

Law and Public Policy 17 (1994) 155-156

Stern, Rachel. "On the Frontlines: Making Decisions in Chinese Civil Environmental Lawsuits," *Law & Policy* 32, no. 1 (2010): 79-103

Stone Sweet, Alec. "Constitutional Courts and Parliamentary Democracy," *West European Politics* 25, no. 1 (2002): 77-100

Stone Sweet, Alec. "Trustee Courts and the Judicialization of International Regimes: The Politics of Majoritarian Activism in the ECHR, the EU, and the WTO," *Journal of Law and Courts* 1, no. 1 (2013): 61-88
Su, Yen-tu; Ho, Han-wei; Lin, Chien-chih. "Are Taiwan Constitutional Court Justices Political?" *Comparative Supreme Court Decision Making Workshop* (2018): 1-24

Su, Yen-Tu; Ho, Hang-wei. "A Study of Decision Timing in Taiwan's Constitutional Court," *Center for Empirical Legal Studies* (July 2014): 1-26

"Taiwan (Republic of China) 1957 (rev. 2005)," *Constitute*. https://www.constituteproject.org/constitution/Taiwan_2005?lang=en (March 8, 2020).

Voeten, Erik. "The Impartiality of International Judges: Evidence from the European Court of Human Rights," *American Political Science Review* 102, no. 4 (2008): 417-433

Wu, Chung-Li. "Partisan Divergence and Public Support for the Courts of Taiwan," *Japanese Journal of Political Science* 18, no. 1 (2017): 139-154

Zemans, Frances. "Legal Mobilization: The Neglected Role of the Law in the Political System," *The American Political Science Review* 77, no. 3 (1983): 690-703
Zheng, Junteng. "Same-Sex Marriage Development in Taiwan: Constitutional Ruling or Putting Equality to A Vote?" *Georgetown Journal of International Affairs*. Georgetown University, April 29, 2020. <https://gjia.georgetown.edu/2020/04/29/same-sex-marriage-development-in-taiwan/>

Matt Chang graduated from the University of Washington in 2021 with a major in Law, Societies, and Justice and a minor in Political Science. He originally wrote this paper for the seminar POL S 447 and presented the findings at the Undergraduate Research Symposium in May 2021. Matt's keen interest in law and international courts and his family's roots in Taiwan prompted him to explore the rich history of Taiwan's democratization and the growth of the nation's Constitutional Court. Matt will be beginning law school at the University of Michigan in August, after which he hopes to pursue a career in administrative or appellate law.

Wendi Zhou

Interview with Karen Bernedo Morales, Jorge Miyagui, and Mauricio Delgado: Art & Activism in Peru

On May 18th, the UW Simpson Center for the Humanities hosted a conversation about art and political activism in Peru with visual artists Jorge Miyagui and Mauricio Delgado, and visual anthropologist Karen Bernedo Morales. JSJ Editor Wendi Zhou had the opportunity to interview Bernedo, Delgado, and Miyagui afterward about the 2021 Peru general election, the relationship between art and activism, and the politics of memory in this country.

Jackson School Journal: Hello, everyone. Thank you all for making the time for this interview. The first question is perhaps a general one: For readers not familiar with Peru, can you each describe what the recent election between Keiko Fujimori and Pedro Castillo has meant for the country?

Jorge Miyagui: In my opinion, this election is very special. The corporations have invested millions of dollars in the campaign against Castillo and they have lost. They have the media on their side and pay a lot for advertising against the so-called "communists" and "terrorists," and they lost. In my opinion, this indicates that many Peruvians think that the neoliberal economic model is not possible to continue. This is because of the inequality between the elite--who have money and power--and most Peruvians. That is the most important idea in the context of the election.

