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**The Sunflower Movement and the Political Status of Taiwan**

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# The Sunflower Movement and the Political Status of Taiwan

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As reported by the Central News Agency Taiwan on April 16th 2013, Jiang Yi-huah, Chief of Legislative Yuan, stated that Taiwan had found itself in economic hardship for quite a long time. “Tedium” can be the word to describe how industries and people feel about the economy. However, tedium is too superficial to depict the political status of Taiwan, as the structural inconsistency underneath kept accumulating. The Sunflower Movement which erupted on March 18th, 2014 was not only a stand-alone protest against entering into the Cross-Strait Service Trade Agreement (CSSTA) with Mainland China, nor was it only a political struggle between Ma Ying-jeou and Wang Jin-pyng, but the ultimate outbreak of accumulated political conflicts in Taiwan. A profound analysis of the Sunflower Movement may help to better understand the structural issues faced by Taiwan.

## 1. General Situation of the Sunflower Movement

### *1.1 The dispute on CSSTA as the immediate cause of the Sunflower Movement*

The fifth Chen-Chiang summit was held in Chongqing on June 29<sup>th</sup>, 2010. The Cross-Straits Economic Cooperation Committee was then set up on January 6th, 2011, and the first meeting was held in Zhongli, Taiwan, in February, officially launching negotiations on the four follow-up treaties of ECFA concerning goods trade, services trade, investment security and dispute settlement. On June 21st, 2013, the Association for Relations Across the Taiwan Straits (ARATS) and Taiwan's Straits Exchange Foundation (SEF) held their 9th meeting in Shanghai and signed the Cross-Strait Service Trade Agreement, which, according to the Act Governing Relations between the People of the Taiwan Area and the Mainland Area, should be submitted to the Legislative Yuan by the Executive Yuan for the record rather than for examination. Nevertheless, under the pressure of the KMT, the Legislative Yuan carried out a consultative discussion among political parties and concluded on June 25th that 1) the CSSTA shall be examined and voted on by Legislative Yuan item by item; 2) special agreements shall be examined and voted on item by item rather than as a whole; 3) the CSSTA shall not take effect without being examined and passed by Legislative Yuan.

On June 27th, therefore, the Executive Yuan submitted CSSTA to the Legislative Yuan. The latter carried out a second consultative discussion among political parties on August 5th and decided that, only after the Internal Affairs Committee convenes 16 more public hearings attended by industrial and labor union representatives, can the procedure of substantial examination get started. On



March 10th, 2014, the 16th public hearing was convened, and two days later on the 12th, the Internal Affairs Committee called a joint conference to inspect CSSTA item by item. On March 17th, legislator Chang Ching-chung passed CSSTA in an extremely short legislative session of only 30 seconds, announcing that it had been submitted to the Legislative Yuan for record and examination. The next evening, civic groups and students who were opposed to such a “black box” operation broke into the building of the Legislative Yuan.

### *1.2 The full story of the Movement*

During the joint conference of Internal Affairs Committee on March 17th, 2014, Legislator Chang Ching-chung’s hasty announcement of CSSTA being submitted for examination triggered strong opposition of a group of university students. They started a protest outside the Legislative Yuan building on the 18th in the name of defending democracy. Over 400 students broke through the police blockade and occupied the conference hall. Within 26 hours, up to 10 thousand citizens, most of them students, gathered outside the Legislative Yuan in support of the action. In the evening of March 23rd, another group of protesters rushed into the Executive Yuan building nearby, but was evacuated by the police by force. On March 30th, hundreds of thousands of protesters, all dressed in black, flocked onto Ketagalan Blv in Taipei for a sit-in protest and a parade.

After occupying the Legislative Yuan, the protesting students requested that CSSTA should be re-examined, and further required it to be returned. They also demanded to suspend any agreement with Mainland China, to hold a civil constitutional convention, and that legislation should be implemented to oversee any future agreement between Taipei and Beijing.

Meanwhile, Ma Ying-jeou decided to call a Cross-Yuan Coordination Conference attended by Vice President Wu Den-yih, Premier Jiang Yi-huah and Wang Jin-pyng, President of the Legislative Yuan. Wang, however, declined the invitation and refused to deploy police force to evacuate protesting students. He stressed that the impasse should be resolved by talks and negotiations among all political parties. On April 6th, he visited the students in the Legislative Yuan conference hall and promised that no coordination conference would be called before the draft of Cross-Strait Agreement Supervision Regulations was legislated. The next day protesters announced that they will end occupation of the building at 6pm on 10th. It was the first time in Taiwan’s history that the Legislative Yuan was occupied by civilians during a social movement.

