

Democratizing Bureaucracy

The Political Economy of Environmental Impact Assessment and Air Pollution Prevention Fees in Taiwan

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In recent years, as many newly democratized countries have entered the phase of democratic consolidation, scholars' attention has gradually moved from studying the functional and socioeconomic prerequisites of democracy to studying the social and economic consequences of democratization.¹ Research, for example, has examined democratization's impact on world peace,² economic growth,³ and social equality.⁴ An equally important issue is the impact of democratization on environmental governance.⁵

A limited number of empirical studies documents the impact of democratization on environmental governance. In a cross-national survey Congleton showed that leaders in democratic regimes were more likely to adopt environmentally friendly policies than their counterparts in authoritarian ones.⁶ Silva compared environmental policies in Chile before and after its democratic transition and concluded that democratization helped improve the country's environmental protection.⁷ Similarly, Cole showed how environmental protection in Poland has improved since it began the transition to market democracy.⁸

If these few empirical studies are indicative of the general trend, the "third wave" of democratization is indeed most welcoming to those who care about global environmental protection. Yet one needs to put this good news in perspective, since much of the comparison was made between the new democracies and their authoritarian past. As documented in many previous studies, authoritarian regimes suffer from many institutional weaknesses, such as regulatory conflicts of interest and lack of public scrutiny of policy processes that make environmental protection difficult.⁹ It is not surprising that movement away from authoritarianism potentially has a positive impact on environmental protection.

Nevertheless, the extent to which this potential can be fully realized remains an open question. Much depends not just on competitive elections and political rights, but also on institutional factors that affect the ways environmental problems are tackled. By definition, democratization is a series of partial institutional adjustments of the political system.¹⁰ Institutional reform intended to create a governing system responsive to environmental interests may not necessarily evolve as expected.

Several major obstacles may hinder the representation of environmental interests in newly democratized countries. First, democratic transitions, by definition, involve

the establishment of free elections and formal rights of association. These new institutions provide opportunities for the representation of the environmental interests of large numbers of dispersed and unorganized individuals who were disadvantaged in the previous authoritarian era. Yet, because of the inherent collective action problem of organizing large numbers of dispersed individuals, there is no guarantee that these dispersed interests can effectively take advantage of the new channels of representation.¹¹ In fact, as the authoritarian regime fades away and the general public increasingly expects a more stable political life, it may become more difficult for environmental movement leaders to mobilize "large amounts of voluntary labor and personal enthusiasm" among the general public.¹² In some cases, the privileged groups—industrialists, real estate developers—are more concentrated and effectively organized and are better able to exploit the new channels of representation, for example, by contributing to electoral campaigns. They often can effectively block environmental regulations that would impose direct costs on them.¹³

Second, a democratic representative system favors no substantive goals unless a majority of its citizens votes for them.¹⁴ In many newly democratized systems most prominent issues in electoral politics are less likely to relate to the environment than to constitutional rules, economic growth, and foreign relations.¹⁵ Thus, popularly elected leaders may not necessarily be concerned much about environmental protection, especially when it is perceived as being incompatible with other competing national priorities.

Third, in many newly democratized countries administrative agencies continue to maintain a dominant position in environmental policymaking. As a legacy of the authoritarian era, administrative agencies are still protected by various civil service and secrecy laws.¹⁶ While these agencies may be involved in formulating major environmental policies, their policy proposals are seldom closely scrutinized by the general public. Without a legal framework that facilitates citizen participation in policy processes, it is hard for environmental organizations representing diffuse public interests to challenge administrative decisions. Without close public scrutiny, public agencies favor regulations or procedures that are less likely to arouse opposition from well-organized groups and that are administratively convenient to implement. This tendency, however, may be detrimental to their effectiveness in environmental protection.

Given these obstacles, there is no guarantee that environmental interests will be adequately represented in a newly democratized country. Much depends on whether appropriate rules and procedures can be institutionalized to overcome these obstacles. Yet few studies carefully document and analyze how diffuse environmental interests can be more effectively represented in policymaking processes in new democracies. We attempt to fill this gap by studying a newly democratized polity, Taiwan.

Democratization and Environmental Protection in Taiwan

The democratization process in Taiwan began in the mid 1980s, when the ruling party, the Kuomintang (KMT), took steps to introduce democratic institutions and processes. It began with the formation of opposition parties in 1986, followed by the lifting of martial law in 1987, open elections of the entire national assembly and legislative *yuan* in 1991 and 1992, respectively, and the direct election of the provincial governor in 1995 and the president in 1996. During this period, the ruling regime also lifted most of its control over the media and abandoned most unfair practices that enabled the KMT to manipulate election results.¹⁷ As noted by Tien and Cheng, this series of political reforms has "cleared nearly all the roadblocks to fair, open and full elections."¹⁸ After several open elections, the KMT has maintained its central power, but it has lost elections to opposition parties in many county and city races.¹⁹

The environmental movement has evolved in tandem with the democratization process.²⁰ During its initial phase in the early 1980s, most environmental protests were organized by residents against such local polluting sources as garbage dumps and petrochemical factories. Under the shadow of martial law most of these protests were small in scale and targeted at local governments and private businesses, instead of the central government. The number and intensity of environmental protests, however, increased dramatically in the later half of the 1980s, especially after the end of martial law in 1987. Many of these protests targeted the central government and its state enterprises. In addition, more than 200 membership-based environmental organizations were subsequently formed, according to a recent count. Besides supporting local environmental protests, many of these environmental organizations tried to draw the public's attention to broader ecological issues such as wildlife and natural resource preservation. Some have also actively tried to influence government policy-making by lobbying legislators and by campaigning on behalf of candidates for political office.

Faced with increasing public concerns over environmental issues, political leaders have put more effort in governmental environmental protection since the mid 1980s.²¹ One major milestone was the establishment of a cabinet-level Environmental Protection Administration (EPA) and the proclamation of "sustainable development" as an official goal in 1987.²² In the following decade, a spate of environmental regulations was enacted; personnel for environmental protection grew by more than 20 percent; and environmental protection budgets doubled.

Despite increased government efforts, the environmental record of Taiwan has been mixed.²³ According to government records, some pollution problems have indeed lessened in recent years. For example, the number of bad air days (days with a pollutant standard index over 100) has dropped from 16 percent in 1984 to 5.47 percent in 1997.²⁴ Nevertheless, many serious environmental problems remain.

