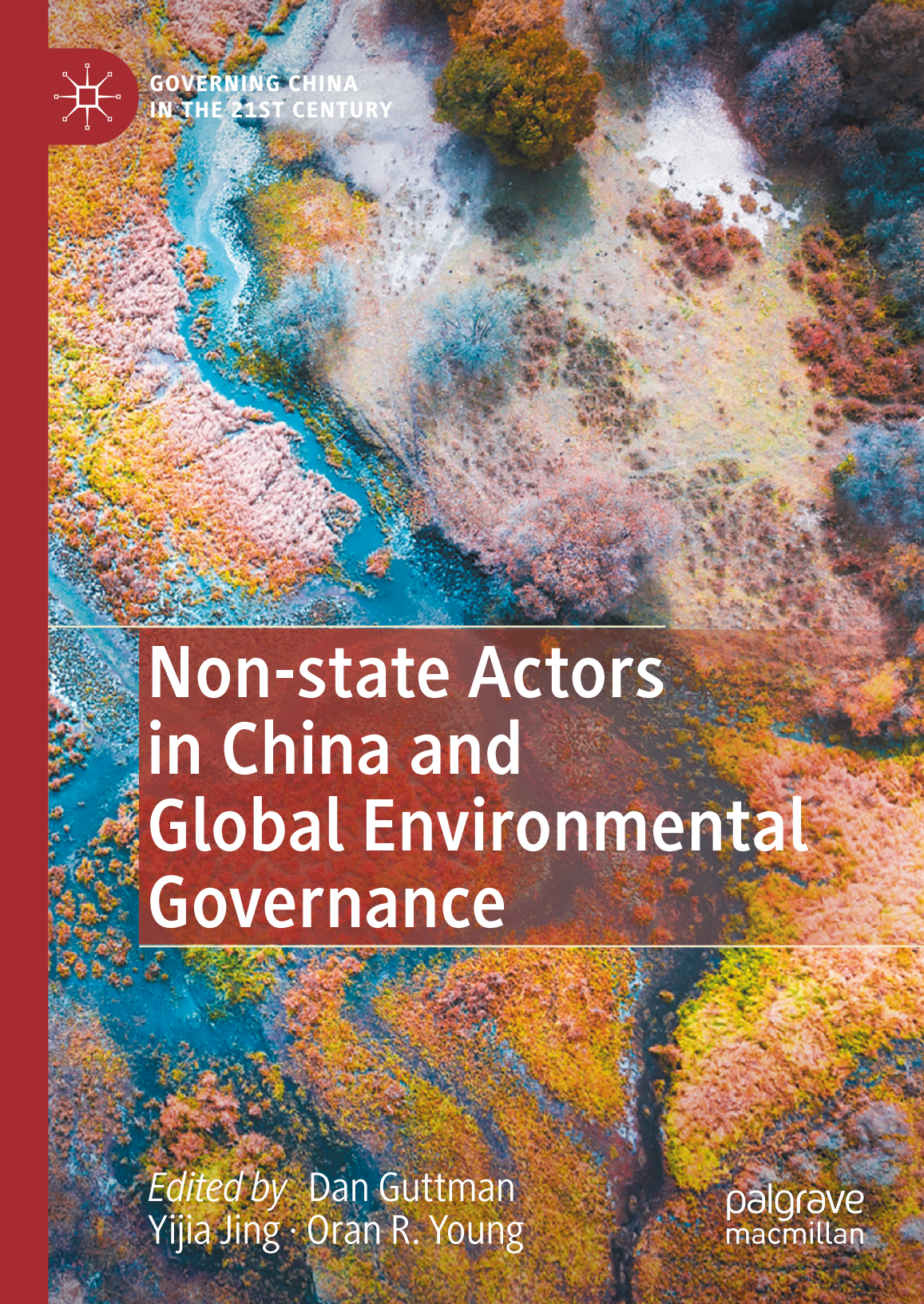
GOVERNING CHINA
IN THE 21ST CENTURY
Non-state Actors in China and Global Environmental Governance
Edited by Dan Guttman
Yijia Jing · Oran R. Young
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An Introductory Framework for Researchers and Practitioners

Introduction

Dan Guttman, Yijia Jing, and Oran R. Young

The Central Theme

This book grew out of a December 2016 workshop at Fudan University in Shanghai. The workshop brought together a mix of practitioners, scholars, and "pracademics" (practitioner/scholars) from China, the United States, the UK, Australia, and Brazil with, collectively, many

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years of work on environmental affairs in China and global environmental governance. The objective was to explore the relevance of the western concept of nonstate actors to understanding China's experience both in domestic environmental governance and in transnational and even global environmental governance.

