

ENVIRONMENTAL POLITICS AND THEORY

Our current environmental crisis cannot be solved by technological innovation alone. The premise of this Series is that the environmental challenges we face today are, at their root, political crises involving political values.

Growing public consciousness of the environmental crisis and its human and nonhuman impacts exemplified by the worldwide urgency and political activity associated with the consequences of climate change make it imperative to study and achieve a sustainable and socially just society.

The Series collects, extends, and develops ideas from the burgeoning empirical and normative scholarship spanning many disciplines with a global perspective. It addresses the need for social change from the hegemonic, consumer capitalist society in order to realize environmental sustainability and social justice.

The Series Editor is Joel Jay Kassiola, Professor of Political Science and Dean of The College of Behavioral and Social Sciences at San Francisco State University.

China's Environmental Crisis: Domestic and Global Political Impacts and Responses

Edited by Joel Jay Kassiola and Sujian Guo

CHINA'S ENVIRONMENTAL CRISIS DOMESTIC AND GLOBAL POLITICAL IMPACTS AND RESPONSES

Edited by
Joel Jay Kassiola and Sujian Guo

palgrave
macmillan



CHINA'S ENVIRONMENTAL CRISIS
Copyright © Joel Jay Kassiola and Sujian Guo, 2010.
All rights reserved.

First published in 2010 by PALGRAVE MACMILLAN®
in the United States – a division of St. Martin's Press LLC,
175 Fifth Avenue, New York, NY 10010.

Where this book is distributed in the UK, Europe and the rest
of the world, this is by Palgrave Macmillan, a division of Macmillan
Publishers Limited, registered in England, company number 785998,
of Houndmills, Basingstoke, Hampshire RG21 6XS.

Palgrave Macmillan is the global academic imprint of the above
companies and has companies and representatives throughout
the world.

Palgrave® and Macmillan® are registered trademarks in the United
States, the United Kingdom, Europe and other countries.

ISBN: 978-0-230-10664-2

Library of Congress Cataloging-in-Publication Data

China's environmental crisis : domestic and global political impacts
and responses / edited by Joel Jay Kassiola and Sujian Guo.

p. cm. — (Environmental politics and theory)
ISBN 978-0-230-10664-2 (alk. paper)

1. Environmental policy—China. 2. Economic development—
China—Environmental aspects. 3. Social change—China.

4. Political participation—China. 1. Kassiola, Joel Jay, 1945–
II. Guo, Sujian, 1957–

HC430.E5.C435 2010

363.700951—dc22

2010014497

A catalogue record of the book is available from the British Library.

Design by MPS Limited, A Macmillan Company

First edition: November 2010

10 9 8 7 6 5 4 3 2 1

Printed in the United States of America.

CONTENTS

Contributors	vii
Introduction: China's Environmental Crisis—A Global Crisis with Chinese Characteristics: From Confucius to Cell Phones <i>Joel Jay Kassiola and Sujian Guo</i>	1
Part I Current Ecological Conditions and Public Policies in China: Desertification, Biodiversity, Climate Change, and Food Security	11
1 Desertification in China: Problems with Policies and Perceptions <i>Hong Jiang</i>	13
2 Network Public Management and the Challenge of Biodiversity Management in China <i>Sara R. Jordan</i>	41
3 Changing Climate? China's New Interest in Global Climate Change Negotiations <i>Wei Liang</i>	61
4 Environmental Degradation and Food Security Policies in China <i>Jerry McBeath and Jenifer Huang McBeath</i>	85
Part II The Formation and Policy Influences of ENGOS (Environmental Non-Governmental Organizations) in China	121
5 State and Society in China's Environmental Politics <i>Björn Alpermann</i>	123
6 Responding to Climate Disaster: The Cosmopolitan Challenge to China <i>Paul G. Harris</i>	153

CHAPTER 5



STATE AND SOCIETY IN CHINA'S ENVIRONMENTAL POLITICS*

Björn Alpermann

Over the past two decades, the proliferation of new forms of social organizations in China has engendered a lively debate among Chinese and foreign observers about their role in politics and their relations with the party-state. Environmental groups in particular have been a focus of interest. The Chinese Communist Party (CCP) still aims at maintaining a monopoly on organization and therefore places restrictions on the growth of independent associations. Nevertheless, there has been an undeniable expansion of social organizations.

Over the course of the debate on social activism in China, different concepts have been advanced to explain the emergence of new social organizations within the context of an authoritarian one-party state. The next section will briefly review the major contending perspectives on relations between the party-state on the one hand and social organizations on the other. It will argue that neither society-centered nor state-centered approaches can satisfactorily explain the current politics of social activism in China. Instead, it will propose a third perspective building on Joel Migdal's "state-in-society" approach to reconcile the perplexing ambiguity of this relationship. This chapter will contend that if we are to make sense of seemingly contradictory trends in state-society relations, we need to fully recognize the fragmentation of both the party-state and the emergent civil society.

The rest of this chapter is organized as follows: the next section will discuss the fragmentation of state and society. It first addresses

progress and limits of state environmental politics before turning to the legal and political constraints imposed on social organizations in China. Thus, it demonstrates that the nascent environmental movement has to be understood in the context of both fragmented authoritarianism and fragmented civil society. In the latter case, fragmentation means that it is not enough to look at environmental nongovernmental organizations (NGOs) exclusively. Instead, the environmental movement consists of numerous different actors that are so far at best tentatively linked.

The second section will discuss the changing dynamics and strategies of environmental groups within this political environment. It thus places their interaction with the state at the center of analysis. In particular, it highlights new and more contentious strategies for environmental advocacy and the greater reliance on the law on the one hand and incipient links between state and social actors on the other. It argues that the fragmentation of the state provides opportunities for social activists to become "embedded," yet at the same time can be a source of considerable risk for them. In the conclusion, we come back to the question of how to best understand recent trends in environmental politics and state-society relations.

CONTENDING APPROACHES TO THE STUDY OF STATE-SOCIETY RELATIONS IN CHINA

Since the early 1990s, there has been a lively debate on how to conceptualize the emergence of organized social forces within Chinese society as these new actors challenged the notion of a Leninist political system in which the CCP claims a monopoly of organization. One group of authors saw in these new social organizations the budding of a "civil society," understood to mean a sphere of voluntarily organized social interests relatively independent from the state. Others, however, used corporatist models to explain how the party-state attempted to control and coopt emerging social forces into its organizational fold. While most of this "civil society" versus "corporatism" debate centered on business associations as prominent examples of emerging social organizations, similar arguments have been advanced regarding environmental groups.¹ Thus, some authors see NGOs at the forefront of China's budding civil society (Yang 2005; Cooper 2006; Thompson and Lu 2006).

But Western conceptions of civil society and corporatism have come under criticism for their overemphasis of antagonistic relations between state and society, while most empirical studies conducted

in China found cooperative or even symbiotic relations and blurred boundaries between state and society (Solinger 1992; Saich 2000; Ho 2001). Most scholars now agree that Chinese civil society organizations do not work in opposition to the party-state but in contrast are connected with it through various ties.

However, differences of emphasis between more society-centered and more state-centered approaches remain. Thus, falling under the first paradigm, Ho advanced his notion of "embedded activism," which sees NGOs as establishing symbiotic relations with politicians. Ho (2007: 198) suggests that the central state is the most valuable ally of NGOs against local state actors and polluting industries, an assessment shared by Lin (2007) who calls Chinese environmentalism a "social movement with Chinese characteristics." Cooper (2006: 109–136), based on her fieldwork in Southwest China, proposes a "local associational model" to conceptualize the mutual accommodation of local state and civil society actors. And Yang and Calhoun (2007) recently argued that NGOs together with the media had produced what they call a "green public sphere." All of these models point to the fragmentation of the party-state: in this view, bureaucratic rivalry and conflicts of interest between different administrative tiers and branches create openings for civil society to engage in environmental activism.

Closer to the corporatist line of reasoning are governance perspectives, especially those that can be called state-centered.² Such a governance perspective highlights the fact that states can use social organizations to achieve better policy results. In this vein, Jayasuriya discusses "the emergence of a new regulatory state, whose function has shifted from direct allocation of social and material goods [including environmental protection] to the more indirect provision of regulatory frameworks." While he acknowledges the "tremendous variation in the relative dependency, origin and purpose of the NGO-state relationship," he contends that there is "a dispersal, not a diminution, of state power," and uses the Chinese case to bolster his claim that "negotiated governance" can in fact create "new forms of relational capacity that reconfigure the state within society" (Jayasuriya 2005: 21, 31). In other words, this view emphasizes the usefulness of state-civil society linkages for the state's side. A similar point is raised by Salmenkari (2008) who hypothesizes that the Chinese party-state is using NGOs in the fashion of its accustomed "mass-line" approach to gather information about society, just as it is making use of "mass organizations" or "democratic parties" under the CCP's united front policy.

