

Chapter 4

Taiwan's Transition to Democracy and Beyond (1986-2024)

Kharis Templeman

The word “miracle” is overused in the East Asian context, but in the case of Taiwan, it is accurate. Taiwan’s political transformation really has been miraculous. At the beginning of its transition to democracy in 1986, Taiwan was a police state run by a hereditary one-party dictatorship. It had been under martial law for 37 years. President Chiang Ching-kuo (蔣經國), who had inherited power from his father Chiang Kai-shek (蔣介石), exercised extra-constitutional decree powers via the so-called “Temporary Provisions Effective during the Period of the Communist Rebellion.” Thousands of political prisoners languished in jail cells in inhumane conditions. Public speech and media were censored and tightly controlled by the government. Freedoms of assembly, protest, and strike were curtailed. An extralegal quasi-military body, the Taiwan Garrison Command, held enormous power over civilian affairs: it managed border control and the coast guard, decided who got exit and entry visas, spied on civilians, banned books, harassed and detained political dissidents, and controlled the civilian police agency. And the ruling Kuomintang (KMT or Chinese Nationalist Party 中國國民黨) enjoyed a monopoly on power through a ban on opposition parties.

Taiwan today is a very different place. Democracy is firmly consolidated. Free and fair elections are held on a regular schedule for the presidency, the legislature, and local mayors and councils. Control over the central government has been transferred peacefully from the ruling party to the opposition three separate times, in 2000, 2008, and 2016. Taiwan is also now one of the most liberal democracies in Asia. Its citizens enjoy expansive freedoms of speech and media as well as the right to protest, organize new political parties, and participate fully in civic life. The rule of law has deepened and now better protects the rights of the accused, limits the power of government bodies, and upholds a predictable private property rights regime. Compared to many other Third Wave cases – those autocracies that democratized between the late 1970s and the early 2000s – Taiwan stands out in a good way for its colorful party politics, fiercely contested elections, and respect for the liberal elements of democratic practice.

Political problems still exist in Taiwan, as they do in all democracies: judicial accountability and professionalism lag behind global standards, and horizontal accountability is weak despite a constitutional system with a formal separation of powers. Nevertheless, Taiwan's transition from a one-party dictatorship under martial law to Asia's most liberal democracy is a political miracle worth celebrating.

How Democratization Happened

One challenge in Taiwan's political historiography is how best to periodize its transition to democracy. Some scholars locate the beginning of political reform in the 1970s, with the Meilidao protests in Kaohsiung in 1979 (Arrigo 1992), the Chungli Incident of 1977 (Gold 1985), or even the Diaoyutai islands controversy in 1970-72, when for the first time in the martial law era spontaneous demonstrations were held against the KMT government (Rubinstein 1999, 437-39). Others assert that Taiwan's transition to democracy began much later, with the founding of the *Tangwai*-linked Public Policy Research Association (PPRA) in 1984 (Chu 1992: 42), the end of martial law in July 1987 (Chao and Myers 2000), the death of Chiang Ching-kuo in January 1988 (Jacobs 2012), or the announcement of a reform pact between ruling and opposition parties that came out of the National Affairs Conference (NAC) in June 1990 (Chiou 1993). Similarly, there is no consensus about when Taiwan finally became a democracy. Some scholars date this moment to December 1992, when the first full election of the Legislative Yuan was held; to March 1996, when the Republic of China (ROC) president was first directly elected; or to March 2000, when the KMT first lost the presidency. At the extreme, some scholars even claim that Taiwan after 2000 was still not really a democracy, or that it was a perverse distortion of the democratic ideal (Shih 2008; Kuo 2000).

Much of this scholarly debate rests on different conceptions of democracy (cf. Jacobs 2012; Chao and Myers 2000). Following Diamond (1999: 8-12), I find it helpful to draw a distinction between *electoral* and *liberal* democracy. *Electoral democracy* is a political system in which the principal powerholders are chosen through regular, competitive multiparty elections held under conditions of universal suffrage, with voters able to decide freely and cast their ballots without fear or coercion. In contrast, *liberal democracy* includes additional features: rule of law (including

judicial independence and equality of citizens under the law), constraints on executive power, freedoms of speech and assembly, low barriers to the formation of new political parties, respect for minority rights and tolerance of cultural and religious pluralism, and opportunities for citizens to express their interests and values through independent associations and social movements.

By this definition, the transition to *electoral* democracy in Taiwan started in September 1986 with the founding of the Democratic Progressive Party (DPP or 民主進步黨). The establishment of the DPP resulted in a fundamental political change: for the first time in Taiwan's post-war history, an opposition party was tolerated by the regime as a legitimate actor in electoral politics. Along with various factions within the KMT, the DPP became an important player in the struggle over political reform. By the same definition, the transition to electoral democracy was completed after the first direct election of the president was held in March 1996. This moment marked the first time that the ruling KMT was at risk of losing control of the central government via the ballot box. Altogether, then, Taiwan's democratization covered a span of almost 10 years, making it one of the world's longest and most gradual transitions in the modern era.

Founding the DPP: The Transition Begins

The first critical step in this transition occurred in September 1986, when members of the loose opposition coalition known as the *Tangwai* (literally, 'outside the party' 黨外) came together to decide on candidates and a policy platform for the year-end supplementary legislative elections. Over the course of that year, a handful of members of the opposition hatched a plan to form a political party at this meeting. When most of the *Tangwai* assembled in Taipei on September 28, a motion was made to establish a new party, catching many of those in attendance by surprise. By the end of the day the proposal was approved and the various elements in the opposition were formally reconstituted as the DPP.

Founding an opposition party was a self-consciously provocative act: it was illegal under martial law, and previous attempts to create new political parties had been swiftly repressed by the KMT regime. But the location and timing of the founding conference helped the opposition's cause. Because the *Tangwai* was by this time well-known as an island-wide coalition of anti-KMT candidates, its endorsements were highly valued by most of the opposition movement's factions. As a result, representatives from all its major components were in attendance, even more radical members who favored street protests over electoral competition to advance political reform. In

addition, the timing maximized the likelihood that all the key people in the *Tangwai* would join the new party rather than try to break away and found their own—a critical challenge in a movement deeply divided along ideological and ethnic lines.¹ Finally, the conference was held in Taipei at the Grand Hotel (圓山大飯店) – one of the most prominent and luxurious hotels in the city – and many reporters were in attendance to cover the *Tangwai* nominations. As a result, most Taiwanese quickly learned of the founding conference and of the united front the opposition movement presented there. It also raised the costs of a crackdown, which would take place in the capital, involve nearly all the leaders of the opposition, and be widely reported in the international media.

