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**Administrative Campaigns and Environmental  
Governance in Contemporary China**

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Facing severe environmental problems in the wake of two decades of rapid economic growth, the Chinese government has responded with a broad range of policy initiatives aimed at halting environmental degradation and putting the country onto a more sustainable development path. One of the most striking aspects of these efforts is the heavy use made of campaigns in efforts to enforce regulations and pursue initiatives at both local and national levels. The campaign style of political and administrative action, so pervasive during the Maoist period, persists in China's environmental governance arena. To be sure, these environmental campaigns differ from the grand political campaigns of the Maoist era in that they generally do not focus on mass mobilization. Yet the campaign mentality seems to remain a core feature of Chinese politics in reform-era China. Indeed, recent analyses of China's environmental crisis put much of the blame for China's failure to deal effectively with environmental degradation on the government's heavy reliance on campaigns.<sup>1</sup>

However, our theoretical and conceptual understanding of "the campaign" continues to be informed primarily by analyses of Maoist-era politics. Scholars criticize the use of campaigns in China (and the campaign mentality more generally) as a backward vestige of the Maoist era – as a bad habit that need to die before real progress can be made in dealing with the environmental crisis. The problem is that this view circumvents any effort to understand the precise nature of campaigns in contemporary China and to explore how these campaigns may have evolved along with Chinese political-administrative institutions. Since various sorts of campaigns to implement

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<sup>1</sup> Benjamin van Rooij. "Implementation of Chinese Environmental Law: Regular Enforcement and Political Campaigns", *Development and Change*, No. 31, Vol 1, Jan 2006, pp. 57-74; Elizabeth C. Economy, *The River Runs Black: The Environmental Challenge to China's Future* (Ithaca and London: Cornell University Press, 2004).

policies and bring about change are used in countries throughout the world (and including in the Western democracies), perhaps the Chinese campaign should rightfully be treated as one legitimate policy tool. Key under-explored questions stand out: What kinds of campaigns are used in China today? How are they different from and similar to Maoist campaigns? When are campaigns more likely to achieve success? For what kinds of problems are campaigns likely to prove effective? Moreover, it is likely that the study of campaigns will enhance our understanding of the functioning of the political-administrative institutions on which Chinese leaders must rely in their effort to deal with a wide range of pressing governance issues.

This paper makes a modest effort to begin to fill the gap in our understanding of reform era campaigns. It proposes that a key type of campaign (and arguably the most important type) can be conceptualized as the administrative campaign. While the administrative campaign (AC) and Maoist political campaign share certain basic similarities, they differ in several key respects. Most importantly, ACs are conceived and carried out from within the government bureaucracy (as opposed to Party organizations) and aim at achieving administrative goals (as opposed to more purely political ones) which tend to involve the enforcement of previously existing regulations (as opposed to centering a campaign on a novel goal). Moreover, issues of bureaucratic coordination and competition figure prominently in ACs. Lastly, ACs do not involve a mass mobilization of the populace. Instead, they are a mobilization of administrative resources in an attempt to quickly achieve administrative goals.

After fleshing out these distinctions further, this paper explores two cases of what could be considered to be an administrative campaign. Both involve environmental

governance. Each of them differs in certain respects, raising the question of whether they represent two coherent types of administrative campaign or, alternatively, simply illustrate some of the diversity that is found within the category of administrative campaign. The first case is the (unsuccessful) effort to deal with the extreme pollution that ravaged the Huai River during the mid- and late-1990s. The second is the drive, beginning in 2005, by the State Environmental Protection Agency to promote the enforcement of Environmental Impact Assessment regulations. These case studies focus on the administrative aspects of these campaigns, rather than trying to present a full story of how each campaign was carried out and a full accounting of outcomes. This is because the fundamental goal of the paper is conceptual: to see what these two examples can tell us as we attempt to develop a better conceptual and theoretical framework with which to understand the administrative campaign as a policy tool.

### **From Maoist Political Campaigns to Reform-Era Administrative Campaigns**

Scholarly discussions and analyses usually use the word *campaign* without making an effort to define it as a concept. The assumption seems to be that we all have a common idea about the Maoist campaigns and that these new campaigns are simply mostly pale replications of those old *yundong*. Indeed, the few scholarly treatments of the campaign as a specific type of political action focus on the Maoist campaigns.<sup>2</sup> Scholarly interest in the Maoist *yundong* peaked at the end of the 1970s and has since faded. And since, in the collective memory of the Chinese people, *yundong* stand out so distinctly for their intensity, the chaos they caused, and their profound effects, post-Mao political

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<sup>2</sup> Such as: Cell, *Revolution at Work*; Gordon Bennett, *Yundong: Mass Campaigns in Chinese Communist Leadership* (Berkeley: University of California Center for Chinese Studies, 1976).

campaigns are rarely juxtaposed with *yundong* in Chinese discussions. Yet it is clear to most observers that campaign-style methods continue to be used by the Chinese party-state and that the campaign mentality persists.

If we are to recognize *the campaign* as a legitimate type of political action, a general definition is needed that will then allow for the elaboration of different specific kinds of campaigns. Scholarly definitions of campaign are few and far between. One noteworthy attempt to provide such a definition was made by Lester Ross in his seminal work, *Environmental Policy in China*, in which campaigns were defined as “short-term or intermittent organizations with flat hierarchies and a simple division of labor, involving mobilization of some or all of the populace by a governmental or private entity.”<sup>3</sup> This definition is supposed to cover a wide range of campaigns across different settings. However, in two respects, this definition is both flawed and too narrow.

First, Ross’ definition unhelpfully sees a campaign as a specific kind of organization (with flat hierarchies and a simple division of labor), by definition precluding any possibility that a variety of organizational forms and structures may be used to pursue a campaign. A campaign is not an organization; it is a type of political action. Ross’ definition is also too narrow, suggesting that all campaigns are designed to mobilize part or all of a population. As will be discussed below, some political initiatives that do not seek to mobilize the population should also be seen as campaigns.

Ross’ definition undoubtedly was shaped by the tendency during the Maoist period for the CCP to turn to campaigns as a way of overcoming bureaucratic complexity and inertia. Indeed, Schoenhals states that these *yundong* aimed at the “shattering of all regular standards” (*dapo changgui*) and involved the temporal suspension of whatever

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<sup>3</sup> Lester Ross, *Environmental Policy in China* (Bloomington: Indiana University Press, 1988), p.15.

laws, norms, and rules applied during “regular time”.<sup>4</sup> But this was not a feature of all campaigns in the Maoist era. between the mobilization and regular bureaucratic rules and procedures in *yundong* went to the extreme in many cases. A look at a broad spectrum of *yundong* demonstrates a rather diverse range of relationships between organization and mass mobilization. Some campaigns are more routine, not aimed at attacking particular organizations or overcoming organizational inertia. One example is the Patriotic Grain (*aiguo liang*) movement, which was designed to extract promises from peasant producers to sell maximum amounts of grain to the state over and beyond the amounts required by compulsory procurement programs.<sup>5</sup> In this and other cases, the campaign was not designed to shatter or overcome the bureaucratic establishment and regular administrative practices. This is also true for many (or most) post-Mao environmental campaigns, some of which actually are designed to create greater bureaucratic complexity.

