

# Weakened State and Social Movement: the paradox of Taiwanese environmental politics after the power transfer

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*Of all the Chinese societies, Taiwan witnessed the first peaceful and democratic power transfer in 2000. With the coming to power of the Democratic Progressive Party (DPP), new political opportunity was opened up for environmentalists, who had been aligned with the DPP for more than a decade. Did the regime change provide a better milieu for synergy between environmental activists and state officials? Was a better style of environmental governance possible under the DPP government? These are the main questions this paper tries to raise and answer. A puzzle has been found here. While environmentalists have gained important access to policy decision-making, pro-development counter-mobilizations were also on the rise, and government policy shifted to a more pro-business stand consequently. This paper argues that this paradox resulted from the weakened state capacity, which simultaneously empowered environmentalists and could not resist business's lobbying.*

## Introduction

In recent years, as Taiwan underwent the political earthquake of power transfer, scholars have found that the contemporary situation under the Democratic Progressive Party (DPP) government was less than desirable. Each year, the annual reviewer of *Asian Survey* provided a pessimistic account of what happened in Taiwan. Taiwan 'managed after the aftershocks from power transfer' in 2000,<sup>1</sup> and 2001 was not brighter for everything seemed 'stalemated on all fronts'.<sup>2</sup> In 2002, Taiwan went through 'another year of political droughts and typhoons'.<sup>3</sup> True, political development under the DPP government looked somber enough, and critics were legion. Still, one has to ask what happened elsewhere than in higher politics. This paper takes a critical look at the site of environmental politics. Did the regime change empower the environmentalists and provide a better milieu for

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1. Yu-shan Wu, 'Taiwan in 2000: managing the aftershocks from power transfer', *Asian Survey* 41(1), (2001), pp. 40–48.

2. Yu-shan Wu, 'Taiwan in 2001: stalemated on all fronts', *Asian Survey* 42(1), (2002), pp. 29–38.

3. Shelley Rigger, 'Taiwan in 2002: another year of political droughts and typhoons', *Asian Survey* 43(1), (2002), pp. 41–48.

synergy between environmental activists and state officials? Was a better style of environmental governance possible under the DPP government? These are the main questions this paper tries to raise and answer.

Prior to the fall of the Koumintang (KMT), the democratic transition since the mid-1980s had enabled a strong environmental movement to flourish. In the past, environmental grievances were difficult to transform into active voices for change. Without authoritarian control, movement activists were free to organize and stage protests with lower costs and risks.<sup>4</sup> New institutional channels were opened up for environmentalists to present their interests within the political system.<sup>5</sup> In some cases, they succeeded in ‘democratizing bureaucracy’ and improved the quality of environmental regulations to a certain extent.<sup>6</sup>

Did the evolution of environmental politics after the power transfer follow the previous trajectory and make possible greater latitude for environmentalists? While agreeing on this diagnosis, this paper also tries to point out a countervailing tendency. Visibly, capitalists’ influence was on the ascendancy, and the state was so constrained as to impose stricter environmental regulations. Though environmentalists scored a major victory in gaining access to the state arena, they were relatively powerless to translate their intentions into effective policy. Taken together, the scene of environmental politics after the power transfer might be a particular combination of two seemingly contradictory trends. As the environmentalists gained procedural participation to the key state arenas, the might of business forestalled further stricter environmental democratization. The key to understanding this apparent paradox consisted in the weakened state, which empowered environmentalists institutionally and could not resist the growing business encroachment at the same time.

The next section offers a theoretical and historical introduction to the problem of democracy and the environmental movement, which explains why the issue of state autonomy lies at the heart of environmental governance. The third section discusses the reasons why state capacity is greatly reduced as the DPP come into power. Lack of parliamentary seats, political resources and experience on the part of the DPP are significant factors. Poor economic performance further restrains the policy options available for the DPP elites. The fourth section deals with the greater involvement of environmentalists in policy processes. With the DPP in power, activists became insiders and acquired firsthand experience in environmental governance. The fifth section analyzes another symptom of a weakened state, i.e. the rise of a countermovement. As the DPP government was beleaguered, the political opportunity for anti-environmental forces also opened up. Newer environmental regulations were subject to lengthier negotiations and bargaining, while some state initiatives were rejected by the opposition-dominated parliament. The sixth section describes how the DPP government became vulnerable to business interests from without and policy incoherence from within. The structural weakness has resulted in

4. Ming-sho Ho, ‘Civil society and democratic transition: how environmental movement surged and sustained in Taiwan’, in Mau-kuei Chang and Zheng Yun-nien, eds, *Social Movements in Taiwan and China* (Taipei: Hsintzejan Chuyi, 2003), pp. 29–68.

5. Shui-yan Tang and Ching-ping Tang, ‘Democratization and the environment: entrepreneurial politics and interest representation in Taiwan’, *China Quarterly* 158, (1999), pp. 66–82.

