

Taiwan Elections: Foundation for the Future

Alan D. Romberg

If the January Legislative Yuan (LY) elections in Taiwan did nothing else, they demonstrated that, for better or worse, the Chen Shui-bian era is over. The rout of Chen's Democratic Progressive Party (DPP) by the opposition Kuomintang (KMT) sent a clear message that the people of Taiwan were utterly dissatisfied with the government's performance over the past eight years and that they rejected the politics of ideology. Although the KMT's overwhelming accumulation of the LY seats significantly outdistanced its share of the actual vote because of some structural factors in the new election system, and the presidential contest will likely seem closer, the decisive and widespread nature of the repudiation of the DPP was unmistakable.

Three major implications stemmed from that basic fact. First, given the lead that the KMT slate of Ma Ying-jeou and Vincent Siew Wan-chang already had in all public opinion polls before the LY election, DPP presidential candidate Frank Hsieh Chang-ting and his running mate Su Tseng-chang face an enormous challenge to climb out of the hole in which the LY vote left their party. Second, whomever they choose in the March presidential election, it is obvious that the people of Taiwan—while rejecting unification with the Mainland today, anxious to participate actively in the international community and resentful of the People's Republic of China's (PRC) steps to thwart virtually every effort by Taiwan to do so—are far more concerned about securing their future well-being and de facto independence than about pushing “principled” stands on the island's de jure status. And third, while Chen Shui-bian will continue to play an important role before he steps down in May, no doubt pushing Taiwan's “identity” both domestically and internationally, the nightmare scenarios that Beijing continued to conjure up about how Chen might declare an emergency and enforce “Taiwan independence” to perpetuate himself in office have little relevance to Taiwan's reality in 2008. Not only is there no evidence that Chen has any such intention, but the international community, including the United States, would not tolerate such steps—and, most important, neither would the people of Taiwan.

The hard-fought presidential campaign, following the course of many Taiwan political contests, is being conducted in a manner that might offend the Marquis of Queensberry. Charges of disloyalty, dishonesty, and corruption flow back and forth in a torrent. But Taiwan voters seem largely unimpressed and retain their focus on the issues.

The critical question facing all the relevant players after a new Taiwan leader takes office in May will be whether the two sides of the Strait can seize the opportunity presented by the change in Taipei—whoever is elected—to lay a new foundation for the future. One well-placed Mainland observer assures: “We will certainly not miss this strategic opportunity.” Assuming that this reflects the leadership view, that approach could foster strong economic ties and reduce tensions, even while leaving resolution of ultimate political relationships to another day. But one fears that Abba Eban’s quip about those who “never miss an opportunity to miss an opportunity” might also apply here. If for any reason the parties do miss the moment, they might well set in concrete a competitive and even confrontational cross-Strait structure that will deepen existing tensions, complicate U.S.-PRC relations, and continue to threaten the well-being of all concerned.

The LY Election

On 12 January, KMT candidates for the Legislative Yuan secured over 53 percent of the popular vote compared to the DPP’s 39 percent. The roughly 15-point gap was also reflected in the “second” ballot cast by voters, in which they opted for the party of their choice without reference to candidates.¹ With the exception of Tainan County, Tainan City, and Pingtung County, the DPP was outpolled in every electoral district on the island, even in the south, losing in several areas where it had prevailed in 2004. These results—though not as skewed as the seat distribution, where the KMT and its allies won 75 percent of the LY seats under the new single-member district system—were by any measure a blistering repudiation of the DPP government that has been in office over the past eight years.

While a KMT victory had been widely anticipated, the dimensions of this outcome were a surprise to everyone. Even accounting for its inherent advantage in the new single-member districts, the KMT itself had been projecting that it would take somewhere between 70 and 75 seats, with anything in that range considered a substantial victory. And the DPP had been projecting 40–45 seats, with anything below that a substantial defeat.² On the eve of the election, the KMT thought 15 races would be too close to call³ and that as many as 10 would be so close (within 0.3 percent) that a recount would be necessary.⁴ Though taking a DPP majority was never in the cards, President Chen had at one point said that KMT control of the LY would be a “disaster.”⁵ When he got specific, however, Chen had set a target of 50 DPP seats (still not a majority but close enough to block a lot of actions), arguing that this was not only attainable but necessary to provide a solid political base for Frank Hsieh’s presidential efforts in March.⁶

In the end, the KMT secured outright 81 of the LY’s 113 seats and, together with allied parties and independents, will control 86 seats, or a crucial three-fourths majority. The DPP, on the other hand, holds only 27 seats, which its presidential standard-bearer

Frank Hsieh has dismissed as a “meaningless minority.”⁷ Although Hsieh himself was obviously far from giving up, immediately after the LY disaster some DPP members were already assuming that the battle for the presidency was a lost cause and were looking ahead to county and mayoral elections at the end of 2009 as the next opportunity to begin a comeback.⁸

In the wake of this outcome, President Chen Shui-bian immediately resigned as party chairman, calling it “the worst setback” in DPP history, for which he felt shame and would shoulder “all of the responsibility.”⁹

January referenda

Also of interest in this election is the fact that the two referenda on the ballot—a DPP proposal on return of “illegal” KMT assets and a KMT proposal on rooting out (DPP) corruption in government—failed to obtain the necessary 50 percent total electorate participation necessary for them to be valid.

The Central Election Commission (CEC) had adopted a “one step” procedure, in which voters would be handed all four ballots for candidates and referenda upon entering the polling station. The KMT objected strenuously that this skewed the process by virtually ensuring participation levels would clear the 50 percent bar, automatically making the referenda “valid.” And local KMT leaders said they would not follow the CEC’s instructions in this matter.

But following a heated controversy, in which some local election officials were suspended¹⁰ and threats of prosecution hung in the air,¹¹ the KMT finally decided to end defiance of the CEC ruling and to drop its insistence on using a “two-step” system in cities and counties it controlled. The party feared that in a continuation of the confrontation over procedure the KMT would be perceived as a “spoiler” in the eyes of the electorate, which could cost it votes, and that continued defiance might threaten social order and even lay the foundation for legal challenges by the central authorities in an election that the KMT otherwise expected to win. So the party accepted the proposed “one step, two tables” system put forth by the CEC, but then expressed its objection to what it perceived as the inherent unfairness of the process by calling for a boycott of both referenda. The entire method, the KMT argued, was a DPP election tool being implemented through the CEC to “create chaos and generate conflict.”¹²

Since indications were that both proposals would fail anyway, the boycott probably did not change the ultimate outcome. But it did play an important part in ensuring the participation of a mere 26 percent of the entire electorate in both referenda, barely half of what was required to validate them. This then set the stage for the much more important round of referenda, in March, when competing texts about UN membership will be on the ballot.¹³

Hsieh seizes the reins of party leadership

It had been evident for a long time that Frank Hsieh was chafing at the heavy involvement of Chen Shui-bian in the election during the period leading up to the LY ballot. Both men claimed publicly that this arrangement was “natural” due to the fact that, as DPP Chair, Chen had an institutional role in the LY election, while Hsieh did not (or at least he chose not to claim one). But the president was not only stealing headlines, he was also setting the overall political agenda, and the more fundamentalist positions he was promoting appeared to be alienating the moderate center that was crucial to Hsieh’s success.

Thus, even during the LY campaign, Hsieh felt that he could not remain passive, that he had to take steps to appeal to the center. And to do that, he needed to separate himself from the president. At the same time, he had to act without seeming to break with Chen, lest he alienate the Green base. So, even before mid-January he began to take stands at odds with Chen administration policies on such questions as liberalizing cross-strait investment rules, promoting Mainland tourism in Taiwan, and expanding cross-strait charter flights. He tried to reconcile his policies with Chen’s by calling them “different but not contradictory,” but he drove home his view that, if Taiwan did not participate more vigorously in the Mainland’s economy, it would lose its competitive edge. And in the process, he did not shy away from characterizing his policies as an effort to make up for the “deficiencies” of the current administration.¹⁴

While still formally accepting the “division of labor,” Hsieh also strove to convey the clear impression that after the LY election he would take the lead, with Chen moving into a supporting position. In an effort to refute suspicions that Chen would maintain control from behind the scenes even after stepping down, Hsieh argued that, if he were elected, he would become party chairman as well as president, so “How can President Chen meddle?”¹⁵ Perhaps not totally convinced of his own reasoning, however, Hsieh took special note of AIT chairman Raymond G. Burghardt’s comment that the next president should not be “boxed in” by the actions and statements of the current government.¹⁶

After the LY debacle, the shift not only became easy, it became necessary. Hsieh quickly seized the initiative—and the reins of party power, becoming party chairman and appointing his closest campaign adviser as secretary-general. In a television interview less than a week after the legislative election, Hsieh minced no words about where responsibility for the DPP’s failure lay. Dismissing the notion that the DPP lost only because of the new election rules, he said that the DPP lost primarily because it had not met the expectations of the people in governing and had failed to give the public a clean and incorruptible image—all of which pointed the finger of blame at Chen. Hsieh even divulged that he had voted for the KMT’s anti-corruption referendum on 12 January, which was clearly aimed at misdeeds by officials in the DPP administration and the Chen family. And although Hsieh asserted, as he had on several other occasions, that he would always want to consider the opinion of Chen Shui-bian, he pointedly noted that he was now not only the candidate but the party chair, and the initiative and responsibility for

success or failure were henceforth his.¹⁷ Indeed, he was unambiguous about not caring much what Chen or others thought; what he cared about was “looking after Taiwan and saving the people.”¹⁸

In taking control, Hsieh set a tough loyalty test for others: “From now on,” he said, “I set the party line and everyone has to toe the line.”¹⁹ Those who did not follow his lead would have to leave the party. But he also laid down a benchmark for himself, pledging that he would leave politics permanently if he lost.²⁰

In addition to figuring out what tactics would work best against Ma Ying-jeou, Hsieh faced two other important problems. First, despite his obvious effort to place blame on Chen for the LY failure, Hsieh himself was suffering within the party from the fact that he had not aggressively helped LY candidates, and had even been responsible for the defeat in the primary campaign of some candidates who might have won in January. DPP observers thought this had undermined any sense of obligation to Hsieh that the rank and file might otherwise have felt toward their new leader, and many commented that if this situation were left unrepaired, it could hurt him in the presidential effort.²¹

Hsieh was obviously not oblivious to this situation, and he sought to remedy it. As he moved to take control, he reached out to various party elements he had previously seemed to shun, letting it be known that he would count on the support of the other factions and the party’s defeated LY candidates to help him win the presidency.²² Implicit in this, of course, was that they would have a say in policy and a share of the spoils should he win.

The second difficult issue Hsieh faced was the UN referendum. As discussed in a previous issue of *CLM*,²³ the DPP proposal to apply to the United Nations “in the name of ‘Taiwan’” had caused enormous heartburn both in Beijing and Washington and generated substantial criticism and pressure on Taipei. In speaking with foreign critics, Hsieh had made no secret of the fact that this was not his initiative, but Chen Shui-bian’s. Nonetheless, given Chen’s—and the party *apparatus*’s—insistence on staying with it, Hsieh was constrained in his efforts to consider alternative approaches (discussed below). He thus took on the role of enthusiastic supporter and even erected a huge UN-shaped block structure in front of his new Kaohsiung campaign headquarters. Still, what had originally been viewed as a mobilization tool among a broad swath of Taiwanese nationalists had already become something of an albatross, reminding voters of the way that Chen Shui-bian had used international status and identity issues for partisan purposes to the detriment of Taiwan’s other interests.