So, what is a campaign? We argue that it is most useful to see a campaign as a type of political action that has three characteristics. First, it is designed to be short-term, a temporary initiative that will take place for a limited amount of time. Second, a campaign involves an extra-ordinary mobilization of resources, energy, and attention. This may include “mobilizing the masses” (in this case they are treated as a resource to be used to achieve the campaign’s goals), but it may simply involve mobilizing the members of an organization or mobilizing financial resources. Third, a campaign is focused on achieving a specific and measurable goal (or goals), of which many kinds can form the basis for a campaign.

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<sup>4</sup> Michael Schoenhals, “Political Movements, Change, and Stability: The Chinese Communist Party in Power,” *China Quarterly*, No. 159 (September 1999), p.596.

<sup>5</sup> Bennett, p. 47.

As hinted at above, during the Maoist era the CCP launched a wide variety of campaigns, and it is beyond the scope of this paper to undertake a comprehensive survey of them. As mentioned above, campaigns during the Maoist period probably exhibited greater diversity in terms of form, process, and purpose than is generally recognized. For present purposes, it is sufficient to note that many Maoist campaigns shared several characteristics that are not present in the reform-era *administrative campaigns* that are the focus of this paper. First, as is obvious to all observers, Maoist campaigns usually aimed at the mass mobilization of ordinary people, or at least Party members. They aimed to achieve their goals through mobilizing people. Second, Maoist campaigns generally were initiated and carried out by Party organizations. Third, these campaigns most often represented either an attempt by the Party to shape society and enforce its will on society or (relatedly) an attempt by the Party to rectify itself. To be certain, not all campaigns fell into one of these two categories, but it appears that the majority did. Moreover, current understandings of the Maoist campaign seem to highlight these three characteristics.

The post-Maoist *Administrative Campaign* (AC) is different. While still possessing the characteristics embodied by all campaigns, ACs are initiated and carried out by government organizations. ACs aim at achieving administrative goals that are usually related to regulatory efforts and policy implementation. They aim at accomplishing discrete goals and may often involve more intra-bureaucratic wrangling than any sort of state effort to shape society. Indeed, the broad motif of state-society relations fails to adequately capture what ACs are really all about, which is the pursuit of administrative and regulatory goals that are specific to one piece of the state administration. The Administrative Campaign is one tool available to Chinese

governmental organizations seeking to deal with an issue and implement administrative measures. For example, when an agency perceives that its routine effort to implement a key policy is meeting with little success, it may decide that an extraordinary push is needed – thus financial, human, and reputational resources within the agency are temporarily re-oriented towards the pursuit of a single goal. An administrative campaign springs to life.

As a concept, the administrative campaign is obviously still at a rudimentary level of development. Our aim in this paper is to suggest it as a starting point in the necessary effort to bring a greater level of sophistication to our understanding of campaigns in China (and elsewhere). In the next part of the paper, we present two episodes that we think to be interesting examples of the administrative campaign: 1) the effort to clean up the Huai River that began in the mid-1990s and 2) the drive to enforce Environmental Impact Assessment (EIA) requirements that began in 2005. The focus of them is on the administrative organization of the campaigns. The organizational aspects seem to us to be the most interesting and under researched aspects of these episodes.

Although both the Huai River campaign and the EIA campaign both fit the rubric of administrative campaign, they are different in several respects. The Huai River campaign was initiated in reaction to a fairly sudden realization that an environmental disaster was occurring. It was reactive. The EIA campaign seems more proactive in nature: the State Environmental Protection Agency (SEPA) wanted to use a campaign to try to elevate the status of the EIA as a binding and important part of the development process. Second, the Huai River campaign involved multiple government agencies working together. The EIA campaign was initiated and carried out by a single agency.



Lastly, the Huai River campaign involved most fundamentally an effort to coordinate a variety of government agencies in crafting a response to the environmental crisis. By contrast, the EIA campaign involved a more straightforward effort to enhance the authority of one particular government agency – to further environmental protection efforts by achieving the goal of making the EIA a central tool in the EPAs arsenal of weapons with which to exert its authority and carry out its mission.

Do these three differences add up to two distinct kinds of administrative campaigns? While this is a possible, we are not yet convinced of this. One possibility is that the Huai River campaign is an example of a “crisis-reactive” administrative campaign. The pollution crisis triggered this effort by the state to address the pollution issue of the Huai River Valley. The campaign involved the establishment of an inter-ministerial sub-commission consisting of the Ministry of Water Resources, the State Planning Commission, and the Ministry of Finance, among others.<sup>6</sup> The model of the Huai Cleanup was replicated and extended to a “Three Rivers and Three lakes” campaign to clean up the Liao, Huai, and Hai rivers and Tai, Chao, and Dianchi lakes since 1997. In 1998, a campaign to ban loggings nation-wide was launched in similar way in response to the disastrous flood in the Yangtze River. A ten-year afforestation campaign also belongs to this category.<sup>7</sup> In 2003, another crisis-reactive campaign was initiated as “Guaranteeing Public Health” after the breakout of the SARS.<sup>8</sup> By contrast, the EIA campaign would be an example of a proactive-breakthrough campaign. Other examples of proactive campaigns include the “Fifteen Small” (*shiwu xiao*) campaign, launched by SEPA with the approval of the State Council during 1996 and 1997, with the aim of

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<sup>6</sup> Economy, p. 4.

<sup>7</sup> Ibid, p. 121-125.

<sup>8</sup> Rooij, p. 7

shutting down fifteen types of small industries. Other examples are the “Double Standard” and “Strict Inspections and Sanctions” campaigns.<sup>9</sup>

With all of this conceptual work behind us, we now turn to the two case studies. As currently written, these case studies are not as systematic and clear as we would like them to be. They (and this paper) are offered to generate conversation about the role that campaigns play in environmental governance in contemporary China.

### **The Huai River Cleanup (*huaihe zhiwu*) Campaign**

#### The Origins of the Campaign.

The Huai River Valley had an early record of pollution disaster dating back to the early 20<sup>th</sup> century. But as one of the most prosperous areas during the reform era, the Huai basin only had nominal bureaucracies in pollution prevention which made some sporadic efforts to protect environment. The situation turned intolerable in 1994 when a number of factories along the Huai River emptied their waste tanks directly to the river. The river turned black and the toxic mix of chemicals destroyed fisheries and killed 26 million pounds of fish. Thousands of residents along the Huai reported health problems directly attributed to the pollution.<sup>10</sup> The so-called *7.23 Pollution* costs RMB 150 million in its damage.<sup>11</sup>

The State Council, upon investigations, announced a seven-year campaign plan to clean up the Huai Basin. The first stage ended in 1997 by which all industrial waste pollution should be halted; the second stage ended in 2000 with the Huai River to be clear

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<sup>9</sup> Ibid.