6. Ching-ping Tang and Shui-yan Tang, ‘Democratizing bureaucrats: the political economy of environmental impact assessment and air pollution fees in Taiwan’, *Comparative Politics* 33, (2000), pp. 81–99.

the relaxation of some environmental regulations. In conclusion, this paper discusses the consequence and implication of the weak state for environmental governance.

### **Democracy, state and environmentalism**

Since the mid-1980s, Taiwan has witnessed a great surge in the environmental movement. Historically, Taiwanese environmentalism has assumed a critical stand against the KMT-controlled state. For environmentalists, the state promoted a pro-growth policy while it neglected the issue of environmental protection. For one thing, they urged more state intervention to prevent pollution. As the popular demand for better living quality rose, public authorities were asked to upgrade the environmental administration, to enlarge personnel, and to legislate new laws. On the other hand, the state was also pressured to withdraw its visible hand from the polluting industries. Environmentalists argued that a plethora of protection and subsidy were the reasons why these unwelcome industries were kept in business. Thus, the state was both asked to intervene and keep away at the same time.

At the same time, the mass movement for political democracy was underway, and the new democratic regime replaced the former authoritarian one step-by-step. As the lifting of martial law in 1987 lowered the cost of environmental collective action, the first fully representative Legislative Yuan in 1993 offered many political opportunities for environmental lobbying. Since the late 1980s, a large quantity of environmental laws and regulations have been put into practice as a response to popular pressure.<sup>7</sup> Democratization has opened up the possibilities for environmentalists to utilize the institutional channels to champion their version. The Environmental Impact Assessment Law, codified in 1994, is a visible example of how green groups triumphed over the reluctant economic bureaucrats to strengthen environmental regulations.<sup>8</sup> Indeed, throughout the whole 1990s, environmentalists were empowered by the fact that democratization reduced the control capacity of the state sector. In the legislative arena, the bureaucrats were no longer able to impose their official version unilaterally. Many new environmental regulations were formulated in a process of negotiation in which the opinions of green lobbyists counted. Thus, democratization empowered the environmentalists by restructuring the relationship between state and civil society in the latter's favor.

However, it would be an overoptimistic assessment to view the positive contribution of democracy for the environmental movement only. After the authoritarian myth of great government, the state was also opened up to various special interests and even incurred the risk of being captured. Democratization also significantly changed the relation of business and state. Since the early 1990s, it has already been perceptible that the political influence of business has grown as the KMT came to rely on their political contribution to run the increasingly costly and competitive electoral campaigns. Conglomerates had large pools of employees and dense outsourcing networks, which were vital for vote-mobilizing. But the advantage of business was not merely political. In the previous state-directed pattern of

7. Jiunn-rong Yeh, *Environmental Policy and Law* (Taipei: Yuen Tan, 1993), pp. 73–132.

8. Ching-ping Tang and Shui-yan Tang, 'Democratizing bureaucrats'; Ming-sho Ho, 'Contested governance between politics and professionalism in Taiwan', *Journal of Contemporary Asia* 34, (2004), pp.238–253.

development, the KMT stood over business. The liberal turn of policy since the late 1980s, such as privatization and de-regulation, has strengthened the private sector at the expense of the state's autonomy. As investment decisions became more decentralized, the business voices could hardly be neglected.<sup>9</sup>

The local faction was also an unexpected beneficiary of democratization. In exchange for continuing vote mobilization, the local faction was given greater latitude to profiteer from land speculation and public construction projects.<sup>10</sup> In some environmental controversies, local headmen were directly involved and stood for the case of development.<sup>11</sup> Thus, with a state sector more penetrated by the business and local faction, the pro-development forces also benefited from the democratizing process. The state could not impose environmental regulation from the above position without bargaining and negotiation with its clients.

Traditionally, the environmentalists have largely aligned with the DPP in the common struggle against the KMT. In the issue of nuclear energy, the constellation of pros and cons clearly followed the partisan cleavage, with the anti-nuclear DPP versus the pro-nuclear KMT.<sup>12</sup> Therefore, one possible scenario after the power transfer was predicated on the growing influence of environmentalists who would be easily incorporated into the inner circle of policy-making for their long-term cooperation with the DPP elites. During the presidential election, Chen Shui-bien's campaign team included some noted environmentalists who were responsible for his electoral platforms concerning eco-environmental and water resource issues.<sup>13</sup> As one interviewed environmentalist campaign worker noted, Chen's officials accepted almost everything he wrote. It was taken for granted that the DPP should present a more pro-environmental profile in the election.<sup>14</sup> It seems unsurprising that these green activists would assume a more prominent role in the later DPP government. Their participation facilitated greater involvement of environmentalism in policy processes.