Furthermore, Jayasuriya (2005: 22) stresses that "fragmentation is not simply a question of erosion of the central policy capacities of the

state; it is also a reconstitution of new policy capacities and functions within the context of a new regulatory state." Thus, in this state-centered perspective, these processes may even play out to enhance state capacity while at the same time transforming the state itself.

It has to be acknowledged that the differences between the explanations sketched here are not stark. Both "society-centered" and "state-centered" approaches to the study of Chinese NGOs highlight the mutual connections between state and societal actors. Their difference lies primarily in where they place their emphasis. Authors in the first category tend to stress the effect these ties have for social activism, namely, "limiting while enabling" (Ho and Edmonds 2007: 337). Those in the second category rather choose to highlight their impact on the state, that is, effectiveness-enhancing while potentially transformative. Here it will be argued that it is in fact possible to reconcile these perspectives by using Migdal's "state-in-society" approach as a starting point (Migdal 2001).

Developing his "state-in-society" model Migdal argues that states and societies constitute each other and are locked into processes of interaction that continuously transform both. Thus, in this perspective neither is the process ever ending, nor is the question which side is getting the better of the other. Rather, the emphasis is squarely put on interaction itself: it is a process-oriented approach. In Migdal's words, "The need is to break down the undifferentiated concepts of state and society in order to understand how each pulls in multiple directions leading to unanticipated patterns of domination and transformation" (Migdal 2001: 98–99). While the studies on Chinese ENGOs cited above have already moved in that direction—in fact, a recent publication by Sun and Zhao (2008) employed a similar framework—this article attempts to push the analysis one step further by more fully recognizing the fragmentation of *both* state and civil society in China and its effect on their interaction in environmental politics.

Although this social fragmentation is hinted at by both Ho and Lin, their stress is on embeddedness, which brings legitimacy to environmental groups. My contention is that only parts of the social activists become successfully embedded and that even their position may become precarious again if political winds shift. The party-state is still able to segment the environmental movement and prevent certain parts of it from becoming entrenched and legitimized. In brief, while the fragmentation of the state creates opportunities for "embedded social activism," it is at the same time the source of considerable risk for environmental activists. In a generally volatile political setting, the boundaries of the permissible are ill defined, and competing state

actors may suppress even legitimate environmental concerns voiced by social activists. To make this point, the next section begins with analyzing the fragmentation of state and civil society in China, before turning to recent trends in environmental politics.

THE FRAGMENTATION OF STATE AND SOCIETY

Environmental Protection Administration in China

It is an often observed fact that breakneck economic development in the reform era starting in the late 1970s has had a huge detrimental impact on the ecology of China, its neighboring states, and last but not the least, the global environment (Smil 2004; Economy 2004, *inter alia*). Of course, some of China's environmental problems have a much longer history: deforestation, erosion, and desertification all started centuries ago (Elvin 1998). And the Mao era of forced development also took a heavy ecological toll (Shapiro 2001). Nevertheless, it is fair to say that the economic boom of the past three decades exacerbated preexisting ecological conditions to a degree previously unknown and added a number of new problems. No matter where one looks, it is clear that China's environmental situation is deteriorating rapidly as economic growth without due regard to its consequences continues: air, water, and soil increasingly suffer from pollution, while the "traditional" environmental problems like deforestation continue and threaten wildlife habitat and biodiversity.

Without going into detail, suffice it to say that the Chinese government gradually came to accept the need for a more balanced growth model, and not too soon: preliminary calculations of a so-called Green GDP by the State Environmental Protection Agency (SEPA) and the State Statistics Bureau published in September 2006 showed that environmental damages (of 511 billion RMB) wiped out at least three percentage points of China's economic growth (Sternfeld 2006: 27).

State efforts at environmental protection can be dated back to at least 1973, the year of the first national conference on environmental protection, or 1979, when a first (trial) law on environmental protection was issued (Palmer 1998: 790–791). This trial version was superseded by a new, permanent version in 1989, and a host of more specific laws on environmental protection were promulgated especially in the 1990s. China now has a very strict and comprehensive body of environmental protection legislation (Heuser 2001), but problems remain in its administrative enforcement. In 1984, the National

Environmental Protection Agency (NEPA) was formed with equivalent environmental protection bureaus (EPBs) at lower administrative levels, now counting some 2,500 at the municipal and county levels (Tilt 2007: 919). In 1998 during a general downsizing of state bureaucracies, environmental protection bucked the trend: NEPA was elevated to full ministerial rank and is now called SEPA (Jahiel 1998). Again, in March 2008, its profile was raised by renaming it the Ministry of Environmental Protection (*huanjing baohubu*).³ However, it currently employs only some 300 officials at the national level and a few thousand at lower levels, which is insufficient to successfully address the mounting challenges.

Frequent problems in environmental administration continue: despite a growing density of environmental legislation, polluters are rarely taken to task because enforcement of existing regulations is weak. This is not only due to lack of manpower, resources, and technical expertise on the part of local EPBs. A more important reason can be seen in bureaucratic organization: like other local bureaucracies, EPBs at a given level of the hierarchy are subject to two sometimes competing supervisory organs. One is the vertical (or *tiaotiao*) line of authority emanating from SEPA in Beijing and extending down along the administrative hierarchy to the county level. The second is the horizontal (or *kuaikuai*) authority wielded by the government and party organs at the same administrative level the EPB is situated in. In the case of environmental protection, the vertical superior only has "professional guidance relations" (*yewu zhidao guanxi*) with the subordinate unit. This means it only supervises the technical aspects of the subordinate's work. By contrast, the horizontal superior controls the personnel and financial aspects of the work and can issue binding orders in what is called a "leadership relation" (*lingdao guanxi*). Therefore, local EPBs regularly take local developmental needs into account when implementing environmental regulations (Jahiel 1998; in more detail, Sinkule and Ortolano 1995). In case of a clash between, say, a decision on the site of a new industrial plant and environmental regulations, local EPB officials are likely to neglect environmental protection to please local political leaders. Even if they tried to enforce stricter regulations, local governments can force them to comply because of their control over personnel and finances of the EPB. Thus, enforcement is a perennial problem (Vermeer 1998).

A related point is the weak institutional standing of SEPA. When competing with more powerful ministries for resources and attention of the top leadership, SEPA is at a disadvantage. For instance, the ministries governing water resources and electricity have much more

clout within the Chinese bureaucracy and often neglect proper environmental protection procedures in pushing forward with controversial projects. In these instances, SEPA can only make its presence felt if it succeeds to enlist the support of other bureaucratic actors. A case in point is the so-called Environmental Impact Assessment Tempest (*huanping fengbao*) (Moore and Warren 2006: 11): in January 2005, the outspoken SEPA Vice-Director Pan Yue issued a temporary halt to 30 big construction projects because respective environmental impact assessment (EIA) reports had not been approved before construction started. This was rightly hailed as an "extraordinary and unprecedented move"⁴ by SEPA to enforce the 2003 EIA law.

However, the relevant companies failed to comply immediately. The ensuing standoff between SEPA and weighty development companies—including the heretofore unassailable Three Gorges Project Corporation—was only decided in SEPA's favor when the central government's mighty National Development and Reform Commission (NDRC) weighed in. This underscores the potential strength and weakness of such a strategy of institutional alliances: if SEPA manages to build an alliance with other more powerful bureaucratic players it can be successful. Yet it can be argued that in this case, environmental concerns and macroeconomic policies of retrenchment coincided. Of the 30 projects, 26 were energy-generation schemes that the central government was trying to restrict at the time of SEPA's action. Thus, in other instances when economic development plans and environmental concerns fail to coincide, it will be much harder to garner the support of other ministries and commissions. Furthermore, even in this high-profile case, the State Council eventually mediated a face-saving settlement and construction was restarted after EIA reports were approved.

The weakness of SEPA was also revealed in another infamous incident: the chemical spill in the Songhua River in November 2005. Following an explosion in a chemical factory in Jilin City, 100 tons of pollutants containing highly toxic (nitro-)benzene were released into the river in Northeast China. Local officials at first tried to cover up the incident and denied any negative environmental impact. However, as the contaminated slick made its way downstream, news could no longer be contained. Harbin, the capital of Heilongjiang Province, had to shut off its water intake from the Songhua River, and massive efforts had to be undertaken to supply its 3 million inhabitants with drinking water. The attempted cover-up and tardy reaction by local governments were severely criticized by the Chinese press and political leadership. In the end, a Vice-Mayor of Jilin City apparently committed

suicide, and the Minister for Environmental Protection was moved to another position for the failure of SEPA to issue a timely warning and provide truthful and reliable information (*China aktuell* 2005).⁵ It is doubtful, however, if this measure will improve information flows within the environmental protection bureaucracy, as there remain significant disincentives on reporting environmental disasters built into the system. Also, it is too early to judge whether the elevation of SEPA to become the Ministry of Environmental Protection in March 2008 will have a major impact on its institutional standing.

