

## A sergeant at arms wouldn't help

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Images of brawling legislators are a common sight in Taiwan — and this embarrassment appears unlikely to end any time soon. Rational negotiation and compromise are rare in Taiwanese politics.

Chinese Nationalist Party (KMT) Secretary-General King Pu-tsung (金溥聰) has suggested that the legislature follow the example of other countries and employ a sergeant at arms in the legislature to maintain order by commanding guards when things get out of hand.

Our legislators could use a dose of discipline — in the same way schoolchildren are sent out when there is too much excitement in the classroom. The legislature is not an elementary school, however, and there is no legal basis for introducing such a position. Even if there were, it is doubtful this would have a deterring effect.

The legislature has, in the past, used police to remove brawling legislators from the floor, but without powers to restrict such behavior, legislators are likely — regardless of whether there is a sergeant at arms — to return to the floor and take up where they left off. A sergeant at arms could not be empowered to remove legislators and hold them elsewhere without potentially violating the Constitution.

A sergeant at arms might be able to resolve a clash between a couple of people with the help of guards, but when entire groups of legislators go at each other, this would not be very helpful.

In many legislatures or parliaments that have such a post, the duties have become ceremonial or administrative. Force is rarely required.

In addition, the position of sergeant at arms has the potential to be politicized — especially in this country. Even if the legislature authorized a sergeant at arms to maintain order, that person would have to endure constant accusations from legislators — most likely from the opposition — that he or she is merely a political tool.

When legislators seeking to control proceedings resort to seizing control of the speaker's podium and other confrontational tactics, the sergeant at arms would likely come under pressure from all sides over whether to call guards to remove one or more legislators from the floor. There is a risk that the sergeant at arms would be dragged into the conflict instead of serving as a referee.

Although there is no legal basis for introducing police powers into the legislature, there is a mechanism for maintaining the agenda. The speaker has the power to maintain the orderly implementation of the agenda, and there are generally guards present. Moreover, the Discipline Committee can punish legislators who disrupt proceedings. Yet these powers are rarely invoked. In the past, speakers have called in guards to separate battling lawmakers, but such tactics usually led to more chaos and were widely criticized.

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If items on the agenda are addressed unfairly or unreasonably, the caucuses will never be able to reach a compromise. The losers in this situation are the public and the nation. If legislators do not address the source of disrespect, disruptions and all-out brawls, adding a sergeant at arms to the mix will have little effect.

Source: [Taipei Times - Editorials 2010/01/25](#)