

Cinderella

Premier under ROC's Constitution






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Constitutional Design

- Semi-presidentialism
- After 7 times constitutional amendments, the dual executives' power source and duty :

	President	Premier
Power source	Direct elected by the people 	Appointed by the president 
Counter-signature	X	Yes, but not comprehensive 
Responsible to the Legislative Yuan	Not really 	Yes 

Premier's role

- Like Cinderella's role
- always trying to please the President
- superficially being the chief of the cabinet, substantially being difficult to lead
- Take Chen Chun as an example



2012/04/06 Premier Chen was tired and sick in LY



2012/04/10 Chen got support from President Ma

Cinderella like Premier:

Under the mercy of the President



按一下畫面後開始播放

畫面翻拍自：Youtube

<http://www.youtube.com/watch?v=dE3nu9ROz9o>

Cinderella like Premier:

Difficult to lead

- Finance Minister Liu Yi-Ru insists to tax on both securities exchange income(capital gain) and securities exchange
- . Premier Chen couldn't convince her to change her mind or make her compromise with other cabinet members 'opinions.
- . The problem now is left to the LY and the President to solve



Cinderella like Premier:

Difficult to lead



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畫面翻拍自：聯合理財網

<http://udn.com/NEWS/FINANCE/FIN5/7053014.shtml>

Consequence: Personalized President

Persident's personality is crucial to shape Executive function










Chen Shui-Bian

V.S.



Ma Ying-Jeou

Personalized President

Personality of President	Routine Breaker 		Routine Follower 	
Personality of Premier	Follower 	Breaker  	Follower 	Breaker 
Chance of Appoint.	High	Medium	High	Low
Effect	President dominate certainly	Confrontation, Policy-making stalemate	leadership vacuum	Premier - show horse

Premiers during President Chen's Era



1. Tang Fei

2000.05.20 - 2000.10.06



4. Hsieh, Chang-ting

2005.02.01 - 2006.01.25



2. Zhang, Jun-xiong

2000.10.06 - 2002.02.01



5. Su, Tseng-chang

2006.01.25 - 2007.05.21



3. Yu, Shyi-kun

2002.02.01 - 2005.02.01



6. Zhang, Jun-xiong

2007.05.21 - 2008.05.20



Premiers during President Ma's Era



1. Liu, Chao-shiuan

2008.05.20 - 2009.09.10



2. Wu, Den-yih

2009.09.10 - 2012.02.05



Now is Chen, chun

2012.02.01 ~ now

How to Reform?

- Difficult to formally amend the constitution again
- The current procedure for amending the constitution:

*Amendment of the Constitution shall be initiated upon the proposal of one-fourth of the total members of the Legislative Yuan, passed by at least **three-fourths** of the members present at a meeting attended by at **least three-fourths** of the total members of the Legislative Yuan, and sanctioned by electors in the free area of the Republic of China at a referendum held upon expiration of a six-month period of public announcement of the proposal, wherein the number of valid votes in favor exceeds **one-half of the total number of electors**. The provisions of Article 174 of the Constitution shall not apply. (Article 12)*

What the reform should direct to: Parliamentarianism or Presidentialism?

Cultural
preference to a
strong leader



Dpp opposes to
parliamentarianism



power exchange
for coalition
immature yet
Ex .Bian-Soong
meeting



Presidentialism is easier
to evolve

How to do

- The president may deliver the state of the nation report to the LY annually (without taking questions from the LY members)
- The Legislative Yuan should be better equipped with information power
- The grand Justice's interpretations of constitution may play a role in renewing the nature of the constitution
- ex. The 858 interpretation: LY should have the investigation power so as to check and balance the Executive power.





Thank You!
Questions?

Step Two: Men-Tzi Wraps Li-Tzi (TDT Analysis)

- Bien-Soong Meeting Discourse
- Topic Detection & Tracking
- 195 News from 11/12/04 (after the 6th Legislative Election)–
3/3/05 (Wu Li-Pei Senior Presidential Advisor resigned)
- Assumption: rational choice school

Parties who are interesting in party coalition is
primarily after the cabinet seat benefit or
personnel appointment

Their meeting date: Feb.24, 2005



Step Two (continue...)