On the other hand, there are looming obstacles for environmentalists. Since the mid-1990s, the DPP has tried to shed its 'radical past' by deliberately presenting a pro-business profile. In order to become an 'electable' party, the DPP has sought to make overtures to the business community by diluting its former commitment to environmental protection. During the presidential election, Chen promised to terminate the Fourth Nuclear Power Plant, the Meinung Dam, and to protect the redwood forest in the Chilán Mountain. However, he was also conspicuously

9. Yun-han Chu, *Crafting Democracy in Taiwan* (Taipei: Institute for National Policy Research, 1992), pp. 127–155; Michael Hsin-huang Hsiao, 'Formation and transformation of Taiwan's state-business relations: a critical analysis', *Bulletin of the Institute of Ethnology Academia Sinica* 74, (1993), pp. 1–32; Jenn-hwan Wang, *Who Governs in Taiwan* (Taipei: Chuliu, 1996), pp. 93–134.

10. *Ibid.*, pp. 135–170; Chen Dun-sheng and Jou Sue-ching, 'Local politics and economic interest in the local election', in Chen Ming-tong and Cheng Yueng-nien, eds, *Local Elections and Politico-social Change on Both Sides of Taiwan Straits* (Taipei: Yuen Tan, 1998), pp. 71–126.

11. Shui-yan Tang and Ching-ping Tang, 'Democratization and environmental politics in Taiwan', *Asian Survey* 37, (1997), pp. 281–294.

12. Ming-sho Ho, 'The politics of anti-nuclear protest in Taiwan: a case of party-dependent movement (1980–2000)', *Modern Asian Studies* 37, (2003), pp. 683–708.

13. Chen Shui-bien's Presidential Campaign Coordination Center, *Chen Shui-bien's Blueprint for Nation*, vol. 4 (2000).

14. Interview with Li Chuo-han, Research Fellow of Policy Department, DPP, 26 October 2001.

silent on some controversial projects, such as the Pinnan Industrial Park and the Eighth Naphtha Cracker Complex. To be sure, the latter cases involved business and local interests. Despite the intensive lobbying of environmentalists, Chen's campaign team remained reluctant to take an unequivocal stand.<sup>15</sup> Hence, with the coming of the DPP government, it might be surmised that they simply lack the willingness and resources to ward off business influences. The DPP used to be an opposition party without governing experience nationally. Unlike its rival, the DPP lacked an efficient coordination mechanism to work with business without budging too much. Once the DPP assumed power, it further increased the objective likelihood of money politics in spite of their professed intention towards reform. With a lessened degree of state autonomy, business interests might predominate at the expense of environmental protection. Thus, another scenario predicted the growing power of money, which constrained the extent of environmental democratization.

### **The weakened state under the DPP**

After the DPP assumed political power in May 2000, it was realized that a new era of state and civil society had dawned. In the past, everything had been under the control of the ruling KMT. Under the DPP, the state capacity to formulate and implement its policy independently was greatly reduced. As the DPP was forced to make concessions to the powerful opposition parties, the state itself became more penetrable for a plethora of interests. The following reasons explained why the state capacity was weakened.

First, from the very beginning, the DPP was unable to enjoy a parliamentary majority. When Chen was inaugurated as the new President on 20 May 2000, the DPP only occupied 68 of the 221 seats in the Legislative Yuan. After the election in December 2001, the DPP made considerable progress to increase its seats to 87. Together with the 13 seats from the DPP's ally, the Taiwan Solidarity Union, the ruling 'pan-green' alliance was still below the threshold of a majority.<sup>16</sup> Without solid support in the parliament, the DPP administration faced a daunting obstacle to secure its budget and project in the legislative process. The Environmental Protection Agency's (EPA) budget for 2001 was harshly cut, and the Director was at a loss about what to do.<sup>17</sup> Further, the Legislative Yuan was able to forestall the DPP's policy proposals. At the end of 2000, as the DPP resolved to terminate the Fourth Nuclear Power Plant project, the parliament succeeded in opposing this controversial move and resumed the suspended construction. On 10 January 2003, the Legislative Yuan voted to suspend the budget for Makao National Park on the grounds of aborigines' rights.<sup>18</sup> The abolition of nuclear power and the setting up of a National Park for redwoods were demanded by environmentalists and promised by Chen Shui-bian personally. These failures demonstrated the weakness of the DPP government vis-à-vis the opposition. As Shelly Rigger points out, the constitutional system in

15. Interview with Su Yin-tien, Chairperson for Chiayi County Association for Conservation of Eco-Environment, 10 January 2002.

16. Yu-shan Wu, 'Taiwan in 2001', p. 37.

17. Interview with Hsu Chiung-tan, Assistant to EPA's Director, 21 December 2001.

18. *Newsletter for Environment Education Center of Kaoshiung City Teachers' Association* 11, (2003), p. 1.

Taiwan was workable in the past because of strong presidents and the dominant KMT party.<sup>19</sup> Since Chen lacked both elements, his government could hardly avoid the fate of being crippled from time to time.

Second, there are visible problems of policy coordination within the DPP government. None of the DPP elites had experience in central government prior to their electoral victory. To make matters worse, the DPP was used to 'a culture of open and explicit ways of disagreeing with each other'.<sup>20</sup> Infightings without disguise often disoriented the public.

