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Taiwan's Democratic Backsliding and Resilience: Institutional Backsliding and Sources of Renewal

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Introduction

Taiwan has long been regarded as a democratic exemplar within the East Asia. Its early transition was relatively smooth, and it passed Huntington's "two-turnover test," having experienced multiple peaceful transfers of power between different parties. Furthermore, it has exhibited resilience in the face of contentious cross-Strait tensions and the economic challenges posed by deeper regional and global trade integration. Nevertheless, the same political system that has garnered Taiwan a reputation as a beacon of democracy has, in recent years, become a site of democratic strain. In recent years, institutional brinkmanship, growing stress on oversight and accountability mechanisms, allegations of media capture, and a more polarized public opinion landscape have come to dominate public discourse. These patterns mirror those observed in other cases around the world of potential democratic erosion. These developments have been exacerbated by persistent disinformation campaigns that have widened social cleavages and undermined public trust. In summary, Taiwan's democracy is situated at a precarious nexus of intense domestic contention and an exceptionally heightened security environment. This scenario renders Taiwan a pivotal case for comprehending democratic resilience.

Rather than depicting Taiwan's democracy in a dichotomous, black-and-white manner, this essay proposes an alternative approach. It posits that Taiwan's contested democracy is currently exhibiting signs of both democratic resilience and potential backsliding. This non-dichotomous perspective offers a more nuanced interpretation on the current state of Taiwan's democratic landscape. On the one hand, several developments point to democratic backsliding in Taiwanese politics. These include heightened institutional stress, the politicization of accountability, and a more contentious information ecosystem. Conversely, Taiwan maintains notable resilience, evidenced by its high levels of political participation, a vibrant civil society, and a competitive media environment. In summary, Taiwan's democracy is at a crucial juncture, with its future course contingent on the resilience of democratic institutions in the face of mounting pressures from social and political polarization, strategic partisan behavior, and escalating external threats in the context of profound global geopolitical shifts.

Internal Drivers of Democratic Backsliding

1. Institutional Stress

The Democratic foundations of Taiwan, the relative strength of these foundations, and the functionality of government institutions have all been subjected to a stress test since the Democratic Progressive Party (DPP) candidate William Lai won the presidency in 2024. The genesis of institutional stress can be traced to a series of reforms that were proposed by the Chinese Nationalist Party (KMT) and the Taiwan People's Party (TPP). The formation of an alliance between the two parties resulted in a majority of 60 legislators in opposition to the DPP's 52. This alliance advocated for modifications to augment the Legislative Yuan's (LY) authority and curtail the power of the DPP President (Nachman and Yen 2025). The aforementioned reforms would serve to expand the investigative powers of legislators beyond the scope of document review, which currently constitutes the limit of their authority. Secondly, legislators would be empowered to conduct investigations, hold hearings, and approve official appointments. In conclusion, the implementation of these reforms would necessitate the president to present a report and address the Legislative Yuan on national affairs. During this address, legislators would be permitted to pose inquiries to the president, and the president would be compelled to provide a response.

The process by which the bill was enacted was also mired in controversy. The KMT/TPP alliance, which held a majority in the LY, effectively prevented the DPP from proposing an alternative measure by using procedural maneuvers to block any attempts to do so. The KMT/TPP coalition also rejected the DPP's request for additional public hearings and did not incorporate the DPP's counter-proposals into the review process. In response to the DPP's call for a comprehensive review of each article, the KMT/TPP alliance proposed that the review be conducted through cross-party negotiations. Nevertheless, deliberations concerning the legislative reform bills were conspicuously absent from the proceedings of the cross-party negotiations. Finally, the long-established practice of recorded voting, which had been in place since Taiwan's democratization, was modified to anonymous voting, thereby preventing accountability by those who voted for or against. These controversies climaxed in a physical altercation that broke out in Taiwan's LY. While instances of physical altercations in Taiwan's Legislative Yuan are not a novel occurrence, the breakdown in democratic procedural order that precipitated these confrontations garnered significant domestic and international attention.

The controversial bills were passed by the legislature. However, the Democratic Progressive Party (DPP) requested that the reforms be evaluated by Taiwan's Constitutional Court, Taiwan's highest and most important court. The Constitutional Court has the authority to deem laws passed by the Legislative Yuan (LY) unconstitutional. Subsequently, the court deemed the new reforms to be unconstitutional on October 25, 2024, and the changes to the LY and Presidential reforms were halted. Despite the fact that the culmination of this nascent phase appears to align with the functionality of Taiwan's democratic institutions as intended, the constitutional court, which was regarded as a DPP-controlled institution, effectively impeded the KMT/TPP majority in the LY. This development has led to the court facing heightened scrutiny and potential criticism.