Table 2: Number of article appearance on different issues

Issue	Personnel	ROC	Taiwan Independence – Unification	Cross- Strait Peace	Cross- Strait relation	Ethnic group
Number of article	54	41	53	41	37	23

-Partially confirm rational school prediction:

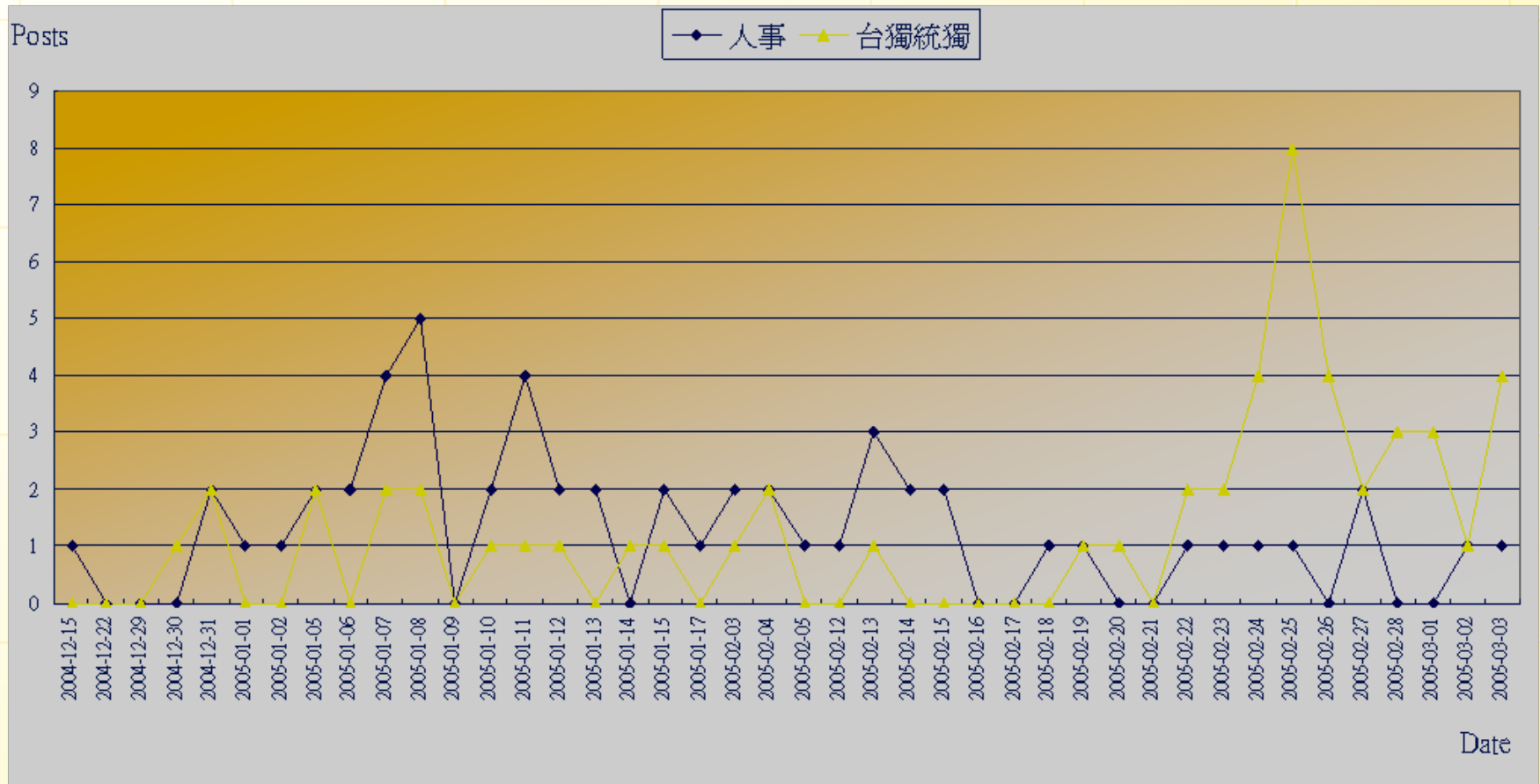
care primarily about personnel

-54 / 195 for personnel

-53/ 195 for Taiwan independence/unification

Step Two (continue...)

