TAIWAN’S 2004 LEGISLATIVE ELECTION: PUTTING IT IN PERSPECTIVE

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John F. Copper*

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I. INTRODUCTION

On December 11, 2004, voters in the Republic of China (the country more commonly known as Taiwan) went to the polls to cast ballots for their favorite candidates for seats in the national legislature, or Legislative Yuan. This was the country's thirteenth competitive national election (its fourteenth if the 1994 election of Taiwan's provincial governor, provincial assembly, metropolitan mayors, and city councils is counted).\(^1\) It was Taiwan's ninth competitive legislative election beginning with the watershed contest in 1980.\(^2\) More important than any other contextual factor, though, it was the next national vote following the reelection of President CHEN Shui-bian and Vice President Annette Lu in March in what was a most controversial campaign — the legitimacy of which was still under challenge during this election's campaign and voting.\(^3\)

Going into the election season, President Chen and his party, the Democratic Progressive Party (DPP), expressed the hope and anticipation that more DPP candidates would be elected and that together with gains made by their party ally, the Taiwan Solidarity

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2. There were competitive local elections before this, going back to 1950. Some scholars disagree that the first competitive national election was in 1980, but rather say it was 1986 after the formation of the Democratic Progressive Party. Or it could be 1989 when the DPP performed well enough to be considered a serious contender or 1991 or 1992 when the first non-supplemental elections were held for the National Assembly and the Legislative Yuan. This writer feels the 1980 election was competitive because the opposition was allowed to campaign quite freely and independent candidates contested energetically with Nationalist Party nominees.

3. See John F. Copper, *Taiwan's 2004 Presidential and Vice Presidential Election: Democracy's Consolidation or Devolution?*, (Baltimore: Maryland Series in Contemporary Asian Studies, University of Maryland School of Law, 2004) for details.
Union (TSU), comprising the "green bloc," they would attain a majority in the lawmaking body of government. LIEN Chan, head of the Nationalist Party or Kuomintang (KMT), in cooperation with James Soong’s People First Party (PFP), and the New Party (NP), or the "blue team," said he expected that they would retain a majority and thus continue to control the legislature.4

Leading up to the election, green bloc leaders and candidates proclaimed a pan-green win would facilitate the government’s efficiency in passing legislation (including the controversial weapons bill before the Legislative Yuan), get important and needed constitutional amendments passed (or rewrite the Constitution), enhance President Chen’s ability to deal with China, and protect Taiwan’s sovereignty. A blue victory, opposition leaders said, would sustain better checks on the government’s authority and block dictatorial rule, enhance social stability, boost the economy, check separatism (from China), and facilitate better cross-strait relations. Clearly, whichever way the voting went it was predicted to have consequences. Troubling to both sides, winning a legislative majority was challenged by more independents registering than usual, some of them organized into an “alliance” of independents, called the Non-Partisan Solidarity Alliance (NPSA).5 Some very well known personalities ran as NPSA candidates, including former DPP chairmen, and some social and/or political luminaries. Other “unaffiliated” independents, including some well-known ones, also ran.

Public cynicism and some measure of disgust with both sides — fallout from the very hotly contested presidential election in March — affected views about this election and undoubtedly the results, as did “election fatigue” (this election following that presidential election by only nine months). Intense and nasty campaigning, which started early, also negatively impacted voters’ perceptions of the electoral process. External factors likewise played a role, especially the United States. During the campaign Washington expressed its dissatisfaction with the Chen administration provoking China; this affected the campaign and probably the results. The legislature held

4. The New Party, which had only one delegate in the legislature and only a small voting base, announced that it was merging with the KMT during the campaign. Thus many observers saw the blue team as the KMT and the PFP. Green is the DPP’s party color, and since it is the largest party in the DPP-TSU “coalition,” its color is used to represent both parties. The KMT’s color is blue, which is used to represent both it and the PFP.

5. Because of the polarization of Taiwan politics into two blocs, independents did quite poorly in the 2001 legislative election. See Copper, Taiwan’s 2001 Legislative, Magistrates and Mayors Election, p. 60.
up the purchase of a large arms package from the U.S. and pan-blue candidates conveniently used it to make points against the Chen administration and pan-green candidates. Chinese leaders tried to preclude China from becoming an issue in the election and generally succeeded.

The months before the voting as well as the ten days of formal campaigning witnessed partisan politicking in the extreme, not to mention both sides accusing the other of wrongdoing, filing lawsuits, engaging in antics, and more. In short, the election campaign was a spirited one, but one also characterized by behavior reflecting deep-seated antipathy between the two blocs and a propensity for engaging in low politics. Some observers said this represented the bad side of democracy. Others suggested it was simply a part of the democratic process.

The media and most election observers concluded that the blue camp won the election by a slim yet in some ways very meaningful margin. This interpretation was based to a large extent on the fact President Chen had campaigned hard for pan-green candidates and had publicly proclaimed throughout the campaign that much (indicating the country’s future) rested on the election results. Moreover, he and other green officials predicted a green victory, as did most pollsters and commentators. Thus pan-blue’s good performance was unexpected. Seeing the blue camp the victor also came from the fact that it would control the legislature after the election and that was the central objective of both sides during the campaign. The number of seats won and shifts in the popular vote for the two sides were negligible and were less noticed.

Some election watchers attributed pan-blue’s prevailing in this election to “mechanical” factors such as better strategic planning and improved vote allocation. Yet pan-blue also won on issues and because certain events and trends seemed to favor it during the campaign. This gave pundits reasons to argue that the election marked a turning point and/or was critical to Taiwan’s future politics.

Indeed the election will no doubt have a profound impact on Taiwan’s politics. During the post-election, most experts said they expected President Chen’s influence to wane and that there would be less talk surrounding Taiwan’s independence. Many anticipated better cross-strait relations and somewhat more cordial relations

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6. The definition of “victory” in this election is defined in more detail in the final section of this paper.
with the United States. Yet not a few observers were skeptical and predicted more gridlock and partisanship. A widely accepted interpretation of the significance of the election results was that the win for pan-blue represented a reversal of fortunes, after losing the past three elections. This gives evidence for continued tight party competition in future elections and perhaps a two-party system, or two-bloc arrangement, becoming a permanent fixture of Taiwan’s political landscape. Yet the election also saw a weakening of the second largest parties in each of the two blocs, which portended of future uncertainty on both sides. Finally, the election failed to resolve many political disputes and engendered others.

II. FALLOUT FROM THE MARCH PRESIDENTIAL ELECTION

The March 2004 presidential and vice presidential election was unquestionably Taiwan’s most divisive election ever. Leading up to voting day on March 20, the blue team candidates had been ahead in most of the opinion polls (though, according to the law in Taiwan, poll results cannot be published the last ten days before the voting in presidential elections). Movements in Taiwan’s stock market, not to mention the rise and fall of the shares of specific companies linked to the various political parties and those standing to gain or lose depending on the results of the election, indicated pan-blue would win. So did the odds calculated on the election by those who placed bets in other countries (legally in the U.K.) and in Taiwan (not legal but widely done and reported on). There were also visible signals from the Chen camp that they anticipated losing the election. Thus, the blue camp thought it would get back the presidency and vice presidency and, when it did not, its leaders and supporters expressed intense anger and disappointment. They felt, and so charged, that the election had been stolen.

The backdrop to this very unsettling situation is instructive. In 2000, CHEN Shui-bian was elected president mainly because the conservative vote split. James Soong, former provincial governor and arguably Taiwan’s most popular politician, was ahead, way ahead at times, in the polls months before the election. However, he failed to get the Nationalist Party’s nomination; President LEE

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7. For details on this election, see Taiwan’s 2004 Presidential and Vice Presidential Election.
8. See ibid., pp. 71-75.
9. Articles detailing pan-blue’s complaints about the election, their efforts to nullify the results, etc. can be found online (internationalcenter@kmt.org.tw).
Teng-hui chose his vice president, LIEN Chan, to be his successor. Soong had previously been very close to Lee but at this time was no longer; in fact, many said Lee hated Soong with a passion and would do everything in his power to prevent him from being Taiwan’s next president.\textsuperscript{10} Not getting his party’s nod, Soong ran as an independent.

In response, the KMT, most likely at Lee’s behest (though he denied this), disclosed heretofore-confidential information about Soong’s involvement in some financial irregularities when he was general secretary. Lee even accused Soong of stealing.\textsuperscript{11} This severely damaged Soong’s credibility, since he was widely viewed as honest, at least compared with most other Taiwan politicians, and as a devoted, man-of-the people politician. Furthermore, Soong lacked a good campaign organization and did not have much money; he depended upon his personal following, charm, and the loyalty of many who had worked for him in the past to win voters’ support. Lien, lacking charisma and running for office in what was now a popular democracy, was not able to capitalize substantially on Soong’s difficulties.

Though Chen won the election, he did so with less than forty percent of the vote (39.3 percent compared to Soong’s 36.8 and Lien’s 23.1 percent), which few in Taiwan considered was a mandate.\textsuperscript{12} Making matters worse for Chen, his party held only one-third of the seats in the legislature. Chen assumed, presumptively according to his opponents, Taiwan’s political system was a presidential one and this did not matter. The new opposition (the KMT and the PFP, which Soong founded right after the election) argued that the system was a parliamentary one (though leaders of both

\textsuperscript{10} In 1988, when then Vice President Lee became president upon the death of President CHIANG Ching-kuo, he was challenged by members of his parties who tried to marginalize him. Soong took a strong stand in support of Lee. Lee subsequently appointed Soong Governor of Taiwan and campaigned for him when that office was made an elective one. The “blood feud” between Lee and Soong had for some time been the topic of speculation as to its cause. Some said it had to do with their different views about Taiwan’s national identity and relations with China. Others said that Lee did not want a Mainlander to be his successor. Still others said that competition developed between the two after Soong ran successfully for governor in 1974, when his popularity was seen as surpassing Lee’s. Neither has said specifically what the cause of the end of their friendship was.

\textsuperscript{11} See Copper, \textit{Taiwan’s 2000 Presidential and Vice Presidential Election}, p. 19.

\textsuperscript{12} The term mandate has never been specifically defined in Taiwan politics. However, it was widely discussed in the most recent presidential election in 1996 and most thought it to be a candidate winning more than fifty percent of the vote.
Taiwan's 2004 Legislative Election

parties had long contended or at least acted as if it were presidential) and that Chen did not or should not have such powers.13 (The Constitution, in fact, delineated a mixed cabinet, parliamentary and presidential system so the nature and structure of Taiwan's polity in theory at least was unclear.14) Divided government and gridlock, not to mention bitter partisanship, followed.

President Chen cut his ties with his party in order to be a non-party president and tried to rule as a populist president. He also tried "cohabitation"— thinking the system was a cabinet one as in France. Neither worked.15 After these failed efforts, Chen showed little willingness to cooperate with the opposition. Oddly Chen and the DPP at times resorted (regressed some said) to protest politics as if they were not in power.16 His critics said he had no leadership talent. His supporters argued there was little Chen could do save surrender to the opposition, and he could not do that as the people had spoken. The two opposition parties controlled the legislature; Chen ran as best he could the executive branch of government.17 Instituting sorely needed constitutional reform to rectify the situation, and even passing any meaningful legislation, was out of the question.

After a vicious fight broke out over a nuclear power plant the previous government had approved (Taiwan's fourth), and which was already under construction (but DPP was on record, including during this election campaign, as adamantly opposing), the opposition impeached Chen. However, it failed to remove him from office. Forthwith, and apparently as a direct result, the economy took a dive, and in 2001 Taiwan's citizens witnessed negative economic

13. The PFP was formed mainly from Soong's campaign team and KMT members that were dissatisfied with their party or favored Soong. Most took a more strict interpretation of KMT ideology and most opposed independence. For information on the party see www.pfp.org.tw.
17. Most observers referred to the "two" opposition parties. The New Party, which after the 2001 election became seen as a disappearing or tiny party, was also in opposition.
growth and rising unemployment — both of magnitudes few thought possible.\textsuperscript{18}

In ensuing months Chen was accused of corruption, practicing "green terror," establishing a personal dictatorship, incompetence, and much more. Stories were published in the newspapers about his son getting into the legal section in the military even though his test scores were not high enough, of his son-in-law using government vehicles, and worse. Chen also became the target of a media frenzy over his alleged sexual liaison with an aide (widely referred to as Taiwan's "Lewinsky case"). His sour relationship with his vice-president, Annette Lu, was also the topic of speculation in the gossip magazines and talk shows — particularly when it seemed that evidence about Chen's sexual affair came from the VP's office.\textsuperscript{19} The opposition used this to humiliate, distract and, if possible, destroy Chen. The upshot of all of this was that Chen's popularity fell precipitously. In fact, it became widely perceived that what public support Chen enjoyed was gotten by doing almost everything for show. However, the opposition's public approval ratings also fell, with many citizens seeing their actions as blindly obstructionist.\textsuperscript{20}

Chen said repeatedly that the opposition opposed democracy and were to blame for Taiwan's bad political and economic situation. He posited the notion that the political impasse would be resolved by a DPP victory in the 2001 legislative election, to which the opposition replied that Chen "knew how to run for office but not how to run in office," or how to manage the affairs of state, and called him the "public relations president." Both sides said the voters would have to decide. In the meantime, former president LEE Teng-hui openly took Chen's side, for which KMT stalwarts fiercely criticized him and the party expelled him.\textsuperscript{21} Leading up to the legislative election, Lee formed a new political party, the Taiwan Solidarity Union.\textsuperscript{22} Lee strove to recruit KMT members that had remained loyal to him, especially those that supported the "localization" of the party that Lee initiated when he was president and

\textsuperscript{18} For details, see Copper, "Taiwan in Gridlock," pp. 45-46.
\textsuperscript{19} Vice President Lu sued the magazine that published the story, but by that time the damage was done.
\textsuperscript{20} See Copper, "Taiwan in Gridlock," pp. 46-47.
\textsuperscript{21} KMT leaders delayed expelling Lee for some time. This was a very serious move since Lee was known as Mr. Democracy and had considerable support in the party. But because he openly criticized the KMT leadership and supported Chen, the party could not act otherwise.
\textsuperscript{22} The TSU was formally founded and led by HUANG Chu-wen an associate of Lee's. Lee was seen as its spiritual and de facto leader.
chairman of the KMT. He succeeded to a certain extent, which troubled KMT leaders. Lee then threw his party’s support to Chen. Working together, the DPP and the TSU became known as pan-green or the green bloc.

Pan-green won the 2001 legislative election. But it did so largely by fanning the flames of ethnic enmity and by allocating votes, which even some green camp leaders considered unethical and undemocratic. Pan-blue clearly viewed pan-green’s victory this way.\(^{23}\) Making matters worse, the DPP and TSU did not attain a majority in the legislature, which, if they had, might have resolved the blue-green standoff. Hence, political gridlock persisted and Taiwan remained very, very polarized.

After the election relations between the two blocs worsened, both sides were full of vindictiveness, and their actions reflected this. For example, former president Lee proposed that the qualifications for president be changed to exclude anyone not born in Taiwan. This was obviously aimed at Soong and also MA Ying-jeou, mayor of Taipei and a rising star in the Nationalist Party. In August 2002, Chen once again assumed the chairmanship of the DPP, to which pan-blue cried betrayal, since he had earlier promised to be a non-partisan president. Soon after this, Chen proposed legislation to strip political parties of “illegally gained funds.” This was patently aimed at the KMT.\(^{24}\) Antagonisms got worse. The two sides sparred over social issues (including welfare, the national health insurance program, immigrants, taxes, and foreign and military policies). The disagreements were bitter, resulting frequently in one side naming the other “traitors” and worse.\(^{25}\)

Subsequently pan-green proclaimed that the “general impasse” created by the situation might be resolved if President Chen could win another term in office. Its strategists foresaw that playing the ethnic card would work again and could be used to capture votes in tandem with stirring up cross-strait tensions to incite local nationalism. Lien and Soong put aside their differences and formed a joint ticket. Pan-blue thought that it had the edge on the economy and maintaining social stability and eventually these issues would have a palpable impact on voters. Blue bloc strategists had more organiza-

\(^{23}\) See Copper, Taiwan’s 2001 Legislative, Magistrates and Mayors Election, pp. 68-70.


tional talent and considerable influence with the media. They were confident they could retain control of Taiwan’s executive branch of government. Certainly if the joint ticket could garner the combined votes each got in the 2000 election they would win. They argued that another switch in ruling parties would truly facilitate Taiwan’s democratic consolidation.26

Nineteen hours before the polls opened for the March 2004 presidential election voting, President Chen and Vice President Lu were both shot while campaigning in the southern city of Tainan, Chen’s hometown. The incident generated a vast sympathy vote, amplified by green campaign activists accusing China and the KMT of collusion in the “attempted assassination.” They made this a strong pitch in rural southern Taiwan where people were inclined to believe it. Chen also got a boost by not announcing until hours after the shooting that he was not seriously hurt. If, as it was reported, Chen’s voting base was weak due to his sub-par performance in office, especially in handling the economy, the shooting and what followed helped him get out the green vote and enabled him to win the election.27

The shooting and the events surrounding it engendered suspicion in the blue camp and among election observers.28 The devil is in the details. Chen and his vice president, Annette Lu, were standing in a jeep in a motorcade when the shooting occurred. Nobody heard the shots or saw the perpetrator(s). Inexplicably the president and vice president were not wearing bulletproof vests as they had been earlier that day. Then, Chen ordered the driver to take them to the hospital, but not to the closest one. Instead they went to one owned by a friend of President Chen’s. A nurse there later stated that people that she thought to be “officials” had been “checking out” the hospital the day before. Meanwhile a child, not the police, found the casings for a small bullet not intended to kill a person, as did the location of the wounds (in the knee of Vice President Lu and the stomach of President Chen).29

Winning by less than thirty thousand votes among 13 million cast, or by a margin of 0.228 percent of the votes cast, it seemed

26. Pan-blue used the same argument used by the DPP in the past that a change in ruling parties would bolster democratization and would be good for the country.
27. See Copper, Taiwan’s 2004 Presidential and Vice Presidential Election, p. 47.
28. The author was at the Government Information Office at the time the shooting was announced on television and heard a number of foreign reporters comment on the event. Most expressed skepticism about the event.
29. Copper, Taiwan’s 2004 Presidential and Vice Presidential Election, p. 52.
obvious that sympathy support for the president and vice president especially among apathetic voters likely to vote for Chen and Lu, if they voted, helped. In addition, 337,000 votes were voided — a number equal to ten times the margin of Chen and Lu’s win. Last but not least, large numbers of military and police personnel (that would have voted more blue than green) were ordered to stay at their posts. All of these things together gave Chen enough votes to win; he would not have otherwise. An opinion poll conducted at the time indicated that most people agreed with pan-blue leaders who said that the election was unfair.

