

Lacking the 'Mabo Wonder' but Still Striving for It:

## **Hard Struggle for Indigenous Self-Government and Land Rights in Taiwan**

### **Prelude: My Visit to the AIATSIS in 2001**

It is a great honor and privilege to be invited by the Australian Institute of the Aboriginal and Torres Straits Islander Studies (AIATSIS), as the international keynote speaker for the "National Native Title Conference: 2014". First, I would like to take this opportunity to express my highest gratitude and appreciation to Dean Russel Taylor and to Michael Dodson, who I was very fortunate to meet and get to know during my first visit to the AIATSIS in March 2001. I was very much indebted to them both for their warmest reception and assistance as they were so kind as to give me and my delegation a guiding tour to their internationally-renowned organization.

That was my first trip to the Australia, and the trip to the AIATSIS was the most meaningful, rewarding, and unforgettable since the purpose of my delegation was to learn comprehensive Aboriginal policy of Australia and to understand how the Australian government implements these policies. The delegation, of which I was the leader, was organized by the Indigenous Peoples Commission, Taipei City Government as I was then working as the Chairman of that Commission.

Therefore, today on this wonderful occasion, I regard it a highest honor to be able to speak here in front of the many distinguished Aboriginal leaders and scholars, and a greatest opportunity for me to

share with you the Indigenous struggles for the self-government and land rights in Taiwan in recent years.

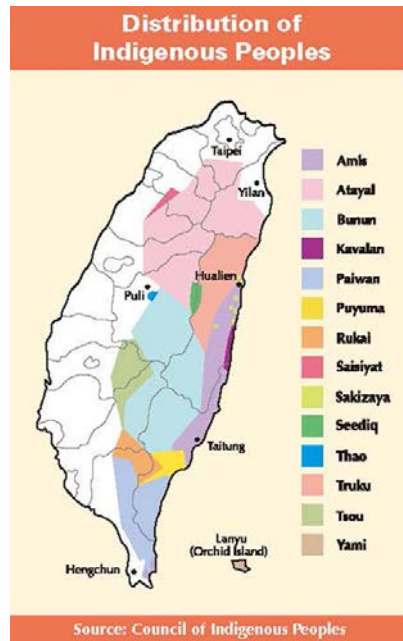
### My Political Journey

After leaving the post as Chairman of the Indigenous Peoples Commission, Taipei City Government I was called by the Kuomintang (KMT), currently the ruling party of Taiwan, to enter into politics. The KMT asked me to run for National Parliament or Legislative Yuan in February, 2005. Having been elected by Taiwan Indigenous peoples for three consecutive terms, I continue to work for Indigenous voices and interests. As an Indigenous Legislator I regard it as the most important mission to speak for the Indigenous peoples, to defend and argue for Indigenous rights, and to protect our Indigenous families, lands, lives, and properties.



## **A Brief Introduction to Taiwan Indigenous Peoples**

The Indigenous peoples of Taiwan and the Aborigines of Australia share many similarities not only in terms of the percentage of population, but also in their historical background in contrast to the mainstream society. According to recent statistics, there are approximately 530,000 Indigenous peoples in Taiwan, which account for roughly 2 percent of the total population of 23 million people. The Indigenous people are called the “Yuanchumin” in Chinese, meaning the ‘original inhabitants’, while the remaining are primarily Han Chinese whose ancestors migrated from the provinces of Fukien and Kwangtung of southeast China since the early 17<sup>th</sup> century during the Ming and Ching dynasties. Taiwan’s Indigenous peoples consist of 14 recognized tribal groups which can be divided into two geographic units; the mountain Indigenous peoples and the plains Indigenous peoples. The mountain peoples are found in 30 Indigenous townships and districts near the central mountain range and on Orchid Island to the southeast. The mountain Indigenous peoples consist of the following tribes: Atayal, Paiwan, Bunun, Truku, Rukai, Sediq, Tsou, and Yami. They live primarily by intensive agriculture within highland valleys of the central mountain range. On the other hand the plains Indigenous peoples, who comprise the tribes of Amis, Puyuma, Saisiyat, Kavalan, Thao, and Sakizaya are dispersed in 25 Indigenous townships along the east coastal plain. Each tribe can be distinguished from the others culturally, linguistically, and in physical appearance. In addition, the tribal territories are distinct from each other. While most Indigenous people communicate primarily in Mandarin Chinese, some are reclaiming their traditional language.



