

## **The Impact of Direct Presidential Elections on Cross-Strait Relations**

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The following is an abridged version of a paper presented by Dr. Su Chi at the conference, “Direct Presidential Election,” that was held on September 24, 2017 in Taipei and sponsored by the Association for Taiwan Studies. Dr. Su is Chairman and CEO of the Taipei Forum Foundation.

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The direct presidential election of 1996 ushered in a new era and advanced democratization in the Republic of China (ROC or Taiwan). Since that time, six elections have been held in Taiwan in which all eligible voters could cast one vote directly in favor of the presidential candidate of his or her choice. However, an examination of the past twenty years reveals some major shortcomings in the new electoral system, particularly its impact on cross-strait relations.

## *The Most Powerful & Least Accountable President*

The governmental system of the ROC has been described as unique. By constitutional design, the President of the ROC is more powerful than a Premier in the traditional cabinet system of government or a President in the standard presidential system. S/he can appoint the Premier and all the Ministers and Deputy Ministers without the approval of or even consultation with either the ruling or opposition parties. Furthermore, s/he exercises total control over the budget and policies, especially those related to defense, foreign and cross-strait policies. The ROC's four other branches of government – the Legislative Yuan, the Judicial Yuan, the Control Yuan and the Examination Yuan – wield only nominal checks and balances over the presidential powers.

Most unusual, when compared to other democratic countries, the ROC President appears to be the chief executive least accountable to the voters who elected him (or her) directly. The voters can exercise their power only when they cast their votes every four years. Once elected, the President is not required to appear in the Legislature and debate with lawmakers, as in the cabinet system. Nor is s/he required to hold press conferences to explain proposed budgets, major bills, important policies to the media and the public and answer questions. In other words, the President enjoys enormous prestige as the Head of the State, and unchallenged executive power as the President/Premier. Yet, s/he can remain aloof and untouchable for four years if so desired. Some joke that this probably renders ROC President the most enviable job in the world.

The direct presidential election adds enormous political

and moral clout to the powerful ROC president and places him (her) above and beyond other politicians for four consecutive years. And to attain this height, all s/he has to do is win a plurality of the votes in a direct election, irrespective of the margin of victory, as if in a 100-meter track competition. This turns each and every presidential election into a “cut-throat” race, as one campaign manager unabashedly described it. And candidates have learned that the cross-strait relationship, being the most emotion-laden question and one that is susceptible to tricky maneuvers, is by far the most convenient campaign issue that helps one win votes. Not surprisingly, cross-strait relations took a turn for the worse after Taiwan adopted the new electoral system in 1996.

### *Stoking Populism, Exacerbating Democracy*

The impact of the direct presidential election is

evidenced in five ways. First, it helped stoked populism in Taiwan long before the populist wave arrived in Europe and the US. One wonders why a place like Taiwan, with no massive immigration from abroad, no religious or ethnic strife, no glaring income disparity, and no terrorist activities, would fall prey to populism so early, so strongly, and so persistently. My explanation is that much of Taiwan's populism has been created by politicians for partisan political gain. To win the presidential election, participants will often resort to tricks and ploys otherwise deemed despicable by the decent people in Taiwan. Over time, blatant populist disregard of decency has eroded the Taiwan people's trust in its public institutions such as the presidency, political parties, media, legislature, etc., though not yet democracy itself, as some academic studies have shown. At the same time, Taiwan's image as the only democracy among all Chinese societies suffers a great deal worldwide, particularly among the Chinese people in the

Mainland. This damages Taiwan's soft power tremendously.

### *Lack of “Taiwan Consensus” and “Cross-Strait Consensus”*

As Taiwan's presidential campaign is so competitive and ugly, contestants often find it impossible to speak or face each other after the race is over, let alone coordinate or cooperate on policies. Instead, the loser's top priority henceforth is revenge, and the winner focuses only on how to win the next electoral contest.

The lack of reconciliation between the “Blue camp” and the “Green camp” during the last 20 years means that there can never be a “Taiwan consensus” on cross-strait issues. And without a “Taiwan consensus,” needless to say, there can be no “cross-strait consensus.” This is one of the reasons why the so-called “political talks”

between Taiwan and the Mainland have always been a non-starter over the years.