Conducting the Campaign

Following the lopsided LY election results, Frank Hsieh started his campaign in earnest from a deep deficit, according to virtually every available public opinion poll. Although the gap between Hsieh and Ma Ying-jeou in media polls had previously narrowed to as little as 12 percent (even less, according to DPP surveys), it had widened again in recent

months to as much as 20 points or more. As we observed in *CLM* 23, Ma's exoneration by the High Court in late December, which upheld the lower court's ruling of his innocence on the charge of misuse of public funds, sent his support rate to astronomical (and unsustainable) levels, creating a 30–40 percent gap.²⁴

In fact, the 14–15 percent gap both in the ballots cast for individual candidates and for the parties in the LY election probably represented a reasonable reflection of the actual gap in support that could carry over to the election. An unknown factor, however, arises from the fact that there will likely be greater voter turnout for the presidential election. Both DPP and KMT analysts would argue that a larger turnout would benefit their candidate. However, since younger people and independents are the ones more likely to come out in larger numbers in March after sitting out the January election, and since polls now show those groups favoring Ma, the situation would seem to give the KMT an advantage, making Hsieh's task all the harder.

In reaching for approaches that would turn the tables on Ma, Hsieh emphasized a number of issues discussed below, such as personal integrity and reliability. But in trying to seize the initiative, he not only relied on relentless attacks on Ma, but he also clearly thought that he would be able to best Ma or perhaps even trap him into making self-defeating statements in the two scheduled television debates on 24 February and 9 March. According to most polls after both debates, however, Ma not only maintained his lead, but he was even seen in most tallies as “winning” the debate by a fairly wide margin, contrary to what most viewers had anticipated ahead of time.²⁵

Issues

On a number of substantive issues, Ma and Hsieh took positions that were not so divergent. Both, for example, set restoration of trust with the United States as a very high priority. Both sought to ease cross-Strait tensions (though with some important differences in terms of how to go about it, and how far to go). Both pledged to maintain defense spending at 3 percent of GDP. And both protested PRC efforts to thwart Taiwan's attempts to play a meaningful international role, though, here again, there were important differences between the two candidates.²⁶

Both said their goal was an equitable and prosperous society, though they differed over how to get there, with Hsieh prioritizing employment over growth, and Ma the opposite.²⁷ And as election day neared, the economy became an increasingly contentious issue.²⁸ Indeed, rhetoric on all issues became more and more heated.²⁹

But the biggest points of difference came in what they wanted the voters to focus on.

National Identity and Character vs. the Economy

Hsieh said that there were two important issues in this election: one was the security of Taiwan and national identity; the other was economic policy. As Hsieh put it: “Of these, our party is attaching greater importance to the security and national identity issue. That is because, unless the national security and independence of the sovereignty of the country called Taiwan are ensured, we will not be able to defend the freedom of the residents of Taiwan.”³⁰

Ma, on the other hand, laid great stress on the economy, arguing that “the economy is much more important than other issues to the people,”³¹ and the polls seemed to back him up.³²

Even Hsieh’s supporters acknowledged that, while their candidate had to address the real sense of economic distress felt by people throughout the island, concentrating on such issues did not play to his strength. Thus, he had to find a way to change the focus of the campaign to his advantage, as he had done with great success in his quixotic effort to win the Taipei mayoral race in 2006. Hence, Hsieh has dedicated much of his attention to discrediting Ma’s standing and credibility. While he didn’t throw Ma entirely “off message,” he did force the KMT candidate to devote more attention than he would have wanted to defending his integrity and his commitment to Taiwan.

In the first prong of his attack, Hsieh sought to undermine confidence in Ma’s loyalty and to demonstrate that Ma is not fundamentally committed to Taiwan’s future and that he would eventually sell out Taiwan to the Mainland. He painted Ma with the brush of “noble Mainlander” who strove to reassert dominance in Taiwan³³ but who was not committed to the island. In this regard, he placed great emphasis on seeking to prove that Ma not only held a U.S. permanent resident’s permit (or “green card”) in the United States some 30 years ago—as many Taiwan students did at the time—but that the KMT candidate had not given up that permit. Hsieh charged that, even if Ma was not technically a citizen of the United States, his green card proved that his loyalties were divided and that he was even prepared to seek refuge in the United States if things went badly in Taiwan.³⁴

Hsieh contrasted his dedication to protecting national security within the framework of very carefully tailored cross-Strait policies³⁵ with what he described as Ma’s “unlimited opening” policy that allegedly disregarded these matters. “The upcoming elections are a showdown between identification with Taiwan and identification with China.”³⁶

Trying to encapsulate all of this, as his campaign slogan Hsieh picked: “Protecting Taiwan, saving democracy, two-party rule and Taiwan’s progress.”³⁷ He argued that Ma would pursue a policy of “as close strategic ties” with China as it would have with the United States and Japan, and that the KMT leader would push Taiwan into “de facto” unification status. From there, Hsieh said, it would “not be difficult” to seek de

jure unification, given the KMT's absolute majority in the LY. And in the process, he charged, Ma would abandon the opportunity to boost Taiwan's security forces.³⁸

On his second line of attack, the DPP standard-bearer lodged a dizzying succession of charges of impropriety not only against Ma, but against his wife, sister, and daughter, all ostensibly reflecting on Ma's character and suggesting illegality in his behavior.³⁹ Even when the High Court affirmed Ma's "not guilty" verdict over misuse of funds, Hsieh found a basis for charging Ma with moral turpitude: "The court ruling only reflects the fact that Ma lied about the use of the fund and his morals and credibility are bankrupt," he said.⁴⁰

Although polls suggested that voters were not being swayed in large numbers by Hsieh's charges—either with respect to the attacks on Ma's, and his family's, personal character, or with respect to attacks on various of his policies—Ma's campaign developed a "war room" approach. Remembering the lackluster effort in 2004 to counter Chen Shui-bian's effective campaign tactics, this time they geared themselves up to respond quickly—hopefully within the same news cycle—to opposition attacks. When Hsieh confronted Ma on his proposal for a major construction program, for example, KMT campaign headquarters called a press conference the same day to rebut the DPP candidate's points one by one, employing a bit of sarcasm reminiscent of some American political campaigns: "Mr. Frank Hsieh's aides should work a little bit harder and provide their boss with accurate information to save him from the embarrassment of making unfounded accusations every day."⁴¹

The entire identity issue was of sufficient importance to Ma that he spent a good deal of time in the 24 February TV debate underscoring his total identification with Taiwan: "I am Taiwanese. I am a Taiwanese who grew up in Wanhua.⁴² I am a Taiwanese who grew up eating Taiwanese rice and drinking Taiwanese water. I want to act as an upright Taiwanese, and I will be buried in this land. I gave up my job in the US and I gave up my green card. Nothing will change my love for Taiwan."⁴³

To underscore that he would not betray Taiwan's interests, in mid-January Ma adopted what he termed a policy of "no unification, no independence, and no use of force."⁴⁴ "No independence" was a reiteration of Ma's—and the KMT's—consistent opposition to any steps toward de jure independence. "No unification" was a pledge not only that Ma would not move to unification during his term of office but also that he would not even discuss it with Beijing.⁴⁵ As to the "no use of force," that, of course, really depended on Beijing, but it was reasonable to assume that the "no independence" pledge would help guarantee that force would not be used.

Before leaving this topic, it does need to be said that unedifying charges against Hsieh also began to surface from the KMT side, including that he had been a "stool pigeon" against democracy advocates during the martial law period,⁴⁶ that his wife had been known for her dubious money-raising practices on his behalf in southern Taiwan,⁴⁷ and that he had engaged in other illicit activities.⁴⁸ As with Ma, even though the charges

were vigorously denied, a certain amount of political mud stuck. Still, they didn't seem to be playing an overwhelming role in people's choices.⁴⁹

"Balance" in Government . . .

Seeking to bolster his appeal along yet another dimension, and in light of the overwhelming KMT control of the Legislative Yuan, Hsieh emphasized the importance of "balancing" political power. He argued not just that one-party dominance was undesirable in principle, but, consistent with his argument about the potential for "sell-out," that a KMT victory in March would produce a one-party autocracy that harkened back to the days of repressive rule and would threaten Taiwan's democracy. Moreover, while on the one hand he tried to show his "reasonableness" toward the Mainland by arguing that his cross-Strait policies were quite similar to Ma's in most respects,⁵⁰ Hsieh nonetheless pressed his point that the election was crucial to determining Taiwan's future direction and that a DPP victory was necessary to ensure that Taiwan would never become part of the PRC.⁵¹

. . . vs. Effective Government.

Unsurprisingly, Ma argued the merits of unified governance, with one party controlling the legislature and the executive branch. He said that, while the LY victory gave the KMT a "clear mandate," the party would be modest, cautious, and discreet, not complacent or haughty.⁵² He pointed to numerous checks and balances in the system against abuse of power, the ultimate one being the next election.⁵³ At the same time, he and other party leaders argued, unified government presented some significant advantages: "Only by seizing the presidency can the KMT hold both executive and legislative powers to effectively rule the country and to shoulder complete administrative responsibilities."⁵⁴

As Ma reiterated his long-standing position about seeking to end the state of hostilities and conclude a peace agreement, he also sought to rebut Hsieh's charge that he would be weak on defense. While cautioning against an arms race or adoption of provocative measures, he reasserted that "all missiles" targeting Taiwan must be removed before any peace accord could be concluded⁵⁵ and called for stronger Taiwan defense forces: "We advocate establishing a 'Hard ROC' defensive stance by building an integrated defensive capability that will make it impossible to scare us, blockade us, occupy us, or wear us down."⁵⁶ He reiterated his determination to procure necessary advanced weapons systems, including F-16C/D fighter aircraft, which the United States has refused even to consider during Chen Shui-bian's tenure. And while Hsieh pledged not to develop any offensive weapons, Ma indicated he might consider acquisition of conventional offensive weapons depending on their "nature."⁵⁷

According to polls, Ma was getting the best of this argument. For one thing, having lived through eight years of divided government, the public was not buying the

case for “balancing.”⁵⁸ Nor did they seem to find the arguments against Ma’s “sell-out” economic policies convincing.⁵⁹ Instead, they seemed largely persuaded by Ma’s assertion that “if one-party dominance can achieve effectiveness, integrity, and pragmatism in the Legislative Yuan, it is actually good for Taiwan. It means it has a very effective government.”⁶⁰

The Referendum Issue

Hovering above all else was the continuing issue of the competing referenda on joining the United Nations.

In late December, in the face of increasingly outspoken U.S. opposition to the DPP referendum, Hsieh argued that the nation should continue to pursue its goal of being recognized as an independent nation under the name “Taiwan” in the international community.⁶¹ He claimed that it was impossible to stop the referendum just because “someone is opposed to it” and pledged to patch things up with the United States after the election. Articulating a line he would come back to at various points throughout the remainder of the campaign, Hsieh argued that failure to pass the referendum would send a wrong signal to the world that the people of Taiwan really did not care about international standing or representation.

Still, over the next few weeks, and especially after the LY election, it became obvious to Hsieh not only that the referendum could well fail, but that, rather than being a boost to voter support for the DPP, it could actually be a net drag on his campaign. He thus explored a variety of ways to defuse it as a negative factor while still striving to avoid the referendum’s defeat at the polls. He considered possibly melding the two referenda,⁶² changing the wording,⁶³ postponing them both,⁶⁴ forging a possible “third” referendum jointly drafted and sponsored in the LY,⁶⁵ or even a having a “defensive referendum” introduced by the president.⁶⁶ Finally, when all else failed, he called on everyone to vote for both referenda,⁶⁷ a position he maintained through the remainder of the campaign. He argued that both parties should join hands in this endeavor to “do something good for Taiwan” and urged that the KMT not issue a call for boycott as it had done in January.⁶⁸

Despite his previous castigation of the KMT referendum, and the sharp line he drew between it and the DPP’s proposal, Chen Shui-bian eventually endorsed the idea of voting for both referenda,⁶⁹ even calling success of the referenda more important than whether Hsieh was elected.⁷⁰ However, at virtually the last minute, Chen proposed a “compromise,” in which he would support separation of the presidential balloting from consideration of the referenda if the KMT-controlled LY would amend the Referendum Law to lower the 50 percent participation bar.⁷¹ Hsieh endorsed the approach.⁷²

The KMT rejected all of these approaches. Not only was it adamant in its opposition to a “third referendum” originating either in the LY or as a presidential “defensive referendum,”⁷³ but it was totally unpersuaded by the argument about voting

for both referenda in order to “do something good for Taiwan.” Rather, the party saw this as an effort by Hsieh to do something good for his own election prospects, and the KMT leaders made clear they had no intention of cooperating. Moreover, they asked why, as a matter of principle, they should they accept a “compromise” that entailed voting for the DPP text. After all, while the KMT supported Taiwan’s participation in the United Nations, it had only proposed its version of a referendum on the topic in order to counter the DPP version; had the latter never been proposed, the KMT would not have made this the topic of a referendum on its own.

