

Abstract

After a series of consultation, public hearing and executive meeting processes, the Council of Cultural Affairs (now the Ministry of Culture) submitted the draft proposal of national Culture Basic Law (hereafter the CBL) to the Legislative Yuan on November 10th of 2011. However, with the reshuffle of a new national Congress, the draft of CBL has to be resubmitted by the executive body, and the Ministry of Culture seems to be awaiting there for the proper moment to come. The article intends to raise a critical reflection on the CBL through the author's experiences of academic participation in the cultural legislation process, and to identify the core issues that the CBL involves. These include: (a) How does the CBL serve to converge the core cultural values and spirit of Taiwan? (b) How does the CBL define cultural rights and cultural citizenship in Taiwan? (c) Could the CBL instigate a comprehensive restructure for the regime of cultural governance in Taiwan? (d) Does the CBL clearly define the direction and scope for the state's cultural policy? (e) Does the CBL manifest the subjectivity and particularity of culture with respect to its interaction with state political economy? The author argues that only through the open cultural discourses in contemporary Tai-

wan, and the persistent monitoring of the state cultural administrative bodies from the independent third sector, could the regime of Taiwanese cultural governance maintain its internal dynamism and reflexivity, and lead to a potential paradigm shift of values in Taiwanese cultural public spheres.

Keyword : Culture Basic Law, cultural rights, cultural policy, cultural governance, cultural public sphere