In the late twentieth century, the concept of "nonstate actors" gained currency in western thinking about governance, both at the domestic level and in regard to the development of international regimes. The premise was that we cannot rely exclusively on governments to meet a variety of needs for governance, including matters of environmental protection. Both practitioners and scholars began to focus on the roles that nonstate actors play either in stimulating and monitoring the actions of governments or, in some cases, addressing needs for governance in the absence of action on the part of governments.

Attention focused on two distinct types of nonstate actors: (i) nongovernmental organizations often referred to as NGOs or NPOs (nonprofit organization), such as the (US based) Natural Resources Defense Council and the Worldwide Fund for Nature and (ii) profitmaking corporations and business-oriented organizations, such as Unilever and the International Organization for Standardization. In some cases, the two types of nonstate actors have joined forces. In the United States, for example, the Environmental Defense Fund has formed partnerships with major corporations to address environmental issues. The Marine Stewardship Council, an independent nonprofit organization, grew out of a partnership between the Worldwide Fund for Nature and Unilever. The distinction between state and nonstate actors also differs from one society to another and may not be entirely clear in specific cases. In the United States, environmental NGOs play an active role in seeking to influence legislative processes; they also intervene in

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litigation making its way through federal and state court systems. In other systems, the legal status of nonstate actors is unclear. For example, they may be established formally as private corporations or effectively directly by the state: an examination of their actual practices often reveals complex and ambiguous connections to government agencies.

Over the last 25 years, a sizable body of literature analyzing the role of nonstate actors in a variety of issue areas has arisen. The role of these actors in the realm of environmental affairs has drawn the attention of a number of prominent scholars. Analysts have sought to explain the origins of the growing roles of nonstate actors. They have identified specific mechanisms that these actors employ in seeking to influence behavior in a variety of situations. Above all, they have asked whether the intervention of nonstate actors has made a difference in efforts to solve environmental problems.

For the most part, this literature is western in origin; it is associated with the concept of governance (the notion that solutions to public problems require the energy of nonstate actors as well as government) and with the analysis of regimes, a concept that took root among western scholars during the last several decades of the twentieth century and that has flourished since (Krasner 1983). Most empirical applications have addressed initiatives unfolding in the United States and Europe or focused on western-driven international regimes dealing with matters like the depletion of the stratospheric ozone layer or the conservation of species and ecosystems. While the resultant literature has devoted some attention to problems arising in other parts of the world (e.g., the destruction of the Amazon rainforest, threats to African elephants), work in this field has remained closely tied to western legal practices and western approaches to research. There have been few applications dealing with issues arising in China or endeavoring to map western thinking about the roles of nonstate actors onto Chinese practices and perspectives pertaining to governance.

All now recognize this as a major gap. Spectacular economic growth over a period of four decades coupled with globalization has turned China into a critical element in global supply chains in a wide range of fields. China is now the largest emitter of greenhouse gases by a wide margin. The development of China's Belt and Road Initiative is turning

China into a major player in economic development ranging from Africa to the Arctic. Efforts to address a wide range of environmental problems cannot succeed without engaging China effectively. To do so, we must gain a better understanding regarding Chinese thinking about governance in general and about the nature and roles of nonstate actors in particular.

At the time of the 2016 workshop, some were already thinking and writing about the roles of global and domestic NGOs in advocacy campaigns in China, and also about what are called "environmental NGOs" in China. But we knew little about the roles of public service units (shiye danwei), a type of institution that is prominent in China but has no clear-cut western analog, or about the growing sustainability focus of business or industrial associations (a form of shehui tuanti or social group or organization), an increasingly important type of actor that operates in close cooperation with government agencies in China. In effect, any effort to understand the role of state and nonstate actors in environmental governance in China would need to come to grips with the nature of the institutionalized governance processes operating in China and the implications of differences between these processes and their western counterparts for our understanding of the roles of nonstate actors (Young et al. 2015).

How, participants in the 2016 workshop asked, were global nonstate actors working in China interacting with Chinese enterprises and government agencies? Given the core role of the state and party in China today, what has emerged to occupy the role or space (kong jian) occupied in western environmental governance by nonstate actors? What are key institutional forms that comprise the nonstate actor landscape, and how do they differ from western models? Now, as Chinese enterprises and investment go abroad, how will rules or guidelines being set by Chinese nonstate actors affect global environmental governance? Is a new China model developing? If so, what can we learn from it?

In the remarkable post-1978 reform and opening up period, Chinese officials and scholars studied and learned from the West, often as students in western universities. Following the end of the cold war, there was a widespread view among western scholars (and leaders) that as China developed markets and reentered the global system, Chinese and

western governance systems would gradually converge, albeit with "Chinese characteristics" applied to western models. In Beijing and Shanghai universities and (English language) public policy conferences and workshops, "governance" themes, such as "rule of law," "markets," and "civil society organizations," became common topics. By 2012, the China Daily (a government-sponsored English-language paper) reported that China had nearly 500,000 "NGOs" (*China Daily* 2012). The term "governance" itself is now a core Chinese expression; the English title of Xi Jinping's multi-volume work is "The Governance of China" (Xi 2014, 2017, 2020).

