



Governance reform, external support, and environmental regulation enforcement in rural China: The case of Guangdong province[☆]

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ABSTRACT

This paper examines how configurations of external support factors have evolved alongside governance reform in recent years and how these evolving configurations have affected regulatory enforcement in four counties in Guangdong Province in China. Based on in-depth interviews with leading officials in the local environmental protection bureaus (EPBs), we show that there have been increases in government and societal support for local EPBs in their regulatory work, thanks partly to a number of recent governance reform efforts, but many problems have remained. Based on a questionnaire survey of enforcement officials, we examine how the perceptions of government and societal support are related to EPB officials' self-perception of effectiveness. It is found that both local government support and societal support have an influence on enforcement officials' self-assessment of effectiveness, but the relationships varied considerably depending on various dimensions of effectiveness and the patterns of interactions between government and societal support.

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1. Introduction

With its rapid economic growth, enormous size, and alarming rate of environmental degradation, China's environmental records have been receiving increasing worldwide attention. One dominant theme in the growing literature on China's environmental governance is that there has been no lack of well-intended environmental legislation and regulations promulgated in Beijing, but the key problem has been ineffective implementation at the local level.

In China, environmental regulation enforcement is primarily the responsibility of environmental protection bureaus (EPBs) at the local level. Although a local EPB is under the "functional supervision" of the corresponding agency at a higher administrative level (e.g., a municipal EPB being supervised by the provincial EPB), the EPB is part of the local government. Not only is its chief appointed by the head of the local government (e.g., the city mayor), the local EPB is financed by the local government whose officials usually have economic interests of their own in the local economy and are, consequently, biased toward economic development in perceived

conflicts with environmental protection. Not surprisingly, many well-documented studies revealed that many local EPBs, especially those in less-economically developed rural areas, are exceptionally lax in regulatory enforcement (Ma and Ortolano, 2000; Economy, 2004).

Many concepts have been used to capture this phenomenon. The concept of an "implementation gap", for example, has been used to highlight the fact that the intentions of higher-level government are often unrealized at lower levels (Chan et al., 1995). Lieberthal and Lampton (1992) employed the concept of "fragmented authoritarianism" to reflect China's administrative system, which is disjointed by rank, function, and territory. Such fragmentation makes effective regulatory enforcement difficult as one moves down the hierarchical links to remote rural areas. The priorities, policies, and regulations of the central government are modified at each interface as they cascade down through numerous provinces, cities, counties, townships, and villages. This helps explain the tremendous variability "on the ground" in rural areas, which may, indeed, be very distant—physically, economically, and psychologically—from Beijing.

From these perspectives, how can environmental regulatory enforcement in China be improved? One approach has been to increase the capacity of higher-level governments to monitor enforcement at local levels. Since 2000, for example, the national legislature has tightened specific guidelines in the amended

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versions of the Air Pollution Prevention Law, Environmental Impact Assessment (EIA) Law, and Administrative Regulations on Pollution Discharge Collection and Use Management. The intention was to give local officials less “wobble room” to evade regulatory responsibilities (Van Rooij, 2006).

Another approach has been to inhibit other government agencies from undermining environmental regulatory enforcement tilting the power balance in favor of environmental agencies. In 2008, the National Environmental Protection Administration was elevated to be the Ministry of Environmental Protection. Such an elevation signals the central government shifting priorities that hopefully may penetrate down to the local levels.

A third approach is through greater accountability for local leaders. Recently, a new administrative leadership responsibility system has been implemented with the aim of linking the performance in key environmental areas to the reward system. Specifically, environmental protection performance indicators are included in the annual assessment of local party/state leaders, which affects their prospect for reappointment and promotion. As discussed in Rock (2002) and Lo and Tang (2006), this system has heightened local leaders' concern for environmental protection, and helped increase the status and negotiation power of the local EPB in relation to other municipal bureaus. While clearly a step in the right direction, environmental quality is only one of many criteria for evaluating a local leader who has to balance environmental protection against many competing priorities. Thus in many rural areas, local government support for environmental protection has remained low, and regulatory enforcement has remained lax (Economy, 2004).

Yet another approach toward fostering local environmental enforcement has been nationwide “political campaigns”. Van Rooij (2006) documented a number of such campaigns, such as the *shiwu xiao* (literally meaning “fifteen small” and referring to the closure of some types of highly polluting small enterprises) and the *shuang da biao* (“meeting two standards” which targets some larger enterprises). Although these campaigns might have generated extra inspections, they seldom resulted in harsher punishments of polluting factories or secured their sustained compliance.

