

Ma might face impeachment: lawmakers

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President Ma Ying-jeou, right, confers with Premier Mao Chi-kuo, left, on Monday at the the Central Emergency Operation Center in Taipei.

Photo: Hsu Shen-lun, Taipei Times

President Ma Ying-jeou (馬英九) might face an impeachment proposal after next year's elections, as the Chinese Nationalist Party (KMT) could fail to secure a legislative majority, opposition lawmakers said.

According to the law, if the legislature is to propose an impeachment of the president, the proposal would need to be endorsed by more than 50 percent of lawmakers before it could be referred to the legislature's General Assembly for review. The president can testify at the review session, but if more than two-thirds of lawmakers support an impeachment proposal, the case is forwarded to the Council of Grand Justices, with the president to be immediately dismissed if the council backs the impeachment.

There are 113 seats in the legislature, so an impeachment proposal would require the endorsement of 57, while 76 legislators would need to be in favor of the move for a case to be forwarded to the council.

In 2013 then-Democratic Progressive Party (DPP) chairman Su Tseng-chang (蘇貞昌) asked the DPP caucus to make a motion to propose impeaching Ma over his political squabble with Legislative Speaker Wang Jin-pyng (王金平) that year. However, the proposal did not make it to the agenda, as the DPP was in the minority.

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With a change of political environment expected after the legislative elections in January, it is not impossible that an impeachment drive might succeed, some DPP lawmakers said.

Judging from the “numbers,” a presidential impeachment by the legislature is possible, Soochow University professor of political science Hsu Yung-ming (許永明) said, adding that Ma’s nomination of grand justices during the last months of his term might have been part of arrangements to make sure that he would be safe for the rest of his term.

Although the council might not support the impeachment even if it passed the legislature, it is at least an opportunity to force Ma to consider the consequences of his cross-strait policies, Hsu said.

Hsu said there are two prerequisites for making presidential impeachments:

First, there is justification to consider, he said, adding that controversy over the MeHAS City (美HAS) case remains an issue to observe.

Second is the pressure on the DPP, he said. If it wins both the presidency and a legislative majority, even though the party might not have a strong will, it would be forced to make a stand under pressure from the public and smaller political parties.

Earlier this month, the council ruled that the Taipei City Government’s land expropriation to build the MeHAS City joint development housing complex in New Taipei City’s Sindian District (新莊) was unconstitutional.

The Taipei city government in 1991 expropriated 239 plots of land in Sindian to build a depot to service MRT operations.

Substantial areas remained unused after the completion of the depot, and in 2007, then-Taipei mayor Ma contracted out a project to build MeHAS City to Radium Life Tech Co (雷迪奧).

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The council said the expropriations were not entirely used for the MRT's operations, meaning they had infringed upon the public's right to property.

As the council ruled the MeHAS expropriation unconstitutional, "this case alone is enough to propose an impeachment of Ma, as impeachment is part of the implementation of transitional justice," DPP Legislator Tsai Huang-liang (蔡煌良) said.

Tsai said that "with public support, the period after next year's elections is of course the best time to impeach Ma," adding that many of Ma's policies have resulted in the nation being burdened with high debt.

"Impeachment is a weapon that the people entrusted upon the legislature as part of a system of checks and balances over leaders," he said.

Taiwan Solidarity Union Legislator Chou Ni-an (周倪安) said the Jan. 16 elections would lead to a four-month period from the vote to the end of Ma's term on May 20 next year.

The authority of a new legislature in January to impeach the president would deter Ma from making unilateral moves during that "four-month window," such as signing a peace treaty with China, Chou said.

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