<sup>10</sup> Ibid.

<sup>11</sup> 淮河爆发有史以来最大污染团 10年治污成泡影 <http://www.sina.com.cn> 2004年08月11日10:53 人民网. <http://news.sina.com.cn/c/2004-08-11/10534000772.shtml>.

again. To accomplish this goal, an interministerial agency was established in coordinating departments and regional governments. In 1995, the State Council promulgated the first and so far the only regulation on pollution prevention of a single river, *the Temporary Regulation on Prevention and Control of Water Pollution of the Huai River Basin* (*Huaihe liuyu shui wuran fangzhi zanzheng tiaoli*).<sup>12</sup>

### What needed to be done to clean up the Huai River?

The Huai River flows through four provinces and Henan, Shandong, Anhui, and Jiangsu provinces lie in the Huai River Valley with a population around 150 million. The agriculture, industry, and daily life of the residents in the river valley all heavily rely on the water supply from the Huai; and each aspect of these human activities is a source of the pollution of the river.

**Industrial Waste** is the primary source of the pollution accidents in the Huai River known to the world. In addition to the state-owned enterprises (SOE), the rapidly grown industrial sector during the reform era ranges from the agricultural product processing industries, such as brewing and paper/pulp mill, to other so-called “fifteen small” industries such as small chemical factories, mining, dyeing, tanning, leather processing, and so on. These industries are highly water consuming and polluting in their producing process. The official sources claim that during the ten years of Cleanup, 5,000 small factories in these sectors were closed. The remained industrial enterprises were required to install waste treatment equipment, and improve their production technology to reduce the waste and enhance the resource effectiveness. The standard for the waste

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<sup>12</sup> “淮河治污总体情况” 中国水网 [www.h2o-china.com](http://www.h2o-china.com) <http://www.h2o-china.com/report/HaiheSullage/zhishui.htm>.

release was set for the industry to meet. Fines and fees were supposed to be imposed on them if they failed to meet the requirement.

**Agricultural runoffs** increasingly contribute to the pollution in the river. The chemical fertilizer and pesticide have been widely used without much environmental and security concern. The statistics shows that due to the inappropriate application, 70 percent of the fertilizer and pesticide used in China either stay in the product or enter the soil, ultimately ending up in the water. The SEPA claims that 50 percent of the total organic nitrogen and total organic phosphorus in the three lakes under SEPA's treatment comes from the agricultural runoff. One among the three, the Lake Tai is the biggest lake along the Huai River and suffers from this problem.

**Domestic sewage** is another source of the Huai River pollution. The Huai River Valley is densely populated and most domestic sewage is released to the water without any treatment. The Cleanup campaign addresses this issue with investment on the sewage water treatment equipment in major cities. Before the Cleanup project, there was not a single city that had waste water treatment plant. But 56 treatment plants had been constructed by the end of 2004.<sup>13</sup> In Henan Province, for example, RMB 3.7 billion has been invested in constructing waste water treatment system in 22 cities. They can process 2.16 million tons of water on the daily basis in full operation, and 2/3 of the city waste water of Henan Province can be treated.<sup>14</sup>

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<sup>13</sup> “淮河治污取得重要进展 主要支流仍污染严重” .  
<http://www.sina.com.cn> 2004年10月23日07:10 新华网.

<sup>14</sup> The waste water treatment plants in Henan Provinces serve four river basins, including the Yellow River, the Yangtze River, the Huai River, and the Hai River. The number mentioned above is the total for the four, including for the Huai. “让人心疼的’面子工程’”  
<http://www.sina.com.cn> 2004年05月21日04:14 河南报业网-河南日报.

### The effect of the Huai Cleanup Campaign.

During the Cleanup campaign, around 5,000 polluting factories were reported shut down, including 1111 chemical pulp mills, as well as other 3876 “fifteen small” industries.<sup>15</sup> Yet the number has been questioned as the statistic was considered conceiving by many. Official reports of the closing-down were made by the local officials and confirmed upon the examination during the time when the superiors came from top to the locales. This campaign-style supervision has shortcoming in enforcing the policy. Factories develop strategies in avoiding detection: some polluting factories stopped operating during the examination but they re-opened afterwards or move to more obscure sites.

The waste treatment in industries and domestic sewage also had problems in conforming to the campaign requirements. Some polluting factories suspended their waste discharge during the examination; they might operate the waste-treatment equipment as required but once the examination was over they ran the business in the old way to keep the product costs low. There were cases reported about factories releasing the clean water bought from the water plant to the river and making the river meet the required standard in quality during the examination. Some city water treatment plants were laid waste despite the high investments in their construction. In West District in Kaifeng City, Henan Province, for example, the treatment plant only processed at one-fourth of its capacity, although its construction consumed RMB 119.2 million from the state investment as one of the earliest pollution control projects in the Cleanup campaign. The situation is worrisome in that the case of West District, Kaifeng is not an

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<sup>15</sup> “淮河治污取得重要进展 主要支流仍污染严重”.

exception.<sup>16</sup> These local governments simply did not want to spend money on the necessary supporting projects or the operating cost of the equipment.

In January 2001, Xie Zhenhua, announced as the then head of SEPA, that the water quality in the Huai River had reached the national grade three standard and the 70 percent of the major tributaries had reached grade four. This statement has been challenged by other sources in media and research institutes. But the official report since then stresses the two aspects of the accomplishment of the Cleanup project. First, the values of the two pollution indicators declined drastically. The Chemical Oxygen Demand, or COD discharged into the Huai decreased from 1.5 million tons in 1994 to 712,000 tons in 2003, with a deduction of 53%; from 1996 to 2003, the total COD release was reduced by 48%, among which industrial COD release was deduced by 67.4%. The second fact often stressed is the population growth and economic development during the decade of the Cleanup. From 1994 to 2003, the population grew by 8 million in the Huai River Basin, and the GDP in the 35 cities in the basin grew from RMB 55.69 billion to 130.66 billion by 135%.

Yet every year since the announced success in 2001, there have been outbreaks of ever greater pollution accidents. In the summer of 2004, the heavy rain forced the pollution water stored in upstream dams into the Huai, and a water body of 500 million tons stormed the river and caused the biggest pollution accident in the Huai history.<sup>17</sup>

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<sup>16</sup> “让人心疼的 ‘面子工程’”。

<sup>17</sup> “淮河爆发有史以来最大污染团 10年治污成泡影”。

Agency, institutions, and structure in the Huai Cleanup Campaign.