Following the judicial obstruction of the legislative reforms, seven of the 15 justices opted to resign, citing the expiration of their designated tenures. In Taiwan, the president nominates new judges, who are then subject to questioning and approval by the Legislative Yuan. It is important to note that all nominations originate from the president. President Lai submitted a list of seven candidates for consideration; however, the KMT-TPP controlled LY rejected all of them. Consequently, the Constitutional Court was left with only 8 of its 15 seats occupied. Subsequently, the KMT/TPP alliance enacted legislation that stipulated the Constitutional Court's authority to formally evaluate laws was contingent upon the presence of a majority of 10/15 judges on the court. The recent legislation enacted by the KMT/TPP, in conjunction with their refusal to appoint any of William Lai's nominations to the Constitutional Court, has led to the stagnation of one of Taiwan's most important democratic institutions, thereby impeding its capacity to function effectively.

This phenomenon can be interpreted as a reflection of an inherent institutional design flaw within the framework of Taiwan's Constitutional Court. Nominees are limited to eight-year terms, and due to the exclusive nomination process by the president, it is highly probable that the court will comprise predominantly former president's appointees following an eight-year term. This stacked court scenario was evident during the administration of both KMT president Ma Ying-jeou and DPP president Tsai Ing-wen. Contrary to the administrations of the previous two presidents, William Lai does not wield control over the LY. In the context of a divided government, where Lai lacks authority over the majority of the LY, his appointees face a lack of approval, and the recent legislation enacted by the KMT/TPP has led to the court's impasse, the efficacy of his nominees is called into question.

2. Politicization of Oversight

The constitutional court's recent freeze on political activities has raised concerns regarding Taiwan's democratic resilience. The court has historically functioned not only as a pivotal voice that has contributed to preserving a balance of power in Taiwan's democratic system, but has also done so during period of intense partisan division. As Kharis Templeman, a leading proponent of the constitutional court's political autonomy for Taiwan's democratic institutions, has observed, for Taiwan's democratic health. noted, the court has played a pivotal role in resolving numerous instances of highly partisan controversies. For instance, during the corruption scandal that embroiled former President Chen Shui-bian, the court obstructed the president's attempt to claim immunity and impeded the investigation into his alleged misuse of funds. Secondly, in 2020, it upheld the laws that established the "Ill-Gotten Party Assets Committee", which was tasked with investigating the KMT's acquisition of properties during Taiwan's authoritarian era. Nevertheless, the courts are no longer able to function as intended (Templeman 2022). Notwithstanding three rounds of seven nominees, the KMT/TPP alliance has not yet approved any of the now 21 nominees proposed by William Lai.

Given the court's legal incapacitation, the KMT/TPP effectively enacted legislation without the court's capacity to function as an oversight mechanism. The DPP found itself unable to petition the court for rulings on laws that it deemed to be particularly problematic. Despite the fact that a significant portion of the legislation enacted unilaterally by the KMT/TPP is met with disapproval by the DPP, there was one particular piece of legislation that particularly incensed the DPP: the new tax redistribution law. The proposed legislation would grant local governments new access to Taiwan's total tax revenue. This would impose a limitation on the total budget of the DPP central government

while concurrently allocating augmented financial resources to local governments. Beyond the tax issue, the timing of this debate coincided with Taiwan's budget discussion in which the central government has endeavored to expand the budget, particularly defense spending, while the KMT/TPP opposition has sought to impose limitations on budget growth.

In a more conventional setting, the constitutional court would be tasked with determining the constitutional validity of this recent tax redistribution bill. However, in the absence of a constitutional court, the DPP took a radical action: premier Cho Jung-tai refused to sign the bill, a decision that President Lai endorsed. This refusal stands in direct opposition to the constitutional laws of Taiwan, which mandate that the premier must sign into law any legislation that has been passed by the legislature in accordance with the established legal procedures. The DPP's refusal to endorse the KMT/TPP's reforms by signing them into law was promptly characterized as a constitutional crisis. The DPP's position on the alleged crisis within their ranks is that the constitutional crisis originated with the freezing of the constitutional courts. In a strategic maneuver akin to a game of democratic chicken, both the DPP and KMT/TPP are undertaking actions that circumvent democratic institutions, albeit with the ostensible objective of promoting democracy.

