

Bringing Public Managers into Multiple Streams in a Civil Society: Lessons Learned from Taiwan's Land Expropriation Case Study

Wilbur Bing-Yan Lu

(bylu@mail.ndhu.edu.tw)

(Professor, Department of Public Administration, National Dong Hwa University)

Abstract

The author explores Taiwan's most important land expropriation case in the past decades, Dapu Incident, by multiple streams Approach (MSA). Based on content analysis and two-round semi-structured interviews, while public-private joint development and the alternative of "market value land for compensation" was new to most policymakers, journalists and the public at large, land administration bureaucrats and experts had considered the possibility of that kind of land expropriation compensation alternatives. Facing problematic environmental demands, conflicting signals from civic organizations, mass media, interest groups, and political parties slowed down policy alternatives formulation and legislation of statute revision. Because of different aspects on technical matters such as the land value appraisal mechanism, and more mundane matters such as the principles of 'public interest' and 'necessity', wider debates are indispensable even in a favorable political stream. Despite administrative courts verdicts and investigation reports of the Control Yuan, a favorable political stream is a necessary but not sufficient condition. Through the 'Legitimacy Stream' of due process and dispute resolution mechanism, symbolic responses for the 'Land Justice' issue can be forced to make substantive changes. Although the MSA does not provide a very specific link between problems and "alternative specification", the author's expectation that the agenda-setting power of social media would lead to symbolic policies is borne by evidences provided by content analysis and in-depth interviews. Alternative formulation and agenda changes can be linked through a 'Legitimacy Stream'. When sufficient critical mass develops around the idea of land justice and promotes it onto the governmental agenda, a particularly formidable obstacle to thoroughgoing law amendment is the tendency for political

entrepreneurs to treat the issue as opportunities to show their kindly “considerateness” rather than to make hard choices. The legislation and verdicts of the Constitutional Court and administrative courts, that follow in the wake of focusing events did not provide landowners’ share for the public-private joint development surpluses. The government’s expropriation power and political leaders’ attitude remain unchanged. Because of the intensity of the affected, unless they amend the Land Expropriation Act again, even after the 2016 party turnover, the president and premier were unable to resolve the ‘Land Justice’ issue in meaningful ways.

Keywords: Agenda-Setting; Land Justice; Legitimacy Stream; Multiple Streams Approach; Political Entrepreneur.

Introduction

Many studies of multiple streams adapted the theory to fit their cases in different countries and policy areas, without suggesting modifications or theoretical refinement. Unlike the US presidential system, many European case studies demonstrated the importance of the Westminster system and minimum winning coalitions in parliament (Zahariadis and Exadaktylos, 2016; Zohlnhofer, 2016; Zahariadis, 2015). In the encompassing meta-analysis of Jones et al. (2016), more than fifty subcomponents of the Multiple Streams Approach (MSA) or Multiple Streams Framework (MSF) had been suggested. While other papers presented more abstract theoretical refinement and improved the MSA's general explanatory capacity (Teisman and Buuren, 2003; Howlett et al., 2015; Herweg et al., 2015), Taiwan's Land Expropriation case study views policymaking, as collective output formulated by several factors' pull and push, under significant time constraints and with limited alternatives.

Taiwan covers an area of appropriately 36,000 square kilometers and three fourths of this area is mountainous, with a hundred peaks reaching above 3,000 meters and infinite variations of topography (Su, 1999: 55). Up to 2010, according to Chiang's research (2010: 15), due to large-scale land expropriation over the past years, 260,000 hectares of arable land is fallow. While hectares of farmland increased to 48,700 in 2013, Taiwan's soaring farmland prices, 15 million New Taiwan Dollars (about 480,000 USD) per hectare, are 6.2 times higher than that of Japan and 167 times higher than that of Japan (Lee, 2015: 137). Land speculations deterred farming and posed food shortage. Although the Interior Ministry is the central government's authorities of land expropriation, local governments are authorized to initiate and enforce administrative land expropriation procedures and evaluate the public interest purpose and necessity of such undertaking and carry out overall evaluation and analysis of social, economic, cultural, ecological, and sustainable development factors.

Over the past decades, as joint-development has been a significant revenues source of local development and economic revitalization, local government magistrates cannot meet needs and appeals of land-lost farmers' resettlement and offer fair compensation. In many cases of land expropriation, social unrest and tensions eventually triggered national-wide protest and political conflicts. One of the largest case is the second-phase Danhai New Town development project, covering 1,154 hectares, whereas the Taoyuan

Aerotropolis with an area of 4,686 hectares (Hsu, 2012). As land expropriations sparked many fierce contestation and political conflicts in the past decades, the most common type of 'zone expropriation' is employed in local government-led land development, leaving landowners with the choices of accepting either monetary compensation or applying for land ownership as compensation. In zone expropriation cases of agricultural lands re-categorized as urban lands, monetary compensations received by farm landowners are usually far below market prices, when they take part in local governments' joint development projects.