The establishment of the DPP created a major dilemma for President Chiang Ching-kuo. He could suppress the party and risk significant domestic unrest and international condemnation – especially from the US, where opposition figures living in exile could put considerable pressure on Congress to act. Or he could acquiesce to the existence of a formal opposition. In the end, Chiang decided to tolerate the new party, and two weeks later he declared his intention to end martial law. Although still technically an illegal organization, the DPP was allowed to compete in the December Legislative Yuan (LY) elections under its new party banner, and its candidates won 12 of 100 contested seats.

The next year, Chiang followed through on his pledge and formally lifted martial law on July 15. Other new political parties were established, the restrictions on media coverage were loosened, and the size of newspapers was allowed to expand. The government also relaxed the previously rigid prohibitions against contact with the People’s Republic of China (PRC): for the first time, mainlanders living in Taiwan were granted permission to travel across the Strait and visit relatives there, and thousands traveled back to their hometowns for tearful reunions. However, at the same time a new National Security Law was passed that created a legal basis for many of the same repressive practices that had been allowed under martial law. Harsh punishments remained for insulting or slandering the government or engaging in “sedition,” and regime critics continued to be charged and jailed for advocating Taiwan independence (Seymour 1988).

¹Indeed, as was probably anticipated by the conference planners, some of the members were initially quite reluctant to participate but found it too difficult to resist the calls for opposition unity and the face-to-face entreaties of their *Tangwai* colleagues (Lin 1998: 240 fn. 50).

Lee Teng-hui Succeeds Chiang Ching-kuo

Such was the state of things when on January 13, 1988, President Chiang died. He had been in declining health for some time, but the news still came as a shock and created a power vacuum within the KMT. In line with the constitution, the vice president Lee Teng-hui (李登輝) was quickly sworn in to succeed Chiang as president. However, Lee's claim to the party chairmanship was challenged by a group of conservatives that included Soong Mei-ling (宋美齡), Chiang Kai-shek's widow. The weekly meeting of the Central Standing Committee (CSC) was delayed until January 27 as supporters and opponents of Lee battled over the succession issue. In the end, helped in part by a dramatic intervention at the CSC meeting by the young deputy party secretary-general James Soong (宋楚瑜), party leaders finally appointed Lee as acting chairman (Lin 1998: 308-311).

Many people expected that the little-known Lee would be a weak leader who could be outmaneuvered by more experienced party elites. But Lee turned out to be an exceptionally canny politician. Within the party, he initially aligned himself closely with Chiang Ching-kuo's policies and personnel, retaining Yu Kuo-hwa (俞國華) as premier and Lee Huan (李煥) as KMT secretary-general. At the same time, however, he took a softer line toward the opposition. He quickly proved popular among the public, helped in part by the fact that he was the first Taiwan-born (*benshengren* 本省人) leader of the party since its arrival on Taiwan. And he exploited that popularity to take steps to further liberalize the regime over the opposition of KMT conservatives. In February he held the first presidential press conference in over a decade, and he initiated cross-party conversations with DPP leaders about political reform. In late March he announced he was freeing many long-time political prisoners. In April, Lee took no action against the DPP after it passed a resolution declaring that Taiwan enjoyed independent sovereignty and asserting that any change of its international status needed to be decided by the people of Taiwan. In May, after a protest by farmers in the streets of Taipei turned violent, Lee rejected calls by KMT conservatives to reimpose martial law. And by the time of the KMT's party congress in July, Lee had managed to gain enough backing from pro-reform members of the party to be elected by acclamation for a full term as chairman. The membership of the party's Central Committee (CC) and CSC experienced significant turnover at this party congress as well: 65 percent of the CC's members were new, and the proportion of *benshengren* rose from 20 to 45 percent (Seymour 1989: 56-57).

Lee continued over the next two years to oversee the gradual removal of restrictions on speech and assembly, the release of political prisoners, and increases in visits to and investment in mainland China – moves that were popular with the general public. Within the party, however, he remained caught in a power struggle. Lee's more relaxed attitudes towards cross-Strait relations and the DPP, appointment of younger and more liberal party members, and promotion of political reforms all generated resistance from KMT conservatives, and his opponents gradually coalesced into what became known as the Non-Mainstream Faction (*feizhuliu paixi* 非主流派系), in opposition to Lee's Mainstream Faction (*zhuliu paixi* 主流派系) (Chu 1992: 42-3).

Lee Teng-hui Outmaneuvers His Opponents

This intra-party power struggle came to a head in February 1990, when President Lee sought to secure a full six-year term as president. The Non-Mainstream faction decided to challenge Lee by supporting another Chiang Ching-kuo protégé, Lin Yang-kang (林洋港), for the party nomination, and they proposed Chiang Kai-shek's adopted son Chiang Wei-kuo (蔣偉國) as the vice-presidential candidate. To increase their chances of success, the Non-Mainstream faction's leaders planned their challenge in secret. They sought to change the party's voting method from public to secret ballot and then nominate Lin and Chiang without any forewarning. They calculated that, if the votes were cast anonymously, they had a good chance of winning support from at least half of the CC's 180 members. However, Lee Teng-hui learned about the scheme from the intelligence services on February 10, a day before the party's nomination meeting, and he immediately launched a counteroffensive. He had the state-controlled news media publicize the conservatives' plan, and his aides contacted all the CC members individually to inform them that the plot had been discovered. In the next day's meeting, the vote to hold a secret ballot failed 99-70, and Lee was then named the KMT's nominee for president by acclaim (Lin 1998: 315-16).

Despite this initial setback, Lee's opponents did not give up. With the nomination fight decided, they shifted their efforts to the National Assembly (NA), which still had the power to select the president. Since almost 90 percent of the NA's members were senior mainlanders, the Non-Mainstream faction leaders expected that they could win a vote there so long as the alternative ticket had candidates who were appealing to the senior members. On March 1, supporters of Lin and Chiang opened a campaign headquarters and started soliciting endorsements. But some of the

other members of the Non-Mainstream faction started to get cold feet; concerned that they might be shut out of power if Lee won, key figures including the party secretary-general Lee Huan declined to support the Lin - Chiang ticket.

