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6 Taiwan

The limited but beneficial role of semi-presidentialism

Christian Schafferer

Introduction

In terms of assessing the suitability of diverse systems of government for newly democratizing states, there have been numerous discussions in the literature about the superiority of parliamentarism and the perils of presidentialism. In contemporary history, most authoritarian regimes have adopted the presidential system (Zhao 1996, 2), which is said to exacerbate the concentration of power (Abdukadirov 2009). Juan Linz (1994, 6–9) argues that most of the inherent negative characteristics of presidential systems stem from two of its main features. First, both the president and the legislature enjoy democratic legitimacy. Since both derive their legitimacy from the people, conflicts are latent and democratic development is always threatened either by a military coup or by an *autogolpe* carried out by the president himself. Second, presidents are elected to serve for a fixed length of time. Presidentialism is thus without the flexibility of parliamentary systems to respond to political, social, and economic changes (Linz 1994, 8). Moreover, due to concentration of most of the executive power in a single office, presidentialism is prone to undermining horizontal accountability, eventually leading to 'delegative democracy' – a system in which a president attempts to subordinate the other branches of government (O'Donnell 1994). In this context, Bermeo (2016) asserts that in recent history democratic backsliding has mostly occurred in the form of *executive aggrandizement*, where the disassembling of opposing institutions is carried out through legal channels and the resulting de-democratization is framed as having resulted from a democratic mandate (ibid., 11). Since executive aggrandizement tends to undermine democratic institutions incrementally, the stepwise decline itself tends to attract limited audiences, provoking only fragmented resistance but has profound political consequences.

Mixed systems (semi-presidentialism) are at best considered 'only a slight improvement over pure presidentialism' (Lijphart 2004, 102). They are believed to lead to destabilizing periods of 'cohabitation' between the president and the prime minister, are vulnerable to collapse during periods of 'divided government', and said to encourage populist presidents to

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consider themselves above the law (Elgie 2008, 50). Reilly (2011) concluded his assessment on semi-presidentialism in Taiwan, Mongolia, and Timor-Leste with the assertion that semi-presidential arrangements 'deepened political tensions, instability, confusion, and stymied the institutionalization of the established rules and procedures necessary for democracy to take root and function effectively' (ibid., 131) As such, he believes that 'semi-presidentialism presents a real risk to political stability in developing democracies, particularly during periods of divided government' (ibid., 133). Citing popular arguments against presidentialism and mixed governmental systems, most political analysts thus seem to propagandize the idea that parliamentary government should be the general guideline for constitution drafters in democratizing societies. Notwithstanding, some scholars have criticized the fact that previous studies were mostly based on only one explanatory variable (i.e., regime type) and emphasized the importance of factors other than those associated with 'pure' regime types. Scholars, such as Horowitz (1990), Mainwaring (1990), Shugart and Carey (1992), Lijphart (2004), and Elgie (2007), argued that fundamental institutional features of regime types need to be analysed in conjunction with other institutional variables (e.g., the power of the executive, party system, electoral system, etc.) and even social, cultural as well as economic indicators to corroborate assumptions regarding the perilous nature of (semi-)presidentialism (Elgie 2005, 100–111).

In the mid-2000s, Francis Fukuyama, Björn Dressel and Boo-Seung Chang (2005) analysed the defects of presidentialism discussed by Juan Linz, i.e., minority presidents, rigid terms of office, policy gridlocks and the election of inexperienced outsiders, in the Asian context. The authors acknowledged that Taiwan, South Korea, Indonesia, and the Philippines experienced most, if not all, the defects, but argued that the problems encountered by each of the country 'reflect the immaturity of its democratic system rather than some defect of presidentialism as such' (ibid., 114). More recent case studies on presidentialism in Southeast Asia, such as Feijó (2018), Bünte (2018), Tomsa (2018), and Thompson (2018), emphasize the limited explanatory power of presidentialist institutional arrangements in understanding political stability. Although the Southeast Asian cases of the Philippines and Indonesia highlight the vulnerability of presidentialism in terms of authoritarian populist leaders, Bünte and Thompson assert that it was not the presidential system of the two countries that 'were primarily at fault but rather the breakdown of elite consensus' (Bünte and Thompson 2018, 262). More specifically, the collapse of parliamentary democracy in Thailand, they believe, can be seen as corroborating evidence of the importance of elite consensus and the rather subordinate role of specific institutional arrangements in the country's democratic regression. The current Thai military authoritarianism is thus seen here as the result of the failed consensus between Thaksin and traditional Thai elites and the subsequent military intervention. Andersen et al. (2014) point out that the stability of political regimes depends on the state's capacity to monopolize the use of force and to implement policies.

