

【城市評論】

〈台南市長賴清德、南投縣長李朝卿、台東縣長黃健庭及副縣長張基義、花蓮縣長傅崑萁、屏東縣副縣長鍾佳濱、嘉義縣長張花冠〉專訪特稿

台灣原住民自治？城市觀點

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自治作為提供解決少數族群要求自決其經濟、社會及文化發展的一種內部自決實現體制設計安排，不但存在有關主權國家的落實意願問題，也存在著如何具體執行該項自治權利的國際監督機制問題。尤其是，自治的體制安排或可解決少數族群的經濟、社會及文化特殊發展需求，但對於涉及該少數族群主張成立其立法行政等自治政府的體系結構安排，以及主張直接投票參與決定其行政及立法機構成員組成的民主政治參與權利的要求上，自治體制在這一方面作為實現內部自決權的可供選擇形式的實質人權保障效力可說仍然缺乏。

儘管國際人權規範揭櫫的民族自決權利所涉及的人民權利爭議尚未獲得真正的解決，然而，關於內部自決（internal self-determination）所內含的政治參與和民主治理權利等要素，卻至少可以從一個連續性的主權概念來予以理解。從「內部主權」（internal sovereignty）的概念來分析，人民內部自決包含了「人民制憲」（pouvoir constituent）、「修憲」（change of constitution），以及「治理和參與」（governance and participation）三個層次的內涵。從「程序規範」（procedural norm）的角度來理解自決與自治，國家有義務以善念來促進

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其人民的自治，並且保證自決的安排一經建立後，決不允許受到國家單方面的撤銷、減損或修改。^① 從人權途徑的分析角度出發，自治權利適用於所有的團體，而不論其是否被認為少數群體或原住民族；同時，自治權利包含了權力分享與民主機制的有效參與要素。^② 對於少數團體的人權保障，若僅僅從每位公民有機會表達其對於政府的期望的意義上來說，則一個可能被認定為民主的過程，未必將產生一個具有代表性的政府，因此，除非憲政架構考量了少數文化的多樣性，否則這樣的文化將無法被有效地代表。

台灣自2010年12月完成縣市合併升格迄今已逾一年，五都升格後所形成的城市區域新格局，對於升格後的城市與仍處相對邊陲的其他城市的不同發展效應日益明顯。不僅升格後的城市必須面臨如何消弭「一個城市，兩個世界」的境內城鄉差距問題，原處邊陲的城市，更需面臨如何從三級城市驟降為四級城市的艱困處境中脫困的難題。台灣政府追隨國際主流人權發展趨勢，亦擘劃國內原住民自治相關政策立法建制，然而，在全球都市化浪潮下的台灣縣市合併所形成的城市發展新賽局中，究竟應如何理解原住民自治目標與其生活實質提升的問題？原住民族在台灣新五都格局的城市化發展路徑中，是否已尋得自身的發展定位？在台灣社會已正式邁入城市多元文化發展、少數族群人權意識抬頭、以及原住民族自治政策浮上議程的年代，如何從人權的角度回應原住民的自治要求，值得城市首長與居民共同審議思量。

「一個幸福的城市，如果沒有奠基於對『人權』的尊重，不能說是一個幸福城

^① Frederik Harhoff, "Palestinian Self-Determination Viewed from A Distance: An International Legal Comparison between Palestinian Self-Government and Greenland's Home Rule," *The Palestine Yearbook of International Law*, vol. 8:66.

^② Lauri Hannikainen, "Self-Determination and Autonomy in International Law," in Markku Suki (ed.), *Autonomy: Applications and Implications* (The Hague: Kluwer Law International), p. 79.

市。齊頭式平等非真平等，財源分配與人口多寡成正比，並未考量地方基本建設需求。」

（台南市長 賴清德，2011/12/05）



相較於新北市、高雄市、台中市，台南市在改制升格為直轄市的過程中最為複雜與艱辛。新北市係由原台北縣改制升格為直轄市，完全沒有縣市合併的問題；而高雄縣市合併升格，則因高雄市原本就是直轄市，既有的直轄市規模與典章制度，讓高雄市的合併過程顯得相對單純；和台南市同樣屬於由縣市合併升格改制的台中市，則為中央屬意，且規劃多時的縣市合併升格案。

台南市以文化歷史首都升格，不僅未獲得任何的優惠補助條例，造成升格有名無實。合併後的大臺南面積為原台南市的12.5倍，台南市立即面臨到組織及員額上的不足以及眾所周知的財政問題。面對此組織的重大變革，台南市首創五都，訂定區長甄選與培訓的創新人才養成政策計畫，透過甄選、培訓、用人三個階段，公正、公平、公開拔擢優秀區政人才，樹立國家人才養成的典範。合併後的台南市，並未因升格而獲得中央更多經費挹注，其預算規模延續原台南縣市相加而得，但許多法定支出反因升格而增加財政負擔。面對嚴峻的財政困境，除籲請中央求儘速完成財政收支劃分法的修正，賦予地方充分的資源外，台南縣透過擲節預算經常性支出，設立「台南市中小企業服務團」單一窗口服務，以及推出「台南市中小企業信用保證火金姑專案」等開源節流方案以之因應。

五都格局形成的城市發展新賽局，在區域發展議題上面臨合作平台運作機制未成熟，以及區域產業分工合作尚未成形的問題。2009年以前，台南與鄰近縣市之互動，僅限於由行政院南部聯合服務中心所舉行的「南部八縣市首長聯繫會議」，以及「台南縣市聯繫會報」，但由於功能不彰，且中央重視程度不足，兩者最後均流於形式。2009年雲嘉南地區在行政院經建會推動區域發展政策下，再為區域合作做出努力，堪稱目前體制上最正式之區域合作機制，但由

於合作機制剛起步，加上中央對區域合作政策始終不明確，導致區域縣市的實質合作尚未真正形成。而更根本的是，存在於區域縣市之間的產業競爭關係深切影響縣市合作意願，對各縣市來說，城市自身發展的需求自然高於區域合作之順位，因此，唯有找到區域縣市共同利益的軸心，才有機會建立區域合作的正向關係。以雲嘉南區域合作平台的運作實例來說，區域間交通運輸聯結、災害聯防（防洪治水），以及農產品共同運銷計畫，係目前屬較容易獲得合作共識之主題。

五都升格最重要的配套法案「財劃法」、「公債法」及「行政區劃法」遲遲未能修訂通過。齊頭式平等非真平等，新版財劃法修正案採公式入法，財源分配與人口多寡成正比，並未考量地方基本建設需求，對屬於鄉村型直轄市的台南市相當不利。中央應對五都升格特別考量，給予專案補助經費，而非齊頭式平等。財劃法修正應公平並考量南部需求。台南市有全國第一大耕地，農民也多在南部，政府訂定政策不能獨厚臺北市及新北市，而忽略公平性及南部需求，未來老農津貼、農保及國民年金保費應比照勞健保納入中央負擔範圍。此外，台南易淹水潛勢地區占全國三分之一，全國急需整治的95條指標水系中，有14條水系位於臺南，惟中央政府治水預算並未按此比例分配，台南市面臨近500億的治水工程經費缺口。五都之中，台南市最為窮困。台南市以文化首都升格，應有相關優惠補助條例以達到升格實質意義，而非反造成台南市負擔愈重。

行政院經建會於98年度開始推動區域發展，將雲嘉南劃為一個區域，但僅補助各區域（各縣市）區域性建設先期規劃經費，無法提供地方政府展開合作之誘因。追根究底仍歸結中央政府截至目前欠缺完整的國土整體規劃全貌，導致區域合作發展政策無具體方向。在發展定位不明情況下，地方區域合作平台亦缺乏推動依據。在各縣市對中央期待一再落空情況下，很難建立有效的互信合作機制。根本之道仍在中央儘速研擬完整的國土規劃，使區域發展有明確方向依據，同時釋放相關法令及權責，鼓勵區域合作平台自行規劃辦理，中央位

居督導角色進行協調或統籌，以落實地方事務由地方主導，讓五都順利扮演區域發展領頭羊角色。

這是一個城市全球對話的年代，在全球化浪潮的帶動下，經濟、政治、社會乃至於文化產生巨大改變，城市的政經發展與社會脈動已跨越行政區域界線。面對全球暖化、環境變遷、城鄉和貧富差距的高風險挑戰，城市治理不再只是單純的國內城市公共事務，城市成爲全球化下的一個基本競爭單元，需要全方位的城市反思、城市經營哲學、城市在地生根與城市品格管理。中央政府政策與資源分配長期重北輕南，許多資源挹注在北、中台灣的發展，忽略南部發展的重要性。國家與城市在公共外交上是密不可分的共同體，城市的領導者與管理者必須能辨識出城市的戰略地位，有效提升城市的治理能力，保存原有優勢，並結合各種資源，融入全球治理體系，發揮影響力。台南市政府積極推展城市外交，讓世界更加認識台南，同時也爭取中央政府挹注資源，包括改善機場設施、增加國際航班等，以讓台南邁向國際化城市。