### *1.3 The aftermath of Sunflower Movement*

During the occupation of the Legislative Yuan, the students made several requests such as to formulate Cross-Strait Agreement Supervision Regulations. In reply to



those demands and in order to enhance public engagement as well as to expand congressional oversight on cross-strait agreements, all sectors of society proposed eight versions of drafts. Students insisted that Regulations be formulated first and then be implemented to examine CSSTA. On March 28th, a KMT group held a press conference stating that the group had enacted a supervision procedure composed by four steps, but if the wider community considered legislation of such procedure necessary, the group would not rule out the possibility of incorporating it into the legal system or making adjustments to existing laws. The KMT group would respect the Executive Yuan's proposal to amend current legislation, but examination of CSSTA and formulation of the Regulations should be executed at the same time. At the international press conference on the next day, Ma Ying-jeou indicated that he had promised to push legislators of all political parties to accelerate the legislation of Supervision Regulations. Any to-be-signed agreement between Taipei and Beijing or those signed but not yet submitted fall in the scope of the regulation mechanism, while those signed and submitted could be supervised at the same time, in prevention of turning them back to public hearing or project reporting. On March 31st, the DPP's Legislative Yuan caucus advocated that the current session should only discuss legislation rather than examination in parallel, which means that CSSTA should be examined after the Regulations is amended and legislated. President Ma further indicated that the government supported legislation of the Regulation and hoped that the Legislative Yuan would finish it by the end of the current session. On April 1st, Lin Feifan and Chen Weiting, student representatives of the Sunflower Movement, said that since the two parties had reached agreement on legislation of the Regulations, they welcomed the Taiwan Mainland Affairs Council to put forward proposals and called for speedy submission of those drafts as promised by Ma Ying-jeou.

## 2. Deep Trouble of Taiwan Politics Exposed by Sunflower Movement

The Sunflower Movement broke a number of records of Taiwanese social movements. It was the first time that civilians had broken into the Executive Yuan and had occupied the Legislative Yuan for a significant period of time. The Movement is the dire consequence of accumulated political structural conflicts in Taiwan coming to an ultimate outburst.

### *2.1 Vague lines of power and accountability between executive and legislative bodies*

Frequent revisions of the constitution in the 90s severely breached the political order in Taiwan in the first place. They resulted in a fragile political underpinning of constitutional democracy and heightened conflicts between Executive Yuan and



Legislation Yuan. In the current system, the Premier is appointed by the President under no supervision from the Legislative Yuan, only responsible to the President, resulting in serious inadequacy of oversight from the Legislative Yuan. Conflicts between the two major government bodies are therefore unavoidable. One of the immediate causes of the Sunflower Movement is the common concern among citizens over the administrative procedure to approve CSSTA, who urge for stronger legislative supervision over all cross-strait agreements.

Secondly, the political struggle between Ma Ying-jeou and Wang Jing-pyng within the KMT aggravated the conflicts between executive and legislature bodies. It's not difficult to pass CSSTA in KMT-dominated Legislative Yuan. As a matter of fact, even if the building were occupied by citizens, President of Legislative Yuan had the power to deploy police forces to evict the protesters.

Given that Ma and Wang had been at outs with each other for a long time, and that Ma's failure in expelling Wang from the KMT for alleged information leaks in 2013 even intensified their deep-rooted conflict, Wang not only ignored Ma's opinion but also took an opposite position by blaming Ma for paralyzing the Legislative Yuan, in the hope that the Sunflower Movement might repress Ma politically. Furthermore, if Ma should fail in 7-in-1 elections and thus resigns as KMT Chairman because of his inadequate handling of the Movement, Wang would be in a good shape to keep his current political status.

## *2.2 Plight caused by Political Consultation Mechanism*

Since the DPP took very few seats in the Legislative Yuan after the election in 1992, substantial balance of power was hardly in place. This was why the DPP had to fight with fierce confrontation to force the KMT to compromise. The KMT, the single dominant ruling party, understands clearly that an increasingly autonomous Legislative Yuan will not tolerate its arbitrary practices any longer. Only through negotiation with DPP and other opposition forces can the KMT have any regulation to be adopted smoothly. An unofficial negotiation mechanism between the ruling and opposition parties was then gradually set up. In 1995, after Legislators of the Third Session was elected, Liu Sung-pan, then President of the Legislative Yuan, initiated reforms within the bureau and officially legislated the party caucus negotiation policy. Although gradually normalized, the mechanism developed a number of deficiencies due to the lack of external supervision. The two parties shielded themselves from the public to exchange power for interest, and party caucus negotiation was then turned into chamber politics.

