

Democratic liberty is fundamental

Written by Michael Danielsen
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As one of the signatories of the open letter to President Ma Ying-jeou (馬英九) (“An open letter to Taiwan’s president,” Nov. 13, 2009, page 8), I would like to respond to the article by Government Information Office Minister Su Jun-pin (蘇俊平) (“Taiwan’s political liberties not eroded,” Jan. 26, page 8). I identify a sign of progress in the letter: He states that the government will give “due attention to possible flaws in our judicial system” and continued by stating that it will “keep pushing forward on these fronts.”

I look forward to actual steps that go beyond mere words. Civil liberties are fundamental to democratic nations because they protect the rights and freedoms of its citizens and put limits on governments.

Actions are warranted.

Freedom House’s -downgrading of Taiwan’s ranking in terms of civil liberties from 1 to 2 this year signals that the nation is going in the wrong direction, and it is worrisome. I hope Su’s mentioning only of the positive developments in Taiwan’s legal system over the last two decades and avoidance of further comment on what has happened over the last two years — according to Freedom House — is not a sign of self-deception or an argument for avoiding concrete action.

In its report, Freedom House refers to violations of the rights of defendants in criminal cases and other new restrictions on freedom of expression and news freedom. In addition, Jerome Cohen and Chen Yu-jie (陳宇捷) stated in the South China -Morning Post on Jan. 20 that now “it [the government] is trying to introduce legislation to punish ‘obstructions of justice’ that will inevitably restrict defense lawyers’ activities.”

Thus, using history over the last two decades to showcase Taiwan’s democratic development is deceptive.

Su seems to have a different understanding of democratic involvement than others. Based on his words, cross-strait relations are only important to the legislature if they are related to law, and the public should only have involvement between elections via the media. However, the agreements involving China and Taiwan deal with the key issue of Taiwan’s future and its existence as a free and democratic nation, and for that reason the agreements are always important to the legislature and the public because of tensions with China and that country’s obvious threats to Taiwan.

During negotiation of agreements that fundamentally affect cross-strait relations, the legislature should be involved directly though a bipartisan committee instead of, as appears to be the case, acting as a rubberstamp parliament that is informed of, but not involved in, the decision-making process.

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Taiwan has much to gain through the increased involvement of all parties, including civil society, in cross-strait negotiations. Such a dialogue is essential if there is to be a broad consensus in Taiwan regarding relations with China.

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