LIVING DEAD IN THE PACIFIC

RACISM AND SOVEREIGNTY IN GENETICS RESEARCH ON TAIWAN ABORIGINES

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Acronyms

AFP	Agence France-Presse
ALDH	aldehyde dehydrogenase
CNA	Central News Agency (Taiwan)
CCR	Coriell Cell Repositories
DPP	Democratic Progressive Party (Taiwan)
DSM	*Diagnostic and Statistical Manual of Mental Disorders*
HGDP	Human Genome Diversity Project
IPCB	Indigenous Peoples Council on Biocolonialism
KMT	Kuomintang
MAIPT	Medical Association for Indigenous People of Taiwan
MIT	made-in-Taiwan
MOFA	Ministry of Foreign Affairs (Taiwan)
MOU	Memorandum of Understanding
NGOs	non-governmental organizations
NIPS	Network of Indigenous Peoples Solomons
NSC	National Science Council (Taiwan)
PCT	Presbyterian Church in Taiwan
PRC	People's Republic of China
ROC	Republic of China
TAHR	Taiwan Association for Human Rights
TASP	Taiwan Aboriginal Study Project
TIPO	Taiwan Intellectual Property Office
TITV	Taiwan Indigenous Television
TML	Transfusion Medicine Laboratory (Mackay Memorial Hospital)
USPTO	United States Patent and Trademark Office

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1 Taiwan Aborigines' Genes as Black Boxes

A number of philosophers of science have called genes a type of black box. What this means is that, when a gene is simply considered as a fact, it is a closed black box because the scientific networks involved in making this knowledge are forgotten. Why? Because the credibility and authority of science mean that it is no longer necessary to remember (Latour 1987). I worked as an English language teacher in Taiwan from 1992 to 2001, and I consider this small island nation a good place to learn about how genetics research creates, and also fails to create, such black boxes. With 23 million people, 98 percent of whom are Chinese settlers and 2 percent, or about 500,000, of whom are Aborigines, genetics has become one way to explain and potentially govern the social relationships between settlers and Aborigines. In the late 1990s, I became interested in how, in their competing sovereignty claims over the island, Taiwanese nationalists and Chinese nationalists argued, on the one hand, over the significance of genetics research on the ancient origins of Taiwan Aborigines, while, on the other hand, the Taiwan mass media repeatedly quoted scientists as saying that Aborigines had a genetic predisposition toward alcoholism and other health problems. These contrasting views eventually led me to research the question of why Aborigines and their genes were positively valued as connections to the past but negatively valued as being predisposed to disorder in the present. This book is the outcome of those initial inquiries.

In 1998, the Taiwan government's Central News Agency (CNA) published an article entitled "Alcoholism up among Aborigines, Especially the Young," which dealt with a presentation by Ko Ying-chin of Kaohsiung Medical University in southern Taiwan.[1] The article concludes:

> Most of Taiwan's aboriginal residents are genetically predisposed to alcoholism, the medical professor said, adding that under his survey about 3 percent to 6 percent of aborigines who are alcoholics suffer from insomnia and

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> muscle spasms if they do not get regular doses of alcohol. To effectively resolve the problem, Ko recommended establishing special hospitals to treat alcoholism and training medical personnel to help people stay on the wagon. (Hsu 1998)

A settler, Ko has become a much lauded researcher on Taiwan Aboriginal health issues. He cites statistics and symptoms, and states that Aborigines have genetic predispositions to alcoholism that may require measures that the Taiwan government and concerned others might use to help them control their alcoholism. There was no question about the genetic factors: they are simply stated as facts, closed black boxes that explain Aborigines' alcoholism.

The matter-of-fact nature of the 1998 CNA article stands in contrast to the emphasis on genetics research as a complex social process in a July 31, 1999, report broadcast by the Taiwan Public Television Service's (1999) *Aboriginal News Weekly Magazine*. Entitled "Aborigines in Test Tubes," the report opens with an image of a researcher holding a test tube in a laboratory. In Latour's terms, this report opens the black box to reveal genetics research involving Aborigines as a social process, and it does so by explaining the procedures and the problems associated with it. These problems include ethics violations on the part of researchers, such as frequently not telling Aboriginal participants that their blood would be used for research and not obtaining their proper informed consent. The *Aboriginal News Weekly Magazine* report also discusses researchers' strong interest in Taiwan Aborigines' ancestral origins, with Lin Ma-li, a noted authority on Aborigines' origins, explaining how HLA and other genetic factors are being studied. In the late 1990s, such research on Aborigines' origins was already highly politicized and was an integral part of the sovereignty debates regarding whether Taiwan was part of China or an independent country (Stainton 1999b). Living in Taiwan at the time, I wondered why genetics research on Aborigines as ancestral identifiers was so overtly political, while scientists' statements that Aborigines were genetically dysfunctional went unquestioned, despite Taiwan's colonial history and contemporary discriminatory practices. The answer has turned out to be the difference between closed and opened black boxes.

To open the black boxes of Taiwan Aborigines' genes requires attention not only to the sovereignty disputes between the Taiwan government (formally known as the Republic of China) and the People's Republic of China over Taiwan but, more significantly, to Aborigines' own sovereignty claims and rights to represent themselves. The idea that Indigenous peoples have their own forms of sovereignty and that these continue to exist has gained

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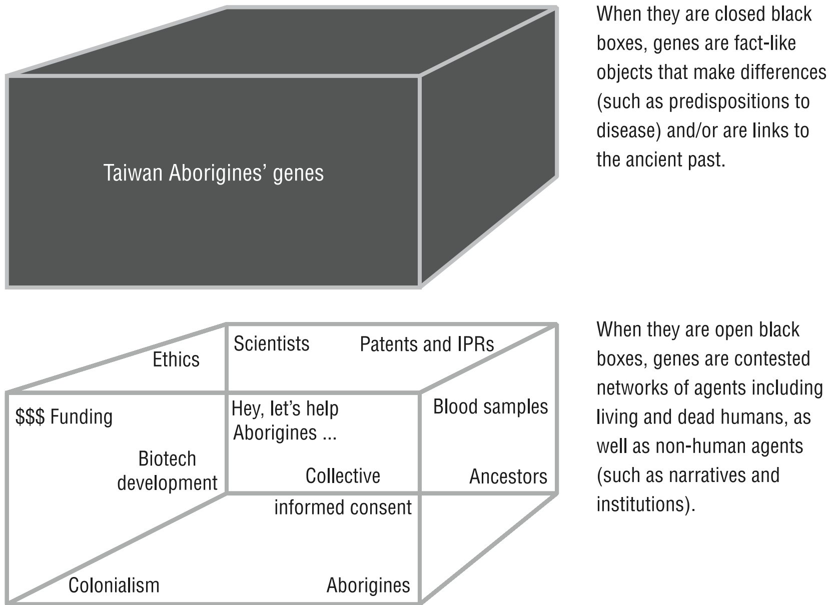
Figure 1

Aboriginal genes: Closed black box versus open black box



increasing acceptance in international forums like the United Nations as well as in international law (Niezen 2003, 3-5). Based on this notion of Indigenous sovereignty, various Indigenous peoples have used the concept of biocolonialism to challenge the ways in which genetics research has been conducted over the last twenty years. Colonialism is generally defined as a situation in which foreign powers have usurped the sovereignty of distant peoples and territories. Biocolonialism involves foreign rulers utilizing sovereign powers to extend their rule to the genetic level. For example, in a 2000 primer on the implications of genetics research for Aboriginal peoples, the Indigenous Peoples Council on Biocolonialism (IPCB) (2000) contends:

> In former times, our ancestors fought their battles on land and in courtrooms. Today some of the battles have moved to scientific laboratories and patent offices. Our weapons are awareness, knowledge, and choices, rather than arrows, guns, and treaties. Call it "the new wave of colonialism," "the new biotechnology," "the bio-revolution," or "bio-colonialism," it is here

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> and will be with us for a long time. In a very broad sense, what we are talking about is "biotechnology." It is an area that we dare not ignore. (Harry, Howard, and Shelton 2000, 7)

In this statement, the IPCB identifies genetics research as involving not only new spaces of oppression but also new spaces of resistance and struggle. It draws a clear analogy between earlier colonial legal claims and, for example, a claim that involves the US government awarding to scientists a patent that is based on research on Indigenous peoples without the involved indigenous communities' consent (Harry, Howard, and Shelton, 2000). Genetics research is an emerging technology of sovereignty involved in the creation of what Ong (2008, 117) calls "new political spaces," which "are generated by varied strategies that govern populations in and through multiple scales of exception." So in the case of biocolonialism, decisions over the exception (the degree to which law applies and does not apply), such as whose legal and human rights can be violated and who accrues what rights and benefits (e.g., patents), occur across multiple time-spaces. Such time-spaces might include transnational biotechnology networks, settler state institutions (like the US Patent and Trademark Office), and Aboriginal peoples and their territories.