台南市長認爲，一個幸福的城市，如果沒有奠基於對「人權」的尊重，不能說是一個幸福城市。台南市政府自2010年12月25日合併升格爲直轄市後，依據地方制度法第87條之2之規定，積極進行自治法規之整併，並以「城市人權」之角度，檢視新制定之法規，包括：性別平等權、弱勢者發展權、文化權等。人權的作爲無所不在，政府每個和人民有關的施政決策皆影響到城市人權。如何在台灣形成的五都城市區域發展新藍圖擘劃工程中，使得中央與地方的施政方向更爲協和而爲民眾帶來最大的利益，是眾多城市居民引頸企盼的幸福願景，更是國家領導人與城市首長無法迴避的共同治理責任。

「一個蓬勃發展的都會區，必然是多元且各方均衡發展。爲了讓原住民自治發展有完善措施，應於事前與城市各主要族群與部落族人研討，讓各族一同參與了解，才能有效推動自治的相關工作。」



（南投縣長 李朝卿，2011/12/27）

五都升格之後，全台60%的人民成爲直轄市民，40%人民成爲非直轄市民。作爲縣市合併升格之外的縣市之一，南投縣因應相對不利的城市發展困境，期望藉由「中台灣產業聯盟」的區域合作機制加以補足。旅遊與休憩是生活的基本需求，以空間與時間的距離來看，南投縣與台中都會區同屬一日生活圈的範圍，而提供優質的觀光休閒服務，滿足台中都會區以及區外的休閒需求，是未來南投縣在區域分工與合作中期望扮演的城市角色。如何利用城市境內所擁有得天獨厚的優良生活環境與豐富觀光資源，而以觀光產業爲領頭產業，推廣精緻農業、文化創意等產業，並在與異業結盟、垂直整合下，創造特有的產業體系，來提昇南投縣的品牌價值，推動南投成爲台中大都會區最美麗の後花園，是南投縣面對新五都城市發展新賽局的重要課題。

各縣市有不同的發展方向，城市行銷更要視城市本身條件而有所調整，南投縣財政不佳，須另闢「省錢有效」的方法。南投縣日月潭及中台禪寺名列台灣十大著名景點之列，顯見南投縣的優勢在於推動知名旅遊景點。以兩岸城市交流爲例，南投縣政府爲彌補目前台灣的「淺碟式觀光」缺憾，乃積極與中國浙江省杭州市簽訂兩岸城市旅遊協議，推動「陸客」至南投進行深度旅遊。南投縣長於2011年兩度參加中國中央電視台「城市一對一」節目，暢談兩岸城市文化與生活品質，藉由中國央視向全世界八十餘國播送之行銷管道，期望讓全世界得以認識台灣南投縣的城市之美。

國際城市交流應重視實質性的交流互動，對於雙方的互惠與發展方可發揮長遠與實質的幫助。南投縣以兩岸旅遊文化交流的「姐妹」關係概念，與杭州互簽姐妹市，日月潭和西湖互簽姐妹湖，中臺禪寺和靈隱寺互簽姐妹寺，此

外，兩城市境內村鎮亦推動互簽姐妹鎮及姐妹村，南投洞頂烏龍茶和杭州龍井茶亦互簽姐妹茶，雙方城市並互簽設有姐妹農場，透過此種兩岸城市交流模式以更有效行銷南投的觀光及農特產，以增加農民收益。

另一方面，南投縣境內擁有珍貴的原住民族多元文化資產。台灣原住民族依「原住民自治法草案」規定，各族得依規定成立自治區，實施民族自治，原住民得按其族別單獨或聯合設立自治區。國內各原住民族人數懸殊，人口數最多的阿美族達十多萬人，最少的邵族僅數百人，南投縣長認為，聯合成立自治區涉及另一個主權問題，加上各族分布不平均，以布農族而言，從南投、高雄、花蓮、台東皆有，如何成立跨區自治區亦有執行之困難。單以南投縣信義鄉為例，原住民與非原住民各佔一半，成立原住民自治區尚牽涉另一半非原住民的意願與權利。此外，自治的層面究竟是政治與經濟？或是單單政治主權而已？南投縣長指出，以現階段原住民族的經濟能力而言，仍需仰賴政府補助。一個蓬勃發展的都會區，必然是多元且各方均衡發展。為了讓原住民自治發展有完善措施，在擬訂前各項政策與未來配套，應於事前與城市各主要族群與部落族人研討，聽取各方意見，讓各族一同參與了解，才能有效的推動自治的相關工作。

「缺乏審議思辯的原住民族自治政策，將製造社會秩序的紛亂，甚至撕裂族群之間的情感。」

（台東縣長 黃健庭，2012/2/23）



「認同比血緣重要。如何把原住民族文化與特色開放讓所有人學習，使其成為原住民族的認同者，勢必更為重要。」

（台東縣副縣長 張基義，2012/2/23）



台灣合併改制後之五都總面積佔台灣四分之一，卻聚集六成人口。全台15歲以上擁有大學學歷人口有七成聚集在五都。「三大區域、五大都會與七大發展生活圈」的資源爭奪模式，在全球化的經濟結構下，各自對外發展。非直轄

市縣市（十七縣）與直轄市（五都）之間的財政與相關資源爭奪殘酷競賽下，五都以外的後山花東地區更形弱勢。相較而言，五都整體將帶動西部區域發展，而《離島建設條例》亦提供離島地區發展契機，五都與離島之外的花東地區亦須有機會依據特殊自然人文條件，推動地方建設及發展，以確保東部區域發展不致邊緣化，並在促進區域發展同時，善用東部區域多元文化及景觀資源，建立產業品牌特色，並防範產業與環境資源保育間可能之衝突。2010年6月13日立法院通過《花東地區發展條例》，決議編列10年總額400億元的「永續發展基金」，並將制定「花東地區永續發展策略計畫」，此成爲花東地區發展成效之指標政策。

台東副縣長認爲，非五都地方首長不僅對於縣市空間的發展參與決策權依然欠缺，而在仍維持鄉鎮級選舉，並未改以官派區長的現行制度下，地方首長對於人事行政權亦無法貫徹。台東正面臨經濟貧困的殘酷現實，已經造成社會失衡，每年近2千名的人口流失，高失業、低所得以及單親家庭、隔代教養、虐童、中輟生等城市治理嚴重問題，必須透過發展產業與創造就業，以提供民眾安定生活。

台東追求的城市發展模式是環境、社會、經濟永續三方面兼顧的平衡發展。過往非都市計劃地區並無都市設計審議機制，地方政府針對觀光風景區內中央已經核准通過的開發案僅能以建築法或環評法加以審查，針對環境景觀與設計品質並無把關的工具與程序。台東副縣長指出，針對東海岸未來開發案之疑慮，2011年10月5日，台東縣政府宣佈爲台東量身打造「台東縣景觀自治條例草案」，以界定重點景觀區，擬訂重點景觀計畫，作爲區內景觀資源保育、經營及管理之依據，未來透過結合「台東縣景觀自治條例」及中央建築法與環評法等，可共同爲重點景觀區開發案把關，以期守護台東成爲台灣最美麗的一塊淨土。

台東市係台東縣內經濟、交通、文教中心，2010年縣市合併升格後，台東市成爲台灣本島總面積最大的縣轄市，人口約11萬人，其中原住民人口約1萬7

千人，為全台原住民人口比例最高之城市。台東三分之一人口是原住民，共計有七族一百四十餘個部落，原住民議題是城市治理重點，也是城市重要資產。但台東縣執政者嚴肅地指出，原住民族並非城市的全部，台東未來必須走多元發展道路，並在其中發揮原住民文化與特色。

針對原住民自治議題，「少一點政治議題，多一點專業議題」是台東縣執政當局的期望。由於原住民保留區及其自治尚無施行細則，使得原住民自治議題在國內長期流於選舉時期的空泛議題，正如同兩岸統獨議題般地談論不清。台東縣長認為，從原住民族的永續發展而言，城市應把資源界線放大，讓各種不同的文化、環保、經濟等專業引進城市之中的原鄉地區，這不僅包括開創機會讓原住民青年返鄉工作或鼓勵微型創業，還應更為開放地讓西部地區中產階級願意到原住民部落與之合作。公益平台基金會與台灣好基金會在台東推動的原住民文化育成模式，正在滾動台東的城市文化新生命。

