

Chinese culture obstructing justice

Written by Lee Min-yung 林敏雄

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Transitional justice was first discussed after Taiwan's first transfer of political power following the Chinese Nationalist Party's (KMT) defeat in the 2000 presidential election by the Democratic Progressive Party (DPP). However, it only became a viable political program when the DPP returned to power in 2016. President Tsai Ing-wen's (蔡英文) administration now needs to deliver on its promises.

During the 1990s, former South African president Nelson Mandela overturned white majority rule in South Africa and former Cape Town archbishop Desmond Tutu managed the transitional justice process through the South African Truth and Reconciliation Commission.

At about the same time, Lee Teng-hui (李登輝) became Taiwan's first directly elected president, but given the political environment of 1990s Taiwan, it was impossible to push through transitional justice.

Germany is still implementing transitional justice, which is not merely confined to politics, but also applies to culture. If Taiwan's reforms are restricted to changing the shape of political power, it will be difficult to achieve real transitional justice.

Following the passage of the Act on Promoting Transitional Justice (促進轉型正義法) in December last year, a transitional justice promotion committee is to be established with former Control Yuan member Huang Huang-hsiung (黃煌雄) as its chairman.

However, Huang appears to be a flawed candidate due to several political decisions during former President Ma Ying-jeou's (馬英九) administration.

Huang has served several legislative terms for the Democratic Progressive Party (DPP), promoted a new national flag and national anthem, and also has his own ideas on culture.

However, when Ma, a wolf in sheep's clothing, won the presidency in 2008, some politicians allowed themselves to be taken in and hitched their wagon to the wrong horse, as did many

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intellectuals, cultured individuals and reformers who previously opposed the KMT party-state and even flaunted their left-wing credentials.

This is the malign effect Chinese culture has on many politicians: It will eat up even the most public-spirited and upright politician. A culture incapable of guilt or shame lacks the core social conditions to carry out transitional justice.

KMT New Taipei City mayoral candidate Hou You-yi (侯友宜), who headed the Taipei Police Department's Criminal Investigation Division at the time of democracy activist Deng Nan-jung's (鄧南雄) self-immolation in 1989, continues to play down his involvement in the incident.

At a forum on freedom of speech, Hou responded to comments by Premier William Lai (賴清德) on his involvement in the incident that Lai should focus on matters of national importance.

Showing no remorse, he said he has no regrets on the matter.

Is it so difficult to apologize for a mistake?

Germany's transitional justice process has been affected not just by German culture, but also by religion and wider international attention, as well as pressure from the victorious Allied Powers to address German National Socialist Workers' Party (Nazi) offenses.

When South Africa overthrew apartheid, South Africans dreamed of a shared national community. Religion provided an additional impetus and a new model of "truth and reconciliation" transitional justice was developed.

What about Taiwan? After Chiang Kai-shek's (蔣介石) death on April 5, 1975, Tomb Sweeping Day was fixed to that date to honor his death. On Tomb Sweeping Day this year, several military generals from the KMT party-state era honored Chiang's greatness, ignoring the fact that he lost China, ruled Taiwan as a dictator and even deprived it of national status.

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These generals, who relied on Chiang's party-state for protection, on seeing the faint emergence of a new Taiwanese state are suddenly full of admiration for communist China and hostility toward Taiwan's democratization. The difficulties facing Taiwan's transitional justice process will test the common will of Taiwanese to build their new nation.

Lee Min-yung is a poet.

Translated by Edward Jones

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