

# 首次政黨輪替對檢察體系影響： 以陳定南法務部長時期 一、二審檢察長調動為例

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在2000年政黨輪替後，帶著掃除黑金、改革理念的陳定南擔任法務部長。檢察人事權是法務部長可以控制和影響檢察體系的重要手段之一。本論文要探討在陳定南擔任法務部長期間，檢察體系的人事變動是否和過去不同。本論文透過一、二審檢察長的量化資料以及質化的深度訪談資料，討論陳定南的人事調動是否和其他法務部長有所不同。本文將指出，陳定南是歷年來最有企圖心去改變檢察人事結構，也是有最大規模人事調動的法務部長。然後，受限於檢察體系的正式以及非正式的限制，陳定南無法全面性的改造檢察人事，而只能作局部性的突破。

關鍵字：政黨輪替、檢察長、檢察人事、陳定南

# **The Impact of Taiwan's First Regime Shift on the Prosecutorial System: Appointment and Transfer of Chief Prosecutors of Taiwan High and District Prosecutors Offices during the Ding-nan Chen Period**

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## **ABSTRACT**

Ding-nan Chen, with strong ambition and a reform plan, became the Minister of Justice after the first regime shift in 2000. Prosecutor personnel are one of most important tools for the Minister of Justice to control and influence the prosecutorial system. We focused on the chief prosecutors of Taiwan's High Prosecutors Office and its branches, and the District Prosecutors Office. In this paper, using quantitative and qualitative data, we discussed whether Ding-nan Chen was different from other Ministers of Justice in terms of prosecutorial personnel changes. We argue that Ding-nan Chen was the most eager one to change the prosecutorial personnel structure and had the largest number of appointments and transfers. However, Chen was limited by formal and informal personnel institutions. He could not radically change the prosecutorial personnel.

**Key Words:** regime shift, chief prosecutor, prosecutorial personnel, Ding-nan Chen