「認同比血緣重要」。台東縣副縣長提出應建立一種廣義的原住民文化觀點，而不只停留在血源的觀念。狹隘的血緣觀念對於原住民族的發展並無助益。如何把原住民族文化與特色開放讓所有人學習，使其成為原住民族的認同者，一同與原住民族建立一種「人與自然和諧、族群合作」的永續關係更為重要。城市的治理者有責任將開啓城市之中的各種可能性，如何使居民認同環境是城市經理人的重要治理任務。

在國內政客操作原著民自治議題的同時，原住民族自身對於原住民自治的了解程度是一個值得探究的議題。原住民自治體制是否以及如何與現行制度進行妥適地融合，將決定未來原住民自治體制與原住民族期望的落差值。台東縣副縣長認為，缺乏審議思辯的原住民族自治政策，亦將製造社會秩序的紛亂，甚至撕裂族群之間的情感，而台東地區最有條件實施原住民自治區當屬蘭嶼地區，主因其特殊地理區位及島上高達90%以上的達悟族人口組成特性；其次則屬原民人口超過半數的主要五個鄉鎮；其他鄉鎮地區囿於原民與非原民族群人口混居現況，自治區劃誠屬不易。台東縣長並建議在非五都的原住民族行政區域

進行鄉鎮長官派制度改革，直接由議會進行監督，同時擴編地方議會，確保每個鄉鎮地區皆有其原民議員代表，甚至可設置不分區議員席次，以重塑選舉文化，實質促進原住民族的政治參與。

台東縣長坦言，經濟是台東原住民目前面臨的最大問題，許多問題亦因經濟問題而衍伸，但必須正視的是，台東地區低收入戶平均比例11：1，對於居住在「財政弱勢」城市卻無法享受原住民族政策優惠待遇的其他弱勢漢族居民而言，其相對剝奪感亦值得關注。原住民族自治議題涉及的並非僅僅是原住民族的單方面議題，處於城市化發展下的原、漢民族共存模式，在台灣社會之中仍屬摸索與發展的階段。

「台灣是一個島國，在高度依附中國的現實環境之下，主權正不斷流失，台灣如何以其獨特方式吸引台灣整體經濟發展產值，並保留自身固有文化，原住民族絕對是重要環節之一。」



（花蓮縣長 傅崐萁，2012/3/3）

花蓮縣擁有世界七大奇景之一——太魯閣，以及亞洲優質的溫泉資源——瑞穗溫泉區，但地方財政卻屬全台最差，舉債已逼近上限。縣市合併後，財劃法仍未通過，面對花蓮縣政府收支短差的窘困環境，其城市治理首在導正剷除過去貪污腐敗之漏習，執行所謂的「八不政策」，徹底讓公務人員跟所有利益脫鉤。此外，城市發展以環保為重，觀光建設限於平地進行低密度開發。花蓮縣長認為，花蓮居民愛惜這塊天地祝福的土地，而所謂的環保愛鄉，並非將一個地方視為蠻荒地區、把居民視為摩登原始人，那將是一個很荒謬的概念。

觀光服務產業是台灣未來發展的重要強項，台灣的觀光需要突破格局，具有亞洲性的潮流思維，原住民族的部落自治在台灣觀光服務產業是非常重要關鍵的一環。原住民族自治與台灣觀光產業進行價值鏈結合，不僅能使原住民族自身的文化傳統獲得保存而不被漢人同化，藉由實質的原住民族自治權，使原住民族建構其完整且特有的傳統文化、典章制度與史料記載，則台灣原住民族地

區對亞洲而言，將可成爲與其他國家地區的南島語系原住民及中國大陸各省原住民族，共同進行全面交流的重要平台。遺憾的是，中央政府對於台灣未來發展方向、區域規劃、以及如何展現城市強項，尙缺乏明確的格局。

以推動兩岸城市交流爲例，花蓮縣政府只能採取自力更生模式。台灣交通部觀光局公布的民意調查資料顯示，花蓮獲得來台陸客評價最爲喜愛之觀光景點，但兩岸定期航班城市至今仍缺花蓮。花蓮長期遭中央政府輕視，資源分配不均與交通不便使花蓮的城市發展遭遇重大瓶頸，因此，花蓮縣長執意推動與對岸城市直航，在未能獲得中央政府的積極回應下，花蓮縣長乃積極親赴中國大陸各省進行城市行銷，並成爲台灣第一個將觀光與醫療跨域整合成功的城市。

花蓮縣長認爲，原住民自治涉及分權的議題，儘管將成爲「縣中有縣」，「國中有國」，但鑑於中央政府無法有效改善原住民族生活與保障原住民族文化之傳統，乃應放手令原住民族自治治理。花蓮縣長強烈表達對於原住民族自治區域的支持，其認爲對原住民的支持正是對花蓮的支持，也是對台灣的支持。花蓮縣每年辦理宗教祈福平安活動，特別結合原住民祖靈祭、佛教、道教、天主教、基督教，舉行五教聯合祭天，主要原因即尊重台灣幾千年歷史的原住民族先靈，而部落自治正是基於對在地土地的尊重。

花蓮是台灣原住民人口最多的地方，也是比例最高的縣市。全世界各地先進的國家對於原住民族都有相當的尊重，對其傳統領域皆作一定程度的保留。有關台灣原住民部落自治議題，原住民對於自己族性及部落文化與歷史傳承，原比漢人瞭解，因此應尊重原住民族自我傳承的想法。台灣是一個島國，在高度依附中國的現實環境之下，主權正不斷流失，台灣如何以其獨特方式吸引台灣整體經濟發展產值，並保留自身固有文化，原住民族絕對是重要環節之一。

「如果無法有效解決原住民族文化傳承在其生活經濟中的支撐問題，則其結果只能是一種博物館裡的原住民族文化保存形式而已。」

（屏東縣副縣長 鍾佳濱，2012/3/6）



原住民自治是一個全國必須共同面對的議題。五都與非五都城市看待原住民自治議題的角度不同，但其城市核心議題在於財政資源的搶奪，原住民族自治議題恐非城市關注焦點。從區域競爭的角度來看，台灣的國土及人口面積有限，其城市發展總體策略應建立在將資源集中於一至兩個拔尖城市，扶植其進行跨國區域競爭，並將其競爭所得利益透過內部分配回饋及帶動國內其它鄰近城市。現行五都體制，資源更形分散，相對剝奪加劇。屏東做為一個農業城市，長期以來扮演支援都會型城市發展的後勤角色，除了供應水、電，並供應老齡人口生活照護福利支出。國家應用甚麼方式調度「都」與「非都」的資源，是目前台灣社會亟需面對的重要課題。屏東縣副縣長指出，現行我國有關財稅公共政策討論之中，財政部門所建立的地方政府財稅貢獻度指標與人口集中度有關，但我們應建立「國家幸福收支帳」概念，將城市對於國家社會的幸福貢獻度與未來財政分配進行合理的連結。

台灣是一個狹小的島國，存在外來的強勢移民與原有的原住民族，在歷史上已歷經長時間的衝突與磨合。對於原住民自治議題，屏東副縣長認為，未來若要繼續發展成一個共同的國家，台灣應該以「屬地」的方式作為思考方向。原住民族對於台灣社會的價值，在於他們對空間、土地使用的觀念。原住民族採取了一個尊重與和平共存的方式。

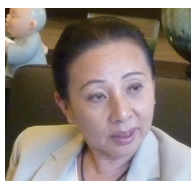
台灣原住民自治議題必須超越理想與學理。給予原住民自治區實質的土地、充足的財政、完全的治理這樣的國中之國，應為原住民的權利主張訴求，但就台灣客觀政治生態環境而言，原住民族的政治力量在台灣目前的國會空間，其所能獲得的原住民自治法將可能只是一個空架子，更為重要的是要探討原住民族如何與台灣移民主流社會共同在這塊島國生存的最佳方案。屏東副縣

長因此主張，台灣社會應尋求一種共識，同意海拔一定高度以上的空間，由最了解這塊土地的原住民族成立「高地政府」，而與「低地政府」之間訂立社會契約或盟約以進行治理。

台灣五都新格局中，中心與邊陲關係更形不對等。五都的政治工程尚且無法解決平地居民的平等問題，遑論有效地處理原住民自治議題。從台灣五都改制以來的觀察可見，城市區域發展越迅速，原住民自治議題可能更面臨邊陲化。屏東副縣長認為，不應從地方自治談原住民自治，而應從以移民為主體的島國台灣談論如何看待國家內不同族群的價值與貢獻。換言之，不是從個別城市來看被區隔的原住民議題，而是要以整個國家來看。現在行政轄區的劃分將原住民進行拆解，許多原住民菁英並不接受。相對弱勢的人口跟土地，本來即需要靠富庶的土地及人民共組社會互相照顧。現行中央政府的原住民政策雖然強調保存原住民族的傳統文化，如果無法有效解決原住民族文化傳承在其生活經濟中的支撐問題，則其結果只能是一種博物館裡的原住民族文化保存形式而已。

