
The Role of Multiple Social Body in the Environmental Governance: The Case of Jiaxing Model

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Abstract

Promoting the participation of multiple social entities in environmental governance is an important topic in the research of public governance. Jiaxing City, Zhejiang Province has carried out many explorations in promoting public participation in environmental governance, forming some practical and innovative experiences. This paper studies and elucidates these experiences from the perspective of social governance, examines the “partnership” of establishing mutual cooperation between government and non-governmental organizations, fostering social organizations and promoting the practice of deliberative democracy to explore the implications of achieving effective governance of environmental affairs. This research advocates the realization of the change from “management” to “governance” and believes that Jiaxing experience shows the development direction of China’s environmental governance from a specific perspective.

Keywords: public participation in environmental protection, multiple social subject, deliberative democracy, environmental law

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INTRODUCTION

Since the 21th century, the concept that environmental protection should shift from government “management” to social “governance” has begun to become popular and gradually gained public recognition. This shift reflects a profound change in some of the basic concepts of public affairs management: from the recognition of the government’s one-way top-down management to new ideas that require the participation of all parties in the society. This concept of “social governance” for public affairs advocates the involvement and participation of stakeholders, makes joint decisions on public affairs to achieve the goal of “good governance”. In this sense, good governance is the process of maximizing public interest, reconciling conflicts or different interests, reaching consensus and taking joint action (Global Governance Council 2007). In the “new public management theory” that emerged in the 1990s, the basic concept was to realize the joint handling of social affairs by the government and the public, and to form a division of labor, benign interaction and joint governance. Applying these concepts to the discussion of environmental governance issues, we will take the participation of multiple social entities in

environmental governance as the core issue of discussion.

To realize the transformation of environmental affairs from “management” to “governance” also has its realistic foundation. Judging from a series of high-profile environmental remediation projects carried out by the environmental protection department over the past few years, the administrative control of top-down simplification adopted in the past has not stopped the severe facts that the environment is deteriorating. Sustained environmental events and an exhausting environmental storm pose a huge challenge to the government (Wang and Liu 2007): If the government still regards environmental issues as purely natural, ecological and governance technical issues, rather than a public issue, it is impossible to still resort to inefficient administrative governance mechanisms (Zhang and Zhuang 2008). However, we have also seen some successful cases from the recent environmental incidents, that is, due to the active participation of the public, civil society organizations and the media, the situation has a positive development trend (Zhuang 2009). This has prompted us to focus on how policy implementers such as the public, media, social organizations, experts and scholars can play a more

important role in environmental governance, thereby changing the government-centered regulatory structure and advancing toward diversified governance.

MATERIALS AND METHODS

To examine the social impact of this shift in perception, it is necessary to discuss the relationship between the country and society as well as the governance structure that has been formed (Mol and Carter 2006). In the field of public management, the discussion of the “state-society” relationship in Chinese society can be attributed to two orientations: one is the theoretical corporatist orientation (Gu and Wang 2005, Kang 1999, Pearson 1994). This type of analysis mainly selects associations such as trade unions and youth associations as the object of investigation. It is believed that China’s “state-society” relationship presents a structure of integrationism, that is, the institutionalization of these associations with the state system, thus gaining a dominant position. However, due to the existence of a large number of grassroots civil organizations in Chinese society, this research orientation can hardly effectively explain the essence of the relationship between civil organizations and the state (Zhu 2004). Another research orientation is to advocate the theory of civil society (Yu 2006, Zhu 2004, He 1997, White 1993). This type of research has selected grassroots civil organizations as research objects, believing that China is emerging or is moving towards a civil society (Howell 1996). However, this theory is also not fully applicable to China because the theory emphasizes the separation of state and society and social autonomy to a certain extent, and in some cases, it even emphasizes the ability of society to check and balance public power. From the reflection of the reality, we can see that in contemporary China, social organizations have strong dependence on the state, which makes it difficult for many analyses to properly describe the realistic interaction between contemporary Chinese social organizations and state power based on civil society theory.