According to a series of surveys by the Environmental Quality Protection

Foundation, citizens have remained highly dissatisfied with Taiwan's environment.²⁵ Among twenty surveyed items, river pollution, automobile exhaust, soil erosion, and overconsumption of plastic utensils were perceived to be the most unsatisfactory. Although rising aspirations for environmental betterment may have contributed to such dissatisfactions, some indicators point to the inherent deficiencies of Taiwan's environmental policies and regulations.²⁶ For example, an expenditure of about 18.1 billion New Taiwan Dollars (NTD) per year (about U.S.\$565 million) on flood control since 1993 failed to prevent Typhoon Herbert in 1996 from causing more than 500 casualties and NTD20 billion (about U.S.\$625 million) in property damage. The damage caused by mudslides, soil erosion, and floods is considered by many as a direct consequence of government failure in land use regulations.²⁷

Similarly, failure to control the overdraft of groundwater by illegal aquafarms has caused many environmental disasters.²⁸ They include land subsidence by ten centimeters per year that has caused a seashore submergence about four times the size of Taipei municipality in the past several years.²⁹ Harmful industrial wastes were recently uncovered from riverbeds and landfills, indicating that some licensed waste disposal companies had regularly mishandled industrial wastes, while the government failed to control their illegal activities. These environmental disasters and many other recurrent problems in air, water, and soil pollution, in ecological degradation, and in waste management have triggered many public concerns and discussions and cast doubts on the effectiveness of Taiwan's environmental governance system.³⁰

The mixed record of Taiwan's environmental governance system can be traced to many causes. Democratization has triggered a gradual dispersion of power from the central to the local level.³¹ By mobilizing local residents through face-to-face contacts and putting environmental issues on local electoral agendas, environmental groups have been able to advance various local environmental causes.³² Environmental groups, however, have been less effective when they attempted to influence national environmental policymaking because environmental protection is seldom a major national campaign issue. Also, concentrated business groups wield great influence nationally through their close connections with politicians, and there is a lack of institutionalized channels for environmental groups to challenge defective government policies and administrative slack.

In the past several years environmental organizations in Taiwan have tried to break through these political and institutional barriers by actively seeking to influence national environmental policymaking. Some have been more successful than others. We examine the political dynamics surrounding the development of two national environmental policies: environmental impact assessment and pollution control fees. These cases illustrate how environmental policymaking processes in Taiwan are still dominated by administrative agencies and how environmental organizations, though limited in their political resources, have been able to exert some influence on the outcomes of the processes by exploiting legal as well as extralegal

channels. These two cases allow the exploration of an often overlooked dimension of democratization: how government bureaucracy can become more responsive to diffuse environmental interests in the policy process.

Environmental Impact Assessment

Unlike many other environmental regulations, environmental impact assessment (EIA) as a formal requirement has not been strongly opposed by businesses in Taiwan.³³ Although it is often costly to undertake a comprehensive assessment, large corporations can easily absorb the costs and are often reluctant to oppose the requirement because of their concern about their green reputation. Furthermore, as many investors of large industrial projects have suffered in the past decade and a half from protests by local residents who seek to stop their projects or to gain compensation from them, they may welcome the chance to undertake a formal assessment, possibly with some local participation in the process, to legitimize their projects. Finally, even though medium and small enterprises may find it harder to bear the costs of undertaking environmental impact assessments, they are often too many in number to organize effective opposition to the requirement.

Although there has been no strong opposition to EIA by the business sector, major controversies have developed around its procedural aspects—how and by whom EIA reports are to be reviewed. Although the idea of EIA was first considered by the executive *yuan* as early as 1979, disputes over its exact requirements and procedures delayed its final enactment until 1994.

The task for developing an EIA system was first taken up by the department of health, which had been the major government department responsible for environmental protection before the establishment of the Environmental Protection Administration as a cabinet-level agency in 1987. After several trial projects, the department of health proposed the first EIA draft to the executive *yuan* in 1983. The proposal, however, was immediately overruled by the Council for Economic Planning and Development, a powerful government body responsible for coordinating various ministries to promote economic development. The reason for its objection was that EIA might hamper the ultimate national goal of economic development.

Faced with such opposition, the executive *yuan* decided to undertake more experiments before applying EIA nationwide. In 1985 it promulgated the “Plan for Promoting EIA,” in which fourteen cases were selected to demonstrate EIA practices. At the same time, many antipollution protests were emerging, and government officials saw EIA as a potential tool to reduce their numbers.³⁴

When the EPA was formed in 1987, it proposed to the executive *yuan* another EIA draft.³⁵ The executive *yuan* took three years to review the draft and eventually

presented a final version to the legislative *yuan* in 1990.³⁶ The legislative *yuan*, however, took an additional four years to pass the EIA Act. During this waiting period the EPA promulgated an administrative regulation, the "Follow-up Plan for Promoting EIA," to continue the practice of EIA when the original "Plan for Promoting EIA" expired in 1990. Different from its predecessor, the "Follow-up Plan" chose no special demonstration projects but required developers of all large-scale projects to go through the EIA process before they could register to get permits and licenses. In the meantime, many laws and administrative rules enacted during the same period—the Slope Land Development and Conservation Act, Wild Animal Conservation Act, Mass Transportation Act, and Act for Promoting Industrial Up-Grading—required environmental impact assessments, even though they were unclear as to how the assessments should be made.

In comparison with the legislative process of other laws, the four year review process for the EIA Act in the legislative *yuan* was not exceptionally long.³⁷ What was unusual were the changes legislators made to the version submitted by the executive *yuan*. These changes were triggered by heated debates about the role of the EPA in EIA processes. On one side, many business leaders and government officials insisted on a minimum role for the EPA in the EIA process out of the fear that, if given extensive powers, it would veto economically important projects. They preferred the EPA to provide professional advice and technical support to project proponents and other administrative agencies that oversee the projects,³⁸ while the approval of projects would be made jointly by representatives of several ministries using multidimensional considerations.³⁹ Citing the U. S. system as an example, the draft that the executive *yuan* proposed to the legislative *yuan* represented this approach.

The draft, however, was strongly criticized by environmental groups. They argued that, unlike the U.S., Taiwan does not have an active judicial system to review administrative decisions or convenient legal channels for citizens to challenge procedural injustice in rule applications.⁴⁰ Taiwan also does not have a highly credible referee like the Council on Environmental Quality to supervise the review process for EIA and to mediate between conflicting interests in development projects.⁴¹ Furthermore, most agencies responsible for overseeing development projects (such as the Council for Economic Planning and Development) care less about environmental protection than about promoting the development projects. Therefore, these agencies are likely to turn EIA into a formality. In addition, under the present organizational arrangements, the EPA administrator holds a more junior rank than ordinary cabinet members, which makes it hard for EPA officials to override the concerns of other ministries when reviewing the EIA in a joint review process.⁴²

Thus, environmental groups maintained that the EPA should have greater control over the evaluation process and the power to reject unqualified EIA documents. They further argued that project developers should be legally required to implement all the

environmental protection measures specified in the EIA documents, while the EPA should have the authority to supervise the developers' work and punish slack implementation.