Pan-blue supporters were flabbergasted, hurt, and very angry. Many cried. Many spoke of being robbed by a “silver bullet.” LIEN Chan called publicly for the election to be annulled and the votes recounted. James Soong declared that the election had been “manipulated from beginning to end.” In short, Pan-blue would not accept defeat. More than 20,000 protesters staged a sit-in in front of the Presidential Palace that evening. Participants accused the Chen administration of ruining the country, bigotry (in exploiting ethnic ill feelings), corruption, and turning Taiwan into a dictatorship. They screamed that Chen had “hijacked” the election.

Violence broke out during demonstrations elsewhere on the island. Protest continued in Taipei for days, paralyzing the city and the government. Meanwhile, on the Monday following the election, Defense Minister TANG Yao-ming resigned. Pan-blue supporters said he left in disgust over the “underhanded tactics” used by pan-green to win the election, especially the disenfranchisement of so many military personnel. That same day the stock market dropped by 6.68 percent — the biggest one-day decline in almost a decade. The obvious cause was a fall in investor confidence. A week after the election and amid continuing marches and demon-

30. The Chen administration denied that there was a sympathy vote. But most observers said it was obvious there was.
31. This was the basis for KMT lawyers to call for a judicial recount. See “Challenges Demand Judicial Recount,” April 7, 2004 (online at internationalcenter@kmt.org.tw).
32. According to the poll, 57.56 percent of respondents said yes to the question: Was the election unfair? while 38.43 percent said no. See Liberty Times, March 21, 2004, p. 2.
33. See Copper, Taiwan’s Presidential and Vice Presidential Election, pp. 57-71.
strations, one the previous day in front of the Presidential Palace that attracted 400,000 people, Chen agreed to meet with the opposition, to allow a vote inspection and recount, and also to permit international experts to investigate the shooting.36

CHEN Shui-bian did not want to use force to stop the demonstrations; after all, in the past the DPP had used protest and street demonstrations extensively to vet their issues and, eventually, to win political office. Furthermore, he perceived that pan-blue's anger and disappointment would fade and/or that Lien and Soong would soon become seen as sore losers. Pan-green also expected a rift to develop in the opposition camp as KMT supporters came to see that they needed to move on and, in particular, to find new leaders. Taipei Mayor MA Ying-jeou and Legislative Yuan Speaker WANG Jin-pyung were seen as constituting a new conservative leadership. Some KMT leaders as well as many rank and file opined that Lien was too old and that Soong, notwithstanding his past popularity, no longer had a political future. Some even said that pan-blue would have won the election had someone else been on the ticket, because of Soong being a Mainland Chinese and the strong Taiwanese ethnic vote in south Taiwan.37 With a legislative election coming in December, some pan-blue stalwarts asserted that important strategic decisions must be made soon and that continuing to challenge the March election while not focusing on the coming legislative election campaign would lead to another setback.

For their part, Lien and Soong perceived that public opinion was on their side and that they should persist in overturning the "spurious election." Thus the KMT/PFP Alliance led by Lien and Soong demanded a recount of the votes and an investigation of the shooting. The two pan-blue leaders perceived that the Chen administration would not do this willingly or honestly, but that the public favored it. So, the Lien-Soong Campaign Organization, which was not disbanded after the election, continued to press for action on both a recount and an investigation, and cited public opinion in doing so.38

37. At a panel on Taiwan politics at the annual meeting of the American Association for Chinese Studies in October, several scholars stated this view.
38. "Public Opinion Supports Ballot Recount and Fact-finding on Shooting Incident," Press Release from Lien-Soong Campaign Headquarters, April 8, 2004 (online at internationalcenter@kmt.org.tw). The poll cited was done by ERA Television.
Even though Lien and Soong had asked for a judicial recount, they did not trust the judiciary to deal fairly with the issue of the shooting. So, pan-blue, with its majority in the legislature, penned a bill to establish the Special Commission for the Investigation of the Truth about the March 19 Shooting, or the “Truth Commission.” According to several public opinion surveys that pan-blue leaders cited in the pursuit of this legislation, the majority of Taiwan’s population questioned the integrity of the voting in March and did not trust the government to thoroughly or honestly investigate the shooting. So, the commission was justified.

The Chen administration vehemently opposed the Truth Commission and challenged its constitutionality, arguing that it violated the principle of the separation of powers, since the legislature would encroach on executive authority through its investigatory powers. Yet, according to a survey of public opinion, most citizens did not agree and more thought President Chen’s complaints were more personal than sincere. LIEN Chan also pointed out that Chen himself had established a human rights commission with such investigative powers.

Not being able to veto the law establishing the commission, President Chen promulgated the commission and it became tentatively a constitutionally established body. However, the president refused to confirm the members of the commission and referred to

39. “Taiwan to Set up Truth Commission on President’s Shooting,” Financial Times Information, August 24, 2004 (online at www.lexis-nexis.com). Pan-blue leaders argued that the Central Election Commission and the judiciary was controlled by the Chen administration and were even skeptical of the special investigation committee headed by Control Yuan President Frederick Chien though they trusted him personally.

40. According to an ERA television poll conducted at this time, 76 percent of those polled expressed concern about the situation; 51 percent were dubious about the government’s investigation and 46 percent thought the government was not doing a good job. A United Daily News poll indicated 51 percent were not satisfied with the performance of the DPP and 52 percent were dissatisfied with President Chen’s performance, while 46 percent said the DPP was not a responsible party. See “Public Opinion Supports Ballot Recount and Fact-finding on Shooting Incident,” Press Release from Lien-Soong Campaign Headquarters, April 8, 2004 (online at internationalcenter@kmt.org.tw).

41. “Public Opinion Poll Conducted by ERA TV,” Press Release from Lien-Soong Headquarters, April 7-8, 2000 (online at internationalcenter@kmt.org.tw). According to the poll, more than 45 percent of respondents did not agree that the commission was unconstitutional, compared to 25.4 percent that said it was.

42. “Chen Shui-bian Doesn’t Care Face the Truth, the People, and the World,” Press Release from Lien-Soong Headquarters, April 12, 2004 (online at internationalcenter@kmt.org.tw).
it as a “lawless body” and its head, SHIH Chi-yang, former president of the Judicial Yuan, as the “so-called convener.” Chen subsequently ordered his administration to boycott the commission, while he blocked the use of funds for the commission’s work. This incensed pan-blue and further strained already very bad relations between the two camps.

In mid-April pan-blue issued a statement on the shooting describing it as a “day that will live in political infamy.” The statement delineated the suspicious nature of the shooting cited above, and also added some other reasons to doubt the Chen administration’s account of the event. The statement said: For ten minutes Chen and Lu did not know they had been shot. Nobody heard the shots or saw the bullet holes in the vehicle’s windshield. The driver took no action. The police did not seal the area, there was no dragnet, and vigilance was not increased at the airports or harbors. Chen did not subsequently condemn the assassin(s). The district prosecutor was not allowed into the hospital for three hours. An x-ray purportedly showed a metal object in Chen’s body near his spine, but actually it was in his pocket. CHIOU I-jen, Secretary-General to the President, said publicly three times that the bullet was in his body. Pan-blue cancelled campaign activities in a show of respect; pan-green did not. At 700 voting stations pan-blue monitors were intimidated.43 At this time LIEN Chan also charged that the DPP issued posters right after the shooting that portrayed Chen as Taiwanese and Lien as Chinese and that they were made before the shooting, suggesting the shooting was planned.44

The imbroglio evoked a serious constitutional problem, in fact a mini-constitutional crisis. President Chen and his Democratic Progressive Party treated the commission as unconstitutional. But the Council of Grand Justices should have decided this. Pan-blue, in fact, asked for an interpretation. Meanwhile the administration seemed to be flouting the Constitution, or so pan-blue alleged. President Chen repeated his view that the committee was unconstitutional because it violated the principle of separation of powers. The legislature exacerbated the situation by not sending any representative to the Grand Justice hearings on the matter. The Council’s

44. “Lien Charges the Shooting Incident Pre-Planned,” Press Release from Lien-Soong Campaign Headquarters, April 15, 2004 (online at internationalcenter@kmt.org.tw).
impartiality, meanwhile, was brought into question as some of its members had tried to influence lawmakers during the process of establishing the commission.45

For the ensuing weeks the issue precipitated a firestorm of accusations and charges between Taiwan's two opposing political blocs.46 In August, the legislature formally passed a special statute creating the Truth Commission. The commission was to have the powers of civilian and military prosecutors and would be in charge of evidence collection, investigation, and indictment. It would be comprised of 17 “professionals” recommended by the parties according to their strength in the legislature, giving a majority to pan-blue.47 The Cabinet tried to delay the bill's going into force by asking the legislature to reconsider it; the legislature refused.48

The Chen administration then argued that the bill would “confuse the Cabinet and law enforcement agencies” and that it was “trampling on the Constitution” because the commission would have “extraordinary” powers to tap telephones, make searches, etc. Administration officials even cited it as violating human rights.49 Cabinet members, including the Minister of Justice and the Minister of Interior, sparred with SHIH Chi-yang over his decisions. They asked that “illegal aspects” of the bill creating the commission be revised. Commission chairman Shih asked if President Chen really regarded the commission as unlawful and asked why pan-green representatives came to see him if they felt that way.50 The next day the Criminal Investigation Bureau (CID) declared it would not present its findings on the shooting case to the Truth Commission.51

In the midst of this fight, in early November the high court rejected the opposition's demand that the results of the March election be nullified. Whereupon the Nationalist Party's lawyer charged

47. The DPP was granted six members, the KMT 5, the TSU one and independents one. See ibid.
that the court had been biased and said that the decision would be appealed. The next day LIEN Chan said that the "battle for justice" had not ended even though "the court dealt a serious blow to all those people who have faith in the judiciary." He noted that the court had acted on the grounds that the civil code governs lawsuits on elections, saying that it was really a "public affair." Lien vowed to continue the struggle. This made the Truth Commission even more critical to pan-blue's efforts to do something about the "flawed election."

The next day Henry Lee's 130-page report on the incident was published, a full two months after it was finished. Investigators said its publication was held up because it would interfere with their continued work on the case. Pan-blue cited ulterior motives. In any case, the report said little that was new but repeated that the president and vice president had actually been shot, though the crime scene was not preserved, making any further analysis difficult. However, Lee opined that the shooting was not an assassination attempt given the fact the bullets used were such a small caliber. In sum, Lee's report did little to quell the controversy. Little more than two weeks later, pan-blue lawyers filed an appeal to the verdict refusing to nullify the election. It claimed that the court had used a very narrow interpretation of what happened in order to reject the lawsuit.

Thus, going into this election the results of the previous election were still under challenge and Taiwan's political, and especially its electoral, system was under a cloud of suspicion and doubt. In addition, a second lawsuit, this one challenging the legality of nationwide referendums conducted with the election (causing possible

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52. See "Taiwan Poll Challenge Rejected," BBC, November 4, 2004 (online at taiwansecurity.org/News/2004/BBC-041104.htm).
53. "Lien to Appeal High Court Ruling," China Post, November 5, 2004 (online at taiwansecurity.org/CP/2004/CP-051104.htm).
55. Caroline Hong, "Pan-Blues File Election Appeal," Taipei Times, November 30, 2004 (online at taipeitimes.com). According to Article 104 of the Presidential Election and Recall Law, the results of an election can be nullified if it is proven that inaccurate ballots affected the election. The recount found a large number of such ballots, but concluded that Chen and Lu had won by a margin of 25,563 votes rather than 29,518 and deemed the discrepancy as not being large enough. Pan-blue argued that the large number of invalid votes should have nullified the election. Lawyers for the blue bloc also said that Henry Lee's report should not have been taken into consideration in the verdict since he had not been asked by the court to make the report.
interference) and dealing also with the impact of the attempted assassination on the election, was pending.\footnote{Ibid. The court made a decision against annulling the election at the end of December. See “High Court Rejects Suit to Annul Election,” *China Post*, December 31, 2004 (online at chinapost.com.tw).}

III. THE CAMPAIGN’S POLITICAL MILIEU

In the weeks and months leading up to December 2004, Taiwan was politically and in many other respects in what many described as a state of distress. The disputes over the March presidential election and Chen’s legitimacy were not the only causes. Relations with the United States and China were major factors weighing heavily on Taiwan’s politics and ultimately on the views of the electorate. There were other controversial political issues, not to mention the state of the economy, an important arms bill that was held up in the legislature, constitutional questions and, of course, opposing personalities at work. All of these influenced voters’ feelings and opinions.

First, relations with the United States. Taiwan, and especially the Chen administration, were blessed with a new administration in Washington in 2001 that was very favorably disposed toward Taiwan. President Bush and his foreign policy team called the People’s Republic of China a “challenge,” not a “strategic partner” as former President Clinton had described China. They commensurately viewed Taiwan as important to the United States and perhaps even as an ally.\footnote{See Condoleezza Rice, “Campaign 2000: Promoting the National Interest,” *Foreign Affairs*, January/February 2000 (online at foreignaffairs.org). Rice states that the U.S. has a “deep interest in the security of Taiwan.” She also states that “if the United States is resolute, peace can be maintained in the Taiwan Strait.”} Bush’s pro-Taiwan leanings became even more pronounced in April 2001 after a U.S. reconnaissance plane collided with a Chinese fighter plane in mid-air over the South China Sea, necessitating the damaged U.S. plane to land on Chinese territory (Hainan Island). The U.S. blamed the Chinese pilot for the mishap.\footnote{According to international law, a smaller plane, in this case the Chinese fighter, should move to avoid a crash. According to the U.S., the pilot of the fighter had intentionally made close passes with U.S. planes in the past and had done this again. It is worth noting that the plane was gathering information on Russian weapons recently acquired by China that would have application against Taiwan. For an in-depth discussion of the legal issues arising from this incident, see Yann-hui SONG, “The EP-3 Collision Incident, International Law and Its Implication on the U.S.-China Relations,” *Chinese (Taiwan) International Law & Affairs*, Vol. 19 (2001), pp. 5-13.} Making matters worse, the crew was held and the plane’s
intelligence gathering gear inspected (both illegal according to the United States). Almost immediately President Bush offered an arms package to Taiwan, which was bigger than any prior to that, except for his father’s sale of F-16 aircraft to Taiwan in 1992. Shortly after this, when asked about the U.S. defending Taiwan, Bush said he would do “whatever it took.”

President Chen was very cognizant of the fact that not only the White House but also the Pentagon and Congress strongly supported Taiwan. To all three, China was seen as a threat to America and to U.S interests in East Asia. This was due in large part to China’s threatening and destabilizing military build up, especially its missile buildup in South China adjacent to the Taiwan Strait that threatened both Taiwan and U.S. forces in East Asia. Also related and not insignificant itself was the fact that U.S. defense strategists were planning to build a costly theater missile defense system for Northeast Asia with the help of Japan (and possibly South Korea and Taiwan). The system was nominally intended to deal with North Korea’s missiles, but most understood it was intended to counter Chinese missiles as well. Human rights, a huge trade imbalance, and some other problems also influenced Congress to disfavor China.

59. For details, see Alan D. Romberg, Rein in at the Brink of the Precipice: American Policy towards Taiwan and U.S.-PRC Relations (Washington, DC: The Henry L. Stimson Center, 2003), chapter 8. President Bush did not repudiate America’s one-China policy, but instead emphasized that trade and other positive aspects of U.S.-China relations remained on track. Importantly Beijing did not overreact to the Bush administration’s arms deal with Taiwan or to Bush’s statements about protecting Taiwan. Bush’s pro-Taiwan policy, thence, did not cause a serious deterioration in U.S.-China relations though many in Taiwan thought it had. As a matter of fact, after the September 11 terrorist attacks on the United States, Washington-Beijing ties became closer as China quickly signed on to the campaign against terrorism. Because of this, decision-makers in the U.S. saw China as now friendlier and more important to the United States. For a short time, Beijing tried to extract some concessions from the United States on Taiwan, but Washington clearly resisted this. Secretary of State Powell, in fact, made it plain to China that U.S. Taiwan policy would not change. Bush then declared his strong support of the Taiwan Relations Act and made it clear that U.S. Taiwan policy would not change. Thus it appeared that little had changed in U.S.-Taiwan relations.

60. In addition to the short-range missiles China had deployed near the Taiwan Strait, China also had longer-range missiles aimed at American bases in Japan and Guam. China had also recently purchased ships from Russia with Sunburn anti-ship missiles that the U.S. reportedly fears most. See “The dragon next door,” Economist, January 15, 2005, p. 6.

61. When the system was discussed, North Korea was most often cited as the threat. But most understood that it was China also.
This strong pro-Taiwan tilt in American foreign policy lasted through the 2001 legislative election, notwithstanding Beijing's decision after 9-11 to join the U.S. in the war on terrorism. Beijing asked for some concessions on the “Taiwan issue” and tried to link Taiwan's secessionist efforts to terrorism, but was quickly rebuffed. In March 2002, the U.S. invited Taiwan's defense minister TANG Yao-ming to visit the United States, where he met with top American officials including Deputy Secretary of Defense Paul Wolfowitz and Assistant Secretary of State James Kelly. The meeting was quite unprecedented. Top Taiwan officials had not previously been permitted to visit the United States. At this time Wolfowitz spoke of China's military buildup as constituting the root-cause of cross-strait problems.

President Chen publicly exuded confidence (even more than usual), saying the U.S. would protect Taiwan if China attacked the island and would shield him and his administration from Chinese intimidation. In fact, the president, with calculation and deliberation, set out to create tension with China if he could gain politically from it. During the 2001 legislative election campaign he provoked China a number of times. The most notable occasion was a month before the voting when Chen declared publicly that he had never accepted the “92 consensus” (an understanding between Taipei and Beijing that there was only one China but that each side could take its own interpretation of how China should be defined). Chinese leaders in Beijing were, of course, infuriated; and they made this known. Subsequently Chen and most pan-green candidates advanced the theme of Taiwan's independence, localization, and various other aspects of Taiwanese nationalism during the campaign.