Lee's opponents were not helped by the actions of some of the NA members, who on March 14 attempted to exploit their critical position to request additional perks of their own, including annual meetings, longer terms, and compensation for their services. This audacious set of demands triggered a student protest at Chiang Kai-shek Memorial Hall beginning the night of March 16. Within a day the numbers had grown from 20-odd students to thousands, and the protestors were attracting extensive media coverage, especially from government and party outlets tied to Lee and the Mainstream faction. On March 18, student leaders issued a public appeal to President Lee to abolish the NA, end the Temporary Provisions, hold a public forum bringing together government and opposition representatives, and draft a timetable for political and economic reforms. These public demonstrations came at an ideal time for Lee: they strengthened his standing within the KMT, further undercut the appeal of the conservatives, and effectively ended any remaining uncertainty about Lee's selection. On March 21, 1990, Lee was confirmed for another term as president of the ROC; the same day, he held a cordial meeting with student leaders at the Presidential Hall and promised to convene a conference to decide on further political reforms (Lin 1998: 317-19).

This protest came to be known as the Wild Lily Movement (*yebaihe yundong* 野百合運動), and it was a crucial turning point in the transition to democracy. It occurred less than a year after the Tiananmen Square protests in Beijing, but in contrast to the horrors of the military-led crackdown there, the demonstrations in Taipei not only concluded peacefully but also had a positive impact on the prospects for democracy. From that point forward, the circle of stakeholders included in the reform discussions widened beyond the Mainstream-Non-Mainstream divide in the KMT to include the opposition DPP, students, and an ever-growing array of academics, political dissidents, and civil society activists, and the pace of political change accelerated.

Setting the Reform Agenda: The National Affairs Conference

On May 20, 1990, President Lee was inaugurated for a new six-year term. In his inauguration speech, he laid out for the first time a clear agenda for political reform. He called for the end of the Period of National Mobilization and abolition of the Temporary Provisions within a year, the

introduction of direct elections for all central and local government bodies, and the consolidation of a system of multi-party politics.

The following month, Lee upheld his promise to the Wild Lily students by convening a National Affairs Conference (NAC, *guoshi huiyi* 國是會議). Lee hand-picked the attendees, choosing a bare majority from the KMT (most of them from the Mainstream faction), a quarter from the DPP, and the rest non-partisans and academics. He also included some high-profile political dissidents and former prisoners. Despite the diversity of views, the participants reached a consensus on five issues:

- (1) the security and well-being of the people on Taiwan should take priority in policy toward mainland China;
- (2) the Temporary Provisions should be abolished;
- (3) proportional representation should be introduced to replace the functional constituencies and overseas representatives in the LY and NA;
- (4) the governor of Taiwan and the mayors of the special municipalities of Taipei and Kaohsiung should be directly elected; and
- (5) the senior parliamentarians should be forced to retire by the end of 1991.

The last goal was preempted by a ruling of the Council of Grand Justices on June 21, in the middle of the NAC. In Constitutional Interpretation 261, the court decreed that the permanent members of the NA and LY must retire no later than December 31, 1991.²

Depoliticizing the Military and Security Agencies

One major challenge that President Lee faced from his earliest days was control over the military and security agencies. These bodies operated in a chain of command that ran parallel to the cabinet and reported directly to the president, giving them significant autonomy with little oversight from civilian officials. Under the terms of martial law and the Temporary Provisions, the widely feared Taiwan Garrison Command had broad authority over security-related civilian affairs, and it engaged in pervasive eavesdropping, censorship, surveillance, and extra-judicial detention and

²In fact, this court ruling was preceded by an internal KMT decision to force them to retire by that date, and in the end the court simply provided the cover to carry out what was a decision of the KMT leadership made in April, well before the NAC convened (Lin 1998: 323).

interrogation. It also controlled entry and exit visas, oversaw border guards and the coast guard, and supervised the civilian police force.

The professional armed forces were also politically powerful. For most of the 1980s, the number of active-duty troops had been maintained at 500,000, and the defense budget made up over 40 percent of the central government budget and as much as eight percent of GDP. The military's influence extended into civil society and electoral politics as well. Military and security officials had long served as key figures in the Chiang family's inner circle, and the military was well represented at all levels of the KMT's party structure. The Council of Veterans Affairs oversaw many state-owned enterprises, and the Ministry of National Defense (MND) ran its own television network, two newspapers, and a handful of radio stations. During election campaigns, the MND's General Political Affairs Department would coordinate with the KMT's party headquarters to mobilize the votes of military personnel and veterans and their families to support the party's nominations. These close ties between the KMT and security establishment presented two serious challenges for democratization: the intermingling of party interests and personnel from the military, and the KMT's partisan control over the military and security agencies (Chu 1992: 21-23).

Lee's first significant move to depoliticize the military and security agencies was a counterintuitive one: in May 1990 he appointed as premier Hau Pei-tsun (郝柏村), a conservative mainlander and the former Chief of the General Staff of the armed forces (1981-89) and Minister of National Defense (1989-1990). As a condition of his appointment, Hau was forced to retire from the military and give up his position as the highest-ranking figure in the armed forces. The selection of Hau as premier proved to be a shrewd political move. It instantly divided Lee's conservative Non-Mainstream adversaries in the KMT, prevented Hau from exploiting his powerbase in the military to oppose political reforms, and incentivized him to work with Lee to oversee a smooth transition to democracy. Hau also quickly established himself as a popular leader; by the fall of 1990 his public approval rating was over 60 percent. Hau served as premier until December 1992, when he was forced to resign to take responsibility for the KMT's poor performance in the legislative elections that month. He was then succeeded by a *benshengren*, Lien Chan (連戰). With Hau's departure, Lee had successfully weakened the military's influence in politics and sidelined a potentially dangerous political rival.

President Lee also took a gradual approach toward the reform of national security laws. His first step in this direction came in April 1991, when he announced the end of the Period of National Mobilization for Suppression of the Communist Rebellion. That order removed the remaining legal foundations for the Taiwan Garrison Command's activities and further limited its reach. Other changes to the authoritarian-era security regime followed over the next year. In May 1992, the LY amended Article 100 of the Criminal Code, which had defined the crime of insurrection to include advocating for or taking non-violent action in support of an idea. This article had long been used to prosecute Taiwan independence advocates; after it was amended, open support for Taiwan independence was no longer illegal, and dozens of political prisoners who had been charged under this provision were released. In June, the LY voted to end the functions of the Second Personnel Office (*ren er* 人二), which had kept files on the political loyalty of employees and had significant influence over promotions within the civil service. Finally, in July, President Lee issued another order abolishing the Taiwan Garrison Command for good and distributing its remaining functions to the National Police Agency and the Ministry of the Interior.

