

US academics decry unfair treatment in Chen trial

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Two leading US academics — both with strong ties to Taiwan — have condemned the treatment of former president Chen Shui-bian (陳水扁) and called for the case to be handled fairly.

Arthur Waldron, a professor of international relations at the University of Pennsylvania, said he was “shocked” by “the stench of vindictiveness” associated with Chen’s trial.

Law professor Jerome Cohen — a professor of President Ma Ying-jeou’s (馬英九) at Harvard University — said that Chen faced the near-impossible task of defending himself from jail and was “fighting with one arm tied behind his back.”

Both were speaking at a Washington symposium “Towards Truth and Reconciliation in Taiwan,” organized by the Formosan Association for Public Affairs (FAPA), the Formosa Foundation, the Chen Wen-cheng Memorial Foundation and the Formosan Association for Human Rights.

Turning to the Chen case, Cohen said: “I am very concerned about the huge allegations of corruption. If he has committed crimes he should be prosecuted. But the proceedings should be fair. I still hope the courts will release him under circumstances that will guarantee that he does not flee, but will also guarantee that he has an adequate chance to defend himself as he appeals the sentence.”

“Taiwan has to act in ways that will build confidence and lead to internal reconciliation. They do not want to perpetuate the very bitter divisions that now exist,” Cohen said.

“If democracy is going to succeed, the Kuomintang [Chinese Nationalist Party, KMT] and the DPP [Democratic Progressive Party] must strive for the interests of Taiwan and not for their own immediate partisan interests. Chen’s family is awash in unexplained money and you can’t ignore that. I am nauseated by the amounts involved. But you have to pursue and investigate and prosecute fairly,” he said.

Waldron, who has a long history of links with Taiwan, said: “The way Chen has been treated is not the way a developed and modern country deals with a former head of state. There is an element of the other political side getting its own back.”

He said the KMT had “dirty laundry that is stored in all kinds of closets and hidey-holes around Taiwan,” adding that their lack of zeal in “pulling this dirty laundry out and going through it” was obvious.

The symposium urged Taipei to launch a “truth and reconciliation” commission — similar to the ones used in East Germany and South Africa — to closely examine human rights violations during the Martial Law era.

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“It is our right and responsibility to become involved in this,” FAPA president Bob Yang (楊伯璽) said.

“It will be necessary to deal with complex and difficult issues to move things in the right direction and prevent the repeat of tragedies,” he said.

The symposium was inspired by the completion of the film *Formosa Betrayed* — the fictionalized story of a political assassination organized by the Taiwan government in the 1980s — which is now being shown at film festivals throughout the US and Canada prior to general release.

“When you see the situation on the mainland [China] you can appreciate the enormity of Taiwan’s achievement,” Cohen said.

“Beijing has no constitutional court and no mechanism for making constitutional rights into reality. But on Taiwan there is this hatred between the KMT and the DPP. It is hard for outsiders to understand. It must be overcome,” he said.

“Both sides must keep in mind the interests of the island and all its people and not the immediate political benefits of this party or that party. We need more reconciliation and to get it we need to air the truth about the past and some of the horrible incidents that we must not forget,” he said.

Waldron said that historical wrongs are not easy to right.

“Once someone is assassinated they are dead. Punishing the guilty may be desirable but the victim remains dead. The best thing is to go forward to build a society where that sort of thing can’t happen again,” he said.

“If you favor democracy for Taiwan, real democracy, you are going to be pushed into a position which is increasingly unwelcome in Beijing. And this is the dilemma we face,” he said.

“China now has real money and real weapons and they can write checks of real size that are very difficult for people to resist. Our democratic values and our beliefs in human liberty and freedom may tug against some of our material values. I hope we will know which way to choose,” he said.

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