To push their recommendations, several environmental groups allied themselves with some prominent academics to lobby the legislative *yuan*. The Taiwan Environmental Protection Union, for example, persuaded many legislators from the opposition Democratic Progressive Party (DPP) to present a civil version of EIA in legislative meetings to highlight the problematic design of the version proposed by the executive *yuan* (the executive version). With the support of another opposition party, the New Party, these legislators were able to change some of the crucial provisions in the executive version. While the executive version required the responsible agencies to "confer" with the EPA in reviewing the environmental impact assessment, the revised version requires the responsible agencies to "transfer" EIA documents to the EPA for review. Under this provision, the EPA enjoys a dominant position in the EIA process, exactly as desired by the environmental groups. Other civil opinions were also adopted in the legislation.⁴³ The revised act was praised by the mass media and environmentalists as "excellent work."⁴⁴

Air Pollution Prevention Fees

In the policy process for EIA, environmental groups were strong advocates for granting the EPA greater authority relative to other government agencies. Nevertheless, for the environmental groups the EPA is not always a reliable partner on all environmental issues. The policy process for air pollution prevention fees is a case in point.

The idea of air pollution prevention fees was first brought up by the Committee of Research, Evaluation, and Development in 1986, a year before the establishment of the EPA. At that time, the responsible agency, the Bureau of Environmental Protection (the predecessor of the EPA), was only a subcabinet agency (within the department of health) which had neither the authority to enact detailed regulations nor the political influence to promote a policy that was expected to hinder the supreme goal of economic development. The idea of air pollution prevention fees therefore failed to attract enough support within the executive branch to be put into practice.

Strongly recommended by academics, the pollution fee idea simmered quietly and was reintroduced in mid 1992 by the EPA when the "command and control" regulatory system apparently failed to control air pollution at a level that satisfied the public.⁴⁵ Another major inducement for the EPA to bring this policy back to the policy agenda was the agency's growing fiscal difficulties during a period in which government revenues were increasingly diverted to many newly established social welfare programs. Consequently, on December 13, 1993, citing Article 10 of the Air

Pollution Control Act passed in 1992, the EPA issued an administrative order to charge air pollution prevention fees on mobile sources (automobiles) that, according to a study sponsored by the Council for Economic Planning and Development, caused social cost of NTD100 billion per year. The fees, once collected, would be used exclusively to tackle air pollution problems.

Notable in this administrative order was the exemption of stationary sources of air pollutants from the fees, at least for the time being.⁴⁶ The decision to tax only motorists through a surcharge on gasoline irritated both environmental and consumer protection groups. The environmentalists, such as Liu Ming-Lung, the secretary-general of the Environmental Quality Protection Foundation, argued that, if reducing air pollution through market mechanisms was the major objective, the policy design would not work because fuel prices were inelastic and a slight price increase would have minimal effects on overall demands.⁴⁷ Nor would the "polluter pays principle" be able to rationalize this policy design because, according to the EPA's own data, automobile emissions created only 7–10 percent of total suspended particulate and 5 percent of sulfur dioxide, two major pollutants that the EPA claimed were its major control targets.⁴⁸ Furthermore, legally, environmentalists argued that Article 10 of the Air Pollution Prevention Act authorized the government to "levy pollution fees against pollution sources in accordance with different kinds and amounts of pollutants that were exhausted," yet automobile fuel is neither a "polluting source" nor a direct pollutant.⁴⁹

Despite these objections and the consequent failure to implement this policy in 1995, the EPA insisted on levying the fees through a fuel surcharge in 1996 probably for two major reasons, administrative convenience and political feasibility. First, while it would cost considerable administrative resources to measure pollution emissions from factories and collect fees from them accordingly, the fuel surcharge is much easier to administer, especially because the state-owned Chinese Petroleum Corporation monopolizes the distribution of fuel. It would be easy for the EPA to arrange a convenient method to collect the fuel surcharge from this corporation. Second, it would be relatively easy for the EPA to gain compliance from major fuel users, such as Taiwan Electric Power Company (Taipower), which are mostly state-owned enterprises. The EPA also expected little organized opposition from the thousands of motorists who would have to pay slightly higher gasoline prices, especially when, after late 1993, oil prices were dropping. Yet in anticipation of possible reactions from taxi drivers, the EPA promised to subsidize each taxi with NTD15,000 to install a catalyst converter that burns liquid petroleum gas, which is not subject to the surcharge.

Nevertheless, the EPA seriously underestimated the reaction of environmental groups and the public in general, who had recently been exposed to political scandals implicating government officials in under-the-table dealings with wealthy merchants in approving illegal golf course expansions.⁵⁰ Such scandals created an

atmosphere of distrust in government. In this atmosphere, the Green Consumers' Foundation, New Environment Foundation, Homemaker Union and Foundation, and other environmental groups organized a series of street protests against the EPA's newly announced air pollution fee policy.

After some futile efforts to negotiate with the executive branch, the environmental groups again turned to their old allies in the opposition parties who had fought with them against the ruling party since the beginning of democratization in the mid 1980s.⁵¹ Although still the minority, legislators from the opposition parties had the means to block implementation of the new policy, for example, by delaying its budget appropriation. Sometimes, with the support of KMT members at odds with their own party's policy stance, minority legislators were able to pass extraordinary motions against the ruling party's policy. For example, the Consumer Protection Foundation and legislator Chu Feng-Chih organized a public hearing in February 1994 in which they argued that the air pollution fee policy deviated from sound economic principles and from the scope of the Air Pollution Control Act. As opposition to the policy intensified after this hearing and the KMT failed to mobilize its party machine early enough to promote the policy, the legislative *yuan* passed a motion that requested the EPA to postpone the policy's implementation.

The EPA, however, tried to work around the legislative opposition by appealing its case to the reconciliation meeting for party-government officials (*dangzheng xietiao hui*, a conflict resolution caucus of the KMT) in the legislative *yuan*, but the meeting instead voted unanimously against the fee proposal. This vote signified a substantial change in the role of the legislative *yuan*. Facing increasing electoral pressure, the legislative *yuan* was no longer the rubber stamp of the executive branch. A policy that failed to survive public criticism would not gain the legislative *yuan*'s unconditional endorsement. Because of the negative vote in the reconciliation meeting for party-government officials, EPA administrator Chang Lung-Sheng submitted his verbal resignation but was retained by Prime Minister Lien.