### Demographic Distribution of Aboriginal Tribes in Taiwan

Total Population	Amis	Paiwan	Atayal	Bunun	Truku	Puyuma	Rukai
530,756	196,565	94,413	84,266	54,984	28,806	13,011	12,606
100.00%	37.03%	17.79%	15.88%	10.36%	5.43%	2.45%	2.38%
Sediq	Tsou	Saisiyat	Yami	Kavalan	Thao	Sakizaya	Undeclared
8,528	7,060	6,291	4,363	1,326	740	737	17,060
1.61%	1.33%	1.19%	0.82%	0.25%	0.14%	0.14%	3.21%

Source: Council of Indigenous Peoples (2013)

### The Mountain Reserved Land and Traditional Territory

For Indigenous peoples, land is considered the most important source of living and central to their cultural heritage. It is irreplaceable for them, particularly for those who still stay in the Indigenous hometowns and who earn a living by farming. Today nearly half of the Indigenous peoples of Taiwan have migrated to the cities for the sake of their children’s better education, employment opportunity, and modern living. However, many of them have become homeless or are staying in illegal housing in expanding urban ‘ghettos’.

The Indigenous lands of Taiwan are found within 30 mountain Indigenous townships and districts and 25 plains Indigenous townships and urban villages. These include Indigenous ‘traditional territory’. The total of the Indigenous lands in Taiwan consist of 1.8 million hectares, which is about half the total land mass of the Island. However, the land reserved for the Mountain Indigenous people by the so-called ‘mountain reserved land’ is only 260,000 hectares, accounting for 7 percent of Taiwan’s land mass, and the use of this land is strictly limited. The government only allows the people about 10 percent of the reserved land for farming purpose, while most of the other land is to be used for forestry. Due to the fact that the land for forestry does not make any profit, the mountain Indigenous peoples tend to clear the forested land for agriculture, cultivating higher-income agricultural products such as high-mountain tea, fruits, and vegetables.

As to the term ‘traditional territory’, it needs to be clarified that it is only an academic term without any legal or administrative meaning. At the present the term ‘traditional territory’, which the Indigenous peoples have often claimed for restitution for their ancestral lands, refers only to public lands owned by the government.



Taiwan's Indigenous people are disadvantaged in political and economic aspects, though they are relatively advantaged in an historical and cultural sense. What I mean by 'historical advantage' is that their inhabitation of this beautiful island of 'Formosa' can be traced back more than 8,000 years. Owing to their diverse linguistic and cultural heritage, the Taiwan Indigenous peoples are unique among the families of the great Pacific cultures. Colonial intrusions into Taiwan began with the Dutch who came to the island in 1624 and remained until 1662. The name Formosa (beautiful Island) was coined by Portuguese sailors in 1544. The Dutch were followed by Mainland Chinese from 1662 until the arrival of the Japanese following the Sino-Japanese war of 1895. The Japanese occupied the island until the end of the Second World War in 1945. After the founding of the People's Republic of China (PRC) in 1949 some 2 million Nationalist Chinese sought refuge on Taiwan. Today the distribution of ethnic groups in Taiwan is Nationalist Chinese from the Mainland at 14 percent, Fujian Taiwanese who were early migrants

from Fujian province on the Mainland at 74 percent, Hakka Taiwanese who were early migrants from the Mainland at 10 percent, and Indigenous people at 2 percent (Heber, 2014: 75).

Here I'd like to show you the following charts which display the historical and demographic distribution of the Taiwan indigenous peoples, Therefore, the history of both the Indigenous peoples of Taiwan and Australia are much alike in a way, that is, the course of their destiny is deeply embedded in colonialism.