The importance of this case study rests on two reasons. First, land reform and zone expropriation received significant public attention and raised political conflicts and inspired following civic disobedience events since then. Second, the triangulation research design enables the author to analyze this most applicable case study in that the policy involved problems, alternatives, and dramatic agenda changes in institutional structures and policy values. In the land expropriation case, government attention lurched quickly to respond to the policy issue of 'Land Justice'. The 2010 Dapu Incident had ignited the following civil disobedience events: Shilin District Wang Family Urban Renewal Project in 2012, Army Corporal Chung-Chiu Hung's death due to physical torture in 2013, and the 2014 Sunflower Movement's struggles against the Cross-Strait Service Trade Agreement of Taiwan and China. Facing social protests emerged since 2010 posed challenges to Taiwan's democracy deepening, whereas, in this case study, a feasible expedient policy solution took short time and a law amendment took much longer to produce. Government authorities, such as the county magistrate, premier and the president, were accused of abusing their power and resulting in local communities' destruction. Scant attention to the demands raised by Dapu residents in Miaoli County and civic organizations as well as a series of protests and clashes, in the end, led to major revisions of the Land Expropriation Act in December 2011 (Chang, 2016: 5), under the pressure of mass protests, scholarly critiques, and the presidential campaign in January 2012.

Situating this analysis within multiple streams approach, the author first discusses the Dapu Incident (2010-2016) by identifying policy entrepreneurs involved and introduces the legal framework of the Land Expropriation Act. Theoretical foundations of multiple streams and its linkage with governmental officials and public managers are

then presented. Followed by the section of methodology, content analysis and in-depth interviews focus on negotiation, alternatives as well as policy entrepreneurs. The author argues that 'Legitimacy Stream' may be helpful to clarify multiple streams approach by illustrating the role 'political entrepreneurs' (with legal authority) and bureaucrats (with land administration expertise) play in linking alternative specification to dynamic and fluid policymaking process.

Policy Entrepreneurs and Dapu Land Expropriation Incident (2010-2016)

After launching peaceful democratization, Taiwan witnessed political transition during the 1980-90s and democratic consolidation since the first Presidential Campaign in the 1996. Through illustrating five main topic such as land justice, environmental justice, labor rights, minority rights, and gender equality in the past several decades, "*A Caring Society: Multimedia Records for Taiwanese Citizen Action in a New Era*" (Kuang, 2013) revealed social movements and the 'connection between moral issues and civic engagement, but also further demonstrates moral predicaments between emerging democracy and economic development in Taiwan' (Lee, 2014).

One of the most controversial issues is land expropriation policy. In 1999, Miaoli County Magistrate Liu Cheng-hung ordered the zone expropriation of 156 hectares, mostly high quality rice fields, to expand a nearby technology park, even though the proposed optics factory there needed 28 hectares. (Engbarth, 2014). The Dapu neighborhood borders on the Jhunan Science Park. While Innolux Display Corporation suggested an expanded special zone, the Miaoli County Government increased the area to be requisitioned (Chiang, 2010: 14). To obtain a "dedicated park business area" of 27.98 hectares, the expansion plan demands 154 hectares of new urban planning land (Yang, 2013). Apart from the core "dedicated park business area," the plan allocates 67.55 hectares for residential zones, 2.88 hectares for a business zone and 1.85 hectares for a scientific and technological commerce zone, and it specifies that this land is to be developed through zone expropriation. After the Miaoli County Government designated Dapu as part of the science park extension project, local residents and

farmers resisted the proposed land expropriation and building demolitions (Kuang, 2013; Lee, 2014).

When a citizen journalist posted a film on the social media, sending pictures of green rice paddies ready for harvesting were destroyed by the Miaoli County Government's excavators, protecting by hundreds of policemen in June 2010 (Engbarth, 2014/01/20), the forcible demolition of four family houses in Dapu Borough of Miaoli County's Jhunan Township became the symbol of unjust land expropriation. Since then, the Dapu Incident, with the slogans of "Today You Demolish Dapu, Tomorrow (We Will) Tear Down The Government" as well as "Demolish the Government Civil Disobedience Action", had been the landmark case. As the Dapu Incident is by no means an isolated case and it will not just fade away (Yang, 2013), Taiwan Rural Front and Taiwan Farmers' Union claim that the initiation of land expropriation must be "predicated on the public interest, and the fulfillment of the public interest requires the most stringent legislative procedures open to public scrutiny" (Taiwan Rural Front, 2016).

