

Fifth open letter on the erosion of justice in Taiwan

Written by Tim Maddog

Friday, 13 November 2009 08:14

The list of signatories grows by almost 20%

Writer Jerome F. Keating, Ph.D. and thirty other scholars and writers from the US, Canada, Asia, Europe and Australia have penned [a fifth open letter](#) about the serious problems occurring under the administration of President Ma Ying-jeou.

The letter reminds us that "a decrease of tension across the Taiwan Strait would indeed be welcome, but [...] that this should not be done at the expense of the hard-won democracy" and that "Taiwan should be more fully accepted by the international community as a full and equal partner." Read the full letter at the link above, but here is a large excerpt [emphasis mine]:

During the past two decades, Taiwan has made major progress in each of these areas [freedom, democracy, justice and human rights]. It thus has been a disappointment for us to see an erosion of justice, a weakening of checks and balances in the democratic system and a decline in press freedom in Taiwan. These trends are reflected in the significantly downward ratings Taiwan received in the annual reports of international organizations such as Freedom House and Reporters without Borders

They are also reflected in the expressions of concern by international scholars and friends of Taiwan related to the flaws in the judicial proceedings against former President Chen Shui-bian and the apparent lack of neutrality in the continuing "investigations" and indictments of other prominent members of the DPP government . We thus appeal to you again to ensure that measures are taken to ensure the impartiality and fairness of the judiciary.

Good governance, accountability and transparency based on the fundamental principles of freedom, democracy, justice and human rights are all the more essential now that your government is moving Taiwan on a path of closer economic ties with China. We believe that a decrease of tension across the Taiwan Strait would indeed be welcome, but emphasize that

this should not be done at the expense of the hard-won democracy and the establishment of human rights in Taiwan itself

Thus, the process of improving relations with the large neighbor across the Strait needs to be an open, deliberative and democratic process, in full consultation with both the Legislative Yuan and the democratic opposition, and fully transparent to the general public . We are thus pleased to hear that officials of your government have stated that any agreement with China would need to have both a domestic consensus, including approval by the Legislative Yuan, and acceptance by the international community . We trust this process will be open and consultative in ways that respect the democratic traditions begun so promisingly two decades ago.

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The prequels

Don't forget the earlier parts of this long-running series, listed here in chronological order:

* **November 6, 2008:** Scholars and writers from around the world publish an " [Open letter on erosion of justice in Taiwan](#)

." The same letter --

[as an online petition](#)

-- has been signed by more than 2,000 people.

* **November 25, 2008:** Minister of Justice Wang Ching-feng (王景弘) [calls the open letter "inaccurate."](#)

* **December 2, 2008:** " [Eroding justice: Open letter No. 2](#) " counters Wang Ching-feng's claims.

* **January 8, 2009:** Over a month later, [Wang Ching-feng comes up with "clarifications\]"](#) regarding the open-letter writers' so-called "misunderstandings."

* **January 21, 2009:** " [Eroding justice: Open letter No. 3](#) " is addressed to President Ma Ying-jeou.

* **January 24, 2009:** Two more " [US-based Taiwan experts add \[their\] names to open letter \[No. 3\]](#) ."

* **January 25, 2009:** President Ma [claims the public had gained confidence in the judiciary in 2008](#) -- the exact opposite of what [this Taiwan News article tells us they actually felt](#) :

According to recent surveys conducted by Academia Sinica and the Web site Yahoo! Kimo, over 50 percent of the people do not believe in Taiwan's judicial system and over 75 percent have no confidence that the Judicial Yuan will undertake judicial reform [...]

* **May 22, 2009:** An estimable group of scholars and writers -- 26 in all, and each one with a deep understanding of Taiwan and the surrounding facts -- has composed [an open letter addressed directly to President Ma Ying-jeou](#) (馬英九). The letter addresses the ever-increasing problems with judicial fairness, press freedom, the lack of transparency in the Chinese Nationalist Party's (KMT) rapprochement with China, the loss of Taiwan's sovereignty, and the loss of human rights. The argument the letter makes is

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rock solid. It is based on demonstrable facts.

Source: [Taiwan Matters! - Tim Maddog](#)