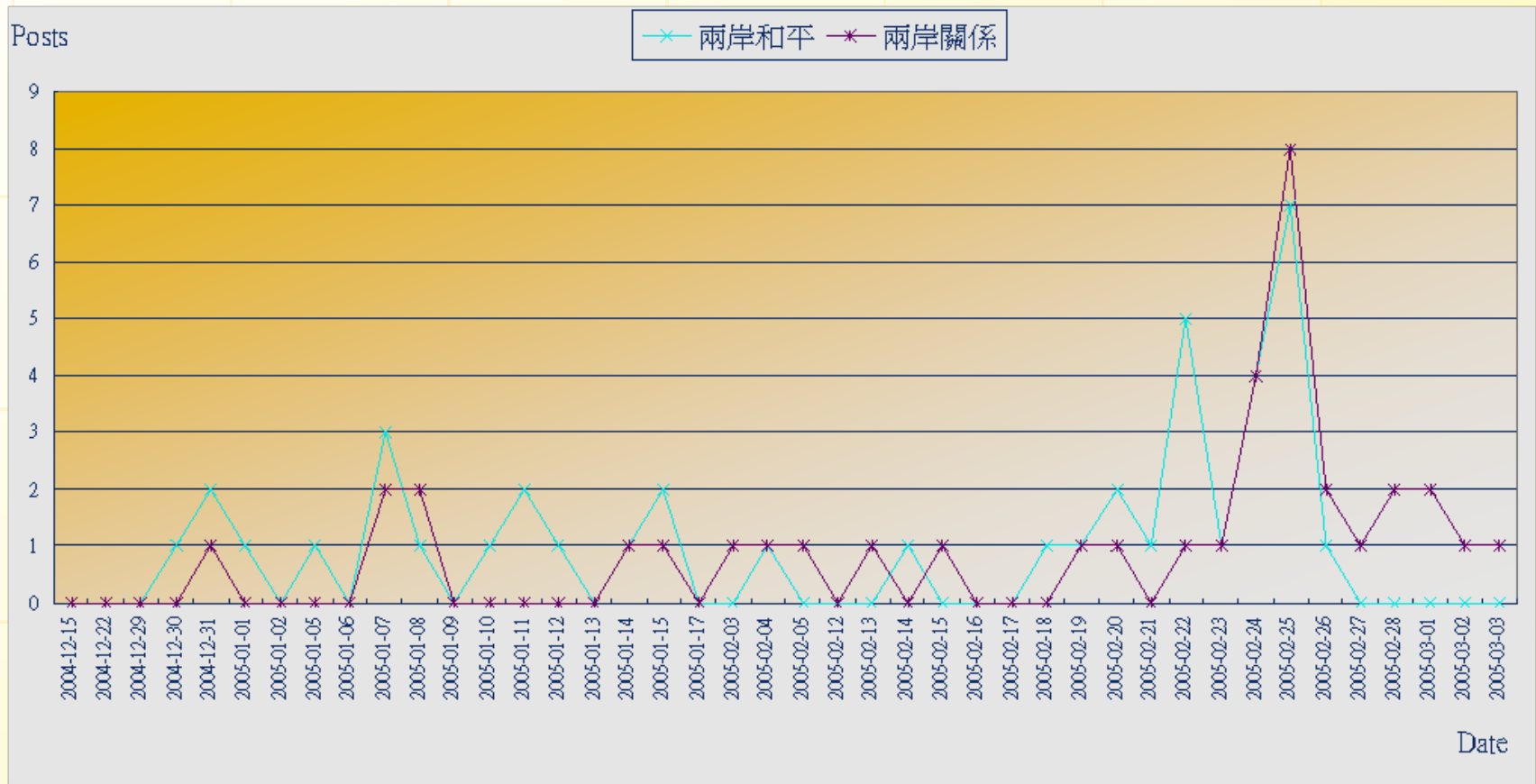
Graph 1: “Personnel” & “Taiwan Independence or Unification” issues distribution map



- Only 12/78 days not mentioned personnel issue = steadily mentioned
- Independence/unification issue only intensified after Feb. 19, 05

