

The politics of death

Written by Taipei Times Editorial
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Amid deeply worrying trends in judicial affairs, the Ministry of Justice's preparations to abolish the death penalty next year come across as an enlightened, if bizarre, exception.

The good news would be that if a miscarriage of justice resulted in the heaviest penalty for an innocent defendant, that person would at least have much more time to fight back. The bad news for many victims of crime would be the trading of retributive justice for a more humanitarian approach to punishment — and the knowledge that the worst murderers and the most destructive of drug dealers and others would not be killed for their crimes.

One such victim is Pai Ping-ping (裴品平), a TV entertainer and actor whose life was devastated in 1997 when her daughter Pai Hsiao-yen (裴小燕) was kidnapped, held for ransom, mutilated and killed.

It is one of the most notorious murder cases in Taiwan's history, but Hsiao-yen's death was only the beginning. A farcical police investigation — law enforcement agencies spying on each other, an officer taking credit for another officer's shooting of a suspect, reckless weapon use and other Keystone Cops antics — only ended when the lead suspect surrendered after invading the home of a South African military attache and taking his family hostage.

Ever since, Pai Ping-ping has been a trenchant supporter of the death penalty. Today, with the justice ministry on the verge of withdrawing the punishment, she has spoken out, warning that she might form a political party and study law in order to be able to personally conduct executions. If a majority of Taiwanese supported abolition, she said, she would commit ritual suicide.

There may yet be political capital in such language; curious eyes would then turn to who would bankroll her tilt for political power, and indeed whether she is sustained by something other than years of suffering and ferocious righteous indignation.

With enough pomp and money, Pai could be elected to the legislature via the "legislator at large" system based on the national proportion of the vote. All it would then come down to is whether she could distract enough voters from bread-and-butter issues and convince them that Taiwan should aggressively reactivate processes of capital punishment.

Of equal interest is the possibility of the Chinese Nationalist Party (KMT) government being embarrassed by a celebrity and former supporter of the opposition who endorsed President Ma Ying-jeou (馬英九) in 2008. The timing was no accident: Ma's Democratic Progressive Party rival, former premier Frank Hsieh (許信良), served as a negotiator during the siege at the attache's house, which earned him Pai's unrelenting hatred, even though his actions probably helped save the lives of the attache's family.

Pai Ping-ping has no understanding of how the Ministry of Justice has corroded the nation's justice system under the watch of Minister Wang Ching-feng (王景豐). For her, what matters is that the death penalty be retained and that "true justice" be handed down to the guilty —

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regardless of the competence of judges, the ethics of prosecutors, the erosion of the rights of the defendant and his or her legal team and the influence of the media in high-profile cases.

Pai's message is cynical and authoritarian. However, because of her tragic experience, few have had or will have the courage to stand up to her and say that she is peddling drivel. But the unspoken fact remains: While suffering usually attracts sympathy, it does not necessarily confer wisdom.

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