In order to alleviate the above theoretical dilemma, a perspective that emphasizes the “state-society” cooperative relationship may be more rational. Based on this perspective, some researchers emphasize that “in order to achieve and enhance the public interest, government departments and non-government departments need to cooperate with each other to share public power and manage public affairs in an interdependent environment”; When discussing the role of the government in the process of governing public affairs, some scholars have emphasized that the

government and market entities and civil society organizations can form a pluralistic composite subject, and jointly manage public affairs through cooperation and consultation; Based on the study of the construction of “City of Life Quality” in Hangzhou (Kuan 2008), This new type of governance model is demonstrated by some scholars through the discussion of the concepts of “composite democracy” and “complex governance”. (Lin et al. 2012, Chen 2011, Lin et al. 2013). This is considered to be an effective mechanism for exploring China’s social governance issues. Therefore, we can use the relevant concepts and take a corresponding theoretical perspective to analyze environmental governance issues. The issue of environmental governance is a problem that requires the participation of all parties in society to solve it. It needs to build an institutionalized platform and mechanism for the negotiation of interests between the state and society. It can not only integrate the disclosure of interest expression and appeal, but also ease the friction and contradiction between the state and society. The expression and integration of these interests need to be based on a certain organizational structure. To this end, in recent years, various places have been exploring what mechanisms and paths to achieve effective governance. These local practical experiences provide a valuable empirical basis for us to analyze the social governance model and open up a broader possible space for achieving the goal of environmental governance. In these local practices, the experience gained in the public participation environmental governance process in Jiaying City, Zhejiang Province has outstanding results. These experiences have also been described by some media as “Jiaying Model” (China Environmental News 2011). On this basis, the attention and analysis of the “Jiaying model” in this paper is carried out under such a background, hoping to find a path to achieve environmental governance in China in the field of governance subject research.

CASES ANALYSIS

The Transformation of Environmental Protection Work Mechanism: from “Management” to “Governance”

Jiaying is an economically developed region where contradiction between its economic development and environmental protection has been very severe. The group environmental incidents represented by the 2001 shipwreck and navigation closure incident have caused a sensation throughout the country. Through the exploration in recent years, Jiaying’s environmental protection management work has undergone a major

change in its concept and achieved outstanding results. It has been praised as the “Jiaxing Model” for public environmental participation. This model breaks through the traditional, single mandatory public administration and gradually shifts to a cooperative and diversified governance model. It presents a new state of “from management to governance” and “management and governance coexist”. These concepts, practices and actions are reflected in various carriers such as documents, notices, bulletins, work summaries, work plans, etc., as well as in various specific environmental governance work, showing the characteristics of “cooperation” and “participation” and of “diversity”.

In the practice of the Jiaxing model, we have seen that the pluralistic social entities continue to interact, negotiate and reach consensus in the process of environmental governance, thus promoting the process of social participation. Here, the environmental protection department of Jiaxing City takes the lead in setting up a platform, involving enterprises, the public, experts, media practitioners, lawyers, etc., to achieve multi-party linkages between the government, industry (enterprise), media, experts, and the public. This enables different social groups to fully play their active role and rely on different participating organizations.

This kind of participation is also fully covered. The scope of public participation covers project approval, environmental law enforcement supervision, environmental protection expert services, and environmental violation case punishment review; Relevant departments have also actively promoted environmental public interest litigation against enterprises with poor influence, and encouraged the public to participate in environmental protection through public interest litigation. In addition, in the participation in environmental governance, public service and supervision are equally important, and supervision is in service. To this end, a community inspection team, a citizen jury and other organizations have been formed in Jiaxing City to supervise the environmental behavior of enterprises and the government. The participation of its expert service team not only stays at the project review meeting, but also penetrates into the technical service of the enterprise.

Behind these phenomena is the innovation in governance structure, that is, the participation of pluralistic social actors in the process of social governance. In the Jiaxing model, multiple, multi-layer, multi-boundary and multi-domain actors take common actions in environmental governance, thus forming a

multi-party cooperation, complementary advantages, functional integration, and flexible governance structure (see **Fig. 1**). This governance structure helps collaborative innovation and transforms from the governance structure of a single government entity to the governance structure of multiple social entities. The difference between this governance structure and the traditional social governance form is that in the traditional way, social organizations are mostly the union of members of the same kind of society (the “homogeneous consortium”), while the governance structure of the pluralistic social subject has a “heterogeneous complex” or in other forms such as “trans-boundary consortium”. They often involve institutional personnel and the general public in politics, academia, industry, media, etc., and they have cross-employed personnel and diverse roles, forming an interactive social association.