Many reports and the continued pollution disasters demonstrate that the Cleanup Huai Campaign is far from success. Why has the Cleanup failed? Obviously the campaign strategy failed to change the incentive structure and the behavior pattern of the stakeholders in the governmental efforts of pollution prevention and control. The bureaucratic structure, the developmental pattern, the central-local relationship, the lack of rule of law, and the political foundations together form equilibrium of interests adverse to environmental protection. The Cleanup campaign organization lacks a dedicated agency and it only operates on the surface of the established structure; thus it fails to break down the vicious circle of environmental degradation.

Environmental campaigns in China operate with institutional deficits and structural constraints in environmental protection. There are four provinces and many levels of municipal and regional governments (*zhengfu*) involved in the Cleanup Campaign. And any single task in the pollution control also requires the cooperation among numerous of functional units (*bumen*). As Lieberthal points out, two features of China' bureaucratic structure have significant consequences on the environmental campaign. First, the "units of the same rank cannot issue biding orders to each other".<sup>18</sup> In the bureaucratic ranking, the four provincial governments are equal to the Ministry of Water Resources and higher to the NEPA, the two leading agencies in the Cleanup campaign. The coordination issues are salient in pollution control in a broad river basin. Second, there is a potential for conflicts between the vertical lines of authority and the horizontal lines of authority. The orientation of the *zhengfu* and *bumen* officials in policy

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<sup>18</sup> Kenneth Lieberthal, "China's Governing System And Its Impact on Environmental Policy Implementation", *China Environment Series*, Vol. 1, 1997, p. 3.

implementation in cases of conflicts largely depends on the institutional settings and policies that shape their incentive structures. Whether the *bumen* follows the policy from the vertical system or the horizontal governments vary across cases; but the general tendency of the reform era is to give priority to the horizontal line over the vertical line.<sup>19</sup> During the process of downsizing the central bureaucracy, the financial responsibility and personnel of Environmental Protection Bureaus (EPB), the local branched of EPA, was shifted to *zhengfu* at varying levels. The balance between local governments and environmental protection agency heavily tilted toward the former.

The motivations for both the provincial and local *zhengfu* and the environmental protection *bumen* are further structured by China's developmental pattern and a decentralized decision-making process. While the central does not want to give up the ultimate control of the power, it reduces its involvements in the governing decision making at the provincial and local level. Arguably, the CCP stresses two primary goals: to grow economy and maintain stability; thus the provincial and local governments are able to prioritize other tasks with more discretion. The environmental degradation is one consequences of this decentralized structure in which the ambition in economic growth overrides the concerns for the environmental protection.

The success story in the environmental protection cannot have nothing to do with the political foundation. In addition to the regime type, public participation in checking the official misbehaviors and environmental abuse are important part of the environmental protection. Yet neither are public hearings in developmental decisions institutionalized; nor is the societal organization representing environmental interests free

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<sup>19</sup> Ibid. p. 4.



to develop in China. The lack of rule of law and the weak legal system also contributes to the weak implementation of environmental laws.

Did the Cleanup Campaign provide mechanisms to overcome these institutional and structural constraints in pollution control? As mentioned earlier, the Huai River Water Resources Protection Leading Group (*huaihe liuyu shuiziyuan baohu lingdao xiaozu*) was the organizational core to coordinate and supervise governments (*zhengfu*) and departments (*bumen*) involved at different levels. According to the *Temporary Law*, the office of the Leading Group is located at the Huai River Water Resources Protection Bureau (*huaihe liuyu shuiziyuan baohu ju*), which is an independent branch (*danlie jigou*) of the Huai River Commission of the Ministry of Water Resources.<sup>20</sup> The *Temporary Law* stipulates that the Huai River Water Resources Protection Bureau be the administration responsible for the protection and pollution control of the water resources in the Huai River Basin and the Shandong Peninsula. The Huai River Water Resources Protection Bureau had a history before the campaign, and since 1990 it was the Huai River Water Resources Protection Bureau of the National Ministry of Water Resources and National Environmental Protection Agency. The structure of the leading group was adjusted for the campaign purpose in 1994. The NEPA ( the previous SEPA) and the Ministry of Water Resources jointly led the Group; the four provincial governments attended the Group as Vice leaders; and the Group members included the State Planning Commission, the National Commission of Economy and Trade, Ministry of Finance, Ministry of Construction, Ministry of Chemical Industries, Ministry of Agriculture, The People's Bank of China, the Development Bank of China, Light Industry Administration,

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<sup>20</sup>“淮河治污与泼污水（修正稿）”，[飞刀] 于 2005-03-30 01:18:14 上贴人民网 <http://bbs.people.com.cn/bbs/ReadFile?whichfile=909330&typeid=17>.

and the Huai River Commission of the Ministry of Water Resources (*Huaihe Shuili Weiyuanhui*).<sup>21</sup>

The configuration of the Leading Group reflects the structural feature of Chinese governing system. It brings functional systems and the four provincial governments together for consensus building, planning, coordination, and supervision of the campaign. Its goals, ultimately being to clean up the Huai, are to overcome the collective action problem in a fragmented governing system. This is a very difficult task, if not impossible. Chinese governing structure, according to David Lampton, is distinct for the prevalence of bargaining as the authority relationship. The circumstances that favor a bargaining process are situations in which “there is collective leadership, disagreement among authoritative elites, parties of about equal bureaucratic rank, decisions of high complexity with multiple trade-offs, and decisions in which interdependencies are complex and extensive.”<sup>22</sup> The Huai Cleanup is a perfect example of these bureaucratic relationships. Lampton argues that to address issues in these situations, an intensive process of bargaining must take place in order to build consensus among subordinates and among competing bureaucracies. The leaderships of different parties will not act before such a consensus to be achieved.<sup>23</sup>

Yet the interministerial subcommission for the Huai Cleanup which provides the organizational channel for the bargaining process, if it ever existed, appears mysterious in its presence and authority. My research of the media report on the Huai Cleanup finds no traces of the presence of such a subcommission in commanding the whole team of the

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<sup>21</sup> 淮河流域水资源保护局 <http://www.hrc.gov.cn/hhsbj/www/setting/evolution.asp>.

<sup>22</sup> David Lampton, “A Plum for a Peach: Bargaining, Interest, and Bureaucratic Politics in China,” Lieberthal, Kenneth, and David Lampton. *Bureacracy, Politics, and Decision Making in Post-Mao China*, (Berkeley: University of California Press.1992), p. 35.

<sup>23</sup> Ibid.

campaign. When pollution disaster happens, the Leading Group never appears in the media as the agency in charge of the campaign. It is now a question about whether it still exists and operates. This is not a trivial question since the policy tools to hold different stakeholders together for the campaign purpose are very limited within the established bureaucracy as discussed early. This lack of organizational authority is manifested in the conflicts between the two administrations of the Leading Group: the SEPA and the Huai River Commission of the Ministry of Water Resources. There have been finger pointings at each other for the responsibility of the pollution accident; they also competed for the authority in making and announcing pollution control standards and accused each of transgressing.<sup>24</sup>

The formalistic existence of the Leading Group and the complicated relationship among the functional administrations: the NEPA, the Ministry of Water Resources, the Huai River Water Resources Protection, and others also raise the serious question about how the four provinces are kept in pace with the campaign. According to the *Temporary Regulation on Prevention and Treatment of Water Pollution of the Huai River*, most responsibility or discretion is granted to governments (*zhengfu*) at provincial and local levels.