Still, the biggest problem of coordination consisted in the phenomenon of 'new government, old bureaucrats', or the ideological conflict between the DPP incumbents and the mainly KMT officials. The internal incoherence not only diluted the possible impact of environmental reforms, but also presented the opposition parties with chances to block the DPP government's initiatives. During the nuclear controversy at the end of 2000, officials from the Ministry of Economic Affairs (MEA) and Taiwan Power Company (Taipower) often divulged their disagreement through the media. Their criticism had the effect of discrediting the DPP's anti-nuclear policy as unprofessional. The issue of energy policy proved to be an intense rivalry between governmental agencies. In accordance with Chen's electoral platform, the Council for Economic Planning and Development urged the upgrade of the target ratio for renewable energy by 2020. However, the Energy Commission of MEA overtly opposed the idea by stressing the technical and economic problems concerning renewable energy.<sup>21</sup> In July 2001, the Energy Commission unexpectedly rejected a large-scale investment proposal for a wind-power plant, which had been encouraged and solicited by the DPP government for a long time.<sup>22</sup> This incident led many environmentalists to question the DPP's commitment to the policy of alternative energy.<sup>23</sup>

Third, as Taiwan's economics plunged into an unprecedented recession in 2001, the DPP elites came under severe criticism from the opposition. Despite some negative consequences, such as money politics, the KMT owned the accredited skills in economic management, which the DPP simply lacked.<sup>24</sup> The dismal economic performance constrained the DPP's policy options. 'To salvage the economy' became the avowed number one goal, while other reform issues were put aside. In order to boost business confidence, the DPP government had to create a good atmosphere for domestic investment. Thus, many promised environmental reforms had to be shelved. The referendum on the Fourth Nuclear Power Plant, which the DPP pledged as a token of its anti-nuclear commitment in the spring of 2001, was postponed again and again. The DPP government also gave a green light to the China Petroleum Company's expansion plan for the Kaoshiung Refinery in December 2002.

19. Shelly Rigger, 'The education of Chen Shui-bian: Taiwan's experience of divided government', *Journal of Contemporary China* 11(3), (2002), p. 614.

20. Jaushieh Joseph Wu, 'Political earthquake and aftershocks: the DPP after the 2000 presidential election', *Journal of Contemporary China* 11(3), (2002), p. 632.

21. *United Daily*, (18 December 2000).

22. *China Times*, (2 July 2001).

23. *World Forum Daily*, (10 July 2001).

24. Shelly Rigger, 'The Democratic Progressive Party in 2000: obstacles and opportunities', *China Quarterly* 168, (2001), pp. 944–959.

This signified the government's intention to backtrack its 1990 promise to remove the whole petrochemical utilities within 25 years.<sup>25</sup> At that time, the DPP in opposition had vehemently supported the local residents' claim.

In sum, the Taiwanese state under the DPP was much weakened. During the presidential election, Chen avowed to build a 'small but effective' government and to remake the relationship between state and society as an equal partnership. Chen's electoral pledge aimed to garner support from those who harbored discontent toward the domineering authoritarian state. In reality, the state was made smaller and more ineffective. The change did not come about as a result of conscious design but out of necessity. Without a majority in parliament and skilful statesmanship, haunted by the specter of poor economics, the DPP could not govern as gracefully and easily as the KMT used to.

Researchers have found the state capacity a central variable in explaining the policy impact of social movements.<sup>26</sup> In his classic study, Herbert Kitschelt discovered a paradox of state strength and movement gain. Strong states, i.e. those that had a higher capacity to implement policy independently, proved impenetrable for movement activists. However, once the movement claims were adopted, strong states had a better chance to foster significant change. On the contrary, movement might more easily capture weak states, but the state then lacked the capacity to realize the desired result.<sup>27</sup> Here, in the case of Taiwanese environmental politics after regime transfer, the paradox of a weak state came into sight. Without the necessary autonomy, the state was caught in the tug of war between environmentalists and business, with a growing tilt to the latter's favor.

### **Environmentalists within government: gained procedural participation**

In order to map the situation of environmental politics after the power transfer, it is possible to utilize William Gamson's oft-cited dichotomy of movement outcomes. For Gamson, the success of a movement depends on acceptance and advantage. The former refers to the acknowledgement of a challenging group as 'a valid spokesman for a legitimate set of interests', and the latter means the question of whether the group's beneficiary gains something material.<sup>28</sup> Gamson's analytical frame has been elaborated and extended to meet various research themes.<sup>29</sup> This paper maintains Gamson's distinction of the two levels of movement outcome, but reformulates them as procedural participation and policy impact. Procedural participation denotes the

25. *Liberty Times*, (14 December 2002).