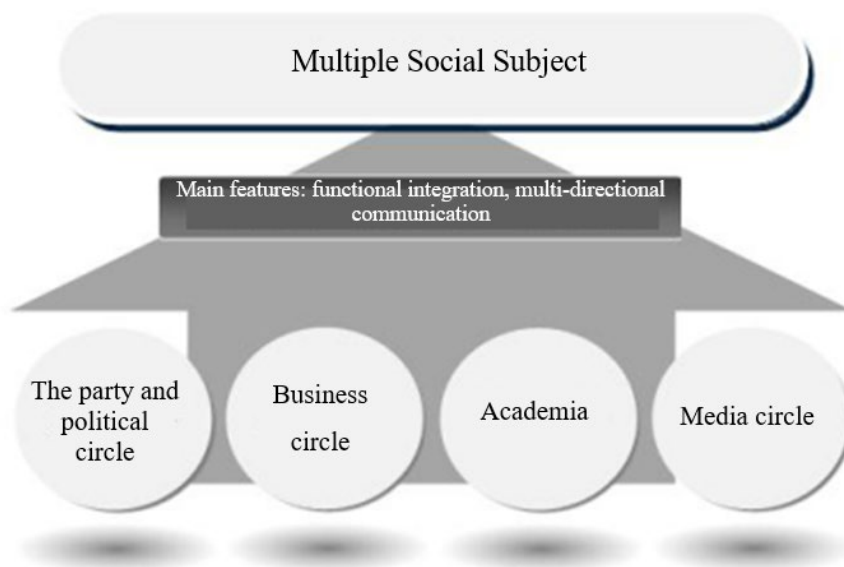


Fig. 1. Basic Structure of Multiple Social Subject

Therefore, in the “Jiaxing Model”, the environmental protection department actively builds various platforms for public participation in environmental protection, and encourages and promotes the interaction between the party, political, intellectual, industry, and media. This can form a form of cooperation in which multiple parties participate and solve the environmental problems they face mainly through negotiation.

New Structure of Governance: An Analysis of the Characteristics of Jiaxing Model

A basic prerequisite for the implementation of social governance is the existence of an independent civil society that can correspond to the government. The development of social organizations is the most important feature of the development of civil society. In the face of differentiated social interests, it is necessary for social organizations to deal with conflicts of interest.

In order to ensure the healthy operation of the society and to ensure the smooth flow of interest expression channels of different groups, Jiaxing City has built a platform for participation, encouraging and supporting the development of various environmental protection social organizations. The Municipal Environmental Protection Bureau and the Civil Affairs Bureau have successively formulated and issued the “Guiding Opinions on Encouraging the Development of Mass Environmental Protection Organizations”, “Guiding Opinions on Encouraging the Development of Grassroots Environmental Protection Organizations” and “Jiaxing Environmental Protection Public Participation Management Measures” to

mobilize the construction of local development organizations. At present, the construction of grassroots environmental protection organizations in Jiaxing presents a trend of great openness, great change and great development. A framework of “one meeting, three groups and one center” with the Environmental Protection Federation as the leader and supported by the citizen inspection team, the expert service group, the ecological civilization propaganda group and the environmental rights maintenance center has been formed. This is a multi-layered structure composed of party and government circles, industry, business circles, intellectual circles and ordinary citizens, and a multi-social entity with complementary advantages (see **Fig. 2**).

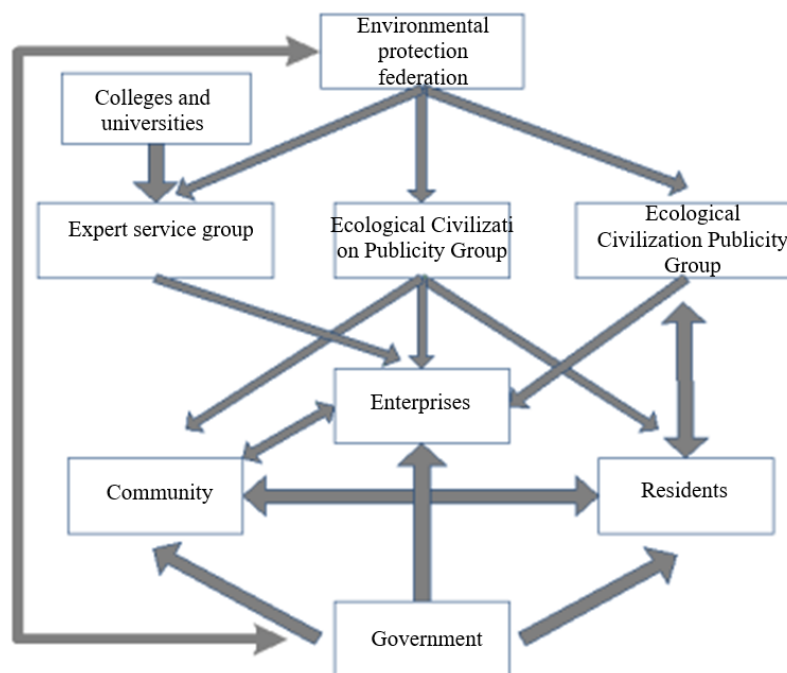


Fig. 2. Schematic Diagram of the Role Played in Jiaxing Compound Environmental Governance