In 1998, when the DPP held its first intra-Party conference on “China policy,” I was invited to the event as the only Kuomintang (KMT) participant. As a Deputy Secretary General of the President’s Office, I advised the DPP to take “three steps” boldly. First, the DPP was urged to forge an “intra-Party consensus.” Second, with this new consensus, the DPP and KMT could jointly cobble together a “Taiwan consensus.” Third, Taiwan could then negotiate a possible “cross-strait consensus” with Mainland China. In subsequent years, several DPP politicians--including Tsai Ing-wen and Su Chen-chang—have echoed my 1998 call for a “Taiwan consensus.” But without inter-party reconciliation, a consensus has proved to be a pipe-dream.

*Populism Kidnaps Policy*

Paradoxically, while populism helps politicians win elections, it also kidnaps Taipei's Mainland policy after an election, depriving the new President of much needed flexibility in this age of great uncertainty. Today, almost every country in East Asia is adopting a policy of "hedging" in their relationship with the US and China, i.e., relying on the US for security and strengthening economic ties with Mainland China. Taiwan is the only exception, leaning decisively toward the US and Japan and making little effort to mend relations with China. The resulting stalemate is not in the interest of regional stability. This is due, in part, to the Tsai administration's policy choice. But it is also due to the fact that the administration and ruling party have been kidnapped by the populist milieu they helped create before the electoral victory. Now, while some of the DPP elites are understandably worried about the new and uncertain strategic environment they've created, they find

themselves bound by their own success.

### *Willful President*

As described, the ROC President is subject to few checks and balances domestically and s/he may design and execute policies with little or no impunity. Those familiar with Taiwan's politics probably still remember those controversial presidential initiatives ranging from President Lee's "special state-to-state relationship" announcement to President Chen's push for a national referendum or his drive to join the UN as a new country. Although the legislature was dominated by an opposition party at the time, lawmakers were powerless to prevent the President from taking these provocative steps. Consequently, Taiwan earned a new nickname, "troublemaker." Taipei's leaders backed down only after the US and PRC began to coordinate policies designed to curb Taiwan's dangerous adventurism.

As a democracy, Taiwan did not “learn” from these disasters. There was no effort to strengthen the checks and balances in the ROC’s political system. Following America’s bitter experience in Vietnam, the US Congress had passed the “War Powers Act” in 1973 to curb the US President’s war making power. But lawmakers in Taiwan did not make an effort to rein in a president’s power to advance irresponsible and dangerous policies toward the mainland. At least theoretically, a willful President in Taiwan may still choose to be an adventurist in the future and thereby threaten peace and stability in the Western Pacific.

### *Non-transparent and Inconsistent President*

Normal democracies demand that government leaders be transparent and accountable. This is why Presidents and Premiers all over the world appear in their

legislatures to explain their policy choices and face challenges from opposition parties and the media. As a standard practice, these chief executives also hold press conferences from time to time to elaborate on their positions toward policies, budgets, and other issues. Not so in Taiwan. The ROC President is not required to appear in the Legislature. This means that there is no “question time” as is the standard practice in many other democracies. Other than the once-every-four-year inauguration speech, s/he usually speaks annually on two occasions, New Year’s Day and National Day. But s/he is not even required to do this, and could and did cancel these speeches occasionally. Moreover, the ROC president rarely holds press conferences - definitely fewer than US Presidents and Japanese Prime Ministers. In fact, the ROC President can simply “disappear” or “hide” for much of the time during the four years between the elections.

This non-transparency enables the ROC President to say one thing but do another without any fear of being “put on the spot” to explain gaps between his (her) words and deeds. Naturally non-transparency and inconsistency breed suspicion, and suspicion generates counter-measures. With respect to cross-strait relations, Mainland China – both the government and the people – are now deeply suspicious of Taiwan’s ultimate intentions. Vague statements aimed at Beijing, plus confrontational behavior at home, can do little to alleviate China’s growing suspicions. Likewise, suspicions remain deep within Taiwan. A divided Taiwan can hardly withstand the pressures from outside.

### *Conclusion*

To be sure, all of Taiwan’s political problems and troubles cannot be traced to the direct presidential election. Actually, such electoral contests can often

advance democratization. But when combined with the ROC's existing constitutional design—a dysfunctional system that endows a President with almost absolute power and little accountability—it creates a semi-dictatorship.

Just imagine if there is some threshold on winning the presidential election; if it is not a winner-take-all game, but the winner has to share power with the loser; if there is a genuine check-and-balance in the political system; if the President has to face the Legislature, the media, and the people regularly during his or her term of office. With these “ifs,” would the presidential campaign still be so “cut-throat”? Would there be more room for cooperation among the parties? Would the candidates devote more time and effort toward working for peaceful co-existence between Taiwan and the Mainland during and after the campaign?

I don't have answers to these questions. But perhaps they are worthy of our consideration.