By the time of the 2016 workshop, however, it was becoming apparent that, although Chinese scholars and officials teach and use the same core terminology to talk about governance (often expressed in English), western and Chinese governance systems are not converging as many western scholars and leaders had anticipated (Fukuyama 1992). Thus, it is imperative to understand whether and how well western terms like nonstate actors (or "NGO" or "CSR") translate into the governance processes of the twenty-first-century Chinese "operating system." In a world where challenges transcend borders, the need for comparative understanding, and shared learning, is greater than ever (Zhao et al. 2020).

From this perspective, several general observations have emerged from the work growing out of the Fudan Workshop and reported in the chapters included in this book. There is no sharp separation between state and nonstate actors in China. All those working on environmental issues in China operate in the "shadow of the state." The Institute of Public and Environmental Affairs (IPE), often regarded as a western-style NGO, uses data generated by government agencies and engages in complex public–private interactions. Other important actors, including "shiye danwei" and a number of types of business associations, have no direct western counterparts. They have close links to the state, but they can and do play significant roles in nudging both private and state-owned enterprises to adopt and adhere to environmental standards. Given the distinctive features of the Chinese "operating system," it is also important to emphasize the differences between western and Chinese practices

regarding the mechanisms through which those concerned with environmental protection endeavor to achieve influence. Whereas U.S. nonstate actors tend to make use of adversarial processes, Chinese actors typically participate in planning processes, provide resources to help enterprises meet goals articulated in plans, and assist in the development of new practices in the aftermath of crises. Comparing the two systems in terms of performance is a challenging task that we are just beginning to tackle. But it is clear already that we cannot say that one system is better than the other in some general sense when it comes to addressing environmental problems.

Since 2016, the building blocks of the late twentieth-century western-inspired global order are daily being called into question. Depending on one's perspective, core developments include the Trump administration's declared withdrawal from the Paris Climate Agreement, the Biden Administration's vigorous reaffirmation of US commitment to addressing climate change with other countries, and broader challenges to the global trading system and China's assumption of a growing global role through, for example, the Belt and Road Initiative and the Asia Infrastructure Investment Bank. By 2020, talk of the ending of the late twentieth-century global order and the "decoupling" of US-China relations was common.

Now there is COVID-19. The pandemic punctuates most dramatically the need for shared understanding of major governance systems, especially where there are differences among them but cooperation and shared learning are essential. What is needed is a commitment to rigorous comparative analysis both to gain insight into the determinants of success in different governance systems and to devise new approaches to cooperation where solving environmental problems requires effective cooperation between and among societies whose governance processes differ in important ways. We hope the chapters in the book provide a framework for those who continue to work on such matters and will be working in years to come to repair and or restructure global environmental governance systems.

The Structure of the Book

The body of this book comprises three interrelated parts. Part I (chapters "Introduction" to "The Landscape of Nonstate Actors and China Environmental Governance: Illustrative Roadmaps to Processes and Institutions") provides a framework for understanding and conducting further research on China's emerging system of nonstate actors in environmental governance. The chapters in Part II (chapters "The Governance Effect of Environmental CSR Reporting in China: State and Non-state Facilitation" to "Extending Enforcement: How the Institute of Public and Environmental Affairs Leverages Public Information to Strengthen Environmental Governance") focus on key types of Chinese environmental nonstate actors—profit-making enterprises, business associations (*she hui tuan ti or hang ye xie hui*), and environmental "NGOs." Part III (chapters "Water Stewardship: Engaging Business, Civil Society and Government in Collaborative Solutions to China's Freshwater Challenges" to "Green Supply Chain Initiatives in China: The Roles of Nonstate Actors") contains case studies of the ways in which Chinese and global nonstate actors have interacted and continue to interact in the development of environmental governance systems. Broadly speaking, as China became the world's factory, global nonstate actors drove changes within China. Now, as China's own global development initiatives have increased, native Chinese nonstate actors are beginning to develop standards both for domestic use and for Chinese enterprises that go abroad.

Following this introduction, chapter "The State, Nonstate Actors, and China's Environmental Performance: Setting the Stage", co-authored by participants in the 2016 Fudan Workshop, provides a framework for thinking about China nonstate actors engaged in environmental governance in the context of and by comparison with the global landscape of nonstate actors. The chapter begins with a review of the Chinese environmental nonstate actor "institutional landscape." This landscape now includes "global" nonstate actors at work in China, and Chinese institutions such as business enterprises,[1] public service units (*shiye dan wei*), and social groups (*she hui tuan ti*), including business or trade associations. It also encompasses nonprofit enterprises (*minban fei qiye*) and foundations (*jijin hui*) that are sometimes analogized to western