Contrary to some globalization theses (such as Michael Hardt and Antonio Negri's nebulous Empire, which sees transnational capitalism as a juggernaut), settler states remain important in global assemblages.[2] Though their sovereignty has been transformed, they have considerable agency in these networks. This continuing significance is why Indigenous peoples are able to engage in transnational networking and forums such as the United Nations Working Group on Indigenous Populations as well as in national campaigns (including those like the Zapatista movement in Mexico, which uses nationalist symbolism) in order to pressure the state. In the 1990s, various Indigenous peoples' organizations engaged in extensive international efforts to destabilize the Human Genome Diversity Project. Terming it the "vampire project," they sharply criticized this effort on the part of scientists to take samples from many thousands of Indigenous peoples and store them as sources of diversity for future generations (Barker 2004; Brodwin 2005, 150-4; Hasian Jr. and Plec 2002, 310; Smith 1999, 16, 100-1, 155). These Indigenous efforts involved organizing international networks to pressure US government funding agencies, which eventually led to the shelving of the project in the late 1990s. These efforts show how Aboriginal-led coalitions can successfully pressure state institutions to destabilize such international research networks. Accordingly, state institutions remain a key area of contestation.

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Scientists See Pre-Modern Genes

When conducting genetics research on human disease and human origins, scientists view Indigenous peoples in particular ways. A central assumption within the scientific community is that Indigenous peoples are geographically isolated and, therefore, relatively genetically homogeneous compared to larger majority populations. For example, the population geneticist Spencer Wells describes the Y chromosome of Indigenous men, which is passed intact across generations from father to son, as a *time machine* that scientists can use to understand early human evolution (PBS 2002; Wells and Read 2002). In human disease research, scientists assume that Indigenous peoples are genetically isolated and homogeneous and that this makes it easier to find correlations between genetics and disease than is the case with modern majority populations. Both of these lines of research involve a conception of Aboriginal peoples as premodern, as either living connections to the ancient dead or as genetically predisposed to disease and death under conditions of modernity.

This premodern status can be understood by conceiving of Indigenous peoples' ancestors as living dead, as physically dead but politically alive. In this configuration, the physically dead still have agency because they make a difference to the living. When the physically living die, they become the dead and, in so doing, gain forms of political and legal agency that can be used by the living. The agency of those deemed by nation-states as the glorious dead is evident in war memorials. These memorials honour dead soldiers for sacrificing their lives to protect their nation's sovereignty (Smith 2000). The Spanish philosopher José Gil (1998, 53) asserts: "In the absence of being able to give itself a religious foundation, the state will transfer aspects of its sovereignty and authority towards the 'nation' and the latter will be founded on the power of the dead." Gil argues that the dead represent an important basis of sovereignty. Those deemed the glorious dead are repositories of power that the state is able to mobilize.

Are all the physically dead so compliant and supportive? In *Imagined Communities*, Benedict Anderson (1991, 9-12) states that there is a strong relationship between nationalism and death as the nation provides a sense of continuity that, since the decline of religious systems, has been missing. Settler states often incorporate Indigenous peoples in ways that seem to eternalize the state. For example, ancient Indigenous peoples are often termed the "First Americans" or "First Canadians," which would seem to classify them as members of the glorious dead. Similarly, settler states often re-evaluate the significance of Indigenous peoples who were killed resisting

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colonization. For example, the Canadian government executed the Métis leader Louis Riel for treason because he led a Métis rebellion in 1885. However, Riel is now popularly revered in Canada as a national founding figure. Similarly, in Taiwan, Mona Ludao, a Seediq Aboriginal leader who led the ill-fated 1930 Wushe Uprising against the Japanese colonial government, is now featured on Taiwan's NT$50 coin.[3] These examples suggest that settler states will honour some Aboriginal dead as glorious dead, as physically dead but politically alive and worthy of remembrance.

The Inglorious Dead?

But what of those who have recently died prematurely from alcoholism-related disease, suicide, illnesses highly correlated with poverty, and other conditions that stem from exposure to death and political marginalization? Are they now *dead dead*, biologically dead and politically dead and so no longer remembered? Scientists are conducting extensive research into, and there are heated debates over, high levels of diabetes, alcoholism, and related diseases among Indigenous peoples (Fee 2006; Poudrier 2007; Williams 2011). This suggests that these recently dead continue to make a difference to the living. Such morbidity and mortality involve what is known as biopolitics (politics of life), which considers the governance of living populations aimed at "making live" by optimizing health, life expectancy, and morbidity (levels of sickness) (Foucault 2003). Biopolitics interacts with sovereignty, particularly with regard to the question of how to deal with the recently dead. For their part, genetics researchers have attributed these high levels of morbidity and mortality to the interaction of genetic predispositions and culture with rapid social change. So, like Ko's aforementioned explanation of Aboriginal alcoholism, scientific research's explanation of the high levels of mortality and morbidity can be used to govern the living through various biopolitical interventions, such as genetic screening and lifestyle counselling (Poudrier 2007; Williams 2011). In response, a number of writers argue that, when scientists use genetics research to explain Aboriginal people's mortality and morbidity rates, they ignore issues of racism, poverty, and political marginalization (DemocracyNow.org 2000; Poudrier 2007; Whitt 1999; Williams 2011). These differing views lead to another important question. If we consider the concept of the glorious dead, when scientists attribute high levels of Aboriginal morbidity and mortality to genetic and cultural factors, do they imply that Aboriginal peoples are predisposed to becoming the *in*glorious dead? Would such an implication help reproduce the hierarchies of sovereign power between settlers and Indigenous peoples by reducing the political significance of the latter's higher levels of morbidity and premature death? These debates point toward a

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concept that is the flipside of biopolitics: necropolitics, or thanatopolitics – the politics of death (Foucault 2003; Mbembe 2003).

These questions regarding the complex relations between living, dead, and the ambiguous status of living dead in genetics research are not an abstract matter for philosophers, nor are they limited to Indigenous peoples; rather, they are of profound social, political, and economic importance. This is because today, around the world, millions of peoples' blood and tissue samples are frozen in liquid nitrogen. These samples and the cells grown from them can be kept indefinitely in institutional collections called biobanks or cell repositories. These samples can and do outlive their donors. Scientists, states, and businesses increasingly view these vast collections as strategic resources and are seeking to integrate them into their respective scientific projects and into their nationally and globally oriented biotechnology development. Indeed, during the current crisis (of accumulation) in global capitalism, the conversion of national populations into vital strategic resources for biotechnologically based development is increasingly justified in terms of economic survival. Biotechnology industrialization advocates argue that, if a nation places strong or "excessive" human and civil rights limitations on biotechnology development during this time of economic crisis, it will be surpassed by its rivals. As a consequence, the nation will suffer both sustained and serious economic losses as well as population health losses. Through analyzing genetics research involving Indigenous peoples, this book considers what can be learned about the problems related to sovereignty and to legal and political rights in the context of this biotechnologically based conversion of populations.

Context and Methodology

Taiwan is an appropriate site in which to explore the aforementioned questions because genetics research has already been incorporated into mainstream political discourses to explain Aboriginal social problems, into controversies over national sovereignty and identity (since the mid-1990s), and into recent biotechnology development efforts. In a 1999 paper presented at a conference on Aboriginal rights at National Taiwan University, one Taiwanese academic discussed how genetics had already been integrated into common negative stereotypes of Aborigines: "The popular perception of Indigenous peoples is invariably, in one form or another, of social pathology in need of social relief at best, or to be condemned to their own miserable destiny resulting from genetic defects at worst" (Shih 1999). Taiwanese nationalists have used Taiwan Aborigines' genetics as signifiers of a distinct Taiwanese identity. This use of Taiwan Aborigines' genetics and the underlying symbolism of shared blood is supposed to strengthen Taiwanese

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sovereignty claims against Chinese nationalist claims that Taiwan is an inalienable part of China. Such usage is typified in the Taiwanese nationalist expression: "We have Chinese fathers but not Chinese mothers" (Kagan 1998). Both the Taiwanese and the Chinese nationalist claims have become increasingly intertwined in biotechnology development.

For their part, by the late 1990s many critics in Taiwan were already condemning scientists' routine large-scale violations of Aborigines' rights and dignity at both the individual and the collective levels (Lin M.J. 1999; Liu 2000b; Taiwan Public Television Service 1999). Many thousands of samples have been taken from Taiwan Aborigines without their proper informed consent (Lin M.J. 1999; Liu 2000b). Exploiting health care shortages in Aboriginal communities, scientists took a significant number of these samples under the guise of a health check-up, without informing Aboriginal donors that the samples would be used for genetics research (Liu 2000b). Taiwan Aboriginal activists and leaders have challenged these pervasive violations, and this has led to significant legislative changes, including new legislation on human research subjects passed in December 2011. Backed by the threat of large fines, this new legislation requires informed consent at the individual and collective levels before research involving Taiwan Aborigines begins and before the publication of any research results (Shih 2011).