Then, in July 2002, angry over Beijing further isolating Taiwan diplomatically, President Chen declared that unless Beijing responded to Taiwan's “good will,” Taiwan would have to consider “going its own way.” Turning this around semantically, a few days later he stated that if China would forsake its ambition to take Tai-

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62. See LEE Siew Hua, “Opportunity for Improved Sino-American,” *Straits Times*, October 5, 2001 (online at lexis-nexis.com). While there was increased Sino-U.S. cooperation at the time, Powell said there would be “no deal” on Taiwan.

63. Romberg, pp. 203-05.

64. “I Never Accepted 92 Consensus, Says President,” *China Post*, November 6, 2001 (online at www.lexis-nexus.com). Chen said that accepting it “meant death to the country.”

wan by force, Taiwan would not change the status quo. Both statements upset China. In August, Chen proclaimed that there was one country on each side of the Taiwan Strait and that Taiwan had the right to change the status quo. He suggested a public referendum as the avenue to do that. Chinese leaders were enraged.

By this time the United States had become very preoccupied with Iraq, especially as preparations were made to go to war. U.S. officials hence began to view Taiwan, especially President Chen’s provocative statements and actions, as a distraction. Some also cited the value of better U.S.-China relations. China had indeed become more important in America’s global strategy. During the run-up to the war, Chinese leaders told the U.S. that it would not use its veto power in the U.N. against the United States. In addition, Beijing volunteered its help to Washington in trying to contain the India-Pakistan crisis. Finally, China assisted Washington in bringing North Korea to the negotiating table for multi-lateral talks.

This prompted a coalescing of views among the foreign policy elite in Washington that Taiwan should not be given carte blanche to provoke China. The U.S. did not want to face any serious problems elsewhere at a time of crisis in the Middle East. The Department of State took the lead and enunciated a U.S. stance: that the U.S. had taken Chen at his word after his election to the presidency in 2000, whereupon he pledged not to seek a referendum on Taiwan’s status, and America would hold him to that. That became an assumption or even a driving force in U.S. China/Taiwan policy.

Leading up to the 2004 presidential election the Bush administration had made it clear that it did not welcome Taipei starting a row with China. Yet President Chen needed to play the “American card” more than ever. The polls showed him behind in the presidential race, which meant that he needed desperately to energize his base. To do that, he had to pick a fight with China and fire up

68. According to the “Armitage-Wolowitz vision” the U.S. saw Asia as being very important, especially friendly countries in the region. Also the U.S. should treat China amicably. It was also said that Washington had treated Taiwan very well, but this had not been of much benefit to the Bush administration. See David Shambaugh, “Sino-American Relations since September 11: Can the New Stability Last? Current History, September 2002, pp. 243-49.
69. Romberg, pp. 207-08.
local nationalist sentiment (and the two were connected). So Chen proposed writing a new Constitution and holding a referendum with the election. Inasmuch as the DPP had long advocated both to change Taiwan's national status (or its independence from China) this was nothing less than confrontational. Chen's aides said the U.S. would support the president and come to Taiwan's rescue if need be.

The Bush administration seriously lost its patience with President Chen and his administration. State Department officials opined openly that Chen had to be taken down a peg or two, and they apparently convinced some in the National Security Council and the White House. So, in December 2003, when China's Premier WEN Jiabao visited Washington on a state visit, to disabuse President Chen of the idea that he could aggravate China at will and start a crisis for his own personal political benefit and that the U.S. would support him, President Bush warned Chen against taking any "unilateral steps toward changing the status quo in the Taiwan Strait." Bush also said that the United States did not support Taiwan's independence (though this was already U.S. policy). Coming from the U.S. president that was considered the most pro-Taiwan ever (or at least in recent years), this was a shock to Taiwan.

President Chen did not heed the warning and continued to upset China. Officials in Washington became increasingly disconcerted, saying frequently that Chen "did not understand" and that Washington needed to send a stronger message. U.S. leaders, however, did not want to interfere in the election process or be seen as taking sides and thus "suffered" Chen's abusing America's support for Taiwan for his own political purposes. Officials in Washington were also aware of the fact Taiwan had a good image in the U.S. and that many viewed Taiwan as a democracy (and China was not) that America had helped create.

70. Chen had brought it up the prior year, and it caused alarm and helped his image locally. Some of his people said, "It worked then, why not now?"
71. The author heard Chen officials and supporters say this frequently.
72. Several State Department officials told the author this.
74. After the election it was said in Taiwan that the United States had acted to help Chen during the campaign and many felt that Washington wanted him to win the election.
After the election the Bush administration seemed to think very differently about the Chen administration. Not only had President Chen not heeded U.S. admonishments and blatantly "used" the United States to his advantage during the campaign, but there was also the question whether he had won the election honestly. The State Department demurred instead of sending an official message of congratulations to President Chen and Vice President Lu. Both wanted a U.S. "seal of approval," desperately some said because their victory was being seriously challenged. This, in fact, precipitated an incident when Theresa Shaheen, director of the American Institute in Taiwan office in Northern Virginia, sent the requested letter of congratulations to President Chen and Vice President Lu without the State Department's approval. She was fired (officially resigning), and the matter left a bad aftertaste in official Washington.\(^{75}\)

Shortly after this, President Chen, in an interview with the *Washington Post*, said that he had received a mandate on March 20 to press ahead with an aggressive agenda to "develop Taiwan as an independent country" despite the risk of war with China. He also promised to go ahead and write a new Constitution by 2006.\(^{76}\) State Department spokesperson Richard Boucher forthwith repeated U.S. continued opposition to unilateral steps to change the status quo in the Taiwan Strait. Chen said his comments had been misinterpreted, but ignored Washington's displeasure. Some observers said that U.S. officials were increasingly upset with the Chen administration causing trouble at a time when Washington was preoccupied with Afghanistan and Iraq.\(^{77}\) Some even opined that Chen might start a war between the United States and China.

Top people in the foreign policy making community were still feeling ire towards Taiwan when, in September, without warning the FBI arrested former Deputy Assistant Secretary of State for East Asia Donald Keyser at a restaurant outside Washington. The complaint against Keyser was vague, although it mentioned unau-

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75. See Susan Lawrence, "Headstrong Island," *Far Eastern Economic Review*, March 11, 2004, p. 30. Rumors also circulated at the time that the reason why Sheehan was involved in persuading Taiwan to purchase the weapons President Bush had allocated in April 2001 was because she stood to gain a commission on the sale.


77. See Richard Halloran, "The Precarious Equation," *Straits Times*, July 5, 2004 (online at lexis-nexis.com).
authorized trips to Taipei, and contacts with and giving (or selling) classified documents to agents from Taiwan's National Security Bureau. The case was viewed by some in the media as proof that Taiwan was engaged in espionage in the United States, with some interpreting it as meaning Taiwan was no longer a "friendly" country. The FBI later told the press that Keyser was charged with making false statements, hinting the matter was indeed a "spy case." However, many of Keyser's friends and associates defended him and doubted the veracity of the charges against him. This engendered speculation that the incident was contrived, or at least was blown out of all proportions, in order to send a "tangible" signal to President Chen to "cool it" on the issue of independence.

Chen administration officials denied any wrongdoing and declared that the case would not affect Taiwan's relations with the United States. According to subsequently released documents filed against Keyser, he had upon his recent resignation from the State Department (while still consulting to Secretary of State Powell) met with a 33-year old female Taiwanese intelligence agent and passed documents to her during an unauthorized trip to Taiwan. The case was supposed to be resolved (in court or otherwise) in October, but was not.

On the heels of this incident, in fact just a month later, Secretary of State Colin Powell, while on a trip to China, told members of the press that Taiwan "is not independent." Further, he said, "It does not enjoy sovereignty as a nation, and that remains our policy, our firm policy." The statements stupefied Taiwan, especially pro-independence advocates. Foreign Minister Mark Chen called Powell's remarks a "breach of trust." He added, "The U.S. has told us

78. "U.S. Official Detained for Contacts with Taiwan Intelligence," Deutsche Presse-Agentur, September 16, 2004 (online at nexis-lexis.com).
80. Lawrence Chung, "U.S. 'may be using spy scandal as warning'; Washington could be playing up incident as a way of telling Taiwan's Chen to go easy on separatist remarks, say analysts," Straits Times, September 23, 2004 (online at lexis-nexis.com). One former State Department official even declared that there were no known Taiwan supporters in the State Department.
81. "Keyser Case Won't Affect Taiwan-U.S.Relationship: Ministger," Central News Agency, September 27, 2004 (online at lexis-nexis.com).
82. See "A Tale of Two Spies," New York Sun, October 14, 2004 (online at lexis-nexis.com).
not to give them surprises, but this time it is the U.S giving us a surprise.” Powell later said that U.S. Taiwan policy had not changed and played down his earlier remarks. Observers said Powell's original remarks were not a slip of the tongue, but rather constituted another warning to the Chen administration to keep silent about independence and refrain from provoking China.

As the December election approached, U.S. foreign policymakers were obviously apprehensive that Chen might again provoke China. So they prepared to act quickly if he did. Washington, in addition, issued a number of statements during the prelude to the campaign to head off any provocations. On several occasions U.S. officials enunciated America's one-China policy and its desire to keep the status quo regarding Taiwan's relations with China (as will be assessed below in more detail). This clearly conflicted with pan-green efforts to rile China and to use any hostile words from Beijing to stir up anti-Chinese sentiment in Taiwan and amplify local nationalism to its advantage.

Meanwhile, China's mien toward Taiwan changed little in the months leading up to and during the December election campaign. Top Chinese leaders were determined not to be goaded, notwithstanding President Chen's efforts to do so as he had during the 2000, 2001, and 2004 election campaigns. Chinese leaders had come to realize that threats and hostile rhetoric did not produce the results they desired and that their tough talk instead helped Chen and the forces of independence. They wanted to avoid that happening again. Probably making Chinese leaders more patient, China's relations with the United States were, good in their view, while the new younger leadership did not have the baggage regarding the need to solve the Taiwan problem as did previous Chinese leaders.

Also China's Taiwan policy had evolved. China's goals by the time of this election may be described as: (1) enticing Taiwan with economic ties while convincing the public in Taiwan that China was an "economic dynamo" and that its market was huge and growing fast and that Taiwan could not prosper without partaking thereof;

84. "Powell Undermines Taiwan during Hong Kong Interview," World Tribune.com, November 3, 2004 (online at worldtribute.com)
85. This author heard this said both in Washington, DC and in Taipei.
86. More details on this matter can be found in the next section.
(2) applying pressure through its military buildup in the region and especially placing, and increasing the number of, missiles across the Taiwan Strait aimed at targets in Taiwan; (3) continuing to isolate Taiwan diplomatically while limiting or reducing Taipei’s global contacts and status; and (4) requesting (and bargaining with) the United States to pressure Taiwan, in particular President Chen, to retreat on the matter of independence. China’s policy combined friendly overtures with pressure and avoided threats. Of course, Beijing had to react to unwanted provocations in view of the volatility of the Taiwan issue in Chinese domestic politics and the fact that hardliners advocated an aggressive stance toward Taiwan. Also growing Chinese nationalist sentiment that translated into not permitting Taiwan to go its own way was a factor. But, most Chinese leaders had come to perceive that time was on their side in the sense that Taiwan was becoming more and more dependent on China economically, that voters in Taiwan were aware of this, and that its other policies were working.  

For Taiwan, the most pressing cross-strait issue was the growth of Chinese military power. China’s expanding naval presence near Taiwan and, even more importantly, its increased (and increasing) number of missiles aimed at Taiwan constituted intimidation, when Taiwan did now know how to handle. The addition of fifty to seventy-five missiles per year aimed at targets on the island and the deteriorating technological superiority of Taiwan’s military was reported often in the Taiwan media. Taiwan, especially the Chen administration, found itself in a quandary. In the past, pan-green officials had harshly criticized Taiwan’s “excessive” defense spending under KMT rule and advocated more funding for social welfare. But now they were in power and had to ensure Taiwan’s security. Furthermore, pursuing independence required buying more arms. Since the U.S. was for all intents and purposes the only source of weapons, this meant Washington was in control. Yet the

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88. In 2002, China became Taiwan’s largest trading partner. Many in Taiwan became aware of the fact that Taiwan’s continued economic growth was dependent upon good relations with China. In 2003, the Chinese market accounted for 34.5 percent of Taiwan’s exports. In October, it was reported that Taiwan’s exports to China were up by more than four percent compared to a year earlier. See “Taiwan-China Trade up 40.1 Percent in First Seven Months,” Agence France Presse, October 5, 2004 (online at taiwansecurity.org/ AFP/2004/ AFP-051004.htm). In the first eleven months of 2004 (the time leading up to the election) it had reached 36.8 percent — a record for Taiwan’s economic dependence on China and a source of concern. See “Taiwan See Increasingly Relying on Chinese Market for Exports,” Agence France-Press, December 22, 2004 (online at taiwansecurity.org/ AFP/2004/ AFP0221204.htm).
U.S. did not want to hear provocative talk or mention of independence.

The opposition exploited Chen's predicament. In particular, pan-blue legislators opposed the bill to buy the entire Bush weapons package. They debated the need, the cost, and the details of the weapons in the legislature. They said that the large expenditures would not be needed if Chen would stop antagonizing China. They talked of spending much of the money instead for welfare, education, etc. thus appealing to pan-green's constituency. Bringing the matter a month ahead the voting, the Democratic Action Alliance, an organization which specifically opposed the arms purchases, publicly accused the Ministry of Defense of bribing lawmakers, forcing the government to respond with legal action.

Nor could Taipei effectively deal with China's efforts to isolate Taiwan diplomatically. This had been on the minds of the electorate in Taiwan for some time. It angered them that China did this, and they hoped something could be done. But President Chen was powerless. He tried to pursue independence and better relations with China at the same time. This did not work.

Similarly President Chen could do little about countries that advised him against declaring independence, such as Singapore and Australia (but a host of other countries not so important to Taiwan as well), and that supported China's one-China policy. Not long before the election, Singapore reiterated its opposition to Taiwan's independence, to which Foreign Minister Mark Chen responded angrily. He said Singapore is a country "the size of a piece of snot" and that it was (using a quite vulgar Taiwanese saying) "toadying up to Beijing." The spat embarrassed Taiwan and demonstrated President Chen's inability to do anything about countries that supported Beijing's policy. Taiwan's efforts in attaining some presence in the United Nations and other international organizations also produced only rejection and failure.

Meanwhile, economic ties with China were increasingly a source of apprehension in Taiwan and for the Chen administration, even though trade and investment ties were booming and there

89. "Arms budget should be slashed to improve social welfare, Lien says," Taiwan News, November 15, 2004 (online at www.lexis-nexus.com). Lien cited that many cannot afford to pay for school lunches or their national health insurance.


were no disruptions. There were some incidences, though, that sent shock waves through the business community. After the March election China evicted Taiwan businessman HSU Wen-long, founder of Taiwan's Chi Mei Group and a strong supporter of Chen and Taiwan independence. Hsu had a large chemical factory in China and Chinese officials said its profits went to support Taiwan's separation from China and that could not be tolerated.92 Meanwhile there was frequent talk and reports in the press to the effect that Taiwan's commercial relations with China accounted for much of Taiwan's economic recovery.

Even one of Chen administration's long-reliable elections stratagems, accusing the KMT of money politics, did not work very well. Pan-green had long made issue of KMT funds, especially money it had taken "illegally" from citizens to run the party and help its efforts in election campaigns by financing candidates and buying votes. Pan-green did so during the run-up to this campaign. The Cabinet even filed a lawsuit to prevent the KMT from transferring funds or hiding its assets.93 But the KMT responded quickly: its legislators proposed a bill to recover taxpayer money "lost and wasted by the government." Specific charges included Chunghwa Telecom lending state funds to cash-strapped Taiwan High Speed Rail Corporation, assigning banks to take over assets of some farming and fishing associations, secret diplomatic accounts, huge losses accrued by the National Security Fund's stock market transactions, and massive sales of government property.94 The case against the Chen administration was given increased credibility when a private organization comprised of civic leaders from the private sector cited a figure of NT$330.5 billion lost from the state treasury through "government malfeasance."95 All of this made pan-green's case against the KMT almost moot.

In the months leading up to the election there was both good news and bad news about the economy. The bad news was the decline in exports, caused by a cooling of the economies in China (due

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92. See "Taiwanese Businessmen Fear Persecution in China for Their Political Beliefs," Channel News Asia, June 3, 2004 (online at www.lexis-nexis.com). It is noteworthy that Hsu owned the hospital where President Chen and Vice President Lu went after being shot.


94. Ibid.

to government policies to slow what many thought was an overheated economy) and the United States (caused by a rise in interest rates and a steep spike in oil prices). Exports to China dropped measurably in August. The drop in exports was, however, offset by a rise in housing prices after a decade-long fall and diminished concern after Chen won reelection in March that property owners selling out might trigger capital flight that would hurt the economy. The gross domestic product increased a healthy 7.67 percent in the second quarter, leading to predictions of a 5.87 percent growth rate for the year — considered good by global standards and Taiwan’s recent performances. The economy appeared to be a plus for pan-green candidates during the campaign, but this was not by any means a certainty.

Meanwhile, in August, the Legislative Yuan passed amendments to the Constitution to fix Taiwan’s political system in several important ways. According to the changes in the Constitution, the Legislative Yuan will be reduced in size from 225 to 113; the electoral system will be changed to a single-member, two vote system; the National Assembly will be formally abolished; and powers of the legislature will be altered, notably its authority to impeach the president and/or vice president (to be put into effect in 2007). These reforms were very popular according to opinion polls, and most were changes Chen and the DPP had long advocated, so they had to cooperate with pan-blue, which had proposed the amendments. The downside for pan-green was that this undermined its call for political reform during the campaign, especially President Chen’s call for writing a new Constitution.