It is important to bear in mind that none of these problems is unique in the environmental sector: lack of enforcement due to dual authority structures, bureaucratic infighting, and secrecy plague Chinese politics in every policy field. This is why some researchers call China's political system a "fragmented authoritarianism" (Lieberthal 1992). This observation conforms to that of "society-centered" authors, as noted above. But it is directly at odds with an image of the "new regulatory state" advanced by Jayasuria as the dispersal of state power actually seems to result in its diminution. Moreover, the incorporation of societal inputs via institutionalized complaint systems has so far only had mixed and limited results (Lo and Leung 2000; Warwick and Ortolano 2007). It is therefore too early to speak of the emergence of a "new regulatory state" in China's environmental governance.

Rather, the fragmented authoritarianism model seems to provide the more appropriate characterization. Within this context, SEPA is attempting to build bureaucratic alliances with other state actors to enhance its institutional standing and advance its own agenda. But this strategy is not necessarily successful. Therefore, SEPA is also beginning to look for allies outside the realm of the state, thus blurring the line between state and society. This is the political context in which ENGOs evolved. We will now turn to the fragmentation of civil society, which in important respects mirrors the situation of the party-state.

NGOs IN CHINA: FRAGMENTS OF CIVIL SOCIETY

In China, NGOs are a product of the reform era. They occupy the space between the party-state on the one hand and society at large on the other. Therefore, their emergence was only made possible with the retreat of the party-state from its almost complete dominance over society under Mao. Nevertheless, the party-state still places important constraints on NGOs' organizational independence, pluralism, and growth, which is why a civil society in China is still only in the making.

Over the 1980s, the party-state at first tolerated the largely uncontrolled emergence of NGOs. But after cracking down on the student protest movement of 1989, the central government issued regulations on the proper registration and administration of so-called social organizations (*shehui tuanti*).⁶ These regulations required all NGOs to reregister with the administration in charge, the Ministry of Civil Affairs (MoCA). In order to do so, an NGO needs a "sponsor"—a government, party, or other official institution that takes on responsibility for that NGO. The sponsor is called "hang-on unit" (*guakao danwei*) or more colloquially "mother-in-law" (*popo*), because it oversees and controls the actions of the NGO. Thus, organizational independence is circumscribed, although in actual practice the degree of supervision varies considerably (Ma 2005: 64–66, in more detail).

A further hindrance for NGO development is the prohibition to establish more than one social organization with the same purpose in one administrative area. For instance, there can be only one fan club for any one soccer team. This measure restricts organizational pluralism. This can be particularly problematic if a government-organized NGO (see below) is already established and thus occupies a field of action (Yang 2005: 54–55). And finally, NGOs are not allowed to establish branches in other administrative regions than the one they were originally registered in, and this clearly hampers organizational growth. These restrictive methods are attempts to create a state corporatist system of interest representation that helps coopt societal actors into the organizational fold of the party-state. This is the point emphasized by authors proposing a corporatist model to explain NGOs in China as pointed out above.

In spite of these strictures, the party-state's attitude to NGOs has not simply been negative. As it attempts to retreat from more and more social functions it used to provide, the government has come to value social actors stepping in. It now encourages "social forces" (*shehui lilian*) to take over some responsibilities in poverty eradication, education, health, environmental protection, and other areas (Ma Qiusha 2006: 49–61, in detail).

But the party-state remains wary of too much independence on the part of NGOs. This became clear in 1998 when newly revised NGO regulations were issued: instead of relaxing the just described constraints, the new regulations kept them on the books and even created a new hurdle by instituting high capital requirements for the establishment of a new NGO. Currently, a start-up capital of 100,000 RMB is necessary to register a national-level NGO and 30,000 RMB for regional organizations (CIVICUS 2006). Nevertheless, the sector

continued to grow, and at the end of 2005 comprised almost 170,000 social organizations.⁷

In fact, many of those were founded by government initiative, as bureaucratic downsizing required the state to find new employment for former officials. These are commonly referred to as “government-organized NGOs” or GONGOs for short.⁸ However, the distinction between GONGOs and “authentic” NGOs is a difficult one. Many GONGOs have been weaned off government support and many NGOs have intimate relations with their “sponsor” unit. As a result, the degree of independence varies from case to case.⁹ Moreover, in China’s still rather closed political system, strong relations with the party-state are usually seen as necessary to be effective, to “get the message through.” Surveys show that many “authentic” NGOs in China crave better relations with government departments (Wexler, Ying, and Young 2006). However, for the sake of simplicity, we will below use the term NGO for “bottom-up” initiatives by societal actors and GONGOs for state-initiated organizations.

Within this general legal and political context, NGOs have been subject to varying “political winds.” Encouraging signs and bad omens for NGO development alternate or even appear at the very same time—a clear manifestation of the fragmented nature of the Chinese polity and the ambivalent attitude toward NGOs adopted by the party-state. Corporatist as well as civil society approaches each capture different aspects of this ambiguous state-society relationship, yet both fail to grasp its complexity and linkages between actors of both realms. This will become particularly clear when looking at ENGOS.

DEVELOPMENT OF ENVIRONMENTAL NGOS IN CHINA

Growth of the Sector

The first ENGOS were started in the mid-1990s by prominent and dynamic founders who to this day continue to shape the development of these organizations. The first to be officially recognized in early 1994 was Liang Congjie’s Friends of Nature (*ziran zhi you*) (CEDR 2001). Liang Congjie himself is a well-respected professor of history (now retired) and member of the Chinese People’s Political Consultative Conference. His father Liang Sicheng was a renowned architect, and more crucially, his grandfather was the late-Qing, early-Republic reformer, journalist, and politician Liang Qichao. His lineage awarded Liang Congjie with a special status and an easy access to higher political

circles. Thus, Liang Congjie can certainly be said to be an “embedded activist,” to use Ho’s concept. His organization is formally registered and sponsored by the Chinese Academy of Culture (*Zhongguo wenhua shuyuan*) (hence its official name Green Culture Sub-Academy). Friends of Nature is mainly devoted to nature conservation, but has in recent years ventured into the more contested domains of pollution control and dam projects. However, its approach has been to cooperate with government whenever possible in order not to antagonize state officials and to gain wider appeal to the public.

A similar outlook has been adopted by Liao Xiaoyi (Sheri Liao), the U.S.-trained founder of Global Village Beijing (*Beijing diqicun*). Her NGO is almost exclusively engaged in environmental education and propagating a “green lifestyle,” most importantly through a regular TV show (on these two in more detail, Klein 2004; Economy 2004). Environmental education is directed at the public in general or at particular groups (like schoolchildren), and does not entail any criticism of state policies or individual state agencies. From the point of view of the party-state, it is “nonthreatening” and even supportive of national policy. Therefore, it is the most welcome contribution NGOs can make to the environmental efforts of the state. In contrast to “Friends of Nature,” “Global Village Beijing” has been registered not as a social organization but as a “non-profit enterprise.” This kind of registration is much easier to obtain, yet it means that taxes have to be paid (on donations received). And it also means that it is not as deeply embedded in the party-state.

These two organizations can be characterized as the “first generation” of ENGOS in China. In the meantime, their number has risen significantly to more than 1,600 officially registered ENGOS in 2001 and 2,768 in 2005 (CEDR 2001: 322; Lin 2007: 155). On top of this, there are probably another 2,000 unregistered ones (likely including those registered as “non-profits”).¹⁰ While Ho interprets this large number of unregistered NGOs as a failure of state controls (Ho 2001: 914), the complicated registration process detailed above is at least successful in marginalizing a large segment of an incipient environmental movement and denying it legitimacy. It is thus contributing to the fragmentation of civil society.

In general, both officially registered and unrecognized organizations can be characterized as such: their activists usually are well educated, and many have a background in the media like Dai Qing or Wen Bo (on media-NGO relations, Yang 2005: 55–56). Wen is of a younger generation but Dai Qing stands out as a well-known journalist and early environmental activist. She even earned international reputation

for her critique of the environmental impact of the controversial Three Gorges Dam in the 1980s. Briefly in jail for her alleged role in the Tiananmen protest movement of 1989, she was released probably because of her family ties with Marshal Ye Jianying, an important figure in the communist revolution and the People's Liberation Army (PLA) (Ho 2001: 900).