「原住民族在台灣新一波的行政區域治理體制改革過程中，並未以其少數族群而獲得實質應有的政策影響評估，此無異對於政府推動原住民族自治政策的信任度施以折扣。」

（嘉義縣長 張花冠，2012/3/22）



區域治理是面對全球化競爭的必然趨勢，亦是未來國土空間發展的重要原則。處於台灣此一波合併升格名單之外的其他縣市，多面臨財政分配不均問題。非五都縣市面對新五都所形成的城市發展新賽局，究竟要如何和周邊鄰居合作以共同提升競爭力？目前經建會主導的區域平台，似乎是較主要的途徑。然而針對特定議題，區域平台僅提供規劃費用，缺乏後續的推動機制與資源投入，使得跨區合作淪為紙上談兵。以雲嘉嘉為例，欲克服政治因素，藉由行政區合併達到共同治理顯然短期不易達到，故區域平台的機能更顯重要，中央應

提供具驅動力的誘因，促使鄰近區域實質合作，互惠共創新局。

以嘉義縣推動的「田園城市」為例，意在建構城鄉共構共榮的城市發展願景，以促進縣內各鄉鎮市之間的關係。從西部走廊來看，嘉義縣擁有較好的農業與生態基盤，可與都市化高的嘉義市進行「城鄉共構」。以區域來看，雲嘉南的田園特色，應和北、中、南三大城市都會圈，在高鐵軸帶上形成另一種層級的城鄉共構。農業、鄉村田園及國土保育，皆與密集的工商城市有互補關係，但目前中央制度及資源明顯向後者傾斜，需要有所調整，方能使類似嘉義縣的田園城市型態穩健發展。

另一方面，台灣進行新一波的地方行政區域體制變革的同時，卻未與時俱進的審議各縣市的原住民族治理議題。現行的《地方制度法》並未顧及憲法增修條文中原住民族自治權益，山地鄉原具有法人地位，意味著可以分配統籌分配款、鄉產掌握在鄉民手上、鄉民可以選鄉長、設置鄉級的議會組織；原鄉改為區治化後，原鄉的土地全交由市議會決定，屬於原住民的土地、資產將不保。此外，逕將原鄉併入直轄市改為區治更剝奪原住民族的民族地位，不僅違反《原住民族基本法》，亦違反憲法肯定多元文化、尊重原住民族意願的原住民族政策架構，更遑論已違反「公民與政治權利」及「經濟社會文化權利」兩項國際公約。

五都轄內原有的原住民鄉改制成區，民選的鄉長也將被官派的區長所取代，未來將選不出代表自己的原住民市議員，從而根本剝奪了原住民的政治權利。或許縣市合併能整合調度對原住民的資源分配，如醫療、交通、觀光等，但縣市升格、合併後，將設「區」之行政層級，不具有自治法人地位，原住民鄉將隨之消失。升格之後，原鄉自人間蒸發，成為歷史名詞，尤其原住民最核心的土地問題，仍須端視中央推動國土計畫法，並明確規範施行細則，以釐清國土保育區內原住民自治的權利義務，才能根本解決原住民的居住與產業問題。原住民族在台灣新一波的行政區域治理體制改革過程中，並未以其少數族群而獲得實質應有的政策影響評估，此無異對於政府推動原住民族自治政策的

信任度施以折扣。

財政收支劃分法自88年修訂以來，十餘年未能修正，由於財源分配不公，過去中央統籌款以43%分配台北、高雄兩市，39%分配予23縣市，五都成立後又調整分配61%，其餘17縣市僅分配24%，導致地方財政長期失衡。嘉義縣長評論，中央統籌分配稅款未見「調劑盈虛、濟弱扶貧」之立法精神，甚至背道而馳，無法解決財政分配不均問題。嘉義縣長指出，中央補助制度未臻健全，一般性補助款以人口數為設算分配指標，其權重高達40%，無視城鄉貧富差距，此標準明顯圖利人口較多之五都，忽略貧窮縣市發展落後情況；而計劃型補助款規定地方按財政等級編列配合款，但貧窮縣市配合款比率偏高，造成地方無力籌措配合款或必須舉債支應，導致「貧者恆貧」與「富者愈富」負面發展。因此，縣市首長多強烈要求中央應儘速督促修正財政收支劃分法，合理、公正分配財源，以解決地方財政長期不足問題，尤其希望避免非直轄市被邊緣化，促使全國各地區能均衡發展。嘉義縣長明確建議中央，明訂基本建設補助設算指標與權重，建議分配指標改以「人口」占30%，「土地面積」占30%，「每戶可支配所得」占40%，以求拉近縣市中心間貧富差距；而地方財政努力指標與權重則建議將原「營利事業營業額」權重60%修正降低為30%，另30%增列經濟弱勢指標（按「農林漁牧人口結構」高低分配），以兼顧弱勢農業縣權益，並維持五都與縣市間財政努力競爭之公平性。

嘉義縣本屬偏鄉，五都升格後益加遭到邊緣化。面對兩岸三地城市的發展與競爭，必需強調公民對城市發展未來的想像與參與。嘉義縣發展以就業為核心的地方產業，其發展策略主要在將一般外界認為居於劣勢的農業產業，轉為凸顯生態環境和糧食安全的地方產業優勢，以打造嘉義縣成為獨一無二的特色「田園城市」品牌，使其成為台灣城市外交中的一張特別名片。長期以來，以工商為導向的高密度、高耗能的城市，破壞環境、也侵蝕生活品質，西方先進國家對此早已提出反省，一些小而美的生態「慢城」孕育而生。田園城市與此理念契合，並可回應氣候變遷、糧食短缺、人口老化等關鍵議題。換言之，嘉

義縣田園城市期許在台灣制式追求工商大城市發展的途徑上，創造新機，讓國際社會看到台灣不一樣的城市思維；對嘉義縣內而言，則是提供了以農為本的城市進行一次超值翻轉的契機。

嘉義縣長指出，嘉義縣推動城市外交並非自限於中國大陸。嘉義縣的歷史與環境特色多元且具在地性，其城市政府的角色在於幫助縣民拓展視野與格局，降低投資的風險。嘉義縣政府以「嘉義優先，人民最大」作為指導原則，以推展兩岸及國際城市外交工作，透過城市外交模式與歐美及亞洲等地區交往，在多元文化的衝擊之下，期許激起城市更燦爛美麗的文化火花。

City Review

Feature Interview: Ching-Te Lai, Tainan City Mayor; Chao-Ching Li, Nantou County Magistrate; Justin Huang, Taitung County Magistrate; Chi-Yi Chang, Taitung County Deputy Magistrate; Kun-Chi Fu, Hualien County Magistrate; Chia-Pin Chung, Pingtung County Deputy Magistrate; Hwa-Kuan Chang, Chiayi County Magistrate.

Taiwanese Aboriginal Self-Government? A City Perspective

Wen-Ying Hsu

Self-government is an internal institutional arrangement designed to satisfy demands for economic, social, and cultural self-determination from minority groups. Self-government can only be fulfilled if sovereign states are willing, but also involves international mechanisms which monitor the actual implementation of rights to self-government. Self-government can satisfy minority demands for particular forms of economic, social, and cultural development, and involves building a system of government that can carry out executive and legislative functions. However, such arrangements may not meet democratic demands for a direct vote in choosing members of executive and legislative bodies, thereby failing to deliver actual rights to self-determination.

Although there has been no resolution to debates surrounding the right to self-determination, key elements of the concept of internal self-determination, including political participation and the right to democratic self-government can be understood through a concept of continuing sovereignty. The concept of internal sovereignty can be broken down into three layers: *pouvoir constituant*, change of constitution, and governance and participation. Looking at self-determination and self-government from

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the perspective of procedural norms, the government is obliged to promote the self-government of its people, and once self-determination has been put in place, guarantee that it will not be rescinded, derogated, or altered.^① From a human rights perspective, all groups have the right to self-government, regardless of whether or not they are classified as minority or indigenous groups. At the same time, the right to self-government encompasses the sharing of power and effective participation in the mechanisms of democratic government.^② In terms of the protection of minority human rights, if democratic process is restricted to simply giving each citizen the opportunity to express his or her views to the government, a representative government will not necessarily be produced. Therefore, unless the constitution takes into consideration the diversity of minority cultures, these cultures cannot be effectively represented.