IV. PRE-CAMPAIGN ELECTIONEERING

Serious “pre-campaigning” began shortly after the candidates registered in October. (See section below.) Premier YU Shyi-kun led the charge telling a rally in Tainan that only when pan-green legislators are in the majority could his Cabinet successfully make


98. Taiwan’s Election Law limits campaigning to the last ten days before the voting. It does not define campaigning strictly enough to preclude what many call “electioneering” before the ten-day period begins. Of course, other democracies experience this.
policy and prevent the enactment of “bad legislation.” He cited specifically the 3-19 Truth Commission, saying that blocking it failed because of pan-green’s underdog status.99 HUANG Chu-wen, chairman of the TSU, declared at a subsequent campaign event that President Chen would be a lame duck president unless the TSU got 25 seats. LIEN Chan visited pan-blue nominees and told them that in the last five years the Chen administration had done little other than deepen ethnic tension. He also refuted the DPP’s contention that the opposition had stalled legislation, saying that 428 bills had been passed in the last four years. Lien further noted that the blue team had adopted a cautious nomination policy in not hosting too many candidates as that had hurt pan-blue’s performance in the last election.100 James Soong, attending a KMT campaign rally, called on all candidates to oppose pro-independence forces and support the status quo regarding cross-strait relations.101

Throughout October and November the two blocs sparred on various issues, trying to gain a political advantage on almost every political matter while at times generating new issues. On National Day, October 10, President Chen called for a “code of conduct” with China to diffuse military tensions. He asked Beijing for a resumption of talks based on the 1992 meeting in Hong Kong (that produced an informal understanding that there was but one China, though the two sides could make their own interpretation).102 However, Chen also referred to China as a “dark force” and pleaded for an end to Taiwan’s exclusion from the United Nations.103 The October celebration was given a local Taiwan flavor, with traditional Chinese emblems such as the plum blossom and the double ten sign that represented a Nationalist China that was removed and replaced with a “green Taiwan” theme.104

Later in the month President Chen filed a legal suit against PFP lawmakers who had charged that he had given US$ 1 million to former Panamanian President Moscoso to squelch a sexual harassment charge against him.105 Those named in the suit threatened to

99. For details, see “Parties Focus on Gaining Majority,” Taiwan News, October 24, 2004 (online at taiwansecurity.org/TN/2004/TN-241004.htm).
100. Ibid.
101. Ibid.
counter sue, while Moscoso denied the truth to the charges and also threatened to sue. ¹⁰⁶ Not long after this the government filed charges against the leader of the Democratic Action Alliance for saying that the Ministry of National Defense had "bought" lawmakers to support the arms purchase bill. ¹⁰⁷

The November presidential election in the United States presented special problems for President Chen and pan-green. The Bush administration, as mentioned earlier, was impatient with President Chen and his administration for provoking cross-strait tension. But Senator Kerry was on record opposing U.S. military help to Taiwan and if that were to become policy, China would attack and absorb Taiwan. Kerry was also seen in Taiwan as focused on Europe and lacking concern, or at least clear policies, toward Asia. There were some in the green bloc that wanted to support Kerry based on anger at Bush, while others viewed Bush as conservative like pan-blue. ¹⁰⁸ But the Chen administration basically kept silent about the U.S. election. After the election, it was reported there was concern in the Presidential Palace that the U.S. might change its Taiwan policy and force Taiwan into negotiations with China (probably to Taiwan's disadvantage). ¹⁰⁹

In the three weeks before campaigning formally started both sides repeated their pet views on major political issues and made charges against the other side. Foreign Minister Mark Chen proclaimed Taiwan's independent status in a speech to a U.S. audience in absentia. ¹¹⁰ The opposition continued to block the arms bill from the legislative agenda. Taiwan's currency hit a new high in recent years, helping the stock market while hurting exports. President Chen proposed picking an opposition leader to head peace talks with China, which the opponents called "simply a stunt." ¹¹¹ The administration broached the idea of direct air links with China, but

¹⁰⁸ Pan-green candidates made a few pro-Kerry statements. Also some support for Kerry was aired in some pan-green publications.
¹⁰⁹ "Taiwan May Be Priority Issue for Bush's New Foreign Agenda," China Post, November 5, 2004, p. 1. Beijing was sticking to its one-China position as a precondition to negotiations and seemed unlikely to budge on this matter.
¹¹⁰ Cris Cockel, "Foreign Minister Reiterates Taiwan's Sovereign Status," China Post, November 8, 2004. The U.S. will not permit Foreign Minister Mark Chen to visit the United States.
then dropped the idea. The Foreign Ministry announced it hoped to establish formal diplomatic ties with Vanuatu, to which opposition politicians declared ties were being “bought with promises of aid.” Aborigines protested against government neglect, while China warned Taiwan about independence. Premier Yu said he wanted to wipe out vote buying; the KMT promised not to sell any of its media holdings to foreigners. President Chen pointed to China’s statements of goodwill toward Taiwan, but opposition candidates cited evidence of deteriorating cross-strait relations. The president again brought up pan-green’s “attempted coup” in March. The issues of the country’s emblem came up, and opposition military leaders claimed soldiers were deprived of their right to vote in the last election and would be again. The two sides sparred on constitutional change, with pan-green calling for a new Constitution and pan-blue going for amendments.

The most salient political campaign issue leading into the formal campaign period was the matter of Taiwan purchasing weapons from the United States. As noted earlier, President Bush made an arms sale announcement just after the E-P3 incident in April 2001. The package was a large one and included submarines, which are not considered defensive in nature as U.S. sales to Taiwan were in the past. It was also very expensive: US$ 18.2 billion. Taiwan needed the weapons, but the price soon became a political issue and one the two opposing political blocs began serious wrangling about. In June, the Cabinet approved the purchase; but the Legislative Yuan needed to appropriate the funds and instead balked. Pan-blue challenged the Chen administration on various details and held up the bill’s passage. Partisanship became pronounced and the debate bitter. The government even had to cancel the visit of a U.S. mili-

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116. This made the issue more controversial for two reasons. One, the Taiwan Relations Act that serves as the rubric for the U.S. selling arms to Taiwan mentions defensive weapons. Offensive weapons suggest Taiwan has changed its military strategy vis-à-vis China suggesting the situation has become much more dire for Taiwan while making Taiwan appear to be less than a “peace loving nation.”
tary delegation due to growing domestic opposition to the purchase.\textsuperscript{117}

Meanwhile, the Pentagon had become concerned that the balance of power in the Taiwan Strait was shifting in China's favor in large part, U.S. officials said, because of Taiwan's inaction in purchasing weapons to counteract it. High-level defense planners were noticeably irritated with Taiwan.\textsuperscript{118} The controversy became especially intense in August when a computer simulation done by U.S. officials together with their Taiwan counterparts came to the conclusion that Taiwan could hold out for only six hours in the event of a Chinese invasion.\textsuperscript{119} It had been assumed to be several weeks.

President Chen tried to diffuse the issue; but that was difficult to do in view of security issues continually making front-page headlines in Taiwan's newspapers. One such case was recently disclosed information that Taiwan had been seriously working on a nuclear weapon in the 1980s. This gave rise to speculation about what Taiwan might be doing at the present time and whether it might want nuclear weapons, being in a desperate situation because of China's military buildup. Substantiating these reports it was known that Taiwan was considering developing an offensive military capability (to bomb Hong Kong, Shanghai and other Chinese cities and even the Three Gorges dam) in order to attain deterrence vis-à-vis China.\textsuperscript{120} Another was the disclosure that President Chen's plane, on a recent flight to the Pescadores Islands (off Taiwan's West Coast), had been diverted because Chinese fighter planes were spotted in the area.\textsuperscript{121} Chen tried to play down what some contended was evidence of an escalation of the conflict with China and pledged that Taiwan would

\textsuperscript{117} Taiwan Halts Visit by US Military Delegation,” Agence France Presse, July 27, 2004 (online at tainwansecurity.org/AFP/2004/AFP-270704.htm).

\textsuperscript{118} See Edward Cody, “Politics Puts Hold on Taiwan Arms Purchase,” Washington Post, October 10, 2004 (online at www.lexis-nexis.com). Richard Lawless, Undersecretary of Defense for Pacific and Asian Affairs, said there would be “serious repercussions" if the purchase were not approved by the end of the year.

\textsuperscript{119} See Matthew Forney and Donald Shapiro, “Hostile Takeover,” Time Asia, August 23, 2004 (online at www.time.com/time/asia/magazine). The authors describe the day-by-day invasion scenario in quite vivid and frightening language.

\textsuperscript{120} In September, Premier Yu threatened China with missile strikes if China were to attack Taiwan. He said more poignantly: "If you hit Taipei or Kaohsiung, we'll strike Shanghai." Some connected his statements to the cost of the weapons to be purchased from the United States. The cost could be lowered, some said, if Taiwan were to pursue a deterrence strategy. See “The Dragon Next Door,” Economist, January 15, 2005, p. 7.

\textsuperscript{121} “Taiwan President Diverts over Chinese Jets,” Associated Press, November 10, 2004 (online at tainwansecurity.org/AP/2004/AP-101104.htm).
“absolutely not develop” nuclear or other weapons of mass destruction. China not only did not offer a positive response, but also announced just after this that it had developed AWAC planes that would give it an edge in any conflict in the Taiwan Strait. All of this news focused more public attention on the arms procurement issue.

Worse still for pan-green, opinion polls showed the large weapons outlay lacked public support. Social and political groups hence formed to oppose the purchase, while the opposition dug in its heels to prevent passage of the bill before the election. In early November, members of the Democratic Action Alliance (DAA) went on a hunger strike near the Legislative Yuan building, drawing even more public attention to the issue. More pan-blue legislators subsequently became opponents of the bill, many on procedural grounds so as to avoid being labeled anti-defense. They argued that the Chen administration had submitted a statute for special budget cases at the same time as the budget for the arms was submitted, and this was not proper procedure. They also charged that the arms were too expensive and could be obtained for less money. Both reasons for opposing the procurement seemed to be reasonable to the electorate, at least on the surface. When the legislative session ended the bill was not passed, leaving it to be resolved when the legislature resumed after the election.

In what looked to be another effort to divert attention away from the weapons debate, or reduce it in importance as an election issue, while fearing a shift in U.S. Taiwan policy following the American election, on November 10 President Chen issued a “Ten Point Peace Proposal.” Chen’s first point was U.S.-Taiwan relations. He cited the importance of the relationship and their shared values. The third upheld the “existence” of the Republic of China. Another included a force reduction in Taiwan’s military of 100,000 by


125. See “Pan-blues, Social Groups Join against Arms Budget,” Taipei Times, November 9, 2004 (online at taiwansecurity.org/TT/2004/TT-091104.htm).
2008. Other “points” included concessions to China, such as talks to reduce tensions and direct flights between Taiwan and the mainland that would be handled by non-governmental groups. (The Chen administration had taken the view that flights should not be direct, but rather should stop in Hong Kong or Macau, and that they be handled by the government). China did not give a positive response, saying that Chen had “poisoned the atmosphere of cross-strait relations.” 127 Beijing, of course, did not want to help the DPP win the election. Critics in Taiwan said Chen’s ten points said nothing new, were not feasible, or that he had no intention of acting on them.

Chen's backup plan or “ace in the hole” was to incite China to threaten Taiwan. This was difficult to do because of the U.S. sensitivity to (and it being on the alert for) him creating tension. This played into the hands of the opposition since they had been trying to label Chen a troublemaker and warmonger. In addition to pan-blue's effectively making an issue of the arms purchases and thus helping pan-blue candidates, the Chen administration was challenged by a recently proposed (by the PFP) “peace commission” to handle Taiwan’s delicate relations with China. Not only had this become a campaign issues, but also were it to become established in law it would take authority for dealing with cross-strait relations away from the executive branch of government and put it in the hands of the Legislative Yuan. 128 President Chen considered this an effort to grab power away from his administration.

Stymied, President Chen sought to play the “China card” in a different way. He turned to the “textbook issue” that has been festering for some time. The government announced that high school students would have separate books for ancient Chinese history and Taiwan’s history, instead of one textbook for the “national history of the Republic of China.” In the process the status of SUN Yat-sen (the “founding father of the Republic of China” was denigrated. China reacted, saying that the Ministry of Education in Taiwan was portraying SUN Yat-sen as a foreigner and “the whole thing was a

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126. TUNG Chen-yuan, “President Chen Taking High Road,” Taipei Times, November 17, 2004 (online at taipeitimes.com).
trick” by CHEN Shui-bian to promote separation. The KMT and PFP also condemned the move as promoting independence. Many teachers spoke against it. Taipei Mayor MA Ying-jeou noted that it appeared that historical treaties relating to Taiwan’s status (as part of China), such as the Cairo Declaration might be left out. James Soong commented that, given this controversy and pan-green’s push for a new constitution and a new national title, voters needed to cast votes for pan-blue candidates “to avoid war.”

Chen shifted gears again. He returned to the referendum issue, announcing that if China continued to pressure Taiwan to accept the one-China principle, Taiwan would hold a referendum on the issue. Specifically President Chen also declared that if the green bloc secured a majority in the Legislative Yuan as a result of the election, the DPP and TSU would push for major revisions in the referendum law in February. The president followed this with a statement to the effect that he would write a new constitution or “terminate the Chinese Constitution.” He added that he attributed the chaos in Taiwan to the present constitutional framework and asserted there should be a referendum on this issue in 2006. This was not new, but it was provocative nonetheless.

President Chen was on the attack so intensively at this time, presenting (or reopening) issues so fast and furious, that DPP strategists said they had a hard time keeping pace. Chen’s efforts, however, seemed to be helping pan-green; certainly he had provoked public debate, which appeared to be good for his bloc. Another view was that (citing a DPP internal survey) pan-green did not appear to be able to easily win a majority in the legislature and Chen was desperate. Thus Chen created or played on already existing “crisis” issues which would gain attention and voter support. Chen cited the blue camp’s call to shoot the president, attacked Legisla-

130. “Gov’t Plans to Rewrite History Texts, Dropping China Focus,” China Post, November 11, 2004 (online at taiwansecurity.org/CP/2004/CP-111104.htm).
131. Ibid.
135. HUNG Tai-lin, “DPP Struggles to Keep Up with President,” Taipei Times, November 24, 2004 (online at taipeitimes.com).
tive Yuan Speaker WANG Jin-pyng (a popular KMT leader), and demanded that the KMT return "stolen" money to the rightful owners.136

Just prior to the official campaign period, U.S. Department of State spokesperson Richard Boucher told reporters that the United States is "opposed to any referendum that would change Taiwan's status or move toward independence." Boucher said emphatically that Chen had pledged in his 2000 inaugural address that he would not declare independence, not change the name of Taiwan's government, not add the two-state theory to the constitution, and not promote a referendum to change the status quo (on independence or unification) — the so-called "Five Nos". Responding to a reporter's question about Chen seeking a new constitution, Boucher said: "We take...that pledge very seriously, particularly as they apply to this referendum on a new constitution."137

Reacting to the warning, at its weekly meeting the next day, the Cabinet decided not to review draft amendments to the Referendum Law and to postpone action on the matter indefinitely (even though the revision proposal was to be submitted to the Legislative Yuan the day before the election for maximum impact). President Chen then stated publicly that Taipei and Washington should "trust each other." Then Chen declared "the cross-strait status will remain throughout the rest of his term."138

Chinese leaders in Beijing continued to ignore President Chen's provocations — taking the view that any strong reaction or threat against Taiwan would help pan-green win votes. However, China's President HU Jintao, meeting President Bush at an Asian-Pacific Economic Cooperation meeting in Chile, asked Bush to press Taiwan on the independence matter — to which Bush replied that the U.S. would continue its one-China policy.139

Still in search of hot-button domestic issues, Chen charged that, in March after their defeat in the presidential election, the

137. "US Cautions Taiwan Leader over Moves to Frame New Constitution," Agence France Presse, November 30, 2004 (online at taiwansecurity.org/AFP/2004/AFP-301104.htm). Boucher was referring to Chen's "five nos" pledge made after his election in 2000.
KMT and PFP had launched a "soft coup" against his administration. He defined the term coup as including late night assaults by pan-blue lawmakers on court offices, rioting, and the mass occupation of the area in front of the Presidential Palace, plus calls by Lien and Soong for foreign governments to intervene. Later, on March 26, he said, pan-blue politicians broke into the offices of the Central Election Commission to prevent the election results from being officially posted. President Chen also noted that China’s Taiwan Affairs Office had sided with pan-blue and had threatened Taiwan. Finally Chen asserted that "retired generals" who liked the martial law days were involved and that his defense minister had acted to stymie the efforts.140

However, a Ministry of Defense spokesperson rejected the allegations that top military officers were involved, while a KMT official said that Chen was trying to divide Taiwan, and he threatened to go to court over the charges.141 A noted PFP lawmaker said President Chen was suffering from schizophrenia and that he is "paranoid, pathologically afraid of a coup." Lien and Soong immediately filed a civil libel suit against Chen.142

Heading toward ballot day the state of Taiwan's economy seemed to be a plus for pan-green. Taiwan's economy was growing faster than earlier predicted while local investment and some other indicators were positive.143 Certainly pan-blue's description of economic conditions during the last legislative election campaign, one of gloom and doom, when Taiwan was in the midst of a serious recession, was not the case now. But all was not positive. According to a Nielsen survey, only 32 percent of Taiwan's citizens were optimistic about the economy, a drop of 19 percent from their May survey. And 34 percent worried about the economy falling in the next year as compared to 6 percent in the last survey.144 The report at-

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143. Philip Wang, "Taiwan Q3 GDP to Exceed Government Forecast: Little Room for Full Year Hike," AFX-Asia, November 16, 2004 (online at www.lexis-nexis.com).

tributed this to "low sentiments" about domestic politics. Meanwhile, Japanese analysts predicted slower growth in the East Asia region.

There was another "economic concern" for Taiwan's business community: Taiwan's growing isolation. Two regional economic summits had just concluded: the Asian-Pacific Economic Cooperation (APEC) and the Association for Southeast Asian Nations (ASEAN). China blocked President Chen from attending the APEC meeting. Taiwan was not represented at all at the ASEAN meet. At the former gathering when President Bush and President Hu Jintao discussed bilateral issues, Taiwan's representative was not visible. In addition, President Hu pushed economic and political ties with Latin American nations (where the meeting was held), generating more speculation about Taiwan losing diplomatic ties with some of the nations in the region. In the case of ASEAN, talks focused on China joining ASEAN to form the largest economic bloc in the world (called ASEAN plus one). Taiwan was not included. At the end of the meeting, China and the ASEAN nations signed a free trade pact. It was reported that Japan and South Korea might join later as well as India. Taipei Mayor MA Ying-jeou urged the Executive Yuan to focus more on the important matter of regional economic integration. Others warned that Taiwan was being economically shunned because of the Chen administration's "Great Cultural Revolution" that sought to deny Taiwan's historical ties with China and erase others, and his advocacy of independence. Worry about tensions with China and a fiscal deficit had still another ramification; it prompted Standard & Poor Ratings Service to downgrade Taiwan's economic outlook from stable to negative just as the formal campaign period began. The news caused Taiwan's stock market to drop by almost one percent.