While sheer coercive power may secure regime stability in authoritarian states, democracies rely more on the capacity of the state to translate 'the input provided by the vertical channel of elections into the output that emerges when policies are actually implemented' (ibid., 1319). Other scholars, such as Fukuyama (2009) and Fortin (2012), consider the existence of strong state institutions as a vital pre-condition for successful democratization. Croissant and Hellmann (2020) elaborated on the state-democracy nexus in a recently published study on the role of *stateness* (i.e., monopoly on force, state bureaucracy, agreed citizenship) in terms of democratization processes in East and Southeast Asia. The study concludes that cases of successful democratic consolidation in East Asia (Taiwan and South Korea) and other parts of the world show that there is no linear relationship between *stateness* and the quality of democracy. Although high levels of *stateness* have been beneficial to the deepening of democratic institutions in Taiwan and South Korea, *stateness* is found to be by no means a sufficient condition for successful consolidation. The study further ascertains that informal networks have undermined democratic institutions in Thailand and Cambodia leading to autocratic reversals. In Thailand, a de facto parallel state comprising bureaucrats, the military and royalist elites have hijacked the state and gained control over the very institutions that should ensure democratization. In a similar fashion, the Cambodian People's Party operates neo-patrimonial networks that ensure victory at the polls. The authors further conclude that defective democracies such as the Philippines, Indonesia and East Timor run the risk of becoming stuck in a 'predatory trap' with informal networks competing to gain control over state resources through elections while undermining civil liberties and horizontal accountability (ibid.). Moreover, Diamond (1999) posits that democratic regime resilience requires the 'autonomy of the political', which rests on the involvement of an active citizenry in demanding, creating, and exercising democracy (ibid., 162). In similar vein, Inglehart and Welzel (2005) maintain that democratization is foremost a value-driven process with its stability depending on the balance between the institutional supply of freedom and the culturally sanctioned demand for freedom (ibid., 187). That is, the demand for freedom is determined by the socio-cultural conflicts of industrial (traditional vs. secular values) and post-industrial modernization (survival vs. emancipative values). More importantly, mass values have the stronger causal effect on subsequent democratic performance than democratic institutions (ibid., 208).

Using the example of Taiwan, this chapter endeavours to determine whether 'pure' regime type studies suffice to explain democratic developments in post-war Taiwan or whether studies on democratic regime resilience must go beyond constitutional structures to fully capture the dynamics behind democratization. More specifically, the chapter addresses three questions: First, has semi-presidentialism made Taiwan's political system less stable? Second, what role has semi-presidentialism played in Taiwan's democratization? Third, what factors other than those associated with 'pure' regime types have substantially contributed to Taiwan's democratic regime resilience and prevented executive aggrandizement? The organization of the chapter is as follows: First, using historical institutionalism, the evolution of Taiwan's semi-presidentialism will be examined, and its key characteristics highlighted. Second, Taiwan's practice of semi-presidentialism will be investigated and the overall importance of constitutional arrangements in terms of democratic regime resilience assessed. Third, other potential factors behind Taiwan's democratic success story will be identified and analysed. Finally, the main findings of the study will be summarized in the concluding part of the chapter.

Evolution and practice of semi-presidentialism in Taiwan

Duverger defined semi-presidentialism as a constitutional structure that is different from presidentialism and parliamentarism in the way that it combines three elements: First, the president is elected by universal suffrage; second, the president possesses quite considerable powers; third, there is also a prime minister and ministers who possess executive and governmental powers and can stay in office as long as the parliament approves of them (Duverger 1980, 166). Elgie (2008) elaborated on Duverger's definition and arrived at a more general notion. He defines semi-presidentialism as 'a regime where there is both a popularly elected fixed-term president and a prime minister and cabinet responsible to the legislature' (ibid., 51).

Constitutional reform

Taiwan's form of government has undergone several stages until fulfilling the formal requirements of semi-presidentialism (see Table 6.1). The following section of the chapter analyses the forces behind the evolution of Taiwanese semi-presidentialism and its practice in an attempt to determine the overall importance of the form of government for Taiwan's political development.

Taiwan's contemporary political system bases on the Constitution of the Republic of China enacted in 1947 during the Chinese Civil War. Since the KMT's retreat to Taiwan in 1949, the original constitution itself has never been altered and still lays territorial claims to Mainland China, Tibet, and Mongolia. Additional articles affixed to the Constitution, however, supersede several of its provisions to adjust for political realities. The Constitution as well as its additional articles are de-jure only applicable to what is termed 'free areas of the Republic of China', that is Taiwan, and the smaller islands of the Pescadores and Matsu. The first draft of the Constitution dates to

Table 6.1 Subtypes of Semi-presidentialism

		Executive System	
		Consolidated	*Divided*
Cabinet's seats in the legislature'	Majority	Consolidated majority: Coherence of the president, prime minister, and the legislative majority	Divided majority: Incongruence within the executive, and the prime minister enjoys the legislative majority
	Minority	Consolidated minority: Coherence of the executive system but incongruence with the legislative majority	Divided minority: Incongruence within the executive, and no majority in the legislature

Source: Shen (2011).

1922 and was strongly influenced by the Weimar Constitution Chinese legal theorist Chang Chun-mai, one of the designers of the Constitution who borrowed heavily from the Weimar Constitution believing that the dual executive system deemed most appropriate for the political situation in China at the time. The draft constitution thus established the president as the head of state with the powers to make appointments and to impose a state of emergence, whereas the prime minister, as the head of government, was responsible to the parliament (Shen 2011, 136). The final 1946 Constitution, however, was a compromise taking into account the failed experience of the Weimar Constitution and diverging views among influential KMT faction leaders. According to it, the Republican Chinese government is a parliamentary system with a president who is elected by the upper house of parliament (National Assembly) and expected to fulfil the role of a political adjudicator between legislative and executive branches of government (Zhao 1996). The president has the right to appoint the premier (prime minister) with the approval of the lower house of parliament (Legislative Yuan). He or she may impose a state of emergence but may not dissolve parliament. Although the constitutional powers of the president are thus more restricted than in the Weimar Constitution, the Weimar spirit is still present. That is, the president is expected to play the role of a reserve domain in the constitution. He or she should intervene only when the parliamentary system fails to fulfil its constitutional obligations (Shen 2011, 146).