1. Early aboriginal history (prehistory to the 1620s)
  2. Western colonialism (1624-1662)
  3. Early Han Chinese Settlement (late Ming and Ching dynasties, 1662-1895)
  4. Japanese colonialism (1895-1945)
  5. Republic of China on Taiwan (1945 to the present)
- (kung,1997)

#### Ethnic Groups in Taiwan Today

Han Chinese			Non-Han Austronesians
Mainlanders (14%)	Fukien Taiwanese (74%)	Hakka Taiwanese (10%)	Indigenous Peoples (2%)

Source: Government of Taiwan, 2006

## **Cultural Colonization and Political Liberalization**

In 1949, when the Army led by the Late President Chiang Kai-shek took over Taiwan from the hands of colonial Japan, Taiwan was ruled by the Nationalist Chinese (KMT) government that implemented an assimilation policy for Indigenous Taiwanese people into Han Chinese cultures and languages. Indigenous language and cultures were suppressed under the administration of the KMT government. It was not until the mid-1980s when the late President Chiang Ching-kuo, the son of Chiang Kai-shek, took office, Taiwan embarked on a series of political reforms, including the lifting of martial law and the newspaper ban, and the permission of political assemblies and formation of opposition political parties, and etc. Due to political liberalization a full-fledged democracy has taken root in Taiwan. It was not only the Indigenous languages and cultures that have been preserved and protected, but the Indigenous political movement has been organized such as the ‘Alliance of the Taiwan Aborigines’ (ATA), which was the first and foremost Indigenous political association. As a result, many Indigenous movements and assemblies were initiated through the ATA. It is worthy of note that I still remember the clarion calls of the Indigenous movements in the mid-1980s organized by the ATA focused on two things: the ‘Name Correctness Movement’ and the ‘Land Restitution Movement’.

In my point of view, the major shift of Taiwan Indigenous policy was the constitutional amendment in 1994, in which the government gave a positive response to the unceasing call for the ‘name-correctness’ movement, that is, to replace the old and derogatory term ‘Shanpao’ (mountain people) with the ‘Yuanchumin’ (original inhabitants) in the Constitution and official documents. It was the first time the government



officially recognized the historical status of the Taiwan Indigenous, thus lifting up the Indigenous identity and dignity. More importantly, the year of 1996 was considered a milestone in the development of Indigenous policy when the Indigenous Peoples Commission of the Taipei City Government was established in March of that year. This was followed by the establishment of the Council of Indigenous Peoples, Executive Yuan under the central government in December, 1996. Therefore, it can be concluded that 1996 was the most meaningful and important year for all Indigenous people of Taiwan, marking the turning point of Indigenous policy into a new and self-empowered era. However, the Indigenous claim demanding the name change was not easily gained. Rather, it has been a battle hard fought by the Indigenous people, taking more than a decade to achieve.

### **The Challenges of Indigenous Land Problem**

Indigenous land problem is more difficult and challenging than the name correctness movement mentioned above. Even 15 years after the Council of Indigenous Peoples was established, the land problem still remains a hot potato. Native title, which means Indigenous claim for restituting ancestral land from the government's control and gaining the ownership of the land, is still a far cry for the Indigenous peoples of Taiwan. Today the government's worn-out promise of 'land partnership' with the Indigenous peoples is still stuck in the mire, let alone the Indigenous long-term call for 'land restitution'.

It has to be stressed here that according to the 'Rules on the Management and Development of the Indigenous Reserve Land', native title, including those of the mountain-reserved land and the traditional

territories, belongs to the government of the Republic of China on Taiwan. Indigenous peoples do not have the right to inhabit those lands, but have to wait for ten years to be entitled to land ownership. Though recently the regulation has been changed to shorten the term of application from 10 years to 5 years, the Indigenous land is still legally reserved only for Indigenous use and ownership. Furthermore, its transfer or sale to non-Indigenous peoples has been strictly prohibited.