Over a year has passed since the December 2010 merging and upgrading of municipalities in Taiwan. An increasingly obvious discrepancy between the new urban regions created by from the five upgraded municipalities and the cities not included in the upgrade has emerged. Upgraded municipalities are also faced with the challenge of averting the phenomenon of “one city, two worlds” caused by the gap between urban and rural areas within the municipal boundaries. At the same time, cities outside the municipalities have seen their status drop from third-level to fourth-level cities. Following international human rights trends, Taiwan has developed a legislative framework for Aboriginal self-government. However, faced with a worldwide trend towards urbanization, the question emerges of how to approach the goal of self-government and make actual improvements in living standards for the Aboriginal people within the new urban development dynamic that has emerged following the municipal merger and upgrading. Have the Aboriginal people already found their own space for self-development within ever more urbanized five municipalities? As increasingly diversified cities develop, awareness of minority rights increases, and the question of Aboriginal self-government emerges on the agenda, the question of how to respond to Aboriginal demands for self-government from a human-rights perspective is an issue worthy of the consideration of both city leaders and residents.

^① Frederik Harhoff, “Palestinian Self-Determination Viewed from A Distance: An International Legal Comparison between Palestinian Self-Government and Greenland’s Home Rule,” *The Palestine Yearbook of International Law*, vol. 8:66.

^② Lauri Hannikainen, “Self-Determination and Autonomy in International Law,” in Markku Suki (ed.), *Autonomy: Applications and Implications* (The Hague: Kluwer Law International), p. 79.

“A happy city that is not founded on respect for human rights cannot be said to be a happy city. ‘One size fits all’ equality is not real equality and allocating financial resources in direct ratio to population fails to consider basic local needs.”

(Ching-Te Lai, Tainan City Mayor, December 5th, 2011)



When compared to New Taipei City, Kaohsiung City, and Taichung City, the upgrading of Tainan City was a relatively complex and difficult process. New Taipei City was created by the upgrading of the old Taipei County, and did not involve any mergers. While the old Kaohsiung County merged into Kaohsiung City, because Kaohsiung City was already a direct-controlled municipality, the relevant rules and institutions were already in place, making the merger process relatively straightforward. Like Tainan City, the newly upgraded Taichung City was also formed from the merger of two county-level administrative units. However, the merger and upgrading of Taichung City had been planned by the central government for a long period of time.

The upgrading of Tainan City was based on its status as a cultural and historical capital. However, the city did not gain any preferential funding after becoming a direct-controlled municipality, making it an upgrade in name only. The area of the merged municipality is 12.5 times greater than the old Tainan City, and the city immediately faced challenges caused by a lack of organizational strength and insufficient personnel quotas as well as its well-known financial problems. Faced with major organizational change, Tainan City led the five municipalities in establishing an innovative talent development policy program designed to select and train district heads. Through the three stages—selection, training, and employing—the scheme aims to select and promote outstanding talents in district government in a just, fair, and open manner, and has established a national model for the development of talent. After the merger, Tainan City did not receive more funds from the central government on the basis of its status as an upgraded municipality. Instead, funding levels for the new municipality match the combined funding for the old Tainan City and Tainan County. However, the upgrade has led to a large increase in statutory expenditures, adding to the financial burden on the city. In the face of these severe financial difficulties, aside from requesting the central government to urgently revise the Act Governing the Allocation of Government Revenues and Expenditures and provide local governments with sufficient resources, Tainan City has

economized on regular expenditures as well as establishing projects designed to increase revenues and reduce expenditures, including the “Tainan City Small and Medium Sized Enterprise Service Team” one-stop service and “Tainan City Small and Medium Size Enterprise Credit Guarantee Firefly Project.”

A new urban development dynamic has emerged following the merger and upgrading of the five municipalities, however it faced a lack of established cooperation mechanisms and regional industrial division of labor. Prior to 2009, Tainan City’s interaction with neighboring counties and cities was restricted to the “Southern Taiwan Eight County and City Heads Joint Meeting” and “Tainan County and City Joint Report” organized by the Executive Yuan’s Southern Taiwan Joint Services Center. However, these meetings did not function as expected, and with a lack of attention from the central government, quickly became a mere formality. In 2009, under the encouragement of the Executive Yuan’s Council for Economic Planning and Development regional development policy, counties and cities in the Yunlin-Chiayi-Tainan region resumed efforts at cooperation. The result of these efforts could be described as the most formal regional cooperation mechanism to date. However, as the cooperation mechanism is in its infancy and the central government has yet to establish a clear policy on regional cooperation, genuine cooperation between counties and cities has not yet developed. More fundamentally, industrial competition between counties and cities has a profound impact on willingness to cooperate; from the perspective of each county and city, their own development needs naturally take precedence over regional cooperation. Therefore, positive regional cooperation can only emerge when core common interests are established. From the actual example of regional cooperation in the Yunlin-Chiayi-Tainan region, local transportation links, disaster prevention (flood protection), and cooperative marketing of agricultural products are the most straightforward for reaching consensus on cooperation.

Important revisions to the Act Governing the Allocation of Government Revenues and Expenditures, Public Debt Act, and Administrative Division Law to adjust for the upgrading of the five municipalities have not yet been passed. “One size fits all” equality is not real equality—the new draft of the Act Governing the Allocation of Government Revenues and Expenditures adopts a formula that allocates financial resources in direct ratio to population without considering basic local needs. For the Tainan municipality, which has a large part of its population living in rural villages, this formula is not beneficial. The central government should allocate special project subsidies based on the

specific needs of each municipality, and not simply treat everyone the same regardless of circumstances. The Act Governing the Allocation of Government Revenues and Expenditures should be revised to ensure fairness and take into account the needs of the South. Tainan City contains the largest area of cultivated land in the country and most farmers are in Southern Taiwan. Policy formulation should not only consider the needs of Taipei and New Taipei and fail to ensure fairness or meet the needs of the South. In the future, payments to elderly farmers, farmers' insurance, and citizen annuity insurance payments should be made the responsibility of the central government in the same way as health and labor insurance. In addition, Tainan has one-third of Taiwan's flood prone areas. Out of the 95 drainage systems in Taiwan identified as requiring urgent remedial work, 14 are located in Taiwan. However, funding for flood control is not allocated on this basis, and as a result Taiwan faces a financial shortfall of nearly NT\$50 billion for its flood control work. Out of the five upgraded municipalities, Tainan is the poorest. Taiwan was upgraded on the basis of its status as an historical and cultural capital and should receive the preferential funding necessary to enable it to realize the actual benefits of its status as a municipality instead of facing its current increased financial burden.

In 2009, the Executive Yuan's Council for Economic Planning and Development began promoting regional development, identifying the Yunlin-Chiayi-Tainan region as a target. However, funding was only provided to each region (each county or city) for initial planning of regional infrastructure and did not provide any incentive to develop cooperation between local governments. Ultimately, the central government's lack of comprehensive national spatial planning leaves regional cooperation development policies without a firm direction. Without a clear direction for development, there is little basis for the promotion of regional cooperation platforms. With local governments frustrated by their treatment at the hands of the central government, it is difficult to build the mutual trust necessary for effective cooperation mechanisms. To fundamentally resolve this problem, the central government should urgently formulate a comprehensive national spatial plan, providing a clear direction for regional development. At the same time, the government should introduce laws and responsibilities, encouraging local governments to develop a platform for regional cooperation, with the central government taking on a supervisory role, carrying out mediation and overall planning. This will ensure that local affairs are decided locally and enable the five municipalities to play the leading role in regional development.

We are now in an era of a global dialogue between cities. Globalization has led to major economic, political, social, and even cultural changes. At the same time, the political and economic development and social pulse of the city stretches beyond administrative boundaries. Faced with huge risks emerging from global warming, climate change, and growing disparities between urban and rural areas as well as the rich and the poor, city governance is no longer simply a matter of domestic urban public affairs. In the context of globalization, cities have become basic competitive units, requiring comprehensive urban thinking, an urban management philosophy, the building of local roots, and the management of urban quality. Central government policies and distribution of resources have favored the North over the South over a long period of time. Many resources flow to the development of North and Central Taiwan, ignoring the importance of developing the South. In public diplomacy, individual cities and the state are inseparable, city leaders and managers must be able to identify a city's strategic position, increase its governance capabilities, maintain its existing advantages, and to make use of a variety of resources to enter into global governance networks and exert international influence. The Tainan City government has actively expanded the its city diplomacy efforts, enabling the world to get to know Tainan better, as well as securing government resources, including funding to improve facilities at the city airport and an agreement to allow international flights.