From a practical perspective, there is nothing wrong with the EPA's charging motorists a fuel tax before extending the charge to stationary polluters, because the former is administratively much easier to implement while the latter needs more time for preparation.⁵² In addition, it was also the EPA's administrative prerogative to do so.⁵³ The major problem for the EPA at that time, however, was its lack of credibility as a fighter against powerful political-business coalitions, as its administrator Chang was himself promoted to his present position from being vice-chairman of the Council for Economic Planning and Development. After he became the EPA administrator, he was widely perceived to have softened the agency's stance on pollution control enforcement. Public distrust in the EPA grew when the agency decided to impose a gasoline fee on motorists but had no definite plan for taxing pollution caused by businesses. Nor did the EPA respond properly to the anger of the protesters. It kept on claiming the legal and economic soundness of the pollution fee

policy.⁵⁴ While the environmentalists were demanding fairness, the EPA responded in gobbledegook with an academic tone.⁵⁵

The EPA proposed another draft in May 1994 that accommodated some of the environmentalists' requests by targeting stationary pollution sources for the air pollution fee in the future and by calculating charges based on actual emission amounts. The proposed rates were approved by the Council for Economic Planning and Development in December 1994, and the plan for the use of the funds (totaling about NTD10 billion per year) generated from air pollution prevention fees was later approved in March 1995. These measures cleared all the legal roadblocks for the EPA to implement the pollution fee policy in July 1995.

The environmental groups, however, were still not satisfied with the EPA's adjustments. Insisting that the fees should be charged only to business polluters, the environmental groups tried to prevent the trust fund for air pollution prevention fees from being established and to delay the appropriation of the pollution fee budget in the legislative *yuan*.⁵⁶ The environmental groups lobbied and gained support mainly from legislators from the opposition parties and a few legislators from the ruling party who had long been sympathetic to them. In contrast, the EPA sought to have its policy endorsed by the ruling party and to have the KMT party machine mobilize support in the legislative *yuan*. In May 1995 KMT chairman Lee Teng-Hui approved the EPA's policy in the party's central standing committee.⁵⁷ However, worrying about the negative impact of a prolonged debate on the upcoming legislative election, the KMT compromised by cutting the original budget for the air pollution trust fund by 30 percent (NTD3 billion), and thus forced the EPA to reduce the rates of air pollution prevention fees proportionally.

Opponents of the policy also tried to stop it by both legal and extralegal means. In addition to launching massive street protests, some environmental groups (such as the Environmental Quality Protection Foundation) filed in the control *yuan* a correction motion against the policy and an impeachment motion against those EPA officials who were responsible for drafting the policy.⁵⁸ Some opposing legislators filed an explanatory case in the judicial *yuan*, asking the grand judge to review if the administrative order levying the fees violated the Air Pollution Control Act.⁵⁹ Ironically, many opposing lawmakers further urged motorists to break the law by refusing to pay the fees at gas stations after the EPA eventually ignored all objections and implemented the fees.⁶⁰ Since the policy was put into effect on July 1, 1995, the EPA has gradually introduced measures that extended fee changes to additional sources of pollution to meet the demands by its opponents. Furthermore, since 1998 stationary sources have been charged according to the actual amounts of emission, instead of the amounts of fuel they use. While social attention to this policy faded away soon after it was formally implemented, environmental groups have still kept an eye on how the huge trust fund is used and whether the air quality improvement promised by the EPA has been reached.⁶¹

A Model of Environmental Policymaking in Taiwan

To prevent capture of government policy by privileged groups, mature democracies have developed various institutional arrangements to ensure the transparency and accountability of the policy process. They range from provisions that facilitate citizen participation in administrative rule making to legal arrangements that facilitate legal challenges to administrative discretion. Although such arrangements may not entirely preclude the possible dominance of special interests in policymaking and implementation, they do facilitate the representation of diffuse interests in the process.⁶²

In countries that have recently departed from their authoritarian past, many institutional arrangements that facilitate citizen participation in the policy process have yet to be developed. Even though competitive elections and freedom of association are in place, administrative agencies continue to dominate the policymaking process, and there is still a lack of institutionalized channels for groups representing diffuse interests to challenge policy and administrative decisions effectively. Privileged groups continue to exercise disproportionate influence in policy processes.⁶³ In Taiwan business interests can exert great influence on governmental policy through their contacts at the very top of the executive branch. Big business owners, for example, regularly play golf with the president and the prime minister and use such occasions to complain about the deterioration of Taiwan's investment environment and to gain promises to approve questionable environmental impact assessments.⁶⁴ While business representatives can speak on their own behalf in the KMT central standing committee, the environmental groups can only protest outside the building in which the meeting is held.⁶⁵

Facing such disadvantages, environmental groups representing diffuse public interests can be more effective when multiple channels become available for them to challenge bureaucratic decisions and to make bureaucrats more responsive to their demands. These channels—lobbying opposition legislators, organizing citizen protests, launching symbolic legal challenges, appealing to the media—have increased substantially in Taiwan since democratization.

These two cases illustrate processes for democratizing the bureaucracy. An environmental policy is initially drafted within a small group of opinion elites—first, technocrats within the bureaucracy, then, key legislators, a handful of academics as consultants, and, depending on how controversial the issue is, some concerned environmental groups. The smaller the participating group is, the easier it is for the bureaucrats to muddle through the process without much opposition. However, when the technocrats disagree among themselves, external participants—legislators, environmental groups—will play a bigger role in the policy's development. This situation is illustrated in the EIA case, in which environmental groups and legislators intervened to decide which government agencies would play a more dominant role in the EIA review process.

Institutionally, the executive branch initiates a bill in the legislative *yuan*. If the bill involves a large budget, a major change in citizens' rights and obligations, or the creation of a new agency, it has to go through the full legislative process in the legislative *yuan*; otherwise, a simple notification is sufficient to pass the bill. In preparation for a major bill, bureaucrats usually invite academics to undertake policy research and to participate in drafting specific provisions. The role of academics, for example, is most noticeable in the air pollution fee case, in which EPA bureaucrats relied heavily on the support of some academics in their defense against criticisms from the environmental groups and the general public. Although the academic community seldom shares uniform opinions on any policy issue, it remains a major source of nongovernment authority with which most stakeholders in policy debates vie to ally themselves, probably because academics in Taiwan generally command high respect from society.