26. J. Craig Jenkins, 'Social movements, political representation, and the state: an agenda and comparative framework', in J. Craig Jenkins and Bert Klandermans, eds, *The Politics of Social Protest* (London: UCL Press, 1995), pp. 23–26; Hanspeter Kriesi *et al.*, *New Social Movements in West Europe: A Comparative Analysis* (Minneapolis: University of Minnesota Press, 1995), pp. 27–33.

27. Herbert P. Kitschelt, 'Political opportunity structures and political protest: anti-nuclear movements in four democracies', *British Journal of Political Science* 16, (1986), pp. 57–85.

28. William A. Gamson, *The Strategy of Social Protest* (Homewood, IL, 1975), pp. 28–29.

29. Kitschelt, 'Political opportunity structures and political protest'; Thomas R. Rochon and Daniel A. Mazmanian, 'Social movement and the policy process', *The Annals of the American Academy of Political Science* 528, (1993), pp. 56–74; Paul Burstein *et al.*, 'The success of political movements: a bargaining perspective', in Jenkins and Klandermans, eds, *The Politics of Social Protest*, pp. 281–285; Macro G. Giugni, 'Was it worth the effort? The outcomes and consequences of social movements', *Annual Review of Sociology* 98, (1998), pp. 371–393.

institutionalized access for movement activists to decision-making processes. Policy impact means the possibility of whether movement ideals can be realized through state action. Self-evidently, a state may put forward the policy sought after by movement activists without giving them access to participation. The opposite case is also possible. Movements can share the decision-making power without making a substantial impact. The latter case is a more apt description for Taiwan.

Here, let's see how environmentalists gained procedural participation under the DPP government.

Chen Shui-bian appointed Lin Jun-yi (Edgar Lin), a veteran anti-nuclear and conservationist biology professor, as his first Director of EPA. In spite of Lin's short term (May 2000–March 2001), it was the first time an acclaimed environmentalist had occupied the top position in the national environmental administration. When the EPA was first created in 1987, it was rumored that Lin was among the possible appointees, but he was later rejected for his salient anti-nuclear stand. In an interview before the DPP's electoral victory, Lin confirmed the rumor.<sup>30</sup> Lin also brought three younger green activists into the EPA as his personal assistants, and each had a movement background in the Wild Bird Federation Taiwan, the Green Party, and the Taiwan Environmental Protection Union, respectively. With Lin and his assistants in the EPA, the communication between green groups and government was much facilitated. Through personal acquaintance, more constructive working relations were built among movement activists and officials in charge. Activists came to sympathize with officials who always had to work with insufficient resources. In turn, officials were more willing to trust movement groups, which they had found to be too radical in the past.<sup>31</sup>

The EPA's environmental impact assessment (EIA) committee was also a new arena opened up for movement activists. In Taiwan, the EIA was designed as a screening mechanism authorized to veto the ecologically unsound development projects, and hence, a strategic site for environmentalists. Immediately after the codification of the EIA in 1994, environmentalists demanded from the EPA the right to suggest some nominees for EIA reviewers to no avail. At that time, the EPA Director rebuffed the idea by characterizing environmentalists as 'too radical and biased'.<sup>32</sup> Since then, movement activists have also suspected the EPA of behind-the-scenes manipulation of the EIA to please some resourceful developers. Shut out of the EIA conference room, the environmentalist could only play the role of protesters. In June 2001, the EPA made an important change in the rules for selecting EIA reviewers. The EPA Director no longer handpicked all the reviewers, but allowed professional associations, academic institutions, and civil groups to submit their recommendations. Among the qualifications for nominees, three-years experience in charge of an environmental group was also accepted.<sup>33</sup>

30. Interview with Lin Jun-yi, 20 May 1999.

31. Interview with Hung Yu-cheng, Assistant to Legislators' Advancement of Sustainable Development, 21 December 2001.

32. *Mingshen Daily*, (14 July 1995).

33. *Liberty Times*, (20 June 2001). For the new rule, see <http://www.epa.gov.tw/eval/council/eval.htm>, (27 May 2003).

Environmentalists also gained new access outside of the EPA. The National Advancement for Sustainable Development Committee, originally set up in 1997 to meet global regulations, was the top advisory organ of environmental policy in Taiwan. Before 2001, the Committee was made up of officials and professionals only. But now the Committee began to acknowledge the contribution of non-governmental organizations.<sup>34</sup> In June 2002, the Committee newly incorporated eight 'representatives of social groups', who were mostly veteran environmentalists.<sup>35</sup>

Anti-nuclear activists also obtained the chance to take part in the Nuclear-Free Homeland Communication Committee, an official organ designated to propagate the anti-nuclear message by using public resources. In negotiation with the opposition parties on the issue of re-starting the suspended construction of the Fourth Nuclear Power Plant, the DPP successfully made the vague pledge of a nuclear-free Taiwan as a concession. Thus, in February 2001, the DPP government invited many anti-nuclear activists into the Committee.<sup>36</sup> This was the first time the anti-nuclear forces had the chance to make use of state organs, while the pro-nuclear education was one-sidedly financed and disseminated by the MEA and Taipower in the past. In March 2001, the DPP government also appointed a prominent anti-nuclear economist as one of Taipower's directors of the board.<sup>37</sup> This signified a significant environmentalist offensive into the pro-nuclear stronghold.