Table 1. Composition of Jiaxing Ecological Civilization Publicity Group

Professional composition	Research institute experts	Media practitioners	Business personnel	Public institutional personnel	Doctors	Migrant school teachers	Preschool teachers	Scientists	Total number of people
Number of people	10	2	2	2	1	1	1	1	20

In this framework of social governance, all kinds of social subjects can play their unique roles. Since 2007, Jiaxing City has set up environmental protection volunteer service team and environmental protection pioneer service team to carry out environmental protection volunteer service and energy conservation and emission reduction, supervision and technical service work, and these work will cover the community and townships and villages. On this basis, environmental protection citizen inspection groups, expert service groups, and ecological civilization propaganda groups have been established. The citizen inspection team can participate in the hearing inquiry, on-site verification and acceptance voting evaluation on behalf of the public. For example, they can participate in environmental “flight monitoring”, order to supervise the rectification of environmentally-friendly credit-stricken enterprises, hold new hearings for catering industry, and implement social monitoring of pollution-damaging construction projects; The expert service group consists of environmental protection experts from institutions, enterprises and environmental protection systems, and regularly in-depth development zones, industrial parks and enterprises with outstanding environmental problems. They provide services such as construction project

promotion guidance, pollution control technology consultation, and environmental industry development consultation for enterprises. The ecological civilization publicity group is composed of environmentally-friendly and enthusiastic people from the academic circles, the media, the party and government, and the business community (See Table 1). They mainly carry out eco-environmental awareness lectures in institutions, enterprises, communities, schools, and rural areas, creating an atmosphere of “ecological civilization is everyone’s responsibility.” Since 2011, Jiaxing Environmental Protection Bureau has established the Jiaxing Environmental Protection Federation. And they set up corresponding branches in the counties (cities, districts) under their jurisdiction, set up a library of environmental protection experts for construction projects, implemented environmental science and industry associations to participate in environmental management reform pilots, and expanded the 12 subordinate regional (professional) committee. With the law firm as the main body, they set up an environmental rights maintenance center to promote the self-discipline and autonomy of various environmental protection associations, making it a major stage for the public to participate in environmental protection.

The development of environmental protection social organizations in Jiaying City is promoted by the social organization of legal person form and the social organization of semi-corporate form (or unlawful person). In addition to the traditional legal person registration, the government allows the environmental protection department to set up social organizations in the form of document licensing or in the form of developing subordinate group members based on actual conditions. The flexibility of this establishment greatly guarantees the breadth of participation and the effectiveness of the activities. In addition to the environmental protection federations at the city and county (district) levels, Jiaying City is active in more than 650 grassroots mass environmental organizations at the town (street) and community and village levels. They actively carry out public welfare activities such as environmental protection publicity and rights protection for the people, and the masses can also participate in suggestions on environmental protection work of the government and relevant departments. This encourages a large number of people who are willing and able to participate in environmental protection to join different social organizations in various forms.

At the same time, the development of consulting and democracy is another feature of this governance model. In the Jiaying model, various forms of deliberative democratic governance such as consultation, hearing, and commenting are playing a role. Jiaying City has issued the "Several Opinions on Further Strengthening the Public Participation in Environmental Protection", and extensively carried out the "round table" activities in which both the public and experts can propose their suggestions. Environmental planning review meeting, construction project demonstration meeting, administrative law enforcement briefing meeting and governance plan meeting attended by representatives of the citizens and experts, "two representatives and one commissioner" and news media and journalists are held to make the public have more rights to say in public environmental affairs. For example, in 2010, a symposium was held in an industrial park, and environmental protection federations and representatives of citizen experts were organized to provide consultations for enterprises. A number of key governance projects such as "Hankook", which invested more than 15 million yuan, were implemented. The public can also exercise the "veto power" on construction project approval by participating in the "round table". For example, in 2010, a rubber plant project with an intention to invest 10

billion yuan was rejected by the "project public participation group" because of the environmental capacity problem of site selection.