Mauricio Delgado: I agree with Jorge. It's a political crisis after coronavirus and thirty years of neoliberalism. Here we have two candidates--one who brings the possibility of change and the other who sticks to the status quo. For me, it is literally future vs. past, but the election has also been an opportunity to

confirm how conservative, racist, and violent some Peruvians are, specifically the Peruvian economic elites. There have been racist organized groups, demonstrations, pro-military putsches, etc. This is one of the most violent elections that I have ever seen. A conservative group, for example, says they are against communism, or in favor of democracy. But the real reason for the group's hate is the fear about an Indigenous Peruvian getting the presidency, the fear about an Indigenous person getting power. Because hidden under the mask of democracy, lies our violent colonial face as a society.

Karen Bernedo Morales: I agree with both colleagues. And I think that the election is a special one in the context of commemorating 200 years of independence in Peru. It's a very special moment. And Pedro Castillo would be the first Indigenous president and the first president who is a teacher--not a man that came from the elite. So, I think that is very important. If you see the graph of the people who voted for Castillo, you're going to see that it was the whole of Peru, and the people who voted for Fujimori were mainly based around Lima. Castillo's victory is a sign that the privilege and centrality of Lima is going to change.

Jackson School Journal: Hello, everyone. Thank you all for making the time for this interview. The first question is perhaps a general one: For readers not familiar with Peru, can you each describe what the recent election between Keiko Fujimori and Pedro Castillo has meant for the country?

Jorge Miyagui: In my opinion, this election is very special. The corporations have invested millions of dollars in the campaign against Castillo and they have lost. They have the media on their side and pay a lot for advertising against the so-called "communists" and "terrorists," and they lost. In my opinion, this indicates that many Peruvians think that the neoliberal economic model is not possible to continue. This is because of the inequality between the elite—who have money and power—and most Peruvians. That is the most important idea in the context of the election.

Mauricio Delgado: I agree with Jorge. It's a political crisis after coronavirus and thirty years of neoliberalism. Here we have two candidates—one who brings the possibility of change and the other who sticks to the status quo. For me, it is literally future vs. past, but the election has also been an opportunity to confirm how conservative, racist, and violent some Peruvians are, specifically the Peruvian economic elites. There have been racist organized groups, demonstrations, pro-military putsches, etc. This is one of the most violent elections that I have ever seen. A conservative group, for example, says they are against communism, or in favor of democracy. But the real reason for the group's hate is the fear about an Indigenous Peruvian getting the presidency, the fear about an Indigenous person getting power. Because hidden under the mask of democracy, lies our violent colonial face as a society.

Karen Bernedo Morales: I agree with both colleagues.

And I think that the election is a special one in the context of commemorating 200 years of independence in Peru. It's a very special moment. And Pedro Castillo would be the first Indigenous president and the first president who is a teacher—not a man that came from the elite. So I think that is very important. If you see the graph of the people who voted for Castillo, you're going to see that it was the whole of Peru, and the people who voted for Fujimori were mainly based around Lima. Castillo's victory is a sign that the privilege and centrality of Lima is going to change. Power in Lima is political power, but I think that the election represents a shift in symbolic power as well.

Jackson School Journal: As you know, there is currently a lot of contention and worry over Peru's election in general, and especially since Keiko Fujimori has attempted to challenge the election results recently. So could you tell me about current artistic initiatives you are working on to address the memory issues that are brought up due to this election?

Bernedo: There has been a lot of symbolic production. In a political situation, there are a lot of graphic designs and a lot of street art. You can see that in demonstrations, in mobilizations—there's an immediate response and an immediate answer. But I think that we, as artists, are probably going to reflect deeply over this period—a month, two months, a year. I think that the pandemic, the centenary of our independence, and the election with Fujimori and Castillo are going to be themes that the artists are going to put in dialogue with each other. Currently, we are still in the situation and are still dealing with how to engage in this reflection. And for the other side, I can see a lot of groups that are exploring themes of colonialism in one way or another, and that I think is very linked to the current moment. We are talking about neoliberalism and the continuation of the

privilege of a very small group of Peruvians. I think that those kinds of questions, that kind of art that is examining colonialism, are also linked to the things that are happening now.