Political scientist Chien Tuan-sheng (1961), however, correctly observed that the system of government under the 1946 constitution 'can be either a presidential or a cabinet system of government, depending on the development of the political situation in terms of both personalities and political parties' (ibid., 325). The ongoing civil war and the authoritarian character of the powerful KMT leader Chiang Kai-shek de facto turned the parliamentary system into presidential dictatorship in 1948 by utilizing partisan powers residing outside the constitutional framework; by promulgating the so-called Temporary Provision, superseding the original constitutional limits on presidential powers and tenure; and by imposing martial law a year later. Martial law was lifted in 1987. Lee Teng-hui, a native of Taiwan, succeeded Chiang Ching-kuo after his death in 1988. As he was neither a mainlander nor a staunch supporter of Chinese nationalism, several senior party figures disputed his presidency and made attempts to oust Lee from the party leadership and the presidency (Zhou 1993; Lin 2004). Unlike his predecessor, Lee could not solely rely on partisan and constitutional powers to secure his position but increasingly depended on the people critical of the KMT regime and demanding democratic reforms.

As such, he grasped the *Zeitgeist* and (supported by student protests) initiated several constitutional reforms, the first of which revoked the Temporary Revisions, ending the period of presidential dictatorship in 1991. Moreover, he assumed that he could gain the upper hand in the intra party conflict by legitimizing his position as president through popular elections. With the support of the opposition, constitutional revisions in 1992 passed the National Assembly, paving the way for direct presidential elections in 1996 (Jacobs 2012). Although there have been several more revisions since then, only those adopted in 1994 and 1997 are of fundamental importance in terms of presidential powers. That is, the president may appoint the premier (i.e., prime minister) without parliamentary consent. He or she may dissolve parliament but only upon a vote of no confidence in parliament. In short, the constitutional revisions of the 1990s consolidated the president's position and transformed Taiwan's form of government into a semi-presidential system as defined by Elgie (2008) and Duverger (1980).

Practice of constitutional rule

Regarding the constitutional operation of semi-presidentialism, Shen and Tsai (2021) conclude in their study that the president not the premier is the actual leader in Taiwan's government. That is, there are overlapping duties of the party chair and the president (i.e., presidential parties). More importantly, the population as well as the political elites picture the president not the premier as the ultimate leader in political affairs. This perception is reflected in the considerably higher voter participation in presidential elections and the career planning of political elites (ibid.). Moreover, Shen (2011) distinguishes between four subtypes of semi-presidential forms of government depending on constellation of the triangular relations among the president, premier, and parliament (see Table 6.1). The consolidated majority subtype is believed to be the most stable within semi-presidentialism. Here the president and prime minister enjoy the same legislative majority. Semi-presidentialism with a divided minority, on the other hand, is said to be the most conflict-ridden because neither the president nor the prime minister, nor any party coalition enjoys a substantive majority in the legislature (Shen

2011, 140). As shown in Table 6.2, Taiwan has had experience with the consolidated majority subtype under Lee Teng-hui (1997–2000), Ma Ying-jeou (2008–2016), and Tsai Ing-wen (2016-present) as well as with the consolidated minority subtype under Chen Shui-bian (2000–2008).

During the transformation period (1991–1997) and the first period of consolidated majority (1997–2000), Taiwan saw the installation of full semi-presidentialism and its smooth operation with congruent president-parliamentary relations. Despite intra-party rivalries, President Lee remained the supreme leader in terms of governmental and party affairs with virtually no conflict between the executive and legislative branches of government (Wu 2007, 204, 207). The situation changed when Chen Shui-bian of the Democratic Progressive Party (DPP), Taiwan's largest opposition party, was elected president in 2004 and re-elected in 2008 while his party held a minority position in parliament. The election victory of Chen Shui-bian (DPP) in 2000 not only resulted in a peaceful transfer of power, which was a major step forward in Taiwan's democratic process but also highlighted the dominance of historical legacies over theoretical expectations in terms of constitutional practices. The original intention of the constitution drafters was to craft a parliamentary system with the president playing the

Table 6.2 Constitutional Regimes in Taiwan (1948-present)

Stage	*Constitutional Regime*	*President*
First Stage (1948)	Parliamentarism	Chiang Kai-shek (KMT)
Second Stage (1948–1991)	Presidential Dictatorship	Chiang Kai-shek (KMT) Yen Chia-kan (KMT) Chiang Ching-kuo (KMT) Lee Teng-hui (KMT)
Third Stage (1991–1997)	Emerging Semi-presidentialism (Consolidated Majority)	Lee Teng-hui (KMT)
Fourth Stage (1997–2000)	Semi-presidentialism (Consolidated Majority)	Lee Teng-hui (KMT)
Fifth Stage (2000–2008)	Semi-presidentialism (Consolidated Minority)	Chen Shui-bian (DPP)
Sixth Stage (2008–present)	Semi-presidentialism (Consolidated Majority)	Ma Ying-jeou (KMT) Tsai Ing-wen (DPP)

Source: Adapted from Wu and Jung-Hsiang (2011).

a The interregnum of Yen Chia-kan was unique in that he assumed presidency after the death of Chiang Kai-shek in 1975. He served until Chiang Kai-shek's term ended in 1978. During Yen's presidency, Chiang Ching-kuo was premier, and the young Chiang wielded the ultimate power. That aberration from presidential dictatorship proved transitory.

role of a reserve domain in the constitution (Shen 2011). President Chen was theoretically expected to mandate the leader of the strongest party in parliament to form a cabinet. That is, KMT Chair Lian Chan should have been appointed premier since his party held a majority in parliament at the time of Chen's inauguration.