As with Liang Congjie, such personal ties with the party-state provide a kind of embeddedness for environmental activists. In fact, the same can be said with respect to Pan Yue. Himself a former journalist, he is also son-in-law of PLA general Liu Huaqing, former Vice-Head of the powerful Central Military Commission. As mentioned above, in 2003 Pan became SEPA Vice-Director and ever since has been outspoken in press interviews over China's environmental problems. He is also actively fostering emerging linkages between his agency and environmental groups in civil society, which will be discussed below (Sun and Zhao 2008: 157).¹¹ Therefore, with some justification Pan could be called "the best embedded environmental activist" in China.

Quite a few of these activists earned higher education degrees or received training in the United States and other Western countries. A large number of ENGOs was founded as student groups in Chinese universities. Although most ENGOs are still based in Beijing, numerous regional NGOs have also sprung up. Some of these were founded by members of the Beijing-based groups like Friends of Nature, and others received training or even financial help in the form of grants from those in the capital. An example for this is Green River Network, set up by Yang Xin in Sichuan to protect the upper reaches of the Yangzi River (Economy 2004: 156–157; Cooper 2006: 125). Thus, the prohibition on setting up branches in the provinces has been to some extent circumvented. This also compromised efforts to create a tight state corporatist system of control.

Broadening of ENGO Activities

Environmental education is a field of activity in which relations between ENGOs and the party-state can be expected to be mostly unproblematic or even symbiotic. Over the 1990s, the Chinese party-state increasingly recognized the positive role that ENGOs could play in environmental politics, but also delineated the limits of proper participation. ENGOs and individual activists for most part accepted these limitations and accommodated themselves with this state-assigned role (Qing and Vermeer 1999). However, more recently activists also entered more contested domains. This section and the

next two provide an overview of this shifting focus and strategies while also analyzing the consequences for state-society relations.

To be sure, environmental education remains a major pursuit of ENGOs in China followed closely by nature conservation and biodiversity protection. These can be seen as less controversial activities and include absolutely nonthreatening activities such as bird-watching or collecting garbage in nature reserves. Even where more assertive activities are applied, they usually criticize not the government *per se* but for instance illegal logging in forests far away from the capital.

An example for this is the fight for the habitat of the snub-nosed monkey in the Yunnan-Tibet border region of Southwest China led by nature photographer Xi Zhinong over the 1990s. However, even this kind of activity can become politically charged. In 1998 long after logging in this area had been officially banned, Xi Zhinong went undercover to shoot a documentary showing the continuing deforestation. This is tantamount to criticizing the failure of government policy and means treading more dangerous terrain. Because the ones being singled out for criticism were local officials failing to implement central policy, this kind of investigative reporting has mostly been tolerated. In fact, from the point of view of the central government, this kind of additional check on its local agents should in principle be welcome. It helps to mitigate the above mentioned problem of lax enforcement of national policies. In this case, Premier Zhu Rongji came to the fore and forced local officials to undergo self-criticism (Sun and Zhao 2008: 148). However, this central state support and tolerance for investigative reporting is never guaranteed and its borders are illdefined. In the case of Xi Zhinong, despite the success of his campaign against logging, he lost his job in the Yunnan Forestry Bureau and even received death threats (Economy 2004: 151).

Government officials remain suspicious about environmental groups, especially the more combative ones. Another dramatic episode highlights this. From the mid- to late-1990s, a group called "Wild Yak Brigade" fought for the Tibetan antelope in Qinghai and against poachers hunting it for its fur. However, the group's first head (Gisang Sonam Dorje) was killed by poachers in 1994 and his successor and brother-in-law (Zhawa Dorje) died of a gunshot wound in 1998 at his home. Although this was said to be a suicide, circumstances were suspicious. This campaign received widespread support from other environmental activists (like Xi Zhinong and journalist Hu Kanping of Green Times) and NGOs (FoN, Yang Xin's Green River Network). This alliance of groups and individuals alerted the public and the political leadership to the issue. However, in 1999 the government

of Yushu Prefecture began to move against the group, and in 2001 succeeded in having it disbanded. It remains to be seen whether the now established state ranger team will be effective in its fight against illegal hunting of the endangered species (Economy 2004: 153–156). But the episode shows clearly that chances for “survival” of combative environmental groups are slim even when they pursue the enforcement of official policies.

That this situation has not significantly improved until recently is demonstrated by another case.¹² Former salesman Wu Lihong led a ten-year crusade against pollution of the Taihu, China’s third largest fresh-water lake. His activism is similar to what O’Brien and Li (2006) called “rightful resistance.” Collecting evidence of polluting chemical plants in his hometown Yixing himself, Wu attempted to raise the alarm on the lake’s deteriorating water quality by using the media. He met with some success as well as with resistance. Over time he and his wife both lost their jobs, but in 2005 he was honored by the National People’s Congress as an “environmental warrior.” However, he continued to step on important people’s toes and failed to become embedded in local politics.

Things came to a head when SEPA in 2006 decided to confer Yixing the laudatory designation of “model city for environmental protection.” This decision was apparently based on the city’s self-reported success in environmental protection in spite of ongoing pollution by local chemical factories. Enraged by this news, Wu Lihong started a drive to collect water samples and photographic evidence that he planned to use in a lawsuit against SEPA’s decision. Instead, he ended up in court himself faced with trumped-up charges of fraud. Although he claimed that his confession to these charges was extracted under torture, the court sentenced him to three years in prison in August 2007. Ironically, a month after his arrest in April 2007, Taihu had a bloom of toxic algae as if to prove him innocent. But although the central and provincial political leadership reacted and moved to clean up the lake more forcefully, this did not help Wu’s case. His example is a reminder that environmental activists in China act in a volatile political setting characterized as much by fragmentation as by embeddedness.

Such a political environment defies easy generalizations because outcomes of state-society interactions are highly contingent on concrete circumstances. Thus, Sun and Zhao are certainly correct in their assessment that the central government is increasingly encouraging NGOs, while “the relationship between local governments and NGOs is often antagonistic” (Sun and Zhao 2008: 150). But even such a statement

requires qualification. Cooper’s fieldwork in Southwest China demonstrated that grassroots ENGOs can at times be successful in embedding themselves within the *local* state. Even so, mutual suspicions and ambivalence remain central features of the “local associational model” she proposes (Cooper 2006).

Increased NGO Cooperation

There are, however, also more positive tendencies in ENGO development: a trend for increasing cooperation between ENGOs to overcome their fragmentation. Two prominent examples may suffice here. When the central leadership in late 1999 embarked on an ambitious program to vitalize its less developed Western regions (*xibu da kaifa*), many environmentalists feared that the massive investments would have negative repercussions on the area’s many fragile ecosystems. Therefore, some prominent members of the community, like Liang Congjie, and some ENGOs wrote an open letter to the State Council urging it to include SEPA in the leading group for the campaign. Their effort succeeded (Economy 2004: 148). This goes to show that SEPA can benefit from NGO lobbying, as in this case it helped to raise its profile. The above described problem of SEPA’s institutional weakness vis-à-vis other institutional actors can thus be mitigated, at least to some degree. The emerging SEPA-NGO alliance will be dealt with below.

Second, NGOs also begin to join forces to reach a broader public in their campaigns: in the so-called 26 degree campaign in summer 2004, about 30 Beijing-based NGOs built an alliance to convince major hotels and government agencies to keep their air conditioning set at 26 degree Celsius to save energy.¹³ After much media attention, this idea was adopted by Beijing’s municipal government: it issued a regulation that air conditioning systems in public buildings be raised to 26 degrees (Lehrack 2006: 19). This successful campaign was later picked up by NGO alliances in several other Chinese cities. In the event, this demonstrated the potential that rests in such broader cooperation that is tolerated by the state as long as it avoids sensitive political issues and is conducted in a nonconfrontational way.¹⁴

More Widespread Use of the Law

Another recent development that is very promising is the growing use of the law to challenge polluters and projects with the potential to harm the environment. In this effort, ENGOs use legal instruments

created by the central state to challenge polluters who sometimes collude with local governments. As can easily be imagined, this is an area that is much less secure for activists to enter. The most important NGO in this field is the Center for Legal Assistance to Pollution Victims (CLAPV). It was established in 1998 by Wang Canfa, a professor for law at the China University for Politics and Law in Beijing. It already offered legal advice via its hotline to thousands of concerned citizens. CLAPV also takes on cases with good chances of success and high expected demonstration effects. For this purpose Wang Canfa is pushing the limits by organizing class action suits that involve hundreds and sometimes thousands of plaintiffs.