Although they favored deferment of both referenda,⁷⁴ they had been rebuffed by the CEC, which decided on 1 February, on a 6-4 split vote, that the two UN referenda would be voted on alongside the presidential election on 22 March. In theory, the CEC could reverse itself, or a new CEC could be appointed that was willing to take this on. Thus, when Chen Shui-bian proposed his “deal” involving lowering the Referendum Law bar in exchange for supporting postponing the referenda, the KMT rejected what it considered the politicization of the issue.⁷⁵

Given all of the factors already discussed, and although discussion of “doing something” was still going on in early March, it seemed very unlikely that the referenda vote would be postponed.⁷⁶

The CEC also announced that the “one step, two tables procedure” followed in January would be used again in March.⁷⁷ The KMT denounced the decision as an exercise designed to “hijack elections with referendums” and said it would decide on further action (i.e., whether to boycott) in the days ahead.⁷⁸ Several KMT members argued strongly for another referendum boycott, and KMT chairman Wu Poh-hsiung made known that the party would announce its decision 10 days before the election, and would explain its rationale fully. Ma reiterated previous assurances that he would respect the party’s decision.⁷⁹

Although it seemed certain that a KMT boycott would ensure the defeat of the referenda, the party was somewhat leery about repeating the January call for one out of concern that Hsieh would charge it was “abandoning” Taiwan. That said, by indicating that it was still considering an LY *resolution* on the UN membership issue—not a referendum, but a non-binding bill that would express the LY’s support for participation in the United Nations⁸⁰—the KMT seemed to be laying the groundwork for neutralizing the “abandonment” charge and thus being able to call for a boycott. Perhaps anticipating this, and despite the fact that Hsieh had said that, though it could not substitute for a referendum, a resolution would be all right with him,⁸¹ the DPP’s LY caucus earlier had come out in opposition to any such resolution if it used the name “ROC.”⁸² The KMT proposal reportedly avoided that pitfall,⁸³ but it was far from clear that the DPP would in the end back consideration of the resolution, which would be necessary to bring it to a vote before the election.

Thus, with the election less than three weeks away as this essay is being put into final form, the most likely scenario would seem to be that the two separate party-

sponsored referenda will be on the ballot alongside the presidential vote, the KMT will sponsor a resolution in the LY (even if it cannot be brought to a vote in the LY due to DPP opposition) expressing the sentiment of the people of Taiwan that they deserve to be represented in the United Nations and other international bodies, and the KMT will once again call for a boycott of the referenda as it did in January. The outcome will be the failure of both referenda. Indeed, even without a KMT call for a boycott, it is quite unlikely that either referendum is destined to succeed,⁸⁴ but the boycott would put the final nail in the coffin.

PRC reactions

As they have throughout the LY and presidential campaigns, PRC officials have carefully refrained from commenting on the elections themselves, focusing primarily on what they still characterize as the “period of high danger” not only leading up to 22 March, but especially between then and 20 May, when Chen Shui-bian is to step down from office. The LY election result certainly provided a degree of comfort to Beijing that the people of Taiwan had not abandoned their embrace of the status quo and their rejection of any sort of adventurism. But Beijing continued to be worried, first, about the fate of the two UN referenda—obviously the DPP’s more than the KMT’s, but both would be unacceptable—and, second, about what Chen might do in the two-month period after the election, when he no longer had to worry about damaging the chances of the DPP candidates.⁸⁵

PRC analysts could read the polls as well as anyone else, and they saw the drop in support for the referenda and the rejection of ideological politics. But they still fretted that something could happen to push the “participation” rate over the magic 50 percent mark, and so they hoped the KMT would call a boycott. At the same time, recognizing the potential hazard for the KMT in doing that, they lacked confidence in the outcome.

Moreover, Mainland officials and experts alike expressed continuing concern that the United States was not “doing” anything significant to back up its statements against the DPP referendum. They worried that Taiwan voters might think the U.S. rhetorical position was simply for show, and that they could pass the referendum without cost to their American ties. Secretary of State Condoleezza Rice’s various statements provided a certain level of reassurance on this score, but they still pointed to arms sales and other relationships that were sending “a wrong signal.”⁸⁶

Even so, it was clear that thought was being given to changes that would be possible in cross-Strait relations once a new leader was seated in Taipei. Xu Shiquan, vice chairman of the National Society of Taiwan Studies, told Taiwan reporters in mid-December that Beijing would adopt a policy that was positive, active, flexible, and showing goodwill. Beijing would certainly open the door wide to Taiwan, he said; whether Taipei walked through it would be up to the new leader.⁸⁷

In the meantime, at a New Year's celebration, President Hu Jintao stuck to standard positions about striving for peace but never compromising on opposition to "Taiwan independence,"⁸⁸ positions he reiterated in extensive remarks to Taiwan-related participants attending the National Committee of the Chinese People's Political Consultative Conference in early March.⁸⁹ But, interestingly, when Secretary Rice visited Beijing in February 2008, Hu said: "In particular, *efforts will be made to prudently handle the Taiwan issue*, resolutely deter the adventurist activities of 'Taiwan independence' separatist forces, safeguard peace and stability in the Taiwan Strait and the Asia-Pacific region, and ensure the sustained, sound and stable development of constructive and cooperative ties between China and the United States."⁹⁰

While this hardly constituted a pledge not to use whatever means were seen to be appropriate and necessary should Taiwan challenge PRC "red lines" on separatism, it seemed rather pointedly intended to reassure the United States, including publicly, that it need not fear Beijing would "overreact" to developments on the island.

Beijing maintained that it did not favor one candidate over the other. As we have discussed in earlier *CLM* essays, this is probably not strictly true. Since he would immediately accept "one China, respective interpretations" (the KMT's version of the "1992 Consensus"), even though not accepting the PRC definitions or doing everything the Mainland would prefer, Ma Ying-jeou would clearly be easier for Beijing to deal with on this core issue. But what probably is true is that the outcome of the election was less important to Beijing than the outcome of the referenda and getting through the March–May period without a crisis. This is because the PRC understands that Frank Hsieh would adopt far more moderate policies than Chen Shui-bian has done, and because, for Beijing, stability in maintaining the status quo is far more important at this point than seeking to advance any sort of unification agenda. Indeed, like Hsieh, Ma would not advance a unification agenda; and, like Ma, Hsieh would be willing to deepen cross-Strait economic ties. So the difference between them on these issues, though real, mattered far less than the crisis that Beijing feared could arise if the referendum passed or Chen sought to make trouble.

As to the referendum,⁹¹ views in the Mainland ranged along a continuum. At one extreme were those who argued that the PRC needed to act in some fashion if the referendum were merely held—whatever the outcome. At the other extreme were people who said that Beijing had very little it could really do even if, together with the referendum's passing, Hsieh won the election and adopted a very broad and assertive interpretation of it. The largest weight of opinion, however, seemed to come between these extremes, and included the view that China needed to act if the referendum passed; that it needed to act if the referendum passed *and* Frank Hsieh were elected; and that Beijing had to act if the referendum passed, Frank Hsieh won, *and* he gave a broad, Taiwan independence–oriented interpretation of the referendum.

On this last point, one presumes that PRC experts, who follow the Taiwan press closely, were aware of reports that Hsieh had told AIT director Stephen Young that if the referendum passed, he would tell the international community it had nothing to do with

de jure independence or changing Taiwan's official name or changing the cross-Strait status quo. Rather, he said, he would stress that the importance of the referendum is that it embodies the will of the Taiwan people to participate in the international community in the face of PRC suppression, and to join international organizations.⁹²

As to what a PRC reaction might be if Beijing decided to act, if anyone had in mind resorting first to military force in response to the referenda alone, they were doing a good job of hiding it from visitors and, despite repeated statements of PLA readiness to do what was necessary if Taiwan truly went to independence,⁹³ maintaining a low profile.⁹⁴ More likely, the reaction could include some diplomatic action to squeeze Taiwan's international space even further (although some Mainland observers acknowledged this would send precisely the wrong signal in terms of the PRC's more fundamental goal of winning Taiwan hearts and minds). In any event, whatever their reaction, it would also take into account the U.S. response and the response of others.

But cautions were still being issued that Americans should not mistake the seriousness of the matter or underestimate the need to continue to make efforts to ensure the referenda did not pass. That said, those who probed the U.S. government on these issues seemed reassured by the responses they got.

What was less clear was whether the sort of open attitude that Xu Shiquan had expressed⁹⁵ would result in a sufficiently proactive stance by the Mainland to enable the winner, whether Ma or Hsieh, to sustain a forthcoming approach. It remains unclear, for example, whether Beijing might gather the political wherewithal to withdraw its objections to Taipei's assuming observer status at the World Health Assembly (WHA) meeting in May, a meeting that is perfectly timed to send a signal to the incoming Taiwan authorities and to the people of Taiwan that the Mainland recognizes this is a new day and is willing to do its share to set things on a different course.

U.S. reaction

As the days dwindled until the election, senior American officials continued to make the U.S. opposition to the referendum clear. When she visited Beijing in late February, Secretary Rice said the following:

The United States opposes the proposed referendum because we believe that this referendum would not be constructive and would, in fact, serve no useful purpose. . . . Taiwan is democratic [and] it will have to make its own decisions. But I think we've been very clear that we think that this referendum is not going to help anyone and, in fact, it shouldn't be held. I've said that before and I will say it again.⁹⁶

Indeed, she had said before that the referendum should not be held, and it was interesting that she continued to say it. Whether it reflected a genuine belief that the referenda could be derailed, or instead was a show of solidarity with the PRC on this

issue, is not clear. But it was more direct on this point than the United States had been in the fall.

Another point to make about Secretary Rice's statement is that she dropped reference to the referendum being "provocative," a fairly standard description of it over most of the past year, including only a few weeks before.⁹⁷ One can surmise that this was not so much a gesture in response to Taipei's complaints with that characterization as it was a manifestation of the desire to avoid conveying any sense that the United States believed that holding—or even passing—the referendum would justify the use of force by the Mainland. In his important Annapolis speech spelling out in detail the U.S. position on the referendum last September, Deputy Assistant Secretary of State Thomas J. Christensen had gone out of his way to say that any use of force would be unacceptable, whatever the results regarding the referenda or presidential election.⁹⁸ And Rice herself had addressed this issue in late December, when she spoke out about the referendum for the first time.⁹⁹ But continuing to talk about the referendum as a provocation could have been misinterpreted in some Mainland circles as "code" for "understanding" any PRC action in the wake of a passed referendum. So dropping that phraseology was no doubt purposeful.

