

舊社與新民族自治 國際學術研討會

旧社と新民族自治 国際学術シンポジウム
International Symposium on Traditional Community and New Ethnic Autonomy

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Lawmakers urge Shih to end rallies after death of cop

Policeman dies after maintaining order at anti-Chen protest in Yunlin County

Lawmakers in the pro-Shih camp urged President Chen to end rallies after the death of a policeman in Yunlin County. The lawmakers said the rallies were disruptive and that the government should take steps to prevent such incidents from recurring. They also called for a thorough investigation into the circumstances surrounding the death of the policeman.

Government vows to fix fund protocol

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The Presidential Office has promised to improve procedures for reviewing and auditing funds allocated for use in the Republic of China. The office said it would set up a special committee to review the process and ensure that funds are used properly and efficiently.

MND reports China military growing fast

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The Ministry of National Defense (MND) has reported that the Chinese military is growing rapidly. The report noted that China's military modernization program is well advanced and that the Chinese military is becoming more professional and effective.

County magistrate quiet on talk with Shih

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Yunlin County Magistrate Lin Shih has remained quiet about his recent meeting with President Chen. The magistrate said that the meeting was a routine administrative matter and that he did not discuss any specific issues.

DPP reform plan maintains status quo

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The Democratic Progressive Party (DPP) has announced a reform plan that maintains the status quo. The plan focuses on improving government efficiency and transparency while preserving the current political structure.

Prosecutors to grill president, first lady again, reports claim

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Prosecutors are expected to grill President Chen and his wife again. The reports claim that the prosecutors will focus on the president's conduct during his tenure in office and the circumstances surrounding the death of the policeman.

International symposium provides impetus for 'Ethnic Autonomy' in indigenous communities

An international symposium on traditional community and new ethnic autonomy has provided impetus for indigenous communities. The symposium brought together experts from various countries to discuss the challenges and opportunities of ethnic autonomy in the 21st century.



From left to right: Lin Shih, Yunlin County Magistrate Lin Shih, and other officials at a meeting.

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International symposium provides impetus for 'Ethnic Autonomy' in indigenous communities

By Jason Pan

Taiwan News, Contributing Writer

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An international panel of scholars pointed to new directions at a recent symposium that will help Taiwan's indigenous communities overcome obstacles to achieving ethnic autonomy and cultural revitalization.

They agreed that Taiwan's government promotion of aboriginal self-government and autonomy was in line with international conventions on indigenous rights, but offered different models on how to implement the transfer of power that was laid out under the "Indigenous Basic Law" (原住民基本法) passed by the Legislature in early 2005.

The move toward autonomy has been stalled since then, many speakers indicated, stifled by Taiwan's ponderous bureaucracy, the lack of active participation by indigenous peoples themselves, and concern that ethnic

國際研討會給予原住民部落推動民族自治的動力

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在最近（編按：9月29～30日）舉辦的一場學術研討會中，一群國際學者討論出民族自治與文化復振的新方向，有助於台灣原住民部落克服達成這些目標的障礙。

學者們皆認為，台灣政府推動原住民自治是符合國際條約中的原住民權利，但對於「原住民基本法」所賦予的權利如何轉移與落實，在作法上則提供不同模式。立法院於2005年初通過「原住民族基本法」。

許多論文發表人指出，從當時起（原住民族基本法通過後），邁向自治便窒礙難行，阻礙包括台灣公家機關繁瑣而效率緩慢的官僚體系、原住民不積極參與、有人擔憂民族自治實

autonomy in practice might create "state-within-a-state" structures that could conflict with Taiwan's Constitution.

But Professor Lim Siu-theh (林修澈), head of the organizing committee of the newly established Center for Aboriginal Studies at National Cheng Chi University (國立政治大學) where the symposium was held, said the meeting would help resolve these issues.

"This was a unique opportunity for such a dialogue between the indigenous peoples themselves, but also between local researchers and international scholars," Lim said of the two-day "2006 International Symposium on Traditional Community and New Ethnic Autonomy" forum. "These exchanges resulted in creating a rich resource base for setting policies on autonomy."

Icyang Parod, the deputy chairman of the Council of Indigenous Peoples (原民會), Taiwan's leading government agency on aboriginal issues, agreed.

行恐形成「國中有國」的架構而與台灣憲法相扞格。

但主辦單位國立政治大學原住民族研究中心主任林修澈教授表示，此一學術研討會應有助解決這些問題。該研討會假政大舉行。

對於此為期兩天的「舊社與新民族自治國際學術研討會」，林教授表示，這不僅是原住民各族間少有的對話機會，更是國內學者與外國學者間難得的對話機會，這些交流已為訂定自治政策建立了一個豐富的參考資料庫。

掌理原住民族事務的政府機關行政院原住民族委員會副主委夷將·拔路兒贊同林教授的看法。



◀圖左為夷將·拔路兒副主委，圖右為陳其南教授。

"We can build upon this accumulation of ideas to expedite the important process of ethnic autonomy and spur the new construction and revitalization of our aboriginal communities," said Icyang, who was a moderator at the symposium.

Aside from bureaucratic concerns, speakers at the forum also pointed a finger at Taiwan's legislative body for not acting on new draft bills crafted by the CIP that would help resolve some of the thorniest issues, including that of land distribution.