Beginning in the 1990s, Taiwan embarked on a long-term biotechnology industrial development effort in an attempt to replicate the successes that had made it a major computer manufacturer in the 1980s and 1990s. Promoted in government slogans such as "Taiwan Biomedtech Island," these efforts seek to integrate the national health care system and the centralized medical information system, covering 99 percent of the population (including most Aborigines), with large-scale coordinated genetics research and biotechnology development, including the proposed Taiwan Biobank (which would contain samples and information from some 200,000 people) (Chiu 2005). Important provisions include extensive government funding and legal changes to encourage foreign investment and to allow government-funded researchers to apply for patents. However, these efforts soon led to conflicts. In 2006, a major dispute broke out over the failure of government officials and scientists to consult with Aborigines regarding the proposed Taiwan Biobank Project (Munsterhjelm and Gilbert 2010). Critics argued that this failure to consult with Aboriginal peoples was a violation of the Indigenous Peoples Basic Law (passed in 2005), which mandates that all research involving Aborigines requires their prior consent. It is too soon to assess the effectiveness of these new laws as they could end up being either weakly enforced or simply ignored. However, they are indicative of the fact that, to date, Taiwan

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has seen some of the most complex conflicts over genetics research involving Aboriginal peoples anywhere.

As these conflicts indicate, genetics research involving Taiwan Aborigines has raised a significant and troubling set of legal, ethical, and sovereignty-related questions. In order to answer them, I offer a detailed narrative-based analysis of several case studies. These studies explore how scientists have transformed recent high levels of Aboriginal alcoholism into genetic predispositions; controversies over the use of genetics research on Taiwan Aborigines' origins in sovereignty claims and in Taiwan's diplomatic policies; several cases of scientists' violating Aboriginal rights; and the commercialization of genetics research, including sales of cell lines and controversies over patent applications. Only a couple of these case studies have received (limited) scholarly attention, and there have been no detailed comparative analyses.

In order to understand the relationships between living, dead, and living dead in genetics research involving Taiwan Aborigines, I develop an analytical framework that integrates actor network theory, rhetoric and argumentation theory, and recent work on the organizing properties of narratives. This analytical framework considers the agency of various human agents, including genetics researchers, Aboriginal research subjects, and the ancient dead, along with that of non-human agents (including texts, laws, and lab equipment). These forms of agency are evident in a major narrative schema in which scientists pose Taiwan Aborigines' genetics as a research problem, commit to researching that problem, carry out the research, and then interpret their findings for other scientists and the public. Three forms of rhetoric, defined by Aristotle some twenty-five hundred years ago, are crucial to these different stages. Scientists use epideictic rhetoric, which deals with moral praise and blame, to express the importance of the research problem. They then use forensic rhetoric, which deals with accounts of the past, to explain how they conducted their research. Finally, they use deliberative rhetoric, which advocates future courses of action, both to define how they will conduct their research and to indicate its potential significance to science and society (including how it may be used to govern). By applying these forms of rhetoric to the narratives of scientific researchers and Aboriginal critics, this analytical model allows for a nuanced understanding of the complex interactions of competing narratives – interactions that stabilize and destabilize networks that span transnational science and capital, settler states, and Indigenous peoples.

Many readers will be unfamiliar with Taiwan Aborigines and Taiwan, so the remainder of this chapter provides a brief history of sovereignty issues

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in Taiwan and how they have become intertwined with genetics. This history is needed in order to ensure that the reader understands the more detailed analysis of genetics research involving Taiwan Aborigines that comprises the rest of this book.

In order to understand some of the controversies over Taiwan's sovereignty, we must first consider its geographic location. Taiwan is strategically located in the western Pacific Ocean, some 160 kilometres off the southeast coast of China across the Taiwan Strait, 120 kilometres west of Japan's Ryukyu Islands and 100 kilometres north of the Philippines' Batanes Islands across the Bashi Channel. It has a land area of about 36,000 square kilometres and is just under 400 kilometres long from north to south by 170 kilometres from east to west. The island was formed some 70 to 80 million years ago by the collision of the Philippine Sea Tectonic Plate with the Eurasian Tectonic Plate. This collision created two of Taiwan's major geographic features: first, a large low-lying plain on the western side of the island (on the side adjacent to China) that covers approximately one-third of Taiwan's land mass; second, a series of densely forested and steep mountain ranges (with many peaks of over three thousand metres) that run the entire length of the island from north to south, covering most of the eastern two-thirds of its land mass. The eastern coast is lined with a small, narrow plain. During a number of prehistoric ice ages, Taiwan was connected to mainland Asia. As we will see, Taiwan's location and geography have been pivotal in its history.

Different accounts of the island's history play an important role in the sovereignty claims of the People's Republic of China (PRC), the Republic of China (ROC), and the Taiwanese independence movement. The One-China principle asserts that Taiwan is, and has always been, an inalienable part of China. The One-China policy means that any country that wants formal diplomatic relations with the PRC or the ROC must recognize one and not the other as the sole government of China. The PRC claims sovereignty over Taiwan, but it has never governed the island. Its sovereignty assertions are based on its claim to being the legitimate successor to previous Chinese governments. Conversely, the ROC claims to be the legitimate government of China and Mongolia (which became independent in 1921), although, since 1949, its effective rule has been limited to Taiwan and outlying islands. In practice, this has led to absurdities, such as the way in which the members of the ROC National Assembly, who were elected in 1947 in China and then fled to Taiwan in 1949, continued to represent the areas of China in which they had been elected until they were finally forced to retire in 1991 (after 1991, all members were elected only for areas actually under ROC control). In contrast to One-China advocates, Taiwanese nationalists claim that Taiwan's historical and political experience make it a country distinct from

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Figure 2

The Austronesian zone

Note: Map by Eric Leinberger based on Bellwood 2000. The original map by Peter Bellwood is available at http://ecai.org/austronesiaweb/Maps/All-austronesia-area/All-austronesia-area.jpg.

China. Diplomatically, most countries recognize the PRC as the sole government of China, while only twenty-three countries (six of which are small Pacific countries) recognize the ROC as the sole government of China. However, many countries have representative offices in Taiwan (e.g., the American Institute in Taiwan and the Canadian Trade Office, both of which are located in Taipei), which handle embassy-type functions such as visas.

Nationalists often try to strengthen the legitimacy of their sovereignty claims by asserting direct connections to ancient peoples, and Taiwan is no exception (Rudolph 2004; Sleeboom-Faulkner 2006; Stainton 1999b). For many thousands of years, dozens of linguistically, culturally, and politically distinct Aboriginal peoples have inhabited Taiwan. They have spoken a range of Austronesian languages, which are related to some eleven hundred languages spoken in a broad band from Hawaii and Easter Island across the Pacific to Aotearoa (New Zealand), the West Pacific (including the Solomon Islands) and Melanesia, through the Philippines and Indonesia to Madagascar. Taiwan Aboriginal peoples' traditional stories posit various origins. The Pangcah (Ami) Aborigines and Rukai Aborigines have stories of how, long ago, their ancestors arrived in Taiwan by sea. According to the origin stories of the Atayal people, their ancestors emerged from a rock in Taiwan (Covell

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1998, 39). In recent decades, various scientists in the fields of linguistics, archaeology, and, most influentially, genetics have been researching the origins of Taiwan's Aboriginal peoples and their relations to Indigenous peoples of the Pacific. Today, such research has transformed the approximately 500,000 Taiwan Aborigines and their ancestors into strong signifiers of Taiwan as a Pacific island, possibly the homeland of the Austronesian languages.

The People's Republic of China's Sovereignty Claims

The PRC's sovereignty claims ignore the concept of Aborigines' historical sovereign control of the island and assert that Taiwan has somehow always belonged to China. The One-China policy shaped a 1993 PRC White Paper entitled "The Taiwan Question and Reunification of China," variations of which still appear on PRC embassy webpages, which asserts:

> Lying off the south-eastern coast of the China mainland, Taiwan is China's largest island and forms an integral whole with the mainland.
>
> Taiwan has belonged to China since ancient times. It was known as Yizhou or Liuqiu in antiquities. Many historical records and annals documented the development of Taiwan by the Chinese people in earlier periods. References to this effect were to be found, among others, in *Seaboard Geographic Gazetteer* compiled more than 1,700 years ago by Shen Ying of the State of Wu during the period of the Three Kingdoms. This was the world's earliest written account of Taiwan. Several expeditions, each numbering over ten thousand men, had been sent to Taiwan by the State of Wu (third century A.D.) and the Sui Dynasty (seventh century A.D.) respectively. (Taiwan Affairs Office and Information Office 1993)

In the PRC's view, ancient historical descriptions and stories of Chinese Wu and Sui kings sending expeditions to a place that might have been Taiwan help make the island an integral part of China. Whether these expeditions occurred is a matter of historical debate, but we can safely say that they did not result in any long-term Chinese influence in Taiwan, and there is no archaeological evidence of such large expeditions.