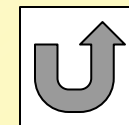
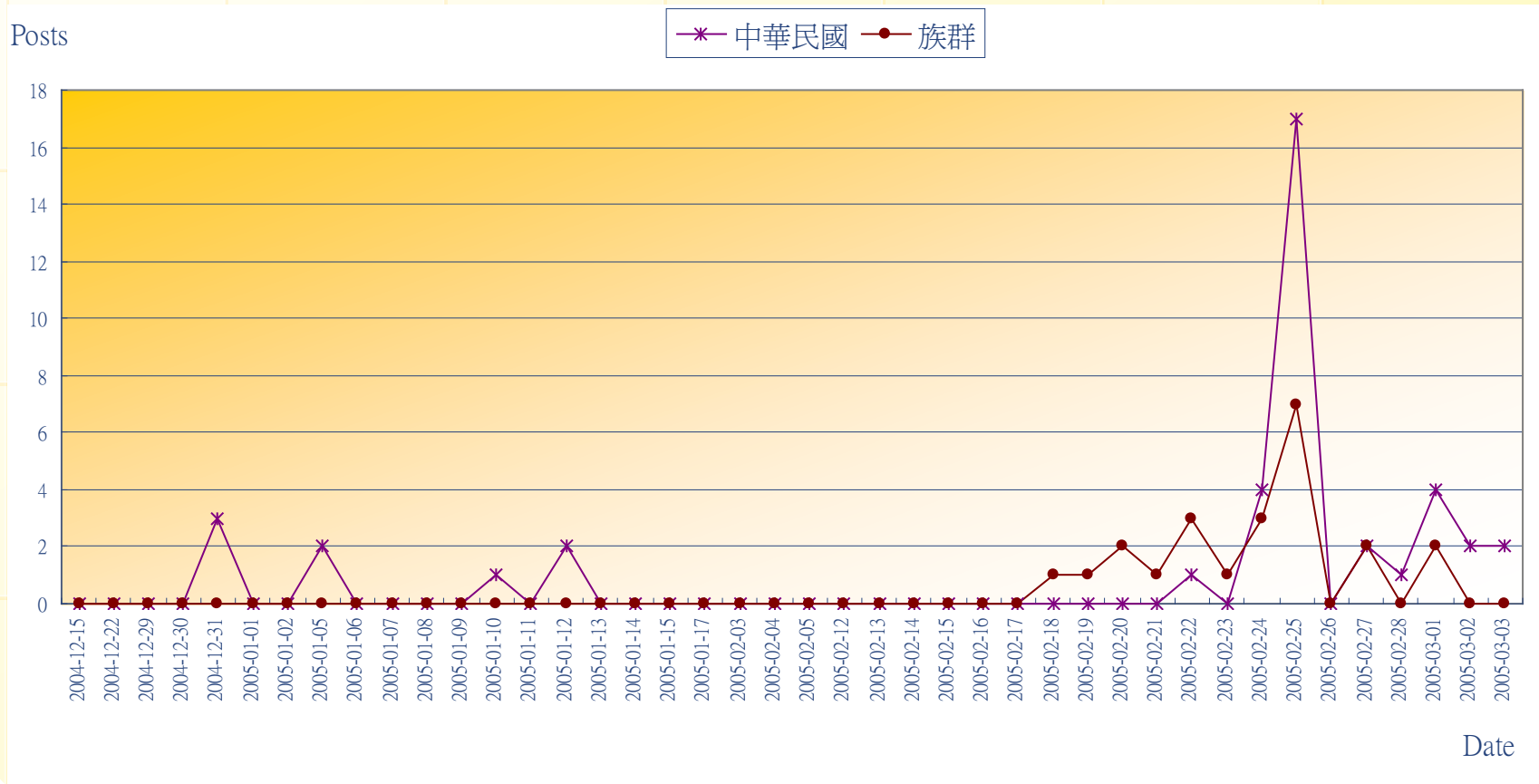
Step Two (continue...)