Other military and security reforms occurred gradually over the 1990s, culminating in the passage of two landmark pieces of legislation in January 2000. Shortly before that year's presidential election, the KMT-controlled legislature approved the National Defense Act and the MND Organization Act, which reorganized the military's chain of command and formalized civilian control over the military. The military's supreme command authority was switched from the Chief of the General Staff – the highest-ranking member of the officer corps – to the Minister of National Defense – a post appointed by the premier and eligible to be held by a civilian, and one that in turn reported directly to the President, ensuring a single chain of command. The head of the MND was also for the first time required to accept oversight by the legislature and appear for public interpellation. The two defense acts also specified that at least one-third of the staff positions in the MND and one of the two vice defense minister posts were required to be held by civilians (Tzeng 2016: 294-95).

Completing the Transition: The First Free and Fair Elections

The political reforms set in motion after the NAC eventually resulted in six sets of constitutional amendments that fundamentally transformed Taiwan's political regime. The first, passed in April 1991, established that the members of the NA and LY would all henceforth be elected entirely from

Taiwanese constituencies. The second set, passed in May 1992, introduced popular direct election of the governor of Taiwan and the mayors of the special municipalities of Taipei and Kaohsiung. The third, passed in July 1994, required direct election of the president and shortened both the presidential and NA terms from six years to four.

Following the forced retirement of the senior parliamentarians, the first full election to the NA was held on December 21, 1991. The KMT did quite well, winning 254 of 325 seats on 69 percent of the vote, while the DPP won only 66 seats on 25 percent. The DPP's campaign was hurt after it added a clause to its party charter declaring that it would work toward the establishment of an independent Republic of Taiwan – the so-called “independence plank.” For the first time, Taiwan independence became the central issue in an election campaign. Foreign direct investment and the Taiwan stock market both plunged in the run-up to the election, as skittish investors worried about the potentially destabilizing effects of the independence movement. Many voters, too, appeared to be spooked by the DPP's position, and the landslide defeat strengthened the hand of moderates within the party.

The first full election of the Legislative Yuan followed a year later, on December 19, 1992. The KMT's nomination strategy for this election was complicated by deepening competition between its Mainstream and Non-Mainstream factions. At the time, legislative and local city and county council elections were held under the Single Non-Transferable Vote (SNTV) system, which created difficult coordination problems for both parties and their supporters. In the past, the KMT had managed these problems by assigning their candidates “responsibility zones” in which to campaign within the larger multi-member districts, but this system broke down as the intra-party rivalry between the factions intensified, and KMT candidates ended up in a free-for-all competition with each other for votes (Liu 1990). On the DPP side, by contrast, the party nominated more conservatively and tried to moderate its position on independence to avoid a repeat of the 1991 NA election disaster. In the end, the KMT won a much smaller majority of 95 of 161 seats on only 53 percent of the vote, while the DPP won 51 seats on 31 percent – its best performance in a general election to date.

The fallout and recriminations from the 1992 elections eventually led to the KMT's first major split since 1949. President Lee followed his nomination of Lien to be premier by promoting many other *benshengren* to key posts in the cabinet and the party. Some of the leading figures in the

Non-Mainstream faction decided at this point to break away for good, and shortly before the KMT's next party congress was held in August 1993, several legislators announced they were establishing the New Party (新黨). New Party leaders criticized not only Lee Teng-hui but also the KMT's continuing corrupt practices and authoritarian impulses, and they occasionally found common cause with the DPP despite the two opposition parties' deep differences on the China question.

Another set of founding elections took place on December 3, 1994, for the Taiwan provincial governor and the mayors of the special municipalities of Taipei and Kaohsiung. In the governor's election, the incumbent appointee James Soong won a landslide victory with over 56 percent of the vote to 39 percent for the DPP's Chen Ding-nan (陳定南). In Taipei, the New Party nominated the young Chinese nationalist firebrand Jaw Shao-kang (趙少康) to challenge the KMT's incumbent mayor Huang Ta-chou (黃大洲) and the DPP's Chen Shui-bian (陳水扁). Jaw and Huang split the KMT vote, allowing Chen to win with only 44 percent. In Kaohsiung, the KMT incumbent Wu Den-yi (吳敦義) defeated the DPP's Chang Chun-hsiung (張俊雄) 55 to 40 percent. These elections had the effect of raising the political profile of several figures who would go on to play key roles in politics over the subsequent 30 years, including Soong, Wu, Jaw, and Chen Shui-bian.

Taiwan's transition to democracy concluded with the first direct presidential election held on March 23, 1996. President Lee had to campaign for the support of the Taiwan electorate for the first time, and he was challenged by candidates from both political extremes. The DPP nominated Peng Ming-min (彭明敏), a political dissident and uncompromising advocate for Taiwan independence who had spent decades in exile before returning in 1991. On the other end of the spectrum, two former KMT conservatives ran as independent candidates: Lin Yang-kang, who had challenged Lee during the KMT's 1990 power struggle, and Chen Li-an, who had flirted with joining Lin as the VP candidate in that contest.

This election campaign took place against the backdrop of rising cross-Strait tensions. In 1995, the United States government reversed previous policy and issued a visa for President Lee to visit and deliver a public speech at Cornell University, his alma mater. The PRC condemned the visit and asserted that it violated the U.S. One China policy and indicated Washington's tacit support for Taiwan independence. After Lee's trip, Beijing ended cross-Strait dialogue,

downgraded U.S.-PRC diplomatic contacts, and pressured the United States to set limits on future visits by Taiwan leaders. In July, the People's Liberation Army (PLA) began a series of military exercises that stretched up until the month of the Taiwan presidential election, including ballistic missile tests and live-fire military exercises, a major naval drill, and joint amphibious landing exercises. The United States responded by sending two carrier battle groups to the region, adding to the sense of danger and high stakes in the presidential election.