Nowadays, due to the lack of self-government, the Indigenous people of Taiwan do not have the autonomous regions and particular administrative systems as those of the United States or Canada. Therefore, the approximate 1.8 million hectares of the traditional territory, including the forestry land, national parks, and national scenic areas, etc. remain government-owned property, in which Indigenous peoples do not have mining, deforesting, fishing, and hunting rights. Each of these rights has laws and regulations accordingly to govern their use and disposal by the government. As to the mountain-reserved land owned by the Indigenous peoples, it can only make minimal profits as its use is extremely limited. Although the government has continuously promoted water and land conservation programs, encouraging the planting of trees in the high mountains through the years, Indigenous peoples must grow high-income agricultural products in order to survive and maintain their family livelihood. As a result, many of them are punished by the government through fines, prosecutions, and even lawsuits for the reason of environment protection.

In addition, high mountain agriculture and economy have become exacerbated and the lives of Indigenous people have been increasingly endangered by the damages of typhoons, heavy rainfall, and landslides

causing the blockade of transportation and hindrance in terms of the shipping and selling of their agricultural products. Due to the fact that their hard work is worth only a meager living to feed the family, they are severely disadvantaged in agricultural and economic terms. This, coupled with consequences of natural disasters such as typhoons, floods, landslides, and earthquake, has led Indigenous people to a highly dangerous situation that can aptly be described as ‘climate refugees’. As a result, many of them have migrated to the cities and been marginalized into the lower echelons of the modern urban society.





Judging from the miserable and disadvantageous situation of the Taiwan Indigenous people and the many difficult challenges they are facing, such as the total control of the land by the government, strict legislations concerning land use and ownership, as well as the severe damage caused by climate change, it can be assured to say that the ‘Mabo Miracle’ or the ‘Mabo Wonder’, a historic milestone celebrating victory for the Australian Aborigines in their hard fight for ‘native title’, may perhaps be only a beautiful dream for Taiwan’s Indigenous people. This

dream is so far away and so unreal that it may not be realized or fulfilled until the Taiwanese government acknowledges the so-called ‘traditional territory’ inhabited by the Indigenous people, nor does it admit the concept of self-government or autonomous regions. At least it is so until now.

### **Council of Indigenous Peoples, Executive Yuan**

Many challenges need to be overcome, and difficulties need to be solved. I would rather like to take a more optimistic view in looking to the future of the Indigenous struggles in Taiwan. It is fortunate to say that after two decades of struggles, the Council of Indigenous Peoples (CIP) has played an important role in protecting Indigenous cultures and languages and promoting Indigenous welfare and benefits in a whole range of educational, medical, agricultural, and economic spheres as well as in housing and employment. However, it has to be noted that since the year 2000 the CIP has started the difficult task of addressing the land and self-government issues, although nothing much has been achieved and much has remained only lip service. Since the establishment of the CIP in December 1996, the head or the Chairperson, which is equivalent to a ministerial position in the Cabinet, has always been an Indigenous person. Currently, there are more than 200 employees on staff, 55 percent of whom are Indigenous. In Taiwan, many Indigenous Affairs Bureaus or Departments in cities and counties have been established to take care of the urban Indigenous people’s needs. Today, the number of urban Indigenous peoples has nearly reached half of the entire population of Taiwan’s Indigenous people.

## **Public Land Allotment Program**

Here I would like to elaborate on the more recent developments on the land and self-government rights for Indigenous Taiwan. Since 2007, with the support of the Executive Yuan (the central government), the Council of Indigenous Peoples has implemented the ‘Public Land Allotment Program’ (PLAP). As the Indigenous population has been increasing, with the new tribal groups being formally recognized by the government, the CIP noticed that land, that can be utilized by the Indigenous people, has become apparently insufficient. Therefore, the CIP initiated the PLAP, meaning the Indigenous people can apply for the allotment of new land governed by the National Property Administration, Forestry Bureau, National Park Bureau of the Ministry of the Interior, and the Veterans Affairs Council, etc., only if the applicant can provide the CIP with the official documents that the concerned land had been used for farming before February 1988, and that it has been used continuously to the present.