However, the application of cohabitation seemed infeasible, mostly because of Taiwan's historical path dependence. Except for a short interregnum of three years (see Table 6.2), Taiwan had been ruled for over five decades by presidents whose party enjoyed a majority in parliament. The people thus got used to the idea that the president makes decisions while the premier belonging to the president's party serves as his subordinate. Being aware of the discrepancies between popular expectations and political reality, Chen first tried to find a compromise by appointing politicians across party lines as premier and cabinet members (Hawang 2016, 124).

The compromise failed after a few months, however, because of fundamental policy differences between the premier (a former KMT defence minister), other cabinet members and the president. In the absence of a formal coalition government, Chen Shui-bian continued to rally legislative support for his policies by urging legislators of other parties to join his so-called National Stabilization Alliance. The forged alliance was, however, not only still short of a majority in parliament but was also confronted with rather hostile legislators of the KMT and its splinters. Thus, Taiwan under Chen experienced a new, more confrontational, era in executive-legislative relations (Hawang 2016, 123). In 2008, after eight years of minority rule, Taiwan's semi-presidentialism returned to consolidated majoritarian governance under Ma Ying-jeou (2008–2016, KMT) and Tsai Ing-wen (2016-present, DPP), respectively.

Despite several operational difficulties, there still is the question of how perilous semi-presidentialism has been in the case of Taiwan. Fukuyama, Dressel and Chang (2005) note in their analysis on presidentialism in East Asia that Taiwan endured and remained democratic even in times of crises. There was not any authoritarian backsliding nor a military coup, but 'democratic institutions worked as they were supposed to [and] constitutional courts played a particular important role in diffusing conflict between the executive and legislative branches' (ibid., 114).

Wu and Tsai (2011) argue that Taiwan avoided the perils of divided government that may even have led to constitutional dictatorship because of the specific context of its semi-presidentialism. That is, the president and the parliament during the period of minority government dominated different domains. President Chen had the power to appoint the premier and make decisions regarding cabinet portfolios, while the opposition dominated the legislative realm. Although the competition between the executive and legislative branches of government was fierce, neither side won or lost. More importantly, there were no incentives to alter the status quo. The opposition could have passed a no-confidence motion but then the president would have had the right to dissolve parliament. The opposition was reluctant to take that step because of different electoral prospects and high coordination hurdles among individual members of the opposition (ibid., 189–190). Moreover, the removal of the premier is of little strategic significance since any candidate for the position as premier needs the support of the president not parliament.

Shen (2017) asserts that the fixed length of the presidential term in office (as well as that of parliament members) contributes to institutional resilience, which he defines as 'a constitutional order in which the executive system is always led by the president even when the system encounters crises or experiences a divided government' (ibid., 10). That is, even without a legislative majority, a cabinet can survive and stay in office with the legitimacy of the directly elected president (ibid.). The premier and his/her cabinet do not depend on the confidence of the legislators but on that of the president. In times of political crises, the president can replace the premier at any time to alleviate the situation (ibid., 5). The concept of 'presidentialized parties', a relic of KMT authoritarianism, is a further contributing factor behind the institutional resilience of Taiwan's semi-presidentialism (Shen 2017). Matsumoto (2013) points out that since the president has no constitutional power to dismiss the premier, he must rely on political means. President Lee was able to dismiss his premier as well as discipline members of the cabinet and parliament using his authority as the KMT party leader. In other words, besides constitutional powers, partisan power is an important component of the president's overall capacity to ensure political stability. Lee's successors, Chen Shui-bian and Ma Ying-jeou, have been less powerful presidents because they both were reluctant or unable to use the party chairmanship as a means of disciplining party members and exerting control over party affairs and decisions. As for Chen Shui-bian, it could be argued that he lacked in power because the DPP is far less centralized than the KMT and mostly works as an alliance of factions with little unity (Rigger 2001). Matsumoto (2013), however, argues that Chen, being a charismatic leader, felt that institutionalization of the party would constrain his power. Instead of using his party chairmanship to centralize the DPP, he preferred to operate outside the party in attempts to alter inter-party rules by using his authority as president. His goal was 'to control his successor in the party by producing a rivalry among them so that they would check each other's power' (ibid., 114). Ma Ying-jeou, on the other hand, exercised his policy of 'functional division of power' (Wu and Tsai 2011, 183). That is, he wanted to be a president in second line, leaving the premier in full control of the government, while constraining himself to security matters. The constitution-abiding, self-constraining role, however, not only contradicted popular expectations of a strong and dominant president but also left his party astray (ibid.). Unlike Lee, Ma lacked partisan power and was in many instances unable to discipline KMT legislators, leading to numerous intra-party conflicts. Despite the KMT's solid majority, there thus was a recurrence of legislative gridlocks that plagued Chen's minority government. Although the bill approval rate during Ma's presidency was higher than during Chen's minority government, it was much lower than during Lee's terms in office (Matsumoto 2013, 123).