Graph 2: Cross-strait peace & Cross-strait relation issues distribution map



Step Two

Graph 3: “ROC” & “Ethnic Group” issues distribution map



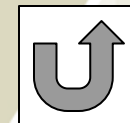
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Additional Articles of the Constitution of The Republic of China

- Article 2

- *「The president and the vice president shall be directly elected by the entire populace of the free area of the Republic of China. This shall be effective from the election for the ninth-term president and vice president in 1996. ...*

」



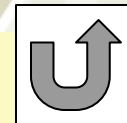
BACK

Constitution of The Republic of China

- Article 53.
- *The Executive Yuan shall be the highest administrative organ of the State*
- Article 55
- *The President of the Executive Yuan shall be nominated and, with the consent of the Legislative Yuan, appointed by the President of the Republic.*

Additional Articles of the Constitution of The Republic of China

- Article 3.
- *The president of the Executive Yuan shall be appointed by the president. Should the president of the Executive Yuan resign or the office become vacant, the vice president of the Executive Yuan shall temporarily act as the president of the Executive Yuan pending a new appointment by the president. **The provisions of Article 55 of the Constitution shall cease to apply..***

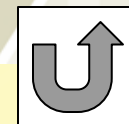


Constitution of The Republic of China

- Article 37
- *The President shall, in accordance with law, promulgate laws and issue mandates with the counter-signature of the President of the Executive Yuan or with the counter-signatures of both the President of the Executive Yuan and the Ministers or Chairmen of Commissions concerned.*

Additional Articles of the Constitution of The Republic of China

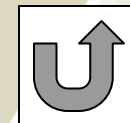
- Article 2
- *Presidential orders to appoint or remove from office the president of the Executive Yuan or personnel appointed with the confirmation of the Legislative Yuan in accordance with the Constitution, and to dissolve the Legislative Yuan, **shall not require the countersignature of the president of the Executive Yuan.** The provisions of Article 37 of the Constitution shall not apply.*



BACK

Additional Articles of the Constitution of The Republic of China

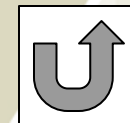
- Article 4.
- *When the Legislative Yuan convenes each year, it may hear a report on the state of the nation by the president.*
- 目前在野黨希望總統能到立法院國情報告，並即問即答。而請總統到立法院國情報告，多已形成共識。但多位藍委認為應遵守憲法，不贊同即問即答。對此議題，馬總統表示：願意國情報告，並強調「合乎憲法明定的方式與精神」<http://tinyurl.com/ctbwhu3>，
<http://news.chinatimes.com/focus/501010985/112012042100107.html>



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Additional Articles of the Constitution of The Republic of China

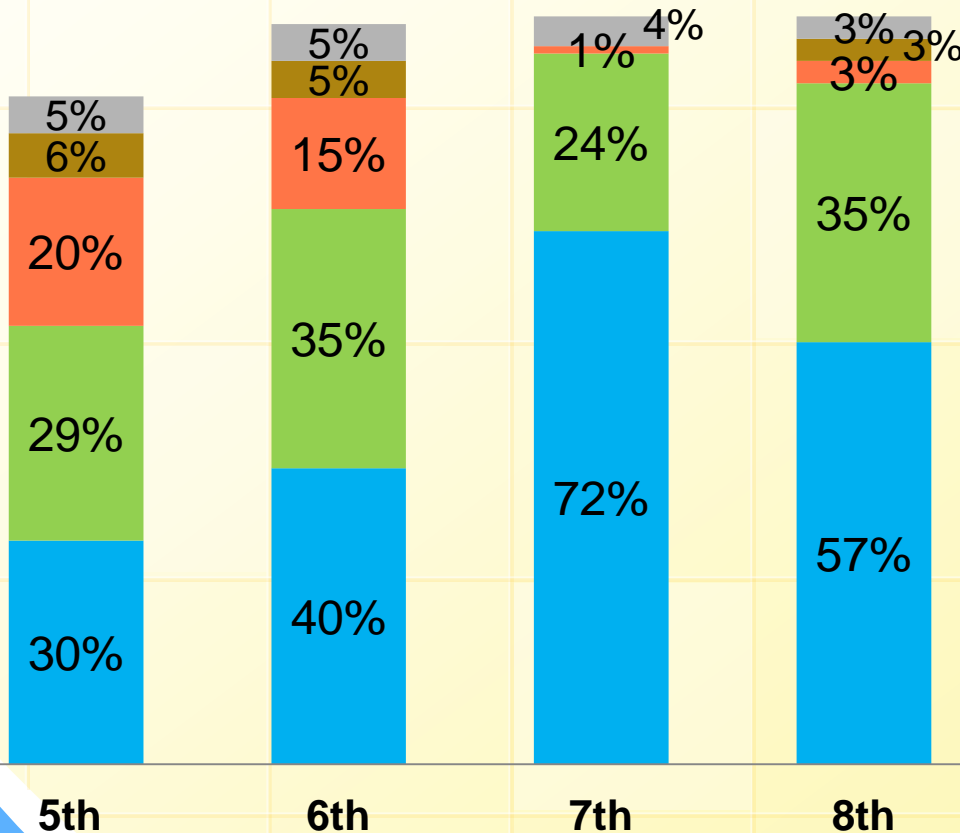
- Article 3.
- *The Executive Yuan has the duty to present to the Legislative Yuan a statement on its administrative policies and a report on its administration.*