According to the Tainan City mayor, "A happy city that is not founded on respect for human rights cannot be said to be a happy city." After the merged Tainan City and County was upgraded to a municipality on December 25, 2010, the city began actively merging local self-government regulations on the basis of Article 87-2 of the Local Government Act and assessing newly enacted laws on the basis of "city human rights", including the right to gender equality, the right to development for all, including the disadvantaged, and cultural rights. Human rights are everywhere and the policy decisions of the government and each individual affect city human rights. In the process of planning regional urban development across the five municipalities, citizens hope that the policy directions of central and local government are in harmony and maximize the interests of the people. This challenge is a collective responsibility that neither national nor local leaders can avoid.

“A thriving metropolitan area must be diversified and be balanced in its development. In order to provide the right measures to develop Aboriginal self-government, discussions should first be held with members of each major Aboriginal group to ensure that each group participates in and understand the process. In this way, we can effectively promote work on self-government.”

(Chao-Ching Li, Nantou County Magistrate, December 27th, 2011)



After the upgrading of the five municipalities, 60% of Taiwan's population lived in direct-control municipalities, while the remaining 40% lived outside the municipalities. As an area left out of the upgrade, Nantou County faced a relatively unfavorable position in urban development. The county government therefore looked to the Central Taiwan Industry Alliance cooperation mechanism to make up the deficiency. Travel and recreation are essential for life satisfaction. In terms of distance in time and space, Nantou and Taichung are part of the same daily living circle, while Nantou provides outstanding tourism and leisure services that can satisfy demand from both inside and outside the Taichung metropolitan area. This provides a potential role for Nantou in future division of labor and cooperation between administrative areas in the region. Nantou is blessed with an outstanding living environment and rich tourism resources. Faced with a new dynamic after the upgrading of the five municipalities, Nantou should make full use of these advantages by developing tourism its leading industry, while also promoting high-quality agriculture, cultural and creative industries, as well as cross-industry alliances and vertical integration, creating a unique industrial system and increasing the value of the Nantou brand while also providing a recreation space for the Taichung metropolitan area.

Because each country and city develops in its own direction, city marketing must adapt to the particular conditions of each city. The financial position of Nantou County is not good, forcing it to adopt cost-effective measures. Nantou's Sun Moon Lake and Chung Tai Chan Monastery have been listed in the top-ten scenic spots in Taiwan, giving the county a clear advantage in promoting its well-known tourist attractions. Taking the example of cross-Strait city exchange, in order to address the current defects of "superficial tourism" in Taiwan, Nantou has signed cross-Strait tourism agreements with Hangzhou City in Zhejiang Province, allowing mainland tourists to visit Nantou for in-depth tourism. In 2011, Nantou County twice featured on the China Central Television (CCTV) program "City: One on One" (*chengshi yiduiyi*), exchanging views on city culture and

quality of life on either side of the Strait. These programs were broadcast to over eighty countries around the world by CCTV, providing a marketing channel that advertises the beauty of Nantou to a global audience.

International city exchange should focus efforts on substantive interaction to develop reciprocity and provide long term and substantive development assistance. To promote cross-Strait cultural exchange, a number of “sister” agreements have been reached, including a “sister city” agreement between Nantou County and Hangzhou City, a “sister lake” agreement between Sun Moon Lake and the West Lake of Hangzhou, and a “sister temple” agreement between the Chung Tai Chan Monastery and the Lingyin Temple in Hangzhou. In addition, villages and townships within the two cities have also reached “sister village” and “sister township” agreements, a “sister tea” agreement has been signed between Nantou Dongding Oolong Tea and Hangzhou Longjing Tea, and “sister farm” agreements have also been reached between the two sides. This cross-Strait exchange model delivers more effective marketing of Nantou’s tourism and agricultural products, delivering increased income to farmers.

Nantou County also boasts a diverse range of Aboriginal cultures within its borders. According to the draft “Aboriginal Autonomy Act,” each recognized tribe can establish an autonomous area and practice self-government. Aborigines must form autonomous area according to their tribal status, either individually or jointly with other tribes. There is a large difference between the populations of each tribe: the largest group is the Ami with over 100,000 people, while the smallest group is the Thao with only a few hundred members. The Nantou County magistrate believes that jointly establishing autonomous areas raises other issues related to sovereignty. Aboriginal populations are not evenly distributed; for example, the Bunun people can be found in Nantou, Kaohsiung, Hualien, and Taitung. For this reason, there are considerable challenges to creating autonomous areas for Aborigines. For instance, Xinyi Township in Nantou County has a half Aboriginal and half non-Aboriginal population; establishing an autonomous area here would also involve the rights and wishes of the local non-Aboriginal population. In addition, does self-government refer to economic or political self-government? Or political sovereignty alone? The Nantou County magistrate has argued that based on the current economic capabilities of the Aboriginal people, they would still need to rely on government subsidies. A thriving metropolitan area must be diversified and be balanced development in its development. In order to provide the right measures to develop

Aboriginal self-government, before establishing polices and future support mechanisms, discussions should first be held with members of each major Aboriginal group to ensure that each group participates in and understand the process and different opinions are represented. In this way, we can effectively promote work on self-government.

“A policy on Aboriginal autonomy that has not been through careful deliberation will create social disorder and even cause ill-feeling between different groups.”

(Justin Huang, Taitung County Magistrate, February 23rd, 2012)



“Identity is more important than blood ties. Making Aboriginal life and culture open for all to learn, allowing people to identify with Aboriginal communities is even more important.”

(Chi-Yi Chang, Taitung County Deputy Magistrate, February 23rd, 2012)



Following the upgrading, the five municipalities cover 25% of Taiwan’s total area, but have 60% of its population and 70% of the population over fifteen years of age with a university education. In a globalized economy, the “three regions, five municipalities, and seven major living circles” have expanded outwards as they strive for resources. Amidst the fierce competition for resources between the direct-controlled municipalities (five municipalities) and counties and cities outside the five municipalities (seventeen counties), the Hualien and Taitung region in the East has been left in a weak position. In contrast, the five municipalities have driven the development of the Western part of the island while the “Offshore Islands Development Act” has provided development opportunities to the outlying islands. Outside the five municipalities and the outlying islands, the Hualien and Taitung region must be given the opportunity to develop based on their unique natural and cultural endowments to ensure that it is not marginalized. In the process of developing the Eastern region, effective use should be made of the region’s varied culture and natural scenery to establish a unique regional brand and prevent possible conflicts between industry and environmental resource conservation. On June 13 2010, the Legislative Yuan passed the “Statute for Development of the Hualien and Taitung Regions,” allocating a total of NT\$40 billion in “sustainable development funds” to Hualien and Taitung over a period of ten years and establishing the “Strategic Plan

for the Sustainable Development of the Hualien and Taitung Regions” as the key policy indicator for development of the region.

According to the deputy magistrate of Taitung County, city and county heads outside the five municipalities lack decision making authority on the development of their local area. In addition, as township-level elections have been retained outside the five municipalities (in the five municipalities, district heads are appointed), city and county heads lack administrative control over personnel. Taitung is currently faced with the harsh reality of economic poverty which has caused serious social imbalances including an annual loss of population of nearly two thousand as well as high unemployment, low incomes, single families, children raised by their grandparents, child abuse, school dropouts and other serious issues in city governance. Taitung must use the development of industry and the creation of employment opportunities to give its people a life without fear.

Taitung’s city development model seeks to balance environmental, social, and economic sustainability. In the past, non-urban areas had no city design review mechanism. The local government was only able to review developments in scenic areas already approved by the central government on the basis of the Building Act or Environmental Impact Assessment Act, and lacked the tools to become involved in the environmental landscape design and design quality processes. The deputy magistrate pointed out that in response to concerns about future developments on the East Coast, the Taitung County government had on October 5, 2011 announced the “Taitung County Landscape Self-Government Act,” establishing key scenic areas as the basis for the protection, operation, and management of landscape resources. In the future, the “Taitung County Landscape Self-Government Act” together with the central government Building Act and Environmental Impact Assessment Act will form the basis for the development of key scenic areas, ensuring Taitung retains its pristine beauty.

Taitung City is the economic, cultural, education, and transportation center of Taitung County. After the 2010 merger and upgrading, Taitung became the largest county-controlled city in terms of area in Taiwan. The city has a population of around 110,000, including an Aboriginal population of approximately 17,000, giving it the highest Aboriginal population ratio of any city in Taiwan. Overall, one-third of Taitung County’s population is Aboriginal, with a total of seven different tribes and over 140 Aboriginal villages. The large Aboriginal population is therefore clearly both a key city governance

issue and also an important resource for the area. However, officials from Taitung County were careful to point out that Aboriginal people only made up a part of the local population and that in the future the local government must ensure the development of the diverse spectrum of its population, while at the same time giving prominent place to unique Aboriginal cultures.