In a belated effort to challenge the tax redistribution law from a legal standpoint, the current constitutional court judges have asserted that the law passed by the KMT/TPP, which stipulates the appointment of 10 sitting judges for the court to rule, was originally unconstitutional. This assertion follows nearly a year after the initial court blockade. The court's decision is purportedly designed to unfreeze the court and enable the remaining 8 judges to fulfill their duties as intended, even in the event of KMT/TPP's refusal to fill the remaining seats. The legality and longevity of such a move are yet to be determined. In essence, the crux of the matter pertains to the realization that the ongoing partisan debates within the context of democratic institutions are not predominantly concerned with the substance of policy. Instead, these debates are primarily driven by the questions of who wields the capacity to disregard or curtail specific aspects of Taiwan's democratic institutions and procedures.

External Pressure and Its Effects on Domestic Democratic Quality

The intricate democratic processes in Taiwan are situated within the context of its distinctive geopolitical environment. As a contested state, Taiwan's key feature in global order is that the People's Republic of China (PRC) claims it as its own, and regularly makes its desires and intentions to unify Taiwan's democracy with its authoritarian system well known. Concurrently, Taiwan grapples with the erosion of its democratic system, while the PRC employs a range of strategies to undermine Taiwanese democracy.

A primary method employed by the PRC to dissuade Taiwanese voters from embracing democratic principles involves the use of military threats. Since the visit of former Speaker of the House Nancy Pelosi to Taiwan, the nature of military threats that the PRC makes towards Taiwan has undergone a shift in both quality and quantity. Prior to Pelosi's visit, PRC fighter jets exhibited a marked reluctance to cross the "median line", which marks the halfway point between the PRC and Taiwanese mainland. However, following her travels, aircrafts and vessels have been observed to traverse the median line with greater frequency and at higher volumes than previously documented. These military threats are regarded as a means through which the PRC endeavors to instill a sense of fear into Taiwanese voters. However, military threats are often met with a certain degree of indifference when it

comes to domestic political reactions. On the majority of days classified as significant military threat days, Taiwanese voters do not exhibit signs of panic or irrationality. It is imperative to note that military threats seldom result in significant political mobilization. Despite the recent escalation in military tensions, Taiwanese voters have not demonstrated alarm regarding the military threats.

The severity of PRC threats is not uniform. In instance where Taiwanese voters perceive the PRC to be a significant threat to the democratic integrity of Taiwan, whether through legislative measures or informal processes that erode Taiwanese democracy, social movement mobilization is frequently observed as a response. For instance, the 2014 Sunflower Movement was mobilized in response to what Lev Nachman refers to as a “domestic cooptation threat.” (Nachman 2025). In 2024, a bipartisan protest was held by both blue and green-leaning voters, driven by concerns regarding the PRC’s efforts to influence Taiwan and its democratic institutions.

In addition to conventional threats, the PRC employs disinformation and information warfare as a means to undermine Taiwanese democracy. While research conducted by think tanks and NGOs in Taiwan and America has demonstrated a substantial array of disinformation tactics employed by the PRC, only a limited number of social science research papers have examined whether these efforts result in tangible alterations in voting behavior. For instance, research has demonstrated that only a subset of voters is influenced by disinformation tactics when it comes to the matter of whether or not PRC disinformation impacts voting behavior. Specifically, uninformed voters, non-partisans, and politically uninterested voters are the most likely to be influenced by disinformation tactics (Bauer and Wilson 2022).

The prevailing concerns of the PRC and its strategic outlook toward Taiwan have the potential to present significant challenges to the democratic system in Taiwan. Conversely, it can also function as a catalyst for the mobilization of democratic resilience. Despite the ongoing discord in Taiwan regarding the identity and future of the nation, a consensus emerges among the majority (95%) of Taiwanese individuals, who express an aversion to unification with the PRC (NCCU 2025). This fundamental value, which has been consistently demonstrated by scholars in the field of public opinion, has emerged as the primary point of consensus among the Taiwanese populace. In relation to this topic, public opinion research has also demonstrated that the majority of individuals express a desire for Taiwan to maintain a status-quo in which it acknowledges its contested status and continues to exist as a free and fair democracy. This strong desire for maintaining the status quo of Taiwan’s political system, coupled with the rejection of unification with the PRC as a point of consensus among voters, to a certain extent contributes to the preservation of Taiwan’s democratic resilience.