These examples show that while more centralized control and more stringent legislations may enhance regulatory enforcement at the local level, such approaches have their inherent limitations. As Van Rooij (2006) pointed out, as is often the case, when a community is dependent on a large polluting factory and its business partners, even under ample pressure from higher-level governments, the local EPB would find it extremely difficult to close it down even in face of egregious violations of pollution regulations. This is especially pronounced in rural China where the people remain poor, where the economy, local government, and local politics are tightly intertwined, and where *guanxi* and malleability still trump the law.

Recent literature has emphasized the role of governance frameworks and collaborative processes for environmental conflict resolution (Durant et al., 2004; Koontz et al., 2004). According to the ecological modernization perspective, for example, a key to effective environmental governance is to ensure that various environmental interests become institutionalized and interconnected within existing political, administrative, social, and economic systems (Mol, 2006; Weidner and Janicke, 2002). Logically, ecological modernization implies that the benefits to be gained from such institutionalization and interconnection are greatest where they are most estranged such as in rural China.

From this perspective, economic and market dynamics must interact with civil society as key ingredients of an effective environmental governance system. On the political front, this calls for a more decentralized and consensual approach to environmental

governance. Yet accountability and transparency are also important. Tang and Tang (2001), for example, emphasize the need for local communities to achieve “negotiated autonomy” for governing local common-pool resources, arguing that local resource governing regimes are viable in the long run only if they are compatible and supportive of broader societal values and interests. May and Winter (1999) have provided empirical evidence showing that a cooperative approach to pollution regulation enforcement is more effective than a rigid, formalistic approach, as long as the cooperative approach is backed up by meaningful threats of sanction. Tang and Tang (2006) go on to argue that government entities need to work out collaborative arrangements with other economic and societal actors to solve many large-scale environmental problems.

From this perspective, it is not an inherent shortcoming of the Chinese environmental governance system that regulatory enforcement is primarily the responsibility of local governments. In fact, regulatory enforcement by local governments should, in theory, have more advantages over a monolithic approach carried out by central or provincial agencies alone. The key question is to what extent institutionalized inputs from multiple sources—government authorities at different levels, industrial enterprises, civil society, public opinions, etc.—are in place to support local regulatory enforcement. There are signs that such multi-faceted support for environmental protection has been emerging in the past decade (Carter and Mol, 2006). Many local variations still exist, depending on such factors as the level of economic development, structure of the local economy, progress in government reform, and the state of local civil society (Howell, 2006). Yet, the existing literature includes few systematic empirical studies that document changes in various external influences, and how these influences have impacted regulatory enforcement in rural China.

In this paper, we fill this gap by examining how configurations of external support factors have evolved alongside governance reform in recent years and how these evolving configurations have affected regulatory enforcement in several rural counties in Guangdong Province. Specifically, based on both interview and survey data, we show that EPB leaders have experienced increased government and societal supports for their enforcement work, yet these increased supports do not necessarily translate into higher perceived effectiveness in all aspects of their work.

2. Research location and method

With a population of close to 80 million, Guangdong Province consists of twenty-three county-level cities and forty-one counties. Guangdong is the forerunner in China's economic reform, having achieved an average annual growth rate of over 10 percent since 1978, with its volume of foreign trade and gross light industrial output perennially at the top of the national statistics (Cheng, 2000). It had a GDP of 3.57 trillion yuan in 2008, and a growth rate of 10.1 percent, after two successive years of rapid growth of 14.1% and 14.5% in 2006 and 2007 respectively. As a result of its vibrant economy, Guangdong is also home to tens of thousands of polluting factories and has suffered from many environmental problems—such as air and water pollution from both industrial and domestic sources, lack of wastewater treatment facilities, and soil contamination due to sub-standard landfills for solid waste.

Over the past decade total investment in environmental protection as a percentage of GDP has increased from .64 percent in 1995 to a record high of 2.71 percent in 2004 and maintained a steady rate of 2.5% thereafter. Unfortunately, efforts to address these problems have yielded mixed results as economic growth overwhelms improvements in technology and practice. For example, trends for air pollution have been mixed: the amounts of aggregated suspended particulates have been reduced compared

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