145. Ibid. The global average of concern, according to the report, was 36 percent. In Taiwan, it was 61 percent — the second highest among nations surveyed.
147. The APEC meeting was held in Chile. Most of the countries that Taiwan maintains official diplomatic ties with are in Central and South America.
Two other economic issues were on the minds of voters during the campaign: the price of oil and the effects of Taiwan's participation in the World Trade Organization (WTO). The high price of petroleum during the period leading up to the election caused Taiwan's consumer price index and jobless rate to increase significantly. In the first eight months of the year Taiwan's misery index rose to 5.9, the highest it had been since 1993. Even economic specialists in the Chen administration were predicting stagflation as a result of continuing high petroleum costs.\textsuperscript{151} President Chen and pan-green were, of course, not to blame for this situation; but they worried about it nevertheless. Chen announced that economic growth would continue to be brisk, but at the same time called for "upgrading" financial institutions and further liberalization of the markets.\textsuperscript{152} Just before the official campaign began, Taiwan's newspapers reported that oil prices had hurt the stock market and the futures market.\textsuperscript{153}

The previous government had made plans for Taiwan to join the World Trade Organization, including setting aside funds to help farmers and other adversely affected sectors of the economy. There was some dislocation nevertheless; and some people were unhappy — especially farmers in southern Taiwan. Adjustment was difficult. The situation was exacerbated by Taiwan being charged with violation of WTO rules, especially anti-dumping laws.\textsuperscript{154} Days before the election, the government sought to change the definition of dumping in order to relieve it of some of the charges.\textsuperscript{155}

\section*{V. THE CANDIDATES AND THE CAMPAIGN}

On October 8, candidates began signing-up to participate in the year-end election contest. The process went smoothly. At the close of the five-day registration period 369 aspirants had registered to vie for the 168 regional seats. There were, in addition, 89 names put forward for the at-large seats, 20 for the Overseas Chinese

\textsuperscript{151} "Stagflation May Appear in Taiwan: CEPD Official," \textit{Financial Economic News}, October 20, 2004 (online at lexis-nexis.com).

\textsuperscript{152} "Taiwan can Still Achieve 6% Economic Growth this Year: President," \textit{Central News Agency}, October 20, 2994 (online at www.lexis-nexis.com).

\textsuperscript{153} "Prices Take Severe Beating on Both Stock and Futures Markets," \textit{China Post}, November 23, 2004 (online at www.lexis-nexis.com).

\textsuperscript{154} "Taiwan Exports Face 14 Dumping Charges in First Half of 2004," \textit{Taiwan News}, November 3, 2004 (online at www.lexis-nexis.com). In fact, Taiwan ranked number two in the world in terms of the number of anti-dumping investigations against it.

\textsuperscript{155} "Taiwan Joins Forces to Urge WTO to Raise Anti-dumping Investigation Threshold," \textit{Taiwan Economic News}, November 18, 2004 (online at lexis-nexis.com).
seats, and 9 for the Aborigine seats. The largest party in the legislature, the DPP, nominated 92. The KMT sponsored 74, the PFP 41, and the TSU 30. The Non-Partisan Solidarity Union, formed recently by ten incumbent independent legislators, nominated 26. A total of 117 independents signed up.

Prior to the registering of candidates, the KMT enticed eight notable members of the New Party back to the KMT, including party head YOK Mu-ming and seven candidates for legislative seats. However, LIEN Chan was not successful in persuading James Soong to merge the PFP with the KMT; Soong said that this should be considered next year. The crux of the matter seemed to be still extant bad blood between a number of top people in the two parties, Soong’s fear of losing his political clout, and the PFP’s demand that LEE Teng-hui’s influence in the KMT be extirpated before the merger.

The registration process was characterized by pomp and sensationalism. Well-known TV host Jacky Woo registered after previously announcing his candidacy and then changing his mind. He said he wanted to reform the local media. KAO Chin Su-mei, movie star-turned-lawmaker, said she wanted to do something about the Aborigines’ situation when she proclaimed her candidacy. PFP candidate CHIN Huei-chu dressed as a naval commander and appeared on a rubber raft carried by campaign workers dressed as frogmen. He said he wanted to “make waves.” YEN Chin-piao, currently appealing a 13-year jail sentence, having been convicted of misusing public funds at hostess bars and ordering a bodyguard to kill a business rival, was accompanied by 3,000 supporters and a dragoon dance troupe when he came to put forward his name. KMT candidate Justine Chou arrived barefoot wearing a baseball uniform, and LIN Hung-chih brought a hunting dog wearing a campaign vest. Five DPP candidates wore fake gold medals and called themselves “gold-medal warriors” to exploit the media attention recently given to the Olympic games. CHENG Li-wen a candidate from Kaohsiung dressed in a wedding dress when she registered, saying she was married to the city. Several PFP candidates tore

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156. See Lawrence Chung, “Pro-Unification Camp May Lose Majority,” Straits Times, October 13, 2004 (online at taiwansecurity.org/ST/2004/ST-131004.htm).
159. Ibid.
apart plastic bags when on camera to symbolize Taiwan’s unemployment and its recession.\textsuperscript{160}

Well-known political luminaries, including SHIH Ming-teh and HSU Hsin-liang, both former chairmen of the DPP, registered.\textsuperscript{161} They ran as members of the Non-Partisan Solidarity Alliance. A writer and the presidential candidate representing the New Party in 2000, LI Ao, registered as an “unattached independent.” Li said that he did not plan to campaign and would instead stay at home, but “sought to beat a-bian” (nickname for President Chen).\textsuperscript{162}

Taiwan’s voters knew many of the other candidates well. TSAI Ying-wen, who headed the Mainland Affairs Commission during President Chen’s first term, was listed for a DPP at-large seat. The TSU fielded an acclaimed human rights activist, CHEN Yung-hsing. The KMT sponsored HUANG Chih-hsiung, a taekwondo silver medalist at the recent Athens Olympic Games. Legislative speaker WANG Jin-pyng ran for an at-large seat representing the KMT.


\textsuperscript{161} HSU Hsin-liang was a KMT official in the 1970s, but ran for magistrate of Taoyuan County in 1977 as an independent when the party refused to endorse his candidacy. He won the election amid rumors of KMT ballot tampering and subsequent violence (the worst since February 1947) that became known as the Chungli Incident. Hsu subsequently fled to the United States where he advocated overthrow of the government. In 1986 he tried to return to Taiwan and was refused entry at the airport, thus causing a melee there. He returned the next year after martial law was terminated and became a leader in the DPP, and chairman of the party from 1996 to 1998. He subsequently broke with the party and ran for president in 2000 as an independent, though he did not do well. Hsu is regarded by many as one of the founders of the opposition in Taiwan that successfully challenged KMT rule. In recent years he has opposed CHEN Shui-bian’s advocacy of independence and his provoking of China. SHIH Ming-teh is regarded as the leader of the Formosa Movement that led to the Kaohsiung Incident in 1979. He was convicted of treason as a result. In fact, he served in prison from 1962 to 1977 and from 1980 to 1990. After he was released, he became leader of the DPP’s New Tide faction and later chairman of the party from 1993 to 1996. He was also a member of the legislature. Many regard Shih as the toughest of the dissenters that led to the opposition movement in the 1970s and 80s. He also left the DPP and has taken a stance on China and cooperating with the KMT on several important domestic issues quite different from President Chen. For more details on these two people and the events they were involved in see John F. Copper, \textit{Historical Dictionary of Taiwan (Republic of China)} (second edition) (Lanham, MD: Scarecrow Press, 2000).

The PFP nominated well-known economist LIU Yu-ju. Former legislator LO Fu-chu, long known for his ties to gangs and the underworld, registered.\(^{163}\)

In the throes of getting set for the campaign, HSU Hsin-liang announced that he would call on the leadership of the KMT and the PFP to merge the two parties to enable the opposition to win a majority in the election. Hsu said that Taiwan had been “divided into two countries and two peoples” since the March election. He declared that he would support his recently founded Taiwan Democratic School and planned to help pan-blue win the election.\(^{164}\)

James Soong, trying to draw attention to PFP candidates, promoted his “cross strait peace bill” and a commission to oversee negotiations with China to ease tensions in the Taiwan Strait and promote trade. Soong also said that the arms bill (meaning the package of weapons the U.S. offered for sale to Taiwan in April 2001) was “provoking China” and that a common market (with China) needed to be considered.\(^{165}\)

The campaign’s official launching came almost two months later, on December 1. On the day before, the Central Election Commission (CEC) posted the names of candidates and the legal times for campaign activities: 7 am to 10 pm, ending the evening of December 10 (for a total of ten days). A slate of 493 candidates passed the qualification screening and drew lots to determine the order their names would appear on the ballots. Chairman of the CEC, CHANG Cheng-hsiung, announced that radio and television stations were barred from broadcasting campaign commercials during this period and were likewise prohibited from airing full-length coverage of campaign rallies.\(^{166}\) The legislature had been working on a revision of Taiwan’s election law to ban the release of opinion polls during the ten days before the voting as in presidential elections, but this was not accomplished. The National Police Administration said that law enforcement would be beefed up to prevent

campaign irregularities, violence and vote buying, and to protect the safety of candidates.\textsuperscript{167}

On this same date, the Taipei Society, a private watchdog organization, issued a report on the quality of incumbent legislators (based on attendance and several "negative factors"). The report cited 45 "bad" lawmakers, plus 62 that were on a "negative watch list." Pan-blue legislators fared worse in the ratings, with 16 KMT, 12 PFP, 7 DPP, and two TSU failing. However, the blue bloc did better in terms of a "positive list" with 22 legislators gaining praise (11 KMT and 11 PFP) compared to 16 pan-green (15 DPP and 1 TSU).\textsuperscript{168}

When the campaign officially began, the two camps made optimistic predictions. Each said they would win a majority. According to a DPP opinion poll, pan-green would win 113 seats in the legislature, or just barely over half of the seats in the 225-member body. Pan-blue would come out of the election with 98 seats. A KMT poll, the party said, indicated the blue parties would win 106 seats and the green bloc would win 101. The Non-Partisan Solidarity Union said it hoped to win 20 seats, which would prevent either of the two blocs from attaining a majority.\textsuperscript{169}

Reflecting the bitterly partisan nature of the election contest and efforts by both sides to exploit any issue or opportunity to its advantage, the moment the campaign period began President Chen reported that businessmen in Shanghai had hosted a large banquet to drum up support for candidates. He emphasized that it was attended by KMT and PFP candidates and concluded: "The Communist Party supports the KMT, the Taiwanese must support the DPP." A KMT candidate retorted that there was nothing wrong with business people supporting candidates. Taipei Mayor MA Ying-jeou added that Chen should not "randomly label" anyone as being in a league with the communists and should pay more heed to public woes, including the diminished income of farmers and 120,000 school children who could not afford to pay for lunch.\textsuperscript{170}

Reflecting the government's involvement in the election to help

\textsuperscript{167} "Legislative Election Campaign to Begin, Law Enforcement Stepped Up," Central News Agency, November 30, 2004 (online at cna.com).

\textsuperscript{168} "45 Lawmakers Fail Watchdog Group's Attendance, Integrity Evaluations," Central News Agency, November 30, 2004 (online at cna.com).


\textsuperscript{170} "President Thinks Beijing Trying to Influence Elections: Aide," Central News Agency, December 1, 2004 (online at cna.com).
pan-green, officials from the Mainland Affairs Council chimed in support of Chen’s accusations, saying that China was “harassing” Taiwan, adding that Chinese leaders had displayed pettiness when they recently put pressure on several nations to keep Taiwan out of a hairdressers’ competition in Italy. Officials also cited China’s bad human rights record and Beijing’s rejection of Taiwan’s confidence building efforts to improve cross-strait relations.171

President Chen brought up both the February 22 Incident (of 1947) and the “endless protest” after his March reelection victory, which, he said, “mired Taiwanese society into hatred and confrontation and have lacerated people’s emotions.” Chen then announced that he would join a pan-green march on Saturday (having not participated in any marches or parades since he was shot in March) and expected 100,000 supporters to turn out. “We cannot lose to the blue camp,” he said.172

At this juncture the United States government restated that Taiwan must not try to change the status quo in the Taiwan Strait, citing President Chen’s constitutional reform plan. A State Department spokesperson declared, in response to Chen’s statement the previous week about holding a referendum to decide the issue of a new constitution, that it is “our primary interest” to maintain stability in the Taiwan Strait and called on President Chen to stick to his 2000 “Five Nos” pledge.173 The president responded immediately, saying that he would adhere to his promises.174 In an apparent move to placate the United States, the next day the Cabinet announced that the referendum proposal was postponed.175 Shortly after this, DPP Secretary-General CHANG Chun-hsiung met with Douglas Paal, director of the American Institute in Taiwan, and told him that Taiwan needed a new constitution to stay competitive in the world, but that the DPP would not change the country’s territory, name, or flag.176 Obviously pan-green did not want to anger

171. Joy Su, “China Harassing Taiwan at Every Turn, MAC says,” Taipei Times, December 1, 2004 (online at taipeitimes.com).
172. Jewel Huang, “President Says He Will Join Pan-Green March on Saturday,” Taipei Times, December 1, 2004 (online at taipeitimes.com).
174. HUANG Tai-lin, “Chen Shui-bian Says He Will Stick to His ‘Four Nos’ Promise,” Taipei Times, December 1, 2004 (online at taipeitimes.com).
175. KO Shu-linig, “Cabinet Postpones Referendum Reform,” Taipei Times, December 20, 2004 (online at taipeitimes.com).
the United States; but neither (as will be seen) did it want to drop the constitution issue.

As the campaign began, the KMT began paying the salaries of its workers after some delay and facing a formal complaint by its union with the Bureau of Labor Affairs.\textsuperscript{177} It was uncertain whether this was a ploy to portray the party as not having much money in view of DPP leaders regularly assailing the KMT for not returning “stolen assets” and for vote buying, or whether it was true. In a related matter LIEN Chan threatened legal action against President Chen for saying that the KMT was receiving money from China.”\textsuperscript{178} One observer said there was a contradiction in accusing the KMT of being a “filthy rich” party and saying it was getting money from China.\textsuperscript{179} In any event, the KMT’s financial situation was unclear.

Meanwhile, Standard and Poor’s downgraded its outlook on Taiwan from stable to negative, citing “rising tension with China” and “weakening fiscal flexibility.” The report caused the Taiwan stock market to fall by 0.8 percent. The rating agency also noted that investment was down in Taiwan due to industries moving to China and that “overbanking” was resulting in declining profits in that industry. It also mentioned excessive government debt, and too much welfare and off-budget spending. Standard and Poor’s predicted four percent growth in the GNP for 2005 and opined that there was little chance of a balanced budget by 2010.\textsuperscript{180} Critics in Taiwan took the report as a dire warning, noting the Chen administration was selling government assets to deal with a forecasted budget deficit of NT$304 billion and to pay for interest on the national debt that exceeded NT$9 trillion. Furthermore, they said, the arms purchase, if made, would mean that the government will not balance the budget in 2010 as hoped.\textsuperscript{181} Meanwhile, the Economist Intelligence Unit issued forecast on Taiwan’s economy. It predicted lower growth in 2005 by one percent, a budget deficit of 2.6 percent,

\textsuperscript{177} “KMT Struggling to Pay the Salaries of Its Staff Workers,” \textit{Taipei Times}, December 1, 2004 (online at taipeitimes.com).

\textsuperscript{178} Caroline Hong, “‘I Do Not Work with China’: Lien Chan,” \textit{Taipei Times}, December 2, 2004 (online at taipeitimes.com). Lien also denied the charge and retorted with the complaint that Chen had unjustly labeled Taiwan’s businesspeople in China, “Communist China’s puppets.”

\textsuperscript{179} An observer of Taiwan politics mentioned this to the author.


no change in unemployment (at 4.5 percent), and a slight dip in inflation to 1.4 percent.\textsuperscript{182}

Legislative Speaker WANG Jin-pyng commented that the Chen administration had badly managed the economy, noting that one million people had migrated to China while two million were on the verge of unemployment, and that the gap between rich and poor had widened. Wang also accused the administration of squandering taxpayers’ money, having spent NT$8.2 trillion in the past five years (compared to NT$5.7 spent during the previous five years when the KMT ruled the country). The DPP’s legislative whip, TSAI Huang-lang, replied that Chen became president at the start of a global recession and that growth is estimated to be 4.5 percent next year with unemployment falling to 4.25 percent. He added that Taiwan had created a “new miracle” by doubling its foreign reserves during a recession.\textsuperscript{183}

Despite the U.S. scolding, President Chen returned to the constitution issue two days later. He said he would consult with the opposition on the matter — “after pan-green wins a majority in the legislature.” Chen again mentioned a referendum in 2006 and a new constitution in 2008.\textsuperscript{184} Following up, presidential advisor KOO Kwang-ming asserted that Taiwan does not need to explain its actions in rewriting the constitution or in “rectifying” the nation’s name. Koo said that this would be “shameful.”\textsuperscript{185} Former president LEE Teng-hui echoed Koo’s sentiment asking rhetorically: “Is the U.S. Taiwan’s father?” Lee also said that to use the name “Taiwan, ROC” would be stupid and that Taiwan using the name ROC is the same as calling itself PRC. Making an analogy to the ancient Israelites, whom he noted in the book of Exodus said that they lacked an identity, Lee said that if Taiwan does not solve this problem it “will not have the spirit to fight.”\textsuperscript{186}

Chen and other pan-green leaders apparently calculated that the United States, as during previous election campaigns, would not push them too hard on the independence issue or that the Chen administration could use its support in Congress to parry the pres-

\textsuperscript{182} “Taiwan’s Economy,” Taipei Times, December 7, 2004, p. 3.

\textsuperscript{183} “DPP Defends Its Economic Record; Sees Bright Future,” Taipei Times, December 5, 2004 (online at taipeitimes.com).

\textsuperscript{184} HUANG Tai-lin, “Chen to Visit Opposition If Pan-Green Wins a Majority,” Taipei Times, December 3, 2004 (online at taipeitimes.com).

\textsuperscript{185} “Advisor Koo Calls Explanations to the U.S. ‘Shameful,’” Taipei Times, December 3, 2004 (online at taipeitimes.com).

\textsuperscript{186} Ibid.
sure of the Department of State. In fact, several Congressmen visited Taiwan during the campaign, some making strong public statements in favor of Taiwan’s sovereignty. In any event, green bloc candidates said they needed Chen to stir up local nationalism in order to “get out the vote.”