In general, the United States has tried to focus on the post-May period and has urged the PRC to take the kind of long-term view Beijing is always encouraging Washington to take. John Negroponte put it this way in a recent interview:

Our policy is to counsel restraint on both sides of the strait, to reiterate our position that this is a question that should be settled by peaceful means, and that no one should do anything that would unilaterally alter the status quo. And for its part, one of the things that we urge the People's Republic of China (PRC), is that they shouldn't try to deprive Taiwan of all of its political space. For example, there are institutions, global institutions, that don't require being a state to have membership. We think Beijing can afford to be a little more generous toward Taiwan in regard to some of those organizations. We also are concerned, and expressed our preoccupation, about this military buildup on the PRC's side of the Strait. That's a subject of continual concern as well.¹⁰⁰

Conclusion

By the time this issue of *CLM* is published, we will be on the very eve of the Taiwan election. While Taiwan polls are often suspect, there is a very widespread belief that Ma and Siew will defeat Hsieh and Su. While some have suggested the outcome will be a landslide,¹⁰¹ most people in both camps as well as outside observers predict a difference within 10 to 15 points, though it could be even closer.

In any event, what will matter is that both sides in Taiwan accept the outcome, so it is to be fervently hoped that no cloud of suspicion hangs over it as in 2004.

Even more important, the new leadership in Taipei, and the leaders in Beijing, will, according to Mao Zedong's dictum, have to seize the moment. And the United States needs to make clear it will be supportive of that.

Notes

¹ These data are from the Central Election Commission (CEC). Before the election, DPP adherents, anticipating that the KMT would have an inherent 10-seat advantage in the newly established single-member districts, said the more meaningful figure would be the party votes. But in fact, according to an analysis of the CEC numbers by Professor Szu-yin Ho of National Chengchi University, party and candidate votes correlated very closely. The pan-Blue party vote (KMT plus the New Party) totaled slightly over 55 percent, while the pan-Green party vote (DPP and Taiwan Solidarity Union) equaled somewhat over 40 percent. Thus, whether calculated by the votes for KMT candidates vs. DPP candidates, or pan-Blue parties vs. pan-Green parties, the overall total percentages remain about the same, as does the 15 percent gap. (Professor Ho's data, contained in his lecture on *Indices, Signals, and Bargaining Power across the Strait*, were presented to a meeting at the Henry L. Stimson Center in Washington, D.C., on 31 January 2008.)

² Ts'ai Hui-chen and Yen Ch'ung-yu, "Democratic Progressive Party: Winning 45 seats can maintain position; winning 35 seats means crushing defeat," *Chung-kuo Shih-pao*, 11 January 2008, translated in summary by Open Source Center (OSC), CPP20080111100002.

³ Lillian Wu, "KMT estimates 15 districts still too close to call," Central News Agency (CNA), 11 January 2008.

⁴ Li Ming-hsien, "Legislative elections race close: KMT predicts ballot recount at ten constituencies," *Lien-ho pao*, 9 January 2008, translated in summary by OSC, CPP20080109100002.

⁵ Lillian Wu, "Taiwan will face disaster if KMT wins majority seats: president," CNA, 29 December 2007.

⁶ He Ming-kuo, "President Chen says legislature elections will not have pendulum effect on presidential election," *Lien-ho pao*, 6 December 2007, translated in summary by OSC, CPP20071206100001. Chen argued that a big loss in the LY election would not produce a balancing "pendulum" effect—a swing back to the DPP in the presidential contest to offset the KMT domination of the LY (不可能立委大輸、總統會大贏), as some believed, and as Hsieh has been calling for in his campaign. At the time, many took Chen's insistence on a large number of DPP LY seats as a reminder of his own crucial role in that election and a swipe at Hsieh for not campaigning vigorously for DPP candidates.

⁷ "Frank Hsieh inaugurated as new DPP chairman," *Democracy & Progress*, a monthly newsletter published by the DPP's Department of International Affairs, January 2008.

The KMT actually won 61 seats in district races and gained another 20 in the "party" vote. The DPP won 13 seats in district races and gained another 14 in the "party" vote, bringing their totals, respectively, to 81 and 27. As noted, the remaining seats were won by others who are seen to be aligned with the KMT.

⁸ Lin Cheng-chung, "High-Ranking DPP official pessimistic about future, says DPP likely to become opposition party," *Lien-ho pao*, 14 January 2008, translated in summary by OSC, CPP20080114100001.

⁹ "Taiwan's Chen Shui-bian concedes defeat, resigns as DPP chairman 'immediately'," Agence France-Presse (AFP), 12 January 2008.

As noted, general rejection of the DPP government seems to have been the key element in the outcome. But other factors included low voter turnout (58.3 percent), which was thought by all to favor the KMT. (Shih Hsiu-chuan, "Legislative elections and referendums: Analysis: Low voter turnout a key," *Taipei Times*, 13 January 2008.)

In addition, the DPP, which previously had done well among younger voters, seemed to suffer a setback in that cohort. A DPP poll saw a drop in support from 20–40 year olds. ("Losing votes from those aged 20 to 40, DPP to become party of senior citizens?" *Lien-ho Hsin-wen Wang* 19 January 2008, reporting an opinion poll conducted by the DPP, translated in summary by OSC, CPP20080120102001.) Corroborating this finding, a poll taken in early March found that younger voters (20–29 years of age) supported Ma over Hsieh by 55 percent to 32 percent. Voters in the 30–39 year-old cohort supported Ma by

61 percent vs. 25 percent. (“2008 presidential election, public opinion 15 days before the election,” TVBS, 7 March 2008.)

Drawing on data from the Election and Democratization Study of Taiwan’s National Science Council, Professor Szu-yin Ho projected that, based on their behavior in 2004 as well as their tendency to be even more independent of either party and less committed to a particular ideological position on cross-Strait relations than their elders, younger voters would vote in significant numbers and would play a more significant role in the presidential election than they did in the LY vote. (*Indices, Signals, and Bargaining Power across the Strait*, endnote 1.)

¹⁰ Su Yung-yao and Li Hsin-fang, “Central government to replace heads of local election committees which vow to adopt two-step voting,” *Tzu-yu Shih-pao*, 24 December 2007, translated by OSC, CPP20071225100002.

¹¹ Dennis Engbarth, “Executive Yuan issues ultimatum on voting system,” *Taiwan News*, 25 December 2007.

¹² Kuomintang Cultural and Communications Committee press release, Kuomintang News Network, 31 December 2007.

The so-called “one step, two tables” compromise that was reached (each side saying the other side “blinked”) allowed that each voter would—or could—pick up two ballots for LY votes (one for a candidate, one for a party) and then move directly to another table—or not—to pick up one or two ballots for the referenda. The government felt that this preserved the principle of “one step,” while the KMT was satisfied that this did not preordain that virtually everyone walking into the voting booth would “participate” in the referenda, ensuring their validity, by being handed four ballots at once.

All that being said, there is considerable confusion about what compromises were actually made. According to contemporary accounts, the “one step, two tables” approach was envisaged by the CEC from the beginning, (Sofia Wu, “‘One step’ voting format adopted amid protests,” CNA, 16 November 2007; Lilian Wu, “Elections to end in chaos if alternate voting systems used: president,” CNA, 19 December 2007). But the “two tables” dimension was not prominently featured in early discussions. In any event, some important flexibility was introduced when the possibility was created for voters initially to pick up referenda ballots but then, if they so chose, return them to the table unmarked and have their names removed from the register of those “participating” and counted toward meeting the 50 percent minimum. (Lilian Wu, “CNA: Voters can decide whether to vote for referendums: CEC,” CNA, 7 January 2008.)

¹³ The referendum issue was discussed at length in Alan D. Romberg, “Applying to the UN ‘in the name of ‘Taiwan’,” *China Leadership Monitor* 22. It is discussed further below.

¹⁴ Lilian Wu, “No contradiction in cross-Strait trade policy: DPP candidate,” CNA, 13 November 2007.

¹⁵ “Frank Hsieh: President will not talk so much once legislative election is over,” Interview with SETTV, *Lien-ho Hsin-wen Wang*, 22 December 2007, translated in summary by OSC, CPP20071223102002.

¹⁶ Lilian Wu, “DPP candidate heartened by AIT chairman’s remarks,” CNA, 12 December 2007.

¹⁷ “謝長廷表示，總統輔選很正常，但「我現在是總統候選人，也是黨主席，怎麼可能會變成他主導？應該不會」。他強調，總統對政策有意見，他會「慎重參考」，但「主導權、成敗責任是我」”(Ts’ai Hui-chen and Ts’ao Chun-han, “Hsieh: Actually I don’t care much about Chen’s opinion,” [謝：扁的意見 其實我不太在乎] *Chung-shih Tien-tzu pao*, 18 January 2008, <http://news.chinatimes.com/2007Cti/2007Cti-Focus/2007Cti-Focus-Content/0,4518,9701180011+0+0+075310+0,00.html>, summary translation from OSC CPP20080118100001).

¹⁸ 「至於這一些什麼意見，總統的意見、院長的意見、沈先生的意見，其實我都不太在乎」，現在他腦中所想的就是「顧台灣，救民主」。

Chen stayed out of the campaign in the weeks that followed the LY election, occupying himself in part with visiting various islands west and south of Taiwan to demonstrate sovereignty. He also stayed involved with the UN referendum issue, as we discuss below. But he did not get back into electioneering until early March, at which point he campaigned for Hsieh at several places, even, for the first time since the LY election, joining the candidate on the same stage in meeting with a group of Chen’s known supporters in Taipei and meeting similar support groups on his own around the island. (Shih Hsiu-chuan, “20 days to go: Chen Shui-bian joins Frank Hsieh on the presidential hustings,” *Taipei Times*, 2 March 2008.)

¹⁹ “Hsieh to overhaul DPP campaign,” *China Post*, 14 January 2008.

²⁰ Ko Shu-ling and Mo Yan-chih, “Hsieh puts political career on the line,” *Taipei Times*, 14 January 2008.

²¹ Conversations with DPP members in late 2007 and early 2008.

²² Lilian Wu, "DPP counts on defeated lawmakers to help boost presidential bid," CNA, 16 February 2008.

²³ Romberg, "Applying to the UN 'in the name of 'Taiwan'," *China Leadership Monitor* 22.

²⁴ Even though Ma's lead remained substantial over the following weeks, as discussed below, in early March, KMT chairman Wu Poh-hsiung sought to maintain high turnout among Ma's supporters by stating that the gap was really only 10 percentage points, and urging supporters to realize that every vote counted. ("KMT chair consolidating support for Ma," *China Post*, 2 March 2008.)

²⁵ "Public opinion poll following the first televised debate in the 2008 presidential election," TVBS [in Chinese], 24 February 2008; "Public opinion poll following second televised debate in the 2008 presidential election, TVBS [in Chinese], 9 March 2008.

Whatever the ratings of performance, however, Taiwan voters said they did not attach much importance to the debate in making up their minds. Taiwan Thinktank found just before the first debate that 63 percent of respondents did not believe the debate would affect their choice, whereas only 28 percent thought it might. (Ko Shuling, "Poll says performances in debates not all-important," *Taipei Times*, 22 February 2008.) Of course, a major slip-up by either candidate could have had a significant impact. Neither event seemed to produce such a misstep, however, presumably a matter of particular relief for Ma's camp and a disappointment to Hsieh's.

²⁶ Both Ma and Hsieh condemned the PRC's "theft" of Taipei's former diplomatic partner, Malawi, and strongly protested the exclusion, at Beijing's insistence, of Taiwan representatives from attending the inauguration of the new South Korean president. While both stressed the importance of sovereignty, Ma laid blame for this development not only at Beijing's feet, but also at the feet of the Chen administration. Thus, while he sounded a warning to Beijing that continuation of such repressive policies could stimulate independence activity and, implicitly, make progress in cross-Strait relations very difficult ("Ma chides rival China for stealing diplomatic allies," AP story carried in *China Post*, 16 January 2008), he also said that the Chen administration's provocative policies had contributed to this defeat, charging it with amateurism, brinkmanship, capriciousness, and dogmatism. ("A 'Flexible Diplomacy' to Link Up with the World," Ma Ying-jeou office, press release, Kuomintang News Network, 20 November 2007.)

