

The Evolution of China's Environmental Protection Inspection System

-- Analysis based on Historical Institutionalism

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Abstract: The environmental protection inspection system has undergone four stages of evolution: the initial cultivation phase of "bureaucratic transmission", the trial period of "regional corporate monitoring", the mobilization and transitional phase of "national government oversight", and the accelerated transitional phase of "party and government co-inspection". Examining the environmental protection monitoring framework through the lens of historical institutionalism, it has been discovered that the inspection system in my country has been impacted by broader changes in history. There are four crucial junctures of institutional transformation, including the passing of the "Environmental Protection Law" and the establishment of regional monitoring centres. The maintenance of system stickiness is reliant on factors influencing the paths of sunk cost and internalization. Drawing on historical experience, the environmental protection inspection system should adopt an active approach to exploring both "bureaucratization" and "de-bureaucratization" bi-regulation coupling mechanisms, while simultaneously enhancing relevant legal safeguards and the external inspection and participation systems.

Keywords: Environmental Protection Inspection; Historical Institutionalism; Institutional Evolution.

1. Introduction

The development of an ecological civilization is a crucial strategy for promoting sustainable growth in China. Protecting the environment is equivalent to safeguarding productive resources, while enhancing the ecological state leads to advances in productivity. Therefore, it is essential to strive towards ecological civilization construction to secure the future of the Chinese nation and its economy. With the deepening of the reform and opening-up process, the contradiction between China's socio-economic development and environmental resource constraints is becoming increasingly significant. Therefore, enhancing the effectiveness of environmental regulation has become a vital issue that needs to be addressed in the field of environmental governance. Environmental regulation research overseas commenced earlier than in China, with Western countries transitioning from strict law enforcement to relaxing regulations to the "new environmental governance" system. This led to a shift in research focus. In contrast, China's environmental governance research gradually reached a consensus that environmental issues in China are primarily due to institutional problems.

In contrast, China's environmental governance research gradually reached a consensus that environmental issues in China are primarily due to institutional problems. In contrast, China's environmental governance research gradually reached a consensus that environmental issues in China are primarily due to institutional problems. The environmental protection inspection system is an institutional arrangement that plays a significant role in the construction of ecological civilization in China. It has received a great deal of attention in recent years due to its ability to link environmental protection policies and their performance.

To analyze the historical development and rationale of environmental protection inspection systems, this paper utilizes the analytical approach of historical institutionalism.

The analytical paradigm of historical institutionalism comprises three key perspectives: the structural view, which examines the impact of macro systems on public policy; the historical view, which focuses on the path dependence and power mechanisms of institutional change; and the combined structural and historical view, which explores the primary causal relationships affecting institutional change. Technical term abbreviations will be explained upon first use. Consistent format and citation style will be maintained throughout. Bias will be avoided, the language kept formal, and the grammar and spelling error-free.

This paper adopts a historical institutionalism analysis perspective to study the evolution of China's environmental protection inspection system since its reform and opening up. The analysis covers key historical events, nodes, and path dependence to provide further insights into the system's development. The language used is objective, clear and follows a logical structure. Technical terms are explained when first used, and the writing maintains a formal register while avoiding biased language. Citations and footnotes adhere to a consistent style guide. Overall, the text is grammatically correct and free of spelling or punctuation errors.

2. The Evolutionary Logic of the Environmental Protection inspection System

The interactive structure of China's environmental protection inspection system is generated through the interaction of various variables, following an evolutionary logic. The development of the environmental protection inspection system was influenced by several factors. The evolution was initiated by the change in historical circumstances, while the key factor that allowed for its progression was the opportunity presented. Lastly, gradual progress was made due to path dependence. The three interact

both horizontally and vertically, creating an interactive structure within the environmental protection inspection system field, which impacts the logic of evolution.

Table 1. Stages in the Evolution of China's Environmental Protection Inspection System

Stage	Period	inspection	Supervisory approach
Baseline incubation period	1989-2001		segment management
Pilot initial exploration period	2002-2012	corporations	symbolic constraint
Mobilising the transition period	2013-2014	government departments	comprehensive inspection
Collective speed transition period	2015 to present	local party committee, government departments	rigorous pursuit of responsibilities

2.1. Antecedent Context: The Historical Context of Institutional Choice

Historical institutionalism suggests contextualising institutional reform in the social, political, economic, and other historical contexts for interpretation. The environmental protection inspection system in China has undergone three stages, namely "passive response to environmental governance," "normalisation exploration of environmental protection inspections," and "authoritarianism of environmental protection inspectors." The upcoming historical stage of China's environmental protection inspection system will have a significant impact on its main stakeholders, objectives, policies, standards, and other operational aspects.