The above-mentioned procedural participation was unthinkable during the KMT rule. In the national government, environmentalists only took part in the Wildlife Conservation Advisory Committee before the power transfer. But the Committee itself lacked any binding power, and their resolutions were deemed to be suggestions for officials. With the DPP government, the scope and depth of participation increased considerably. Once environmentalists had the entrance tickets, they got valuable experience to know how government worked. It certainly helped them to develop a pragmatic attitude.

Still, their participation in the government did not result in policy impact of any direct consequence. There were many reasons to explain this phenomenon. First, they only gained access to the offices concerning environmental administration, especially those related to the EPA. The EPA, however, was a junior partner within the cabinet and relatively powerless in the face of the pro-development MEA.<sup>38</sup> Second, other governmental agencies were not enthusiastic about some pro-environment moves. One interviewed official from the Government Information Office revealed how the nuclear energy experts tried to undermine the Nuclear-Free Homeland Communication Committee by leaking unfavorable news to the media.<sup>39</sup> Last, since the environmentalists' accesses were granted by the DPP elites, they had difficulties in acting contrary to the latter's intent. For example, when Chen Shui-bian decided to

34. Please see the annual report of 2001, <http://ww2.epa.gov.tw/nsdn/report/ANNUAL2001/CH90-04-C.PDF>, (28 May 2003).

35. *Commercial Times*, (6 June 2002). For the list of representatives of social groups, see <http://ww2.epa.gov.tw/nsdn/point/point-index.htm>, (28 May 2003).

36. <http://www.gio.gov.tw/info/2002html/90report/e%20report/e-1.doc>, (28 May 2003).

37. *China Evening Post*, (27 March 2001).

38. Ching-ping Tang and Shui-yan Tang, 'Democratizing bureaucrats', p. 86.

39. Interview with Chiu Chia-yi, assistant to the Director of Government Information Office, 24 July 2001.

jettison his anti-nuclear commitment in exchange for a ceasefire with the opposition, the environmentalists could only accept the undesirable reality grudgingly.

### Rise of the countermovement

Social movements created their opponents. A countermovement meant the reactive collective action to offset the policy impact that another movement was going to gain. The political situation after 2000 was a fertile hotbed for anti-environmental countermovements for two reasons.<sup>40</sup> First, movements were most likely to provoke countermovements when they ‘showed signs of succeeding, either by putting their issues on the public agenda or by influencing public policy’.<sup>41</sup> The high profile of environmentalists in the DPP government incurred their rivals to mobilize. Second, from the perspective of political opportunity, movements were encouraged when there were unstable alignments and divided elites in the ruling bloc.<sup>42</sup> Thus, the weak state after the power transfer was an explicit invitation for countermovements. Since the coming of the DPP government, many of the EPA policies had encountered fierce resistance by concerned interests.

First, on the issue of the electrical scooter, the EPA began to subsidize the industry in 1998 in an attempt to reduce air pollution in urban areas. In 2000, the first DPP Director of the EPA tried to stop the handsome subsidy because the electrical scooters were still not popular among consumers. The EPA officials complained about the large share of the budget taken up and the subsequent crowding out of other projects.<sup>43</sup> In fact, environmentalists had long been critical about electrical scooters; they preferred the more environment-friendly fuel-cell scooters. This proposal aroused great resistance from the producers. They threatened to mobilize their employees to besiege the EPA if the latter insisted on the subsidy cut.<sup>44</sup> In the end, the EPA had to reassert its continuing support for electrical scooters though the subsidy was reduced by roughly one third.<sup>45</sup>

Pig farmers also rose to object to the stricter river preservation policy. In response to the popular complaint about the poor water quality and environmentalists’ mobilization in southern Taiwan, the government began to adopt stricter wastewater control in late 1998. Five major water resource preservation areas were declared as not suitable for the pig-raising industry. The government agreed to finance farmers’ costs of reallocation and sought to clear pig farms in the five designated areas by September 2001.<sup>46</sup> As the DPP came to power, pig farmers began to mobilize to counter this

40. In fact, a weak state invites opposition from all sides. Since the installation of the DPP government, the pan-blue opposition has supported many social protests targeted at the central government. Political instability came as a result. But in this section, the author does not imply that class politics have replaced ethnicity or national identity issues as the main social cleavage. Obviously, conflicts around the latter issues intensified in recent years as well.

41. David S. Meyer and Suzanne Staggenborg, ‘Movements, countermovements, the structure of political opportunity’, *American Journal of Sociology* 101, (1996), p. 1635.

42. Sidney Tarrow, *Power in Movement* (Cambridge: Cambridge University Press, 1994), pp. 87–89.

43. *United Daily*, (24 October 2000).