²⁷ Their differences are well summarized in Sherry Lee and Scott Wang, "Competing strategies for governing Taiwan," *CommonWealth*, 27 February 2008, (<http://www.cw.com.tw/english/article/391060.jsp>), as follows:

Although both stress economic development, environmental sustainability and social justice, their different priorities in an era when resources are limited reflect their diverging values.

Ma's order of priorities is development, sustainability and social justice, with an emphasis on high economic growth as the primary goal. He believes that economic growth is essential to achieving greater wealth distribution equality and social justice. Hsieh believes, on the other hand, that caring for disadvantaged members of society should not be a function of economic growth, but if a choice had to be made between growth and social justice, his priority would be to reverse the trend toward an M-shaped society.

²⁸ As the campaign wore on, Ma charged that Hsieh was distorting his positions on cross-Strait economic issues, especially about allegedly opening markets to PRC commodities and labor, thus threatening jobs in Taiwan ("Hsieh, Ma spar over cross-strait trade in TV forum," *Taiwan News*, 29 February 2008). Ma also rebutted Hsieh's charge that Ma's proposed major construction projects would upset financial stability in Taiwan, saying that Hsieh lacked the understanding to launch such criticism.

The KMT's vice presidential candidate, Vincent Siew, also accused the DPP of willfully misrepresenting his proposal for a common market and of falsely asserting that the KMT would cancel farmers' pension plans and open the Taiwan market to Mainland agricultural imports. (Mo Yan-chih, "Siew would keep PRC produce bans," *Taipei Times*, 29 February 2008). Siew pledged "three noes": no entry of Mainland workers, no imports of Mainland agricultural products, and no tolerance for smuggling of PRC products into Taiwan. ("KMT chair consolidating support for Ma," *China Post*, 2 March 2008.)

Moreover, Ma noted that, while he hoped for a cross-Strait economic agreement in the near term, and the gradual normalization of economic ties, it would be "virtually impossible" to establish a common market within the eight years of his hoped-for two terms, underscoring his charge that the DPP was twisting what he was saying. (ibid.)

²⁹ In the second televised debate, Hsieh held nothing back. Speaking of Ma he said: “He is dishonest and cheating the Taiwanese public.” Ma was similarly harsh, though not in as ad hominem a way: “Some argue that the DPP administration has ‘one not and four noes.’ They do not know how to govern, they have no achievements, no talent, no guts and no integrity.” (Ko Shu-ling, “Hsieh, Ma face off in last debate,” *Taipei Times*, 10 March 2008.)

³⁰ “This is the battle for choosing an identity, either ‘Taiwan’ or ‘China’ - Opposition party candidate Ma Ying-jeou says, ‘We will not become independent [from the PRC],’ but doing so would mean abandoning the current situation of an [already] independent Taiwan,” Interview with DPP presidential candidate Frank Hsieh, *Sapio* (Japan), 22 January 2008 pp. 22–23, translated by OSC, JPP20080110043005.

In a moment of candor, Hsieh also acknowledged that a DPP victory in March was essential for the future of the party: “Only if the party can win the presidential election will there be hope for the party.” (Lilian Wu, “DPP’s new campaign theme: achieving bipartisan rule,” CNA, 18 January 2008.)

³¹ Mo Yan-chih, “Ma promised quick start to cross-strait charters if elected,” *Taipei Times*, 21 December 2007.

³² Ma’s assertion re voters’ priorities appeared to be validated by a number of polls. Broad dissatisfaction with the state of the economy and pessimism about the future has been regularly reflected in the Global View Survey Research Center’s findings (<http://www.gvm.com.tw/gvsrsrc/eng/index.asp>). This was also seen in *CommonWealth* magazine’s annual survey, published at the beginning of January (Sherry Lee, “2008 State of the Nation Survey: Politics step aside for real issues,” *CommonWealth*, 2 January 2008, <http://www.cw.com.tw/english/article/388048.jsp>). In that survey, almost half of respondents saw economic decline as Taiwan’s greatest threat, followed closely by political party squabbles. Taiwan’s diminishing international status was chosen by only a bit over 10 percent. Moreover, the DPP was held responsible by almost 30 percent of respondents for these problems and Chen Shui-bian by another 19 percent. Opposition parties were held responsible by only 3.4 percent, lower than even the responsibility assigned by respondents to “the people themselves.”

It was not surprising, therefore, that *CommonWealth* found that “promoting economic prosperity” was the top issue for leaders to resolve in the eyes of 64 percent of respondents, over three times the number who chose any other topic. “Elevating Taiwan’s international status” was the choice of less than 10 percent, and supporting the DPP’s UN referendum less than 5 percent. (The KMT’s referendum barely registered on the scale at all.)

In late February, the primacy of the economy as people’s top concern was once again seen in a poll conducted by the Taiwan Competitiveness Forum. In that poll, 63.6 percent of the people said the economy headed the list of concern in terms of governmental responsibility—virtually identical with the *CommonWealth* poll taken two months earlier. Only 0.4 percent said the government should push the UN bid now. (Deborah Kuo, “Majority of people consider economy top concern: poll,” CNA, 21 February 2008.)

³³ Hsieh returned to this issue throughout the campaign. At a rally in Taichung in early March he stated that “a small number of mainlander power elites have always wanted to dump Taiwan together with China,” and that Ma’s policy “has not put priority on Taiwan’s interests, security and dignity.” “A person with these kinds of views,” he charged, “is not qualified to become president of Taiwan.” (Dennis Engbarth, “Former rulers want to dump Taiwan with China, warns DPP candidate,” *Taiwan News*, 2 March 2008.)

³⁴ In late January, when Hsieh announced that Ma held a U.S. “permanent resident” green card, Ma bobbled his response, answering with a narrow construction that he *does not* have a green card nor *do* any of his family members. But under persistent pressure from Hsieh, Ma owned up to the fact that he had held a green card when studying in the United States in the 1970s in order to get student loans and obtain employment after graduation, but said it was no longer valid. Although his narrow construction of the initial question made it look to some people as though he was trying to hide something. Ma explained it this way: “Since both myself and my wife have given up our green cards for more than 20 years, when I was asked about it yesterday, I naturally said that I did not have a green card.” (Shih Hsiu-chuan, “Hsieh’s promptings force Ma onto back foot over green card,” *Taipei Times*, 29 January 2008.)

In response to persistent assertions by Hsieh that Ma has never renounced his permanent resident status, Ma claimed that his green card had automatically lost validity no later than the mid-1980s, when he had remained outside the United States for over a year, and that he had subsequently traveled to the United States on visitor’s visas. But Hsieh disputed this, charging that Ma had returned to the United States every year since 1981 to maintain the validity of the green card (Shih Hsiu-chuan and Mo Yan-chih, “Hsieh

claims Ma contacted US over green card," *Taipei Times*, 1 February 2008) and that, in any case, one had to fill out a formal declaration renouncing permanent residence, which Ma had not done.

The issue then devolved into a ping-pong match of accusation and denial, with Ma producing copies of passports containing U.S. visas to substantiate his case, and Hsieh disputing Ma's assertion that this voided his permanent residence status. (Shih Hsiu-chuan and Mo Yan-chih, op. cit.)

Hsieh then charged that Ma's daughter, who was born in the United States and thus was automatically a U.S. citizen, has a current American passport that provides Ma an escape hatch if he needed it: "Ma keeps saying he is closely bound to the fate of Taiwan. If a presidential candidate holds a US green card or is able to apply for dependent status, it would be just like wearing a life jacket. His pledge was merely pretense." (Shih Hsiu-chuan, "Hsieh's promptings force Ma onto back foot over green card," *Taipei Times*, 29 January 2008.)

In early February, Hsieh called for a "temporary halt" to discussion of the green card issue (Shih Hsiu-chuan, "Hsieh pulls back on green card debate," *Taipei Times*, 2 February 2008), but within 10 days he raised it again (Ko Shu-ling, "Hsieh questions Ma's integrity and green card status," *Taipei Times*, 13 February 2008). Following Hsieh's insistent demand of "proof" that Ma's green card had been invalidated (Sofia Wu, "KMT candidate's U.S. green card remains valid: DPP campaign," CNA, 22 February 2008), the Central Election Commission eventually stepped in to seek information about possible foreign citizenship of both candidates. Although Ma initially welcomed that (Ko Shu-ling, "Hsieh questions Ma's integrity and green card status," *Taipei Times*, 13 February 2008), when the CEC followed up with a written request for the information, it covered not only information on *citizenship*, but on *permanent resident* status as well. CEC argued that, while not in itself disqualifying a person from running for office as citizenship did, foreign resident status implied an intention to obtain foreign citizenship and thus was relevant. Hsieh quickly gave his assent the CEC to seek all relevant information about him from foreign governments, and he challenged Ma to do the same.

Ma did agree to cooperate ("Ma gives data to CEC to quell doubts on U.S. ties," *China Post*, 23 February 2008), but he objected that only the question of citizenship, not permanent residence, was truly relevant to the CEC's mandate. He charged that, as in the case of the referendum voting procedure, the CEC was once again acting in an unprofessional and partisan manner on Hsieh's behalf. (Joseph Yeh, "Ma says CEC favoring Hsieh in presidential election contest," *Taiwan News*, 18 February 2008.)

Once it obtained permission from both candidates to seek this information, the CEC turned the matter over to the foreign ministry to check with the American, Japanese, and British governments. (Lilian Wu, "MOFA to check candidates' nationality: CEC," CNA, 22 February 2008.) Although the United States had sought to stay out of this highly partisan matter, the U.S. representative office in Taiwan said it would "consider" such a request when it was received. (Chris Wang, "AIT might respond to inquiry on presidential candidates' status," CNA, 19 February 2008.) In mid-March, the CEC announced that none of the presidential or vice presidential candidates held U.S. or Japanese citizenship, although they were still waiting to hear from the UK. (Ma was born in Hong Kong when it was a British colony.) The CEC made no comment about permanent residence. ("CEC: None of the candidates U.S., Japan citizens," *China Post*, 11 March 2008.)

In addition to maintaining his questioning of whether Ma had actually terminated his permanent resident status, Hsieh focused his attack on Ma's credibility and integrity: "He lied . . . For that Ma has to apologize." ("Frank Hsieh persistent on 'green card' issue," *China Post*, 26 February 2008.)

The DPP monthly newsletter ran a lengthy feature article with a similar focus:

This case raises a fundamental issue concerning Ma's character beyond the issue of whether Ma's green card is valid or not: his integrity (or lack thereof). Ma's constant flip-flopping and his continued unwillingness to come clean on such an easily resolved issue reveals a calculating politician who would manipulate the facts of his own background in order to advance his career.

Whether or not Ma has a valid green card or foreign nationality is an important issue that is being addressed by the Central Election Commission. For the voters of Taiwan, however, Ma's inability to react appropriately under pressure remains the more important issue. ["Ma's integrity challenged, green card mystery remains," *Democracy & Progress*, Monthly Newsletter of the International Department of the DPP, February 2008.]

While two-thirds of respondents to a poll focusing on the green card issue said it would not affect their vote, 38 percent thought Ma had been "dishonest" about the green card issue, and over 19 percent—a non-

trivial figure—said that the green card controversy was leading them to change their votes. (Deborah Kuo, “Majority of voters unswayed by ‘green card’ issue: poll,” CNA, 21 February 2008, reporting on the results of a poll in mid-February by Taiwan Thinktank.)

Somewhat lost in all of this controversy was the fact that obtaining a green card was a common practice for Taiwan residents who lived or were educated in the United States. Senior members of the DPP not only held permanent residence but were actually U.S. citizens (though they had given up that status in order to serve in the Chen administration). Even Hsieh’s siblings reportedly still hold valid green cards. (Wen Hui-min, Chen Su-chiu, Lin Yi-min, and Hsieh Chung-liang, “Frank Hsieh’s siblings have green cards,” *I Chou-kan (Next)*, No. 351, 14 February 2008, translated in summary by OSC, CPP20080229099002.)