Delgado: Well, it has been a very busy year for me. I have been working a lot since the second round of elections started, especially against the Keiko Fujimori campaign. And because of this, I collaborated with other artists and friends to form an artist and activist group. We are a group of around eighty people. We don't have an official name, but people just call it Bloque de Arte Cultura. It's a very young group. We have participated in demonstrations and also made weekly lectures about memory and art. We have made videos, posters, stickers, etc. against Fujimori's campaign. It's an art collective and it's easy to take action because we are a lot of people. At the same time, three colleagues and I have posted a photo album about Alberto Fujimori's crimes via social media. It was an intervention album—the history is that Fujimori's followers published a Fujimori version album with a lot of lies, and my friends and I posted a corrected album through collage, scrawls, stickers, etc. like a punk style. We post two pages per week on Instagram and Facebook.

Jackson School Journal: I'm very curious about your work in art collectives. Would you mind telling me a bit about the importance of collaborative art, community work, or how you perceive your role in art and activism?

Delgado: First of all, as a citizen and as a Peruvian, I think we have to be organized. We are in the middle of a systemic crisis, where Castillo's election is not the final crisis—it's just another chapter. This is a time to change. America is changing and I think Peru has to change too. As artists, we have the possibility to work

through emotions and feelings. And I think emotions and feelings are the key to change the world or keep going. And this is an emotional tax. It's not only an ideological or rational issue. Art collectives and organized artists have the potential to organize rage and strengthen solidarity. Inside the bigger process of social organization we have the skills to organize the imagination. Accordingly, I think my role these days is to organize and make art to get an emancipatory imagination to the people.

Miyagui: In the same way, I have participated in many activist and community art spaces in the previous years. But, I want to point out that activists and art in the streets are not enough to change the power hierarchy—a bigger articulation is necessary. That is why I think it's very important to be part of political organizations, too. I guess Karen and Mauricio think the same way, that art is necessary. But you have to also be part of a political organization if you want to change the world, if you want to make the world a little more beautiful. The cultural dimension, too, is a space where the people decide about the collective.

Bernedo: I think that there are several ways of being organized, and I think we can see that today. Organization is an immediate response to a political crisis. When these kinds of things happen, you can see historians against Fujimori, architects against Fujimori, and artists against Fujimori—there are people organizing. I think that also happens with artists, and not just during these political crises. I'm part of Museo Itinerante Arte por la Memoria, and have also been part of cultural spaces in leftist parties. But, I can see now that there are a lot of ways of being organized. I'm part of a group of feminist social media communicators and feminist journalists. And, it was a very big learning experience for me in terms of how we read the news but, also how we can create resistance

or other ways of making the news. So I can see a lot of spaces that are organizing now.

Jackson School Journal: Your answer leads into my next question, which is a question for Karen Bernedo regarding something she said in her presentation at the University of Washington on the artistic project "Resistencia Visual [Visual Resistance]," but if others have thoughts on this, I would love to hear more. Karen, you say that memory art in Peru has been slower to develop connections with capitalism, feminism, and related movements done in other countries such as Chile. Why do you think that is?

Bernedo: I took Chile as an example because I was inspired by a project from Chile to do visual resistance in Peru. I think that is because we have the history of Shining Path in Peru. [Throughout this election], the leftist political organizations have been completely criminalized. The parties have been blamed along the lines of "If you are a leftist, you are a terrorist." The opposing parties likened leftism and terrorism during the ten years of Fujimori's dictatorship. That's why, if you ask for a new constitution or assembly, you are called a communist—leftist proposals have been criminalized along with leftist organizations. If you talk about the fair distribution of resources, then you are called a communist, you are called a terrorist, and you are said to be in favor of Shining Path. So that's why I think it was really difficult to link the memory of the internal armed conflict to the neoliberal system. In fact, when we made "Visual Resistance," one of the big questions was why there was a poster about privatization in a memory exhibition. But now I think that is changing. A few years ago, you could not see a lot of people talking about the Constitution. It was seen as the agenda of the red, the agenda of the communists. Now, there are a lot of Peruvians asking for a new constitution. I think that again, Chile is an example. In

the case of Chile, the leftist parties have seen a lot of power. They have another political culture, and they have a woman leader in regionals. So I think that we are going to get there someday.

