

Ma draws fire over new grand justice nominees

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President Ma Ying-jeou's nominees for grand justices, left to right, National Taiwan University law professor Tsai Ming-cheng, Deputy Minister of Justice Wu Chen-huan, lawyer Huang Horng-shya and Shilin District Court President Lin Jyun-yi pose for a picture in Taipei yesterday.

Photo: Wang Min-wei, Taipei Times

President Ma Ying-jeou's (馬英九) latest nominations for grand justices drew criticism yesterday, as Democratic Progressive Party (DPP) legislators and civic groups questioned not only his right to nominate candidates, but also whether a judge who acquitted him in a corruption case is an appropriate nominee.

"The tenures of grand justices and the president have been designed in such a way so as to avoid having one president recommend candidates for the Council of Grand Justices twice" during his or her term in office, Taiwan Jury Association chairman Cheng Wen-lung (鄭文龍) told a news conference in the legislature yesterday morning.

"After making all these nominations, the Council of Grand Justices would be Ma's Council of Grand Justices, and we would have an authoritarian constitutional system," Cheng said.

Based on the current system, seven of the 15 grand justices are to serve four years, while the other four would serve eight years to avoid having one president nominate all sitting grand justices, Cheng said.

The candidates have to be confirmed by the legislature.

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“Due to the Chinese Nationalist Party’s (KMT) boycott of the four nominees made by the previous president, Ma was able to nominate 11 grand justices in 2008,” Cheng said. “If he nominates four more, all 15 of them would be Ma’s nominees.”

DPP Legislator Tien Chiu-chin (田秋堇) agreed, urging Ma to withdraw his nominations to allow the next president, who is to be elected next year, to do so.

“Otherwise, it would create chaos in society,” she said.

Citizens’ Congress Watch executive director Chang Hung-lin (張鴻林) urged legislators to reject the four nominees: lawyer Huang Horng-shya (黃宏夏), Deputy Minister of Justice Wu Chen-huan (吳陳煥), National Taiwan University law professor Tsai Ming-cheng (蔡明成) and Shilin District Court President Lin Jyun-yi (林俊逸).

Aside from the constitutional issue, DPP Legislator Huang Wei-cher (黃偉哲) questioned Ma’s choice of Lin, a former Supreme Court judge who acquitted Ma of corruption charges in connection with the use of his special allowance during his stint as Taipei mayor.

“It is obvious that Ma is trying to pay Lin back by nominating him as a grand justice,” Huang said.

In response to the criticism, Ma said that it is his constitutional obligation to nominate grand justices when the seats become vacant.

“The president or the legislature would be acting unconstitutionally if we fail to fulfill our constitutional duties,” he said.

Presidential Office spokesperson Charles Chen (陳昌良) said the candidates have been recommended by a special review commission, and the president was merely making nominations accordingly.

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