At the same time, Jiaying City introduced the public jury system into the review process of environmental administrative punishment cases. This setting gives the public the right to act as an "environmental judge". The public can review the legal provisions, penalties and deadlines for rectification of the case, which changes the past situation in which "the public receive punishments from official" as "the public selects officials". The operational process is the team of judges established by the EPA through organization of recommendations and social open recruitment. The team of judges is composed of organs, institutions, research institutes, environmental protection enterprises, farmers, communities, law firms and other personnel. They regularly participate in the public review meeting of the case and make a collective review of the case for review. The public review meeting has the shape of a collegial organization, which can make up for the lack of participation capacity in the consultation and better handle issues involving disputes of interest and value judgment. According to statistics, starting from June 3, 2009 to December 31, 2013, Nanhu District has initiated a public participation procedure for 638 environmental administrative punishment cases. A total of 3,127 person-times participated in the case punishment review, and the amount of punishment reached 23.73 million yuan. Practice has shown that through the public participation system, it provides a legal basis for law enforcement and enhances the acceptability of punishment decisions. According to statistics, there is no administrative reconsideration or administrative litigation in the administrative punishment cases involving the jury. As an affirmation of the experience of Nanhu District, Jiaying City has also absorbed this system. In September 2011, it officially promoted the public participation system for environmental administrative punishment at the city level.

In the practice of the Jiaying model, the pluralistic social entities unite scattered people, intellectuals, and industry enterprises, encourage the public to participate in the governance of public affairs, express their opinions, exercise their rights, and exert their influence. This is a more democratic approach to public affairs governance than the government's "one-word" public affairs decision model.

Table 2. Comparison of Traditional Path of Governance and Innovative Path

Choice of Path	Traditional Path (functional outsourcing)	Innovative path (multiple social subjects)
1. Transfer method	Commission-agent	Compound governance
2. Type of relationship	Purchase - offer	Partnerships
3. Theoretical basis	New public management theory	Governance theory
4. Value orientation	Efficiency	Legality, etc.
5. Ultimate goal	Good governance	Good governance

Partnership and Social Governance: An Assessment of Jiaxing’s Social Governance Experience

The social governance experience presented in the Jiaxing model is a new form of transfer of government functions. This is not only because it is based on the new theory of governance, but also because it is a choice of path innovation. At present, in practice, the transfer of government functions usually takes the form of outsourcing of government functions, turning the government into “clients” and “contract letting party”, and social organizations become “agents” and “contractors”. These changes can transform the relationship between government and society into a “trust-agent” relationship. However, in practice, this kind of agency relationship is often reduced to the unequal relationship of “guidance - being guided”, “control - being controlled” or even “command - being commanded”. This is obviously not a good mechanism and path choice. To this end, governance theory advocates the establishment of an equal “partnership” between the government and society. According to this theory, the transfer of government functions should not be that the government simply “sends” functions to social forces but should form “partnerships” with social forces and implement compound governance on environmental issues. This is a good mechanism and path selection.

Jiaxing’s new approach to the transformation of government functions provides us with a way of thinking. In environmental governance, it is not simply outsourcing government functions. Instead, it absorbs social forces, integrates multiple resources, promotes social management, and improves environmental governance. This new path choice is clearly different from the traditional path of governance. For the characteristics of this path transition, we can show it through several aspects of discussion (see **Table 2**).

1. Transfer ways. The traditional way of implementing the path is “trust-agent”, and the new type of governance is that the government and society form the main body of multi-social governance, and jointly implement the governance of environmental issues. In the process of environmental public governance in

Jiaxing, the government does not let it go. Therefore, while emphasizing multi-participation, it does not deny the important role of the government in the management of environmental affairs, that is, to ensure the orderly participation of the public. Here, the transformation of government functions does not weaken the role of the government but optimizes the structure and function of the government and improves the efficiency and practical capacity of the government. At the same time, this governance method also requires the government to reasonably define the boundaries of its actions, and to accept things that should not be arranged by themselves or that cannot be solved well by various autonomous organizations and social forces; The government mainly assumes the functions of direction guidance, policy rewards and punishments, supervision and guidance. In the Jiaxing model, system design, platform construction and channel establishment are all carried out under the guidance of environmental protection administrative agencies. The government promotes environmental protection by integrating public participation resources.