In one prominent case he sued a single petrochemical factory in Yanbian County, Panzhihua Municipality, Sichuan Province on behalf of 6,000 claimants for its alleged air pollution. Probably because he can pick the most promising cases from a huge selection, Wang has had considerable success. Up to 2006, he won favorable settlements in 31 out of 74 cases (Kezhu and Wang 2006: 103–104). To broaden its impact, CLAPV has also begun to link up with grassroots NGOs. A recent example is the lawsuit of Pingnan Green Association, a bottom-up NGO founded by affected villagers to fight against a highly polluting chemical plant in their village in Fujian. Despite clear evidence of serious health impacts of the factory's waste and sewage on local residents, the local government tried to stop villagers from mounting a legal challenge. Police violently confiscated the more than 10,000 RMB collected by villagers to finance the lawsuit. Then, CLAPV stepped in and provided a lawyer free of charge. In April 2005, a lower-level court decided in favor of the residents. But unsatisfied with the low amount of damages granted, about 1,700 villagers decided to appeal for higher compensation and won again at the provincial level.¹⁵

This kind of legal action is a relatively new and risky strategy to push for environmental protection, but it certainly bears great potential because the number of affected people is so large (Pitkin 2006: 142–143). However, the party-state is ambiguous toward this kind of activism, and legal practitioners have come under greater pressure lately. For instance, in May 2006, the All-China Lawyer Association issued controversial guidelines “for sensitive cases involving ‘mass litigation.’” According to the guidelines, lawyers have to gain the support of at least three partners in their law firm before accepting a case with ten or more plaintiffs. They have to communicate “promptly and fully” to legal departments the content of the case, to accept the “supervision and guidance” of justice departments and bar

associations, and are not to counsel their clients to engage in petitioning (Moore and Warren 2006: 13). This shows that environmental activism in the legal realm is only tolerated by the party-state up to a certain point.

Nevertheless, from the point of view of the party-state, legal action is still more desirable than protests or rioting—the only other major avenue open to pollution victims. Cases in which residents sometimes violently protest against polluting factories in their communities have provoked very tense reactions by local and national governments (South China Morning Post 2008a). This concern is very real and protests are becoming more common: according to an interview with SEPA Director Zhou Shengxian, environmental protests numbered 51,000 in 2005 (Ma and Schmitt 2008: 97). These protests are also becoming more sophisticated. A recent incident occurred in Xiamen: in May and June 2007, text messages were widely distributed via cell phones to mobilize thousands of people to protest against a chemical plant scheduled to be built in a residential suburb of the coastal city. Police were unable to stop the demonstration, but kept a close watch. Videos from the protests were posted on the Website Youtube and attracted worldwide attention. They showed peaceful demonstrators shouting slogans like “Serve the people!” (*wei renmin fuwu!*). (See Chapter 7 below for a detailed account of this episode in Xiamen and the role of new communications media—cell phones—in Chinese public protests.)

In the event, the city retracted the plan and the chemical factory is now rumored to be built in another part of the province.¹⁶ This quick compromise shows that environmental protest movements, even spontaneous and not embedded in nature, can be successful. This appears to be especially true when these occur in urban centers in coastal provinces where the party-state is more sensitive to accommodating the interests of the newly rising middle class. This is underlined by another recent protest in Shanghai in late 2007. Residents protested against the extension of the magnetic levitation train because of their concern over electric radiation emitted from the track. Again, the plan was put on (temporary) halt (Savadore 2007; *South China Morning Post* 2008b). However, rural protesters as well as those in urban centers in the hinterland have been less successful lately.¹⁷

Public Participation in Environmental Impact Assessment

In part to prevent such protests from happening, the Chinese government is trying to increase “public participation” (*gongzhong canyu*)

in EIA. The EIA law passed in 2002 provides that the public is to be consulted in construction projects or "special plans" with potential major environmental impact.¹⁸ Consultation may take the form of hearings, but more commonly, public surveys of sometimes dubious quality are used. Nonetheless, a few prominent cases in which these new measures have been applied show their potential impact and the role ENGOs may play in the process.

In one case residents of the Northwest-Beijing community of Beiwangjiayuan mobilized against construction of high-voltage electric towers through their community. They feared the health impact of electric radiation emitted from the wires. It is quite telling that SEPA had to force the local Beijing EPB to comply with the residents' demand to hold a public hearing in August 2004. This is a clear indication that SEPA is itself forging an alliance with civil society actors. The process of the hearing was judged to be quite fair, although speakers were preselected. Ultimately, the residents' demands were rejected.¹⁹ Nevertheless, the hearing provided an outlet for citizens' concerns and acted as a safety valve. Experience in other cases shows that this kind of community-based resistance usually gives rise only to short-lived grassroots NGOs. But if their demands are ignored, these NGOs or certain opinion leaders within them may be radicalized, and take to more extreme actions. It is in this sense that public participation in EIA already serves a political purpose. And through their participation ENGOs may help the party-state to maintain social harmony.

A second well-publicized hearing was held on another Beijing construction project: the park administration of the Old Summer Palace (*yuanmingyuan*) was lining its famous lakes with plastic and cement to prevent drainage. In March 2005, a visiting professor from Lanzhou raised the alarm about the permanent ecological damage of this project, and this time environmental bureaus acted swiftly. In April, SEPA announced a public hearing and then selected 73 representatives from among 200 applicants. Crucially, SEPA set a new standard by including NGOs—Friends of Nature and Global Village Beijing—as recognized representatives for "the public interest." In this case the hearing resulted in a modified project plan taking ecological concerns into account.²⁰

While the Summer Palace case recognized ENGOs as representatives of the "public interests" in EIA hearings, the Nujiang Dam case demonstrated that Beijing-based NGOs can have an impact on ecological issues in the hinterland if they link up and build alliances with local NGOs and the media (Litzinger 2007). The Nujiang is one of

the last wild flowing rivers of China in the border region of Yunnan. Since 2004, it is also listed as part of a World Cultural Heritage site by UNESCO. However, that same year the provincial government began planning a series of no less than 13 dams to tap the river's hydropower potential. This effort was a collaboration of the provincial government with China Huadian Corporation, a powerful hydroelectric company headed by Li Xiaopeng, son of former Premier Li Peng who had himself been a major advocate of the Three Gorges Dam. The project galvanized NGOs into action because it involved many sensitive issues: ecological destruction, resettlement, and poor ethnic groups living in the areas to be flooded. It also created a more explicit alliance between SEPA and the ENGO community (Sun and Zhao 2008: 151–160).

An NGO alliance headed by Green Earth Volunteers²¹ and Friends of Nature organized an open letter ultimately signed by hundreds of individuals and NGOs and created media attention on the issue. Apart from petitions to the central leadership, they organized inspection tours of the region, public university lectures on the topic, and even linked up with international antidam organizations. The public pressure resulted in Premier Wen Jiabao's order in early 2005 to stop planning activities amid concerns that social stability may be in danger. However, despite the positive echo for this move, the fight is far from over. NGOs failed to get the EIA report of the project published: only the provincial EPB's document of approval concerning the EIA report was released, while the report itself was kept under wraps as a "state secret" (Moore and Warren 2006: 15; Birnbaum and Xiubo 2006: 190). Furthermore, planning was continued for a smaller version with only four dams later that year. Geological surveys were undertaken, but a final decision is apparently still pending. National as well as international ENGOs continue to push for more transparency in the planning process and a stop to the dam project, but so far with little success.²²

Even as a limited success, the Nujiang case is remarkable. It can be seen as a fight between two competing state-society coalitions that demonstrates the importance of both fragmentation and embeddedness to understand environmental politics. As Sun and Zhao point out, on the one side SEPA aligned with ENGOs and the media, while on the other side the provincial government and business interests forged an alliance with some outspoken intellectuals and critics of the environmental movement. While mainstream media were mostly in favor of environmental concerns, the dam proponents used similar methods as did its opponents, such as public lectures and petitions, and questioned the ENGOs' moral high ground over the Internet.

Thus, rifts emerged not only within the state—between conservationists at SEPA and more business-friendly officials at the provincial and national level—but also within civil society (Sun and Zhao 2008: 154–155). What is more, in the moment of apparent success, after the premier's order of a temporary halt to planning, friction arose immediately inside the antidam coalition, as media professionals and environmental activists started debating who had contributed more to this victory (Litzinger 2007: 291). Thus, China's civil society itself is less than harmonious.

The Nujiang case also shows that there is still a long way to go to create effective instruments for public participation in EIA. Another step in this direction has been taken by SEPA in 2006 when it first consulted with NGOs and then released slightly more detailed "Provisional Measures for Public Participation in Environmental Impact Assessment."²³ These measures recognize NGOs as stakeholders with a right to participate in EIA. Furthermore, the "Trial Measures on Environmental Information Disclosure"²⁴ issued by SEPA in February 2007 and taking effect in May 2008 provide another basis for NGOs and individuals to request more openness on environmental issues. Yet again these measures include provisions on the protection of "state secrets," a term that lends itself to wide interpretation. So it remains to be seen how effective these new legal instruments will be in practice. But it is crucial to recognize that SEPA is actively seeking to accommodate civil society actors in this legal sense, too. As noted above, this transforms ENGOs into supporters of a government agency and assigns them a role in mediating social conflicts in the interest of the party-state.

