

A Tale of Two Countries: What Taiwan Can Learn from Canada

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ABSTRACT: The paper compares attitudes in Canada and Taiwan with respect to human rights. It discusses a major Canadian national crisis, the controversy about the abuses in Indian Residential Schools, where First Nation children were forcibly enrolled pursuant to a law enacted in 1894. This crisis demonstrates that human rights abuses can also happen while democracy is otherwise functioning and fair elections are regularly held. After a consciousness of the abuses emerge, transitional justice should be applied even with respect to violations of human rights perpetrated in a time of democracy. The lessons Canadian learned during the Indian Residential Schools crisis may be useful in Taiwan and for the case of Tai Ji Men, whose *dizi* (disciples) took their protest to Canada as well.

KEYWORDS: Indian Residential Schools in Canada, Transitional Justice, Transitional Justice in Taiwan, Tai Ji Men, Tai Ji Men Case.

Introduction

A variety of perspectives have been presented on the Tai Ji Men case, and I realize it is difficult to add something that has not already been said by others. What I would like to offer is a Canadian perspective. I am a Tai Ji Men *dizi* (disciple) from Vancouver, a mother of two, and a consultant for the physical and mental health of immigrant and refugee families.

I would first comment on what I consider some essential features of the Canadian experience of human rights, then offer some comparisons with the Tai Ji Men case, and finally discuss how Canadian *dizi* react to the problems of their brothers and sisters in Taiwan. Canada has been recognized as one of the best countries to live in for seven years in a row (*U.S. News & World Report* 2022),

but I am still proud to be a democratic and free Taiwanese, although I will also mention some specific problems of Taiwan.

When I came to Canada, I hoped to give to my children a more diverse educational vision and environment, so they can have a better outlook of the world and become open-minded and macro-minded global citizens. My study and life experience have made me realize deeply the importance of a country's political and social context for its citizens. The policy direction of a government and the way it treats its people are the cornerstones of a democratic nation's maturity, and an important indicator of whether it will educate loving and responsible global citizens.

Although I will mention Canada's own problems, I found it a country that values human rights, respects freedom of religion, and is multicultural and inclusive. I found the spirit of human rights and freedom at work in everything, from school education to the government's reactions to domestic and international human rights crises. I will explain my understanding of the Canadian ethos by discussing first a personal experience and then one of the major national crises of the last few years.

A Soccer Mom's Story

First, let me share a story. My little one very much likes to play soccer. She took her favorite soccer ball to school for practice, but it was kicked into the bush by other naughty classmates and punctured.

When he was told about it, the principal did not ignore the incident. He decided to deal with it immediately, communicate with each child, appease my crying daughter, and ask the classmates to apologize. The principal gave to my daughter a soccer ball the next day and personally played soccer with her and the classmates.

This may look like a small matter to be mentioned in a scholarly article, but it does offer the opportunity for a deeper consideration on the Canadian ethos. I come from East Asia, where perhaps the incident would have been handled differently. I am not suggesting it would have been ignored. Probably those responsible would have been punished. What I found very Canadian was the

principal's attempt to defuse the tension and pay attention to the feeling of each child.

The Indian Residential Schools Crisis

On a much broader scale, I saw this ethos at work in the national crisis determined by revelations about mass graves found near so-called Indian Residential Schools. What triggered the crisis was the discovery in 2021 (Hamilton 2021) and 2022 of remains of children buried in unmarked graves at Indian Residential Schools. Between May and June 2021 first the remnants of some 200 children were found in Kamloops, British Columbia, then 104 in Brandon, Manitoba, 751 in Marieval, Saskatchewan, and another 182 in Cranbrook, also in British Columbia. In July, remains of another 180 children were found in Cupertino Island, British Columbia. Searches and findings continued in 2022, and remains of more than 400 children have been found, the largest numbers in Grouard, Alberta (169: Institute of Prairie and Indigenous Archeology 2022) and Pine Falls, Manitoba (190: Unger 2022). These findings caused a sensation, and the case quickly became international.

Some background is needed (Milloy 1999; Truth and Reconciliation Commission of Canada 2015–16). After early local experiments, to which First Nation families had participated more or less voluntarily, the Indian Residential Schools program became national and mandatory in 1894. The law made it compulsory that all First Nation children aged 7 to 16 should leave their families and be taken to Christian boarding schools. Roman Catholics priests and nuns managed 60% of these churches, while 40% were operated by Protestants.

In 1948, the law was amended and attending the Indian Residential Schools was no longer mandatory. However, First Nation families who still sent their children there were rewarded with money and other benefits. The program managed by the Christian churches continued until 1969. In fact, even after 1969 the government, which had taken over from the churches, continued to operate some of the schools. The last ones were closed in 1997. It is estimated that overall some 150,000 First Nation students attended the boarding schools.