In the end, Lee won 54 percent of the vote, a larger margin than expected. His victory was widely interpreted as a backlash against Beijing's military intimidation and its call to Taiwan voters to support pro-unification candidates. With this victory, President Lee became the first leader of Taiwan to hold a democratic mandate, and his inauguration for a second term in May 1996 completed the transition to electoral democracy.

The presidential election was preceded in December 1995 by the second direct elections for the legislature, which had their own important political consequences. The KMT fared relatively poorly in these elections: it won only 85 of 164 seats on 46 percent of the vote, while the DPP increased its numbers to 54 seats on 33 percent, and the New Party jumped to 21 seats on 12 percent, while the remaining four other seats went to independents. With only a three-seat majority, the KMT struggled to win confirmation for its candidate for LY speaker, Liu Sung-pan (劉松藩), in part because the ballot was secret and party defectors could not be easily identified. The DPP and New Party cooperated to support an alternative nominee, the former DPP chairman Shih Ming-teh (施明德), and in the first round of voting on February 1, 1996, the two candidates tied with 80 votes each. It turned out that the KMT's six indigenous legislators had banded together to push for concessions on indigenous issues in return for their votes, and the close balance of power gave them crucial leverage in the new legislature. In the end, the KMT government agreed to the indigenous legislators' demand to establish a separate ministry-level Council of Indigenous Affairs, to be headed by an indigenous chair, and they then supported the KMT's nominee for speaker in the second round (Templeman 2018: 475).

The KMT government faced a similar challenge to seat the premier. Under the ROC constitution, the premier had to win a confirmation vote in the LY before he could take office and appoint the rest of the cabinet. Lee renominated the incumbent premier Lien Chan, who was also his running mate in the presidential election that March. Although previous premiers had held both roles simultaneously, most legislators insisted that these posts should be held by different people

in Taiwan's new democratic era. Lien was narrowly confirmed as premier for another term, but the legislature refused to allow him to present the government's annual report in person.

The National Development Conference and the Fourth Set of Constitutional Amendments

After winning reelection, President Lee responded to this institutional controversy by convening representatives from all three major political parties to discuss additional constitutional amendments. The participants in this National Development Conference (*guojia fazhan huiyi* 國家發展會議) eventually agreed on a fourth set of amendments which were approved by the NA in July 1997. Under these amendments, the requirement that the legislature confirm the premier before he could take office was dropped; in exchange, the legislature gained the right to oust the cabinet via a vote of no confidence. In that case, however, the president would have the power to dissolve the legislature and call new elections. This change shifted the balance of Taiwan's semi-presidential institutions closer to a fully presidential regime: by allowing the president to appoint and remove the premier at will, it ensured that the cabinet would be responsive first and foremost to the president rather than the legislature. It also resolved the impasse that had left Premier Lien's status hanging in limbo for the previous year: Lien retained his position as vice president but was replaced as premier by Vincent Siew (蕭萬長) in September 1997. Another amendment "froze" the Taiwan provincial government and ended the terms of the governor and the members of the provincial assembly, effective from December 20, 1998. From President Lee's perspective, this change had the added benefit of eliminating the power base of James Soong, who as governor had built up his personal networks around the island and was emerging as a formidable rival to Lee.

After 2000: Democratic Contestation and Consolidation

On March 18, 2000, Taiwan held its second direct presidential election. President Lee respected the constitutional two-term limit and did not try to run again, so the race became an open-seat contest. The DPP nominated the former Taipei mayor Chen Shui-bian, while the KMT was divided between supporters of James Soong and Lien Chan. President Lee favored Lien and manipulated the KMT's nomination rules to ensure that he was nominated; Soong responded by quitting the party and running as an independent. After a hotly contested race filled with dramatic twists and

turns, Chen edged out Soong, winning 39.3 percent of the vote to Soong's 36.8 percent; Lien languished far behind with 23.1 percent. Chen's victory ended KMT control of the central government and initiated the first peaceful transition of power in Taiwan's history.

Following its defeat, the KMT suffered more defections that led to a significant realignment of the party system. Soong attempted to capitalize on his strong showing in the presidential race by forming his own party, the People First Party (親民黨), which several KMT legislators soon joined. Lee Teng-hui was blamed by many KMT members for the party's defeat, and he bowed to pressure and resigned his party post on March 24. Shortly after stepping down as president in May, he followed Soong out of the KMT and oversaw the creation of another new party, the Taiwan Solidarity Union (TSU), which attracted a different bloc of KMT members. Freed from the need to manage a complex KMT coalition, Lee also began to voice more openly pro-independence views than he had ever expressed while president, and the TSU moved toward the deep green end of the spectrum, to the left of even the DPP. The PFP, meanwhile, positioned itself to the right of the KMT as a more China-friendly party, squeezing out the New Party. The DPP and TSU emerged as political allies and became known as the Pan-Green camp (泛綠陣營), while the KMT, PFP, and NP collectively became known as the Pan-Blue camp (泛藍陣營).

The Chen Shui-bian Era

On May 20, 2000, Chen Shui-bian took office as the first non-KMT leader in Taiwan's post-war history. Although unprecedented, the transition from Lee to Chen was surprisingly smooth. One critical element of this handover was civil-military relations. Given the military's party-army tradition and the DPP's reputation as a pro-independence party, Chen's victory raised concerns about whether the military and security agencies would be fully loyal to the new president. To address these worries, President Lee ordered General Tang Yeou-ming (湯曜明), the Chief of the General Staff, to have the political commissar system in the military ranks record a video swearing the armed forces' allegiance to the newly elected government. General Tang also convened the military leadership to address suspicions about the DPP and to emphasize the military's duty to uphold the democratic constitutional order. President-elect Chen also helped ease the transition by appointing as his first premier the outgoing defense minister Tang Fei (唐飛), a retired general and KMT member (Tzeng 2016: 293-4).

A greater challenge for President Chen was managing relations with the Pan-Blue camp. Since the KMT still held a majority in the legislature and Chen had won less than 40 percent of the popular vote, KMT leaders asserted that he should consult with them about the appointment of his government. President Chen made some initial concessions to the opposition but refused to yield on the principle that he, not they, should wield ultimate authority over the cabinet. The KMT and PFP criticized this arrangement but, fearing the prospect of new legislative elections, refused to call a vote of no confidence, and the two sides settled into an uneasy truce for the rest of Chen's first term.