44. *Commercial Times*, (18 October 2000).

45. Please see the EPA’s announcement in March 2001, <http://ww2.epa.gov.tw/enews/Newsdetail.asp?InputTime=0900405175959>, (1 June 2003).

46. *Central Daily*, (2 October 2000).

policy.<sup>47</sup> In some cases, farmers successfully obtained help from opposition politicians.<sup>48</sup> Clearly, farmers tried to exploit the instability of the DPP government to preserve their status quo in the face of popular demand for better water quality.

The environmental problem on illegal refineries of scrap metal on the Erjen River in Tainan came to public attention as early as the mid-1980s. Processing scrap metal with the undercapitalized facilities resulted in air and water pollution. For more than a decade, the government had no means to close those refineries completely despite persistent complaints from the nearby communities. In June 2001, as the EPA tried to remove illegal refining facilities using the policing forces, a violent clash broke out.<sup>49</sup> The refining business had support from the local DPP Legislators, who criticized the EPA's strict enforcement as inattentive to the growing problem of unemployment.<sup>50</sup> With the interference of politicians, the EPA made a concession. Some refining business was allowed a period of relief and permits to resume operation before their eventual transfer to the industrial park.<sup>51</sup>

Finally, the EPA's policy to ban disposable bag and food utensils in 2002 was put under severe strain as the concerned interests mobilized as a reaction. Fast food companies, retailers, and the petrochemical industry were all vocal in their opposition. They argued there were more than 2,000 firms and 50,000 employees in the plastic industry in Taiwan. The ban would bring about a massive upsurge of unemployment and worsen the already poor economic situation.<sup>52</sup> In response, the EPA postponed the ban on paper products and only outlawed plastic ones. This about-face caused environmentalists' discontent, and they criticized the new policy as merely 'a placebo for environmental protection'.<sup>53</sup> Still, plastic producers asked for a five-year postponement to minimize the impact.<sup>54</sup> In 2002, they organized several large-scale protests against the EPA, which had to promise to assist the workers' transfer and retraining.

The intensive mobilization of the electrical scooter business, pig farmers, illegal refineries, and the plastic business demonstrated the very rapid rise of countermovements since the power transfer. A weakened state capacity incurred the organized reaction on the part of those whose interests might be negatively affected by the strengthened environmental regulation. Though the countermovements did not necessarily succeed in realizing their ends fully, they certainly made the policy process more protracted and complicated.

### **Pro-business policy shifts of the DPP government**

As stated in the above, procedural participation without policy impact was a possible scenario of movement outcome. Weak states were vulnerable to dominant interests. Under the DPP government, the strength of business not only set the upper limit for

47. *Taiwan News Daily*, (2 June 2001).

48. *Minchung Daily*, (2 July 2001).

49. *Chunghwa Daily*, (29 June 2001).

50. *Minchung Daily*, (30 June 2001).

51. *Liberty Times*, (18 July 2001).

52. *China Times*, (30 January 2002).

53. *Minsheng Daily*, (8 March 2002).

54. *Economic Daily*, (28 August 2002).

further environmental governance, but also succeeded in relaxing the established regulation. Some pro-business policy shifts have been noticeable.

As Chen Shui-bian avowed to salvage the economy, the Economic Development Advisory Conference was held in August 2001 in the hope of reaching a consensus on how to navigate out of the current economic mess. Many entrepreneurs were invited to offer their suggestions. As it came out, the business community was outspoken in their disaffection on environmental regulations on the EIA, the ban on the development of hillside slopes and forestland. Their opinions were put in record as conference consensus, which the DPP government promised to implement. Expectably, environmentalists were outraged by this result. In their view, the DPP had jettisoned their pro-environment promise to court the favor of business.<sup>55</sup>

The EIA became a bone of contention as the business community sought to scrap this 'cumbersome' institution altogether. Prior to the Conference, the government had promised to reform the EIA procedure by shortening the review period, exempting the review obligation for smaller cases and individual investment in an industrial park, and allowing the simultaneous review of EIA and other stipulated procedures.<sup>56</sup> During the Conference, President Chen claimed that the EIA was a 'roadblock' to economic development and he would like to 'kneel down' to the EIA reviewers on the behalf of business.<sup>57</sup> This casual remark had the effect of stigmatizing the EIA and further strengthened the business claim. As a result, the EPA adopted a new measure to improve the 'efficiency' of the EIA. The legal procedures were simplified and standardized. Rule of majority replaced that of consensus in making the final decision.<sup>58</sup>

To encourage domestic investment in an attempt to salvage the economy, the business community had to be solicited by more favorable terms. In this situation, business enjoyed the bargaining advantage in their offensive against environmental regulations. The case of relaxing the wastewater standard for the dyeing industry was relevant here. After a meeting between President Chen and business representatives, the EPA was instructed to revise the control standard in order to avoid factory closure and capital flight.<sup>59</sup> The Director of the EPA claimed the pollution standard would be reformulated as feasible and attainable for the majority of industry.<sup>60</sup> After a series of negotiations, the EPA and the dyeing industry signed a joint memo to loosen the previous standard in September 2001.<sup>61</sup>