International Influences

Before concluding it is necessary to take a closer look at international influences on the development of ENGOs in China. It is obvious that ideas and experiences of international environmental movements have had an impact on ENGOs in China, as some founders are educated in the West and most borrowed from international intellectual debates on ecological problems. A more direct source of influence has been the financial help for budding Chinese NGOs offered through official development aid and international NGOs (INGOs) and foundations. Almost every international donor active in China has some program or project to build up the Chinese civil society and some—like the Ford Foundation—are particularly active in this regard.

INGOs have the largest impact on Chinese NGOs through financial grants and technical trainings they provide. Reportedly, a majority of Chinese ENGOs depend on foreign sources for the bulk of their funding (Yang 2005: 57–58; Thompson and Lu, 2006: 30). Examples for training activities are too numerous to be listed here, but include for instance capacity-building measures to facilitate NGO growth and cooperation. Another important example would be the American Bar Association's training courses for EIA practitioners (officials as well as NGOs).

But receiving international aid is a double-edged sword for local NGOs for several reasons. First, there are some complaints on the part of Chinese NGOs that international donors are trying to impose their own agendas on them (as well as complaints by international donors that Chinese NGOs are promising more than they can actually deliver). Second, and more serious, however, is that the Chinese government sees international involvement in China's NGO scene as a potential threat. This means that establishing transnational ties could put the embeddedness of Chinese ENGOs at risk. Particularly after the so-called color-revolutions of Ukraine, Georgia, and Kyrgyzstan (2003–2005) in which foreign-funded NGOs allegedly played a role, the Chinese party-state once again attempted to strengthen its control over the sector (Shambaugh 2008: 91). ENGOs came in for particularly close scrutiny as the Nujiang campaign had stirred "deep suspicions among CCP officials" (Lin 2007: 172). In summer of 2005, an official survey of ENGOs examined their work and tried to uncover unregistered groups. In the wake of this exercise the government created a new umbrella body—the All-China Environment Federation (*Zhonghua huanbao lianhehui*)—and required all GONGOs working in environmental protection to join. Against the political background, this was seen as a move to limit the space for independent NGO activity (Moore and Warren 2006: 13; Thompson and Lu 2006: 29–30; and CECC 2007).

More recently, in September 2007, in another ominous sign, the editor of the Newsletter *China Development Brief*, Nick Young, who had been living and publishing in China for more than ten years has been denied entry back into the country. His periodical was closed down after the Chinese sister-publication conducted an opinion survey allegedly in violation of China's Statistics Law.²⁵ Ironically, Nick Young has been a moderating voice in the sector, always cautioning donors not to push China's NGOs beyond a critical point. Since he had been asked several times by government agencies to act as their consultant,

he seemed to be well embedded within the party-state.²⁶ Therefore, shutting down his publication and refusing reentry to China came as a surprise to most observers. In short, the current political climate is definitively quite hostile to international involvement in China's NGO scene. Although this recent cooling attitude of the party-state toward NGO activism may only be part of a political cycle and of passing nature, it once again underlines the dangers for civil society organizations inherent in their insecure political environment as the party-state can swiftly curtail their freedom of action once it feels threatened.

CONCLUSION

Environmental activism in China has evolved tremendously compared to its moderate beginnings in the 1980s and 1990s, and it provides a useful lens through which to view the larger issue of changing state-society relations. Instead of addressing the question of autonomy of civil society organizations that had been at the heart of the "civil society" versus "state corporatism" debate, more recent approaches to studying ENGOs in China have highlighted the effects of mutual linkages between state and societal actors. On the one hand, authors adopting a more society-centered perspective stressed the embeddedness of social activists, which had a limiting but also enabling impact on civil society (Ho 2007; Ho and Edmonds 2007; Cooper 2006). On the other hand, authors in the statist paradigm emphasized the potential usefulness of these ties for the purposes of creating a "new regulatory state" with enhanced capacities (Jayasuria 2005; Salmenkari 2008). However, while in theory there is much to recommend such a perspective, especially in environmental politics, the implementation gap in China is so glaring that the latter approach is far from convincing (on this approach in general, Pearson 2005; Alpermann 2007).

Instead, the discussion above showed that environmental activism developed in a context of a fragmented authoritarian political system that provided openings for the emergence of civil society organizations. But at the same time, this political setting is still unpredictable even for those who managed to become embedded to a certain degree. Thus, Cooper finds "[o]rganizations that have successfully negotiated the registration process report existing in a state of persistent fear of government intervention, seizure and in some cases even arrest, despite having secured legal status and with it, a higher degree of legitimacy" (Cooper 2006: 133). Moreover, these recognized organizations are only a fraction of the whole environmental movement. Other parts of a fledgling environmental movement such as individual advocates,

unregistered environmental groups or even spontaneous protests have to be taken into account as well. Under conditions of a fragmented authoritarian party-state these diverse actors possess very few mutual linkages. Even established ENGOs have only recently and tentatively begun to form closer ties. Therefore, the image of a fragmented state has to be complemented with one of a fragmented civil society (see also Lin 2007: 158).

These perspectives can be reconciled using Joel Migdal's "state-in-society" model that places the interaction between actors of both realms at the center of analysis. As he points out, the fragmentation of state and society are mutually reinforcing as states and societies shape one another (Migdal 2001: 92–93). Crucially, for Migdal "the interaction of states and other social formations is a continuing process of transformation. States are not fixed entities, nor are societies [. . .]. They are constantly *becoming*" (Migdal 2001: 57, emphasis in original). Such a process-oriented approach is well suited to analyze the mutual accommodation of state and social forces in China's environmental politics. The state itself is pulled into different directions, and while parts of it form ties with one section of society, other state actors join forces with different societal actors. Such a perspective illuminates the struggle over the Nujiang dams between a coalition of SEPA, ENGOs, and the media on one side and an alliance of central and provincial politicians with business interest and some intellectuals on the other.

It also sheds new light on accommodation of ENGOs in some localities observed by Cooper because outcomes in this "state-in-society" perspective are highly contingent. As seen above, even personal connections and family ties of certain activist individuals may change the nature of state-society interaction and its outcomes. Therefore, the lack of embeddedness of such environmental activists as Wu Lihong is not a direct contradiction of "embedded activism" in other places. Rather, it is part of a "web of unexpected state-society relations" resulting from accommodation and capture of the state at the local level (Migdal 2001: 88–89). While in one local political setting state forces may align (more or less uneasily) with environmental activists, in another locality the dominance of business interests may lead to their capture of the state and thus to a suppression of environmental grievances.

Therefore, this chapter proposes to take "embedded social activism" observed by some authors with a grain of salt. First of all, far from all environmental activism is successfully embedded. Second, fragmentation of state and society is the flip side of this embeddedness, and this fragmentation creates as much space for the accommodation of environmental interests as it does for that of countervailing

and potentially more powerful social forces. And third, transformation of state and society works in both directions. Viewed in this light, Yang's claim that "Chinese environmental NGOs may function as both *sites* and *agents* of political change" needs to be reassessed (Yang 2005: 64–65, emphasis in original). It may well be that the emerging SEPA-ENGO alliance will help to alter the course of environmental politics in China. But sure enough, Chinese ENGOs will be transformed during the process as well and may become coopted into the system instead of pushing for its democratization.

Looking at NGOs under this democratization perspective—as did much of the literature on the rise of civil society in China—probably means expecting too much. Recent strictures show that in spite of some positive developments delineated above, the general situation of NGOs in China remains volatile and their room for maneuvering can be restricted very quickly once the party-state feels under threat. ENGOs and activist individuals are in constant danger of miscalculating the boundaries of permissible behavior as the party-state with its fragmented nature sends ambivalent and contradictory signals. The future development of the NGO sector can therefore not be taken for granted. ENGOs in China will have to continue on this uncertain trajectory, gradually pushing the limits and bracing themselves for inevitable setbacks.

NOTES

- * An earlier version of this paper has been presented to different audiences at Wuerzburg University, Heidelberg University, and the University of Cologne. I am particularly grateful for helpful comments by Christian Göbel on a previous draft.
- 1. Good overviews of this debate are provided by Elizabeth J. Perry (1994) and Ding Yijiang (1998).
- 2. There is, of course, a wide range of governance theories from the extreme societal model to statist and state-centric models. The perspective discussed here falls in the latter category. For an overview see Pierre and Peters (2005), Chapter 2.
- 3. Since most of this chapter deals with the time before the renaming, the previously common abbreviation SEPA will be used throughout.
- 4. Patricia Adams in CECC 2005.
- 5. Press reports at the time that SEPA Director Xie Zhenhua had to "step down" were not entirely correct: Xie was replaced by Zhou Shengxian, formerly head of State Forestry Bureau. But he rather "stepped sideways" to become Vice-Director of the National Development and Reform Commission and still is in charge of environmental affairs. See http://chinaviva.com/biography/Xie_Zhenhua/career (accessed November 2, 2008).
- 6. Two other often-used terms have a somewhat broader meaning: "civic organizations" (*minjian zuzhi*) and "non profit organizations" (*fei-yingli zuzhi*).