Instigated by the 2010 Dapu Incident, several civic organizations actively participated the policy process, including Taiwan Rural Front, Taiwan Farmers' Union, the Federation of Farm Villages, the National League of Laid-off Workers, the Green Civil Action League, the Black Island-State Youth Federation as well as many anti-expropriation self-help organizations. Facing heightened public attention, Premier Wu Den-Yyih promised in both July 2010 and July 2011 to rectify the Land Expropriation Act. The Executive Yuan (Taiwan's Cabinet) presented the revision draft of Land Expropriation Act in August 2011 and won the 2012 Presidential Campaign and the General Election of National Legislature. When governments failed to settle down expropriation incidents after passage of the 2012 LEA Amendment, the proposal of anti-land-grab protestors and civic organizations, 'the compensation for expropriated land should be decided by three real-estate appraisers instead of the government's land evaluation commission' (Shih, 2013), was not accepted by Premier Jiang Yi-Huah (the Interior Minister during the 2009-2012 period). In the end, the Democratic Progressive Party won the 2014 island-side local elections and the 2016 General Election of Presidency and National Legislature.

After the third party turnover in 2016, protesters on Ketagalan Boulevard roared, chanted and cried on September 25 as they pleaded with the President Tsai Ing-Wen to halt land expropriation projects and return them to their homes (Sun, 2016). Organized by the Taiwan Alliance of Anti-Forced Eviction, the Taiwan Association for Human Rights and the Treasure Our Island Organization, more than sixty forced evictions self-help organizations and civic groups joined the rally site on Ketagalan Boulevard in front of the Presidential Office. To respond to thousands of victims of forced evictions, by issuing a statement, the President promised the demolished ‘Dapu Chang Pharmacy House’ would be re-build at the original location and new guidelines for future reforms had been drafted by the Interior Ministry based on appeals of the principles of public interest and necessity.

Legal Framework of the Land Expropriation Act (LEA)

The original 2000 Land Expropriation Act (LEA) had a clear framework of expropriation procedures and its foremost policy goal aims at enacting for ‘the purposes of regulating expropriations of land, ensuring reasonable land use, safeguarding private and promoting public interest’. Once landowners accept the participation status of the joint development projects, according to the Article 19, ‘compensation for the expropriated land or land improvements shall be borne by the land use applicants and distributed through the municipal or county (city) competent authority’ (i.e. the local government). Under the Constitution’s protection of private property rights, two land expropriation criteria are listed by Article 3 of the LEA: “for public interest purposes” and “to the extent strictly required” (Chang, 2016: 4). Without concrete definitions, the statutory requirements of public interest and necessity are thus controversial.

In December 13, 2011, lawmakers passed the amendment of Land Appropriation Act and intended to provide clear terms and procedures for land expropriation, as well as fair compensation for expropriated land (Tsai, 2011/12/14). Two weeks before the Presidential Campaign in January 2012, the 2012 Amendment was promulgated by the Presidential Office. According to Chang (2016: 5), the newly enacted Article 3-1 of the LEA, for the first time in decades, tied the hands of the state from wielding eminent domain power. According to the official website of

the Interior Ministry, the 2012 Amendment of the LEA stipulates that land designated for agriculture should not be expropriated except for major development projects approved by the central government, as well as for facilities involving national defense and public facilities and transportation. It requires that if the land has to be expropriated, compensation must be based on its market value, which should be calculated by local governments and submitted to a land appraisal commission twice a year. Moreover, scholars, experts and representatives of civic groups should be included in a land expropriation committee, making up at least one-half of the committee members. The 2012 Amendment, however, did not respond to one of the major demands of the protestors of anti-*eminent domain*. In Chang's opinion, "various assessment methods, based on owners' self-assessment or on real estate appraisers' assessments for condemnors", have failed to reach the goal of giving condemnors market value compensation (Chang, 2016: 31). The compensation for expropriated lands thus is decided by local government's land evaluation commission, instead of three real-estate appraisers.

Multiple Streams and Action-Oriented Government Bureaucrats

Since the 1980s, John Kingdon's Multiple Streams Approach (MSA) has been one of the main models of the policy process in policy sciences. He adapted the "garbage can model" (Cohen et al., 1972) of organizational choice to explain the agenda-setting process in public policymaking (Mucciaroni, 1992: 459), and decisions in many situations are more the result of the confluence of opportunities, individuals and ideas (Pierre and Peters, 2005: 52). The model conceives of government as an "organized anarchy", whereas multiple streams describe policymaking under conditions of ambiguity, that is, problematic preferences, unclear technology and fluid participation (Zahariadis, 2003: 152-153). As indicated by Jones et al. (2016: 14), the approach is employed to explain several case studies related to public health and transportation policy. Kingdon undertook 23 case studies and engaged in an interview program involving 247 officials, politicians and policy activists over the period of 1976-79 (Parsons, 1995: 192). With the longitudinal case analyses, Kingdon traced the evolution of given policy alternatives over time (Durant

and Diehl, 1989: 203). By using qualitative interviews and secondary data, Kingdon (1984, 1995) illustrated how issues entered onto policy agendas and concerned what makes an idea's time come. In his opinion, the question is actually a part of a larger puzzle: What makes people in and around government attend, at any given time, to some subject and not to others? (Kingdon, 1995: 1).