In conclusion, it may be argued that Taiwan's experience with semi-presidentialism exemplifies the limited yet beneficial role of constitutional designs in determining political realities. That is, the actual political implications of Taiwan's constitutional design depend on the given political situation in terms of personalities and political parties and may thus be best summarized with the words of Habermas (1992): 'The institutions of constitutional freedom are only worth as much as a population makes of them' (ibid., 7).

Tracing Taiwan's regime resilience

Previous studies on Taiwan's transition have mostly dealt with issues related to its rather conventional path of democratization – steady economic growth leading to a politically more demanding middle class questioning the legitimacy of the *ancien régime* and demanding mechanisms of broader public participation in the political process (Hsiao 1990; Tien 1997; Jacobs 2012). There have also been studies highlighting the role of elite consensus (Huang 1996; Huang et al. 1998), authoritarian elections (Chao and Myers 2000; Schafferer 2003), national identity (Lynch 2004; Chen 2012; Zhong 2016), democratic legitimacy (Chang et al. 2006; Chu et al. 2008; Chang et al. 2011), and (more recently) the role of state capacity (Croissant and Hellmann 2020; Templeman 2020a) and mass democratic values in Taiwan's democratic development (Sanborn 2015; McAllister 2016; Schafferer and Evenden 2017).

Elite consensus and authoritarian elections

O'Donnell and Schmitter (1986) consider elite consensus as a crucial element in regime change, outweighing pregiven constitutional arrangements. Since the consent to a 'democratic bargain' is contingent upon the interests and resources of the involved elites, the consensus is subject to re-adjustments, creating uncertainties. Przeworski (1991) notes that democratization is an act of institutionalizing these uncertainties, of subjecting all (elite) interests to competition. As such, he argues, the 'decisive step toward democracy is the devolution of power from a group of people to a set of rules' (ibid., 14). In Taiwan, these processes evolved through state-sponsored local and national elections during the martial-law era. Lindberg (2006) and others (Hermet et al. 1978; Howard and Roessler 2006; Edgell et al. 2015) have demonstrated the significance of elections in fostering democratization. Repeated elections sponsored by authoritarian regimes 'facilitate the institutionalization of and deepening of actual civil liberties in the society and are a causal variable in democratization' (Lindberg 2006, 2). State-controlled local and national elections were a catalyst in Taiwan's political development. They helped the ruling KMT legitimize its rule over Taiwan and served as a tool to cultivate, reward and control interest groups and local factions which would assist the KMT regime in securing popular support, especially in rural areas (Chao and Myers 2000; Schafferer 2003). They unfolded as 'nested games' where the game of electoral competition is embedded within the mega-game of electoral reform (Schedler 2002, 110). That is, the elections regulated intra-party competition while at the same time serving as the starting point of negotiations between the KMT regime and the opposition about political reforms. Moreover, state-controlled elections were also instrumental in institutionalizing the opposition, and democratic procedures and norms.

State capacity

Taiwan can be seen as a successful case of democratization-by-elections. Its comparatively high state capacity has been a key intervening variable between state-sponsored elections and the stability of its post-authoritarian democratic institutions. Van Ham and Seim (2018) assert that state capacity conditions the democratizing power of controlled elections in bringing about democratic change. Authoritarian regimes with high state capacities have comparatively more power to sanction the activities of the opposition because of their monopoly on violence and their ability to implement state policies. Although state capacity tends to prevent regime transition, once it occurs state capacity catalyses democratization, potentially bringing about democratic regime resilience. That is, newly elected democratic governments are equipped with the necessary means to implement policy reforms, thus preventing public distrust in the new form of governance and the subsequent emergence of authoritarian nostalgia (ibid.).

The case of Taiwan illustrates that the existence of extensive state capacities is not a sufficient condition for stabilizing authoritarianism. Hellmann (2017) has identified three mediating factors: (1) the state's social embedding; (2) the international context; and (3) the extent of elite cohesion. More specifically, he argues that the South Korean transition occurred despite high levels of state capacity because of two developments. First, socio-economic development brought about an affluent society increasingly difficult to control through repression. Second, state capacity was conditioned by international factors (e.g., oil shock) as well as by inter-elite divisions provoked by the changing social and international environment. Although there are some contextual differences, all the three factors Hellmann mentioned in his analysis not only ended the KMT's dictatorship but have also played a constitutive role in Taiwan's current regime resilience.