For most environmental policies, it is not hard to win legislative approval. Most legislators are not especially interested in environmental issues because they often attract little public attention and seldom provide them with many pork-barrel opportunities.⁶⁶ Furthermore, bureaucrats usually consult with and seek early support from the few legislators who are reputed to have a green orientation. Thus, in both the EIA and air pollution fee cases several legislators with a green reputation, such as Shu Huan-Chih, did not strongly oppose the bureaucrats' decisions.

The legislative *yuan* sometimes becomes a major battlefield. In the cases of EIA and air pollution prevention fees environmental groups were antagonized by the bureaucrats and found the legislative branch a more accessible point in the government. The legislative branch is a nonhierarchical structure with open forums and complicated, conflictual relationships among members and is thus an ideal arena for the environmentalists to block unfavorable policies. In both cases, when the environmental groups found it hard to make the executive branch change its policy drafts, they tried to arouse the public's attention by organizing street protests and by going through judicial appeals. The Taiwan Environmental Protection Union, Environmental Quality Protection Foundation, and Green Consumers' Foundation, for example, filed complaints with both the judicial and control *yuan* to threaten the bureaucrats with lawsuits and investigations of ethics violations. Although the environmental groups seldom won their cases in these arenas, the investigations were an important strategy in attracting the media's attention and in forcing the bureaucracy to release additional information about the issues being challenged. When an issue comes into the spotlight of the mass media, legislators have increased incentives to participate actively in the debate as a means of gaining visibility. Such media visibility is helpful in reelection campaigns but difficult to get. This motive for gaining visibility partly explains the enthusiasm of several legislators who filed an explanatory case with the grand judge to determine if the administrative order by the EPA violated the legislative intention of the Air Pollution Prevention Act.⁶⁷ It may also explain

why some legislators have gone a step further by asking the public to refuse to pay the fuel surcharge.

In sum, when an environmental policy is drafted within the executive branch, technocrats of different ministries first seek consensus among themselves and then try to coopt other opinion elites before forwarding it to the legislature for approval. If any of these steps fail, the policy will be subject to open public debates, and different stakeholders will scramble to find allies in the ensuing deliberations. In the EIA case, for example, the EPA found support among the environmentalists, who trusted the agency more than other economically oriented ministries in enforcing EIA requirements. In the case of air pollution fee, however, the bureaucrats from the EPA found themselves at odds with the environmentalists. They had to ally themselves with some academics and the KMT party machine to defend themselves against attacks from the environmentalists and their supporters in the legislature.

Thus, the relationship between bureaucrats and environmental groups involves both alliance and rivalry. Environmentalists have recognized the EPA as the major government agency responsible for environmental protection and have long supported it in order to balance the powers of the economic ministries.⁶⁸ Nevertheless, environmental groups grew up with the opposition parties during the democratization process and have long shared an antigovernment tradition with them; they are often also the first to challenge the EPA's decisions.⁶⁹ In fact, the environmentalists have recently urged legislators to cut the EPA's budget; they argued that the more powerful the EPA is, the more corrupt it will become. This love-hate relationship between the environmentalists and the EPA may well be a crucial factor in ensuring the agency's effectiveness as a promoter of the environmental interests of the diffuse public.

Democratization, Bureaucracy, and Environmental Protection

During the authoritarian era, bureaucratic decisions in Taiwan were seldom challenged. Organized opposition to the government was outlawed by martial law, and the legislature was tightly controlled by the ruling KMT, which also controlled the bureaucracy through its interlocking party machinery. In this situation, the KMT government, if it chose, could have potentially taken strong, unencumbered action to protect the environment. Nevertheless, it did not choose this path, as the KMT saw economic growth as the major source of legitimacy for its authoritarian rule. Furthermore, the clientelistic political system developed by the KMT to help maintain its rule facilitated the representation of mercantile interests throughout the policy process, from formulation to implementation.⁷⁰

Although business interests have remained influential in environmental policy-making up to now, democratization has considerably extended channels for civic participation to challenge bureaucratic decisions. Most important, democratization has

fostered the development of environmental organizations by lowering mobilization costs and by increasing a sense of political efficacy. Democratization has also freed scholars from the "white terror" they suffered during the authoritarian era, thus enabling them to speak out against unreasonable government decisions. In addition, democratization has freed the mass media from political control, and competition among different media outlets has created strong incentives for reporters to search for government "scandals."⁷¹ Such media activities have substantially increased chances for the public to monitor contentious policy issues.

Although many institutional obstacles for civic participation remain, the new political setting has created more opportunities for environmental activists to influence policymaking.⁷² These two cases illustrate how environmental groups can potentially exert considerable influence on the bureaucracy by gaining support from legislators, the media, and occasionally the courts. Bureaucratic autonomy in environmental policymaking has thus been seriously challenged.

More civic participation may slow down environmental policymaking, but it helps to ensure a strong government commitment to protecting broad-based environmental interests. Broader civic participation also promises better policy performance in the long run, because such participation can enhance support for the policy from different social forces. Empowered social forces may challenge government policy in the short run, but, once compromises are reached, the policy can be implemented more effectively. In Lindblom's metaphor, although the thumb (the bureaucracy) might have been weakened, the fingers (social forces) have been strengthened considerably.⁷³

As democratic consolidation continues to proceed in many countries around the world, it is becoming increasingly apparent that they still have a long way to go in institutionalizing democracy's ground rules for conflict resolution.⁷⁴ Instead of examining only such regime-level issues as constitutional reform and national elections, attention needs to be devoted to understanding institution building in what Schmitter has called "partial regimes."⁷⁵ Environmental policymaking in Taiwan is one example.

NOTES

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1. For example, see Larry Diamond et al., eds., *Consolidating the Third Wave Democracies: Themes and Perspectives* (Baltimore: The Johns Hopkins University Press, 1997).

2. For example, see William J. Dixon, "Democracy and the Peaceful Settlement of International Conflict," *American Political Science Review*, 88 (March 1994), 14-32; Michael D. Ward and Kristian S. Gleditsch, "Democratizing for Peace," *American Political Science Review*, 92 (March 1998), 51-61.