Jackson School Journal: Thank you for your answer. The next question is for Jorge Miyagui, but if others have thoughts on this, I would love to hear more. I'm curious about the place of Japanese Peruvians in Peru. Since your kimono exhibition that protested the Fujimori dictatorship, have you noticed any changes in the political views of this community? How has art been important for the Nikkei community in Peru to express itself politically?

Miyagui: It's a difficult question because Nikkei, or the Japanese Peruvian community, is very diverse. There are Nikkei people who vote for the right, a few Nikkei people who vote for the left, and a lot of people who are not interested in politics. And the problem, in my opinion, is not the Nikkei people. The problem is the management of the institutions such as the Japanese Peruvian Association, the Japanese Peruvian cultural centers, etc, and the kind of culture politics an institution implements. I guess there is a tendency among some of these institutions to present themselves as neutral when, in my opinion, neutrality doesn't exist.

Jackson School Journal: Thank you. The last individual question is for Mauricio Delgado. In your presentation for the University of Washington, you said that "memory is an action that must be done permanently to be such." Could you say more about that and perhaps how your work on anti-memorials might fit in here?

Delgado: I think the worst for memory is to make a monument. It's like we feel the homework is done, and

we forget it. Counter-monuments or anti-memorials set out the responsibility for memory in people, not in stone. The art of memory is just us, an action—the continuous transmission of information depends on us. Our memorials and monuments are not memory. But we have to talk for it to become memory. People say, "An image is worth a thousand words." I agree, it's true. But a thousand words—we have to say it. Memory is like plowing on water. If you're still plowing you can see the results. A society with memory isn't a society that builds monuments. It's a society that is checking the past constantly to understand its present and to imagine and build a better future.

Karen Bernedo Morales is an award-winning curator, documentary filmmaker and visual anthropologist trained at the Pontificia Universidad Católica del Perú. She teaches visual arts at la Universidad Científica del Sur. She is also the curator of various projects including the "Museo Virtual de Arte y Violencia Política," the video project "Poéticas Visuales de la Resistencia," the exhibit "#EmancipadasyEmancipadoras," and the public art workshops "Jornadas de Arte." With Miyagui and Delgado, she formed part of the collective art project that received the National Human Rights Award in 2012 and the Prince Claus Award in 2014.

Mauricio Delgado is an award-winning visual and performance artist, trained at the Institute of Visual Arts Edith Sachs. His work has been showcased internationally in Cuba, El Salvador, the United States and throughout Peru. He is active in public, collaborative and multi-media artistic production. He has seven solo exhibitions. The most recent solo exhibiti3n was El damero de Pizarro-Antimemorial on Museo de arte de san marcos. Like much of his work, this engages themes of memory, rights, and violence.

He is a member of Más Cultura Más Perú Collective. Currently he works as a museographer at Casa de la Literatura Peruana.

Jorge Miyagui is a celebrated visual artist, trained at the Pontificia Universidad Católica del Perú. His work has been the subject of solo exhibitions in Helsinki, Finland and various cities in Peru, and has been included in various collective exhibitions in Argentina, Chile, Venezuela, Germany, Spain, the United States. His work in countercultural projects, alternative cultural organizations, and public artistic interventions has been featured in various publications in Perú, Argentina, Holland, and Finland. He has also been a featured speaker at many academic conferences and events in Peru and internationally. He has been a member of the Aguaitones Collective (1998-2001) and the Forum for Cultural Solidarity (2004-2009). Currently he is involved in the following collective projects: the Muralist Brigade, the Averno, and the Traveling Museum: Art for Memory (Museo Itinerante Arte por la Memoria).

The artists are co-founders of the collective art project Museo Itinerante Arte por la Memoria, which received the National Human Rights Award in 2012 and the Prince Claus Award in 2014.