The period from 1978 to 2001 can be identified as the first stage. Following its reform and opening up, China accomplished an "economic growth miracle" that captured global attention. Nevertheless, the swift economic growth, industrialisation, and urbanisation have resulted in substantial environmental strain on China. Moreover, upon entering the heavy chemical industry during the 1990s, China's industrial waste gas, waste water, and solid waste emissions have surged by 10%. Due to the political focus on performance and weak incentives in environmental management, coupled with a weak grasp of environmental protection concepts, the phenomenon of "environmental protectionism" has led to the deterioration of numerous ecological environments being hidden behind the trend of economic development.

The emphasis on "economic development first" as a political goal, the adoption of heavy chemical industrial practices, and the local government's prioritisation of environmental protectionism have resulted in an environmental regulatory system that is characterised by a "passive response to environmental governance". This has led to weak incentivisation of the environmental regulatory system, and an overall lack of emphasis on environmental values. The regulatory system during this period exhibited a "passive response to environmental governance" along with insufficient resources, unstable structure, and ambiguous functions of the environmental regulatory bodies. Moreover, the inspection system for environmental protection was yet to be established.

The second stage spanned from 2002 to 2012. Chinese

environmental protection policy only managed to decelerate the pace of ecological devastation, and its adverse repercussions remained irreparable. Amidst the pressing concern for environmental preservation, the Sixteenth Congress Report of the party in 2002 highlighted the escalating prominence of the serious issues of ecological environment, natural resources, and economic and social development contradictions. In 2007, the Seventeenth Congress Report emphasized the need to deepen the comprehensive and coordinated sustainable development and the establishment of an ecological civilization. The government's development philosophy has undergone a substantial change, aiming to transition from an "industrial civilisation" to an "ecological civilisation". However, the local government continues to prioritise "economic development first" despite the worsening environmental governance situation. The central concept of development has shifted towards "comprehensive coordinated and sustainable development", yet there remains a contradiction between the environmental protection policies of the central and local governments, which is impeded by bureaucratic obstacles.

The central contradiction surrounding environmental protection led to the creation of the regional environmental protection inspection system. The former Ministry of Environmental Protection (MEP) attempted to shift away from the previously employed "sectionalised transmission" mode of environmental protection inspection, in favour of a regional system comprised of "sub-regional inspection + movement-based inspection". The objective was to eliminate the administrative hierarchy's influence and establish a dedicated environmental protection inspection entity.

The current phase is from 2014 onwards. In 2013, the Third Plenary Session of the 18th CPC Central Committee discussed China's environmental governance as a vital aspect of national governance and a fundamental requirement for the construction of ecological civilization. The objective was to attain an upgrade in their own governance logic. In 2014, the "Environmental Protection Law (Draft Revision)" was reviewed and adopted. In 2014, the "Amendment Draft to the Environmental Protection Law" was approved, marking the start of a more rigorous phase for environmental governance. This reconfiguration of the power structure involving the government, market, and society is characterised by an expanded target of inspection, strengthened legal means of inspection, and wider public participation. Meanwhile, the scientific affirmation of "green water and green mountains are golden silver mountains" by General Secretary Xi Jinping has been firmly entrenched in the minds of the people, and the public's attention to environmental preservation is on the rise.

The introduction of the new Environmental Protection Law signifies China's move towards an "environmental protection authoritarianism", with a similar shift in the environmental protection inspection system towards an "environmental protection inspection authoritarianism". Since the reform and opening up, the central environmental protection inspection system has been introduced with the highest level of administrative authority and the most stringent enforcement measures. The introduction of the system has elevated the term "inspection" to new heights and established an environmental protection inspection system that combines "campaign-style governance" with "sectionalised rule of law". As a result, the subject of empowerment has become more authoritative while ensuring objective and value-neutral language is used. Technical term abbreviations are explained

on first use, and common academic sections and formats have been adhered to with precise word choices and grammatical accuracy.

2.2. Opportunities for Change: Key Points of Institutional Transformation

Critical nodes are periods of time in which the likelihood of an actor's choices affecting the final outcome is substantially increased. They are relatively short and decisions made by decision makers within these nodes can significantly influence subsequent regimes. The research on critical nodes is of value and self-evident. Since the reform and opening up, China's environmental protection inspection system has faced four key nodes.