PRC claims are also based on the history of Chinese governance of the Penghu Archipelago, located about forty-five kilometres off the west coast of Taiwan. Today the ROC government controls Penghu as well as a couple of small islands off the coast of China, but the PRC contends that, historically, Chinese control extends to the main island of Taiwan:

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> Chinese governments of different periods set up administrative bodies to exercise jurisdiction over Taiwan. As early as in the mid-12th century the Song Dynasty set up a garrison in Penghu, putting the territory under the jurisdiction of Jinjiang County of Fujian's Quanzhou Prefecture. The Yuan Dynasty installed an agency of patrol and inspection in Penghu to administer the territory. (Taiwan Affairs Office and Information Office 1993)

This assertion involves a metonymic form of reasoning of part for whole, in which China's historical jurisdiction over Penghu is supposed to be equivalent to ruling Taiwan. However, historically, Chinese jurisdiction was limited to the Penghu Archipelago, while Taiwan remained under the control of local Aboriginal peoples. The Chinese administration did not exert any sort of actual control over Taiwan until the late 1600s, when this control was initially limited to colonized areas in the western part of the island. As the successor state to an earlier imperial predecessor, the PRC (as a macroactant) claims the historical domain of the Chinese Empire, which means its present-day claims over Taiwan are fundamentally imperial in origin.

The Colonization of Taiwan

Taiwan's history of colonization is a relatively short but turbulent one. Taiwan started to integrate within regional trading networks in the mid-1500s. Ming Dynasty anti-piracy efforts pushed Chinese and Japanese pirates to set up temporary bases on Taiwan's west coast for attacks on shipping in China's coastal areas, while small numbers of Chinese traders and fishermen began to settle in Aboriginal villages (Kenji 2010, 80; Shepherd 1993, 47). An economy developed during the late-1500s based on the export of deer skins (Shepherd 1993, 47-48). However, the island remained under Aboriginal control. Its strategic position led Japan's Tokugawa Shogunate to send two expeditions, one led by Arima Harunobu in 1609 and another led by Murayama Toan in 1616, both of which were unsuccessful due to local Aboriginal military resistance. Large-scale Chinese settlement on Taiwan actually started after 1624, when the Dutch East India Company landed and began colonizing Siraya Aboriginal areas in the southwest of Taiwan, near present-day Tainan. The Spanish established a small fort just north of present-day Taipei, but the Dutch captured this in 1642. Initially, under the Dutch East India Company, a trade quickly developed based on the exploitation of the western plain's vast herds of deer, with the meat sold in Chinese ports and the skins exported to China and Japan. However, over-exploitation eventually decimated these herds, and the Dutch recruited Chinese to grow sugar and

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Figure 3

Taiwan Aborigine's territories

Note: Map by Eric Leinberger based on Council of Indigenous Peoples, n.d. and Electronic Cultural Atlas Initiative 2000.

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rice in colonized areas. The Dutch were followed by a succession of foreign powers, beginning with Koxinga (Zheng Cheng-gong), the Ming Dynasty loyalist who defeated the Dutch in 1662. During much of the 1600s, China was in the midst of an extended period of warfare as the Ching Dynasty displaced the Ming Dynasty. Once the Ching had defeated the last remnants of the Ming and consolidated its control of China, it then attacked and defeated Koxinga's successor (his son) in 1684, taking control of the colonized areas that he had ruled in western Taiwan.

During the 1600s to 1800s, Taiwan saw mass immigration from China, particularly Hoklo, who are Minnan-speaking settlers from southern Fujian Province directly across the Taiwan Strait, and also Hakkanese, a minority group from Guangdong Province and other areas of China. During this early period of Chinese settlement, there was extensive intermarriage between Chinese settlers and Pingpu (Plains) Aborigines. Still, despite over two hundred years of colonization and a population of some 2.5 million Chinese settlers, only the island's western plain and northern tip were under nominal Chinese rule in 1895, on the eve of the Japanese conquest.[4] Various Aboriginal peoples still controlled and exerted effective sovereignty over the remaining 60 percent of the island's territory. Such complexities are absent from the PRC White Paper, which states: "The history of Taiwan's development is imbued with the blood, sweat, and ingenuity of the Chinese people including the local ethnic minorities." By defining Taiwan Aborigines as Chinese ethnic minorities, the PRC excludes any consideration of Aborigines as independent political entities with their own sovereignty and histories. The PRC officially refers to Taiwan Aborigines as the "High Mountain Tribe," one of its fifty-five minorities, a designation that totally ignores the Pingpu Aborigines. It also defines the Han Chinese (which, historically, is a recent construction) as the dominant, or normal, group. The PRC asserts that legendary ancient expeditions, Ching colonial governance of parts of Taiwan, and definitions of Aborigines as Chinese ethnic minorities all support its sovereignty claims.

Further foreign interventions increased the complexity of sovereignty exercised over Taiwan during the middle and late 1800s. Western powers like the United States and England, along with newly industrializing Japan, became interested in Taiwan due to the declining power of the Ching Dynasty, Taiwan's valuable resources, and the island's potential as a market for Western goods (particularly opium). The Anglo-French defeat of China in the Second Opium War (1856-60) resulted in the 1858 Treaty of Tianjin, which opened Taiwan's ports to Westerners. Under the Treaty of Tianjin, foreigners were immune from Chinese law, so that there was a mix of Chinese and Western sovereignty in colonized areas of Taiwan. This was particularly evident in

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the ports, where Western trade houses were based and where Western gunboats frequently docked. From the 1860s onwards, European and American merchants imported large amounts of opium. For example, in 1882, at the northern port of Tamsui (Danshui) (now a suburb of Taipei), Western merchant houses imported 1,583 piculs (95,438 kgs) of opium, which accounted for 62 percent of the total value of foreign imports (Huang, Lin, and Ang 1997, 2:588-89). Not surprisingly, these imports led to high levels of opium addiction among the Chinese settler population.[5]

Taiwan was known for products such as rice, sugar, tea (which grew well in mountainous areas), and particularly camphor, which, at the time, was an important strategic material. Camphor trees *(cinnamomum camphora)* were abundant only in Taiwan and Japan. Western traders were particularly interested in camphor, which was very valuable due to its unique chemical properties, which made it an essential ingredient in celluloid (an early plastic), various medicines (such as arthritis rubs), and smokeless gun powder (Alfred Nobel's formulation was 10 percent camphor) (Davidson 1903; Hyatt and Hyatt 1870; Sri Kantha 1997, 304). At the peak of the camphor trade between the 1870s and 1890s, one to two million kilograms of processed camphor were exported annually from Tamsui, on the north tip of the island. It was the Western demand for camphor that drove the invasion of Aboriginal territories. And while, in some areas, Aborigines were involved in the trade, many Atayal communities and others opposed this encroachment on their lands. The Atayal resistance in the mid-1880s was so effective in the camphor production areas in the mountains south of Taipei that only three piculs (181 kgs) of camphor were exported from Tamsui in 1885 (Huang, Lin, and Ang 1997, 2:690; Davidson 1903, 405-6). In 1887, Edmond Farago, commissioner of British Customs at Tamsui, wrote: "The Camphor trade, which was thought to be doomed to a rapid extinction, is again showing signs of revival. Some degree of success having attended the military operations in the hills, densely wooded districts, hitherto dangerous to approach, have been rendered accessible" (Huang, Lin, and Ang, 1997, 2:716). These offensive operations, undertaken by Ching military units against the Atayal, restored production levels within a few years. For example, in 1894, 2,386,084 kilograms were exported from Tamsui (Davidson 1903, 442).

During much of the 1700s and 1800s, the Ching Dynasty had a policy of minimizing the costs of governing Taiwan. Accordingly, it limited Chinese colonists' incursions into independent Aboriginal territories due both to the financial costs associated with the resulting large-scale conflicts and to the expense of governing such remote areas (Shepherd 1993). However, this policy changed with the increase in Western and Japanese interest in colonizing the island, particularly after the Japanese military expeditions against

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Paiwan Aborigines in south Taiwan in 1874. As part of a self-strengthening program, the Ching colonial government began to improve the island's military defences and infrastructure. This program gained further impetus following the Ching's successful defence against French attempts to colonize the north of the island at Keelung in 1884-85.[6] Its policies emphasized increasing revenues and a shift toward the aggressive colonization of the remaining independent Aborigines (Gardella 1999, 183-91). Camphor and tea were important sources of revenue for the Ching's efforts. Within the context of late 1800s imperialism, Taiwan's camphor production networks involved overlapping and often conflicting assertions of sovereignty in a series of linked zones extending from Aboriginal territories in the mountains through Ching-controlled areas to Western merchant houses backed by Western naval warships.