Sources and Mechanisms of Democratic Resilience

Despite the potential for fissures within Taiwan’s formal institutions, civil society exhibits robustness, responsiveness, and engagement with political developments. A notable illustration of this phenomenon can be observed in the 2025 Great Recall Movement in Taiwan. In response to the KMT lawmakers who have championed the initial legislative reforms, green voters and the DPP initiated a mobilization to recall KMT legislators. The objective of the KMT was to recall a sufficient number of members of the KMT’s majority within the LY, hold by-elections, and then regain a DPP majority with the LY. While this objective may have been ambitious, it nonetheless furnished a significant platform for civil society to articulate its discontent and indignation regarding Taiwan’s political status.

Furthermore, Taiwan's electoral governance is distinguished by a notable degree of transparency and responsiveness. The Central Election Commission (CEC) has been instrumental in promoting transparency through the maintenance of open-data portals, the publication of meeting records, and the institutionalization of traceable consultation processes. These measures have been effective in increasing the reputational and political costs associated with opacity. Furthermore, the government has developed digital platforms that enable citizens to voice their concerns at an early stage. This helps to address issues before they escalate into anti-system cynicism or broader legitimacy deficits.

Taiwan's civil society has also developed significant capabilities to address disinformation and misinformation through a bottom-up approach. Rather than relying primarily on state censorship, a dense ecosystem of fact-checking organizations, journalist collaborations, and volunteer communities works to verify claims, contextualize narratives, and circulate corrections rapidly. The experience of Taiwan during the pandemic offers a case in point, as it demonstrates the efficacy of a collaborative approach between civic tech communities and public agencies. This collaboration enabled officials to respond promptly to emerging rumors and disseminate timely, evidence-based rebuttals. Collectively, these practices serve as an additional defensive mechanism for Taiwan's democracy against information warfare, while ensuring the preservation of an open public sphere.

Additionally, Taiwan's digital democratic infrastructure fortifies resilience by augmenting the capacity for self-correction without compromising openness. As established in the extant literature on political communication, transparency is a crucial element in the credibility of government policies. The experience of Taiwan during the course of pandemic offers a compelling illustration of this broader principle. Democratic defense is most effective when strengthened through the principles of speed, evidence, and transparency, rather than through state restriction. These internal tools are complemented by international linkages that provide additional normative anchors. While external scrutiny is not a substitute for domestic constraints, it amplifies them by increasing the reputational penalties for power abuses and providing vital channels for democratic learning and reform.

Finally, Taiwan's international linkages function as normative anchors that reinforce democratic commitments at home (Levitsky and Way 2005; Chin and Rector 2025). Across Taiwan's major political parties, the security and political backing it receives from the United States and other like-minded democracies shapes its global standing, partnerships, and diplomatic support. These benefits are closely tied to Taiwan's credibility as a democratic polity. This linkage establishes an added incentive for political leaders, particularly those vying for the presidency or other offices of national importance, to regard democratic performance as a strategic asset rather than a matter of domestic politicking in isolation. In practice, safeguarding civil liberties, maintaining competitive elections, and upholding accountable governance are not only normatively desirable but also strategically important for sustaining international legitimacy and facilitating coalition-building in an era of geopolitical turbulence.

Concurrently, Taiwan has made substantial investments in transnational networks, encompassing NGO partnerships, academic exchanges, diaspora connections, and sustained global media engagement. These long-term ties serve to raise the audience costs of overt democratic backsliding by increasing the visibility of abuses and widening the set of actors able to monitor and publicize them. Given the profound integration of Taiwan's civil society organizations and civic institutions within regional and global democratic communities, deviations from democratic norms are more likely to elicit reputational consequences abroad while concurrently galvanizing domestic

watchdog entities domestically. The combined effect of international scrutiny and domestic oversight is twofold: it increases the political costs of democratic slippage and reinforces incentives to maintain Taiwan's democratic trajectory.

Concluding Remarks

The essay posts that Taiwan's democratic experience underscores a broader lesson: resilience is a dynamic equilibrium, not a settled state, and backsliding is rarely a linear path. While democratic legitimacy remains a widely defended concept, institutions are increasingly being tested by polarization, "procedural hardball," and an intense security environment. The fundamental strength of Taiwan's democratic system is rooted in the nation's capacity for self-governance, as evidenced by the recurrent ability of its citizens, media outlets, and institutions to contest governmental overreach and to reaffirm the boundaries of democracy before the system deteriorates to an irreversible state.