Even before they were finally closed, a movement started in the 1960s denouncing instances of physical and sexual abuse that had occurred at the

boarding schools. Legal actions followed, and the government settled with First Nation representatives in 2006 (Miller 2017). As part of the settlement, the government agreed to set up and fund a Truth and Reconciliation Commission of Canada. In 2015, the Commission published a detailed report on the schools' history (Truth and Reconciliation Commission of Canada 2015–16).

The report shows that, although instances of physical and sexual abuse might have occurred, the worst problem was systemic. The Commission called the whole project a “cultural genocide.” First Nation children were not allowed to use their languages or learn about their culture, and those who were not Christians were quickly and perhaps forcibly “converted” to Christianity.

In truth, this “cultural genocide” did not only affect First Nation children. According to Canadian scholars Susan Palmer and Shane Dussault, children of the Russian immigrant sect known as the Doukhobors were also taken from their parents and forcibly placed in residential schools. They were not allowed to speak Russian, and the project was clearly aimed at separating them from their religion (Palmer and Dussault 2020).

As for the Indian Residential Schools, the work of the Truth and Reconciliation Commission appeared to have achieved a national soul-searching and some measure of appeasement. However, the discovery of the mass graves created a new crisis.

I do not want to enter into the many different aspects of the mass graves issue. Scholars and activists have expressed different opinions on what exactly caused the death of the students buried in the previously unknown graves. Some believe they largely died of tuberculosis and influenza. Some of their Christian teachers died too. On the other hand, it is possible that many children did not receive proper medical care, and it cannot be ruled out that some died as a consequence of harsh corporal punishments or other forms of abuse. There is evidence that some students committed suicide (Hamilton 2021). Whatever the interpretation of the mass graves, there is a general consensus that First Nation children were the victims of different forms of abuse, and their culture was silenced and denied.

The mass graves discovery understandably caused strong emotions and protests against the Christian churches. Some serious and even paradoxical incidents happened. For example, in Calgary, Alberta, protesters set fire to a Protestant church. The paradox lied in the fact that this was a Vietnamese ethnic

church, built with great efforts and sacrifice by Boat People who had escaped Vietnam and come to Canada as refugees. It was not surprising that First Nation and other activists wanted to protest the role of Christians in the Indian Residential Schools abuses. However, they ended up assaulting another community, the Vietnamese refugees, which was certainly not responsible for the boarding schools and had suffered itself discrimination and abuse (Introvigne 2021).

Finally last year the Canadian government designated September 30 as the annual National Truth and Reconciliation Day. It is a national holiday, also known as Orange Shirt Day, and commemorates children who were abused in the Indian Residential Schools. It is also an opportunity to meditate on cultural genocide and racism. It was an important milestone for Canadians and for their reconciliation process, which cannot happen without an official apology.

Lessons for Taiwan

There are several lessons in the Indian Residential School crisis that I would like to use for a comparison with the situation of Taiwan. Canada has always been a democracy, yet it has human rights abuses in its past. While throughout its history Canada has welcome immigrants from different countries and ethnicity, its beautiful history of respecting different cultures in the past did not extend to the First Nation peoples or to other groups labeled as marginal or uncivilized—or as religious “cults,” as the Doukhobors’ story shows.

Thus, even Canada has a problem of transitional justice. The notion of transitional justice refers to the healing of past human rights abuses by indemnifying the victims, punishing the perpetrators, and telling the historical truth to the citizens. Normally, problems of transitional justice manifest themselves when a non-democratic regime is replaced by a democratic one, as it happened recently in the countries of Eastern Europe that were once part of the Soviet bloc. Some Latin American countries also passed from dictatorships to democratic regimes, and indeed international law on transitional justice was born with reference to that part of the world (Šorytė 2022).

The Indian Residential School crisis shows that there can be a need for transitional justice even within a history of democracy, when a country realizes

that certain human rights were not properly understood and had been violated in the past. This point is extremely important. Democracy provides the best environment for human rights but does not offer an absolute guarantee that they will be respected. While abuses were occurring in the Indian Residential Schools, Canada was a democracy and elections were regularly held. Yet, not only the human rights of the First Nation children were violated but there was no public perception of the seriousness of the abuse.

Unlike Canada, Taiwan was once governed by a non-democratic regime. Nobody doubts that this was the case during the Martial Law era, i.e., until 1987. The government now acknowledges that human rights abuses also happened in the so-called post-authoritarian era, until 1992, and transitional justice should also apply to the period between 1987 and 1992.

As others who have discussed the Tai Ji Men case have observed, however, there were serious abuses even after 1992 (Tsai 2021, 2022). Yes, the first free elections for all seats in the Legislative Yuan were held in Taiwan in 1992, and the first elections where the President was directly elected in 1996. Yet, after the presidential elections, there was the December 1996 crackdown on religious and spiritual movements that were perceived as not having supported the candidate who won. It also affected Tai Ji Men (although it had not taken political sides) and was the start of the Tai Ji Men case (Introvigne 2022).

