Appointing the Prime Minister under Incongruence: Taiwan in Comparison with France and Russia

Yu-Shan Wu

Abstract

This article attempts to answer the question of why ROC President Chen Shui-bian has not appointed an opposition leader to be prime minister although the opposition has maintained a majority in the Legislative Yuan. This question is raised because the 1997 amendment of the ROC constitution is modeled on the French Fifth Republic, and a French president under similar circumstances would opt for "cohabitation." A typology of the modes of interactions between the president and the parliament under an incongruent semipresidential system is offered in which four modes are identified: "cohabitation" à la French Fifth Republic, "compromise" or "division of labor," as in Finland or Poland, "collision," as exemplified by Weimar Germany, and "presidential supremacy," as practiced in the Russian Federation. Taiwan since Chen's inauguration in May 2000 has been moving closer and closer to the ideal type of "presidential supremacy," as evidenced by the increasing assertion of Chen in appointing four consecutive prime ministers, and the corresponding acquiescence by the opposition-dominated parliament. This presidential ascendancy is attributed to low credibility of a successful vote of no confidence (SVNC) on Chen's prime ministers. That low credibility, in turn, is attributed to dismal electoral prospects and the lack of a will to fight of the opposition leadership, and high coordination hurdles for the opposition parties. It is asserted that the future mode of president-parliament interaction in Taiwan would still be determined by those factors bearing on the credibility of an SVNC, given that the ROC's constitutional structure remains semipresidential.

It is well known that the 1997 amendments to the Republic of China's constitution and the resulting governmental structure were modeled on the French Fifth Republic, the semipresidential system par excellence. It is also recognized that the French system is characterized by the alternation between a