Article 5: *The People's Governments of four provinces of Henan, Anhui, Jiangsu, Shandong ( the Four Provinces as brief) are responsible for the environmental quality of the water in the Huai River Basin within their provincial territories. They must take measures to ensure the accomplishment of the goals in pollution prevention and treatment of the water in the Huai River Basin.*

*The Four People's governments should divide the tasks in pollution prevention and treatment of the water in the Huai River and distribute them to the relevant city (prefecture) and county, and sign contracts of Objective-Responsibility for limited time period with them. **The performance of the contract should be integrated as an***

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<sup>24</sup> “环保总局质疑淮委越权 淮河治污十年百姓应知情” . 2005年04月11日 08:22 来源: [新京报](http://news.fjii.com/2005/04/11/302379.htm)  
<http://news.fjii.com/2005/04/11/302379.htm>

*important part into the system of evaluations of cadres' political performance* (bold by author).<sup>25</sup>

Despite the clear stipulation of the responsibility in pollution control and the provision of the policy mechanism in the cadre evaluation in the *Temporary Law*, the Leading Group apparently fails to enforce them on the four provincial governments. None of the provincial leaders were held accountable for the frequent pollution disasters. No contracts of objectives-responsibilities were seriously signed by the four governments and within them.

Corresponding to the provincial responsibilities to the implementation of pollution prevention and control, the local governments of varying levels are also granted responsibilities for the supervision of the polluting enterprises. The local government is in charge of issuing orders to reduce pollution within a limited period of time (*xianqi zhenggai*) to those over-discharging enterprises that are controlled for the total amount of pollution release.<sup>26</sup> The Article 31 is particularly clear about the ultimate responsibility of local government in pollution prevention: for those severely violation, the county (or above) government can close them down or suspend them. Similar authority is also stipulated in Article 30:

*Article 30: if the pollution discharging unit has one of the following situations, the relevant People's government of countries (and above) is responsible to have it closed down or suspended:*

- 1) it causes the severe pollution and is not worth efforts of pollution control;*
- 2) the industrial enterprise discharges pollution excessive of the standard since January 1, 1998.*

Thus, the fate of the polluting enterprises is ultimately under the control of provincial and local governments. The local environmental administrations are limited in

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<sup>25</sup> *Temporary Regulation on Prevention and Treatment of Water Pollution of the Huai River.*

<sup>26</sup> *Temporary Regulation on Prevention and Treatment of Water Pollution of the Huai River*, Article 13.

their jurisdiction and policy tools. They are in charge of setting standards and making plans of pollution control for local governments as suggestions, they facilitate and supervise the installation of pollution control equipments, and they examine and penalize those who violate the policy. Yet they can only impose certain amount of fines on those polluters. With the weak legal system, the enforcement of these penalizations is not guaranteed. Furthermore, the dependence of the EPBs on the local government already fundamentally limits the motivations for EPB officials in following the command of the national EPA.

The ten years of Cleanup Huai campaign by and large operated on the surface of the established institutions and structure. The campaign failed to create a dedicated agency with a clear and effective authority structure. It put the responsibility of pollution prevention and control primarily on the provincial and local government without sufficient mechanisms to reverse their pro-business tendency at the expense of environment

The Huai Campaign is typical of campaigns in China that strive to solve the symptoms of social crisis. The obstinate rural governing problem, or “Three-Rural” (*sangnong*) problem known to the Chinese, appears to experience similar process of development. To restrict local officials in over extraction from rural community and to curb their abuse of power, the center has had numerous campaigns to reduce the peasants’ burden. One of the policy is to limit the proportion of the levy to no more than 5% of the annual income of rural residents. Yet since the behavior of local officials is driven by the bureaucratic structure that has built-in problems, the campaign turned out to have little effects on the local political economy.

The Cleanup Huai campaign seemed to take a different turn in 2004 after the pollution disaster. Despite the nominal existence of the Leading Group and the competition for authority with other bureaucracies, the SEPA has increasingly taken the lead in the cleanup project. It tries to bring the four provincial governments to the table to build consensus. In Dec 12, 2005, SEPA issued the regulation on the evaluating measures of the implementation of the responsibility commission on Huai River Basin water pollution prevention and control objectives. The responsibility commission not only provides substantive requirements on the cleanup effects, but also stipulates that the evaluation procedures of cadres' environmental performances. The four governments are required to sign the responsibility commission with SEPA, and divide the responsibility and sign subcommissions with sub-provincial governments within their jurisdiction.<sup>27</sup> SEPA also brings different governmental branches in pollution control. It launches campaigns of specific task (*zhuanxiang zhili*) in pollution control with the State Development and Reform Commission, the Ministry of Inspection, the State Industry and Commerce Agency, the Ministry of Law, and Security Inspection Agency. The involvement of the Ministry of Inspection is supposed to have disciplining effects on cadres. Whether these measures will be able to change the dynamics in environmental protection in the Huai River Basin remains to be seen.

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《淮河流域水污染防治工作目标责任书执行情况评估办法（试行）》 国家环境保护总局办公厅文件 环办〔2005〕136号 <http://www.sepa.gov.cn/eic/649086806737813504/20051219/13843.shtml>

### **The Environmental Assessment Storm (*huanping fengbao*)**

In Jan 18<sup>th</sup>, 2005, the SEPA announced that the construction of around 30 big projects was suspended for their failure to have environmental impact assessments according to law. Most of the projects were large-scale hydro or thermal power plants, involving billions of U.S dollars and 13 provinces. The top three projects were all hydro-power plants under the Three Gorges Project Company of China, which was huge in the industry and politically backed up by some top leaders. Although a month later, most of these projects resumed their construction after they paid the fine and the SEPA approved their Environmental Impact Assessment (EIA) report, this unusual maneuver by the insignificant environmental administration shocked the world by exerting legal authorities over the most vested industrial interests. Taken as a gesture for the attitudinal change of the Chinese government in environmental protection, this campaign has been hailed by the media as the “Environmental Assessment Storm” (*huanping fongbao*) for its intensity and deferring effects. In February 25, Pan Yue, the Vice Minister of the SEPA announced to the media that they had identified 139 illegal construction projects among the 388 power plants they examined during the Storm action. Again, among the 139 projects, 46 of them were thermal-power plants while 93 others were hydro-power ones.<sup>28</sup>

The Storm has been followed by numerous execution of the EIA law in various sectors and local industries. In 2006, the Campaign was resumed by SEPA, in particularly targeting the petrol-chemical industries throughout China.