³⁵ These included a proposal that would allow relaxing (on a case-by-case basis) of the 40 percent cap currently placed on Taiwan business investments in China, giving special pardons to businesses that sneaked out to China without permission, and allowing local high-tech companies to transfer certain technologies to China. (George Liao, “Frank Hsieh defends his China policies,” *Taiwan News*, 19 November 2007.)

³⁶ Ko Shu-ling, “Hsieh asks central, local governments to stop threats,” *Taipei Times*, 26 November 2007.

³⁷ Shih Hsiu-chuan, “Hsieh announces his campaign slogan,” *Taipei Times*, 19 January 2008.

³⁸ Elisa Kao, “KMT candidate will push Taiwan toward unification with China: DPP,” CNA, 26 February 2008.

³⁹ The seemingly unending litany of charges included assertions that Ma’s wife had improperly speculated in stocks (Shih Hsiu-chuan and Mo Yan-chih, “Ma still mum on wife’s stock transactions,” *Taipei Times*, 3 February 2008); that his sister, Ma Yi-nan, had improperly obtained an exclusive contract to supply pharmaceuticals to a Taipei hospital in 1999 while Ma had been mayor (Jenny W. Hsu and Mo Yan-chih, “Hsieh camp accuses Ma of violating law,” *Taipei Times*, 17 February 2008); that Ma Yi-nan had 30 years earlier been given exceptionally lenient treatment due to Ma family connections when she had sat in for another student in taking a college examination, an action normally subject to fraud charges at the time (Jenny W. Hsu and Flora Wang, “DPP accuses Ma’s sister of breaking law in 1968,” *Taipei Times*, 19 February 2008); that Ma Yi-nan had also met recently with a local syndicate boss in the Mainland in an attempt to raise money for Ma’s campaign (Joseph Yeh, “DPP blasts Ma’s sisters’ close ties with China,” *Taiwan News*, 28 February 2008); and that Ma had pulled strings to get his younger daughter admitted to a private school (“Ma gives data to CEC to quell doubts on U.S. ties,” *China Post*, 23 February 2008). Hsieh also accused Ma of establishing an improper relationship with a bank as he was about to depart office as mayor of Taipei (Ko Shu-ling, “Hsieh camp attacks Ma over Taipei Fubon Bank,” *Taipei Times*, 24 February 2008), and of owning undeclared property in the United States (Mo Yan-chih, “Ma denies Hsieh camp allegations of home in the US,” *Taipei Times*, 25 February 2008).

As we were completing this article, charges also were leveled against Ma’s wife for allegedly stealing newspapers from the library at Harvard University some decades ago. (Ko Shu-ling and Flora Wang, “Chow accused of stealing newspapers at Harvard,” *Taipei Times*, 3 March 2008) and Ma blamed Hsieh for the attack.

In each case, Ma denied the allegations, and the Taiwan public continued to accord Ma higher marks for integrity than they gave to Hsieh (see endnote 49). But the Hsieh campaign seemed determined to put out several charges a week in the run-up to the election in an effort to keep Ma on the defensive, perhaps hoping that one or more of the charges would stick.

Although somewhat belatedly, even the *Taiwan News*, generally perceived as a Hsieh supporter, felt constrained to carry an Associated Press (AP) article in early March headlined “Taiwan’s presidential campaign turns negative.” Annie Huang, the journalist who wrote the piece, began: “Mudslinging and negative campaigning have overtaken serious political debate in the run-up to Taiwan’s presidential election, with the ruling party candidate accusing his front-runner rival of lacking loyalty to the self-governed island.”

⁴⁰ Ko Shu-ling, “‘Not guilty’ not same as ‘ethical’: Hsieh,” *Taipei Times*, 30 December 2007.

⁴¹ “Spokespersons of Ma-Siew headquarters hit back at Hsieh camp’s unfounded allegations,” Ma Ying-jeou Campaign Headquarters, press release, Kuomintang News Network, 26 February 2008.

Even while consumed to some extent with rebutting Hsieh’s attacks, Ma’s headquarters sought to keep the discussion focused on their candidate’s agenda, especially economics. His campaign spokesmen argued that polls showed voters did not want to hear political slogans, but rather wanted to know what the

candidates would do about concrete economic issues. (“Go Back to the Basics, Keep the Campaign Focus on the Economy and Bread-and-Butter Issues,” Ma Ying-jeou Campaign Headquarters, press release, Kuomintang News Network, 21 February 2008.) While countering Hsieh’s attacks on the “Twelve Major Construction Projects” program (Dennis Engbarth, “KMT’s Ma criticized over economic proposals,” *Taiwan News*, 26 February 2008), Ma characterized Hsieh’s own programs as contentless “empty cakes” (“Ma chides Hsieh’s economic policies as just ‘empty cakes’,” *China Post*, 21 January 2008).

And, at the same time that he was responding to Hsieh’s “distortions” of his common market idea and charges that it was a dangerous sham, Vincent Siew, the KMT’s vice presidential candidate, used some tough rhetoric of his own, charging that the DPP administration was an economic failure and had “bled the country” for eight years. (Steve Bercic, “KMT vice presidential candidate blasts DPP’s economic policies,” *CNA*, 17 February 2008.)

⁴² A district of Taipei city.

⁴³ Ko Shu-ling and Mo Yan-chih, “Hsieh, Ma go head to head in debate,” *Taipei Times*, 25 February 2008.

⁴⁴ Ma Ying-jeou, “Keynote address,” New Taiwan Cultural Foundation and Stockholm International Research Peace Institute (SIPRI) conference on ‘Confidence-building Measures: Successful Cases and Implications for the Taiwan Strait,’ Kuomintang News Network, 16 January 2008.

Ironically, PRC commentators have at times described the U.S. position in precisely these terms, employing a somewhat critical tone to implicitly charge that the American “one China” policy really was aimed at maintaining the status quo to the exclusion of possible reunification. However, coming from the potential next leader of Taiwan, this same position undoubtedly has a more reassuring quality for Beijing.

⁴⁵ Ma later added that unless the PRC treated Taiwan as an equal in negotiations, he would not resume dialogue with Beijing at all. (“No equality, no talk: Ma,” *Taiwan News*, 9 March 2008.)

⁴⁶ Both KMT gadfly Chiu Yi and *Next* magazine raised allegations of Hsieh having worked as an informer against democracy activists for the Ministry of Justice’s Investigation Bureau (MJIB) for eight years during the martial law era and of having been responsible for the jailing of many activists. Chiu provided a document that allegedly showed Hsieh on the MJIB payroll for a year between 1992 and 1993, arguing that he had been operating secretly before that. (Flora Wang, Rich Chang, and Jenny W. Hsu, “Hsieh informed on activists: Chiu Yi,” *Taipei Times*, 14 February 2008.) Hsieh rejected the charges as groundless election gambits, saying that he had only worked for the Justice Ministry as an unpaid counselor on ways to crack down on corruption, but that he had not been an informer and had not been on the payroll. (Ko Shu-ling, “Hsieh rebuts informant allegations,” *Taipei Times*, 15 February 2008.)

In establishing his rebuttal case, Hsieh noted he had been indicted and convicted during the period of his alleged service, putting the lie to Chiu Yi’s accusation of collaboration. In turn, Chiu raised questions about how Hsieh had escaped jail time, raising questions about how Hsieh had managed that in a period when “leniency” was not common. (“Taiwan presidential candidate denies ‘informant’ charge,” *AFP*, 14 February 2008.)

Hsieh went on to charge there was a “group of ten despicable retired military and intelligence officials” who had been organized to smear him, and that he would soon identify them. Chiu Yi challenged Hsieh to come forth with the names, but as of this writing he has not done so. Moreover, even Vice President Annette Lu, while castigating those in the KMT who would play fast and loose with unsubstantiated allegations, nonetheless also said that Hsieh had to provide information about his relationship with the Ministry of Justice in that period. (“Hsieh accuses ‘group of ten’ behind smear campaign,” *Taiwan News*, 14 February 2008; Mo Yan-chih, “Chiu asks Hsieh to give ‘smear campaign’ details,” *Taipei Times*, 16 February 2008.)

The controversy seemed to lose force, but it did not die out entirely. And Hsieh felt sufficiently aggrieved (and possibly politically hurt) by the charges that, just as Ma’s wife was filing suit over charges about her alleged theft of newspapers from the Harvard library decades ago (Y.F. Low, “Ma’s wife sues political commentator theft allegation,” *CNA*, 4 March 2008), and KMT vice presidential candidate Vincent Siew filed suit against DPP legislators and others over claims he owned several upscale housing properties, including in the United States (Y.F. Low, “KMT’s VP candidate sues DPP lawmakers over property claim,” *CNA*, 4 March 2008), he was reportedly considering legal action against his accusers. (Ko Shu-ling, “Hsieh camp threatens suit over spying claims,” *Taipei Times*, 21 February 2008.)

⁴⁷ Chang Jui-chen and Wang Pei-lin, “Ma camp fights back, urges Hsieh to explain what ‘Pocket Chih’ means,” *Tzu-yu Shih-pao*, 30 January 2008, translated in summary by OSC, CPP20080130100001.

⁴⁸ George Liao, “KMT legislator accuses Hsieh of engaging in shady practices,” *Taiwan News*, 13 February 2008.

⁴⁹ Wu Chia-hsiang, Yen Chen-kai, and Yen Ming-chiang, “The gap in support for Ma and Hsieh is shrinking, Ma 36.3 percent, Hsieh 19.5 percent,” *Apple Daily* (in Chinese), 15 February 2008.

Overall, according to a different poll, the images of the candidates were that Ma was honest but not courageous or consistent, and that Hsieh was effective in governance and courageous but cunning and crafty (in a negative sense) as well as acrimonious. (“Comparing sincerity and honesty, Ma 49 percent, Hsieh barely 22 percent,” *Lien-ho pao* [in Chinese], 15 February 2008.) A poll taken two weeks later asked respondents to rate how they viewed the candidates’ honesty. Hsieh was rated “clean” by 34 percent, “not clean” by 33 percent. Ma was rated “clean” by 51 percent, “not clean” by 22 percent. (“2008 presidential election, public opinion after 228,” TVBS [in Chinese], 29 February 2008.)

One paper in mid-February showed that Ma enjoyed a 38 percentage point lead (“Ma, Siew 56 percent, Hsieh, Su, 18 percent,” *Lien-ho pao*, [in Chinese], 15 February 2008.) More typical, however, was a different series of polls in this period that showed a fairly steady gap of about 24 percent. (“2008 presidential election public opinion poll after the Hsieh Chang-ting stool pigeon incident,” TVBS [in Chinese], 15 February 2008; “2008 presidential election, public opinion after 228,” TVBS [in Chinese], 29 February 2008.) Other polls taken in mid-March, just before the ban on polling went into effect (10 days before election day) showed Ma maintaining a lead of anywhere from 13 to 30 percent. Internal party polls, however, reportedly showed a gap of only 7–8 percent. (Joe Hung, “Hsieh narrowing KMT rival’s lead after debate,” *China Post*, 10 March 2008.)

The February “Taiwan Public Mood Index” of the Global Views Survey Research Center (GVSRC) was disseminated as this paper was being prepared for editing. It shows trust in the KMT at an all-time high over the past year since this poll began, standing at 53.9 percent, while the DPP trust level dipped to 29.7 percent, the lowest level over the past year except for January 2008 (when it was at 29.5 percent). Trust in President Chen Shui-bian dropped to the lowest level in a year, at 27.8 percent.

In addition, the head-to-head “campaign indicator” survey that the GVSRC has been conducting since last May showed that in mid-March Ma and Siew maintained a rating of 61.7 percent, while Hsieh and Su were at 38.3 percent. While this represented a slight drop in the KMT slate’s lead from February, it remained at equal or better levels than those sustained over most of the past year. (“March 2008 presidential election campaign indicator forecast” [in Chinese], 11 March 2008, GVSRC, http://www.gvm.com.tw/gvsrcc/GVSRC_20080311_CampaignIndicator.pdf.)