3. See, for example, Larry Diamond and Marc F. Plattner, eds., *Economic Reform and Democracy* (Baltimore: The Johns Hopkins University Press, 1995); Jagdish Bhagwati, "Democracy and Development," in Larry Diamond and Marc F. Plattner, eds., *Capitalism, Socialism, and Democracy Revisited* (Baltimore: The Johns Hopkins University Press 1993); Adam Przeworski and Fernando Limongi, "Political Regimes and Economic Growth," *Journal of Economic Perspectives*, 7 (1993), 51–71; Ramon Myers, *The Wealth of Nations in the Twentieth Century: The Policies and Institutional Determinants of Economic Development* (Stanford: Hoover Institution Press, 1996).
4. For example, see Sylvia Bashevkin, "Interest Groups and Social Movement," in Lawrence LeDuc, Richard G. Niemi, and Pippa Norris, eds., *Comparing Democracies: Elections and Voting in Global Perspective* (Thousand Oaks: Sage, 1997).
5. Environmental issues are those concerning the conditions of physical and biological resources. Examples include forms of air, water, soil, and noise pollution and ecological concerns such as biodiversity and global warming.
6. Roger Congleton, "Political Institutions and Pollution Control," *Review of Economics and Statistics*, 74 (1993), 412–21.
7. Eduardo Silva, "Democracy, Market Economics, and Environmental Policy in Chile," *Journal of Interamerican Studies and World Affairs*, 38 (1997), 1–33.
8. Daniel H. Cole, *Instituting Environmental Protection: From Red to Green in Poland* (New York: St. Martin's Press, 1998).
9. Shui-Yan Tang et al., "Institutional Constraints on Environmental Management in Urban China: Environmental Impact Assessment in Guangzhou and Shanghai," *The China Quarterly*, 152 (1997), 863–74.
10. See Robert Putnam, *Making Democracy Work: Civic Traditions in Modern Italy* (Princeton: Princeton University Press, 1993); Philippe Schmitter, "The Irony of Modern Democracy and Efforts to Improve Its Practice," *Politics and Society*, 20 (December 1992), 507–12.
11. Adam Przeworski et al., *Sustainable Democracy* (New York: Cambridge University Press, 1995).
12. Schmitter, "The Irony of Modern Democracy," p. 431.
13. John Dryzek, "Ecology and Discursive Democracy: Beyond Liberal Capitalism and the Administrative State," *Capitalism, Nature, and Socialism*, 3 (1992), 18–42.
14. Michael Saward, "Must Democrats Be Environmentalists?," in Brian Doherty and Marius De Geus, eds., *Democracy and Green Political Thought* (New York: Routledge, 1996).
15. Barbara Hicks, *Environmental Politics in Poland: A Social Movement between Regime and Opposition* (New York: Columbia University Press, 1996).
16. For example, see Gretchen Casper, *Fragile Democracies: The Legacies of Authoritarian Rule* (Pittsburgh: University of Pittsburgh Press, 1997); Gretchen Casper and Michelle M. Taylor, *Negotiating Democracy: Transitions from Authoritarian Rule* (Pittsburgh: University of Pittsburgh Press, 1996).
17. In the past, for example, the KMT could directly channel government resources to support their candidates in elections and send pro-KMT soldiers to their home towns to vote for their candidates.
18. Hung-Mao Tien and Tun-Jen Cheng, "Crafting Democratic Institutions in Taiwan," *The China Journal*, 37 (1997), 1–27; see also Linda Chao and Ramon Myers, *The First Chinese Democracy: Political Life in the Republic of China on Taiwan* (Baltimore: The John Hopkins University Press, 1998).
19. After winning the by-election for magistrate of Tao-Yuan county in early 1997, the Democratic Progressive Party has for the first time ruled more than half of the population in Taiwan at the county/city level. In the mayoral and magisterial elections in late 1997 the DPP took over twelve of twenty-three local jurisdictions, while the KMT won only eight.
20. For a more extensive discussion of the evolution of the environmental movement and its relations to the early democratization process in Taiwan, see Shui-Yan Tang and Ching-Ping Tang, "Democratization and Environmental Politics in Taiwan," *Asian Survey*, 37 (March 1997), 281–94.
21. Other factors can explain increased government efforts in environmental protection since the mid

1980s. For example, diplomatic considerations partly explain why the Taiwanese government vowed to conform to such international accords as the Kyoto agreement on global warming. But the Taiwanese government failed to undertake concrete action on major environmental issues before the beginning of democratization in the mid 1980s even though environmental conditions were known to be poor at that time. Thus, it is reasonable to argue that democratization played a significant role in encouraging government efforts in environmental protection. See Deborah Chan, "The Environmental Dilemma in Taiwan," *Journal of Northeast Asian Studies*, 12 (March 1993), 35–57; Chun-chieh Chi, "Growth with Pollution: Unsustainable Development in Taiwan and Its Consequences," *Studies in Comparative International Development*, 29 (Summer 1994), 23–47.

22. Hwang Jiin-Tarn, "Taiwan diqu Huanjingfa zhi Jiantao" [A Critical Review of the Environmental Laws in the Taiwan Area], and "Huanjing baohufa zhong jingjiyouyin shouduan zhi yanjiu" [A Study of Economic Incentive Instruments in Environmental Protection Laws], in *Taiwan diqu huanjingfa zhi yanjiu* [Research on the Environmental Law in the Taiwan Area] (Taiwan: Yuedan Chubanshe, 1994).

23. See Richard Edmonds, "Taiwan's Environment Today," *The China Quarterly*, 148 (1996), 1224–59.

24. Environmental Protection Administration, *Yearbook of Environmental Protection Statistics, Taiwan Area, The Republic of China* (Taipei: The Executive Yuan, 1996), p. 107; Environmental Protection Administration, *Huanjing paipishu* [Environmental White Book] (Taipei: The Executive Yuan, 1998).

25. The survey asked respondents to rank twenty items of environmental quality. Each item ranged from one to five points, with higher numbers indicating worse environmental quality. By adding up the average score for each item, an index ranging from twenty to one hundred was constructed. The index fell to its lowest level, 74.74, in 1995 and rose to its highest level, 78.72, in 1996. The index in 1999 was 77.47.

26. Dr. Tsai, the administrator of the EPA, defended the policy performance of the agency by citing official statistics on environmental improvement. See <http://www.epa.gov.tw/others/pain.htm>, 1997.

27. See Shui-Yan Tang and Ching-Ping Tang, "Democratization and the Environment: Entrepreneurial Politics and Interest Representation in Taiwan," *The China Quarterly*, 158 (June 1999), 66–82.

28. Huang Chung-Huang, "Economic Valuation of Underground Water and Man-induced Land Subsidence in Aquaculture," *Applied Economics*, 22 (1990), 31–43.

29. Chiou Hua-Mei, "Zouguo Herbert Typhoon yi nian" [One Year after Typhoon Herbert], *Tianxia* [Commonwealth], 195 (August 1997).