Land issues have cropped up where two or more ethnic groups made overlapping claims of traditional territory due to migration, warfare or other historical processes. Another source of potential conflict comes from migrant settlers and non-aboriginal residents who demand that their rights must be respected.

Some speakers at the forum stressed that consultations must be held to reach a negotiated settlement for these and other issues of potential conflict on the road to

夷將在研討會中擔任其中一場論壇的主持人，他表示：「我們能以這些意見論述為基礎，來積極推動民族自治重要歷程，並且刺激部落重建與復振。」

除了公家機關的官僚體系繁文縟節問題，研討會報告人也指陳，台灣立法機關並未審理原民會所草擬的新法案，這些草案應有助解決部分棘手議題，包括土地分配問題。

當兩個以上族群所主張的傳統領域，由於遷移、爭戰或其它歷史過程而發生重疊，土地問題便浮上檯面；另一項潛在衝突則源自後來遷移者和非原住民，這些人要求其權利必須受到尊重。

有些報告人在討論中強調，在邁向原住民自治的路上，必須進行磋商，在有共識的情況下解決前述議題及未來的潛在衝突議題。



左起依序為鍾興華副處長、杜傳鄉長、
陳勝主編、黃錦堂教授。

aboriginal autonomy.

Other sources of controversy in the process include the undefined power-sharing structure between the different levels of government, new economic structures and funding for autonomous areas, and the possible unbalanced, strained relationship with Taiwan's mainstream society and other ethnic groups, according to Huang Chin-tang (黃錦堂), professor of political science at National Taiwan University.

Professor Peter Kulchyski from Canada presented three models of indigenous governance based on experiences in Manitoba, Nunavut, and the Northwest Territories. He said they showed the importance of community-based assertion of rights and that flexible arrangements were needed to allow distinct models of autonomy for different communities.

Professor Maria Lundberg from the University of Oslo in Norway cited as a positive example China's "Regional National Autonomy Law of 1984," which was revised

台灣大學政治系教授黃錦堂認為，邁向民族自治過程中，其它可能的爭端包括政府不同層級的分權結構尚不明確、自治區的新經濟架構和經費稅收來源，以及台灣主流社會和其它民族群體可能發生的不平衡且緊張的關係。

來自加拿大的彼得·庫奇斯基教授根據他在曼尼托巴、努納甫特、西北領地的經驗，提出三種原住民自治模式。他表示，這三種模式展現了以原住民社區本位主張權利的重要性，並指出要使不同社區擁有各異的自治模式，就需要彈性的安排。

來自挪威奧斯陸大學的馬麗雅教授認為，中國於1984通過的民族區域自治法是一佳例。該法在2001年修訂。依據該法，中國少數民族有權維護並發展其文化與語言，且能



◀ 左起依序為Peter Kulchyski教授、Maria Lundberg教授和周勇教授。

in 2001. Under the law minorities have the right to maintain and develop their culture and language, and manage their internal affairs within the Chinese autonomous regions.

Another example of an aboriginal community mechanism is Norway's "Saami Council," which has fostered self-determination and autonomy through an elected representational assembly, according to University of Oslo Professor Zhou Yong (周勇).

As for the potential constitutional conflicts autonomous regions could raise, Hokkaido University Professor Tsunemoto Teruki (常本照樹) provided examples of constitutional interpretations and difficulties encountered by the indigenous Ainu people of Hokkaido in their on-going struggle for recognition, self-determination, and cultural revival.

Tsunemoto said the Japan parliament opposed granting ethnic group

在中國自治區內管理自己的內政事務。

挪威的「薩米議會」是原住民部落機制的另一個例子。奧斯陸大學的周勇教授表示，薩米議會已經藉由一個透過選舉組成的代議制民族議會來推動自決和民族自治。

至於自治區可能引發的潛在憲政衝突，北海道大學教授常本照樹以日本釋憲案和北海道愛努族所遭遇的困境為例說明。愛努族一直辛苦地爭取其民族認定、自決和文化復振。

常本教授表示，日本國會反對將民族代表權賦予愛努族，因為日本憲法要確保所有



▲ 圖左為戴小明副校長、圖右為常本照樹教授。

representation for the Ainu people because Japan's constitution guaranteed equal rights for all of its citizens.

He advised the Ainu groups to strengthen their cultural and ethnic identity in the political arena, and also sought to apply the application of the United Nations Draft Declaration on the Rights of Indigenous Peoples to their situation in Japan, and believed it would also be applicable in Taiwan.

Professor Tai Hsiao-ming (戴小明), deputy principal for South-Central University for Nationalities in China presented the legal framework for the development of regional autonomy for ethnic minorities in the PRC, and the state council's implementation of these laws to promote social and economic development for the minority nationalities.

After the forum's conclusion, the international experts from Canada, Norway, and China followed up with a two-day field visit to aboriginal Saisyat villages of Hsinchu County.

日本國民享有平等的公民權利。

常本教授建議愛努族在政治場域強化其文化及民族認同，他並尋求將聯合國《原住民族權利宣言草案》應用於日本，協助解決愛努族的處境，常本教授相信，這項原住民族宣言草案，也可應用在台灣。

中國中南民族大學副校長戴小明教授，發表中華人民共和國少數民族區域自治發展的法律架構，以及該國國務院是如何施行這些法律來促進少數民族的社會與經濟發展。

研討會結束後，來自加拿大、挪威及中國的學者專家們進行為期兩天的田野參訪，拜訪新竹縣的賽夏族部落。