

Practices of “Guilt-Redemption” in the Aftermath of 228 Incident: Case Studies on Taichung, Chiayi, Tainan and Kaohsiung

Heng-wen Liu

ABSTRACT

From the legal perspective, this article examines the pre-war practices of “Guilt-redemption” and “Self-incrimination” applied to bandits and communist rebels in China and the related current laws using selected cases from the 228 Incident archives.

The practice of “Guilt-redemption” was widely applied in the aftermath of 228 Incident involving several thousands of individuals. Its legal effects were poorly defined and the legal procedures remained ambiguous, thus leaving much leeway for human maneuver and manipulation. It served as a flexible conciliatory measure implemented under Draconian military oppression and its nature violated the principles of “Rechtsstaat”

The case studies reveal that individuals subjected to “Guilt-redemption” would be released on bail only after accepting state-imposed conditions and obligations. They would remain under surveillance or undergo ideological reeducation. The name lists of these individuals on bail for “Guilt-redemption” were important intelligence for the government for state control. Some of them were recruited as informants or were given missions to accomplish, thus turning them into state instruments for social surveillance in post-war Taiwan.

Keywords: 228 Incident , Guilt-Redemption, Self-incrimination