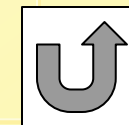
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Legislative Yuan Seat Share by Parties(5th- 8th)

■ KMT ■ DPP ■ PFP ■ TSU ■ others



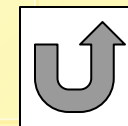
	5 th	6 th	7 th	8 th
KMT	68	89	81	64
DPP	87	79	27	40
PFP	46	34	1	3
TSU	13	12	0	3
others	11	11	4	3



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Public preference to a strong leader

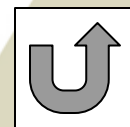
- (大紀元2005/10/15)台灣智庫民調《憲政改革民意調查》
- 關於行政權的組成，當問到應該由總統選舉、還是立法院選舉決定行政院長時，有50%的民眾認為應該由總統選舉決定，35.5%的民眾表示應由立法委員選舉決定。
- 就是民眾有63%支持總統有實權，可以否決國會的法案，也就是贊同總統有實質的覆議權者有63%。再經過這一驗證，可證民眾對於總統在行政決策上面的地位是相當肯定的。
- <http://www.epochtimes.com/b5/4/10/15/n690914p.htm>



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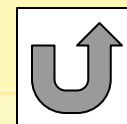
- 立法院為有效行使憲法所賦予之立法職權，本其固有之權能自得享有一定之調查權，主動獲取行使職權所需之相關資訊，俾能充分思辯，審慎決定，以善盡民意機關之職責，發揮權力分立與制衡之機能。



BACK

Tang Fei (唐飛)

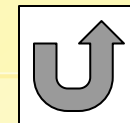
- (2000/10/04聯合報)
- 唐飛雖然昨晚(10/3)在記者會中指是因為身體需要休息而請辭，「不是為了核四案」。不過唐飛續建核四的立場，絕對是扁唐決裂的主因。
- 唐飛昨天(10/3)在立法院繼續表達續建核四的立場，一般認為，昨晚扁唐例行餐敘，兩人會就核四立場講清楚；沒想到兩人連客套話都沒說就迅即攤牌，「扁唐體制」正式解體。
- <http://issue.udn.com/318/d/news10.htm>



BACK

Zhang, Jun-xiong(張俊雄)

- (2007/05/14華夏經緯網)
- 在2001年時，張俊雄出任“行政院長”的首項任務，是貫徹陳水扁意志，宣佈停建核四，為此，張俊雄被“立法院”列為“不受歡迎人物”，後來核四政策大轉彎，民進黨被批到體無完膚，也是由張俊雄幫陳水扁擋下子彈。
- 2002年“立法院”改選後，張俊雄請辭“行政院長”，黨內許多人力拱他參選黨主席，不過，張俊雄並無意願，陳水扁兼任黨主席後，一聲令下，張俊雄立刻和原本規劃的“考試院長”一職擦肩而過，變成了民進黨秘書長。
- <http://big5.huaxia.com/la/bfyl/2007/00618922.html>



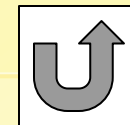
BACK

Yu, Shyi-kun (游錫堃)

- (2004/12遠見雜誌)
- Q：外界有批評，你(游)大部分的內閣人事，都由總統主導，而非由你作主？
- A：主要是因為總統民選，他是有民意基礎，我沒有，我的權力是來自總統，我們國家的體制就是這樣。