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黄建华, “环保总局改革环评制度  
清理139个违法开工电站”, *北京青年报* <http://finance.sina.com.cn> 2005年03月08日 07:47  
<http://finance.sina.com.cn/g/20050308/07471411201.shtml>

### EIA in China

The Environmental Impact Assessment was part of the Environmental Protection Law passed in 1979 and formalized in 1989. The Article 13 of the Law stipulates that any construction project that may cause environmental pollution must make an assessment of its impact on the environment, and propose appropriate preventive measures. This assessment report must go through the initial examination of the authorities in charge of the project (*xiangmu zhuguan bumen*), and then be passed to the responsible environmental administration for approval. After this procedure, the planning department can issue the permission of construction to the project. In the Article 26, this procedure is interpreted as the “three synchronization” (*san tongshi*) in practice, meaning that the pollution prevention and control must be included in the design and construction of the project, and the completed project cannot be operated until the pollution prevention and control equipment is examined by the environmental administration which initially approves the EIA report.

In Oct 28, 2002, the Environmental Impact Assessment Law was passed by the Nation People’s Congress as formal legislation and it took effect on Sep 1, 2003. The EIA Law specifies the procedures of the EIA previously sketched in the Environmental Law. Its main chapters include the general provisions, regulations on the EIA procedures for administrative planning and construction projects respectively, and lastly the legal responsibilities of relevant bureaucracies, construction units, and other organizations.

The EIA Law for first time clarifies the responsibilities of *zhengfu* and *bumen* administration for environmental impact assessment in their planning of development and



construction, and their responsibility for the follow-up assessment of the environmental impact during the implementation of the plan (Article 15). It stipulates that governments of certain levels have the authority to approve or reject the plan based on the assessment of the plan EIA report by the environmental administration (Article 13).

In line with the Environment Protection Law, the EIA Law further states that the construction project also must make the EIA report; the authorities in charge of the project approve or reject the project based on the assessment of the EIA report by the environmental administration (Article 22). Their EIA report should be conducted by the independent organizations that are certificated by the SEPA.

The general provisions of the EIA law require the objectivity, publicity, justice, and fairness of the EIA process (Article 4). In this regard it encourages the appropriate participation of the expert, the public, and relevant units (Article 5). The administrative planning and construction projects that may have adverse impacts on environment and public interests should hold public discussions for viability (*lunzheng hui*), public hearings (*tingzheng hui*), and other forms of consultations with experts, the public, and relevant units and organization (*youguan danwei*) (article 11, 21). The final report of EIA should include the public opinions gathered through these channels and it should give accounts for their adoption or rejection of these opinions.

The Chapter Four of the EIA spells out the legal responsibilities of the planning administration, construction unit, the government and function units in charge of the plan and project, and the environmental administration for violations of the EIA law during different stages of the environmental impact assessment. The penalization for these

violations range from administrative sanctions (*xingzheng chufen*) to criminal liabilities (*xingshi zuren*), depending on the severity of misbehaviors.

The EIA Storm is shocking to the Chinese public in that despite the existence of the Environmental Protection Law for 15 years and the enactment of the EIA Law in 2003, EIA was never taken seriously as a veto power in the public decision making in China. Official reports claimed that development projects have substantially increased their investments in pollution control and abatement facilities, likely due to the adoption of EIA; yet surveys in Guangzhou and Shanghai, two cities with the supposedly advanced EIA systems in China, show that there was rarely rejection or relocation of a project due to the EIA.<sup>29</sup> In Shanghai there was only one case of construction project being turned down by the EPB and ending up in a new site for the sake of environmental safety. This record in these two cities is particularly worrisome considering the common practice of approving a construction site by the municipal government before the EPB approves the EIA report. The EPB has hardly any leverage to insistence on the cancellation of the project or relocation, only with the exception in the single case in Shanghai.<sup>30</sup>

Tang and his associate's study shows that different stages of the "three synchronization" were all vulnerable to the intervention from the party-state establishment. There were many constructions being carried out without the appropriate EIA process; even if the EIA was conducted, the approval might be formalistic because the project were actually hazardous in environment, and the self-conducted assessment might be highly problematic; in some cases when the EIA was appropriately conducted

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<sup>29</sup> Shui-Yan Tang, Ching-Ping Tang and Carlos Wing-Hung Lo, "Public Participation and Environmental Impact Assessment in Mainland China and Taiwan: Political Foundations of Environmental Management," *the Journal of Development Studies*, Vol. 41, No. 1, January 2005, p. 9.

<sup>30</sup> *Ibid.*

and approved, the construction might leave out those environmental preventive measures in the EIA report, or the pollution control equipment was laid waste after the production process takes place due to the operating costs.

#### Agency, Institutions, and Structure.

The weakness of the EIA systems in China is similarly resulted from the China's institutional structure, its developmental pattern, and the political foundation. The role that EIA can play is constrained by the administrative ranking of SEPA relative to other governments and functional units, its lack of leverage over its own local branches, the dependence of the EPBs on the local government for budget and career advancement, the primary concentration on the GDP growth in China's developmental pattern, and the lack of rule of law. The democratic public participation is arguably fundamental to the success of the EIA. Although it was formally stipulated in the EIA Law that public inputs be integrated into decision making process in EIA, the channel and mechanisms seldom exist in China.

Constrained by these factors, the previous enforcement of the EIA Law was ineffective. It requires further research to find out whether the national EPA ever tried to exert veto power of EIA on big construction project or developmental plan, and how these actions worked out. The survey by Tang et al in Shanghai and Shenzhen suggests that the chance for the case is small. Generally the SEPA was not an important administration. One example of its insignificance in the top decision making circle is the exclusion of SEPA from around 20 governmental administrations in the central campaign

to develop the West in China.<sup>31</sup> In this context, the Storm struck the people with its high profile and ambitions in targeting the big construction projects in the thorny energy sector. Is this a futile striving by a desperate bureaucracy? Or is it just a policy tool used by the central leaders for other purposes? Will it have a lasting effect on the institutionalization of the EIA?

As many other campaigns in China, the Storm campaign clearly has hidden agenda beyond its explicit goals. Its ability to strike on the power sector demonstrates that it made alliances with some top leaders, at least temporarily. In another words, the EIA Storm was pushed by a much more powerful current from the central government. The EIA Law appeared to be a policy tool alternative to the administrative command which is not very effective in solving the long term conflicts in the energy sector. The timing of the Storm indicates that this is not just an action by one functional administration. Only one month before the campaign, in November 24, 2004, the State Council issued the Document No. 32 titled “Forwarding the Urgent Notification of the Opinion of the Nation Commission of Development and Reform on Firmly Stopping Chaotic Construction of Power Plants” (*pinzhuan fazhangaigewei guanyu jianjue zhezhi dianzhan xiangmu wuxue jianshe yijian de jinji tongzhi*).<sup>32</sup> This is a green-light signal for the Storm which the central only has reasons to support.