The Multiple Streams Framework (MSF) used the concepts of policy actors interacting over the course of sequences of events in what he referred to as “streams” of problem, politics and policies (Mukherjee and Howlett, 2015: 65). Public policy making can be considered to be a set of process (Kingdon, 1995: 2-3), including (1) the setting of the agenda, (2) the specification of alternatives from which a choice is to be made, (3) an authoritative choice among those specified alternatives, as in a legislative vote or a presidential decision, and (4) the implementation of the decision. While Kingdon attempts to answer “why do decision makers pay attention to one thing rather than another?”, he defines the agenda as ‘the list of subjects or problems to which governmental officials, and people outside of government closely associated with those officials, are paying some serious attention at any given time’ (Kingdon, 1995: 3).

His research suggests that the agenda setting component is best conceptualized as three independent streams awaiting periodic, albeit fleeting, opportunities for policy choice (Durant and Diehl, 1989: 180). Within any particular problem area, these streams run parallel and somewhat independently in a policy domain until something happens to cause two or more of the streams to meet in a “window of opportunity” (Birkland, 2015: 373). Policy windows provide the institutional context and the constraints and opportunities within which specific policies are created (Jones et al., 2016: 16). And a policy entrepreneur may provide the necessary dose of agency required to couple the streams and shape policy outputs. These policy entrepreneurs invest their skills and resources to create a persuasive policy story that makes it onto the agenda (Winkel and Leipold, 2016: 120). Although many solutions already exist, the role of participants is to advance their solution to a problem. If all streams are coupled in a single package then the item has a high probability of reaching the top of the decision agenda (Parsons, 1995: 194).

Thus, unlike traditional incremental models of policymaking, ‘There may be no new thing under the sun at and same time that there may be dramatic change and innovation’ (Kingdon, 1984: 210). In his view, both gradualistic evolution and punctuated equilibrium seem to be at work in different parts of the process (Kingdon, 1995: 227). While focusing events draw attention to problematic conditions, attention is fixed by the media or policy entrepreneurs (Jones, 1994; Zahariadis, 2003: 154). According to Birkland (1997: 159), focusing events open “windows of opportunity” and influence problem stream, because they may change people’s understanding of how and why problems come about.

When the window opens, proposals must be ready long before that, where public managers and policy specialists recombine familiar elements into new proposals. As ambiguity is often essential in public policy (Zahariadis and Exadaktylos, 2016: 64), the policymaking process is “rife with inconsistencies and lack of coordination” (Wu et al., 2010: 1). In a world of fragmented policy processes, what Kingdon’s ‘policy primeval soup’ needs, either value acceptability, the emerging consensus, or available alternatives (Kingdon, 1995: 116-144), is more than just “civil servants” (1995: 30-34). As indicated by Kingdon (1995: 229), government is not simply pushed and pulled by societal or economic forces, it has its own autonomy. While red tape “has come to connote the worst of bureaucracy” (Bozeman and Feeney, 2015: 5) during the past decades, based on a general framework of laws and executive orders, “other policy makers give bureaucrats discretion to make specific regulations” (Gerston, 2015: 53).

In the case of Dapu Incident, the consequences of the fragmented nature of authority substantial. Being blamed for their incompetence and poor policy initiation capabilities, government bureaucrats and public managers are often responsible for most failures in public sector governance (Wu et al., 2010: 3). Despite of their vested interests in the agenda-setting process, the long-term influence of public managers and governmental bureaucrats were challenged by conflicting signals on the track of agenda building. According to Cobb and Elder (1972: 142), “when the media takes an interest in a situation, they usually follow up on it, generating greater and greater attention and concern”. To policy entrepreneurs and stakeholders, in the case of Dapu Incident, what Schattschneider (1975: 7) described as ‘socialization of conflict’ of

the scale control altered the dynamics of policymaking process.

In Kingdon's multiple streams terms, the triggering mechanism linking strategic engagement of policy entrepreneurs to policy alternative specifications involve growing support of the national mood in the politics stream, altering policy values of economic development and land justice in the policy stream, and actor relationships and agenda-setting ability during different phases of policymaking. Based on Zahariadis (2014: 31) and Winkel and Leipold (2016: 114), the analysis focused on: who sets the policy agenda in different phases of Dapu Incident; how do policy entrepreneurs interact and couple streams drawing on opportunities provided by policy windows; and who is in charge of presenting policy alternative.

Methodology

While concentrating on the land expropriation policy area of multi-level governance, this research design employed several methods pertaining to data and methodological triangulations (Patton, 2002; Yin, 2014: 120-121), including content analysis and semi-structured interviews. To observe the focus of public attention, gradualistic policy alternatives, and policymaking sharp changes, the author collected two-stage information from multiple sources. In addition to administrative courts' verdicts, the Control Yuan's quasi-judicial investigation reports, and editorials of four major island-wide newspapers, evidence was gathered from two-round semi-structured interviews, conducted in 2013 (five respondents) and 2016 (with three original respondents and three new interviewees). Information collected was distilled to identify discrepancies, including a university professor, a legislator, a county council member, a governmental official, a retired minister, and a senior journalist.

