

Unlike authoritarian China, which does not want its citizens to have their voices heard, Taiwan has adopted referendums, which not only allow the public to make its views known, but are also an essential mechanism to consolidate democracy.

Referendum results carry weight. However, for Taiwan, being a young democracy, the process of petitioning for referendums is just as important to deepening its democracy. The fairness of the bottom-up process of public participation in direct democracy on matters of national importance must be ensured. It cannot be allowed to be manipulated to obtain certain outcomes.

The Central Election Commission (CEC) must hold its ground and proceed stringently in accordance with the law as it reconvenes today to decide whether it will file a criminal complaint against the Chinese Nationalist Party (KMT) for alleged forgery of signatures on referendum petitions and whether to hold the proposed referendums alongside the nine-in-one elections on Nov. 24.

After combing through 497,193 petition forms that the KMT submitted to request a referendum about reducing air pollution, the commission said that 2.38 percent, or 11,849 signatures, were found to belong to people who had passed away before the signature drive began.

CEC Chairman Chen In-chin (陳錦祥) has also said that 60 percent of the handwriting on three KMT referendum petitions appeared to be identical.

The astounding number of irregularities on the petition forms submitted by the KMT suggests that the party is interested only in numbers games, and lacks understanding and respect for the public's exercise of its referendum rights.

Article 12 of the Referendum Act (公職人員選舉罷免法) stipulates that “the petitioner should in person complete column by column in the specified format with the signature or seal, the ID card number and the permanent address affixed,” while Article 35 states: “Anyone who encumbers others’ raising, relinquishing, jointly signing or voting on a proposal of referendum, or makes others raise, relinquish, jointly sign or vote on a proposal of referendum by violation,

Election commission must not waver

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intimidation or other illegal methods shall be condemned to fixed-term imprisonment of not more than five years.”

Article 13 of the Referendum Act and Article 241 of the Code of Criminal Procedure (刑法) also clearly state what government agencies and officials should do upon encountering suspicious matters or irregularities.

If the commission is serious about the public’s exercise of its rights and respect for democracy, it must not waver in its stance today. It cannot adopt a more lenient approach in the face of the brazen and absurd actions of the KMT.

The fundamental spirit of referendums is about allowing people to exercise their civil rights directly, make up for inadequacies in the government and help decide policies.

Failure to uphold the spirit of democracy on the part of the commission would set a bad precedent.

By accepting these kinds of irregularities, the commission would not only risk hurting its credibility and fostering distorted views among some members of the public about the purpose of holding referendums, but, most importantly, it would erode the meaning of democracy and make Taiwan an international laughing stock.

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