⁵⁰ Tseng Yen-ch’ing, “DPP presidential candidate Frank Hsieh, in effort to ‘reverse dwindling election situation,’ has bet his political life on upcoming presidential election,” *Ts’ai Hsun* (Interview), 1 February 2008, translated by OSC, CPP20080212312003.

As noted in *China Leadership Monitor* 23, Hsieh even declared himself open to a peace agreement “so long as Taiwan can maintain its subjectivity—and the dignity it has always had at the same time.”

⁵¹ “Frank Hsieh urges voters to elect him as president to save Taiwan democracy,” CNA (Chinese), 20 January 2008, translated in summary by OSC CPP20080121102001.

⁵² Chi Shu-fang, “Within arm’s reach of being president, Ma Ying-jeou has exercised caution, carefulness and sometimes he has even shown worry,” (Interview with Ma Ying-jeou, *Ts’ai Hsun*, 1 February 2008, translated by OSC, CPP20080212312002.)

⁵³ Among the checks and balances in the system, Ma pointed to the Control Yuan, the judicial system, public opinion, and, ultimately, the ballot box. (T.C. Jiang, “KMT candidate defends one-party dominance in legislature,” CNA, 23 January 2008.)

⁵⁴ Luis Huang, “KMT to go all out to regain power: chairman,” CNA, 14 January 2008.

⁵⁵ Deborah Kuo, “KMT candidate to seek cross-strait peace accord if elected,” CNA, 12 November 2007.

⁵⁶ Ma Ying-jeou, “A SMART strategy for national security,” speech before the Association for the Promotion of National Security, 26 February 2008 (available through *Taiwan Security Research*, <http://www.taiwansecurity.org/TS/Ma-SMART.htm>).

⁵⁷ Sofia Wu, “Presidential candidates support expansion of defense prowess,” CNA, 9 March 2008.

⁵⁸ According to one poll in mid-February, for example, those who agreed, even “somewhat,” with the idea of “balancing” stood at 26.7 percent; those who disagreed amounted to 58.6 percent. (“Gap in support rate for Ma, Hsieh narrows,” *Apple Daily*, 15 February 2008.) This echoed a TVBS poll around the same time, in which 26 percent of respondents expressed concern about the KMT’s dominance should Ma be elected as against 40 percent who worried about a deadlock between the LY and the president if Hsieh were to win.

(“2008 presidential election public opinion poll after the number of Ma Ying-jeou’s green card was revealed,” TVBS, 31 January 2008.) This was buttressed in a later TVBS poll that produced similar results (30 percent seeking balancing vs. 40 percent favoring control of the two branches of government by one party). (“2008 presidential election public opinion poll after the Hsieh Chang-ting stool pigeon incident,” 15 February 2008.)

⁵⁹ In an open-ended question about why respondents did or did not support either candidate, 15 percent volunteered that they *supported Ma* in order to improve the economy and 18.4 percent said they did so because of the DPP’s poor governance. No one volunteered that they supported Hsieh because of economic factors, whereas 8.7 percent cited *non*-support for him due to the economic downturn. Moreover, 31.1 percent *opposed Hsieh* either because the DPP had failed in governance or because they were disappointed in the DPP. (“2008 presidential election public opinion poll after the Hsieh Chang-ting stool pigeon incident,” TVBS, 15 February 2008.)

⁶⁰ Tung Ching-feng, “Exclusive interview: Taiwan’s KMT presidential candidate Ma Ying-jeou—Give me eight years and you’ll get 100 flourishing years,” Hong Kong *Yazhou Zhoukan* (in Chinese), 27 January 2007, No. 4, pp 30–31, translated by OSC, CPP20080123710008.

⁶¹ Shih Hsiu-chuan, “Bush criticism will not sway us: Hsieh,” *Taipei Times*, 22 December 2007.

⁶² Romberg, *China Leadership Monitor* 22, 12.

⁶³ Dennis Engbarth, “Hsieh says referenda cannot be cancelled,” *Taiwan News*, 24 January 2008.

⁶⁴ “Hsieh questions wisdom of UN referendum,” *Taiwan News*, 22 January 2008. Two days later, apparently after a conversation with President Chen, Hsieh reversed his position on this and came out foursquare against postponement (Dennis Engbarth, “Hsieh says referenda cannot be cancelled,” *Taiwan News*, 24 January 2008), noting also that the wording could not be changed under the law (Elizabeth Hsu, “DPP candidate urges KMT not to boycott U.N. bid referendum,” CNA, 23 January 2008). He now argued that, by separating the referenda from the presidential election, the KMT (which was actively advocating this in the run-up to the CEC final decision on the issue), would be “deceiving itself as well as others” because it would not only cost more but would result in a lower voter turnout. At the same time, Hsieh came out against any effort to substitute an LY resolution for the referenda. (“Frank Hsieh: resolution by legislative yuan cannot replace referendum,” CNA, 26 January 2008, translated in summary by OSC, CPP20080126102001.)

⁶⁵ Shih Hsiu-chuan, “Hsieh proposes a third UN referendum,” *Taipei Times*, 24 January 2008.

A month later, as the 22 February deadline for an LY-sponsored referendum drew near (i.e., one month before the election), LY Speaker Wang Jin-pyng played an active role—including consulting directly with President Chen Shui-bian—in trying to promote a “third referendum.” Why he did so and with what level of prior authorization or coordination with Ma or KMT chairman Wu Poh-hsiung is not clear. (“Senior Legislative Yuan official: may propose defensive referendum for extrication from UN referendums,” *Tien-tzu pao*, 16 February 2008, translated in summary by OSC, CPP20080216102001.) Moreover, Wang continued to agitate for a compromise through the end of February. (Deborah Kuo, “Legislative speaker calls for resolution of U.N.-bid dilemma,” CNA, 29 February 2008.) And he pointed the finger of blame at the KMT for blocking a compromise. (“TSU suggests postponing UN bid referendums to avoid disaster,” *Taiwan News*, 29 February 2008.)

However, in the same time frame, Wang spoke out strongly in favor of Ma’s candidacy, arguing that, given the spate of corruption scandals and the ruling administration’s poor performance that had worsened people’s living conditions, it was time for the KMT to become the ruling party again. (“KMT chair consolidating support for Ma,” *China Post*, 2 March 2008.)

⁶⁶ Who was really pushing for a “defensive referendum” is rather murky. Chen Shui-bian at one point had said that simply holding the (DPP-sponsored) referendum was good whether it passed or not. As noted in *China Leadership Monitor* 22, Chen had previously said: “Whether the referendum passes or not, I think that through the process, we will create a greater domestic solidarity and also form consensus on important issues regarding Taiwan’s future, including Taiwan-China issues . . . Our best defensive weapon is the most concrete practice, methodology, and spirit of democracy embodied in referendum.” (“Transcript of the Interview with President Chen Shui-bian,” *Wall Street Journal*, 13 September 2007.)

However, Chen apparently had undergone a significant transformation in his thinking, and now, in a theme he returned to on the eve of the election, as discussed below, he urgently wanted the referendum to pass, or at least not to fail. First of all he sharpened the statement of its purpose. He started to emphasize that the referendum, while it was not a vote on promoting independence, was a vote on rejecting

unification—a seeming violation of the “four noes. Chen took the occasion of a meeting with a visiting American delegation in early December to sharply rebut the criticism of the referendum made by the head of the American unofficial representative office in Taiwan at a public conference the day before. AIT director Stephen M. Young had expressed American opposition to Chen’s action doing away with the National Unification Council and Guidelines in early 2006 as well as the DPP’s UN referendum. Chen refuted the criticism by describing the referendum as a way of rejecting unification with the People’s Republic of China. Chen had said this before, but this time he related it to the fact that “recently” in the WHO and OIE (the world organization for animal health), the PRC had taken to saying that when it acceded to arrangements as “the PRC,” that this included Taiwan. This meant they were saying not just that Taiwan was a part of “China,” but that it was a part of the People’s Republic of China. And the referendum was a way for the people of Taiwan to say “no” to that. (“President receives the American delegation to an international conference on “America-Taiwan-China relations: variables and prospects,” [in Chinese], President’s Office, 4 December 2007.) Interestingly, this item was not posted on the English-language website of the President’s Office.

In substantiation of Chen’s allegation about Beijing’s behavior, in an attachment to a *Note Verbale* to the WHO, the Permanent PRC Representative to the UN office in Geneva wrote: “The Government of the People’s Republic of China decides that the ‘International Health Regulations (2005)’ . . . applies to the entire territory of *the People’s Republic of China, including* the Hong Kong Special Administrative Region, the Macao Special Administrative Region and the *Taiwan Province*.” (Statement of the Government of the People’s Republic of China on China’s Implementation of the *International Health Regulations [2005]* [PRC translation], 12 May 2007, <http://www.who.int/csr/ihr/China2007.pdf>; emphasis added.)

While unhappy with the PRC’s efforts to claim in international organizations either that Beijing had jurisdiction over Taiwan or that Taiwan was part of the PRC, the United States was particularly concerned that Chen’s statement about the referendum being a rejection of unification could portend trouble across the Strait. Thus, when the AIT chairman, Raymond G. Burghardt, was in Taipei about a week later, he sought and obtained assurances that Chen in no way was signaling a move toward independence: “I was reassured by President Chen’s remarks, in which he stressed that he would not go back on his commitments to the ‘four noes,’ that the referendum does not represent a step toward de jure independence, and that if it passes, it won’t have significance beyond the words of the referendum itself. (Shih Hsiu-chuan, Flora Wang, and Ko Shu-ling, “Chen must keep his pledge: AIT chief,” *Taipei Times*, 12 December 2007.)

According to various reports, in late February Chen left the impression that passing a referendum—some referendum—on UN membership was more important than electing a DPP president. (“Delink the referenda and the presidential elections,” *Lien-ho pao* editorial, 24 February 2008.) Thus, Chen held out the possibility of employing the “defensive referendum” provision of the Referendum Law, as he had in 2004, to place some kind of “compromise” version on the ballot. (Dennis Engbarth, “Chen and DPP presidential candidate discuss referendum options,” *Taiwan News*, 21 February 2008.) What that might have looked like, we don’t know, but presumably it would have blurred the issue of applying “in the name of ‘Taiwan,’” otherwise it would have had no purpose.

Hsieh was initially seen by some as in favor of this option (“Frank Hsieh: Resolution by Legislative Yuan cannot replace referendum,” CNA, 26 January 2008, translated in summary by OSC, CPP20080126102001), but, if so, he quickly changed his mind. Within days of the reports that he was mulling a recommendation for a “defensive referendum,” Hsieh announced that the DPP would not ask Chen Shui-bian to take such a step, “because a defensive referendum would be controversial and involve problems of trust.” (Dennis Engbarth, “Hsieh urges voters to support both U.N. referendums,” *Taiwan News*, 29 January 2008.)

Although reports as late as the third week of February indicated that Chen had not completely ruled it out (He Ming-kuo, “President Chen, Frank Hsieh disagree on defensive referendum,” *Lien-ho pao*, 21 February 2008, translated in summary by OSC, CPP20080221100001), he announced several days later that he would not go down that track: “I won’t call such a referendum in the run-up to the election,” he said. (“Pres. Chen rules out ‘defensive’ referendum,” *China Post*, 27 February 2008.)

⁶⁷ Elizabeth Hsu, “DPP candidate urges KMT not to boycott U.N. bid referendum,” CNA, 23 January 2008.

⁶⁸ Dennis Engbarth, “Hsieh calls for harmony on U.N. referendum,” *Taiwan News*, 14 February 2008.