The drawbacks of the negotiation mechanism become more obvious day by day. First of all, lacking in transparency and external supervision enabled the two parties to practice chamber politics in the name of party caucus negotiation. Secondly, the power of various committees under the Legislative Yuan has been



overwhelmed by the mechanism. Proposals or budgets passed in the first reading will, in many cases, be re-examined during negotiation, legislation is therefore significantly compromised. Thirdly, the DPP is constantly turning its back on negotiations, and other minority parties frequently threaten to withdraw from signing agreements or even hold passed acts hostage, granting veto power to the “mini party group” formed by the DPP and Taiwan Solidarity Union. Under these circumstances, the majority KMT become powerless. From party caucus negotiation to chamber politics, what a downright convenience for those with vested interests to wheel political deals with those in power.

### *2.3 Structural difficulty faced by Taiwan's economy*

From an economic development prospective, early success of Taiwan's economy was attributed to its export-oriented development model, a huge globalized market dominated by western economies, and its core competencies such as cheap and primary labor force. Taiwan's economy not only took off but also soared up high for the following 30 years. The current difficulties that Taiwan faces, however, are caused by structural changes. First, Mainland China is rapidly emerging to replace the two major labor forces that Taiwan boasted of, while the latter failed to come up with any new core competencies. Second, misguided education policies have led to a large low-end labor force trained by universities and colleges, who are incompetent for high-tech creative industries or traditional high-end manufacturing. It is hard for young people to find employment or to get a salary raise. Third, Taiwan missed huge opportunities during Mainland China's transition to market economy since 1979, when very few Taiwan companies escaped the political barriers and managed to benefit from the opportunities. Established in the 90s, ARATS and SEF started trade and investment exchanges under a legal framework, when economic strengths of Beijing and Taipei were comparable. Largely broadening and accelerating economic integration was supposed to be significantly beneficial to optimizing resource allocation between the two sides. Around the year 1995, the idea of establishing an Asia-Pacific Regional Operations Center offered the best win-win solution. Sadly though, Beijing had its own concerns and Taipei's “Restraining Hasty Economic Interactions with China” policy proved to be the biggest obstacle to seize the golden opportunity before it was too late.

Young people suffered the most during economic difficulties. A survey performed by *China Times*, one of the four biggest newspapers in Taiwan, indicated that up to 79.74% of Taiwan youngsters worried most about “low income”, while 69.08% of them ranked “high housing prices” as their top concern. Moreover, 34.93% of the interviewees saw unemployment as a big issue, the causes of which being “ineffective government” (34.41%) and “policies



excessively fall for China” (24.45%). The survey also showed that 62.9% and 61.5% of youngsters felt “hopeless” and “extremely hopeless” as they believed their lives would be even worse off than their parents’. The data probably revealed the root cause of the Sunflower Movement, and anti-CSSTA protest was merely a channel to vent their anxiety.

### 3. Underlying Reasons of Difficulties in Taiwan Politics

#### *3.1 Divided understanding of national identity between political parties and citizens*

In democratic countries, various parties that seek to rule, in most cases, differentiate themselves from each other by social class. However, debates between KMT and DPP in Taiwan are usually focused on national identity and cross-strait relations, more confrontational while less cooperative, inevitably harmful to the relations and Taiwan herself. Similarly, divided understanding of national identity between political parties and the people caused the latter to approve of the Sunflower Movement morally, despite its grave breaches.

The underlying reason is that there’re two standards to make a political verdict on controversies, namely, legitimacy and legality. Legitimacy is judged by ethical norms while legality by legal norms. The stability of political and legal status is highly dependent on how legitimacy and legality coincide with each other. The public understanding of national identity has been constantly changing during the course of the social transformation from Taiwanization to democratization over the years, gradually weakening the alignment between legitimacy and legality. After the transformation, the ultimate conflicts in Taiwan politics are upon legitimacy, national identity, and between the Blue and Green Camp. KMT and DPP don’t differentiate from each other by social class, but by their opposite positions on “Unity or Secession”. As Hu Fu, academician of Academia Sinica and renowned scholar in Taiwan commented, “Elections in Taiwan are more of the choice of a country than a government”.