2. Type of relationship. The traditional way of implementing is “purchase-offer”, thus forming an unequal relationship. The Jiaxing model has given the public and social organizations equal participation and constructed equal partnerships. For example, the citizen inspection team can conduct hearing inquiry, on-site verification and acceptance voting evaluation for enterprises applying for pollution “caps” and can also participate in the “flight monitoring” enforcement action of the environmental protection department through “point-and-click” law enforcement. In addition, companies can also take independent environmental protection actions to make environmental commitments. The “apology letter” phenomenon of Jiaxing is an innovative system that strengthens the evaluation mechanism of environmental credit enterprises by means of social public opinion supervision in accordance

with social ethical requirements. Since the end of 2007, 25 bad environmental protection credit companies have signed the “Apology Letter to Citizens in the City” jointly, and 19 listed companies in the city have publicly issued the “Listed Companies’ Performance Responsibility for Environmental Protection”. This kind of division of labor, cooperation and benign interaction formed by the government and enterprises and the public has become a model for joint governance.

3. Theoretical basis. The traditional path is based on the theory of administrative management to complete the management of public affairs to improve the efficiency and quality of government management. The innovation path is based on the theory of “governance theory” and emphasizes diversity, cooperation and participation. In the practice of Jiaxing, except for professional and complicated cases, most environmental administrative punishment cases are applicable to public review. The relevant departments of Jiaxing fully respect the public opinion, let the public participate, speak, and supervise. If the resolution of the public review is inconsistent with the opinion of the environmental protection department, it will be finalized after another round of case review. According to statistics, from the end of August 2009 to the end of August 2011, the Nanhu District Environmental Protection Bureau publicly reviewed 333 administrative punishment cases, and proposed 20 cases that were different from the EPA’s preliminary review opinions. The final public opinion opinions were 14. The overall adoption rate reached 98.2%. This fully reflects the ruling philosophy of scientific decision-making and democratic administration in the environmental protection department.
4. Leading value. The traditional path is oriented towards efficiency, while the path of innovation is oriented towards legitimacy. With the development of society and the progress of reform, the use of scientific means to improve the quality and efficiency of government public management is not the only goal pursued by people. Legitimacy is increasingly becoming a more important goal. It refers to the nature and state in which social order and authority are consciously recognized and obeyed. It is not

necessarily related to legal norms. Only those authorities and orders that are recognized by people’s hearts have the legitimacy mentioned in political science. The Jiaxing model places great emphasis on cooperation and participation to promote the legitimacy of governance. For example, the introduction of the public review system into the review process of environmental administrative punishment cases, so that environmental law enforcement concentrates on the wisdom of the people, observes the public opinion, and condenses the people’s strength, and enhances the legitimacy of the law enforcement decision-making process. Most people are convinced of the publicly-accepted punishment. This has greatly improved the efficiency of case execution and has maintained the automatic implementation rate of cases in Nanhu District from 2009 to the present at over 98.5%, ranking first in the environmental protection system of Jiaxing City.

CONCLUSION

Faced with the huge division of social structure and social interests under the new situation, Jiaxing has created a new multi-interest governance body that coordinates diversified interests to cope with the open changes brought about by transformation and the challenges of local environmental strategies. This provides a new path worth considering for environmental public governance. The enlightenment it brings us is that social governance is not just an innovation in the content, methods or means of government management of society. It first requires solving the problem of governance structure. Although this model still has many areas for improvement in terms of internal driving dynamics, standardized institutionalization and compound effectiveness, it helps to cultivate social organizations and improve the environmental awareness of the public. And this helps to achieve their environmental supervision and other related rights. It has built a “big environmental protection” environment with the characteristics of “public society” in the local area, and has organized the society, publicized the interests, the services, and the government affairs. The “public society” with “public interest” as the link is combined with the “service-oriented government” oriented by collaborative governance, thus forming a situation of departmental cooperation and social participation in the environment optimization and transformation and upgrading work. This practical achievement is not only the improvement

of environmental protection forces and status, but also the unremitting pursuit of the social public's awareness of ecological civilization and sustainable development goals. In terms of policy orientation, Jiaxing City has further cultivated and supported the development of pluralistic social entities through the establishment and improvement of public policies and has also formed a mechanism conducive to the cooperation among various entities.

DISCUSSION

The social governance structure that Jiaxing City has explored in environmental governance has successfully realized the organic combination of "top-down guided social orderly participation" and "bottom-up fostering

social strength", making positive contribution to improve Jiaxing's environmental protection work. This organizational structure of effective governance applies not only to Jiaxing, but also to a symbolic direction. It is just like the green grass that has just sprouted, showing the hope of the early spring, indicating the vision of the universal development of environmental governance in China in the future.

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