

The nation is on a dangerous path toward a return to authoritarian rule given the precipitous erosion of freedom and personal rights under the Chinese Nationalist Party (KMT) government led by President Ma Ying-jeou (馬英九), academics and civil liberty groups said on Tuesday.

Taiwan Association for Human Rights (TAHR) chairman Chiu Hsien-chih (邱顯生) said there are more crackdowns and violence by the state apparatus against civilians these days, a clear indication that democracy and human rights protections are sliding backward.

He was speaking at an event to commemorate the 27th anniversary of the end of Martial Law, which was imposed by Chiang Kai-shek's (蔣介石) KMT regime in 1949.

"TAHR was founded 30 years ago to counter the state violence practiced by the KMT at the time. But now, after six years of Ma Ying-jeou's rule, we see the police and security forces are increasingly using Martial Law-era tactics against people. They use water cannons, truncheons and other weapons against protesters in peaceful demonstrations," Chiu said.

He said police action of today "makes us feel like we are back in the Martial Law years."

Chiu said some progress has been made, citing court decisions, including a case in which residents opposed a windmill project in Miaoli County and a case of a protester throwing a shoe toward Miaoli County Commissioner Liu Cheng-hung (劉成雄).

He said the court ruling in these cases conformed more to the expectations of democratic values and protection of personal liberty.

"This shows that under our society's enhanced understanding and education of the judicial process, the judiciary system is making strides to reflect society's democratic principles," Chiu said.

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Wu Ching-chin (吳景欽), law professor at Aletheia University in New Taipei City, said Ma is duplicitous with the public.

“Ma said his government approved two important international conventions — the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic, Social and Cultural Rights (ICESCR),” Wu said. “Yet when we look what is happening and examine the actual implementation, Ma is continually violating these two conventions.”

Ma invited experts for a conference on Taiwan’s human rights and its reporting mechanism, and the international panel asked that the government supply information on wiretapping, Wu said.

“At that time, the government said there was no problem,” Wu said. “But a few months later, in September, the big wiretapping scandal broke involving Ma and [former prosecutor-general] Huang Shih-ming (黃世明) with illegal phone surveillance of legislators and top-ranked politicians.”

“The case showed the extensive abuse of power by Huang and the judiciary in carrying out illegal wiretapping and surveillance activities,” Wu said. “International experts also asked the Ma government to provide evidence that it followed due process of law, and upheld the integrity of judicial investigation. But the Ministry of Justice responded by saying Taiwan already has laws and regulations covering it, while refusing to provide any evidence of implementation and meting out disciplinary measures.”

Lee Shiao-feng (李筱峰), a professor at National Taipei University of Education’s Graduate School of Taiwanese Culture, said Taiwan’s democratic transition was led by waves of civil liberty and rights movements, which forced the government to make changes.

“[Former president] Chiang Ching-kuo (蔣經國) had the frame of mind to go with the change. [Former president] Lee Teng-hui (李登輝) had the personality to foster democratic transition. In the end, they spurred on Taiwan’s democratic evolution and abolishment of martial law,” Lee said. “However, Ma Ying-jeou’s personality and state of mind are very much for authoritarian rule and opposed to democratic values. In 1987, Ma was startled when he learned Chiang was going to lift martial law.”

## Ma returning nation to Martial Law era: academics

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“Through the political evolution of the past decades, Ma held steadfast positions against democracy, whether it was the legislative change to democratic representation or the change allowing citizens to vote directly for a president,” Lee Shiao-feng said.

He said Ma surrounds himself with an inner circle of KMT politicians who were the privileged elites of power and money during the Martial Law years, but those people played with and bent the rules during the democratic transition to make gains following the end of martial law.

“Ma and these political elites are involved in voracious power grabbing. Without any mechanism for checks and balances, they are concentrating political power, governmental control and special business privileges within this small group of elites,” Lee Shiao-feng said. “They are strongly holding on to their control of this nation. People must see through this and stop it from happening. When all citizens have awoken and take action, only then can we dismantle this elite group.”

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