At his April 1st speech, Sunflower Movement student leader Lin Fei-fan asserted that although occupying the Legislative Yuan was illegal, it was legitimate. Student protesters even painted a message on the wall of the Legislative Yuan, “When dictatorship is a fact, revolution is a right”, claiming the legitimacy of the Movement. Ma Ying-jeou, however, had always addressed the issue in the political and legal sphere, only to find himself in a hard situation.



### *3.2 Wide gap between democratic freedom and rule of law*

Samuel P. Huntington pointed out that “Violence and instability are in large part the products of rapid social change and rapid mobilization of new groups into politics coupled with the slow development of political institutions. (...) Instability of most third world countries derives precisely from the failure to meet this condition: equality of political participation is growing much more rapidly than »the art of associating together«”.

During the transition from Taiwanization to democratization, citizens were granted political power to a large extent, but disputes on national identity and inadequacies of the political system caused populism to prevail.

A few features of populism can be identified in the Sunflower Movement: 1) democracy no longer falls in the traditional pattern of majority system, but is taken hostage by those who could mobilize the most people to rally in the streets, which is how the majority is represented in Taiwan; 2) since the system of representation is paralyzed due to a vicious struggle between the Blue and Green Camps, students demand to bypass the system, with no party negotiation or referendum in its way, hand everything over to the government directly and make a law; 3) by electing their own representatives, setting up decision-making bodies, holding constitutional conferences, discussing legitimacy and even proposing act drafts, online communities have replaced political parties and required their own proposals to have equal or even superior priority to the one of the government and the opposition party.

By comparing the Sunflower Movement in Taiwan on March 18<sup>th</sup> 2014 and Occupy Central rehearsal in Hong Kong on the 7<sup>th</sup>, it's obvious that Taiwan is more democratic while Hong Kong boasts a sounder legal system, which is demonstrated by well-behaved Hong Kong students and the police.

### *3.3 Rapid development of cross-strait relationship is inconsistent with structural difficulties of Taiwan politics*

Cross-strait relations have developed in leaps and bounds since 2008. Ten rounds of ARATS-SEF meetings were held and 21 agreements were signed. Great exchange, strong cooperation and rapid development have been the highlights of relations between Beijing and Taipei for the past 6 years. But deep-rooted conflicts accumulated over the 60 years of isolation which are yet to be addressed. Furthermore, rapid development is inconsistent with the structural difficulties of Taiwan politics because it still fails to ease the hostility between the two sides, to identify Taiwan's political position in the world, and to clarify political positioning of either side.

In December 2008, Hu Jintao proposed “Six Points” in an attempt to kick off dialogues on political issues between the two sides. However, Taiwan's authority



constantly avoided this conversation. Kenneth Waltz stated that “[t]he priority of all international political units is their own survival, therefore, they will do all they can to prevent interdependency from reliance that may risk their own independence.” The eruption of the Sunflower Movement “reflected Taiwanese distrust against China mainland, and that the government’s Mainland Policy of ‘Separate Economy from Politics, No Politics Only Economy’ is doomed.”

Additionally, rapidly developing relations have failed to drive economic growth in Taiwan. The reason why the Sunflower Movement received strong social response was that Taiwanese were disappointed by ECFA. Ma Ying-jeou had depicted a vision for future growth based on ECFA, but as time passed by, most Taiwanese felt that the economy is not growing as anticipated, but instead, caught up in real wage decrease, soaring prices and even greater fear over an uncertain future.

Accumulated grievance against Ma’s continental policy and economic development strategy since he took office in 2008 was the reason behind the Sunflower Movement. In other words, the Movement served as a channel to vent people’s dissatisfaction. The people urged the government to adjust its decisions and road maps that they deemed inadequate and incorrect. Moreover, Taiwanese have developed a “Fear China, Resist China” sentiment thanks to Mainland China’s boosting comprehensive national strength, worrying about its rising and political intention as well as their own vulnerable industry in the face of massive invasion by mainland capital. Also, their doubts about the government’s ability to maximize CSSTA’s benefits for Taiwan while minimizing its negative impact by utilizing certain mechanism proved to be another major cause of anti-CSSTA protest.

By analyzing the structural difficulty faced by Taiwan and its underlying root-cause, we can come to the conclusion that it will be impossible for Taiwan’s political situation to be improved fundamentally in the short run, and thus instability will continue. If cross-strait relationship development will help solve the structural conflicts in Taiwan and lead the latter out of plight, the relationship itself will be set in a virtuous circle. Otherwise, Taiwan’s people will blame their sufferings on the relationship which is bound to come to a dead end.