Geopolitical forces and lack of sovereignty

Schmitter (2001) believes that regime change as well as democratization are predominantly domestic affairs and that the international context should not be ‘elevated to the status of prime mover’ (ibid., 27). Zhong (2016), on the other hand, maintains that democratic identity formation in the case of Taiwan has been caused by external sovereignty-related factors rather than by distinctive domestic reconstruction. In other words, Taiwan’s contested sovereignty has been a key factor behind the island republic’s democratic aspirations. In recent history, there have been several cases in which contested states utilize claims to democracy as to obtain legitimacy and international recognition. Caspersen (2011) in her study on the complex dynamics of democratization in unrecognized states asserts that claims to independence were in the past based primarily on ethnic/national identity or grievances whereas in more recent history there has been an increasing emphasis on “proclaimed processes of democratization” (ibid., 338). Breakaway states such as Nagorno Karabakh, Abkhazia, South Ossetia, Transnistria, Northern Cyprus, and Somaliland believe that de-jure recognition might be awarded to entities building democratic institutions and granting extensive political rights to their citizens. Governments of such states thus not only highlight their democratic achievements in their narrated messages to the world but also substantiate their call for recognition by claiming to be more democratic than their “parent states” (ibid.)

Although Caspersen’s analysis did not specifically discuss Taiwan, her analysis perfectly describes Taiwan’s post-war international status and its adherence to democracy. As to the former, Taiwan fully exercises Westphalian, domestic as well as interdependence sovereignty but is short of international legal sovereignty (Krasner 1999, 4). As such, the government of Taiwan enjoys legitimacy, control and authority over Taiwan and has the capacity to regulate movements across its borders. But it lacks diplomatic recognition by most states, is deprived of membership in international organizations, such as the United Nations, and its participation in the activities of the international community remains restricted (Winkler 2013). As to the regime’s adherence to democracy, the US policy of containing Asian communism and the KMT’s search of legitimacy after the lost civil war in China were instrumental in the decision to make democracy and economic development, manifested in the regime’s anti-communist propaganda, the *raison d’état* of the KMT state (Schafferer 2020). Rawnsley (2003) notes that the KMT regime exploited the international ideological divisions during the Cold War and labelled itself as “Free China” to preserve recognition as an independent state, distinguishing itself from Communist China. At the turn of the century, Taiwan intensified its public diplomacy initiatives to demonstrate its “democraticness” to the world as to legitimize its existence as a distinct political entity separate from China (Rowen and Rowen 2017).

Caspersen (2011) asserts that the strategic emphasis on ‘democraticness’ has within the last two decades led to multi-party elections and even to a peaceful transfer of power in a number of unrecognized states. In Taiwan, Abkhazia, Nagorno Karabakh, and Somaliland, democratic development has gone further than in their ‘parent states’ (ibid., 343). However, unrecognized states are confronted with a paradox situation. On the one hand, external threats produce democratic desires and institutions. Democratic development may, on the other hand, as well be perceived as a threat to unity. Therefore, unrecognized states are likely to become trapped in what Smooha (2002) called ethnic democracy. Ethnic democracy restricts citizenship to the ‘in group’ and thus most likely prevents further democratic advances.

As for Taiwan, political adversaries have been compelled to contest their differences (e.g., national identity) *within* democratic procedures. Neither the KMT nor the DPP could use force against one another or stage a *coup d’état* without running the risk of losing the support of the international community as well as the risk of facing Chinese military intervention (Chu et al. 1997). Taiwan’s specific form of semi-presidentialism with its de facto fixed terms for both the president and parliamentarians reinforced this situation. What has been at play here is what Chantel Mouffe (2013) termed agonistic politics. Agonistic politics accepts the existence of conflicts within society and believes that the aim of democratic politics is not to eliminate antagonism but to transform it into struggles between adversaries (*agonism*). Since different narratives of the nation were openly contested instead of being forcefully marginalized, the public discourse on national identity *repoliticized* the public realm after decades of authoritarian rule (Schafferer 2020). That is, Taiwan avoided the ethnic democracy trap by bringing the issue of national identification into politics rather than accepting the assumption that the nation is *outside* and *before* politics – something *pregiven*. Affirming Machin’s (2015) believe that the nation should ‘not just be the bounded *basis* for politics, but also part of the very *matter* of politics’ (ibid., 119), democratic contestation over the nation strengthened Taiwan’s identification as an independent state and marginalized its primordialism (Wong 2001).

Mass support for democracy?

Taiwan’s process of ‘defensive’ democratization mainly rests on the antagonistic relationship between China and Taiwan. As such, external factors appear to have been the prime mover in Taiwan’s regime transition and democratic consolidation. But how stable is this externally constructed democratic identity? Studies on regime support distinguish between intrinsic and instrumental regime support at the individual level (Huhe and Tang 2017). The latter is based on calculations in which support for a particular regime is a means of improving material living and usually expressed through routinized, conventional forms of political activities, such as voting, vote canvassing, and participation in party conventions. Intrinsic support, on the other hand, is an affection-driven value commitment and expressed through less conventional but more authentic forms of political participation, such as petitioning, protests, strikes and protests (ibid., Bratton and Mattes 2001; Dalton 2008). Whether regime support is driven by intrinsic or instrumental values determines the future of democratic regimes especially in times of crisis. Performance-based systems are fragile and vulnerable to 'populist leaders who argue that economic development requires the sacrifice of political liberties' (Bratton and Mattes 2001, 448). Democratic regime resilience requires authentic citizenship or 'assertive citizens' – citizens exhibiting high levels of emancipative values (Inglehart and Welzel 2005; Dalton and Welzel 2014). In their latent class analysis of individual regime support in Taiwan, Schafferer and Evenden (2017) identified four homogenous groups with different levels of intrinsic values. As shown in Table 6.3, the first cluster (Conservative Democrats) accounts for about 30 percent and represents those citizens exhibiting the lowest levels of intrinsic regime support (Allegiant Citizens). Almost four out of ten respondents (Pragmatic Democrats) have moderate-high levels and about 20 percent high levels of intrinsic values. Multinominal logistic regression reveals