By triangulating data and developing convergent evidence, data triangulation helped to strengthen the construct validity of this case study (Yin, 2014: 121-122). The first stage of the research was content analysis. Using keywords of "Dapu Incident" and "land/zone expropriation", the author collected four major island-wide newspaper reports, beginning from June 8, 2010, to the annual investigation of local

government's satisfaction poll published by the prestigious *Global View Monthly* in September 8, 2010. During the period of 8 June to 17 July and 18 July to 8 September, 246 news reports helped the author to capture public opinion and explained how media shape the process of policymaking.

Based on the rigorous content analysis of news reports gathered (June-Sept. 2010) and two round semi-structured interviews conducted in 2013 and 2016 in the second stage, four policy entrepreneurs and two proposals of policy alternatives were identified. Two government proposals are the alternative of "trade-off land exchange (on different site)" and "market value land for compensation". Four policy entrepreneurs include President Ying-Jeou Ma, Miaoli County Magistrate Cheng-Hung Liu, the Secretary-General of the Executive Yuan (Taiwan's Cabinet) Dr. Join-Sane Lin as well as the leader of Taiwan Rural Front Professor Shih-Jung Hsu. The former two entrepreneurs are 'political' entrepreneurs with formal authority, whereas the latter both own PhD degrees of land administration and policy. The role of social media in a civil society has been mentioned by several interviewees in both rounds.

Content Analysis: Negotiation, Alternatives, and Policy Entrepreneurs

According to the analysis, 68 news reports concerned following demonstrations of the topic content category of 'negotiation process', whereas 71 reports were categorized as 'controversial expropriation activities' (Lu, 2016: 79-81). Before the '717 Ketagalan Boulevard Over-Night Action' in front of the Presidential Office, while 4 reports concerned the 'negotiation process' category, 64 reports focused on exactly the same category. Between Premier Den-Yih Wu and the Dapu Self-Help Organization, Taiwan Rural Front as well as other civic groups, there are several political commitments and policy compromises were made. One of them, presented by Premier Wu, is the proposal of "trade-off land exchange (on different site)".

After the focusing event of '717 Over-Night Action', however, print media made considerable changes and focused on the topic content category of 'negotiation process' (64 reports, 33%) and 'others' (56 reports, 29%), including readers' letters and articles of scholars as well as leaders of civic groups. As the case study witnessed

an explosion of print media reports, leading to a disjointed policy agenda, the ‘717 Ketagalan Boulevard Over-Night Action’ influenced the policy stream by creating an opportunity for a new look at policy alternatives previously considered politically unnecessary. In two research phases in 2010, although the central government did not promise to terminate the expropriation policy, President Ma initiated the amendment proposal of the Land expropriation Act at the end of 2010. One of major revisions in the amendment is the policy of “market value land for compensation”. While the focusing event elevated the ‘Land Justice’ issue on the policy agenda, the event also influenced the problem stream, because the President changed his understanding of how and why problems come about (Birkland, 2007: 159).

Table 1. Analysis for the Category of Topic Content

Unit: One Report

Topic Category	<i>Liberty Times</i>	<i>United Daily</i>	<i>China Times</i>	<i>Apple Daily</i>	Total
Protests	21+4 (35%)*	10+14 (34%)	6+7 (18%)	3+6 (13%)	40+31 (100%)
Negotiation	1+29 (44%)	1+12 (19%)	1+15 (24%)	1+8 (13%)	4+64 (100%)
LEA	0+3 (12.5%)	1+1 (8.5%)	5+13 (75%)	0+1 (4%)	6+18 (100%)
Elections	1+4 (36%)	0 (0%)	0+5 (36%)	0+4 (28%)	1+13 (100%)
Farm Act	6+6 (57%)	0+3 (18.5%)	1+3 (19%)	0+2 (9.5%)	7+14 (100%)
Others	2+23 (41%)	0+5 (8%)	0+19 (31%)	3+9 (20%)	5+56 (100%)
Total	100 (100%)	47 (100%)	65 (100%)	34 (100%)	

*: “X+Y” indicates reports before (8 June-17 July) and after (July 18-Sept. 8) the ‘717 Over-Night Action’ in 2010.

To face the challenge of the 2012 Presidential Campaign, the ‘717 Over-Night Action’ in July 2010 and the ‘716 Farmers’ Returning Back to Ketagalan Boulevard’ in July 2011 eventually reinforced President Ma’s serious concerns about losing the campaign of presidency and parliament in January 2012. At the President’s press conference in August 2011, President Ma announced the official amendment of the Land Expropriation Act. As the proposal was passed by the National Legislature in December 2011, both focusing events, in the end, influenced the politics stream. By drawing intense and negative attention, the policymaking process allow greater participation of policy entrepreneurs who were very difficult to gain access to the policy community. Despite the differences between the official version of the LEA

Amendment and the draft proposed by academics and civic organizations, success in attracting public attention was not guaranteed in the examination phase of policy alternatives.