對於閣員和閣揆的關係，外界難免揣測，但不是問題。第一，理念上政府是為人民服務。第二，總統是民選的，當然以總統為主。第三，所有的人事任命，是院長提請總統任命，院長可以有自己的想法。第四，現在講的是團隊，即使有部會首長是總統特別熟悉的，但他們跟總統開會的時間很少，所有的運作都在行政院會，很多政策、簽呈都在行政院就決定，沒有到總統那裡。

- http://www.gvm.com.tw/Boardcontent_10385_3.html



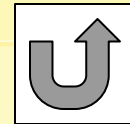
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Hsieh, Chang-ting(謝長廷)



謝長廷宣布已辭去
“行政院長”一職。
(中評社圖片2006/01/17)

- (2005/08/21新華網)
- 陳水扁總統圍繞台灣桃園地區缺水問題，再三嚴厲責難甚至羞辱“行政院長”謝長廷，二者之間的關係日益緊張。
- 據報導，陳水扁臉色鐵青地數落著謝長廷，“沒用心啦，就是沒用心！如果有用心，高雄市的愛河都能做好，台北市的基隆河也能做好，為什麼桃園的石門水庫就做不好？道理很簡單嘛，就是沒用心啦。”隨行官員面面相覷，連喘氣都不敢。不僅如此，在當天下午巡視石門水庫集水區時，怒火未消的陳水扁，更當著眾人說出“行政院長是做什麼的？”
- 更令文武百官冷汗直流的，是謝長廷隔日終於出鞘的機鋒，以“總統選擇錯誤、識人不明”自我解嘲。問題是，謝長廷是否有弦外之音，又引來政壇不同揣測。
- http://big5.xinhuanet.com/gate/big5/news.xinhuanet.com/taiwan/2005-08/21/content_3384472.htm

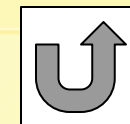


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Su, Tseng-chang (蘇貞昌)



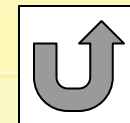
- (2007/05/16世界新聞報)
- 2007年5月12日蘇貞昌無預警的宣布請辭。
- 據報導，蘇貞昌在5月6日民進黨內“總統”候選人資格初選中大敗後，開始受到謝長廷和陳水扁兩方的壓力。
- 蘇貞昌在辭職時說，他是為了配合陳水扁的重新佈局，主動辭職，這馬上引發了外界聯想。
- 5月10日晚，蘇謝兩人見面，據透露，謝長廷當晚向蘇貞昌開口，要蘇貞昌把之前許諾給地方的建設“支票”逐一兌現，並希望蘇能在任內提供一些政治資源作為他的後盾。
- 對此，蘇貞昌的團隊認為有很多難處，選舉仗打起來後，蘇要處處配合謝，做得好未必有功勞，做得不好一定會被說成“扯後腿”。同時，蘇貞昌幕僚說，蘇自己知道個性很強，也很有主見，未來一年如果除了看陳水扁眼色，還得處處考慮謝，真的幹不下去。
- http://big5.cri.cn/gate/big5/gb.cri.cn/12764/2007/05/16/2225@1591289_1.htm



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Liu, Chao-shiuan (劉兆玄)

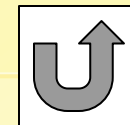
- (2010/01/22NOWnews)
- 馬總統大談經濟等議題，還明確的表示，希望今年底要完成ECFA的簽署，因為「經濟孤立將會要命」；前行政院長劉兆玄則是戲稱「馬總統把我要講的都講完了，本來他是來支持我演講的」。
- <http://www.nownews.com/2010/01/22/11490-2561644.htm>



BACK

Wu, Den-yih (吳敦義)

- (鳳凰衛視2011/11/09)
- Q：對於這2年多來與馬英九相處的狀況如何？
- A：吳敦義表示，沒有任何罣礙之處。“我覺得很好”；他說，重大的人事、政策、法案、預算案，都會先報告馬英九。例如12年教育，他向馬英九報告時機成熟了，從1968年實施9年教育已43年，所有該準備的工作也都差不多準備好了，最後由馬英九來裁定。
- 此外，吳敦義還表示，“行政院長”權力來源出自“總統”任命，所有人事、重大法案、預算案，若事前既未彙報、事後全都交給“總統”，這是不對的。
- <http://dailynews.sina.com/bg/tw/twpolitics/phoenixtv/20111109/18012904322.html>



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