With regard to the issue of Aboriginal self-government, the Taitung County authorities hope to have “one less political issue, one more professional issue.” Because regulations on self-governing Aboriginal reserves have not yet been implemented, the issue of Aboriginal self-government has been reduced to vague promises during election campaigns, similar ambiguous discussions on the cross-Strait independence or reunification issue. According to the Taitung County magistrate, the city should widen the scope of funding for the sustainable development of Aboriginal communities, attracting different cultural, environmental, and economic expertise to the communities. Measures include providing opportunities for Aboriginal youth to return home for work, encouraging micro-entrepreneurship, and providing land for middle-classes from Western Taiwan who are willing to move into the area and work with the local Aboriginal people. The Alliance Cultural Foundation and Lovely Taiwan Foundation model for the nurturing of Aboriginal culture has led to a revitalization of Taitung’s city culture.

“Identity is more important than blood ties.” The Taitung County deputy magistrate advocates a broad view of Aboriginal culture that transcends ethnicity. A narrow approach based on blood ties is not helpful to the development of Aboriginal communities. Making Aboriginal life and culture open for all to learn, allowing people to identify with Aboriginal communities and producing sustainable relationships based on “harmony between people and nature, cooperation between ethnic groups” is even more important. Those charged with city governance have the responsibility to open to city to every possibility; the challenge of making residents identity with the city environment is an important governance issue for city managers.

At the same time as local politicians have manipulated the issue of Aboriginal self-government, Aboriginal peoples’ own understanding of Aboriginal self-government is an issue worth exploring. How a system of Aboriginal self-government is integrated into current institutions will determine the future success of the system and whether it meets the expectations of the Aboriginal people. The deputy magistrate of Taitung County believes that “a policy on Aboriginal autonomy that has not been through careful

deliberation will create social disorder and even cause ill-feeling between different groups.” The most suitable place for implementing Aboriginal self-government is undoubtedly Lanyu (Orchid Island), primarily because over 90% the island’s population belongs to the Tao ethnic group. Other areas which might be suitable for Aboriginal self-government include five townships where Aboriginal people make up over half the population. Since other areas have mixed Aboriginal and non-Aboriginal populations, carving out self-government areas is not easy. The Taitung County magistrate suggests that Aboriginal administrative areas outside the five municipalities introduce reform to replace elected township heads with appointed heads supervised directly by the county assembly. At the same time, local assemblies should be expanded to ensure that each township has Aboriginal representatives. In addition, at-large assembly seats can be established to remold campaign culture and encourage Aboriginal people to participate in politics.

The Taitung County magistrate has frankly admitted that the economy is the biggest issue currently faced by local Aboriginal people. Many other problems are ultimately the result of these economic challenges. However, it is necessary to recognize the fact that the average ratio of low-income households in the Taitung area is 11:1. The feelings of relative deprivation of poor Han Chinese who are not entitled to the preferential treatment enjoyed by Aboriginal people is also a pressing issue. Aboriginal self-determination is not only an issue for the Aboriginal people, but for the future coexistence of both Aboriginal and Han people during the process of urbanization. These issues are still at an early developmental stage in Taiwanese society.

“Taiwan is an island nation faced with the reality of a high degree of dependence on China; its sovereignty is constantly ebbing away. Aboriginal people are an important link in using Taiwan’s unique characteristics to increase the economic value of its production as well protecting the country’s traditional culture.”



(Kun-Chi Fu, Hualien County Magistrate, March 3rd, 2012)

Hualien has one of the Seven Wonders of the World—Taroko Gorge as well as the finest hot springs in Asia—the Ruisui hot springs area. However, it also suffers from the worst local finances in Taiwan, with its debt holdings almost reaching the limit. Although

the municipal mergers have been completed, the new Act Governing the Allocation of Government Revenues and Expenditures has yet to pass. Faced with fiscal shortfalls, its first city governance priority is to eliminate losses arising from corruption and implement the “eight noes policy” to address collusion between civil servants and interest groups. In addition, the importance of environmental protection in city development is recognized. Tourist infrastructure is limited to low-density development outside mountainous areas. According to the Hualien County magistrate, “Hualien residents treasure their blessed land. However, protecting the environment and loving ones hometown does not mean treating an area as a wilderness and its residents as the Flintstones. That would be an absurd idea.”

The tourism industry is an important strength in Taiwan’s future development. Taiwan’s tourism industry needs to break the current pattern and embrace new thinking for the Asian age. Aboriginal tribal self-government is a key link in the development of tourism in Taiwan. Creating a value chain between Aboriginal self-government and Taiwan’s tourism industry ensures that Aboriginal cultural traditions are protected and not assimilated by Han people. In addition, Aboriginal self-government allows the development of a unique and complete traditional culture, set of laws of institutions, and historical records. From a regional perspective, Taiwan can act an important platform for exchange between Austronesian peoples across Asia as well as minority groups in mainland China. Unfortunately, the central government lacks a clear approach to the direction of Taiwan’s future development, regional planning, and making the most of the strengths of its cities.

The Hualien County government is self-reliant in efforts to promote cross-Strait city exchange. According to surveys published by Taiwan’s official Tourism Bureau, Hualien received the most positive appraisal from mainland China tourists. However, there are still no scheduled flights between cities in mainland China and Hualien. Hualien has suffered discrimination from the central government over a long period of time, and unequal distribution of resources and inconvenient transportation are a serious bottleneck to development. Efforts by the Hualien County magistrate to promote direct flights between Hualien and mainland China have not received a positive response from the central government. However, the county government has been active in city marketing across mainland China, as well as becoming the first city to effectively integrate tourism with medical treatment.

According to the Hualien County magistrate, Aboriginal self-government involves questions of separation of powers. Even if Aboriginal self-government means establishing a “county within a county” or “country within a country”, as the central government is unable to improve the lives of Aboriginal people or protect their traditional culture, they should let the Aboriginal people govern themselves. The Hualien County magistrate expressed strong support for establishing Aboriginal self-government areas and believes that supporting Aboriginal people means both supporting Hualien and supporting Taiwan. Every year, Hualien County organizes religious blessings that bring together sacrifice to Aboriginal ancestor spirits, Buddhism, Catholicism, Protestantism in joint religious ceremony. Its main motivation is to offer respects to the ancestral spirits through Taiwan’s several thousand year history, while the idea of Aboriginal self-government is based on respect for the native land.

Hualien has Taiwan’s largest Aboriginal population, and has the highest proportion of Aboriginal people of any city or county in Taiwan. Advanced countries across the world have considerable respect for Aboriginal people and provide certain spaces for their traditional cultures. With regard to the issue of the self-government of Aboriginal communities, Aboriginals have a much better understanding of their own historical heritage and ethnic and tribal culture than the Han Chinese. Therefore, Aboriginal views on their own heritage should be respected. Taiwan is an island nation faced with the reality of a high degree of dependence on China; its sovereignty is constantly ebbing away. Aboriginal people are an important link in using Taiwan’s unique characteristics to increase the economic value of its production as well protecting the country’s traditional culture.

“Unless Aboriginal cultural heritage is given the necessary support in everyday economic life, it will only exist in museums.”

(Chia-Pin Chung, Pingtung County Deputy Magistrate, March 6th, 2012)



Aboriginal self-government is an issue that the whole nation needs to face. The five municipalities have a different perspective on Aboriginal self-government to areas outside the municipalities. However, the main issue for cities is winning as many financial

resources as possible, and for this reason the issue of Aboriginal self-government may not get the attention it deserves. From the perspective of regional competition, Taiwan's territory is small and its population distributed over a limited area. Therefore, its overall city development strategy should concentrate resources on one of two leading cities to encourage regional competition, with profits from competition redistributed to spur the growth of neighboring cities. In the current five municipality system, resources are spread more thinly and the feeling of relative deprivation intensified. As an agricultural city, Pingtung has for a long period played a supporting role to the development of metropolitan areas, providing water, electricity, and support for the elderly. Finding the correct balance between resource flows to the municipalities and areas outside the municipalities is a key challenge for Taiwan. According to the deputy magistrate of Pingtung County, in current public policy discussions on fiscal issues, the level of local government fiscal and tax contributions is related to population density. The deputy magistrate argued that a "National Happiness Account" should be established, linking future financial distributions to a city's contribution to overall happiness.

Taiwan is a small island populated by a dominant immigrant population and its original Aboriginal inhabitants. There is a long history of mistrust and conflict between the two groups. Speaking about the issue of Aboriginal self-government, the deputy magistrate of Pingtung County argued that in the future it is necessary to continue to develop a shared county. Taiwan should think on the basis of "territorial belonging." The value of Aboriginal people to Taiwanese society lies in their concepts of space and territory. The Aboriginal people have pursued respectful and peaceful coexistence.

