

As Taiwan marked the 71st anniversary of the 228 Incident last week, transitional justice once again became a topic of heated discussion.

Two issues attracting public attention this year are the transitional justice promotion committee to be set up in accordance with the Act on Promoting Transitional Justice (促轉法) and a draft political data bill submitted by the Executive Yuan to the Legislative Yuan for deliberation.

The progress made on these two tasks this year will almost certainly determine how well President Tsai Ing-wen's (蔡英文) administration will do on the issue of transitional justice.

The act is to initiate fundamental efforts toward transitional justice, such as making political documents available to the public, removing authoritarian symbols, redressing judicial injustices and dealing with ill-gotten party assets.

The political data proposal, on the other hand, would deal with the collection, management and use of political documents in a more delicate manner, especially when they are related to the former authoritarian Chinese Nationalist Party (KMT) regime and the party's suspected affiliates.

Once identified, such documents are to be declassified and incorporated into the national archives, helping to disclose historical fact.

The primary task of the committee would be redressing past judicial injustices and bringing justice to political victims and their relatives. However, the aim of transitional justice is never only limited to addressing the rights and injustices committed against political victims.

Transitional justice at its core is about a nation looking back at its past: how a nation confronts past injustices and illegal conduct inflicted upon its people — with frankness and honesty or in an evasive manner, avoiding more difficult issues — and how the general public views the past

suffering of their compatriots — with sympathy or indifference.

As the process includes choosing topics, setting up platforms for dialogue and questioning people with different historical memories, identifications and positions, transitional justice cannot exclusively be a matter of research conducted behind closed doors by experts and academics, but must be a social process of collective remembrance of past trauma.

The Ministry of Culture last year took the first important step with its efforts to transform Chiang Kai-shek Memorial Hall in Taipei. Another challenge for the committee will be how to deal with perpetrators other than Chiang Kai-shek (蔣介石).

Proper organization of data and research have always been fundamental in the pursuit of historical fact. The government has preserved far more political documents than is generally known, but many years have gone by without the government actively studying this information.

For instance, in 2014, the preparatory office of the National Human Rights Museum received a large number of dossiers from the disbanded Compensation Foundation for Wrongful Trials on Charges of Sedition and Espionage During the Martial Law Period.

The original plan was to finish categorizing the documents by 2015 and to gradually make them accessible to the public. However, the only files that are accessible today are text files about verdicts that were already made available through application by the end of 2014. Systematic categorization of the documents only started in the second half of last year and it is unlikely that there will be any research results in the short term.

The National Archives Administration, responsible for managing political documents, works on data preservation and provides open access as its primary tasks. It last year started analyzing the contents of its preserved political files and its Web site says of the 500,000 pages available online that “files are categorized based on such criteria as the progress of judicial processes and the nature of the archived documents.”

However, in practice, the search function only works when names or numbers of files and

Justice demands data preservation

Written by Yeh Hung-ling 葉 Hung-ling

Tuesday, 06 March 2018 07:24

images are entered, which is not particularly user-friendly. As a result, the Web site has received limited attention so far.

The National Development Council has initiated another project involving large-scale collection of political files and files related to the KMT and its affiliated organizations, which might also be included into the national archives.

When dealing with such vast amounts of files, the national archives must address the question of how the competent authorities are to compile data from different experts and create a more effective database while also providing assistance to the committee and long-term access to members of the public.

While these questions might appear trivial, addressing such issues is an important foundation for transitional justice.

The greatest contribution the Tsai administration could make to transitional justice in Taiwan is to find ways for the committee, the ministry and the archives to use rigorous historical research and cautiously designed platforms for social dialogue to help the public reflect on history.

The trauma and suppression inflicted by the 228 Incident and the White Terror era should not remain a burden only on the victims and their families, but be transformed into a collective democratic asset.

Yeh Hung-ling is chief executive of the Taiwan Association for Truth and Reconciliation.

Translated by Perry Svensson and Chang Ho-ming

Source: [Taipei Times - Editorials 2018/03/06](#)