According to the content analysis of Lu (2016: 80), top four of the ‘news source category’ were as follows: ‘Dapu Self-Help Organization’ (65 reports, 23%); ‘Citizens’ (51 reports, 18%); ‘the Central Government’ (41 reports, 15%); and the ‘Miaoli County Government’ (31 reports, 11%). As the size and importance of the event of the ‘717 Over-Night Action’ in 2010 is large enough to attract public attention, arguments and dialogues from another news source category of ‘Scholars and Experts’ (33 reports, 12%) did not trigger discussions and earn attention from print media as well as the public. Due to complexities of the ‘Land Justice’ policy issues, broad-based mobilization did not occur. President Ma is the main source of initiative in policymaking process. Although the land expropriation policy engaged few “publics”, the existence of some civic organizations (such as Taiwan Rural Front and Taiwan Farmers’ Union) making sound claims represents the public interest by presenting their proposal drafts to the Legislative Caucuses of the opposition parties. In addition to civic organizations and their revision draft of the Land Expropriation Act, what is most important is the extent to which ideas and alternatives are mobilized and perceived, either by groups representing the public interest or by mobilized interest groups, political parties, technical experts and government officials.

Two major policy entrepreneurs were identified in the content analysis: a county magistrate and a professor of a national university. As the most important political figure of the Dapu Incident, Miaoli County Magistrate Cheng-Hung Liu already dramatized a local government’s land expropriation. He tried to mobilize public support and cooperation of colleagues in positions of authority. Leaving aside the fact that the final official LEA Amendment did not fully satisfied stakeholders of the Incident and civic organizations, County Magistrate Liu declared many times in different occasions that all land expropriation procedures follow related statutes and regulations. His arguments are important largely for his policy value of economic development and its political implications for the ruling party’s ideology. As the leader of Taiwan Rural Front, however, professor Shih-Jung Hsu viewed all land

expropriation cases are “robbery” and the official value of farmland is generally well below its market value. The fact that critical essays and articles of professor Hsu appeared on newspapers successfully heightened public awareness and added a bipartisan perspective to his allegation of “Land Justice”. In the end, it took one and half a year for the central government and the ruling party’s legislative Caucus to pass the LEA Amendment, despite clear differences between the official proposal and the amendment draft of Taiwan Rural Front.

‘Legitimacy Stream’, Bureaucrats’ Expertise and National Atmosphere

Focusing events in 2010 July and 2011 July struck many people at that time, including those in the government and other positions of authority. While public-private joint development and the alternative of “market value land for compensation” was new to most policymakers, journalists and the public at large, land administration bureaucrats and experts had considered the possibility of that sort of land expropriation compensation alternatives. In a way, focusing events in 2010 and 2011 caused preexisting policy ideas to be revamped. Three interviewees, two from the public sector and one from the academic community in the second round, indicated that the Secretary-General of the Executive Yuan (Taiwan’s Cabinet) played a pivotal role in the policymaking process. Dr. Join-Sane Lin, a high-level technical bureaucrat with a PhD degree of land administration, suggested proposals of “trade-off land exchange (on different site)” in July 2010 and the enactment of “market value land for compensation” in the 2012 Amendment of the LEA.

When the president was convinced the problem is pressing and adopted the given alternative and proposal to serve his re-election, he attempted to couple the expropriation problem to his pet solution alternative. In addition to the opening of a problem window, a university professor pointed to local administrator’s personality. As he summed it up, “the problem is the political character and policy style of Miaoli County Magistrate Liu is harsh”. And this made the president cannot simply leave it to Parliament and the premier to thrash out the details of ‘procedure justice’ and alternative specification. While the tension associated with the process can undo the

popularity of the president, facing the presidential campaign in January 2012, the enactment of the compensation proposal of market value land was the favored alternative of the ruling party.

As a matter of fact, many proposals implemented were already on the agenda, although they were well known primarily only to experts of land administration. Another aspect of current land expropriation policy is “spillovers”, as Kingdon would call them, from other policy domain. As a substantive issue, the policy of land expropriation with political commitments made by premier and the president is an intertwined theme, including economic policy, agriculture policy, urban planning policy and social policy. When the government exercises its authority and policymakers decide to change the rules that initiation of an evaluation system for land expropriation has to be based on the principles of public interest and necessity, they raise questions on the merits of many groups and people that benefit from land expropriation. The LEA Amendment provided an opportunity for civic organizations and pro-law enforcement groups and academics to pass legislation that significantly increased concrete regulations in the amendment and prevent further abuses of explanations for public interests and necessity. Because the problem was sufficiently urgent and because economic interests such as high-technology industry rely on zone expropriation for a large part of their science parks, the LEA amendment draft of civic organizations, accepted as the opposition party’s amendment version, such efforts encountered vigorous resistance from bi-partisan local government magistrates and those whose economic development activities would be influenced. For example, according to the current LEA, the mechanism for public involvement, specifically for congressional hearings, helps to mobilize an uninformed public, whereas it is not mandatory and does not offer landowners righteous power to oppose land expropriation initiated by local government.

