the post-Chen DPP will need to be moderate on national identity and to expand their electoral appeal into new but important social and economic issues. Such a course of action will not only benefit the party in the election, but also strengthen Taiwan's political system. Whether or not Taiwan is able to consolidate its democracy,



flickr.com/photos/wmjas/

move towards better governance and regain a consensus on relations with China are more than just academic questions. Unless the island is able to overcome these crises, the many fruits of democratization will be endangered.

Dafydd Fell is a Research Fellow in Taiwan Studies at the Centre for Financial and Management Studies in the School of Oriental and African Studies at the University of London.