As the campaign got into high gear, it became evident that the future leadership of pan-blue had become a matter of speculation and concern. Cracks in the leadership were seen differently, perhaps even opposing, campaign styles of top leaders. Lien and Soong took a very tough line against pan-green during the campaign. MA Ying-jeou and WANG Jin-pyng took a more moderate stance. Lien and Soong frequently mentioned the “stolen” March election and were hostile and aggressive in criticizing pan-green. Lien even called Chen the “cheating president” and described him as “nothing.” Ma and Wang were more low-key and mentioned the March election less frequently and future policy more often.

Among blue candidates Ma and Wang were the favorites in terms of who they wanted campaigning with or for them, suggesting to some pundits a pending change in leadership. In fact, there was speculation that Lien would tender his resignation as party head shortly before Election Day to be effective immediately after December 11. Some observers said that if Lien made such an announcement it would help pan-blue candidates win election; others averred this would depend on the situation leading up to voting day. At this time, LIEN Chan proposed that if pan-blue won the election Premier Yu should step down and that the opposition should decide whom the next premier would be. Lien proposed Deputy Legislative Speaker CHIANG Pin-kun. President Chen responded by saying that this proposal was inappropriate and violated the Constitution.

187. Melody Chen, “US Officials Vow to Keep Taiwan Safe,” Taipei Times, December 3, 2004 (online at taipeitimes.com). Among those visiting Taiwan at the time were two Republican members of Congress from Texas.

188. HUANG Tai-lin, “Pan-Blue Pillars' Outshining Old Guard,” Taipei Times, December 5, 2004 (online at taipeitimes.com).

189. Ibid.

190. Caroline Hong, “KMT Denies that Lien Will Announce Resignation,” Taipei Times, December 4, 2004 (online at taipeitimes.com). This report was said to be based on a secret KMT strategy meeting.

191. The president has the authority to appoint the premier, and this does not require the consent of the legislature. However, President Chen’s first premier, TANG Fei, was a member of the KMT, the appointment representing an effort to build opposition support for his presidency.
On December 6, five days before voters were to go to the polls, the KMT announced a ballot allocation plan for 10 of 25 cities and counties as part of its strategy to get more of its candidates elected. Party leaders said the DPP had used this very effectively in the 2001 election and had won that election in large measure because of it, so the KMT should do it in this election. The move, however, left the KMT open to criticism it was copying the DPP (though the KMT did it in the past) and that the process was undemocratic and distorted the popularity of candidates and issues. Another downside was it undermined KMT-PFP cooperation. Both the PFP and the NP criticized the KMT over the decision the next day, saying the Nationalist Party was "untrustworthy and domineering." Whether this "split" in the blue camp would hurt its chances come December 11 was uncertain. Nationalist Party leaders perceived that they had to take the risk.

The matter of the United States opposing pan-green’s independence moves once again became big news when the Department of State expressed its opposition to President Chen calling for changing the name of its representative organizations in the U.S. (and elsewhere). Adam Ereli, the State Department’s spokesperson, reiterated that Washington’s interest was in maintaining stability in the Taiwan Strait and that it opposed any unilateral steps to change the status quo. The Chen administration responded by calling China a “rogue” and Taiwan a “lamb,” obliquely criticizing the Department of State. A cabinet spokesperson said Taiwan would send an official to the U.S. to discuss the matter. Premier Yu declared that Taiwan respected the opinion of the U.S. government and the issue required further negotiations. President Chen apparently still perceived that he could not cease playing the China card if green candidates were to win a majority in the legislature and that he could defy the United States during the campaign and patch up differences later. He may also have been concerned that a

195. Melody Chen and KO Shu-ling, “Taiwan is but a Lamb and China a Rogue: MOFA Spokesman,” *Taipei Times*, December 8, 2004 (online at taipeitimes.com).
196. Ibid.
split was developing in the green bloc with the TSU seeing him and the DPP weak on the issue.\textsuperscript{197}

In any event, President Chen remained on the attack. The next day he urged people to say the word “Taiwan” aloud and “not worry about China.”\textsuperscript{198} DPP candidates hailed the statement as a “campaign boost.”\textsuperscript{199} Presidential Advisor KOO Kwang-ming again blasted the U.S. as being arrogant and said the U.S. has “forgotten the original ideals...it upheld when it was first founded.” The DPP’s legislative caucus and the TSU joined the fray supporting Chen on the name change issues, the former saying “the U.S. does not understand.”\textsuperscript{200} A number of businesses, however, including Taiwan’s flag carrier China Airlines, said a name change, especially altering the nation’s title, would cause both contractual and diplomatic problems.\textsuperscript{201} Some observers said that pan-green seemed to be making too much of the national identity issue and feuding too much with the United States over the matter, and that this was a distraction.\textsuperscript{202}

Meanwhile, the Truth Commission announced that after inspecting the pants President Chen wore when he was shot, they concluded that it was odd that the pants were not stained by blood. The Commission also passed resolutions to fine National Security Council Secretary General CHIOU I-jen, Minister of Justice CHEN Ding-nan, and Minister of Interior SU Jia-chyuan for refusing to cooperate with the Commission.\textsuperscript{203}

Two days before the election a truck caught on fire near Taipei Central Railway Station and four bombs were discovered in the vicinity. Also found at the scene were anti-Taiwan independence signs and threats against Taipei-101 Building, the world’s tallest

\textsuperscript{197} The TSU, in any case, applauded Chen’s statements. See “Taiwan to Replace China in Firms, Missions: Chen,” \textit{China Post}, December 6, 2004 (online at chinapost.com.tw).

\textsuperscript{198} Jewel Huang, “Say ‘Taiwan’ Aloud, Chen Urges People,” \textit{Taipei Times}, December 9, 2004 (online at taipeitimes.com).

\textsuperscript{199} “Cabinet, DPP Hail Chen ‘Name-Change’ as a Campaign Boost,” \textit{China Post}, December 7, 2004 (online at chinapost.com.tw).

\textsuperscript{200} See Debby Wu, “DPP Caucus Defends Name-Change Plan,” \textit{Taipei Times}, December 8, 2004 (online at taipeitimes.com) and “TSU Says Correcting Name Will Preserve Status Quo,” Central News Agency, December 8, 2004 (online at can.com).

\textsuperscript{201} Jessie Ho, “Airline, Other Firms Resistant to Name Change Proposal,” \textit{Taipei Times}, December 8, 2004 (online at taipeitimes.com).

\textsuperscript{202} A number of local scholars, U.S. election observers, and some news reporters told the author this at the time.

building located not far away in the capital city. The immediate assumption was that the perpetrators were anti-green and wanted to influence the voting two days hence.\textsuperscript{204} The problem with this interpretation, however, was that this "threat to public safety," as it was called, would likely help pan-green and hurt pan-blue. In any event, no bombs were found at Taipei-101 Building and judging from the superficiality of the incident it was not intended to hurt many, if any, people.

Meanwhile commemorating the twenty-fifth anniversary of the Kaohsiung Incident (of December 10, 1979), the DPP released a book entitled \textit{Rainbow Formosa: Taiwan's Ethnic History} to commemorate the event.\textsuperscript{205} Following up, at a rally on the event's anniversary, President Chen promised to set up a "national human rights commission" and a "human rights hall" if pan-green won the election. The purpose, he said, was to "restore historical truth" and "return justice to those who suffered political oppression." He added that the Kaohsiung Incident was the most important event in his life and that he was proud to have served as a defense council in subsequent trials.\textsuperscript{206} Annette Lu, who was imprisoned for six years as a result of the incident (having been sentenced to fourteen years), said that many who had committed crimes under martial law got off scot-free and a number of them were still working for the government.\textsuperscript{207} Vice President Lu also announced a "ten-case" list of past persecutions by public officials and promised to publish the details on May 19 next year, the 39th anniversary of martial law in Taiwan.\textsuperscript{208} The Chinese Human Rights Association (in Taiwan) published its annual human rights index on Taiwan at this time, its president saying that human rights in Taiwan had improved. Critics, however, said the rating was low and that conditions had actually declined.\textsuperscript{209}

On the last day of the campaign pan-green and pan-blue summarized their positions and made a late appeal to voters to cast

\textsuperscript{204} "Fire, Explosives in Taipei May be Politically Motivated: Police," \textit{China Post}, December 10, 2004 (online at chinapost.com.tw).
\textsuperscript{205} "DPP Releases Book Commemorating Kaohsiung Incident," Central News Agency, December 8, 2004 (online at can.com).
\textsuperscript{206} Jowei Huang, "Chen Promises Rights Commission," \textit{Taipei Times}, December 10, 2004 (online at taipeitimes.com).
\textsuperscript{207} HUANG Tai-lin, "Top 10 Martial Law 'Wrongs' Listed," \textit{Taipei Times}, December 10, 2004 (online at taipeitimes.com).
\textsuperscript{208} "Lu Claims Political Persecution Cases," \textit{China Post}, December 10, 2004 (online at chinapost.com.tw).
\textsuperscript{209} Ibid.
their votes for candidates of their party or bloc. President Chen stumped in seven locations that day. He talked of safeguarding democracy, passage of his ten major legislative bills, and his five promises (promoting cross-party cooperation, strengthening cooperation between central and local government, giving Taiwan a new constitution, streamlining the administration, and forming a Committee on Cross-Strait Peace and Development). He also condemned violence, making reference to the bomb explosion at the railway station. Chen, as in most of his campaign speeches, condemned gridlock and urged voters to support pan-green parties in order to end it.\textsuperscript{210}

Former president LEE Teng-hui, speaking for the Taiwan Solidarity Union, said that his party was the “most important force for combating China’s hegemony.” He blasted Lien and Soong, saying they were “worse than China.” Annie Lee, LEE Teng-hui’s daughter called on women to vote for the party and pushed the name change issue. However, she also said: “We cannot trust the DPP, which only makes commitments but fails to realize them.” She added that President Chen’s “Five Nos” pledge had made Taiwanese feel depressed.\textsuperscript{211}

LIEN Chan, speaking for the KMT, said that President Chen had focused the campaign on vague issues and that he had pushed a new national title and constitution to draw attention away from his own lackluster performance. Lien said Chen lacked dignity and that he and his party were “following the tune of the TSU.” Lien also criticized Chen for playing the ethnic card and creating societal divisions. He added that pan-blue stood for peace with China and preserving the status quo in the Taiwan Strait.\textsuperscript{212}

James Soong charged Chen with manipulating the Kaohsiung Incident to his benefit and rebutted claims that he was an “accomplice of the repressors.” Soong asked where Chen was when the veterans were protecting Taiwan on Quemoy and Matsu. He added that if going to jail over the Kaohsiung Incident qualifies one for high office, then SHIH Ming-teh (who has had serious differences with Chen and was running as an independent) should be president. Soong proclaimed that his party did not want war and opposed an

\textsuperscript{210} “Green, Blue View for the Future,” \textit{Taipei Times}, December 11, 2004 (online at taitpeetimes.com).

\textsuperscript{211} Ibid.

\textsuperscript{212} Ibid.
arms race, and called for a vision of ethnic harmony in a pluralistic society.\textsuperscript{213}

Toward the end of the campaign, a KMT lawmaker, HER Jyh-huei, sued President Chen for disseminating false information about him to adversely affect his reelection and said that in doing so he had violated the election law. Chen said that HER Jyh-huei had fled to China for eleven months after being indicted last year on corruption charges.\textsuperscript{214} Meanwhile, the DPP predicted in a late poll that pan-green would win a majority in the legislative race.\textsuperscript{215}

As the campaign finally drew to a close, CHANG Cheng-hsiung, head of the Central Election Commission, predicted that 67 percent of voters would cast votes, or over 11 million of more than 16 million voters. He declared that vote counting would start as soon as the polls closed at 4 pm and that the results would be known by 9 pm. In reply to a reporter’s question, he said that the voting would go on even if there were a bomb attack if it affected only one or two polling stations.\textsuperscript{216}

\section*{VI. THE ELECTION RESULTS}

The polls closed at 4 pm on schedule. The vote tallying was done before 9 pm as promised. The results, however, were not what most observers expected. For pan-blue the count was as follows: the KMT won 79 seats for a gain of 11 (compared to seats it won in the 2001 election). The PFP won 34 for a loss of 12. The NP took one seat for no change. Pan-green’s totals were: the DPP won 89 for a gain of 2. The TSU got 12, for a loss of one. “Others” remained at 10 (The Non-Partisan Solidarity Union acquired 6 and non-affiliated independents 4). This gave pan-blue a total of 114 seats, pan-green 101, and others 10 (percent wise 39.56 percent for the DPP, 35.11 percent for the KMT, 15.11 for the PFP, 5.3 percent for the TSU, and 4.44 percent for others). The KMT took 32.8 percent of the popular vote (compared to 28.2 percent in the 2001 election). The PFP obtained 13.9 percent (18.6 percent in the previous elec-

\textsuperscript{213} Ibid.


\textsuperscript{215} “DPP Predicts ‘Pan-Green’ Alliance Will Win Razor-thin Legislative Majority,” \textit{China Post}, December 10, 2004, p. 15. According to the poll, the DPP would win 96 seats and the TSU 17 for a total of 113.

\textsuperscript{216} “Taiwan to Elect Legislative Yuan Today,” \textit{China Post}, December 11, 2004 (on-line at chinapost.com.tw).
tion). The DPP attracted 35.72 percent of the vote (up from 33.8 percent), and the TSU won 7.8 percent (for no change).

The reactions of the various party leaders indicated that it was a pan-blue win, even a resounding win. After the election President Chen stated: “All of us, including myself, will deeply re-examine ourselves as our efforts were not enough to match people’s expectations.” Chen subsequently, in what most interpreted as both a concession and an admission that he would have difficulties getting legislation passed, called for cooperation with the opposition parties. DPP Secretary-General CHANG Chun-hsiung and his deputy LEE Ying-yuan both offered to resign over the party’s poor performance. Cabinet spokesman CHEN Chi-mai said Premier Yu, as DPP campaign manager, would take responsibility for the setback, but did not say that he would step down. There were reports that President Chen would resign as chairman of the DPP (which he did three days later). TSU Chairman HUANG Chu-wen also offered his resignation. DPP activists blamed themselves for overconfidence and a flawed election strategy; obviously the party’s performance was not what they expected or wanted. Former president LEE Teng-hui also expressed disappointment.

In contrast, KMT Chairman LIEN Chan said: “This is the moment we have been waiting for.” He added that it was “not just a victory for pan-blue, but for the Republic of China.” James Soong said his party “sacrificed” for the unity of pan-blue. Lien further proclaimed: “The people have placed their hopes on . . . the pan-blue alliance.” James Soong stated that the victory meant that people were not in support of Taiwanese independence. Other pan-blue leaders said that they won in the face of the “unjust loss” in March. Pan-blue jubilantly celebrated the results of the election.

The major newspaper and media outlets as well as television stations and nearly all pundits who assessed the election declared the results indicated a victory for pan-blue. The foreign media said

218. Lindy Yeh, “Pan-Blues Retain Majority,” *Taipei Times*, December 12, 2004 (online at taipeitime.com).
the same thing. In fact, most called it a major win for pan-blue and an upset for pan-green.

Yet, another interpretation of the vote tally is possible and should be considered. It goes like this: Pan-green did not lose the election; rather it made gains and perhaps even won. How so? The ruling Democratic Progressive Party increased its seats in the Legislative Yuan by two, from 87 to 89. It gained in the percentage of the popular vote it won. Pan-green got more seats. It gained legislative seats by a very large margin if a longer time span is considered — from 33 percent in 1989 to 41 percent in 2001 to 44 percent in this election. Trends over a period of fifteen years glaringly favored pan-green. Put in perspective, this election was a continuation of a shift in voter preference for pan-green. Pan-blue commensurately saw its popular vote diminish significantly over this period. These numbers suggest it is not justified to say that pan-blue won the election or that pan-green lost. In fact, President Chen alluded to holding such an opinion when he said after the election that his party had increased both its seats and its popular vote and there was a “gap” in expectations. Other DPP leaders mentioned this as well.

Why then was there an almost unanimous perception that pan-blue was the winner? First, the numbers are deceptive if the independents that won are considered. Two KMT candidates who did not get the party’s nomination won as independents. Pan-blue can probably count on strong support from the Non-Partisan Solidarity Alliance, which won six seats and 3.6 percent of the popular vote; plus other independents that won seats lean toward pan-blue. Hence, pan-blue’s performance in seats and percentage of the popular vote, given the source of votes for independents was largely conservative or pro-blue camp votes, was bigger than it appears at first. In terms of controlling the legislature, pan-blue, according to most analysts, gained noticeably. Hence the “inclusive” numbers definitely favor pan-blue.

Probably more important than this, it was widely perceived that pan-green performed much below what it said it would and

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224. Ibid.
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what its (and others') polls predicted.\(^{226}\) Chen and his supporters obviously failed to "break the back" of the KMT, which many of them predicted and/or promised would be the case. Instead pan-blue kept its majority (114 of 225 seats) in the Legislative Yuan. Finally, the election may be seen as a reversal of fortunes or a turnaround for the KMT and pan-blue. The prediction that the DPP would again conquer the KMT and that pan-green would thus be able to "follow through" with its three recent election victories and dominate Taiwan politics, did not happen. Hence, it seemed pan-green had lost its momentum.\(^{227}\) Further, the election win for pan-blue, some said, destroyed President CHEN Shui-bian's mystic and he became a president that would no longer be a major force in Taiwan politics.\(^{228}\) Chen had been seen as a consistent winner; now he was not.

Finally, pan-green failed to win votes on the issues that brought its two parties victories in the past: anti-Chinese sentiment, local nationalism, playing the ethnic card, voter allocation, and support (or alleged support) from the United States. This was additional evidence that the perception pan-blue won the election was true and, furthermore, that it had serious implications for Taiwan politically. The issues, some observers speculated, no longer favored pan-green.

After the election, pundits debated not who won but whether pan-blue was victorious for essentially "systemic" reasons, meaning vote allocation and election strategy, or triumphed because of their candidates’ stands on issues. Another question was: Did social and political trends favor pan-blue; or, did certain important political forces no longer favor the green bloc? Interpretations of the meaning of the election in terms of Taiwan's political future varied accordingly. If the loss for pan-green was due to the former reasons, the bloc needed simply to plan differently (meaning adopt a better campaign strategy in the next election) and could assume in the

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\(^{226}\) There were polls published in the newspapers and elsewhere in the days leading up to December 11. Almost all of the polls indicated a pan-green victory. All DPP polls also indicated this.

