Media outlets are ablaze with accusations by the New Party that the Democratic Progressive Party (DPP) orchestrated a “heavy-handed” 6:30am search of the apartments of four of its members.

Investigation Bureau officers on Tuesday raided the homes of New Party spokesman Wang Ping-chung (□□□) and members Hou Han-ting (□□□), Lin Ming-cheng (□□□) and Chen Ssu-chun (□□□), confiscating documents and devices, and taking them in for questioning.

The reason was for allegedly collecting and providing intelligence to the Chinese Communist Party in violation of the National Security Act (□□□□□). Some are even suggesting that the raid indicates a return to the White Terror era from 1947 to 1987 during the Chinese Nationalist Party’s (KMT) authoritarian regime.

Those people are getting ahead of themselves.

Media reports are questioning the proportionality of the raid and suggesting that the DPP is abusing its power, because the New Party is small, much reduced from its peak. It has no representation in the Legislative Yuan and only has two Taipei city councilors.

Article 2.1 of the act prohibits people from “carrying on detection, collection, consignation or delivery of any confidential documents, photographs, information or articles, or developing an organization for official use of a foreign country or mainland China, for its militaries, party duties or other official organizations.”

Commentators are asking what access the New Party members would have had to important confidential information and how they could have passed it on.

The four were arrested in connection with an espionage case involving alleged Chinese spy Zhou Hongxu (□□□), who has sufficient evidence stacked against him to prove he violated the act, prosecutors say.

Whether the raid was justified or proportionate depends on the nature of the investigation and what the bureau already knows. This is information to which the public is not privy.

Other objections are that the officers forced their way into Wang's apartment and that his lawyer was kept outside the room during the search, even though Wang was neither a defendant nor a suspect, while some are questioning whether the officers were guilty of procedural violations.

First, according to reports, Wang refused the officers entry for 40 minutes.

Article 132 of the Code of Criminal Procedure (□□□□□) says: "If a search is resisted, force may be used, but such force may not be excessive."

Second, according to Article 144, paragraph 2 of the code: "In executing the search or seizure, the premises subject to search may be closed to public and ... any person other than the accused, suspect or a third person ... may be prohibited to enter the premises."

According to these passages, it could be argued that procedure was followed.

China's Taiwan Affairs Office spokesman An Fengshan (□□□) on Tuesday released a statement, saying that "as everyone knows," the New Party is a staunch advocate of the "one China" principle and an opponent of Taiwanese independence, and is promoting the peaceful development of cross-strait relations.

He then accused the "Taiwan authorities" of protecting "secessionist" forces and of using "all manner of tricks" to "wantonly suppress and intimidate" advocates of cross-strait peace.

Talk about the pot calling the kettle black.

The New Party seems to have a loyal friend in the office. Perhaps there is more to the allegations than meets the eye.

In addition, if the New Party is so concerned about abuses of power, it might want to be careful what it wishes for.

In a vibrant democracy, it is appropriate that questions are asked and that the government is held to a high standard of oversight — but the White Terror era this is not.

Source: Taipei Times - Editorials 2017/12/21