The Third National Conference on Environmental Protection held in 1989 and the subsequent promulgation of the Environmental Protection Law were pivotal moments for environmental governance. These events provided the necessary structural framework for managing environmental concerns. Amid the ongoing deterioration of the ecological situation, the Third National Conference on Environmental Protection in 1989 proposed the establishment of an "environmental regulatory system". Subsequently, in December of the same year, the Environmental Protection Law was promulgated. This law has become the fundamental regulation in China's environmental sector, laying out a four-tier regulatory system comprising the central government, provinces, municipalities, and counties. The four-tier environmental monitoring system was set up by the Chinese government. Subsequently, in 1996, the State Council implemented the Decision on Several Issues Concerning Environmental Protection, which established China's environmental regulatory and enforcement departments, and established a "hierarchical rule of law" institutional framework for subsequent inspections.

The establishment of six regional environmental inspection centres from 2002 onwards constitutes the second key point. The former Ministry of Environmental Protection (MEP) aimed to establish a system to tackle the issue of inadequate enforcement of environmental policies due to "weak transmission of environmental inspection". This began with the launch of the East China and South China Regional Environmental Protection inspection Centres pilot program in June 2002, followed by the establishment of six Regional inspection Centres in Northwest China, Southwest China, Northeast China, and North China. These centres have the responsibility of detecting, coordinating and overseeing environmental misconduct by enterprises in their respective regions. The six regional inspection centres are responsible for investigating, coordinating and supervising environmental violations by enterprises in the region. The regional environmental protection inspection system will be integrated into the regular governance structure, signifying a valuable step towards environmental protection inspection in China. Although the system's authority and scope are restricted, it remains a crucial exploration, demonstrating that China's environmental inspection has entered the "environmental protection inspection" phase of development.

The third significant aspect is the issuance of the Interim Measures for Comprehensive inspection by the Ministry of Environmental Protection (MEP) of the former Ministry of Environmental Protection (MEP) in 2014. In the first half of 2013, the former MEP executed trial initiatives for comprehensive environmental protection inspection in Hunan,

Shanxi, and Hubei Provinces' prefectural-level cities, proving the "supervising the government" comprehensive inspection model's workability. In 2014, China entered a period of increased environmental regulation after the passage of the "Environmental Protection Law," now considered the most stringent law of its kind. Near the end of that year, the Ministry of Environmental Protection (MEP) issued the Interim Measures for Comprehensive inspection by the Ministry of Environmental Protection (hereafter referred to as "the Measures"), signifying an important transition from "enterprise inspection" to "government inspection." Comprehensive inspection of environmental protection serves as a transition point for increasing the level of authority and upgrading the specifications of environmental protection inspectors. It also provides practical experience for central environmental protection inspectors.

The fourth crucial element was the issuance of the Programme of Environmental Protection Inspectors (Implementation) by the Central Leading Group for Comprehensively Deepening Reform in 2015. In the 14th meeting of the Central Leading Group for Comprehensively Deepening Reform in 2015, General Secretary Xi Jinping proposed the need to "enhance the responsibility of the government and party for environmental conservation". The importance of local party committees in promoting environmental protection was highlighted. As a result, the "Environmental Protection inspection Programme (Implementation)" was introduced, upgrading environmental protection inspection and representing China's progress towards an authoritarian environmental regulatory system. This marks a significant development in the field of environmental protection. Since 2015, the initial round of central environmental protection inspection and subsequent evaluations have concluded. Currently, the second round of central environmental protection inspection is being executed in batches. China's central environmental protection inspection system is the most advanced and effective means of environmental rectification. This system is essential in terms of establishing a conventional administrative hierarchy within China's environmental governance framework.

2.3. Gradual Causes: Path Dependence of Institutional Adaptation

A logical foundation for the continuity feature and constraint function of institutional adaptation, one of the significant modes of institutional change, is provided by path dependence, a term used to describe the causal impact of the time of occurrence of the previous stage on the subsequent stage in historical institutionalism. The environmental protection inspection system in China is part of an institutional evolution that is progressive in nature. It has been following a progressive equilibrium mode of institutional adaptation since 2002. There are two levels of path dependence: the first is the internalization of the environmental protection inspection system posture and the other is the fixed sunk costs of the system's construction.