After submitting the document and completing the registration procedure, the Indigenous applicant needs to wait for five years to get the title to the land, and the CIP has to issue the final approval and ratification of the land title. However, owing to the fact that the above-mentioned Bureaus and Commission, which have authority over the land, are more often than not unwilling to release the public land to Indigenous applicants, this policy of the PLAP proves less satisfactory than what had been expected.

The reasons of the resistance or reluctance from the various government agencies are manifold: one is the environment protectionism from the fear that Indigenous people may overuse or over-exploit the high mountain land. Secondly is the lack of coordination between the CIP and the related government agencies, which hold on the government sectionalism over the dispute of the land. Thirdly, it is the legislative restriction on the land that needs to be amended or deregulated as well as the inflexibility of the administrative measures based upon the misreading of the land law and regulations. Finally, it is simply because the

Indigenous people are unable to provide with the official land documents required by the government.

Overall, in the last seven years (2007-2014), it is estimated that only five percent of the total land cases, that had been applied for, have been approved by the CIP. In other words, only 2,200 hectares of the public land have been released to the Indigenous people to date, signifying that the struggles for the release of the native title of their ancestral lands have been difficult and challenging. The deadline for this PLAP is end of this year, 2014.







Nevertheless, through scholarly research and the continuous suggestions from the Indigenous elected representatives in the Council and the Parliament, as well as the strenuous efforts from the CIP in recent years, the government has adopted a more active and resilient policy toward Indigenous traditional territory. According to the *Basic Law of the Indigenous Peoples* passed in 2005, the 5<sup>th</sup> Section of the 2<sup>nd</sup> Article stipulates that: “The land of the indigenous people is defined here as the indigenous traditional territory and the now-existing indigenous reserve land”. In accordance with the Basic Law, the CIP has recently launched an investigative research on the ‘traditional territory’. According to this research, the ‘traditional territory’ includes:

1. Traditional land for rites and rituals;
2. Ancestral sacred land;
3. Old and discarded villages;
4. The hunting areas nearby;
5. Ancestral farming land;
6. The other territories that can be designated.



Recently, the CIP has finished drafting up the *Indigenous Land and Sea Act* which, I think, can be said, is another version of the Mabo Case. It was already put into the agenda of the Executive Yuan for further discussion, but when it will be sent to the Legislative Yuan for further review or when it will be finally approved and passed by the Legislative Yuan is utterly unpredictable. In my point of view, it will be a big milestone in the long history of the Indigenous struggles for land rights if the Executive Yuan completes reviewing the draft and submitting it to the Legislative Yuan for approval, which would be the government's recognition and respect of the Indigenous traditional territory for the first time.

However, I believe that the concept of the *Indigenous Land and Sea Act* may be different from what we understand from the Mabo experience in that it may remain a big gap from the genuine concept of native title. By no means, I think, will the government soon acknowledge

the rights of Indigenous people to the land and sea, nor will it empower them with the total ownership of their traditional territories in the near future. My observation is that the idea of a “land partnership” between the government and the Indigenous people is more likely to be expected as a way out from the current dilemma and dispute. Yet, once again it has to be stressed that the concept of a “land partnership” and the concept of “native title” is completely different, the former denoting the co-management by both parties with the government having the final say, with the Indigenous people only co-sharing the use and benefit of the traditional territories. Today the truth is that even this humble wish of a land partnership cannot be achieved in Taiwan, not to mention the real ownership of the rights to the land and sea in the future.