The EIA and wastewater control were set up either by environmentalist lobbying or by bureaucratic initiatives in response to the popular demand for better living quality. Thus, these modifications constituted a major setback for environmentalism in Taiwan. As the DPP government was mired in the charge of poor economic management, they were obliged to give something in exchange for business support. As a consequence, environmental protection was sacrificed. The case of the EIA vividly portrayed the dilemma of the weak state. As the environmentalists gained

55. *United Daily*, (25 August 2001).

56. *China Times*, (17 November 2000), (17 March 2001); *Commercial Times*, (10 January 2002).

57. *China Times Evening Post*, (19 August 2001).

58. *Minchung Daily*, (22 August 2001).

59. *Commercial Times*, (18 July 2001).

60. *Liberty Times*, (29 August 2001).

61. *Economic Daily*, (5 September 2001).

procedural participation in this key site, they were relatively powerless to resist the pro-business revision from above. The scope of the EIA was circumscribed to facilitate quicker investment, and so was the extent of movement participation. With a weakened state, the environmentalists found it difficult to translate their nominal power into substantial policy impact. As the DPP drifted more toward a more pro-business stand, the actual influence of environmentalists declined.

### Conclusion

For Phillippe Schmitter, there is an inherent paradox of liberal associability in the modern democratic regime. In contrast to authoritarianism, democracy opens up the space for free association and enables the repressed group to organize. During the transitional period, these challenging groups are likely to receive sympathetic attention from the public. Once democratic rule is consolidated and political life is brought back to normalcy, there comes the danger of fragmentation and marginalization. Pure liberal associability favors those with resources, while the underprivileged find it difficult to compete with the entrenched interests on this ground. As a result, political democracy is overrepresented by the dominant class and sector.<sup>62</sup> Indeed, as E.E. Schattschneider stressed long ago, there is inevitably a class bias in the pluralist pressure politics.<sup>63</sup>

Similarly, this paper also discovered a paradox of movement impact after power transfer. Rather than analyzing the societal level of interest representation, this paper focused on the political arena of decision making. As the DPP came into power, a new era of democratic consolidation began in Taiwan. Environmentalists were given new channels of participation, but their actual power was severely circumscribed. To use Gamson's dichotomy of movement outcome, environmentalists have obtained acceptance, but without new advantage. For Gamson, this situation was co-optation, which signified the state's partial response to the movement claims. In this paper, the procedural participation without policy impact was viewed as a consequence of the weakened state capacity. Weak states are more easily influenced by the movement claims, but they also lack the institutional power to meet opposition from vested interests.

The DPP government was inherently crippled for the lack of a parliamentary majority and weak intra-governmental coordination. The dismal economic performance also proscribed the possible range of reform and deepened the state reliance on the private investors. Owing to their working relationship with the DPP in the past, environmentalists were given key positions concerning the environmental policy. Overshadowed by the more pro-development agencies and relatively powerless vis-à-vis the DPP elites, their actual influence was limited at best. On the other hand, the weakened state invited countermovements. Vested interests rose to oppose newer environmental regulations. Their mobilization resulted in lengthier negotiations and limited the scope of environmental reforms. Last, as the DPP

62. Phillippe C. Schmitter, 'The consolidation of democracy and representation of social groups', *American Behavioral Scientist* 36, (1992), pp. 430–436; 'Civil society East and West', in Larry Diamond *et al.*, eds, *Consolidating the Third Wave Democracies* (Baltimore: John Hopkins University, 1997), pp. 245–246.

63. E.E. Schattschneider, *The Semisovereign People* (Fort Worth, TX: Harcourt Brace Jovanovich, 1960), p. 34.

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government pledged to salvage the economy, the balance of forces tilted to the advantage of the business community. To appease the industry's discontent, the EIA had to be simplified and shortened. The wastewater control was also relaxed to help business to 'keep their root in Taiwan'.

Indeed, as the state becomes more vulnerable to dominant interests, a substantial environmental reform is next to impossible. After the power transfer, it is realized there is no direct link between political democratization and environmental democratization. Democracy brings the political authority down to earth, but the restructuring of the state and civil society does not automatically favor the social movement. As Schmitter reminds us, liberal associability makes possible self-organization of previously repressed interests, but in no way guarantees their success. Further, the environmentalists' taking administrative office is not sufficient for a better style of environmental governance. Movement that only aims to capture state power is self-defeating by ignoring the limits of state action. Without necessary autonomy, the state runs the risk of being captured by particular interests. The state is simply too soft. Moreover, without persistent mobilization from below, the movements are not likely to make significant progress. Thus, it takes both an effective state and collective action to bring about better environmental governance.