The energy sector developed rapidly in last decade as a result of the growing national economy. Yet due to the strategic importance of this sector to the economic development and social stability, the market reform in this previously state commanded

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<sup>31</sup> Elizabeth Economy, “China’s Go West Campaign: Ecological Construction or Ecological Exploitation?” *China Environment Series*, (2002) Issue 5, pp. 1-11.

<sup>32</sup> 潘岳与他的环保革命 <http://finance.sina.com.cn> 2005年04月17日 11:33

经济观察报<http://finance.sina.com.cn/leadership/crz/20050417/11331524534.shtml>

sector is particularly sensitive and problematic. The long-term conflicts between the power industry and the coal industry have lately become increasingly intensified. Among the two, the power industry has long been under the monopoly of a few vested interests, and the only tradeoff it makes with the central is to supply electricity at the relatively stable price controlled by the State Council. But the power industry is still one of the most profitable sectors because the cost of this stability has for long time been transferred to the coal industry. Until 1993, the power industry simply got the coal supply at the state-controlled price. But this loss has become hard to swallow for the coal business after 1993 when the government loosened its grips on the coal price and let the market decide it. Yet to ensure the stability of power supply, the central applied the dual-track price system in the coal industry, requiring the coal to be given to the electricity industry at a price generally lower than the market price. Since 70 percent of power plants are thermal power in China, there has been about 60 percent of the coal production going to the power industry since the price reform. This has cost the coal industry about RMB 32.8 billion. As called “Electricity Tiger” by ordinary Chinese people for its monopoly on the market, the electricity industry clearly has built its high profit at the expense of the coal industry and the mining workers, in addition to the consumers. This industrial relationship was made possible by an intervening central government using the administrative command to repressing the opposition from all directions. Yet the central policy has been under the constant contestation from the both sides of this conflict. Since 2003, the coal industry refused to sign the contract with the power sector for low-priced supply of coal and the conflicts escalated to the level that the central government had

difficulty in mediating.<sup>33</sup> At the same time, the central government appeared incapable of restricting the behavior of the power industry as well. On one hand, the electricity industry has invested heavily on new power plants. The output scale of power industry in 2004 reached 150 million Kilowatts, 1.5 times of the approved scale. The over-growth of the power plants concerned the central government also in that it worsened the existing tension between the coal and power industries. The SEPA estimated that the coal consumption of the 200 power plant projects proposed from January to November in 2004 would reach 400 million tons every year. On the other hand, in addition to the thermal power plants in the East, the hydro resources in the Central and West China are targeted for energy production. The industrial interests rushed to the river valleys and claimed the construction of hydro power plants with huge investment. Most of these river valleys are almost the last nature reserves in China, and the environmental impact of these constructions are tremendous.<sup>34</sup>

At the center of this swirl is the central government looking increasingly impotent to maintain the control over the industrial interests that have been build up over the half century of PRC history. On surface, the central government still had the autonomy in policy making. Yet in fact, some policies had no effect at all. It is not clear whether the Storm was contrived by the relevant leaders in the State Council and the SEPA official, but the Storm was clearly welcome by the central leader since it demonstrated a new policy tool to regulate the industrial behavior with the legitimacy and authority deprived

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<sup>33</sup> “煤电博弈：一场难以化解的江湖恩怨” 小康杂志 伍是 2006-04-11 09:37:26  
中国能源网<http://www.china5e.com/news/meitan/200604/200604110017.html>

<sup>34</sup> 环评风暴寻求制度突破 评议决策机制有待完善  
<http://finance.sina.com.cn> 2005年01月26日 16:35  
新民周刊<http://finance.sina.com.cn/g/20050126/16351324730.shtml>

from the law. The Storm was applauded by the Premier Wen Jiabao, and in his discussion of the annual government report in the NPC, he praised the Storm action by the SEPA.<sup>35</sup>

The Storm thus presented EIA as a policy tool for the macro-management of the center. In many aspects, it resembles the “Audit Storm” (*shenji fengbao*) starting from 2003, in which the State Audit Administration was encouraged by the center to strike broadly within the government. These cases reflect an increasing tendency in the central government to rely on technical measures in solving governing issues and to promote the concept of due process, if not rule of law, in gaining legitimacy.

Such an opportunity provided by the governing problem the central government has with the energy industry is critical to the implementation of the EIA Law. The environmental legislation in China is still highly elitist, in which only highly organized industrial organizations, bureaucracies of environmental protection and others, as well as few environmental and law experts are involved.<sup>36</sup> EIA law is also a product of such procedures. And also due to other structural factors discussed earlier, the institutional breakthrough in the EIA law enforcement from the status quo is hard to achieve . Lieberthal points out that due to the fragmentation and decentralization of China’s governing system, the consensus building is essential to the effective implementation of policy. The presence of three conditions is sufficient to the implementation:

- All top leaders agree on the issue;
- All top leaders are willing to give the issue priority; and
- The degree of compliance of lower level is measurable.<sup>37</sup>

<sup>35</sup>潘岳与他的环保革命 <http://finance.sina.com.cn> 2005年04月17日 11:33

经济观察报<http://finance.sina.com.cn/leadership/crz/20050417/11331524534.shtml>

<sup>36</sup> Alford, W. P. and B. L. Liebman, “Clean Air, Clean Processes? The Struggle over Air Pollution Law in the People’s Republic of China”, *Hastings Law Journal* 52 (March 2002): 703–48.

<sup>37</sup> Lieberthal, p. 6.

The One Child Policy is an example that the consensus made effective one of the least popular policies in China. But unlike Mao and Deng, the third and fourth generations of Chinese leaders came into power as technocrats with less charisma and authority compared to the Mao and Deng. Their commanding capacity further decreased with the pluralization of social interests and powerful corporatist establishments such as the power industry. The consensus at the top on the environmental protection is extremely difficult to achieve. Implementation of environmental law can hardly become the priority in the policy cycles. Thus, to ally with the center in launching the Storm appears strategically beneficial to the SEPA as well.

The strategic alliance is reflected in SEPA official's interpretation of the significance of this action. In justifying the action on the big power project, Pan Yue emphasized the scientific view of development in line with the central propaganda, and criticized these projects for the negative effects of their "chaotic and blind" development on national economy. Pan pointed out that these construction plans could be irrational for the national economic structure if they did not go through the appropriate EIA process, since the energy resources were scarce and should be scientifically distributed. In this way the SEPA stressed the common interests among the state, the industry, and the environmental protection in the EIA Storm.