Japanese Colonial Period

Beginning with the unannounced entry of US admiral Perry's fleet into Tokyo Harbour in 1853, Western powers coerced Japan's ruling Tokugawa Shogunate into a series of unequal treaties that gave preferential treatment to Western powers, including access to Japanese markets (Storry 1982; Auslin 2006). These events destabilized the Tokugawa Shogunate and finally ended its rule, leading to the Meiji Restoration in 1868 (which involved the founding of the Japanese centralized state). This marked the beginning of Japan's breakneck pursuit of modernization.

Modern Japanese interest in Taiwan dates to the early 1870s. In 1874, the new Meiji central government launched a series of military expeditions against Paiwan Aboriginal peoples in southeast Taiwan. These punitive expeditions were purportedly a response to the Paiwan's massacre of fifty-four shipwrecked Ryukyu Islanders in 1871. In 1872, the Meiji government had asserted sovereignty over the Ryukyu Islands (including Okinawa) and, as a sign of this, pledged to avenge the Ryukyu Islander victims. Hitherto, the Ryukyu Islands had been under a sort of joint Japanese and Chinese suzerainty. So the expedition of some thirty-five hundred soldiers to Taiwan was Japan's way of asserting both its exclusive rule and sovereignty over the Ryukyu Islands and its ability to seek justice for those it claimed as subjects. The expeditions also allowed the Japanese to test Western reactions to the potential colonization of Taiwan. Domestically, the still unstable Meiji government gained extensive public support through mass media coverage of these expeditions, wherein it contrasted Japan's new modernity with the supposed savagery of Taiwan Aboriginal peoples (Eskildsen 2002). When the Japanese initially demanded reparations from the Ching government, Ching officials replied that they did not control these areas and therefore

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were not responsible for the actions of the involved Paiwan. However, realizing the larger geopolitical sovereignty implications of the Japanese intervention as a potential prelude to colonial invasion, the Ching government eventually paid reparations to the Japanese. By doing so, it also effectively recognized the exclusive sovereignty of Japan over the Ryukyu Islands (Gardella 1999, 183-84). The Japanese finally left southeast Taiwan in December 1874.

During the 1870s, the Meiji government consolidated control over its own territory and embarked on a rapid process of industrialization and modernization. By the 1890s, it was actively seeking to expand overseas. In 1894, Japan started a war with China over Korea, which concluded with a Japanese victory in 1895. In the resulting Treaty of Shimonoseki, China ceded the Penghu Archipelago and Taiwan to Japan (even though China only controlled part of the island of Taiwan). Initially, Japanese colonization focused on suppressing armed resistance among the Chinese settler population from 1895 to 1902, which it did with ruthless effectiveness.[7] The Japanese then set about gradually conquering the Taiwan Aboriginal peoples who still controlled about 60 percent of the island's territory. The colonial government imposed a camphor monopoly. Camphor from conquered Aboriginal areas not only financed the invasion of further Aboriginal territories but also provided around 15 to 25 percent of the colonial government's local revenues during the early colonial period (Barclay 1999, 133, 155). After twenty years of warfare, in the late 1910s the Japanese finally conquered the last independent Taiwan Aborigines, the Truku (Taroko), in the east of the island. However, Japanese control remained nominal in some areas and pitched battles still occurred into the 1930s including the Wushe Uprising by the Sediq and resistance by the Bunun and Paiwan.

Basing their efforts on Western imperial ideology and colonial governance practices, the Japanese colonial government transformed Taiwan's Aboriginal areas into a periphery that provided resources and labour to further economic development in Taiwan's urban areas and, eventually, supported the Japanese war effort. Along with Western military and industrial technology, Western colonial ideology was widely adapted during Japanese modernization (Barclay 1999; Eskildsen 2002). For example, a Japanese parliamentarian, Takekoshi Yosaburo, wrote in 1905: "The white man has long believed that on his shoulders alone has rested the burden of colonising the yet unopened portions of the globe, extending to the inhabitants the benefits of civilisation; but now we Japanese, rising from the ocean in the extreme Orient, wish to take part in the white man's important mission. There are doubts as to whether our countrymen can shoulder the yellow

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man's burden. The success or failure of Japanese rule in Taiwan will be the touchstone upon which this issue is resolved" (Barclay 1999, 63). The Japanese colonial regime developed a modern infrastructure, including waterworks, schools, hospitals, roads, and railways. Various Aboriginal areas were flooded to provide that most essential of modern resources – electricity. During the Second World War, war-related production led to the development of heavy industry, including chemical and aluminum industries, which were powered by an abundance of hydroelectricity. The Japanese colonial government forced many Aborigines to provide corvée labour and imposed increasingly harsh forced assimilation measures on them. Aboriginal rebellions, such as the aforementioned 1930 Wushe Uprising, were brutally repressed. During the Second World War thousands of Taiwan Aboriginal men were either drafted or volunteered to fight with the Japanese Imperial Army.[8] As well, known euphemistically as "comfort women," hundreds of Aboriginal women were forced to work as sex slaves for the Japanese Imperial Army (Tanaka 2002, 44). The Japanese imposed a system of colonial governance and political economy that forced Taiwan Aboriginal areas to supply settler-populated areas, a system that was taken over by their Chinese Nationalist successors.

The Kuomintang Colonial Period

With the Japanese defeat in the Second World War, the US granted Chiang Kai-shek's Kuomintang (Chinese Nationalist Party) government control of Taiwan in 1945 (without any consultations with Taiwanese settlers or Aborigines), which transformed Taiwan into a semi-sovereign American protectorate. The Japanese had completed the conquest and intensified the colonization of Taiwan Aborigines and their territories as part of the island's transformation into an industrialized country, processes that the Kuomintang (KMT) would further intensify.

During the post-Second World War period, rapid development intertwined with state terror. The US-backed KMT dictatorship, led by Chiang Kai-shek, silenced real and imagined Hoklo, Hakka, and Aboriginal political opposition by killing and imprisoning tens of thousands.[9] Estimates of those killed by the KMT regime range from ten thousand to thirty thousand settlers during the repressing of the February 28, 1947, uprising, which had been triggered by popular settler resentment of the KMT's corrupt administration and its pillaging of the island for resources to support its efforts in the Chinese Civil War (1945-49). In 1949, with the KMT's defeat in the Chinese Civil War, Chiang Kai-shek and 1.5 to 2 million soldiers and refugees fled to Taiwan. Following their defeat by the "communist bandits," the KMT declared

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a state of emergency and imposed martial law on Taiwan, which effectively suspended all political and human rights, initiating a period of brutal state repression commonly known as the White Terror.[10]

This state of emergency went hand in hand with the intensification of the political and economic exploitation of Aborigines – for their labour, their territories, and the natural resources within those territories. In 1946, the KMT nationalized all Aboriginal territories, making them public lands (Hsu 1991).[11] This nationalization effectively criminalized the traditional use of their own territories, rendering Taiwan Aborigines impoverished in their own homelands. The KMT's nationalization of Aboriginal territories and the subsequent declaration of a state of emergency suspended Aboriginal political rights and land rights. Conscious of Aboriginal peoples' past resistance to such colonization, during the White Terror the KMT imprisoned and killed a number of Aboriginal leaders. Aboriginal communities were often subjected to tight police surveillance and forced cultural assimilation measures, the purpose being to Sinicize them. Aboriginal areas in Taiwan's rugged mountains, which stretch the length of the island from north to south, were also heavily militarized due in part to KMT fears that Taiwanese settler dissidents might use them as guerrilla bases.

During the 1950s, government and private settler firms heavily logged the Aboriginal areas of eastern Taiwan, providing valuable foreign currency and ecologically devastating these regions. Deer, long a food source and totem for the Aborigines, were rendered nearly extinct at this time. The government constructed more hydroelectric and mining projects. The KMT regime's expropriation and exploitation of traditional Aboriginal territories inflicted devastating poverty, and many Aborigines began to migrate to urban areas in the 1960s and 1970s in search of employment and better living conditions. In these urban areas, they frequently suffered racist discrimination at the hands of the Han Chinese, and they were generally relegated to menial labour, high-risk occupations in construction, deep-sea fishing, and the sex industry. These severe upheavals led to social breakdown in Aboriginal communities (Alliance of Taiwan Aborigines 1993).