\(^{227}\) Many pundits said this after the election. For an opposing view, see "Poll May Lead to New Tack on Straits," Taiwan News (editorial), December 16, 2004 (online at taiwansecurity.org/TN/2004-TN-161204.htm).

\(^{228}\) Pundits in Taiwan and other countries both said this. See, for example, Catherine Armitage, "Taiwan Poll Win a Check to Chen," The Australian, December 13, 2004 (online at www.lexis-nexis.com).
meantime, in making policy at least, that nothing of any significance happened.\footnote{229}

Certainly the KMT did a better job of vote allocation; it did this poorly in the 2001 election and lost that election in some part as a result.\footnote{230} In fact, one might argue for a very simple explanation of the results of this election: KMT leaders learned from their past mistakes and employed astute planning in their campaign strategy this time. Similarly, pan-green did not strategize effectively in this election campaign. Since Taiwan’s electoral system uses a single vote in multi-member districts, candidates from the same party compete against each other. Given this situation, in order to prevent one candidate (a popular one) from taking votes that might elect weaker ones, the party instructs voters which of their candidates to vote for based on a certain formula (using their birthdates or national I.D. card numbers).\footnote{231} The problem is that this is not good for democracy since the vote tally does not mirror the popularity of candidates or their pet issues (which presumably it should be). It seemed the KMT was justified in using it (to its constituency at any rate) since many believed that it had lost the last legislative election by not using it and since it needed to win if its “correct” policies were to be put into law. Anyway, they believed, democracy had been “perverted” by CHEN Shui-bian “stealing” the March presidential election.\footnote{232}

Connected to the alleged success of the KMT in vote allocation and “proof” of the DPP’s less effective use of the technique was the number of candidates sponsored by each party. As suggested earlier the DPP may have hosted too many candidates; certainly this larger number made vote allocation more complicated and may have spread the DPP’s resources too thinly.\footnote{233} The KMT deliberately

\footnote{230} Copper, Taiwan’s 2001 Legislative, Magistrates and Mayors Election, p. 68.
\footnote{231} For details on the SVMM system, see Shelly Rigger, Politics in Taiwan: Voting for Democracy (London: Routledge, 1999), pp. 50-54.
\footnote{232} See Crystal Hsu, “Vote Allocation, Nomination Strategy Won Out,” Taiwan News, December 12, 2004, p. 1. The author also gleaned this view from talking to some KMT leaders.
\footnote{233} See HUANG Tai-ling, “Green’s Vote Strategy a Disaster,” Taipei Times, December 12, 2004, p. 3. and “Election Result a Product of the System,” (editorial), Taipei Times, December 12, 2004, p. 8. Several articles in pro-green newspapers so opined, giving the impression that they wanted readers to believe this.
nominated fewer candidates. A related factor is that the DPP lacked talent; many of its best politicians had been appointed to positions in the executive branch to work for the Chen administration. They were not available, or did not want to run for office. DPP strategists hence had to pick less well-known and less capable or at least less experienced people to run.

It was also said that pan-green thought it could rely on voter allocation more than was justified, in particular thinking that playing the “ethnic card” and the “China card” would make allocation work very effectively. (It had before.) There were two apparent problems in thinking this way: both tactics had been used in the past three elections and voters had become weary, perhaps even frightened, of them. Some thought it was wrong to run a campaign that stirred up ethnic ill will. Others thought it was dangerous to provoke China. Warnings from the United States before and during the campaign no doubt made the “China card” less effective. And pan-blue said repeatedly playing the ethnic card was immoral, “racist” (referring to engendering ethnic ill will), etc. Regarding the China card, pan-blue leaders and candidates often asked the questions: Do you want war? Do you want to die? Are you going to sacrifice your sons? Stressing political or “ideological” issues meanwhile distracted pan-green and caused their candidates to pay less attention to tangible issues.

However, the notion that the DPP lost the election (which it did not in terms of the number of seats it won) cannot really be attributed to its failure at vote allocation. More than three-fourths of DPP candidates running for district seats were elected. The DPP’s seat share substantially exceeded its vote share. The average DPP candidate won only one-tenth of one percent more votes than he or she needed to win. (In contrast, the average KMT candidate got thirty percent more votes than needed, suggesting the DPP managed vote allocation much better than the KMT and the latter should have nominated more candidates, not fewer). On the other hand, only a quarter of TSU candidates nominated were elected, and the number of seats it attained was barely half of its vote share.

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235. One person I interviewed and asked about this said that many pro-green people found it more exciting to work for the executive branch of government. Pan-blue did not have this option.

Its average candidate got 80 percent of the vote needed. The TSU obviously nominated too many candidates and did not do vote allocation well. It also did not coordinate well with the DPP. Thus, since one green camp party did it well and the other did not, poor vote allocation does not go far in explaining pan-green's losses. In fact, one can argue that the KMT, given the figures cited above, did not do a very good job at it (though it did better than in the previous election) and neither did the PFP.

The DPP, on the other hand, did not get out its voters as well as in the past. Or it turned off voters. Talking about the March election too much, some said, became tedious. The DPP certainly was not able to make it a successful moral issue or paint pan-blue as simply bad losers. Focusing on "ideological" issues had the same effect. Pan-blue voters, still enraged over the results of the March election, were more likely to ignore this and the pettiness of the campaigning and to go and vote more than pan-green voters. It is noteworthy that there was a lot of disgust with politics and apathy among the electorate as reflected in the turnout, 59.16 percent, the lowest in Taiwan's electoral history. The low voter turnout in this election helped pan-blue.

If "mechanical" explanations do not elucidate the election results, then issues must and they favored pan-blue. Even though bread and butter issues generally did not get that much attention during the campaign, some candidates, more pan-blue than pan-green, focused on issues. This seems to account for pan-green's disappointing performance and may have helped pan-blue considerably. Let us examine the evidence.

The national identity and independence issues worked for pan-green in winning Taiwan's past three elections. Polls taken the weeks and months going into this election showed that a growing number of citizens in Taiwan identified with Taiwan, not China, and think of themselves as "Taiwanese" rather than Chinese. So Pre-

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237. Shelley Rigger, "Making Sense of Taiwan's Legislative Election," Foreign Policy Research Institute, January 4, 2005 (online at fpri@fpri.org).

238. See, for example, "Chen Must Listen to Moderate Voices of Taiwan Voters" (editorial) Taiwan News, December 12, 2004, p. 4 and "DPP Must Refocus Reform Appeal," Taiwan News, December 13, 2004, p. 7.

239. This writer was not able to find data on the voter turnout by party or bloc, but many reporters and scholars said it was lower among pan-green voters.

240. Rigger, "Making Sense of Taiwan's Legislative Election."

241. For detailed scholarly analysis of this matter, see the various articles in Asian Survey, July/August 2004. The entire issue of this journal is devoted to the question of Taiwan's national identity. According to recent polls done by Chengchi University in
sident Chen and pan-green assumed these were good campaign planks. But this resulted in pan-green diverting its attention from “real” (political, social, economic and security) issues to “ideological” ones. As it turned out the national identity issue was “worn out”; so this was a mistake. Also pan-blue countered it. Pan-blue candidates asked how far pan-green could go with this; and did they want to formally declare independence and, if so, risk a war with China? And could the U.S. be relied upon, in view of some high U.S. official qualifying American support for Taiwan? Meanwhile, some of Chen’s critics said he was only “playing with the issue.” He is not genuine, one observer said: “He doesn’t have the guts to go to war.” 242 Voters were thus confused.

Some post-election analysts said that President Chen campaigned too much and did not look presidential (casting further doubt about his election “win” in March) and that he needed to change or at least update his speeches. Indeed the strategy and tactics used in the presidential election were not so appropriate in this election, since this was in essence a local election. 243 Others said Chen’s error was that he moved out of the mainstream and steered the campaign too far to the left. 244 Still others noted that he aimed too much at his base and did not tailor the campaign to attract new voters and that unlike before when the shooting incident energized voters, there was no such incident this time. 245

Just before the voting, pan-green turned its attention to the Kaohsiung Incident. This was not as effective as it might have been, nor, probably, what pan-green leaders thought it would be. The event happened a quarter of a century earlier, and many young people had only heard vaguely about it. Some said the DPP was too interested in history. Vice President Lu suggested dealing with the “criminals” of the martial law days. But the statute of limitations had run out; so even if evidence could be found to prove a case it

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242. The author heard this kind of comment a number of times, especially coming from pan-blue supporters.
243. One Taiwan scholar I talked to compared the election to an athletic contest, noting that no team could use the same strategy over and over, as the other side would catch on and devise ways to counter it. He said that is what happened in this election.
244. Rigger, “Making Sense of Taiwan’s Legislative Election,” pp. 2-3.
would be moot. Then, SHIH Ming-teh, who was the main leader of that "incident" and who was punished the most severely of anyone involved, was running as an independent widely known to oppose pan-green's platform. This made the issue less effective for the green camp.246

The most important issue, or at least the one most frequently cited in the media during the campaign, was the arms procurement bill. Opinion polls showed clearly that the public did not support the large expenditures, not without qualifications at least. Public protest also reflected the fact that some voters were very committed to seeing the arms bill fail and would vote accordingly.247 Pan-blue made a good case (believable in Taiwan at least) that the weapons could be purchased at a lower price. President Chen was not able to convince voters to change their views on this issue, especially in view of the opposition's case that waiting a few weeks to take up the bill would not matter. Also, in addressing subjects such as welfare, unemployment benefits, education, and other matters that candidates could talk about seriously only when funding was discussed, pan-blue candidates had a distinct advantage since the weapons bill was so costly. As a matter of fact, they "stole" some pan-green issues by opposing the arms funding and advocating other uses for the money. In addition, in debates with their opposites pan-blue candidates broached the question: "If relations are so good with the U.S., why do we need to spend so much and why the inflated price?" And cannot the money be saved if Chen would only stop provoking China?

Other details of the issue also worked to pan-blue's advantage. Several pan-blue candidates proposed that local companies be involved in producing weapons, notably submarines (the kind which the U.S. does not manufacture and countries refuse to sell to Taiwan). This had resonance in view of Taiwan's relatively high rate of unemployment.248 Also helpful to their candidates, blue camp leaders were able to carp almost without end about some aspect of the

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246. The writer talked to a number of election observers who thought bringing up the Kaohsiung Incident did not help pan-green and was a distraction. After the election almost nothing was said about it.


bill without actually opposing better national defense (or at least being seen this way). The U.S. got upset about Taiwan not doing its share, but did not attack pan-blue legislators for it. Most of the criticism was aimed at the “Taiwan government” — which meant the Chen administration.249 And President Chen, his Cabinet, and pan-green generally did not respond effectively.

Similarly the issue of money politics, which was a winning one for the DPP and CHEN Shui-bian in 2000, did not work this time or at least not as well. Trying to paint the KMT as a rich party that bought candidates, votes, and everything else it could, did not resonate well with the public. It was impossible for voters to know if the KMT had much money or not. Party leaders may have deceived the electorate into thinking their party was no longer rich, by not paying its employees for a while. And they had help: Rumors had floated around after the 2000 election that LEE Teng-hui had funneled KMT funds into the Chen camp, which many people believed to be true. Others said Lee himself had made off with the money.250 Not a few people believed the KMT had little money left. Contrariwise many believed that the DPP had capitalized on being in power to become a wealthy party or to at least control money. DPP candidates did not seem to be in need for funds during the campaign.251 Thus, pan-green lost a good campaign stratagem: assailing money politics and more specifically vote buying.

The state of Taiwan’s economy also should have been a plus for pan-green. In comparison to 2001, when pan-blue said Chen had destroyed the economy and caused painful unemployment, the numbers had improved considerably. But pan-green did not talk about this a lot. And pan-blue was effective at pointing out problems plaguing the economy or that made the future look less bright. Then the issue of Taiwan’s commercial relations with China and the health of the local economy which depended on China

249. Noticeably absent from U.S. comments about the arms matter was any criticism by government officials that the problem was caused by pan-blue.
250. A rumor had circulated shortly after the 2000 election about President Lee's wife making a trip to the United States carrying millions of dollars with her. She subsequently sued the magazine that published the story and won the case. Nevertheless, many people still believed there was something to the rumor.
251. DPP spokespersons argued that the party did not have much money. Yet it did disclose that members were required to contribute and that its officials had to raise money for the party, even mentioning that the president had to raise NT$ 10 million and that the chairman of state-owned enterprises had to raise NT$ 1 million. See Sofia Wu, “Cabinet spokesman, DPP defend fundraising program,” Central News Agency, November 17, 2004 (online at www.lexis-nexus.com).
overshadowed much of the discussion about money issues and this favored pan-blue.\footnote{252}

Pan-green’s attack on the opposition for obstructing President Chen’s agenda and anything pan-green wanted to do also rang hollow. Pan-blue focused more on issues during the campaign than pan-green. Both major opposition parties could, and did, point to many pieces of legislation passed, and also proposed bills that had been blocked by pan-green.\footnote{253} Regarding the arms bill, most potential voters felt pan-blue should block its passage. The charge of obstruction, thus, seemed to have grown old and did not apply to the most important issue during the campaign.

Finally, pan-green’s call for advancing democracy did not work. It had helped the DPP when it was an opposition party; in fact, it was central to the DPP’s rise to power. DPP leaders argued persuasively that for Taiwan to democratize the country had to have party competition. But now the DPP was in power (or at least that was the perception based on the fact it controlled the executive branch of government and was the largest party in the legislature). Thus pan-blue could call for more party competition, and did. In fact, some pan-blue candidates said during the campaign that if pan-green won a big victory Taiwan might turn back into a one-party state again. They offered as evidence the “fact” that Chen had in some ways blurred the separation between party and government by using government money for party purposes. Pan-blue could even point to the decline of press freedom in Taiwan and to questions about academic freedom, and translate this into “green terror” and “Chen’s dictatorship.”\footnote{254} Pan-green had neither the desire for democracy or the underdog status helping it this time.

\footnote{252. See Richard Halloran, “Taiwanese Voted with Their Wallets,” \textit{Taipei Times}, December 17, 2004, p. 8.}
\footnote{253. As noted above, during the campaign LIEN Chan cited the number of bills pan-blue had passed and had tried to pass. Indeed the number of bills passed was large and a number of them were significant.}
\footnote{254. The Paris-based Reporters san Frontieres dropped Taiwan’s press freedom rating from thirty-five to sixty-one in 2003, behind Romania, Mali, and Peru. The organization’s 2004 Annual Report cited journalists being imprisoned for defamation and revealing state secrets. It also noted that the Chen administration had blocked a number of broadcasts from China and that “Sissy’s News” done by former DPP member Sissy Chen, was forced off the air. It also mentioned that China News and the United Daily News complained of being monitored by the government. This report can be found online (online at rsf.org). More recently this organization has mentioned the government “not being tolerant of opposition media.” See CHIEW Chui Hoong, Poor press freedom records in Asia,” \textit{Asianlink}, December 2004 (online at asia-inc.com).}
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It can also be doubted whether voting trends favored pan-green. Looking over an extended period of time, as observed above, pan-green has steadily increased its percentage of the popular vote and its seats in the legislature. And it won the last two presidential elections. However, if short-term "trends" are used as the criterion the picture is different. In March 2004, Chen Shui-bian won 6.47 million votes or more than fifty percent of the votes cast with the support of both pan-green parties. Had the two parties repeated this performance, or had they even gotten half of the new votes won in that election, they would have won this election and attained the majority in the Legislative Yuan, which they so strenuously sought. If the TSU's votes (approximately 800,000) are not counted, the DPP got 2.2 million fewer votes than Chen got in March.255 Thus the "favorable winds" pan-green talked about may have stopped or even turned around.256

VII. CONCLUSIONS

This election was an important, though it did not garner the attention or create the excitement of the March election.257 In fact, students of Taiwan politics as well as U.S.-Taiwan and cross-strait relations may well see it someday as a watershed event. How critical an election it was can be ascertained by looking at post-election

255. The DPP in this election did not win a majority in any city or county except Ilan County. South of the Chuoshui River (meaning south of Taipei), the DPP's votes increased in Chiayi County; elsewhere they were essentially the same as in the 2001 election. See HUNG Yung-tai, "The People Have Spoken, but What Do They Mean? Taipei Times, December 15, 2004 (online at taipeitimes.com).

256. Pan-blue did better in northern Taiwan; pan-green did better in the south. This follows patterns of the past several elections. The main shifts were between parties in the two camps, and this can best be explained by vote allocation and the appeal of individual candidates. In the case of the blue camp, independents took seats in some traditional pan-blue areas, such as the Offshore Islands. But this did not represent a shift to pan-blue, rather it was a preference for certain candidates. The main exception was pan-blue's good performance in Tainan City, CHEN Shui-bian's birthplace and a DPP stronghold. The KMT won all of the Aborigine seats, as it did in the previous election

257. The election campaign attracted a lot fewer foreign reporters than the election in March. More reporters came from Japan than any other country. This election drew less interest because it was a legislative election and focused more on local politics. Also the foreign media did not attach too much significance to the relationship between a pan-green victory and Taiwan moving further towards independence. See Jane Rickards, "Correspondents Say Readers Not Enthused." China Post, December 10, 2004, p. 15.
analysis of the issues that impacted it and what political change it may have set in motion.

Did the March election, with regard to pan-blue’s charges that the election was stolen, influence this election? Both expert opinions and surveys done after the election said that it did. Instead of feeling sympathy, a good portion of the electorate was struck by the shrillness and ideological tenor of pan-green’s campaign. Pan-blue was also advantaged by pan-green’s talking too much about the last election and using many of the same campaign tactics (when they needed some new tactics) and their overconfidence. Many observers opined that the March election influenced the electorate on the right of the political spectrum to want to “rectify” things and turned away voters on the left that wanted to hear about those issues.

The arguments that the election campaign was “systemic” driven and its results determined by vote allocation and poor election planning by pan-green did not last long after election fever began to fade. Pan-green leaders would like to have believed this, but the data did not show this to be so and it was not perceived (after some thought) to be a good explanation for their defeat. The fact President Chen admitted mistakes and tried to “redesign himself” and his presidency and cooperate with pan-blue, belies any belief that issues and trends did not to a considerable degree decide this election.

What about the opinion polls that seemed so obviously wrong? The fact many surveys suggested pan-green would win might seem to support the view that pan-green had the issues on its side and that something “mechanical” went wrong. There are some good explanations for this not being so. Pan-blue polls contradicted pan-green surveys, but did not get so much attention. The media cited pan-green polls more often, thus creating the impression their polls

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258. According to one writer’s interpretation, 2.2 million voters who supported Chen’s reelection in March changed their minds or did not vote. See “U.S. Words Matter in Taiwan,” (editorial), China Post, December 15, 2004 (online at taiwansecurity.org/CP/2004/CP-151204-h.htm).