- Chinese also use the direct translation for NGO "*fei-zhengfu zuzhi*" or simply the English acronym itself.
- 7. There were 168,000 (membership-based) social organizations, 146,000 civilian nonprofit units (like private schools or hospitals), 999 (fund-based) foundations (CIVICUS 2006: 7). However, Elizabeth C. Economy (2004: 132) gives a higher number of 230,000 registered and as many as 2 million unregistered NGOs for 2002. And other sources give the current (2007) number with 350,000 "according to official figures" (CSM 2007).
- 8. Examples in the environmental sector include China Environmental Protection Foundation (since 1993, formerly headed by ex-NEPA Director Qu Geping), China Association for Environmental Industry, Chinese Society for Environmental Science, Forum for Environmental Journalists, China Environmental Culture Promotion Society, and China Environmental Protection Fund (Klein 2004).
- 9. Cooper (2006: 121) therefore introduces a category she calls "semi-Gongo." Also see Ho 2001: 911–913.
- 10. This estimate is based on Elizabeth Economy's statement in CECC 2005.
- 11. On Pan's early political activism, see Fewsmith 2001: 98–99.
- 12. The following account is based on Kahn 2007.
- 13. It is noteworthy that a former GONGO, the China Network on NGO Development (CANGO), was instrumental in bringing about this cooperation. On CANGO see Lehrack 2006: 19.
- 14. A third example for increased networking and cooperation would be the "Green Student Environmental Association Network" (www.gsean.org). It epitomizes the trend among (relatively volatile) student groups to evolve into "regional youth environmental organizations." See Haoliang 2006: 105–111.
- 15. Compensation is still quite low at about 50 USD per capita (85,000 USD in total). But perhaps more crucially the environmental treatment facilities of the plant have been upgraded and improved significantly. <http://www.pacificenvironment.org/article.php?id=1742> (accessed December 31, 2007). Apart from CLAPV, help also came from abroad in the form of a grant by the Global Greengrants Fund; http://www.greengrants.org/grantstories.php?news_id=86 (accessed January 1, 2008).
- 16. The Taiwan-invested plant will produce PX (paraxylene), probably in Zhangzhou. <http://chinadigitaltimes.net/tag/Xiamen+PX> (accessed December 30, 2007). Comments on the planning review ordered by SEPA and carried out in Xiamen: <http://www.chinadialogue.net/article/show/single/en/1564-Planning-failure-in-Xiamen> (accessed December 31, 2007). Reportedly, a public hearing was held before the government decision; see Savadove 2007.
- 17. A protest in Chengdu, provincial capital of Sichuan, mimicking the one in Xiamen has recently been quickly suppressed; see South China Morning Post 2008a. Also, rural environmental protests that sometimes turn violent have been less successful; on one recent case in Zhejiang province, see Tatlow 2006. Also see Jun 2000.
- 18. Law on Environmental Impact Assessment (*huanjing yingxiang pinggu fa*) in force since September 1, 2003. Another important legal basis is the Administrative License Law (*xingzheng xuke fa*) issued in 2004. On EIA and the cases below, see Moore and Warren 2006 and Beach, Bleish, and Yang 2006.
- 19. The echo in the media was also very positive, but the local EPB, and after an appeal SEPA, both rejected the residents' concerns and ordered the

construction to continue. Most likely, this was also a political decision as three-quarters of the project were already finished by the time of the hearing.

20. The process was flawed in one respect, however: maybe a bit over-eager, SEPA had conducted the hearing *prior* to the EIA report and failed to hold another one after the report was completed, as is prescribed by the EIA law (Moore and Warren 2006: 10).
21. On this group founded by influential Chinese reporter Wang Yongchen, see Qing and Vermeer 1999: 149–150.
22. In 2006, UNESCO even threatened to take the site off its World Cultural Heritage list; see Toy 2006. On (lack of) local participation, see also Jianqiang 2007. On the other hand, a broad campaign to stop the Yangliuhu Dam in Sichuan was successful. Plans for this dam drew fire from various quarters because of the damage it would have inflicted on the 2,200-years-old Dujiangyan irrigation system—a World Cultural Heritage site since 2001 (Birnbau and Yu, 2006: 189).
23. Issued February 2006; see Buckley 2006.
24. Environmental Information Disclosure Measures (*huanjing xinxi gongkai banfa*) issued February 2007, in force from May 5, 2008. http://www.zhb.gov.cn/info/gw/juling/200704/t20070420_102967.htm (accessed December 28, 2007).
25. See two “messages from the editor” dated July 12, 2007, and October 10, 2007 respectively at <http://www.chinadevelopmentbrief.com/node/508> (last accessed: November 15, 2008).
26. For instance, see the report on NGO advocacy in China he coauthored (Wexler, Xu, and Young 2006: 39); or his “Personal Press Statement” (Young 2007).

REFERENCES

- Alpermann, Björn. 2007. “Local States and the Building of a Regulatory State in China: Implementing Reforms in China’s Cotton Sector.” In *China’s Post-Reform Economy. Achieving Harmony, Sustaining Growth*, ed. Richard Sanders and Yang Chen, 144–169. London: Routledge.
- Beach, Marilyn, Bill Bleish, and Shelly Yang. 2006. “The Role of Public Participation in Ecological Impact Assessment (EIA) and Environmental Impact Assessment (EIA) in China,” *China Environment Series*, Issue 8: 117–121.
- Birnbau, Elizabeth, and Yu Xiubo. 2006. “NGO Strategies to Promote River Protection and Restoration,” *China Environment Series*, Issue 8: 185–199.
- Buckley, Lila. 2006. “Notes on Public Participation in Environmental Impact Assessment in China,” *China Environment Series*, Issue 8: 112–116.
- China aktuell*. 2005. “Umweltprobleme in China nehmen zu” [Environmental Problems in China on the Rise], No. 6: 65.
- China Environment and Development Review (CEDR). 2001. *Zhongguo shehui kexueyuan huanjing yu fazhan yanjiu zhongxin* [Chinese Academy of Social Sciences Research Center for Environment and Development] ed., *Zhongguo huanjing yu fazhan pinglun* [China Environment and Development Review] Beijing: Shehui kexue wenxian chubanshe, 325–327.
- Christian Science Monitor (CSM). 2007. “China Cracks Down on NGOs,” www.csmonitor.com/2007/1206/p1206-woap.htm. (Accessed December 16, 2007).

- CIVICUS Civil Society Index Report China (Mainland) (CIVICUS). 2006. “A Nascent Civil Society Within a Transforming Environment.” NGO Research Center, Tsinghua University (NGO), Beijing, 45.
- Congressional-Executive Commission on China (CECC). 2005. “Environmental NGOs in China: Encouraging Action and Addressing Public Grievances.” Roundtable before the Congressional-Executive Commission on China, February 7, 2005,” <http://www.cecc.gov/pages/roundtables/020705/index.php>. (Accessed December 30, 2007).
- Congressional Executive Commission on China (CECC). 2007. “New State-Run Federation May Limit Environmental NGO Independence,” www.cecc.gov/pages/virtualAcad/index.php?showsingle=11757. (Accessed December 28, 2007).
- Cooper, Caroline M. 2006. “‘This Is Our Way In’: The Civil Society of Environmental NGOs in South-West China,” *Government and Opposition*, Winter 41 (1).
- Economy, Elizabeth C. 2004. *The River Runs Black. The Environmental Challenge to China’s Future*. Ithaca, NY: Cornell University Press.
- Elvin, Marc. 1998. “The Environmental Legacy of Imperial China,” *China Quarterly*, December, No. 156: 733–756.
- Fewsmith, Joseph. 2001. *China Since Tiananmen. The Politics of Transition*. Cambridge: Cambridge University Press.
- Heuser, Robert. 2001. “Das chinesische Rechtssystem des Umweltschutzes. Ein Grundriss” [The Chinese Legal System of Environmental Protection. An Introduction] In Robert Heuser and Jan de Graaf, ed. 2001. *Umweltschutzrecht der VR China. Gesetze und Analysen* [Environmental Protection Law of the P. R. China. Legislation and Analyses], pp. 15–66. Hamburg: Institute of Asian Affairs.
- Haoliang, Wu. 2006. “The Third Wave of China’s Grassroots Environmental Movement: Regional Youth Environmental Organizations,” *China Environment Series*, Issue 8.
- Ho, Peter. 2001. “Greening Without Conflict? Environmentalism, NGOs and Civil Society in China,” *Development and Change*, Vol. 32: 893–921.
- Ho, Peter. 2007. “Embedded Activism and Political Change in a Semiauthoritarian Context,” *China Information*, July, Vol. 21 (2): 187–209.
- Ho, Peter, and Richard Louis Edmonds. 2007. “Perspectives of Time and Change: Rethinking Embedded Environmental Activism in China,” *China Information*, July, Vol. 21 (2): 331–344.
- Jahiel, Abigail R. 1998. “The Organization of Environmental Protection in China,” *China Quarterly*, December, No. 156: 757–787.
- Jayasuriya, Kanishka. 2005. “Capacity Beyond the Boundary: New Regulatory State, Fragmentation and Relational Capacity.” In *Challenges to State Policy Capacity: Global Trends and Comparative Perspectives*, ed. Martin Painter and Jon Pierre, 19–37. Houndmills, UK: Palgrave Macmillan.
- Jianqiang, Liu. 2007. “Fog on the Nu River,” <http://www.chinadialogue.net/article/show/single/en/811-Fog-on-the-Nu-River>. (Accessed December 30, 2007).
- Jun, Jing. 2000. “Environmental Protests in Rural China.” In *Chinese Society: Change Conflict and Resistance*, ed. Elizabeth J. Perry and Marc Selden, 143–160. London: Routledge.
- Kahn, Joseph. 2007. “In China, A Lake’s Champion Imperils Himself,” *New York Times* (online edition), October 14, <http://www.tagesschau.de/ausland/china80.html>. (Accessed March 9, 2008).
- Kezhu, Xu, and Alex Wang. 2006. “Recent Developments at the Center for Legal Assistance to Pollution Victims (CLAPV),” *China Environment Series*, Issue 8.