Table 6.3 Multivariate Analysis Taiwan – Asian Barometer Survey (Wave 4)

Conservative Democrats (30 percent)	*Conservative Pragmatic Democrats (12 percent)*	*Pragmatic Democrats (38 percent)*	*Progressive Democrats (20 percent)*
Older generations; male; *low levels of education, post-materialism, political serfdom, psychological involvement, democratic conviction, socio-political participation*; most conservative cluster; high levels of conventional political participation; KMT or unaffiliated; low levels of support for Taiwanese nationalism	Younger generations; lower levels of education; *high levels of conservatism, political, serfdom, econophoria, conventional political participation*; KMT/DPP or unaffiliated; medium-high levels of support for Taiwanese nationalism	Middle-aged citizens; senior high school; *moderate levels of post-materialism, conservatism, socio-political participation, democratic conviction*; low levels of conventional political participation; medium-high levels of support for Taiwanese nationalism	Young citizens; *high levels of education, post-materialism, socio-political participation*; unaffiliated or DPP; high levels of democratic conviction and support for Taiwanese nationalism

Source: Adapted from Schafferer and Evenden (2017).

that supporting Taiwanese nationalism, being young and highly educated increase the odds of being an assertive rather than an allegiant citizen by several times (ibid.).

The study has at least three important findings regarding Taiwan's democratic regime resilience. First, it shows that Taiwan's externally constructed democratic identity (negative identity) rests on authentic support for democratic norms and procedures (positive identity) rather than being superficial and contingent on regime performance. Second, the results exhibit generational variations in terms of democratic values. Unlike other transitional states in Asia, such as Indonesia (Ebbighausen 2019), and in the Arab world (Kostenko et al. 2016), intrinsic democratic regime support is the strongest among young people and the weakest among the older generations of citizens. Therefore, further democratic consolidation may *naturally* evolve over the coming years. Third, this generational conflict over democratic values and norms not only encapsulates the antagonistic relationship between advocates of Taiwanese and Chinese nationalism but also substantiates previous studies, such as Wong (2001) and Song (2004), maintaining that the nature of Taiwanese nationalism has continuously been shaped by various internal and external historical forces and transformed from a primordial form to 'a civic one with liberal values and equal citizenship as the basis of Taiwan's national construction' (Wong 2001, 200).

Moreover, recent political developments, such as the failed re-election bid of former President Ma Ying-jeou and the successful recall of Kaohsiung Mayor Han Kuo-yu, constitute corroborating evidence of the (generational) conflict over democratic values. That is, both political leaders tried to *depoliticize* the issue of national identity by appealing to common economic interests and turning them into salient issues of national identification, leading to a wave of *econophoria* and decreasing commitment to democratic governance (Fell 2010; Cole 2019). Assertive citizen groups, such as the Sunflower student movement, took the lead in protesting the KMT's policy of servicing the interest of big business and selling Taiwan's sovereignty to China behind closed doors in exchange for lucrative business deals (Cole 2015; Ho 2015; Rowen 2015; Templeman 2020b). Moreover, their initiatives significantly contributed to the election of Tsai Ing-wen, who resumed the process of *repolitization* by reopening the public debate about national identity, sovereignty, and the island's right to self-determination (Rowen and Rowen 2017; Fell 2019). To summarize, it may be argued that elite consensus in terms of democratic reforms, externally constructed agonism and internalized popular aspirations for democratic values and norms constitute important factors behind Taiwan's democratic regime resilience.

Moreover, the political implications of Taiwan's constitutional arrangements have further minimized the risk of executive aggrandizement. That is, presidents have limited constitutional powers and depend on political means to implement their policies. As such, attempts by ruling presidents to gradually undermine democratic institutions tend to fail because of the growing assertive citizenship among the population and factionalism within Taiwan's political parties.

Shen and Tsai (2021) argue that there are four factors that account for party disunity. First, semi-presidentialism in Taiwan lacks an effective mechanism of confidence vote as discussed in the previous section of the chapter. Second, almost seven out of ten legislators are elected in single-member constituencies. Most legislators are thus more concerned about their popularity with the people residing in their constituencies than about their loyalty to party leaders and policies. Third, opinion polls and primaries are decisive factors in the nomination procedures, minimizing the influence of party leaders and weakening party discipline. Fourth, the president's veto power is limited since the parliament can override it by a simple majority (ibid., 88). The given constitutional framework, the resulting party disunity and assertive citizenship not only explain the failure of President Ma Ying-jeou to push through legislation on closer ties with China while flatly ignoring democratic procedures and principles, but also exemplify the practical limits of executive aggrandizement. More specifically, Ho (2015) asserts that the student protesters of the Sunflower Movement were able to seize the national legislature for 24 days and force the government to abandon its pro-China policies mainly because of an internal split within the ruling party.