On relations with the PRC, President Chen initially sought to reassure both Beijing and Washington that he would support the status quo. He pledged in his inauguration speech to uphold what became known as the 'five no's' (*si bu yi meiyou* 四不一沒有): his government would not seek to (1) declare independence; (2) change the name of the country; (3) include in the constitution the doctrine that cross-strait relations were "special state-to-state relations"³; (4) promote a referendum on independence; or (5) abolish the National Unification Council, the governmental agency tasked with overseeing Taiwan's reintegration with mainland China.

This moderate rhetoric on cross-Strait relations delivered few political benefits. Beijing remained deeply suspicious of Chen's intentions and unwilling to engage in serious political dialogue with a DPP government. The KMT and PFP chose confrontation over cooperation as their best strategy to win back power, and they blocked much of the DPP's policy agenda, and many in the DPP criticized Chen for not moving fast enough to de-sinicize the country's institutions and symbols and move toward *de jure* independence.

Thus, President Chen eventually changed strategy. He started making more explicitly ethnonationalist appeals to *benshengren* voters, and he accused the Pan-Blue coalition of being authoritarian, anti-Taiwan, and pro-China. He also rallied public opinion behind a proposed Referendum Act that would provide for popular votes on policy questions – a long-cherished goal of independence advocates. The opposition parties eventually supported the proposal, but only after inserting a threshold requirement of 50 percent turnout and a prohibition against holding votes on sensitive sovereignty issues.

³ This description of cross-Strait relations was first introduced by President Lee in 1999 and vehemently rejected by Beijing as a "so-called 'two states theory'" of the nature of Taiwan's relationship to the PRC.

In the run-up to 2004, President Chen faced an uphill battle to win reelection. Lien declared his intention to run again and convinced Soong to join him as the vice presidential nominee. Since they had collectively won over 60 percent of the vote in 2000, this unity ticket made them the clear favorite in 2004. In an act of desperation, Chen used his authority under the Referendum Act to call a “defensive referendum”⁴ against threats from the PRC to be held on the same day as the presidential election, which helped mobilize independence supporters behind his campaign.

On March 19, 2004, the day before the election, President Chen and Vice President Annette Lu (呂秀蓮) were campaigning together in Tainan when they were both shot and lightly wounded. Security forces were placed on high alert, but the voting went ahead the next day and proceeded smoothly. The results showed a surprising, razor-thin margin of victory for Chen and Lu, who finished less than 30,000 votes ahead of the Lien-Soong ticket. Lien refused to concede and sued for nullification of the results, claiming that Chen had staged the assassination attempt to win sympathy votes. Nevertheless, a recount did not change the outcome and Chen was inaugurated for a second term on May 20, 2004, while Pan-Blue-led protests continued in the streets.

In his second term, President Chen shifted toward increasingly nativist positions. He advocated for a new constitution, a “China-to-Taiwan” name rectification campaign, and Taiwan-centric reforms to the educational system. The DPP hoped that they could ride a rising tide of nationalism to victory in the December 2004 legislative elections, but the Pan-Blue camp won instead, ensuring that the political gridlock of Chen’s first term would continue throughout his second.

In 2005, the final set of amendments to Taiwan’s constitution was approved. In an act of bipartisanship rare in that era, the DPP and KMT agreed to abolish the NA and transfer its remaining powers to other bodies. Members of the Judicial Yuan and Control Yuan would henceforth be appointed by the president subject to legislative confirmation. The constitutional amendment procedure was changed to require approval by at least three quarters of the legislature, followed by a referendum with at least 50 percent of eligible voters voting in favor. The size of the legislature was cut in half from 225 to 113 members⁵, and the legislative term was increased from

⁴ The Referendum Act did not grant the president the power to initiate a referendum under normal circumstances. The only exception was when the nation was “under the threat of a foreign force” (Article 16 of the Act). Chen asserted that Beijing’s military threats meant he had the authority under this clause to call for a vote.

⁵ This reduction in size was adopted at the behest of political reform advocates who thought having fewer legislators would improve the overall quality of representation and increase accountability.

three to four years. The system used to elect the legislature was also changed: 73 seats would be filled from single-member districts using simple plurality rule; 34 seats via a second party list ballot using proportional representation; and six seats by indigenous voters in two nation-wide indigenous constituencies.

Shortly after, the first of several scandals engulfed the Chen presidency: he and several family members and aides were accused of embezzlement, insider trading, and improper use of diplomatic expense accounts. The former DPP chairman Shih Ming-teh led huge street protests calling for Chen's resignation, and the Pan-Blue opposition began impeachment proceedings in the legislature. President Chen refused to resign and retained enough support among Pan-Green legislators to block the impeachment attempt, but the scandals badly hurt the ruling party.

Dragged down by Chen's unpopularity and infighting between moderates and fundamentalists, the DPP's candidates fared very poorly in the 2008 elections. The former Taipei mayor Ma Ying-jeou (馬英九) won over 58 percent of the votes for president, and the KMT captured almost three-quarters of the seats in the legislature under the new electoral system. The Chen era ended with the DPP defeated, divided, and demoralized, while the KMT appeared as dominant as at any point in the democratic era.

The Ma Ying-jeou Era

Ma Ying-jeou's inauguration marked Taiwan's second peaceful transfer of power. President Ma began his first term with a clear mandate to improve cross-Strait relations, and this became his administration's top priority. Beijing reciprocated his eagerness to work together, and within days of taking office Ma's representatives were in talks with their PRC counterparts about improving cross-Strait transportation and tourism. By the end of the year commercial flights to PRC cities and mainland tourist visits to Taiwan had been introduced, and these steps were followed by the establishment of direct sea transport and postal links. The PRC side also began to encourage its state-owned enterprises to purchase Taiwanese agricultural products ranging from fruit to tea to milkfish, contributing to rapid price appreciation of these niche exports. The Ma administration followed up on this "early harvest" of economic benefits with the adoption of the Economic Cross-Strait Framework (ECFA) agreement in the summer of 2010. ECFA laid out a legal framework for further negotiations, which eventually came to include cooperation agreements on intellectual

property rights, medical and health affairs, nuclear power safety, investment guarantees, customs inspections, meteorological and seismic monitoring, and aviation safety.