Democratization

In the 1970s, rapid economic growth and the emergence of a large educated urban middle class combined with the loss of international diplomatic recognition to shatter the domestic and international legitimacy of the KMT government's sovereignty claims over China, including Taiwan. In 1971, the United Nations voted to transfer the UN seat for China from the KMT regime in Taiwan (formally known as the Republic of China) to the People's Republic

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of China. The transfer of the UN seat to the PRC was followed by most of the world's major powers, who shifted official diplomatic recognition to the PRC, with the US finally following suit in 1979.[12] This loss of legitimacy contributed to Taiwan's settlers and Aborigines making increasingly open demands for democracy in the 1970s. Aborigines, along with labour, human rights, environmental, and other social movement organizations, played an important role in the mass democracy movements of the 1970s and 1980s. Many of these early organizing efforts were centred in the Presbyterian Church in Taiwan, which had American and Western connections that provided some protection from the more extreme aspects of KMT state terror. Efforts such as the Return Our Lands Movement, which, during the late 1980s, challenged the expropriation of Aboriginal territories under the KMT (Stainton 1995), were part of the larger democratization movement. This movement, combined with loss of international recognition, succeeded in pressuring the KMT dictatorship to finally end martial law in 1987, thirty-eight years after it was declared.

Aborigines and Contemporary Sovereignty in Taiwan

In Taiwan, what we find in practice is that sovereignty is part of a bundle of concepts that Aborigines variously mobilize in their relations with the settler state and transnational assemblages.[13] Indigenous peoples have used the concept of sovereignty not only where there are treaties between settler states and Indigenous peoples (e.g., the United States, Canada, or New Zealand) but also where there are no treaties (e.g., Australia and Scandinavia) (Tsing 2007, 42-44). Taiwan Aborigines have no treaties comparable to the 1840 Treaty of Waitangi signed by Maori and the British Crown in New Zealand or to those of many First Nations in Canada. However, since the 1980s, the concepts of Aboriginal sovereignty, collective rights, and land rights have become part of Taiwan Aboriginal struggles and political discourses.

It is useful to sketch out the complex conditions and the types of assemblages involved in how Taiwan Aborigines make a difference in constituting political power relations that recognize them as part of the polity rather than as living dead. Historically, there were a diverse range of social forms and governance practices, from the nobility and commoners of the Paiwan and Puyuma to the egalitarian nomadic societies of the Atayal and Bunun.[14] Today, the Taiwan government officially recognizes fourteen peoples. There are also several peoples, particularly most of the Pingpu Aborigines, whom the settler state refuses to officially recognize. Taiwan Aboriginal peoples are further divided in various ways, for example, along linguistic lines (unlike the Maori, their Aboriginal languages tend to be mutually unintelligible)

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and according to religious affiliations, including Presbyterianism, Roman Catholicism, Protestant evangelicalism, and Aboriginal religious belief systems. Politically, the pro-China Kuomintang Party receives more Aboriginal support than does the pro-Taiwan independence Democratic Progressive Party (DPP).

There is a long and repressed history of Aboriginal attempts to advocate autonomy. College educated during the Japanese colonial period (which was very rare at the time), the Tsou Aboriginal leader Uyongu Yatauyungana (whose Chinese name is Kao Yi-sheng) began advocating Taiwan Aboriginal autonomy after the Second World War (Harrison 2001; Loa 2007b; Williams 2004). He and other Tsou also participated in the 228 Rebellion of 1947. Tsou warriors, in conjunction with local Taiwanese settlers, pinned down KMT military units at the Chiayi airfield in central Taiwan. However, Yatauyungana was arrested in 1952 and finally executed by the KMT in 1954 during the White Terror. The KMT dictatorship instituted a centralized system of governance that created a dependent Aboriginal elite while maintaining strict control over Aboriginal areas. The intensity of state terror declined in the 1960s and 1970s, while the 1980s were a time of extensive social movements and democratization that transformed the country.

Christian Missionaries

Missionary efforts in Taiwan have been complexly intertwined with Taiwan's colonization. Mainly after the Second World War, some 70 percent of Aborigines converted to some form of Christianity (whereas only 3 percent of Han settlers are Christian) (Stainton 2002). Christian missionary efforts began under the Dutch, but these initial efforts made no lasting mark after the Dutch defeat in 1662. However, with the 1858 Treaty of Tianjin, Christian missionary efforts began again.[15] Conversion remained limited to colonized Aborigines, much to the chagrin of some early missionaries.[16]

Under the Japanese, missionary activities in Aboriginal areas were banned, though some secret proselytizing occurred (Covell 1998). Following the Second World War, the KMT allowed the US-affiliated Presbyterian Church in Taiwan and the Roman Catholic Church to engage in extensive missionary activities in Aboriginal areas. The resulting post-Second World War mass conversions among Aborigines followed the upheavals inflicted by the Japanese conquest and the KMT occupation of Taiwan. The political and material resources of the churches helped alleviate the grinding poverty of many Aborigines following colonial conquest and the expropriation of their territories. While initially authoritarian in its repression of traditional Aboriginal cultural and religious beliefs, Christianity was somewhat localized

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as it adapted to, and was adopted among, Aborigines (Stainton 2002). In Taiwan, some 30 percent of Aborigines belong to the Presbyterian Church. In defiance of the KMT military regime, the Presbyterian Church produced Aboriginal translations of the Bible. A type of liberation theology developed in the Aboriginal centred Yu-Shan Presbyterian Seminary, which became a centre of organizing, including with regard to the Return Our Lands Aboriginal Movement of the late 1980s and early 1990s (Stainton 1995, 2002). Hence, Christianity has become an important factor politically, organizationally, and culturally for many Aborigines over the last century, and it is today an integral part of most Aboriginal communities.

With Taiwan's democratization, concepts of Aboriginal autonomy remerged. Issues of autonomy and self-government went from marginalized opinions to political orthodoxy among Aboriginal leaders during the 1980s and early 1990s (Stainton 1999a). The Alliance of Taiwan Aborigines was founded on December 29, 1984 (over two years before the lifting of martial law on July 14, 1987)

> by a group of Taiwan Aborigines, missionaries and Han people who have the qualification of humanitarianism. We foresee that Taiwan Aborigines have suffered for a long time unequal treatment from economic exploitation, social discrimination, political oppression and negligence of culture. Taiwan Aborigines are truly encountering a crisis of racial extermination. This Alliance is a social movement that strives for economic benefits, political rights and social position. (Alliance of Taiwan Aborigines 1993)

In 1986, during a visit with Igorot Indigenous people in northern Luzon in the Philippines, Presbyterian Church-affiliated Taiwan Aboriginal leaders "met with the Cordillera People's Alliance (CPA). The CPA shared with them a copy of the Statement of Principles of the World Council of Indigenous Peoples (WCIP)" (Stainton 1999a, 423). Michael Stainton translated the Statement of Principles as part of a report on the visit, and this report was eventually passed on to the Alliance of Taiwan Aborigines, which adopted it.

In an Alliance of Taiwan Aborigines presentation to the United Nations Working Group on Indigenous Populations in 1993, sovereignty was translated and discussed in conjunction with land rights, recognition, and history. According to the presentation: "Taiwan's government does not recognize the ethnic status of the tribes and our historical position in Taiwan; it has deprived our traditional right to the land and our traditional sovereignty" (Alliance of Taiwan Aborigines 1993). This presentation interwove the concepts of identity, recognition, collective rights, land rights, and sovereignty.

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It was Aboriginal translations of such concepts as self-government, autonomy, and Aboriginal sovereignty that reshaped the political terrain of Taiwan from the 1980s onward.[17]

The concept of Aborigines as original peoples was directly translated from English into the Mandarin Chinese phrase *yuan-zhu-min*. This phrase became popular among Aboriginal intellectuals and activists during the 1980s (Stainton 1999a), and it was eventually included in the 1994 revisions to the Taiwanese Constitution (Simon and Awi Mona 2009). The 1997 constitutional changes further expanded this concept to include the idea of *yuan-zhu-min-zu*, which recognizes Aboriginal peoples as collective political entities (an idea that was adapted from UN forums on Aboriginal peoples) (Simon and Awi Mona 2009; Stainton 1999a). Although still often framed in terms of the benevolence of the settler state, the concept of Aboriginal sovereignty has now been popularized.