### **Indigenous Self-Government Act: A Futile Effort**

Self-government and self-determination are the ultimate and perfect ideals and envisions, of which the Taiwan Indigenous peoples are in dire need, and for which they have been continuously striving for many years. It is my audacious conviction that the Taiwan Indigenous policy will perhaps be the most successful or enlightened that can be put into the same parallel with that of New Zealand and Canada, if the government of Taiwan willingly bestows self-government rights upon the Indigenous people, allowing them their autonomous regions. To be specific, the concept of the “Indigenous autonomy” is defined here as: ‘Indigenous people live in a certain territory, where they cannot only utilize, own and determine the use of the natural resources, but have the ultimate decision-making powers over running the Indigenous government inside their territory’. This is different from claiming a political entity that stands for separating itself from national sovereignty.

It is not without reason to say so. In 1991 Taiwan Indigenous rights were unprecedentedly incorporated into the constitutional amendment, which was considered a landmark achievement at that time. In 2005 the *Basic Law of the Indigenous People* was passed. Now it is the *Indigenous Self-government Act* that is still being hotly debated. However, it would not be easy for the government and the Parliament to endorse a full-fledged self-government administrative system for Indigenous people. The problem lies in how much power that the Executive and Legislative Yuans can give to the Indigenous people. To what extent do Indigenous people really possess the spirits and contents of self-government rights? The problem is ‘Where is the beef’?

It has to be noted that in addition to the Indigenous effort in advocating self-government rights through the years, the *United Nations Declaration on the Rights of Indigenous Peoples* passed in 2007 has played a very important role in inspiring Indigenous NGOs, people, and Parliament together to garner strength in pushing forward the *Indigenous Self-government Act* with great momentum. As a result, many versions of the draft of the *Indigenous Self-government Act* were proposed by Indigenous Legislators (my version included) and these were discussed in the Parliament in 2011.

In spite of the all-out effort from Indigenous Legislators, scholars and NGOs, regrettably speaking, it turned out a shameful failure in the end. It was because the Executive Yuan, the government, was not yet prepared. That is to say the government did not provide its own version of the draft to be discussed with the Legislators’ versions, failing to know what the Indigenous people were asking for in terms of the rights of self-government. More importantly, as 2011 was one year before the

Presidential Election in Taiwan, the leaders of the opposition party, the Democratic Progressive Party (DPP), declined to sign or endorse the Act based on political consideration of the Presidential election. In addition, versions of the draft among Indigenous Legislators were so different that they could not reach consensus over the very issues of the status and power of self-government as well as the resources and finance necessary for implementation.

### **Indigenous Struggles in the United Nations: A Failed Attempt**

In retrospect, it has taken more than two decades for the Indigenous people to struggle for self-government rights in Taiwan, with the Alliance of Taiwan Aborigines (ATA) taking the lead in the mid-1980s. The ATA, together with other NGOs, has repeatedly lobbied for self-government rights for Taiwan Indigenous people through international organizations such as the United Nations Working Group on Indigenous Populations in Geneva and the Permanent Forum in UN headquarter in New York. I have attended four times these international conventions with other Indigenous delegates. However, I am sorry to say that it was a great pity that our voices could not be heard by the UN and Indigenous leaders from all over the world, mainly because Taiwan is not a member of the United Nations and because Taiwan is considered a part of China by the United Nations. Therefore, due to the suppression and objection under the table from the PRC representative in the UN, Taiwan's delegations were denied the right to participate and speak in these international forums.





Nevertheless, there was a silver lining in 2008 when the incumbent President Ma Ying-Jeou proposed his white book on political platform on the policy of Indigenous people in his first running, which proclaimed that: Experiment with Indigenous self-government on a trial basis and carry out as a vision of Indigenous self-government in different phases. The reasoning behind this platform lies in the fact that Taiwan is a small island country, which is densely populated and fairly diversified in its languages, cultures and ethnic groups. Given these particular circumstances and objective limitations, Taiwan may not be able to implement a complete and full-fledged self-government system for its Indigenous populations as that of Canada and the United States. Instead, the possible blueprint or solution for Taiwan Indigenous self-government is more of administrative and cultural self-government. In other words, it is unlikely to adopt an Indigenous self-government that is “land-based”. If you like, we can call it a ‘virtual self-government’, a particular administrative system for Taiwan Indigenous people but without land or territory.

