

## No Progress in Anti-Corruption Under Ma Ying-jeou. Diane Lee's Case Contributes?

Written by Jerome F. Keating Ph.D.  
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In a recent publication of the Corruption Index of Countries, it was noted that Taiwan had not made any gains in its anti-corruption efforts. This was true despite the fact that Taiwan's President Ma Ying-jeou touted the fact that his anti-corruption campaign would be one of the main thrusts of his first four years. For those who watch Taiwan closely and have seen the failings of the courts under Ma, and the double standard in the application of justice, this has come as no surprise.

One of the problems that Taiwan has faced as it emerged from the Chinese Nationalist Party (KMT) one-party state, the White Terror, and martial law is the fact that the country had never achieved transitional justice.

One classic example of course was that Ma's secretary had served nine months in jail for illegally putting a half million US\$ dollars into Ma's account, though we are asked to believe that Ma allegedly knew nothing about it. Naturally such a secretary would be in high demand for any corporate or government official. Ma never served any time; the prosecutors barely questioned him.

A most recent example of the parody of justice in Taiwan came with the acquittal of Diane Lee by the Supreme Court in her case of fraud over dual nationality.

Lee had been accused on charges of fraud for intentionally concealing her US citizenship for fourteen years both as Taipei City councilor and as a member of the Legislative Yuan. Indicted in 2009, the Taipei Court had initially found her guilty and sentenced her to two years in prison. While making an appeal, she ironically did not have to serve a day in prison. (Contrast that with Chen Shui-bian who was jailed even before his first trial.)

One of the issues in Taiwan is its plethora of what are called dinosaur judges, left over from the KMT White Terror and Martial Law days. In Aug. 2011 the High Court acquitted her; and then the Supreme Court upheld the High Court ruling. They claimed the fault was an administrative error and not Lee concealing her dual citizenship. Lee even claimed that she had believed her dual citizenship expired when she took office.

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Here however are the revealing facts that were glossed over in calling this an administrative error. 1) When taking office, a person has to fill out a form on which one of the questions is "Do you have dual citizenship?" Lee left this question blank each time. Allegedly the KMT assigned to check this did not notice the blank answer.

2) Lee claimed she thought her dual citizenship had automatically expired on taking office. Yet while in office, she accused and brought charges against an opposition candidate official of the same crime; she did not give that person the same benefit of a doubt or excuse that she claimed for herself.

3) The American Institute in Taiwan confirmed that Lee's dual citizenship was still valid.

4) A US passport has to be renewed every 10 years, therefore if Lee's passport was still valid, then she had to purposely and intentionally renew it at least once, if not twice during her fourteen years of service. You do the math. Yet the Supreme Court declared that she was not guilty of fraud.

It is no wonder that Taiwan has not progressed in its ranking in the fight against corruption in the past four years under Ma Ying-jeou.

Source:

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