President Ma's other priority was the domestic economy. He argued during the campaign that the ideological divisions and cross-Strait hostility of the Chen Shui-bian era were a serious drag on Taiwan's growth potential, and he pledged to reinvigorate the economy by reducing these tensions and liberalizing economic regulations and the banking system. Unfortunately, Ma's first year in office also coincided with the start of the Global Financial Crisis (GFC), and his original economic goals were quickly overtaken by events outside his control. Taiwan was hit hard by the recession in the United States, its primary export market, and the economy contracted for five consecutive quarters. The Ma administration attempted to soften the blow of the GFC by lowering business, inheritance, and stock transaction taxes. This approach contributed to a rapid economic rebound starting in 2010, but it also exacerbated a widening wealth and income gap in Taiwan and rising economic dependence on the Chinese mainland.

For its part, the DPP recovered quickly from its defeats in 2008 thanks to the selection of Tsai Ing-wen (蔡英文) as party chairwoman. Tsai had joined the DPP only four years before, and she had little public profile and no power base within the party. But her outsider status proved a significant advantage: she represented a clean break with the past, and she emerged as a compromise candidate acceptable to all the major DPP factions. Under her leadership, the DPP won several legislative by-elections in a row and obtained more votes than the KMT did in local elections in 2009-10. The party went into the 2012 election campaign in a competitive position with Tsai as its nominee for president.

Despite the major changes in cross-Strait relations that occurred during President Ma's first term, the 2012 presidential campaign focused as much on domestic issues as on China. Tsai chose to play down differences with Ma over cross-Strait relations, instead embracing the cross-Strait "status quo" and even acknowledging that ECFA and other agreements could in principle provide benefits for Taiwan. The DPP instead emphasized concerns about rising economic inequality and an inadequate social welfare net, while still pledging to provide a greater degree of oversight of cross-Strait agreements. President Ma also faced a challenge from James Soong, who qualified for the presidential race as an independent and threatened once again to pull crucial Pan-Blue votes away from the KMT ticket. In the end, however, Ma prevailed, winning 52-45 percent over Tsai, while Soong won less than three percent of the vote. In the legislative elections held at the same

time, the KMT maintained control of the legislature with a reduced majority of 64 seats; the DPP continued its recovery from 2008 by winning 40, and both the PFP and TSU won enough party list votes to return to the legislature after being shut out in 2008.

In his second term, President Ma attempted to continue the project of cross-Strait rapprochement and economic integration, but his administration ran into a rising tide of domestic opposition. Resistance to further cross-Strait integration came to a head with the signing of the Cross-Strait Services Trade Agreement (CSSTA) in June 2013. Unlike most of the previous agreements, the CSSTA required significant concessions from the Taiwan side that included opening sensitive sectors such as the publishing industry to PRC investment. This agreement was also signed only a year after the new PRC leader Xi Jinping (習近平) had taken power; under Xi, Beijing had already started to increase censorship and control of the internet, crack down on civil society activists, extend party oversight of private businesses and commercial media, and expand the security apparatus. At the same time, President Ma's own public approval had dropped to under 20 percent, and civil society activists were raising concerns about the threat to Taiwan's democracy of PRC influence over Taiwanese media, politicians, and businesses. Responding to these worries, the KMT-controlled legislature changed the terms of the CSSTA's ratification to require a lengthy item-by-item review and public vote.

When this review was finally completed in March 2014, an attempt to advance the agreement to a floor vote triggered a student-led occupation of the legislature – an event that became known as the Sunflower Movement (*taiyanghua yundong* 太陽花運動). For more than three weeks, the protestors halted all legislative activity, attracted widespread media coverage, and demanded that the CSSTA be withdrawn before they would leave the premises. The Ma administration threatened to send in riot police to remove the protestors but backed down after the KMT speaker of the legislature Wang Jin-pyng (王金平) objected. After a 24-day standoff, Speaker Wang negotiated the exit of the protestors by guaranteeing that the CSSTA would not be brought up again for a vote until legislation was passed to strengthen oversight of cross-Strait negotiations.

The Sunflower Movement effectively ended further cross-Strait initiatives. By the time the combined 9-in-1 local elections were held in November 2014, the ruling KMT was extremely unpopular, and its candidates lost all but one special municipality and retained only 6 of 22 local governments. President Ma ended up as a lame duck for much of his last two years in office. Although he managed one final political achievement when he and Xi Jinping met in Singapore in

December 2015 – the first-ever in-person meeting of leaders from the two sides – this event did not help the KMT avert another sweeping defeat in the next elections. In January 2016, Tsai Ing-wen was elected president with 56 percent of the vote over the KMT nominee Eric Chu (朱立倫) and the PFP’s James Soong. In the concurrent legislative elections, the DPP won a majority for the first time, while the New Power Party (NPP 時代力量), a successor to the Sunflower Movement, won five seats.

The Tsai Ing-wen Era

The transfer of power from Ma Ying-jeou to Tsai Ing-wen was another milestone in the maturation of Taiwan’s democracy. Over the previous eight years, Tsai had emerged as the dominant figure within the DPP, and she moderated its reputation as a pro-independence party by embracing the cross-Strait status quo and the Republic of China constitutional framework. As president, she stuck with this moderate approach even after Beijing called her inauguration speech an “incomplete test sheet,” cut off cross-Strait communication, and ramped up diplomatic, economic and military pressure on Taiwan. President Tsai also pursued an ambitious domestic agenda that included making it easier to hold referendums and recalls, investigating “ill-gotten” KMT party assets, establishing a transitional justice commission, reforming the civil servant pension system, introducing lay judges to the judiciary, legalizing same-sex marriage, strengthening labor laws, and phasing out nuclear energy.

Nevertheless, the coalition that had supported Tsai Ing-wen in 2016 was complex and unified only by its antipathy for Ma and the KMT, and on many issues President Tsai moved hesitantly lest she divide her support base. For instance, on labor rights, the Tsai administration first strengthened overtime and rest day requirements, then watered them down after business groups objected, which left both pro-labor and pro-business members of the party frustrated and disillusioned. The DPP’s energy policies came in for criticism, as repeated blackouts brought unwanted attention to the shortfall in green electricity generation, and serious air pollution episodes highlighted the government’s continued reliance on fossil fuels to make up the difference. And the passage of civil service pension reforms, although probably necessary to keep Taiwan’s finances on a sustainable path, also hurt the interests of core KMT supporters and left them angry and fired up to vote.