Domestically, the post-2024 period of divided government demonstrates the rapid escalation of institutional stress. Controversial legislative reforms have exposed a mounting incentive to perceive procedural rules as partisan instruments rather than as a shared infrastructure. Furthermore, while judicial review initially functioned as a constraint, subsequent confrontations over nominations and court operations have exposed a deeper vulnerability: the degradation of constitutional 'referees' into partisan targets.

These internal strains are inextricably linked to external pressures. The ongoing coercion and "gray-zone" activities perpetrated by the PRC have led to an escalation in perceived threats, prompting elites to interpret routine institutional disagreements as tests of national survival. This environment is further exploited by information warfare that leverages Taiwan's media openness to amplify social distrust, intensify identity conflicts, and foster cynicism regarding democratic efficacy. In essence, Taiwan's contested status naturally poses significant challenges to the sustenance of democracy.

Notwithstanding the aforementioned challenges, the essay concludes with an optimistic perspective, asserting that Taiwan's democratic resilience is sustained by a complex network of democratic defense, with civil society serving as its fundamental foundation. Recent mobilizations by civil society, including the Sunflower Movement and contemporary protests and recall initiatives, underscore the value that citizens ascribe to democratic procedures and institutional integrity, and demonstrate their readiness to engage in collective action to uphold these principles. This capacity to surmount collective action dilemmas elevates the political cost of democratic overreach, thereby ensuring that high-stakes disputes remain transparent rather than insulated from scrutiny.

However, a robust civil society must also navigate the polarization trap. When opponents are depicted as existential enemies—through accusations of treason, impurity, or authoritarian intent—political competition transforms into a form of moral warfare. This shift has the potential to undermine mutual tolerance, thereby fostering an 'at-any-cost' mentality that poses a threat to democratic stability. The Taiwanese context, therefore, is one in which the resilience of civil society is contingent not only on the vitality of that society but also on the extent to which civic contestation is anchored in norms of restraint, compromise, and respect for legitimate opposition.

While the recall movement was indicative of democratic resilience and robust civil society, it also reflected a broader, growing phenomenon in Taiwan: increasing affective polarization. A similar trend is observable in Taiwan, where the political landscape is becoming increasingly polarized, mirroring the

global shift towards multiparty democracy. Instead of engaging in discourse surrounding the merits of specific policy issues, citizens are perceiving their political opponents as unyielding adversaries. This phenomenon of affective polarization messaging is frequently initiated and amplified by formal political officials. For instance, Eric Chu, who was the KMT party chair during the recall movement, drew parallels between William Lai to Adolph Hitler. William Lai employed rhetoric that cast KMT and TPP politicians as “impurities” who should be removed from office. The dissemination of political messaging from both civil society and elected officials is a matter of concern. Rather than engaging in a substantive discussion regarding the policies that genuinely contribute to the enhancement of Taiwanese democracy, those who hold extreme political views tend to prioritize personal attacks and ad hominem remarks. While Taiwan’s civil society continues to function, it is susceptible to the same polarizing dynamics that have dominated the political landscape of the United States and South Korea.

The overall implication is cautiously optimistic but conditional. The primary threat to Taiwan’s democratic system is not a sudden shift towards authoritarianism but rather a gradual erosion of institutional strength. This phenomenon encompasses the incremental deterioration of constitutional review mechanism, established oversight norms, and informational trust, a process that while preserving the structural integrity of electoral systems, effectively erodes the substance of democratic governance. The countervailing force remains Taiwan’s continuing capacity for self-correction, fueled by competitive elections, investigative journalism, civic mobilization, digital transparency, and international reputational constraints.

The eventual course of action, whether it leads Taiwan toward enhanced resilience or sustained erosion, is contingent upon the fulfillment of three pivotal conditions. The primary condition is Taiwan’s institutional integrity. The question of whether political parties treat democratic institutions as common property rather than partisan instruments is also salient. Furthermore, the role of the media and opposition in this context, and whether they remain protected as legitimate democratic actors, is of particular concern. Secondly, it is imperative to assess whether external threats are addressed with transparency and proportionality, or if there is a tendency to resort to “normalized exceptionalism,” which circumvents established checks and balances. Thirdly, the efficacy of these measures is contingent upon the ability to allocate sufficient resources to civic education and digital resilience, in order to counteract the escalating sophistication of disinformation campaigns.

In this sense, Taiwan’s democratic future will be determined by its ability to maintain intense political conflict while ensuring governability. This will require the protection of the rules of fair competition, even in situations where the stakes appear existential.■

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