

The Relative Merits (and Weaknesses) of Presidential, Parliamentary and Semi-Presidential Systems: The Background to Constitutional Reform

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ABSTRACT

A comparative study of presidential, semi-presidential and parliamentary systems indicates that no single institutional form can simultaneously maximize the achievement of all relevant objectives of institutional performance: conflict regulation and system maintenance, policy innovation and decisiveness, policy coherence and consistency, representation of social groups, protection of vital minority interests, and access to decision-makers. Concentration-of-power systems (either single-party majority governments in parliamentary systems or “unified” government in presidential systems) promote decisiveness in policy making, but may lead to majoritarian, winner-take-all behavior that can intensify conflict and destabilize a polity, lead to radical policy shifts (policy instability), and violate minority rights. Diffusion-of-power systems (broad, multiparty coalition governments or “divided” government in presidential systems) are less prone to decisive policy-making, but are more conducive to consensus-building, policy consistency over time, the mitigation of conflict, and the representation of a broad array of interests. Semi-presi-

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總統制、內閣制及半總統制的相對優劣： 憲政改革之背景

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摘 要

就總統制、半總統制及內閣制的比較研究顯示，無一制度可以同時完全滿足制度運作的多重目標：衝突管理與體系維持、政策革新與果斷、政策一致性、社群的代表性、少數者權利的保障及參與決策。集權制（不管是內閣制中的一黨組閣或是總統制中的合一政府）有政策易成之利，但是可能導致多數者任意而為，政策急劇改變，侵害少數者的權利，從而加深衝突並危及政治體的穩定。分權制（多黨聯合內閣及分裂的總統制政府）無政策易成之利，但是有利於共識的形成、長期政策的一致性、減少衝突及代表較廣大的利益群。半總統制並非如預想的，是內閣制及總統制的折衷。其在重要成員的表現上，往往相當不穩定而不可預測。總統制與內閣制的實際運作成效，受到第一階結構與某些第二階制度間互動影響極大——最重要的是，選舉法（從而其政黨的結構）、聯邦或單一國家結構、紛爭解決機構的獨立性（法院及重要的管制機關）——另外就是民主制度在當地深化的程度。

關鍵詞：半總統制，總統制，內閣制，比較政治制度