Aboriginal self-government must be more than an idea or a theory, and give Aboriginal people an actual self-governing territory and adequate resources. Aboriginal people should assert their rights to complete governance control over a "country within a country." However, given Taiwan's the realities of Taiwan's current political environment, Aboriginal people have little actual power in the national legislature, meaning that future self-government may be a mere façade. Therefore, it is even more imperative to find ways for Taiwan's Aboriginal people and mainstream immigrant society to share their island nation. The deputy magistrate of Pingtung County argues that Taiwanese society should reach a consensus that all territory over a certain height should belong to an Aboriginal "highlands government," which would enter into a social contract or alliance with the "lowlands government."

Within the new dynamic of the five municipalities, the relationship between the core and periphery has become even more unequal. The municipal upgrading has failed to resolve the problem of inequality among non-Aboriginal people, let alone deal with the question of Aboriginal self-government. Since the restructuring, the development of urban areas has accelerated, while the issue of Aboriginal self-government faces the danger of becoming marginalized. According to Pingtung's deputy magistrate, we should not think about Aboriginal self-government from the perspective of local self-government, but instead look at how an island nation dominated by immigrants should recognize the value and contributions of different groups. In other words, Aboriginal issues should not be approached separately by different cities, but instead addressed holistically at the national level. Many Aboriginal elites do not accept taking Aboriginal areas out of the current administrative divisions. Areas with relatively disadvantaged populations and limited land resources must rely on the support of more prosperous areas blessed with abundant land resources. Although current central government policy stresses the importance of protecting Aboriginal culture, unless Aboriginal cultural heritage is given the necessary support in everyday economic life, it will only exist in museums.

“No actual policy impact assessment of the effects on Aboriginal people as a minority group was made during recent process of administrative reform. This must surely reduce confidence in the government’s Aboriginal self-government policy.”



(Hwa-Kuan Chang, Chiayi County Magistrate, March 22nd, 2012)

Regional governance is an inevitable trend in the face of globalized competition and is also an important basis for future territorial spatial development. Counties and cities left out of the recent municipal mergers and upgrades all face the problem of uneven distribution of financial resources. In the new urban development paradigm after the merger and upgrading of the five municipalities, how should the municipalities work with neighboring areas to enhance competitiveness? Currently, the regional platform provided by the Council for Economic Planning and Development appears to offer the primary route. However, the regional platform only provides funding for planning on particular issues and lacks the mechanisms or resources for proper follow-up, meaning that regional cooperation often exists on paper only. For example, since overcoming political obstacles

to regional cooperation between Yunlin County and Chiayi City and County by merging administrative divisions and achieving joint governance will not be easy to achieve in the foreseeable future, the regional cooperation platform is extremely important. The government should provide incentives to drive genuine cooperation between neighboring areas to deliver mutually beneficial results.

Chiayi County's "Garden City" policy aims to deliver common prosperity between urban and rural areas in city development and promote ties between different cities and townships within the county. Looking from the Western corridor, Chiayi County has a better agricultural and ecological basis which can form the basis for "urban and rural integration" with the highly urbanized Chiayi City. From a regional perspective, as a "garden region," the area around the high speed rail in the Yunlin-Chiayi-Tainan region should be integrated with the three major metropolitan areas in Northern, Central, and Southern Taiwan into a multi-layered, urban and rural, shared living space. Agriculture, the rural countryside, and land conservation all have a complementary relationship with major industrial and commercial cities. However, at present, central government institutions and resource flows strongly favor the latter. This policy needs to be revised to ensure the steady development of garden cities similar to Chiayi County.

From a different perspective, in the process of reforming administrative districts, Taiwan failed to consider Aboriginal governance issues. The current Local Government Act does not mention the Aboriginal rights to self-government contained in additional articles to the constitution. Of course, townships in highland areas already have legal self-government status, which means that they can be allocated funds, township assets belong to its residents, and township residents can vote for their own township head and establish a township level assembly. After a township becomes a municipal district, control over land is transferred to the city council, and land and assets belonging to Aboriginal people are no longer protected. Therefore, incorporating Aboriginal townships as municipal districts actually deprives Aboriginal people of their rights, and is not only against the provisions of the Indigenous Peoples Basic Law, but also constitutional guarantees of diverse culture, the Aboriginal policy framework based on respect for the will of minority groups, an even the International Covenant on Civil and Political Rights and International Covenant on Economic, Social and Cultural Rights.

Within the five municipalities, previously Aboriginal townships have been reorganized as districts, with the previously elected township head replaced with an

appointed district head. In the future, it will also impossible to select Aboriginal city councillors to represent these communities. These changes have deprived Aboriginal communities living in the municipalities of their rights. Possibly, the mergers can deliver adjustments in the allocation of resources to Aboriginal communities, for instance medical care, transportation, and tourism. However, the merger and upgrading meant the replacement of Aboriginal townships with municipal districts lacking in any self-government status. After the upgrades, Aboriginal townships disappeared into history. The central Aboriginal land issues still require central government action on the National Land Planning Act and clear enforcement regulations to clarify Aboriginal self-government rights in national land conservation areas and provide solutions to issues surrounding Aboriginal housing and employment. No actual policy impact assessment of the effects on Aboriginal people as a minority group was made during recent process of administrative reform. This must surely reduce confidence in the government's Aboriginal self-government policy.

More than a decade has passed since the amendments to the Act Governing the Allocation of Government Revenues and Expenditures in 1999, during which no further changes to the act have been made. Because of the unfair allocation of financial resources, in the past 43% of central government funds were distributed to the Taipei and Kaohsiung municipalities, with 39% shared between the 23 counties and county-level cities. Following the upgrading, 61% was allocated to the five municipalities, with the 17 remaining counties and county-level cities sharing just 24% between them, resulting in long-term financial imbalance. According to the magistrate of Chiayi County, central government allocation of revenues and expenditures may run counter to the spirit of the law to “adjust for imbalances and help the disadvantaged,” and is unable to solve the problem of uneven distribution of resources. According to the magistrate, the central government grant system needs to be strengthened. Typically, the allocation of grants is heavily dependent on population, which is weighted at 40%. This formula for grant allocation fails to account for the gap between rich and poor in urban and rural areas and clearly profits the municipalities with their higher populations, while ignoring the underdevelopment of poorer counties and cities. At the same time, program-based grants require matching funds according to fiscal level. However, the proportion of matching funds required by poorer counties and cities is high, meaning local governments are often unable to raise the funds required or must borrow the funds, resulting in a situation where

“the rich get richer; the poor get poorer.” Therefore, county and city heads have been vocal in their calls for the central government to revise the Act Governing the Allocation of Government Revenues and Expenditures to achieve fair and rational distribution of government funds and resolve local governments’ long term fiscal deficits. In particular, they hope to avoid the marginalization of areas outside the five municipalities and achieve balanced development across all regions. The Chiayi County magistrate offered some clear advice for the central government, arguing that general grants for construction should be distributed according to the following weighting: index of population (30%), index of land area (30%), and index of household disposable income to reduce the gap between rural and urban areas. At the same time, the index of fiscal effort should reduce weighing for the profit-seeking enterprises from 60% to 30% and replace the 30% reduction with an index of economic disadvantage (allocated on the basis of population working in agriculture, forestry, fishery and animal husbandry) to ensure the interests of agricultural counties are protected and ensure fair competition on fiscal effort between the municipalities and non-municipal areas.

Chiayi County is considered remote, and following the municipal upgrading has become further marginalized. Facing the challenge of city development and competition across Taiwan, mainland China, and Hong Kong, it must strengthen citizen involvement in future city development. The development of local industries to provide employment in Chiayi County centers around developing agriculture, which has typically been regarded by outsiders as an inferior industry, into a local strength, emphasizing ecological protection and food security and creating a unique “garden city” brand and making Chiayi County into an asset in Taiwan’s city diplomacy. From a long term perspective, advanced Western countries have already had second thoughts about the development of high density cities orientated toward industry and commerce with their high energy consumption, destruction of the environment, and erosion of quality of life. With this, a number of small but beautiful ecological “slow cities” have emerged. The “garden city” fits well with this development paradigm, and can address major problems such as climate change, food shortages, and an aging population. In other words, in the context of Taiwan’s pursuit of large commercial and industrial cities, Chiayi County has the opportunity to show the world a new Taiwanese thinking on city development. For Chiayi County, it offers an enormous opportunity to build a city centered on agriculture.

The Chiayi County magistrate points out that the county’s city diplomacy efforts

are not restricted only to mainland China. Chiayi County has a diverse history and environmental features as well as a strong local culture. The role of its government is to help local residents to expand their horizons and reduce investment risk. The Chiayi County has used the motto “Chiayi first, the people in charge” to guide city diplomacy with mainland China and other countries. Using the city diplomacy model for exchanges with cities in Europe, North America, and Asia, a splendid city culture can emerge in the face of a new cultural diversity.