30. See Ching-Ping Tang and Shui-Yan Tang, "Taiwan," in M. Janicke and H. Weidner, eds., *National Environmental Policies: A Comparative Study of Capacity Building*, vol. 2 (Berlin: Springer Verlag, forthcoming).

31. See Tang and Tang, "Democratization and the Environment."

32. Their success at the local level, however, is not guaranteed. It depends on the political ecology of the particular local jurisdiction. See Ching-Ping Tang, "Environmental Protection and Democratization: Pollution Control and Local Self-governance in Taiwan" (Ph.D. diss., University of Southern California, 1998).

33. We are unaware of any news reports about big businesses objecting to the EIA Act during the legislative process.

34. See Tang and Tang, "Democratization and Environmental Politics."

35. The EPA was promoted from the Bureau of Environmental Protection within the department of health to a cabinet-level agency. Nevertheless, in comparison with other cabinet ministries, the EPA is smaller in size, and its head has a more junior status than other cabinet ministers.

36. It is a common practice for technocrats in the executive *yuan* to initiate a law by presenting a draft for legislative discussion.

37. The legislative *yuan* was notorious for its inefficiency at that time, because politicians were debating constitutional restructuring, and the opposition parties were strategically interrupting the legislative process in order to attract public attention to their arguments.

38. These agencies include the ministry of education (in the case of golf course development), min-

istry of communication (in high speed railway projects), ministry of economic affairs (in industrial parks), and the Atomic Energy Council (in nuclear power plants).

39. Yeh Juinn-Rong, "Cong fangan dao falü—Huanjing yinxiang pinggu de guoqu yu weilai" [From Plans to the Law—The Past and Future of Environmental Impact Assessment], *Huanbao yu jingji* [Environmental Protection and Economy], 18 (December 1991), 10–12.

40. See Yeh Juinn-Rong, "Huanjing yinxiang pinggu de gunggong canyu: Faguifan de yaoqiu yu xianshi de kaolu" [Public Participation in Environmental Impact Assessment: The Demand for Regulations and Considerations of Reality], in *Huanjing chengce yu falu* [Environmental Policy and Law] (Taipei: Yuedan chubanshe, 1993).

41. There are two similar agencies in Taiwan. The first is the Panel on Environmental Protection under the executive *yuan*; it is headed by the vice prime minister and consists of fifteen to seventeen members, most of them ministers, agency heads, and specialists who meet once a month to discuss policy issues on environmental protection. See Ko San-Chi, *Woguo huanjing boahu zhuzhi tixi ji quanze tongyi quihua zhi yanjiu* [On Designing Our Country's Integral Environmental Protection Organizations and Responsibilities] (Taipei: Committee of Research, Development and Evaluation, The Executive Yuan, 1990). The second is the Committee of Environmental Quality Advisors under the EPA. Functioning as a consulting council, this committee consists of part-time officers from related agencies and academic specialists. None of them appears still to be active.

42. Although sometimes the EPA administrator, together with other heads of agencies without the title of minister such as the head of the department of health, is included as a cabinet member, this position is inferior to ordinary ministers. According to the Organic Act of the executive *yuan*, the EPA administrator can attend cabinet meetings but has no voting right.

43. Some other suggestions by environmentalists were also adopted. First, at least two-thirds of the members of the review committee should be academics. Second, if the responsible agency for the project is at the same time the developer, its representatives in the review committee should not vote. Third, residents are allowed to have specialists represent their claims on their rights as specified in this law. Fourth, public hearings are extended to cases with minor environmental impacts. Finally, governmental policies are also required to go through the EIA process. See Secretary Department of the Legislative Yuan, *Faluan quanji 178: Huanjing yinxiang pinggu faan* [Bill Memoir 178: The Environmental Impact Assessment Bill] (Taipei: The Legislative Yuan, 1995).

44. See *Lienhebao* [United Daily News], Dec. 17, 1994; *Jingji Ribao* [Economic Daily], Dec. 23, 1994.

45. On the economic rationale of levying such pollution fees, see Daigee Shaw et al., "Kongqi wuran fangzhifei shoufei banfa yu zhixing zhi jiantao" [A Review of the Air Pollution Prevention Fee Program in Taiwan], *Jingshe Fazhi Luncong* [Social Economic Law and Institution Review], 22 (July 1998), 203–27.

46. When a reporter challenged an EPA officer on this point in a public hearing, he awkwardly rationalized the EPA's decision by replying that "there was no precedent in doing so in the world." See Legislative Yuan, *Lifayuan Gongbao* [The Legislative Yuan Communique], vol. 84, no. 23 (Taipei: The Legislative Yuan, 1995), 141–200.

47. For the argument that raising revenues for pollution control can be justifiable, see Hwang Jiin-Tang, "Taiwan diqu huanjingfa zhi jiantao" [A Critical Review of the Environmental Laws in the Taiwan Area], and "Huanjing paohufa zhong jingji youyin shouduan zhi yan-jiu" [A study of the Instruments with Economic Incentives in Environmental Protection Laws], in *Taiwan Diqu Huanjingfa zhi Yanjiu* [Research on the Environmental Law in the Taiwan Area] (Taiwan: Yuedan Chubanshe, 1994). To judge justifiability, it is necessary to examine how revenues will be spent; according to many environmentalists, the EPA did not have a comprehensive plan for effective use of the revenues. See Kao Cheng-Yen, "Luoshi wuranzhe fufei! Zhanhuan kaizheng kongwufei!" [Reinforce Polluters Fees! Halt the Implementation of Air Pollution Prevention Fees!], *Zhongguo Huanbao* [Chinese Environmental

Protection], 23 (1995). Environmentalists argue that mass transportation and biking paths in Taiwan are so poorly developed that residents have to depend on motorcycles and automobiles for transportation. See Shih Hsin-Min, "Kongwufei neng gaishan kongqi pingzhi ma?" [Can Air Pollution Prevention Fees Improve Air Quality?], *Minzhong Ribao* [People's Daily], May 12, 1995. Dependence on privately owned motor vehicles makes the demand for fuel less elastic.

48. Liang Chi-Yuan, "Kongqi wuran fangzhifei chengshou wenti zoutanhui" (A Symposium on Issues of Levying Air Pollution Prevention Fees), *Jingji Ribao* [Economic Daily], May 28, 1994. The EPA obviously manipulated data in its publications to justify its policies to charge the motorists. For example, the contribution of motor vehicles to total TSP dramatically increased from 12.19 percent in 1995 to 37.23 percent in 1996, unlikely in a single year. Similarly, the percentage of suspended particles increased abnormally from 14.04 to 40.61. See Environmental Protection Administration, *Zhonghuaminguo Taiwan Diqu Huanjing Tzuxun* [Environmental Information of the Taiwan Area, ROC] (Taipei: EPA, 1995), p. 57; *Zhonghuaminguo Taiwan Diqu Huanjing Tzuxun* [Environmental Information of the Taiwan Area, ROC] (Taipei: EPA, 1996), p. 57.