Just as in the Canadian case, free elections in Taiwan did not mean that all human rights problems had been solved. In December 1996, Taiwan had both a President and a Parliament elected by its citizens, yet it witnessed some of its worst violations of freedom of religion or belief. Canada has recognized that transitional justice is needed for abuses perpetrated while elected democratic institutions were in place. In Taiwan, a true and effective transitional justice should also address the human rights violations that occurred after 1992.

A second lesson of the Indian Residential School crisis, as evidenced by the attack on Calgary's Vietnamese church and other incidents, is that unsolved problems of transitional justice generates social unrest. Those who assaulted the Vietnamese church cannot be justified, but at the same time the root cause of the unrest was the perception that an effective transitional justice for the victims of the "cultural genocide" and the boarding school abuses was being delayed.

The Canadian government's reaction was to speed up the process of reconciliation, which eventually defused the violence. This is a lesson for Taiwan. Delaying the rectification of past abuses and the solution of long-lasting cases such as the one of Tai Ji Men cannot be conducive to social harmony and stability. Although Tai Ji Men is an extremely peaceful movement, the fact that such cases are not solved creates a general climate of suspicion and distrust.

A third lesson of the Canadian boarding school crisis is the importance of publicly telling the historical truth. First Nation Canadians did not ask for indemnification only. For them, it was very important that truth be publicly told. Maybe there are parts of truth impossible to unearth now, but it should be acknowledged that the Truth and Reconciliation Commission of Canada made substantial efforts to ascertain and divulge what really happened. It is another lesson for Taiwan, where citizens also demand that the truth be told, and told publicly, about past human rights abuses, including those originating from the 1996 crackdown on religious and spiritual movements.

A fourth lesson is not directly connected with the Indian Residential School case. However, this crisis, which did not start with the discovery of the mass graves but is going on since the 1960s, was a wakeup call that persuaded the Canadian government that it should listen to all its citizens. Since Tai Ji Men, after it won the criminal case originating from trumped-up charges of fraud and tax evasion, has continued to be harassed in Taiwan through ill-founded tax bills, it was natural for me to become interested in how Canadian taxpayers can lodge appeals against tax bills they regard as unjust.

In Taiwan, those who appeal are required to pay one third of the tax bill, either in cash or in guarantees on properties. I learned that in Canada for an appeal in the tax court, there is no administrative fee if the tax bill is less than 25,000 Canadian dollars or the amount of the appeal is less than 50,000 Canadian dollars. If the amount exceeds these figures, the administrative fee is proportional, with a maximum administrative fee of 550 Canadian dollars for filing an appeal. This seems another sign of how the Canadian ethos implies giving citizens the impression that the government is not trying to making the affirmation of their rights overly difficult.

Tai Ji Men Dizi in Canada and the Taipei Economic and Cultural Offices

There are Tai Ji Men *dizi* in Canada, and although for well-known reasons Canada has no diplomatic relations with Taiwan, there are three Taipei Economic and Cultural Offices in Ottawa, Toronto, and Vancouver.

Dizi who live in Canada believed that these offices were the proper place for a dialogue about the Tai Ji Men case. They wrote to all the three offices. The answer was that the Tai Ji Men case is a domestic Taiwanese matter and is outside the mandate of the Economic and Cultural Offices in Canada.

The incident deserves a comment, because it is somewhat typical of the reaction of Taiwanese bureaucrats when they are confronted with the Tai Ji Men case. It should be now abundantly clear that this case, which has attracted the attention of dozens of international scholars and human rights activists and generated a significant literature, is a political embarrassment for Taiwan. The government is very proud of its human rights achievements. Having to face protests both at home and abroad by thousands of people taking to the streets and claiming that their human rights have been abused in Taiwan, is exactly what Taipei's government does not need, particularly in the present international circumstances.

Yet, when reached by protests on the Tai Ji Men case, bureaucrats at all levels always answer with technicalities. Either the bureaucrat or office that receives the protest alleges that it is not competent and the request should be directed to somebody else, thus creating a never-ending vicious circle, or it answers that statutes of limitations have expired and revising the tax case is now technically impossible. Technical answers are offered while the problem is political.

The Canadian government could have answered as well that technically the abuses in the Indian Residential Schools happened too long ago and legally there is no longer an obligation of rectifying what happened, indemnifying the victims, and telling the truth to the public opinion. However, had it reacted in this way, the Canadian government would have caused more social unrest. Instead, although with delays and limits, it chose the path of truth and reconciliation (Miller 2017).

This is why the little story of my daughter and her soccer ball, while of much smaller scope and importance, is also relevant. The principal tried to understand what happened, reconcile the children involved, and defuse the tension. I believe

he succeeded in the moment when, rather than merely giving directions, he personally played soccer with the children. With his actions, he made the children understand that he cared.

In Taiwan, Tai Ji Men *dizi* advocate for legal and tax reform. I suggested that there are lessons Taiwan can learn from Canada, an older democracy. But perhaps the first lesson may be learned from the principal of my daughter's school. It is never too late for those in authority, including Taiwan's politicians and bureaucrats, to show that they care about those they are supposed to serve and govern.

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