Chen Shui-bian had spent considerable energy over time highlighting the differences between the two referenda and stressing that they were incompatible. Recall that, as we wrote in *China Leadership Monitor* 22, Chen said the two referenda “would provide a choice between the Taiwan-centric versus China-centric

lines. The people must distinguish between the two initiatives to avoid being taken in.” (“Chen brands KMT’s UN referendum biggest joke,” *Taiwan News*, 7 September 2007.)

The DPP had formally come out with a rationale for it: “Since 1993, attempts to join the UN under the name of ‘Republic of China’ have been unsuccessful. The people of Taiwan deserve proper international recognition, and the name ‘Taiwan’ is the most appropriate title for membership. It is time for Taiwan to have representation under a name that accurately reflects the political reality.” (“2.7 million people signed ‘UN for Taiwan’ referendum petition,” *Democracy & Progress*, a monthly newsletter published by the DPP’s Department of International Affairs, November 2007.)

But now, desperate to at least neutralize the referendum issue if he couldn’t make it a positive factor, Hsieh argued that voting for the KMT version *as well as* the DPP version was justified “as long as the KMT doesn’t include the People’s Republic of China, Tibet and Mongolia in its territorial definition of the ROC. We should tolerate each other.” (Shih Hsiu-chuan, “Hsieh proposes a third UN referendum,” *Taipei Times*, 24 January 2008.)

⁶⁹ “President Chen urges voters to back both UN referendums,” *Taiwan News*, 26 February 2008.

⁷⁰ Ko Shu-ling, “Chen says Taiwan will never reverse its democratic path,” *Taipei Times*, 4 March 2008. What he said was: “The two referendums are as important as the presidential contest, but, if pressed, I would say the success of the two referendums is more important.” The original Chinese-language transcript of the 3 March interview with public television from which this comes (總統接受公共電視「台語晚間新聞」開播專訪) is available on the presidential office website at <http://www.president.gov.tw/>.

⁷¹ Ko Shu-ling, “Chen willing to negotiate on referendums,” *Taipei Times*, 6 March 2008.

⁷² Hungfu Hsueh, “DPP willing to consider deal on separate polls,” *Taiwan News*, 7 March 2008. Perhaps as a matter of saving face on once more reversing his position on how to handle the referenda, Hsieh spelled out his rationale for the switch: “Under the current regulations, it would be very difficult for a referendum to be passed if it were not held alongside an election. If the minimum requirement for a successful referendum is lowered, then it will stand a better chance of being passed . . . If the Legislature agrees to lower the referendum threshold, we could accept all kinds of compromise solution. But, if it deliberately tries to make the referendum fail, then we have no option but to stick to the original arrangement.”

⁷³ Shih Hsiu-chuan, “Hsieh proposes a third UN referendum,” *Taipei Times*, 24 January 2008.

Ma Ying-jeou was quoted as saying that a “defensive referendum” was neither necessary nor appropriate, and that the right way to break the deadlock was for the CEC to cease to tie the referenda to the presidential election. (“Ma Ying-jeou opposes defensive referendum,” *Lien-ho Hsin-wen Wang*, 17 February 2008.)

The new KMT LY caucus even took this opposition to the point of listing among its legislative priorities for the new LY term two amendments to the Referendum Law. The first would abolish the “defensive referendum” provision in the Referendum Law (Article 17). (T.C. Jiang, “KMT lawmakers to abolish defensive referendum,” *CNA*, 21 February 2008.) The second would mandate the adoption of a two-step balloting process for referenda held in conjunction with future national elections, rather than the “one step, two tables” approach adopted for this year’s balloting. (George Liao, “KMT blocks 11 bills from legislative agenda,” *Taiwan News*, 27 February 2008.)

⁷⁴ Flor Wang, “KMT will seek to separate presidential poll, referendums: Wang,” *CNA*, 23 January 2008.

⁷⁵ David Young, “KMT chair rejects Pres. Chen’s compromise,” *China Post*, 7 March 2008.

⁷⁶ Y.F. Low, “Chances slim to separate referendums from presidential election: CEC,” *CNA*, 28 February 2008.

⁷⁷ Loa Iok-sin and Flora Wang, “Referendums to be held with election: CEC,” *Taipei Times*, 2 February 2008.

⁷⁸ Steve Bercic, “Wu Poh-hsiung says KMT against ‘hijacking elections with referendums,’” *CNA*, 2 February 2008.

⁷⁹ “DPP reiterates call for U.N. vote support,” *China Post*, 2 March 2008.

⁸⁰ Mo Yan-chih, “KMT proposes resolution instead of UN referendum,” *Taipei Times*, 7 March 2008.

⁸¹ “Frank Hsieh: Resolution by Legislative Yuan cannot replace referendum,” *CNA*, 26 January 2008, translated in summary by OSC, CPP20080126102001.

⁸² Luis Huang, “Seeking U.N. membership under the name ROC unfeasible: DPP caucus,” *CNA*, 24 January 2008.

⁸³ Lin Yu-lin, Hsiao Hsu-tsen, Yao Ying-ju, and Luo Wei-chih, “KMT urges DPP to support resolution to replace UN membership referendums,” *Chung-shih Tien-tzu-pao*, 7 March 2008, translated in summary by OSC, 20080307100001.

⁸⁴ In *China Leadership Monitor* 22, endnote 72, we pointed out that although polls cited by the Mainland Affairs Council purported to show that U.S. disapproval would not affect popular support for the referendum, separate polls conducted by *Apple Daily* and *Lien-ho pao*, even as early as September 2007, showed that support for the DPP referendum was tenuous (between 30 and 43 percent) if the prospect of negative international consequences was introduced into the survey question. This result seemed to be affirmed in mid-February, when a Taiwan Thinktank poll found that only a little over 44 percent of respondents supported the DPP referendum while somewhat more than 40 percent opposed it. (Deborah Kuo, “Majority of voters unswayed by ‘green card’ issue: poll,” CNA, 21 February 2008.) Even though an ERA polls a few days later showed that almost two-thirds still supported government efforts to join the UN in the name of “Taiwan,” only some 46 percent of respondents said they approved holding the referenda. (“Nearly half of Taiwanese support UN referendums,” AFP, 26 February 2008, disseminated by OSC, CPP20080226968177.)

As of early March, a newspaper poll revealed that between 50 and 60 percent of respondents would not pick up either referendum ballot, as against only between 20 and 30 percent who said they would. (“Over half will not take ballots for referenda on ‘joining’ or ‘reentering’ the UN [入返聯公投逾半不領票], *Lien-ho pao*, 3 March 2008, <http://udn.com/NEWS/NATIONAL/NAT3/4240917.shtml>.)

⁸⁵ This was evident in the remarks of the spokesman for the National People’s Congress session that convened in early March. He warned that passing the referendum would have a serious impact on cross-Strait relations, cause grave damage to the fundamental interests of people on both sides of the Strait, and pose a severe danger to peace and stability. But looking to the post-election period he added: “If the Chen Shui-bian authorities insist on having their own way and make a reckless move in desperation, they will surely pay a heavy price.” (“Jiang Enzhu says the most important, urgent task facing compatriots on both sides of the Strait is to resolutely curb ‘Taiwan independence’ and safeguard peace in the Taiwan Strait,” Xinhua [in Chinese], 4 March 2008, translated by OSC, CPP20080304704007.)

⁸⁶ PLA Deputy Chief of Staff Ma Xiaotian—profiled by James Mulvenon in another essay in this issue of *China Leadership Monitor*—drove home this concern to Deputy Secretary of State John Negroponte when Negroponte visited Beijing in December: “The actions taken by the US side to elevate military links with Taiwan and sell advanced weapons to Taiwan are serious violations of the US government’s solemn commitment made to the Chinese side and have sent a wrong signal to the Taiwan authorities.”

(美方提升与台军事联系, 向台湾出售先进武器的做法, 严重违反美国政府向中方作出的严肃承诺,

向台湾当局发出了错误信号.) (“Ma Xiaotian meets US Deputy Secretary of State Negroponte,” Xinhua, 6 December 2007, translated by OSC CPP20071206354002.) Some analysts pointed out that the PRC has generally tended to warn the United States “not to send” wrong signals; of late, official spokesmen have begun to say the United States should “stop sending” such signals, thereby charging that the U.S. government had already committed this wrong.

⁸⁷ “台灣大選後, 北京對台政策會展現「積極、主動、彈性、善意」等特點, 北京一定會將「大門敞開」, 台北是否願進門, 就視新選出領導人的取決。” (Fu I-chieh, “Beijing will show goodwill to Taiwan after presidential election,” *Lien-ho pao*, 20 December 2007, translated in summary by OSC, CPP20071220100002. Original article accessed on the day it appeared at <http://udn.com/NEWS/WORLD/WOR1/4146315.shtml>.)

⁸⁸ “Speech by Hu Jintao at the New Year tea party of the Chinese People’s Political Consultative Conference [CPPCC] National Committee,” Xinhua (in Chinese), 1 January 2008, translated by OSC, CPP20080101001003.

⁸⁹ Sun Chengbin, “Hu Jintao visits members of the Revolutionary Committee of the Chinese Kuomintang, the Taiwan Democratic Self-Government League, and the All-China Federation of Taiwan Compatriots attending the CPPCC session and takes part in their joint group discussion,” Xinhua [in Chinese], 4 March 2008, translated by OSC, CPP20080304354002.

⁹⁰ Qian Tong and Xu Song, “Hu Jintao meets with US Secretary of State Rice,” Xinhua (in Chinese), 26 February 2008 (translated by OSC, CPP20080226074016; emphasis added).

⁹¹ As noted, Beijing opposed both referenda. But the DPP referendum was far more problematic for them, as it was for Washington, and that is where they focused most of their attention.

⁹² “Meeting with Stephen Young, Hsieh: UN referendum nothing to do with de jure Taiwan independence,” *Tzu-yu Shih-pao*, 1 March 2008, translated in summary by OSC, CPP20080301102001).

⁹³ Wang Shibin, “Deputy Guo Boxiong emphasizes at PLA panel meeting: Focus on effectively carrying out the army’s historic mission in the new century and new stage, develop a new situation in army modernization, from a new starting point,” *Jiefangjun Bao*, 7 March 2008, translated by OSC, CPP20080307710003. Guo, who is vice chairman of the Central Military Commission, sought to put teeth into the assertion that they would “never allow anyone to secede Taiwan from the motherland in any name and by any means” by adding: “We have the resolve and the capability to deal with a major ‘Taiwan independence’ incident at any time.”

⁹⁴ Joseph Yeh, “No signs of unusual activity seen on PRC coast, says MND,” *Taiwan News*, 5 March 2008.

⁹⁵ See endnote 87, above.

⁹⁶ Secretary Rice, “Joint Press Availability With Chinese Foreign Minister Yang Jiechi,” Department of State, 26 February 2008 (<http://www.state.gov/secretary/rm/2008/02/101308.htm>).

⁹⁷ Deputy Secretary of State John Negroponte had done so when visiting Beijing in January. (John D. Negroponte, Deputy Secretary of State, Press Roundtable, Beijing, 17 January 2008, <http://www.state.gov/s/d/2008/99616.htm>).

⁹⁸ “A Strong and Moderate Taiwan,” Speech to the U.S.-Taiwan Business Council Defense Industry Conference, 11 September 2007 (<http://www.state.gov/p/eap/rls/rm/2007/91979.htm>).

⁹⁹ Secretary of State Condoleezza Rice, Press Conference, 21 December 2007, <http://www.state.gov/secretary/rm/2007/12/97945.htm>.

¹⁰⁰ John D. Negroponte, Deputy Secretary of State, Interview with Robert McMahon of the Council on Foreign Relations, 1 February 2008 (<http://www.state.gov/s/d/2008/100019.htm>).

¹⁰¹ One American journal has predicted that the vote will be 60-40. (“Ma Ying-jeou to beat Frank Hsieh 6 to 4: Scientific American,” *China Post*, 29 February 2008).