This popularization is due not only to Aboriginal efforts but also to the strategic translations and use of the notion of Aboriginal sovereignty by the DPP and Taiwanese nationalists as part of their rejection of Chinese sovereignty claims over Taiwan. The 1999 agreement is a case in point. This agreement, though not legally binding, provided a template for some of the Chen Shui-bian presidential administration's policies. Various Aboriginal representatives and then DPP Taiwanese presidential candidate Chen Shui-bian signed the agreement, which called for a new nation-to-nation relationship, promising Aboriginal autonomy and a new partnership.[18] In a 2006 speech marking the tenth anniversary of the founding of the Council of Indigenous Peoples (the Taiwanese equivalent of Canada's Department of Indian Affairs and Northern Development), President Chen declared: "In October 2002, I reaffirmed that [1999] agreement in my capacity as the president, the first time that a sitting head of state had publicly proclaimed that the indigenous peoples are the original masters of Taiwan and that their natural sovereignty does exist and takes priority over that of the state" (Chen S.B. 2006). Given his rejection of Taiwan independence and his apparent pursuit of de facto unification with the People's Republic of China, it is not surprising that the current Chinese Nationalist president, Ma Ying-jeou, makes no mention of Aboriginal sovereignty in his political discourses.[19] A number of Aboriginal leaders and activists have sharply criticized the Ma administration for dragging its feet on the implementation of Aboriginal autonomy (Loa 2011).

The above section provides a number of examples of how involved Taiwan Aborigines have translated various configurations of religion, Aboriginal identity, sovereignty, autonomy, and collective rights so as to gain considerable agency in political relationships. This agency enables them to overcome what can be termed their colonial inclusion-exclusion and become

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part of the polis (i.e., the sphere of decision making). Given these examples, a central question is: How do Aboriginal assemblages make a difference in local, national, and transnational networks that decide both what constitutes an exception and where and how the law applies? The significance of discursive concepts such as sovereignty or Aboriginal identity lies not in their being ahistorical and/or universal abstractions but, rather, in their offering particular forms of agency (i.e., making a difference) when translated and mobilized by Taiwan Aborigines.

Disqualification from Full Citizenship

Enlightenment philosophers such as John Locke, Jean-Jacques Rousseau, and Thomas Hobbes all posited Aboriginal peoples as antithetical figures living in a primeval state of nature without, and in opposition to, sovereignty and modernity. It is this concept of mutual opposition that has shaped the definitions of sovereignty and biopolitics. In semiotic terms, the state of nature is the anti-subject, the antithetical opponent against which sovereignty and biopolitics are defined. Thomas Hobbes identified the state of nature not as merely theoretical but as actually existing in America: "For the savage people living in many places of America, except the government of small families, and concord whereof dependeth on natural lust, have no government at all; and live at this day in that brutish manner" (Hobbes 1651, quoted in Shaw 2008, 18). The state of nature is a state of war, if not open warfare then the constant threat of it, the critical point being that "it goes on even when the State has been constituted, and Hobbes sees it as a threat that wells up in the State's interstices, at its limits and on its frontiers" (Foucault 2003, 90). In other words, the state of nature, being its opposite, is a threat to the State. Thus, Aboriginal peoples, defined in Enlightenment terms as living in the state of nature, comprise a threat to the State – a perpetual threat both from within and from without. In this worldview, Aboriginal peoples are viewed as *zoe*; that is, as biologically alive in a sovereignless state of nature. As *zoe*, they are excluded from the status of *bios*; that is, those who are included in the political life of a polis. And this also excludes any consideration of Aboriginal peoples as being sovereign.

Colonizers have long imposed such savage or uncivilized status on Taiwan Aborigines. During the Ching Dynasty (1684 to 1895), the Chinese colonial government designated them as *fan*, Mandarin Chinese for "barbarian." Ching officials referred to those Aborigines who had submitted to Ching rule as *shufan*, literally, "cooked barbarian." However, the Ching government referred to Aborigines who still resisted Chinese rule as *shengfan*, literally, "raw barbarians." During the Japanese period, building on existing Chinese typologies and their own Western-influenced views, anthropologists such as

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Ishii Shinji and Ino Kanori developed hierarchies of civility based on closeness to agriculture (Barclay 1999; Kyoko 2003). In these hierarchies, Aboriginal groups (including the Pingpu peoples) who lived in lowland areas and were primarily rice farmers were ranked the most advanced, whereas the Atayal, who practised a mix of hunting and swidden agriculture in the mountains, were the most primitive (Barclay 1999). These Japanese anthropological and administrative hierarchies were subsequently adapted by the KMT Chinese Nationalist dictatorship (1945-80s), which designated Aborigines as "mountain compatriots," who were in need of forced assimilation in order to become good Chinese subjects. Clearly, there is a long history of colonizers imposing various denigrating designations on Taiwan Aborigines.

Underlying these various colonial views is the conception of Taiwan Aborigines as needing to be rescued from themselves and/or various external threats. These views involve an organizing narrative schema in which adept moral settler or foreign heroes see Aborigines as suffering and so engage in selflessly rescuing them from various reified forces (such as cultural loss) or problems due to supposed genetic and cultural dysfunctions. This may be termed the heroes-rescue-Aborigines organizing narrative schema (Munsterhjelm 2004). Given the above history of colonizers imposing denigrating designations on Taiwan Aborigines, and the pervasiveness of the hero-rescues-Aborigines organizing narrative, what are we to make of it when scientists use genetics to explain Aboriginal social problems and suggest various forms of governance for them? The idea that, under modern conditions, Aboriginal peoples are genetically predisposed to pathology and that this contributes to premature Aboriginal death is widespread in Taiwan. Genetics has been publicly cited as a factor in Aborigines' developing diabetes (Central News Agency 2004a), gout (Chen Q.F. 2004), and alcoholism (Hsu 1998), all of which contribute to mortality rates that are three to five times the national average, thereby reducing Aboriginal life expectancy by ten years compared to that of settlers (Central News Agency 2004a).[20] In general, these supposed genetic factors are portrayed as problems with which the government and concerned groups must help Aborigines (Munsterhjelm 2005).

The idea of attributing Aboriginal mortality and morbidity partly to genetics is politically loaded, given that Taiwan Aborigines have high levels of poverty. According to 2010 Taiwan government data, Aboriginal households had an average income of NT$497,317 (about CDN$17,000) versus the national average of NT$1,074,180 (about CDN$35,800) (Council of Indigenous Peoples 2011, 40). Critically, in terms of income distribution, data from 2008-9 show that 37.8 percent of Aboriginal households were in the lowest quintile (fifth), with incomes below NT$282,000 (about

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CDN$9,500), while fully 67.6 percent were in the bottom two quintiles with incomes below NT$554,000. Such income distribution means that more than two-thirds of Aboriginal households were poor or low-income (Council of Indigenous Peoples 2011, 46). Hence, poverty and related issues are major concerns, and the Taiwan government has a variety of programs whose aim is to improve Aboriginal social conditions. Genetics has become intertwined with these contemporary debates over Aboriginal social conditions.

The current president of Taiwan, Ma Ying-jeou, evidently thought that the view that Aboriginal peoples are genetically dysfunctional was pervasive enough for him to integrate it into his speeches on Aboriginal policy. However, he presented these genetically deterministic views of Aborigines as something he opposed. I have found fifteen different media reports (there are likely more) for the period between 2002 and 2007, in which Ma publicly states that Aborigines do not suffer from genetic problems but, rather, from a lack of opportunities – opportunities that his policies were helping to provide (Ma was mayor of Taipei from 1998 to 2005 and chairperson of the KMT from 2005 to 2007).[21]

A major controversy broke out after a December 8, 2007, Taiwan presidential election campaign stop, at which Ma spoke with representatives from the Sijhou community, an illegal Aboriginal settlement on the outskirts of Taipei. An Aboriginal man from the community criticized the lack of employment opportunities for Aborigines and the negative effects this had on Aboriginal children's self-esteem (Taiwan Indigenous Television News 2007). In response, Ma, after describing the positive effects of his affirmative action hiring policies, included a comment that, "their genes are not a problem, their lack of opportunities are the problem, I gave them opportunities" (Taiwan Indigenous Television News 2007).[22] These and other comments Ma made, particularly regarding how Aborigines would have to change themselves in order to fit into city life, were sharply criticized as racist, arrogant, and as an example of "Han chauvinism" (Loa 2007a; Taiwan News 2007; Fan and Zhou 2007). While Ma's comments on genetics were not the focus of the controversy, they still received strong criticism, with the cabinet-level Council of Indigenous Peoples chairperson Icyang Parod stating at a news conference that he

> also protested against a comment Ma had made on several occasions to the effect that "Aborigines are not genetically disadvantaged, they just don't have opportunities."
>
> The statement was printed on Ma's campaign flyers describing his stance on Aboriginal issues, and Ma also used it during his Dec. 8 visit to Sindian. "By saying so, Ma keeps telling people that there is a genetic difference

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> between Aborigines and non-Aborigines. This only shows he is a racist at heart," Icyang said. "He should apologize to Aborigines, as well as to Taiwanese society." (Loa 2007a)

Ma's attempts to appear benevolent toward Aborigines by repeatedly rejecting genetic determinism were interpreted by Parod as actually reproducing negative views of Aborigines. The firestorm of controversy, which included some Aboriginal leaders calling for Ma's resignation, only ended when Ma made a formal public apology (Loa 2007a). These criticisms of Ma were apparently effective as my searches of the *Factiva* news database indicate that, after this controversy, Ma dropped any mention of genetics from his speeches on Aborigines. That a major leader had integrated genetic determinism into his political discourse about Aboriginal peoples is an example of the importance of genetics to modern societies. However, this 2007 controversy also illustrates the contested character of the notion of genetic determinism.