- Klein, Susanne. 2004. *Umweltschutz in China* [Environmental Protection in China]. Frankfurt, M.: Peter Lang, 178–179.
- Lehrack, Dorit. 2006. "Environmental NGOs in China. Partners in Environmental Governance," Working Paper, Wissenschaftszentrum Berlin für Sozialforschung, October.
- Lieberthal, Kenneth G. 1992. "Introduction: The 'Fragmented Authoritarianism' Model and Its Limitations." In *Bureaucracy, Politics, and Decision Making in Post-Mao China*, ed. Kenneth G. Lieberthal and David Lampton, 1–30. Berkeley: University of California Press.
- Lin, Teh-chang. 2007. "Environmental NGOs and the Anti-Dam Movement in China: A Social Movement with Chinese Characteristics," *Issues & Studies*, December 43 (4): 149–184.
- Litzinger, Ralph. (2007.) "In Search of the Grassroots: Hydroelectric Politics in Northwest Yunnan." In *Grassroots Political Reform in Contemporary China*, ed. Elizabeth J. Perry and Merle Goldman, 282–299. Cambridge, MA: Harvard University Press.
- Lo, Carlos Wing Hung, and Sai Wing Leung. 2000. "Environmental Agency and Public Opinion in Guangzhou: The Limits of a Popular Approach to Environmental Governance," *China Quarterly*, September, No. 163: 677–704.
- Ma, Qiusa. 2006. *Non-Governmental Organizations in Contemporary China: Paving the Way to Civil Society?* New York: Routledge, 64–66.
- Ma, Li, and Francois G. Schmitt. 2008. "Development and Environmental Conflicts in China," *China Perspectives*, No. 2: 94–102.
- Migdal, Joel S. 2001. *State in Society: Studying How States and Societies Transform and Constitute One Another*. Cambridge: Cambridge University Press.
- Moore, Allison, and Adria Warren. 2006. "Legal Advocacy in Environmental Public Participation in China: Raising the Stakes and Strengthening Stakeholders," *China Environment Series*, Issue 8: 3–23.
- O'Brien, Kevin J., and Lianjiang Li. 2006. *Rightful Resistance in Rural China*. Cambridge: Cambridge University Press.
- Palmer, Michael. 1998. "Environmental Protection in the People's Republic of China: The Face of Domestic Law," *China Quarterly*, December, No. 156: 788–808.
- Pearson, Margaret M. 2005. "The Business of Governing Business in China. Institutions and Norms of the Emerging Regulatory State," *World Politics*, January, Vol. 57: 296–322.
- Perry, Elizabeth J. 1994. "Trends in the Study of Chinese Politics: State-Society Relations," *China Quarterly*, September, No. 139: 704–713.
- Pierre, Jon, and B. Guy Peters. 2005. *Governing Complex Societies. Trajectories and Scenarios*. Houndmills, UK: Palgrave Macmillan.
- Pitkin, Melanie. 2006. "Pingnan Green Wins Court Case Against Chemical Company," *China Environment Series*, Issue 8.
- Qing, Dai, and Eduard B. Vermeer. 1999. "Do Good Work, But Don't Offend the 'Old Communists.' Recent Activities of China's Non-governmental Environmental Protection Organizations and Individuals." In *China's Economic Security*, ed. Werner Draguhn and Robert Ash, 142–162. Richmond: Curzon.
- Saich, Tony. 2000. "Negotiating the State: The Development of Social Organizations in China," *China Quarterly*, March, no. 161: 124–141.
- Salmenkari, Taru. 2008. "Searching for a Chinese Civil Society Model," *China Information*, November Vol. 22 (3): 397–421.

- Savadove, Bill. 2007. "Crossing the Line. A Fiery Rally over a Shanghai Project Highlights the Growing Voice of Middle Class Protesters," *South China Morning Post* (online edition), December 20.
- Shambaugh, David. 2008. *China's Communist Party. Atrophy and Adaptation*. Washington, D.C.: Woodrow Wilson Center Press.
- Shapiro, Judith. 2001. *Mao's War Against Nature. Politics and the Environment in Revolutionary China*. Cambridge: Cambridge University Press.
- Sinkule, Barbara J., and Leonard Ortolano. 1995. *Implementing Environmental Policy in China*. Westport, CT: Praeger.
- Snul, Vaclav. 2004. *China's Past. China's Future. Energy, Food Environment*. New York: Routledge Curzon.
- Solinger, Dorothy J. 1992. "Urban Entrepreneurs and the State: The Merger of State and Society." In *State and Society in China: The Consequences of Reform*, ed. Arthur L. Rosenbaum, 121–141. Boulder, CO: Westview Press.
- South China Morning Post*. 2008a. "Six Punished for Chemical Plant Protest." Online edition, May 12.
- . 2008b. "Shanghai Seeks Public Opinion over Maglev." Online edition, January 14.
- Sternfeld, Eva. 2006. "Umweltsituation und Umweltpolitik in China," [Environmental Situation and Policy in China], *Aus Politik und Zeitgeschichte* 49 (12): 27–34.
- Sun, Yanfei, and Dingxin Zhao. 2008. "Environmental Campaigns." In *Popular Protest in China*, ed. Kevin J. O'Brien, 144–162. Cambridge, MA: Harvard University Press.
- Tatlow, Didi Kirsten. 2006. "4 Huaxi Protesters Handed Jail Terms," *South China Morning Post* (online edition), January 10.
- Toy, Mary-anne. 2006. <http://www.theage.com.au/news/world/threat-to-delist-world-heritage-site-in-china/2006/10/18/1160850998047.html>. (Accessed December 30, 2007).
- Thompson, Drew, and Xiaoqing Lu. 2006. "China's Evolving Civil Society: From Environment to Health," *China Environment Series*, 8: 27–39.
- Tilt, Bryan. 2007. "The Political Ecology of Pollution Enforcement in China: A Case from Sichuan's Rural Industrial Sector," *China Quarterly*, December, No. 192: 915–932.
- Vermeer, Eduard B. 1998. "Industrial Pollution in China and Remedial Policies," *China Quarterly*, December, No. 156: 952–985.
- Warwick, Mara, and Leonard Ortolano. 2007. "Benefits and Costs of Shanghai's Environmental Complaints System," *China Information*, July, Vol. 21 (2): 237–268.
- Wexler, Robyn, Xu Ying, and Nick Young. 2006. "NGO Advocacy in China." *China Development Brief*, September, no. 124.
- Yang, Guobin. 2005. "Environmental NGOs and Institutional Dynamics in China," *China Quarterly*, March, no. 181: 46–66.
- Yang, Guobin, and Craig Calhoun. 2007. "Media, Civil Society, and the Rise of a Green Public Sphere in China," *China Information*, July, Vol. 21 (2): 211–236.
- Yijiang, Ding. 1998. "Corporatism and Civil Society in China: An Overview of the Debate in Recent Years," *China Information*, Spring 12 (4): 44–67.
- Young, Nick. 2007. "Personal Press Statement," June 11. <http://www.wilsoncenter.org/news/docs/CDB.doc>. (Accessed December 30, 2007).