49. A polluting source is often referred to as machinery that produces pollutants.

50. See Tang and Tang, "Democratization and the Environment."

51. A survey indicated that the public believed the Democratic Progressive Party was the most trustworthy party on environmental issues. See *Minzhong Ribao* [People's Daily], July 24, 1998.

52. The EPA argued that it needed a couple of years to build up a pollution data bank on the actual pollution amounts of individual plants.

53. See Hwang Jiing-Tarng, "Taiwan diqu."

54. Chen Hsiung-Wen, "Kongqi wuran fangzhifei zhengshou wenti zoutanhui" [A Symposium on Issues of Levying Air Pollution Prevention Fees], *Jingji Ribao* [Economic Daily], May 28, 1994.

55. Liu Ming-Lung, "Bianxiang jiashui, Yimaoqien ye buneng gei" [Pay Not Even One Dime for Camouflaged Illegal Taxes], *Zhongguo Shibao* [China Times], May 15, 1995.

56. The appropriation motion included both revenues and expenditures of the air pollution prevention fees. Failure to pass the appropriation would revoke the legal authority of the EPA to implement the fee policy.

57. *Zhonghua Ribao* [Chinese Daily], May 18, 1995.

58. See *Zhongguo Shibao* [China Times], May 17, 1995. According to the constitution of the Republic of China, the control *yuan* is the highest ombudsman office of the central government, paralleling the executive *yuan*, legislative *yuan*, examination *yuan*, and judicial *yuan* as one of the five branches of government. The objects of an impeachment motion are specific officers, while the objects of a correction motion are policies.

59. *Minzhong Ribao* [People's Daily], June 8, 1995.

60. *Minsheng Bao* [Min Sheng Daily], June 18, 1995.

61. See Liu Chih-Chien, "Kongwufei zhixing chengguo shiwen" [Ten Questions on the Implementation Results of the Air Pollution Prevention Fees], on the website <http://ww.teputc.org.tw/issue/air/ask10-1.htm>, 1997. The Environmental Protection Union continued to urge the government to cancel the policy after one year of implementation and challenged the official declaration of the fee's effectiveness by citing contradictory evidence.

62. Murray J. Horn, *The Political Economy of Public Administration: Institutional Choice in the Public Sector* (Cambridge: Cambridge University Press, 1995); James Q. Wilson, *Political Organizations* (Princeton: Princeton University Press, 1995).

63. See Guillermo O'Donnell, "Horizontal Accountability in New Democracies," *Journal of Democracy*, 9 (July 1998), 112-26; Guillermo O'Donnell, "Delegative Democracy," *Journal of Democracy*, 5 (January 1994), 55-69; Guillermo O'Donnell, "On the State, Democratization, and Some Conceptual Problems: A Latin American View with Glances at Some Postcommunist Countries," *World Development*, 21 (1993), 1355-70; and Przeworski, *Sustainable Democracy*.

64. Several cases illustrate the influence of such improper political interventions. For example, President Lee spoke publicly in favor of the sixth naphtha cracker project, even though the developer (the Formosa Plastics Group) failed to install a recommended environmental protection facility properly. He withdrew his support of the developer only after severe criticism by environmental groups and by a well-known foreign ecologist who persuaded him to support the establishment of the Environmental Protection Foundation. According to reports, this change in attitude allowed the specialists in ministry of economic affairs to veto the EIA of the sixth naphtha cracker project. See *Taiwan Today News Network*, at <http://w3.ttnn.com/can/980216/p02/html>, 1998.

65. Representatives of the business sector, such as Kao Yu-Jen, Wang Yu-Tsen, and Ku Chen-Fu, spoke for its interests in the central standing committee. Mr. Wang suggested that the government grant the industries targeted by the fee policy a one year grace period, while Ku expressed his concerns about the negative consequences of the fee policy on the competitiveness of domestic industries. Several environmental groups, including the Environmental Quality Protection Foundation, Green Consumption Foundation, and Taiwan Environmental Protection Union demonstrated in front of the KMT headquarters while the EPA administrator reported to the KMT central standing committee.

66. One indication of such legislative neglect is the lack of a subcommittee for environmental protection in the legislative *yuan*. Environmental policies are reviewed by joint committees for interior, economy, and related areas.

67. This move made political sense because the opposing legislators are the minority in the legislature and would have had difficulty winning a legislative vote.

68. This alliance reached its peak when the administrator, Chao Shao-Kang, one of the founders of the New Party, led the EPA to develop a strong position against economic ministries and polluters. When he left this position and was elected a legislator in 1993, he continued to promote the EIA Act in the legislative *yuan* by attracting support from environmental groups. See Legislative Yuan, *Lifayuan Gongbao*.

69. On the complex relationship between environmental groups and the environmental protection agencies, see Hsiao Hsin-Huang, *Yige Jinzhang de Gungsheng Kuanxi: Huanbao Xingcheng Jiguan yu Minjian Tuanti de Hezuo Guanxi* [A Nervous Symbiotic Relationship: The Cooperative Relationship between the Environmental Protection Administration and Civic Groups] (Taipei: EPA, 1997).

70. Tang and Tang, "Democratization and Environmental Politics."

71. Faithful reports on environmental incidents are also enhanced by the "media supervision" of environmental groups. For example, the Taiwan Environmental Protection Union regularly evaluates the performance of different newspapers. For illustration, see *Taiwan Huanjing* [Taiwan Environment], 91 (1996), 40-43.

72. For example, Professor Chou, the chief executive officer of the New Environmental Foundation, pointed out that in spite of her strong desire to express her concerns in public hearings she often received official notices in the late afternoon the day before the hearings. She was very suspicious that the bureaucrats withheld notice purposely until the very last minute, hoping that this "troublemaker" would be unable to change her schedule to attend the hearings, or at least have no time to prepare thoroughly for them. Personal communication.

73. Charles Lindblom, *Politics and Market: The World's Political-Economic Systems* (New York: Basic Books, 1977).

74. Diamond et al., *Consolidating the Third Wave Democracies*; Andreas Schedler, "What Is Democratic Consolidation?," *Journal of Democracy*, 9 (April 1998), 91-107.

75. Schmitter, "The Irony of Modern Democracy."

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