Aboriginal Genetics and Taiwan Sovereignty Claims

In a 1991 article in *Scientific American*, Peter Bellwood hypothesizes that Taiwan is the homeland of the Austronesian languages (Stainton 1999b, 37-41). In the early 1990s, Taiwan Aboriginal activists were the first to make use of the Austronesian homeland concept to contest the ruling KMT "One-China" discourse and its claims over Aborigines. However, with the rise of Taiwanese independence during the 1990s, these Austronesian linkages became integrated into state policy.

In the early 1990s, President Lee Teng-hui and his Taiwan faction of the KMT marginalized the last of the KMT's One-China-oriented old guard. With Lee's consolidation of power within the KMT, Taiwanese state ideology shifted from a One-China to a Taiwan-centred identity project. This entailed the integration of earlier concepts prevalent in Taiwanese nationalist discourse (dating from the 1980s) that held that intermarriage between early Chinese settlers and Taiwan Aborigines during the 1600s and 1700s had created a Taiwanese identity that made Taiwan distinct from China. Although Aborigines were the first to use the Austronesian concept against One-China claims (Stainton 1999b), Aboriginal genetics research became integrated into the Taiwanese nationalist state identity project when President Lee Teng-hui called on Taiwanese scientists to contribute to it in the early 1990s. Despite this project's express political intent (Chiu 2000, 104; Liu 2000b), a number of scientists began conducting Austronesian migrations-related genetics research on Taiwan Aborigines. Today, the cumulative effect of these efforts means that Aborigines' genes, as sources of a national essence, are contested

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in both One-China and Taiwanese Nationalist sovereignty disputes (Rudolph 2004; Stainton 1999b; Sleeboom-Faulkner 2006).

Initially, the notion of genetic determinism and the Taiwanese independence movement's notion of Aborigines as ancestor figures might seem contradictory. However, these two concepts are perfectly compatible. A drop or two of Aboriginal blood is considered by Taiwanese independence advocates sufficient for a Taiwanese person to claim an identity distinct from that of a Chinese person. However, research scientists posit that, under conditions of modernity, too much Aboriginal ancestry leads to genetic dysfunction. Both concepts involve constructing Taiwan Aborigines as premodern.

Genetics Research and Resistance in Taiwan

Since 1988, Taiwan Aborigines have participated in international forums such as the United Nations Working Group on Indigenous Peoples (Liu 2000a). Taiwan Aboriginal activists have made extensive use of both human rights and Aboriginal rights discourses in their public conflicts with scientists over the negative impacts of research on Aborigines and widespread violations of informed consent.

Various problems were identified in a 2000-1 Taiwan National Science Council-funded project conducted by Taiwan Aboriginal activists that surveyed attitudes toward genetics research on the part of both scientists and Taiwan Aborigines (Lai et al. 2001). This project found that genetics researchers objectified and dehumanized Aborigines' samples and denied that doing so had any negative impact on Aborigines. In contrast, Aborigines were frequently upset with the social effects of genetics research (such as the attribution of Aboriginal alcoholism to genetics), while some respondents wanted genetics researchers to consult Aboriginal participants prior to the publication of research results (Chen S.J. 2002, 40-1; Lai et al. 2001). This study indicates that there are serious differences between the views of scientists, on one hand, and Aborigines, on the other, regarding the significance and social effects of genetics research.

Informed consent emerged early on as a point of contention (Lin M.J. 1999; Liu 2000b). Genetics researchers claim that enrolling Aboriginal participants through informed consent respects their individual freedom and ensures that those who become the objects of study do so willingly (c.f. Rose 2007, 152-53). Informed consent, which has become a central legal and moral constraint on research, was institutionalized after the Second World War in the 1947 Nuremberg Code (not to be confused with the Nazi's 1935 Nuremberg Laws). It was later further developed in such instruments as the 1964 World Medical Association Declaration of Helsinki: Ethical Principles

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for Medical Research Involving Human Subjects (World Medical Association 2008). However, a number of people argue that the power differentials inherent in the doctor-patient relationship render issues of individualized informed consent highly problematic (Nisker and Daar 2006, 115; Tai and Chiou 2008). In light of these problems, Aboriginal activists concerned with research involving Aboriginal peoples have been increasingly advocating collective informed consent. Ideally, collective informed consent would transform the doctor-patient power relation by having genetics researchers explain in advance their projects to Aboriginal communities in a dialogue based on mutual respect and reciprocity. Such reciprocal dialogue, it is argued, would help to mitigate the potentially exploitative hierarchies that have been typical of genetics research involving Aboriginal peoples.

Yet major differences persist. What critics consider to be a history of rampant and persistent research ethics violations in Taiwan (Chou 2006, 22; Lin M.J. 1999; Liu 2000b) became a locus of Aboriginal resistance to the Taiwan Biobank project. Modelled on European examples such as the 500,000-sample UK Biobank, the Taiwan Biobank is a cornerstone of the Taiwan state's biotechnology development plans. The Biobank is to be a 200,000-sample bank that is supposed to be representative of Taiwan's population (Chou 2006, 22, 29; Tsai 2007; Tai and Chiou 2008). According to Tai and Chiou (2008, 107-8), the passage of the Indigenous Peoples Basic Law, which requires community consent at the collective level, has affected the way in which the Taiwan Biobank and other genetics research on Taiwan Aborigines is conducted. The very serious moral and ethical issues raised by the apparent violations of the collective consultation provisions of the Indigenous Peoples Basic Law committed by Taiwan Biobank planners has, a number of times, led to stoppages in the implementation process. With Taiwan state industrial development plans pushing biotechnology as a major future sector, such conflicts will continue to increase in political-economic significance.

Conclusion

The relationships between the living and the dead are complex and varied with regard to both sovereignty and law. We need to broadly consider the potential forms of agency attributed to living and dead, including hybrid categories such as living dead. For example, legal death often precedes physical death. The Nazis use of the law to "kill" the citizenship and rights of German Jews underpinned the Holocaust. However, Aboriginal peoples' resistance to genetics research (such as the Human Genome Diversity Project), which they view as biocolonial, shows how sovereign decisions over who has what rights are not merely imposed by the state or state-authorized agents like scientists; rather, as Ong (Ong 2006b; Ong 2007) argues, the outcomes

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of the interactions involved in such extended assemblages (i.e., Aboriginal beliefs, sovereignty, national laws, international human rights, etc.) are unpredictable. Similarly, Taiwan's history reveals the complexity of the island's sovereignty and how interactions between various foreign powers, settlers, and Aboriginal peoples led to unforeseeable outcomes. Such assemblages extend across forms of time and space that do not neatly fit with national borders, so the relationships between sovereignty/law and the living, dead, and living dead are not predetermined.

In order to analyze these assemblages of human and non-human agents, Chapter 2 sets out a theoretical model that enables us to understand how such networks organize/narrate across space and time. Chapter 3 deals with how Taiwan government scientists at Academia Sinica and other institutes have explained high levels of Aboriginal alcoholism (which developed after the Second World War) as genetic predispositions activated by rapid social change. Chapter 4 compares international mass media coverage of Mackay Memorial Hospital research on linkages between Taiwan Aborigines and Indigenous peoples of the Pacific with coverage of ethics violations committed by researchers against Kavalan Aborigines. Chapter 5 deals with translations of genetics research that present Taiwan as the Maori homeland. The first half of the chapter offers a comparison of three documentaries, all of which make use of the made-in-Taiwan metaphor as applied to Maori origins. The second half analyzes the concerted Maori media resistance to a research report that attempts to attribute violence in Maori communities to a so-called "warrior gene." Chapter 6 focuses on the US commodification of Taiwan Aborigines' genetics. First, it analyzes how Coriell Cell Repositories sold a set of cell lines, taken from Atayal and Ami in the early 1990s, on the Internet; second, it looks at how Atayal and Ami samples were used in two US patents granted to Stanford University researchers; third, it addresses how a prominent Taiwanese researcher and his colleagues committed mass ethics violations by filing a series of US and Taiwan patent applications that involved over fifteen hundred Atayal and (eventually) nearly two hundred Solomon Islanders, leading to national and international controversies in 2010 and 2011.

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