The research indicates that most of the hard work of generating the law amendment draft falls to academics and technical experts both within and outside government, although the president is held the highest standards of accountability. Different stakeholders, groups and political parties coalesced against the official amendment proposed by the premier. An interviewee, who had been a minister of the Internal Affairs Ministry and Transportation and Communications Ministry,

conjectured that partly because the participants sensed a national mood of a “swing to the left”, “anti-government atmosphere”, and “disobedience movement” since the 2010 focusing event. Simply deciding to discuss the issue of ‘Land Justice’ can capture policymakers’ attention and the public in land expropriation policy area that previously may not have had much visibility. A print media journalist reinterpreted the national mood to promote a higher agenda status: “when elected politicians already sensed the change of political climate, career bureaucrats and public managers discuss the amendment of Land Expropriation Act in details as usual”. To respond to echoes of events at the government level, Premier Wu presented the LEA amendment draft. However, a former senior lawmaker said, “people are not interested in serious discussions about revision details and procedure improvements of land expropriations in the legislative process”; “what opposition parties care about is the political will to mobilize support of civic organizations and the younger generation’s votes”.

As the public involvement mechanism and the full compensation option for people adversely affected were adopted by the 2012 Amendment of the LEA, the president and premier viewed the amendment as a reasonable solution of all self-help organizations and civic groups of land expropriation. The problems remain the same. According to Chang (2016: 4), these two criteria are abstract, because Article 3 of the LEA further spells out that takings must be “for public interest purposes” and “to the extent strictly required.” Even with agenda changes and law revisions, two major points defied the successful coupling: an initiation of the evaluation system for the principles of public interest and necessity; and a thorough and sustainable plan for farmland preservation, including the ‘special agricultural areas’ indicated in the 2012 Amendment.

As a lawmaker said, “the gap of policy beliefs and values would be always there”, “farmland owners and those who are against land expropriation would not be satisfied with whatever alternatives and procedures introduced in the law amendment”. Once amendment drafts were presented to the National Legislature, the simple fact is that resources at the president’s disposal extend beyond those any other elected government officials. While “symbolic issues evoke decisions on political values” (Gerston, 2015: 49), land expropriation policy issue, as a

substantive issue, has to deal with satisfying competing interests and goals. As President Ma recognized the change of national mood and presented his proposal solutions, i.e., the LEA Amendment, to link with political exigencies five months before his second-term presidential campaign, the president has to face judges' decisions on cases brought to their attention.

Ever since the Dapu Incident in 2010, the courts and administrative courts have had active roles in placing the land expropriation issue as the basic dignity of human beings' living rights and property rights. Neither the Constitutional Court nor the Supreme Administrative Court, however, has developed clearer tests to effectively implement two statutory requirements, such as public interest and necessity. Administrative courts have been deferential to the government in these two statutory requirements, essentially giving "to the extent strictly required" a blank check (Chang, 2016).

Even facing verdicts and convictions of courts, administrative courts, and Justices of the Constitutional Court, they did not spur the presentation of the president's official amendment draft and its final enactment and passage in Parliament. In the absence of any clear criteria of public interest and public policy necessity, Justices of the Constitutional Court limited the eminent domain capabilities of local governments. Recent rulings by the Constitutional Court on affirmative appeals of land expropriation cases extend from the highest centers of judiciary activities to jurists at the local level. In the end, as a professor said, "as long as final results meet the tests of political acceptability and can be compromised between the president and opposition parties, deals would be done."

As another branch of a unique separation of powers among five branches, three investigation reports of the Control Yuan, during the period of 2010-2014 reached into conclusion about Miao-li County Magistrate Liu's administrative responsibility for the Dapu Incident as well as the County Government's procedural in-justice of its administrative measures taken. The investigation reports are able to place critical issues before the public, the reports lack the muscle to make expropriation policy change. Because members of the Control Yuan do not have as direct a relationship with the public as legislators and the president, their efforts to raise and act on land

expropriation controversies are not as influential as other policy entrepreneurs.

Conclusion

By emphasizing the agenda-setting capabilities and the roles of policy entrepreneurs in multiple streams approach, the author analyzed the Dapu Incident (2010-2012) to point out that political leaders and the public do not perceive issues with a same degree of concern. The 2012 LEA Amendment emerged as the result of information and pressures directed toward and placed on the president, premier, and the Interior Minister of the competent agency. When the LEA revision ideas initiated by scholars and civic organizations joined to become powerful forces for changes, through the efforts of 'political entrepreneurs' and bureaucrats with land administration expertise, political entrepreneurs sensed the growing conflicting pressures over the 'Land Justice' expectation of the public and exercised their power to air the issue in specific contexts, such as the amendment in the public forum of Parliament.