Conclusion

Semi-presidentialism has been considered essentially problematic in the literature and nascent democracies have been advised to avoid choosing it. Notwithstanding, Taiwan has progressed towards a consolidated democracy without any record of severe political turmoil or abrupt breakdown of democratic rule since the lifting of martial law in 1987. In this context, three questions were asked at the beginning of this chapter. First, has semi-presidentialism made Taiwan's political system less stable? Second, what role has semi-presidentialism played in Taiwan's democratization? Third, what factors other than those associated with 'pure' regime types have substantially contributed to Taiwan's democratic regime resilience and prevented executive aggrandizement? In answer to the first question, under Taiwan's original constitution, a relic of the Chinese Civil War and strongly influenced by the Weimar Constitution, the president was expected to play the role of a political adjudicator who should intervene only when the parliamentary system failed to fulfil its constitutional obligations. After the lifting of martial law in 1987, constitutional revisions, however, strengthened the powers of the president and de facto turned Taiwan's form of government into what Shugart and Carey (1992) termed presidential-parliamentarism. That is, the president can appoint and de facto dismiss the premier at will without parliamentary consent. As such, the president serves as the chief executive as well as the main actor in the political system, while the premier acts as the president's agent. This specific arrangement has brought about institutional resilience since the president can replace the premier whenever a crisis occurs to alleviate the situation (Shen 2017, 8).

Stability has also been ensured by the fact that parliament is reluctant to pass a vote of no confidence since any future candidate for the position of premier needs the support of the president not parliament. Consequently, the president as well as parliament members have fixed terms (no frequent elections) and are bound to dominate different domains during the period of minority governments. That is, the president appoints the premier and makes decisions regarding the cabinet, while the opposition dominates the legislative realm. Taiwan's experience with minority governments (2000–2008) under this constellation showed that although the competition between the executive and legislative branches of government was fierce, neither side won or lost. As such, Taiwan's semi-presidential form of government has helped to maintain stability during the democratic transition. The predicted instability discussed in the literature has not occurred.

In answer to the second question, Fukuyama, Dressel and Chang (2005) concluded in their analysis of (semi-)presidentialism in East Asia that Taiwan endured and remained democratic even in times of crises. There was not any authoritarian backsliding nor a military coup, but 'democratic institutions worked as they were supposed to' (ibid., 114). Notwithstanding, Taiwan's experience with semi-presidentialism exemplifies the limited yet beneficial role of its constitutional designs in shaping political realities. The system itself neither hinders nor produces democratic development. Regime stability as well as the functioning of institutional arrangements rather depend on the given political circumstances in terms of personalities and political parties. In short, its contributing role is explained by its vagueness (Shen 2017).

In answer to the third question, a set of other factors can be identified as the primary sources of Taiwan's democratization and consolidation. First, state-controlled elections during the authoritarian era unfolded as 'nested games' where elections regulated intra-party competition while at the same time providing opportunities for negotiations between the KMT regime and the opposition about political reforms. Elections were a game changer. They not only legalized the political activities of the opposition but also made the opposition vest hope for change in democratic procedures rather than in violent confrontations with governmental agencies. Second, democratically elected governments after the transition could rely on state resources to implement major policy reforms, thus preventing widespread distrust in democratic governance and the subsequent emergence of authoritarian nostalgia. Apart from its monopoly on violence and effective state bureaucracy, the Taiwanese state is recognized by the common people as well as the political elites as the *sole* legitimate authority – the third constitutive dimension of *stateness* (Croissant and Hellmann 2020). Unlike other third-wave democracies, such as Thailand, Cambodia, Indonesia and the

Philippines, the Taiwanese state is therefore rather unlikely to be hijacked by informal networks that may gain control over state resources through either military coups or elections and undermine civil liberties and horizontal accountability. Third, external sovereign-related factors have been crucial in the formation of a Taiwanese national identity strongly linked to democratic governance. During the Cold War, the US policy of containing Asian communism and the KMT's search of legitimacy after the lost civil war in China were instrumental in the decision to make democracy and economic development, manifested in the KMT regime's anti-communist propaganda, the *raison d'état* of the KMT state. Since the lifting of martial law in 1987, Taiwan has had to demonstrate its 'democraticness' to the world as to protect its sovereignty against Chinese irredentism. Therefore, domestic political adversaries have been compelled to contest their differences (e.g., national identity) within democratic procedures. Neither the KMT nor the DPP could use force against one another or stage a *coup d'état* without running the risk of losing the support of the international community as well as the risk of facing Chinese military intervention. Taiwan's specific form of semi-presidentialism with its de facto fixed terms for both the president and parliamentarians reinforced this situation.

As a result of the practiced *agonism* (Mouffe 2013), Taiwanese identity transformed from a primordial form to a civic one with intrinsic 'liberal values and equal citizenship as the basis of Taiwan's national construction' (Wong 2001, 200). In other words, Taiwan's externally constructed democratic identity (negative identity) increasingly rests on authentic support for democratic norms and procedures (positive identity) rather than being superficial and contingent on regime performance.

To conclude, while semi-presidentialism has been beneficial to Taiwan's democratic development, its explanatory power has been rather limited and its impact on democratic development dependent on the given political situation in terms of personalities and political parties. As such, there have been strategic implications in terms of party factionalism and loyalty to party elites which have averted the risk of executive aggrandizement. Notwithstanding, other factors such as Taiwan's contested sovereignty, *stateness*, authoritarian elections, and agonistic politics have been identified as the prime sources of the island republic's democratic resilience.

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