By the time of the next local elections in November 2018, the DPP's support had slumped badly, while the KMT's fortunes were revived by the unexpected rise of an obscure former legislator named Han Kuo-yu (韓國瑜). Han was nominated as a sacrificial lamb to run for mayor in Kaohsiung, a traditional DPP stronghold. But his unorthodox, populist-tinged campaign took off, and Pan-Blue supporters turned out in large numbers to support KMT candidates. Han won a shocking upset in the Kaohsiung race, part of a "blue wave" that swept the KMT back into power across much of the island just two years after its comprehensive defeat in 2016.

Han's emergence as the new face of the KMT positioned him as the frontrunner for the party's presidential nomination, and for a brief time he appeared like he could win in 2020 while Tsai Ing-wen's path to reelection looked precarious. But Tsai turned around her fortunes thanks to three critical events. First, in January 2019, Xi Jinping gave the first speech of his tenure explicitly on the "Taiwan issue." In his "Message to Taiwan Compatriots," Xi offered no new policies or promises to Taiwanese and instead reiterated Beijing's opposition to independence, insisted that Taiwan would inevitably be "reunified" with the mainland under Chinese Communist Party (CCP) rule, and refused to renounce the use of military force to achieve that goal. Xi's remarks provided a political opening for Tsai, and she quickly issued a rebuttal that denounced the PRC's pressure tactics and rejected Xi's assertion that a Hong Kong-style "one country two systems" model was the only option for Taiwan's future. Tsai's firm response gave her a significant bump in the polls, and it also shifted public attention toward cross-Strait relations and away from the messy domestic challenges that had bogged down her government.

Second, in March 2019 Tsai's former premier William Lai (賴清德) launched a surprise challenge for the DPP's presidential nomination. Tsai responded by rallying her supporters and mounting a vigorous defense of her record, and by the time the party held its polling primary in June, she had thoroughly outmaneuvered Lai to secure the nomination. Lai accepted his loss and pledged to support Tsai in the general election, eventually joining the ticket as her running mate.

Third, in June 2019, huge protests in Hong Kong erupted against a proposed extradition law that posed a threat to the territory's autonomy under the One Country Two Systems model. As millions of demonstrators gathered in the streets, the KMT's nominee Han responded by playing down the protests or feigning ignorance about what was happening there, while Tsai and the DPP called attention to them and argued that Taiwan's future would be no different from Hong Kong's present if Beijing had its way.

The 2020 election campaign was one of the most polarizing in Taiwan's history. It featured unprecedented levels of disinformation and fear of the threat from Beijing, and it presented a stark contrast between Tsai's moderate technocratic background and Han's populist street-fighter language. It also took place against the backdrop of increasingly desperate battles in Hong Kong between protestors and police that dragged on into the fall campaign season. In the end, the KMT base turned out and voted overwhelmingly for Han, but almost everyone else voted for Tsai, and she won re-election with a record 8.17 million votes, or about 57 percent to Han's 39 percent. Tsai's victory represented a remarkable turnaround in her political fortunes and positioned her well for a second term, while the KMT was left divided and searching for a new path forward (Templeman 2020).

Just days after the election, Taiwan's public health authorities activated their emergency protocols in response to a mysterious virus reported in mainland China that turned out to be the start of the COVID-19 global pandemic. In rapid succession, the government set up its Central Epidemiology Command Center (CECC), imposed a travel ban on PRC visitors, and implemented strict quarantine and contact tracing requirements that prevented domestic transmission of COVID for over a year. Taiwan's response to the pandemic provided an impressive demonstration of its state capacity and social solidarity, in contrast to the shambolic response of many other governments. However, in the spring of 2021 a domestic outbreak led to a surge in demand for the first generation of vaccines, which Taiwan's health authorities had struggled to procure in a global bidding war. The shortages led to intense criticism of the Tsai government which eventually died down as new supplies were acquired through purchases and donations from the United States and Japan (Yen and Liu 2022).

The Tsai era ended with both a robust demonstration of Taiwan's democratic bona fides and new questions about the future of its party system. The 2024 presidential election featured a competitive three-way race between the vice president William Lai of the DPP, the New Taipei mayor Hou Yu-ih (侯友宜) of the KMT, and the former Taipei mayor Ko Wen-je (柯文哲) of the centrist Taiwan People's Party (TPP), which Ko had founded in the run-up to the 2020 elections. Although Lai won an unprecedented third term for the DPP, he received only 40 percent of the vote, while Hou came in second with 33.5 percent and Ko captured 26.5 percent. In the legislative elections, no party won a majority: the KMT won 52 seats plus two blue-leaning independents, the DPP secured 51, and the TPP received 8 (all via the party list vote). Ko's campaign played down

cross-Strait relations in favor of economic and quality of life issues, and his impressive performance for a first-time candidate – polls showed he did especially well among voters under 40 – was a warning sign for both the KMT and DPP. In addition, for the first time since the Chen era, the president does not enjoy a majority of his own party in the legislature and has to negotiate with the opposition parties to pass new legislation.

Conclusion

Taiwan's long, gradual political transition has resulted in a distinct set of strengths and weaknesses that continue to shape the quality of its democracy. It is today a relatively liberal democracy: there is now broad respect for the full array of political rights, including freedoms of speech and assembly, the right to start new political parties, to organize and demonstrate for political goals, and to campaign for office unhindered. Its media environment remains the freest in Asia. It enjoys a robust civil society and a feisty and critical academic sector. And it stands out globally for its colorful party politics and fiercely contested elections.

Some aspects of the democratic regime still fall short of global best standards. Reform of the judiciary has lagged behind progress in other areas. The main check on the executive branch comes from the legislature, not the judiciary or Control Yuan, and legislators are in turn motivated primarily by partisan rather than institutional interests. When the same party controls both branches, as was true from 2008-2024, horizontal accountability has been weak. Taiwan has also not been immune to angry populist anti-incumbent and anti-party movements that have beset liberal democracies around the world in recent years. Its political institutions have been strained by challenges from the left in the form of the Sunflower Movement and the right in the form of Han Kuo-yu, and by the rising threat posed by the PRC as well.

Nevertheless, Taiwan's political institutions have not failed. In contrast to much of the rest of the world, liberal democracy in Taiwan appears to have deepened since the 2000 handover of power. It has been built atop a solid social and economic foundation. Its state capacity remains high, and its level of inequality, while greater than in the past, is still relatively low. It has a vibrant civil society, a well-educated population, and an advanced economy well-integrated with the rest of the world. These strengths have helped Taiwan to evolve into one of the most robust and resilient democracies in the world today.

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