Impeded by confusion about the nature and meaning of 'Land Justice', the Dapu Incident case study is temporally limited and still needs more empirical validation across more case in different policy areas. The findings, however, have preliminary theoretical implications for multiple streams theory.

First, the 2012 Amendment marked a major change of expropriation compensation options ever since its initiation in 1949. It left little rooms for non-official policy entrepreneurs to re-interpret 'public interest' and 'necessity', whereas it also opened another opportunity door for the next round. The 2016 party turnover stirred the public conscious on the issue of 'Land Justice' and considerable debates continue in Parliament and the society. Interactive and dynamic multiple streams linked alternatives and institutional arenas to policy outcomes. The study indicates that policy entrepreneurs' agenda-setting capabilities not only offer the opportunity for more resolutions, but also signify representation of different stakeholders. The author focused on coupling efforts that occur in sufficient media exposure and the official diagnosis of land expropriation (e.g., economic development vs. land

justice). Facing problematic environmental demands, conflicting signals from civic organizations, mass media, interest groups, and political parties slowed down policy alternatives formulation and legislation of statute revision. Because of different aspects on technical matters such as the land value appraisal mechanism, and more mundane matters such as the principles of ‘public interest’ and ‘necessity’, wider debates are indispensable even in a favorable political stream.

During the research-related event period in 2010 and after the lawmaking process of the 2012 Amendment, Professor Shih-Jung Hsu, as the leader of Taiwan Rural Front, exercised social mobilization capacity and did more than push, push, and push for the ‘civic version’ amendment of the LEA. He and his colleagues play a central role and still wait for next round’s opportunity window opening. About the specification of ‘public interest’ and ‘necessity’, they seize every opportunity to advocate a newly formulated amendment for the LEA. In addition to the new proposal, Professor Hsu acts as a broker, negotiating among people and making coupling.

Second, despite administrative courts verdicts and investigation reports of the Control Yuan, a favorable political stream is a necessary but not sufficient condition. Through the ‘Legitimacy Stream’ of due process and dispute resolution mechanism, symbolic responses for the ‘Land Justice’ issue can be forced to make substantive changes. Although the MSA does not provide a very specific link between problems and “alternative specification”, which is “selecting the set of conceivable alternatives available for addressing each problem” (Durant and Diehl’s, 1989: 180), the author’s expectation that the agenda-setting power of social media would lead to symbolic policies is borne by evidences provided by content analysis and in-depth interviews. Alternative formulation and agenda changes can be linked through a ‘Legitimacy Stream’. Interviewees from the executive and legislative branches expressed their concerns for the powerful internet source of information as an agenda-building agent. One of the interviewees claimed that despite the official response of the “trade-off land exchange (on different site)” two months after the focusing event of the “July 17 (2010) Ketagalan Boulevard Over-Night Action”, the policy option did little to solve the ‘Land Justice’ issue. Another interviewee conjectured that, without basis of hard facts, opinions or stories of social media forced ‘political entrepreneurs’ to adopt

a symbolic response.

When sufficient critical mass develops around the idea of land justice and promotes it onto the governmental agenda, a particularly formidable obstacle to thoroughgoing law amendment is the tendency for political entrepreneurs to treat the issue as opportunities to show their kindly “considerateness” rather than to make hard choices. The legislation and verdicts of the Constitutional Court and administrative courts, for a certain period of time in this case, that follow in the wake of focusing events did not provide landowners’ share for the public-private joint development surpluses. The government’s expropriation power and political leaders’ attitude remain unchanged. Because of the intensity of the affected, unless they amend the LEA again, even after the 2016 party turnover, the president and premier were unable to resolve the ‘Land Justice’ issue in meaningful ways.

Third, the author takes the multiple streams theory one step further by helping to illustrate the essential role played by governmental bureaucrats and public managers. While policy alternatives are confronted with time-constrained, policy sector-focused and politically driven policymaking process, many efforts for ‘political entrepreneurs’, such as the president and premier, to integrate policy goals are severely restricted. In this case, political entrepreneurs chose the least technically difficult alternatives which were promised to the self-help organization and civic groups as well as the attentive public. With their land administration expertise and policy acumen for law revision advices, the research focused on bringing bureaucrats and public managers into multiple streams framework. Especially for the Secretary-General of the Cabinet, Dr. Join-Sane Lin is known for his expertise and political connections for the president and premier. By situating this case within the theoretical foundation of multiple streams, improving integration through the policymaking process and public management is a goal worth striving for. The obstacles to this integration may be overcome by applying to more different policy areas and exploring roles played and alternatives presented by policy entrepreneurs in the ‘Legitimacy Stream’.

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