

The abuse of Chen's human rights

Written by Taipei Times Editorial
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President Ma Ying-jeou (馬英九) often touts democracy as the nation's greatest achievement and has been known to trumpet how he has helped to advance the nation's democratic values and the protection of human rights by having ratified the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights in 2009 during his first term as president. However, actions speak louder than words.

Ma's lack of humanity and respect for his predecessor has led some to wonder whether he truly keeps the meaning of "human rights" close to his heart and grasps the meaning embodied in the contents of the two international human rights covenants he has signed.

In view of the prison treatment of former president Chen Shui-bian (陳水扁), serving an 18-and-a-half-year prison term on corruption charges, which has resulted in various health issues ranging from sleep apnea, Parkinson's symptoms and severe depression, a growing number of Taiwanese are starting to doubt whether the nation can pride itself as a democracy that values human rights.

As stated in the first clause of Article 10 of the Covenant on Civil and Political Rights: "All persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person."

Chen's deteriorating physical and mental state has prompted concern among human rights activists. Even Taipei Mayor Hau Lung-bin (郝龍斌) of the Chinese Nationalist Party (KMT) has issued a public endorsement of Chen's medical parole request, adding that he believes the move could help promote social harmony.

The judiciary's repeated refusal to grant Chen medical parole has left many concerned about whether Chen's medical rights are in jeopardy.

Chen, once known for his articulation, eloquence and quick-wittedness, was seen in 28 seconds of footage published by Next Magazine on Jan. 30 with a vacant expression, his right hand trembling and having difficulty speaking.

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How can Ma say he and his administration remain determined to protect human rights when the public have witnessed the former president's deteriorated physical and mental state after less than five years' imprisonment?

The recent clash between Taipei Veterans General Hospital, currently in charge of Chen's medical treatment, and Chen Shun-sheng (陳純生), a member of Chen's voluntary civilian medical team, over the former president's physical and mental state adds further intrigue, causing the public to wonder what the government is hiding about the true status of the former president's condition.

"I deeply believe in equal justice for all Americans, whatever their station or former station. The law, whether human or divine, is no respecter of persons; but the law is a respecter of reality. The facts, as I see them, are that a former president of the United States, instead of enjoying equal treatment with any other citizen accused of violating the law, would be cruelly and excessively penalized either in preserving the presumption of his innocence or in obtaining a speedy determination of his guilt in order to repay a legal debt to society. During this long period of delay and potential litigation, ugly passions would again be aroused. And our people would again be polarized in their opinions. And the credibility of our free institutions of government would again be challenged at home and abroad," then-US president Gerald Ford said in a speech on Sept. 8, 1974, on why he pardoned his predecessor, former US president Richard Nixon, for the offenses he committed.

While the Presidential Office has dismissed the possibility of Ma granting a pardon to Chen, it is hoped that, being the head of state, he would employ wisdom and a level of class befitting a president in dealing with Chen. That wisdom would benefit social harmony while upholding Chen's basic human rights.

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