The United Nations Declaration on the Rights of Indigenous Peoples passed on the 13<sup>th</sup> of September, 2007, proclaims:

*Article 3*

Indigenous peoples have the right to self-determination. By virtue of that right they freely determine their political status and freely pursue their economic, social and cultural development.

*Article 4*

Indigenous peoples, in exercising their right to self-determination, have the right to autonomy or self-government in matters relating to their internal and local affairs, as well as ways and means for financing their autonomous functions.

Taiwan Indigenous people have not given up hope and still carry on their unceasing struggles for the rights of self-government and self-determination. But given that Taiwan is in a very particular situation circumscribed by geographical and demographic conditions, it is inevitable for government to negotiate and compromise in some way. President Ma Ying-jeou said: “It is better to have it (self-government) first and make it better later.” Having put all matters into consideration, the CIP finished the Draft in 2013 on the *Provisional Regulations on Indigenous Self-government*. It is considered a basic and experimental phase of Indigenous self-government that can be put into execution on a trial basis. It is predictable that this new Draft is expected to be submitted to the Legislative Yuan for review at the end of this year. If things are going smoothly, I presume with optimism that the Draft should have no problems in passing three readings in the Legislative Yuan within a year or two.



As to the *Indigenous Land and Sea Act*, it can be seen that there are many obstacles and challenges to be conquered, concerning how the government defines and demarcates the traditional territory, and whether the government can improve the quality of coordination and efficiency through giving up agency sectionalism and liberating some of the regulations.

### **Concluding Remarks**

To Taiwan's Indigenous people, it seems that the land question is more difficult to solve than the issue of self-government. To the government, it can be seen that releasing native title to the Indigenous people is regarded even tougher and more controversial than bestowing self-government. Taiwan is undoubtedly a free, democratic, and multicultural society. Its Indigenous policy has been continuously revised and adapted by the international tide of the changing rights of the world's Indigenous people by the political influence of the domestic political parties and, above all, by the unceasing and relentless effort and struggles by the Indigenous people themselves. Indigenous rights are not given, but rather are won by Indigenous peoples. These rights have to be initiated and fought for by Indigenous peoples themselves, and in the case of Taiwan, little reliance can be placed on tokens of sympathy or benevolence. The impossible might become possible one day through strenuous effort, unceasing struggles, and perseverance. However, a lesson needs to be kept in mind that Indigenous peoples have to learn not only compensation but compromise as well. This is especially so in Taiwan due to its very particular political, geographical, and historical realities.

I have said in my doctoral thesis in 1997: “Throughout the island’s history, no treaties have been signed between the state and indigenous peoples, and the local government system in Taiwan is not as well-developed as that of China and U.S. These factors have placed Taiwan’s indigenous peoples in a more disadvantaged position than their counterparts elsewhere, especially in Canada and New Zealand” (Kung, 1997).

In conclusion, Taiwan’s democracy, freedom, liberalization, and tolerance, as well as its historical and particular situation have made Indigenous destiny as it is today. Under this circumstance, Indigenous people are not endowed with such a good luck as the ‘Mabo wonder’, but they have always kept it in high regard and have always been deeply inspired by the spirit of it. Taiwan Indigenous people are determined to follow and pursue its ideal spirit, willing to learn the hard struggles and brave endeavor of the Australian Aborigines. The experience of the Mabo Case is quite illuminating to Taiwan’s Indigenous people in that the Mabo Case is a landmark victory and a wonderful achievement for Aboriginal peoples in Australia in their long course of hard struggles for land rights, which has had a tremendous impact upon and inspirational stimulation to all Indigenous peoples elsewhere. However, in view of the conditions of Taiwan’s Indigenous struggles and challenges, indeed, there is still a long way to go to the ‘Mabo Wonder’. Though lacking the ‘Mabo Wonder’, Indigenous peoples of Taiwan still keep on striving for it.

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