259. Several scholars told the writer this. They did not opine how big an influence this had.

260. There were some conflicting views on this matter. Pan-blue was, according to some observers, much better organized in the South of Taiwan and that probably made some difference. See John J. Tkacik Jr., “‘Wholesale’ disaster for Taiwan’s DPP,” Asia Times online, December 19, 2004 (online at www.atimes.com).
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were right when they were not.261 In any case, polls in Taiwan have often been inaccurate. During this campaign most polls were conducted by telephone and many young people did not respond, due to they only can be reached by cell phones.262 It is also a well-known fact that the vote allocation process makes the election results less predictable and thus the polls less reliable.

Did the perception persist that the United States influenced the election in pan-blue’s favor? Quite a number of commentators said so.263 U.S. officials were patently angry with President Chen and his advisors and, unlike previous elections, were very quick to respond to pronouncements intended to advance Taiwan’s legal independence and provoke China. Some observers said the U.S. influenced the previous elections in Chen’s favor by giving the impression of supporting him and not reacting quickly or strongly to his provocations; Washington acted differently this time.

The U.S. government, of course, wanted to remain neutral and not show any preference for pan-blue or pan-green; but this was not possible. America was (and is) too big a player in Taiwan politics, and the Taiwan Strait (meaning Taiwan-China relations) too explosive for Washington to ignore Chen’s missteps. So it did not. During the campaign some thought this might cause a backlash giving votes to pan-green.264 However, this was definitely not the case. Voters in Taiwan like and respect the United States and understand America is Taiwan’s only important friend; and they generally feel that the U.S. will protect Taiwan. Many of them also think Taiwan’s leaders should not take advantage of this or cause a crisis.265

Yet U.S. statements and actions after the campaign may have had some impact on post-election views. After the election it was widely reported in the Taiwan media that Deputy Secretary of State Richard Armitage said publicly that Taiwan was "probably the big-

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261. This writer heard that some of the pan-green polls that showed they would not do so well were not published and there was serious doubts about the validity of some of those polls showing they would win a majority.


264. The writer heard this from some observers. Pan-green apparently thought it might be true judging from the harsh reactions of U.S. warnings about provoking China from Presidential Advisor KOO Kwang-ming and former president LEE Teng-hui.

gest minefield” in U.S.-China relations. He also stated that the Taiwan Relations Act requires the U.S. to keep sufficient military forces in the Pacific to deter aggression, but that does not mean it has to defend Taiwan should it come under attack.266 There were also stories in the newspapers in Taiwan saying that President Bush had cursed President Chen for provoking China and endangering U.S.-China relations.267 As one U.S. diplomat put it: “If we are to engage in conflict with China, we would like to chose the time, place and reason and not let Chen do that.”268 Others said that the United States remembered what President Chen said after the March election in support of an independent Taiwan and may have wanted to keep the pressure on to preclude this happening again. Many U.S. policymakers felt that the Chen administration people could use the U.S. for their own political advantage and they needed to be disabused of this idea.269

Did China impact the election? Even weeks after the election most observers said yes, but it did so mainly by not doing or saying anything that would help President Chen stir up anti-China sentiment to rouse his base or win undecided voters. This was important because it was a change from the previous three election campaigns. Did Beijing in any way directly help pan-blue. There is no evidence Beijing did so; Chinese leaders knew this would have been counterproductive and so did pan-blue. Even pan-green did not say this after the election. Thus charges of China’s interference that were heard during the campaign were not voiced anymore.270

Still, China issued many statements and published considerable data to the effect that trade and investment links across the Taiwan Strait were large and increasing while hinting that Taiwan needed access to China’s market to maintain its economic health. Since

266. His comments did not get reported on Taiwan until after the election because they did not appear in the U.S. media right away.


268. The writer heard this comment from scholars that watch Taiwan politics.


270. Pan-green made this charge during the campaign, but the author did not hear it after the election.
these statements were not new, did not seem to be aimed at influencing the election, and were repeated by Taiwan's media, Beijing was not seen as trying to sway the election this way. China's military buildup threatened Taiwan and Beijing stuck to its policy of isolating Taiwan diplomatically; but little new or of consequence happened in either realm during the period leading up to December 11. These elements of China's Taiwan policy thus either had little effect on voters or they hurt pan-green a bit.271

Is China happy with the results of the election and will it adopt a more friendly policy toward Taiwan? Beijing did not respond with enthusiasm. In fact, it said nothing immediately. Chinese leaders were no doubt pleased with Chen's setback and may see some opportunities it can exploit. Both Chen and the new people in his administration during the post-election were more friendly and accommodating toward China. But to Beijing the election results may justify a harder line toward Taiwan, not a friendlier one.272 Chinese leaders likely perceive that President Chen's influence will diminish. They thus may think, more than ever, that time is on their side. This does not translate into much, if anything. Meanwhile, China cannot assume that pan-blue will openly or successfully promote a policy of unification. This would be suicide for pan-blue; its leaders know that and so does Beijing. Thus changes in China's Taiwan policy seem unlikely.

Having said this about both U.S. and China's relations with Taiwan, Sino-American relations to a great extent determine their policies toward Taiwan. The U.S. and China are very important to each other. They both need each other and benefit from the relationship. Yet they are also in some ways enemies or at least competitors.273 How this unfolds or whether in the future they become more like friends than enemies, or the reverse happens, likely will depend on factors other than Taiwan.

271. The author has seen no polls on this subject, but a number of pundits said this. The reasoning was that pan-green was in charge and did little about it and seemed not to have any plan to correct the situation.

272. It is interesting that China waited for four days after the election to criticize Chen and that it was restrained in its remarks. See Mark Magnier, "China Achieves More by Doing Less in Elections," Los Angeles Times, December 17, 2004 (online at taiwansecurity.com).

273. It is worth noting that in hearings held by the U.S. Senate Intelligence Select Committee on Intelligence in February that heads of the CIA, FBI, Defense Intelligence Agency and the State Departments Bureau of Intelligence and Research all mentioned China as a national security concern to the United States. Hearings can be found online at intelligence.senate.gov/0502hrg/050216/witness.htm.
Is President Chen in an eclipse, or will he be soon? This is difficult to say and probably cannot be judged very well based on this election, even though Chen put a lot of efforts into helping pan-green and pan-green lost (and thus so did Chen indirectly) and his poll numbers dropped precipitously after the election. Pan-green would likely have suffered a greater loss had it not been for Chen. The president was an asset to both his party and to pan-green. Whether Chen remains a big player in Taiwan politically will rather depend largely on circumstances and what Chen does. What about Chen’s agenda and his policies? There was considerable speculation after the election about who the DPP candidate would be in 2008 and how he or she might be different from Chen and formulate different policies. It thus seems apparent that some of Chen’s agenda is likely dead. Writing a new constitution and holding a referendum seem much less probable now. Name changes for government organizations and companies reflecting Taiwan’s independent status as well seem much less likely to be implemented.

Summing up post-election talk, some observers have described Taiwan as “entering a new era.” Many talked about a new generation of leaders. They said that CHEN Shui-bian will soon be gone. Lien and Soong, they suggested will also fade away, probably sooner. As will LEE Teng-hui. That means there will be a new group of leaders vying for power in Taiwan soon. Many anticipate this will help relieve the gridlock that has plagued the country since 2000. There may be some truth in this. Taiwan’s rising leaders indeed appear more moderate and more willing to compromise. But much depends on the realignment of political forces and factors that are very difficult to predict.

Less in the realm of speculation: the election results indicate that smaller political parties have been weakened and may merge

274. President Chen’s popularity dropped to a new low after the election. See “40.04% Satisfied with President’s Performance: Poll,” Central News Agency, December 30, 2004 (online at www.lexis-nexis.com).
275. Four top DPP leaders were mentioned as possible presidential candidates in 2008: Former Kaohsiung Mayor Frank Hsieh (recently appointed premier), SU Tseng-chang (recently appointed chairman of the DPP), former Premier Yu, and Vice President Annette Lu. Taipei Mayor MA Ying-jeou and legislative speaker WANG Jin-pyung are the two popular younger pan-blue leaders.
277. In the wake of the election there was speculation that LIEN Chan would run again. There was talk of cooperation between the DPP and the PFP. The appointment of Frank Hsieh to be premier led to talks that the DPP would be more moderate.
with the two main parties. The New Party went back to the KMT during the campaign. The PFP and the TSU did poorly in this election. The constitutional amendments made before the election may have done this, even though they were not in effect yet. Voters, it seemed, anticipated constitutional changes. Alternatively, it occurred because voters perceived the TSU and PFP too radical. Voters seemed to want stability and thus eschewed parties that were not seen as middle of the road.\footnote{278} The bottom line is that it is likely that Taiwan may be already evolving from a two-bloc system to a two party-system. But when this will happen is difficult to predict.

Will the election help improve ethnic relations? Probably to some extent at least. It is a blight on Taiwan and even pan-green leaders realize this. It is also destabilizing and hurts relations with China. The U.S. has also been critical of Chen exploiting ethnic differences. But most politicians in Taiwan, as in other democracies, regard almost anything that works “fair” in election campaigns. Thus, one should expect to see it in the future, but with less intensity. Will ideological and philosophical issues diminish in importance? Perhaps. They did not work in this campaign very well. Voters wanted to hear more about issues that will impact them personally. Some candidates may have learned from this.

Was democracy finally consolidated by this election? The term was used frequently after two previous elections (the 2000 and 2002 contests) because of a change in party in the executive branch of government and then the DPP became the largest party in the legislature. But meaningful political reform did not result. Ethnic relations got worse, and the economy became a serious concern. Social stability and foreign and domestic policymaking were not enhanced.\footnote{279} It may be that after this election there will be some progress in all of these realms. Certainly this election may be considered a positive step in making Taiwan’s democracy continue to work, maybe work better. After all democracy must not only be constructed, it must be kept operating as well.

\footnote{278. Views on independence, either strongly for it or strongly against it, seemed to define this. Vote allocation, however, also hurt the PFP and TSU, the parties that appeared less moderate. The moderate vote argument and the evolution of a two-party system are also supported by the fact that many of the well-known candidates were not elected.}

\footnote{279. For details on the argument about democratic consolidation, see John F. Copper,\textit{ Consolidating Taiwan’s Democracy} (Lanham, MD: University Press of America, 2005), especially chapter 4.}
POSTSCRIPT

On March 7, almost a year after an assailant reportedly shot and injured both President Chen and Vice President Lu the day before the presidential election, HOU Yu-ih, Commissioner of the National Policy Agency’s Criminal Investigation Bureau, called a press conference and announced that his organization had identified “the likeliest suspect” in the shooting: CHEN Yi-hsiung, an unemployed construction worker from Tainan.280

Commissioner Hou cited as evidence mainly the testimony of Chen’s wife. She stated that CHEN Yi-hsiung told her he had tried to kill the president and vice president; he also said he would deal with the matter himself, so she did not report anything to the police at the time. She also disclosed that he had left a note saying that he hated President Chen and that he was depressed because he could not sell his house due to economic conditions in Taiwan.281

In addition, Hou announced that the Criminal Investigation Bureau had evidence that Chen, through a second party, purchased the gun used in the shooting from TANG Shou-yi, an underground gunsmith. Hou concluded that Chen was most likely the shooter based on this evidence and “three other facts”: (1) Chen had appeared on three videotapes taken by a jewelry shop near the scene; (2) he changed his attire after the shooting; and (3) his temperament changed at that time.282

Unfortunately, said Hou, Chen died by drowning himself just after the shooting and his wife forthwith had his body cremated. Furthermore, the gun was not located and no bullets were found on CHEN Yi-hsiung’s person or among his belongings. Thus police could not definitively say the case was solved, but they did think “they had their man.” Seemingly contradicting Hou, Frank Hsieh, who had just recently assumed the office of premier, subsequently stated that in his opinion the investigation was not finished and needed to be continued.283

Nevertheless, President Chen and Vice President Lu both praised the police for their efforts and expressed their satisfaction that they had done a good job, the evidence presented was relevant.

281. Ibid.
and the conclusions were correct. The Presidential Office issued a statement of gratitude for the hard work done over nearly a year. Vice President Lu meanwhile dismissed pan-blue claims that the suspect was a “made-up scapegoat.”

LIEN Chan, who had yet to concede defeat in the March 2004 election, said that the questions raised by the Truth Commission still had to be answered. Lien further stated that the Commission had all but been deactivated by the Chen administration and that “it isn’t right that the truth has not come out.” Lien expressed suspicion about the report that CHEN Yi-hsiung was the main suspect.

CHANG Yung-kung, a KMT spokesperson, ridiculed the so-called “breakthrough,” saying the explanation was “ridiculous” and that the police seemed to be closing the case without justification. Chang noted that the timing of the announcement was also suspicious, coming just days before the KMT was scheduled to hold a mass rally on the anniversary of the shooting. He said cynically that he expected Hou and Prosecutor-General WU Ying-chao to be promoted soon. KMT caucus whip CHEN Chieh said that he found it odd that a rumor had been floating around recently that the culprit in the shooting was dead, implying that Commissioner Hou’s revelations were not based on recently acquired evidence as he had suggested.

Diana Lee, representing the People First Party in the legislature, said she thought CHEN Yi-hsiung was murdered and that the police were pre-mature in making their conclusions. LIU Wen-hsiung, also a lawmaker from the People First Party, said the same thing.

He went on to describe the shooting as a “comical copy” of the 1963 assassination of President John Kennedy. He further noted that the Criminal Investigation Bureau announced a “significant breakthrough” even though they had no witness or any real evidence.

Pan-green leaders replied that pan-blue would not accept any evidence about the shooter no matter what it was, how well it had

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been collected, or how relevant it would be. Thus, they said, pan-
blue continued spouting the theory that the event didn’t make sense
and that there was a cover-up.289 In addition, pan-green officials
said they (pan-blue) liked to make reference to successful profes-
sional investigations of such high profile crimes in other countries,
when there are many in various countries in the world that are
never resolved — including the Kennedy assassination.

Still, there were many questions that remained unanswered
and both contradictory reports and evidence about CHEN Yi-hsi-
ung’s involvement and/or guilt. For example, the police reported
that Chen was seen in three videotapes taken on the scene and was
subsequently questioned by police. Yet his death less than ten days
later did not seem to raise any special concern and the police did
not put any pressure on his wife or relatives to provide any inform-
atation at that time. Chen’s wife immediately cremated his body with-
out raising any suspicions. She also said he had written three notes,
but she had destroyed them; there were conflicting reports about
why there were three and what they said.290

In police interviews of Chen’s friends, several said that he had
no financial problems, was happy, and was swimming daily. Some
said he held no political views. Others said he was pan-blue and had
argued with friends about President Chen’s poor performance in
office. Still others said he had supported pan-green candidates and
was pro-green. Some said he was simply civic minded.291 Several
opined he was a good swimmer and was not likely to have drowned.
He was said also to have told friends that he was home at the time
of the shooting.292 There were also reports that he was supposed to
have dinner with friends that night and that he was in an optimistic
mood.

Most observers wondered why such a long period passed be-
tween Chen’s death and his being labeled a suspect. And, some
queried: Did the fact that police offered Chen’s wife and other rela-
tives immunity influence their story? Were they, in other words, in-

4.
291. “Friends, Neighbors Remember Suspected shooter as a Normal, Sports-loving
Man,” Taipei Times, March 8, 2005, p. 3.
292. “Drowned Man Named as Prime Shooting Suspect; but Police Fail to Produce
Evidence Linking 63-year-old to Attack on CHEN Shui-bian,” South China Morning
Post, March 8, 2005 (online at lexis-nexis.com) and “Controversy as Police Name Gun-
man in Taiwan President’s Shooting,” Channel News Asia, March 7, 2005 (online at
www.lexis-nexis.com).
timidated and told to say what they did?\textsuperscript{293} And what about the reward of NT$53 million (US$1.72 million) which they may receive for supplying information in the case that led to Commissioner Hou’s conclusion CHEN Yi-hsiung was the shooter.\textsuperscript{294}

Many citizens said the CHEN Yi-hsiung case was very difficult to believe, that there were simply too many coincidences. For example, Chen’s family came forward and the police identified their main suspect just before pan-blue’s mass protest demonstration scheduled for the first anniversary of the shooting. The suspect was dead for almost a year before he was announced to be the “primary suspect.” The person who made the gun and the person that allegedly sold it to Chen were also dead. CHEN Yi-hsiung’s death certificate read that he died of accidental drowning, but it was also reported that he had committed suicide. Meanwhile, rumors circulated that his body was found wrapped in fishing net.\textsuperscript{295}

A U.S. \textit{New York Times} reporter, Keith Bradsher, wrote in a piece about the incident that the news of CHEN Yi-hsiung shooting the president and vice president “seemed something out of a dime novel.” After representatives from Taiwan’s Government Information Office contacted him he changed his line to “a sequence of events worthy of a pulp crime novel” and said that he was only addressing the theatrical nature of the event.\textsuperscript{296}

Various local television and radio talk shows invited guests to speak on the case. Most said that the information on the case Commissioner Hou provided was difficult to believe. Many said it appeared to be prearranged, just as the shooting had been. Several stations conducted formal or informal polls on the matter and found that most people did not believe Hou’s account.

However, the case soon fell from the radarscopes. Other events eclipsed it, including James Soong’s meeting with U.S. officials in Washington (perhaps at their request), met with President Chen. Chen then adopted a much more conciliatory position on Taiwan’s independence, which angered many of his supporters.


\textsuperscript{294} “Police to Continue to Probe into Shooting,” BBC Monitoring International Reports, March 7, 2005 (online at www.lexis-nexis.com).

\textsuperscript{295} “My Husband Shot Taiwan President, Widow Admits,” \textit{The Australian}, March 9, 2005 (online at lexis-nexis.com).

According to this report, this fueled speculation that CHEN Yi-hsiung had been “silenced.”

Pan-green’s unity appeared to be in jeopardy. Another event that made news at this time was China’s passage of the Anti-Secession Law that it has spoken of earlier. This created a negative reaction in Taiwan that seemed for the moment to help pan-green politically.

In conclusion, there did not seem to be final proof that CHEN Yi-hsiung was or was not the shooter and the puzzle of events leading up to President Chen’s reelection thus remained unexplained.
### GLOSSARY

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