Another feature of the Storm campaign is its emphasis of the due process of environmental law enforcement, and the administration by law (*yifa xingzheng*). This position appealed to the center for its utility as a "neutral" and technical policy, but it also increased the legitimacy and capacity of its own administrations in implementing environmental laws. Its strategic insistence on the due process of environmental law



enforcement is salient in another case of the Storm, the Yuanmingyuan Park EIA dispute. In April 2005, an environmental scholar found that in historical site of Yuanmingyuan Park, the relic of Qing Era Imperial Palace which was burned down by Western troops for twice in the 19<sup>th</sup> century, the park management company was laying the plastic sheet at the lake bottom to prevent water seeking. The People's Daily reported on the professors' finding and through the NGO activist, the case led to SEPA announcing the suspension of the construction of this few million U.S dollar project. In this dispute, the Yuanmingyuan Park management administration emphasized the scientific necessity of the project endorsed by a few experts in varying disciplines. The SEPA insisted on the lawful procedure of EIA in the conduction of such a project. It demanded the EIA report from the park administration, and organized the public hearings to deliberate on the environmental impact of this project. The public hearing was live broadcast by the China Central TV station, and was attended by the park administration, the SEPA, research institutions, and NGOs. This public hearing is considered the first environmental public hearing in China.<sup>38</sup> Although the Yuanmingyuan Park Case was local in Beijing, but the event became national known due to the media report. It captured the media attention that the SEPA firmly insisted on the procedural legitimacy over the park's argument about its correctness in decision content.

The emphasis of due process and administration by law also justified the EIA agenda in bringing in public participation in the decision making.<sup>39</sup> In the Storm, SEPA drew support from the environmental sectors which are critical in shaping public

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<sup>38</sup> **First public hearing over environment** By Qin Chuan, Li Jing (China Daily) 2005-04-14 05:43  
[http://www.chinadaily.com.cn/english/doc/2005-04/14/content\\_434089.htm](http://www.chinadaily.com.cn/english/doc/2005-04/14/content_434089.htm)

<sup>39</sup> **环保总局改革环评制度** <http://finance.sina.com.cn> 2005年03月08日 07:08  
 新京报<http://finance.sina.com.cn/g/20050308/07081411073.shtml>

opinions. The Storm was endorsed by the main environmental NGOs. The same night as Pan Yue announced the Storm Campaign, Liao Xiaoyi, the head of the Global Village, wrote down her praise in “the Sensible Action in the Construction of the Harmonious Society”. On January 21, three days after the initiation of the campaign, a supporting letter signed by 56 environmental NGOs appeared in the Youth Newspaper of China, New Beijing Newspaper and about 20 mainstream media and on the webpage of these NGOs. They expressed their willingness in closer partnership with the government in this undertaking.<sup>40</sup> The campaign brought public attention and pressures to the dam construction along numerous rivers.

The SEAP is aware of the lack of specific mechanisms for public participation in the EIA process. In Feb 2006, the SEPA issued the document regulating the measures of public participation in EIA. The SEPA also focuses on the cadre incentive structure for the environmental protection and one agenda of the Storm is to integrate the environmental performance into the current cadre evaluation system.

The effects of the Environmental Assessment Storm have been controversial too. The Storm is by far still a campaign, which means that it is short-term and irregular. Despite its advocacy of the rule of law, its action is arbitrary and subject to pressures from political pressures. The “stormed” power projects are detrimental to the environment as the previous experience of the dam construction in China and elsewhere demonstrated, and their impacts will only be worse due to the rush in their design and construction. Yet they resumed the construction after paying RMB 200,000 to 600,000 fines and their EIA reports were all approved within a month. The EIA Storm is also

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<sup>40</sup>商务周刊 解密“环保人士”与环保官员的交情 作者：Yush  
新语丝<http://www.xys.org/xys/ebooks/others/science/dajia6/nujiang30.txt>

accused of being driven by campaign mentality, since a few thermal-power plants were almost completed at the time of the Storm. It is pointed out that the late intervention of SEPA costs a lot in local economy and shows the arbitrariness of the SEPA in the EIA enforcement. These accusations all being true, the Storm campaign still demonstrated a successful political maneuver by the committed environmental agency. It needs empirical study to find out the long effects of the campaign, but for the political attention it drew as well as the long-term mechanisms it started to install, the EIA storm is a successful political maneuver in policy enforcement. It is for sure that one campaign such as the EIA Storm is not sufficient for the fundamental change of China's bureaucratic structure in environmental protection, but a successful action like this might shorten the period of time needed to achieve the ultimate goal.

### **Conclusion**

Previous research finds that there is a paradox in China's environmental protection. China has good environmental laws and an environmental bureaucracy established from the central government down to the lowest level of the governing hierarchy, but the enforcement of environmental law and regulation is by and large ineffective.<sup>41</sup> What role do and can administrative campaigns play in creating more effective environmental governance in China? Although this paper does not bring us far in answering this question, we may make a few observations.

Both the campaign to clean up the Huai River Basin and the Environmental Assessment Storm were aimed at achieving rapid progress in dealing with environmental

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<sup>41</sup> Kenneth Lieberthal, "China's Governing System And Its Impact on Environmental Policy Implementation", *China Environment Series*, Vol. 1, 1997, p. 3.

issues. The Huai Cleanup campaign was a top-down mobilization in reaction to the disastrous pollution of the river basin. Yet the campaign did not have an organizational center effective in coordinating the campaign among all the *zhengfu* and *bumen* involved. It operated on the surface of the political establishment, and relied primarily on provincial and local governments to enforce policies. It failed to make the four governments commit themselves to the campaign endeavor. The failure of the Huai campaign is typical of many campaigns in which the Chinese government has engaged. The campaign to reduce peasants' burdens, for instance, failed to curb the predatory behaviors of local officials. Campaigns that try to coordinate and direct diverse pieces of the state in order to achieve an ambitious goal seem likely to fail – and even to fail miserably.

Yet more limited campaigns led by a single agency may be more effective. The Environmental Assessment campaign had a specific and achievable goal and was directed by a single agency with a great interest in seeing the campaign succeed. When it was clear that higher authorities were providing an opening for stronger action to enforce EIA requirements, SEPA adeptly moved in and initiated a campaign aimed at promoting the EIA mechanism and strengthening its authority within the government. It strategically advocated for the EIA process and the concept of administration by law, and thus justified bringing public participation into enforcement. It may be that a campaign led by a single agency, ideally backed up by its political masters (a top leader in the State Council, for example), can be more effective than one that relies on the coordination of a number of pieces of the Chinese state.

As noted at the outset, this paper represents an initial and rough exploration into an area that we think deserves greater attention from scholars. The administrative

campaign is one tool of environmental governance that is available to and often used by administrators in China. The question is: how can it be used effectively in ways that complement other sorts of tools that are available? We hope that future research will address this question.

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- 淮河治污取得重要进展 主要支流仍污染严重  
<http://www.sina.com.cn> 2004年10月23日 07:10 新华网
- 让人心疼的“面子工程” <http://www.sina.com.cn> 2004年05月21日 04:14 河南报业网-河南日报
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