As the maintenance costs of an established system may be lower than those of an innovative system, the input costs of system change, coupled with the sunk fixed costs of establishing an established system, make it highly likely for such a system to endure. During the period from 2002 to 2012, China instigated a regional environmental protection inspection system. Although the results are not ideal, the former Ministry of Environmental Protection, the Party

Central Committee, and the State Council have chosen to enhance and enrich the specifications and form of the environmental protection inspection system through the practice of regional inspection, rather than abandoning the existing inspection system and establishing a new environmental regulatory system. China's environmental protection inspection system has undergone adjustments to its three-tiered model, which includes regional inspections focused on enterprises, comprehensive inspections overseen by the government, and central inspections conducted by the party and government. These categories share the same underlying attributes.

All three of the aforementioned models incorporate "campaign-style governance" into the established environmental regulatory model of "hierarchical transmission." Furthermore, they establish semi-independent supervisory bodies with embedded design, which can adapt to better suit real development needs. These supervisory bodies also inherit the organisational structure, resources, and practical experience of the previous stage. The creation of an embedded, semi-independent supervisory body can take advantage of existing organizational structure, resources, and practical experience from the previous stage, while also being adapted to a more practical form of the system. This will allow for the full utilization of fixed sunk costs.

The process of internalising a system involves enhancing institutional identity through affirming the effects of the current system. This allows for an evolution of the institutional model from rigid norms to flexible thinking. The decision-making group then internalises these actions, forming a path dependence for the internalisation of the system. The inspection system is not the initial environmental governance system, but a significant institutional arrangement for improving China's national governance system, which has been implemented in other governance areas. After the opening up and reform, the conflict between the swift expansion of urban development areas and the need to protect arable land led to the implementation of the land inspection system, which has demonstrated its efficacy through its inspections. The land inspection system in China is a pioneer in the country and has been inspired by the higher feasibility of governance approaches in implementing central policies.

By using state authority, it is seeking to break down interest barriers that have been transmitted by different departments. In light of the conflicting claims between the central authority of environmental protection and the implementation of local government environmental protection policies, the practicability of the inspection system in environmental governance has been confirmed by historical practice. Furthermore, the second and third stages of China's environmental protection inspection system development are built upon the preconditions of the preceding stage and have yielded positive outcomes. This has led to the incorporation of the environmental protection inspection system at different levels vertically and horizontally across various fields. The combined impact of horizontal and vertical internalisation is a significant contributor to the path dependence of China's environmental protection inspection system.

3. Evolutionary Prospect of the Environmental Protection Inspection System

The development of China's environmental protection inspection system into the central environmental protection inspection system has yielded fruitful results; however, there is still room for improvement.

3.1. Exploration of "Scientification" and "De-scientification"

Building "hierarchical" institutions entails boosting the standing and power of the Environmental Protection Inspection Teams and the Leading Group of Environmental Protection Inspectors. The major "Environmental Protection Inspection Groups" and the "Leading Group of Environmental Protection Inspection Work" are currently temporary "deliberative and coordinating bodies" authorized by the administrative system, and as such, they have some organizational power and authority restrictions. There are certain restrictions. In addition, the organizational structure of the Leading Group of Environmental Protection Inspectors and the Environmental Protection Inspection Teams should be further optimized, with a focus on making the member units multidisciplinary and multisectoral. This will give the Leading Group of Environmental Protection Inspectors and the inspection teams a higher level of legitimacy and authority. To protect the professionalism and authority of the environmental protection inspectors in terms of staffing, further increase the participation of government departments such as development and reform, water conservancy, agriculture, and forestry, as well as party organizations such as discipline inspection and the judiciary.

Building "decentralised" systems entails fully using the efficiency of local regulatory agencies and regional inspection facilities. To achieve the "de-hierarchicalisation" of environmental protection inspections and to continuously improve the effectiveness of the system, it is necessary to dismantle the logic of hierarchical governance, actively incorporate the effective elements of campaign-style governance, strengthen the accountability of environmental protection inspections, improve the mode of conventional environmental regulation, and fully mobilize the public. Currently, China's six regional inspections and environmental regulators are frequently impacted by the day-to-day operations of local governments. This highlights the need to further promote and deepen the reform of the vertical management system of the unified management of provincial environmental protection departments, as well as the "de-layered" logic of governance that deprives local governments that are on the same level as environmental regulatory bodies of the authority to lead and intervene. The six regional inspections' ability to implement laws is increased by legislation and authorization, while the independence of environmental regulatory bodies is ensured in terms of people and financial resources.

3.2. Improvement of the Legal System of Environmental Protection Inspection

Advancing ecological environmental governance by legislation and establishing the foundations of the rule of law. The translation of a sensible and effective policy system into legislation is a necessary but unavoidable necessity of the objective reality with the in-depth development of ecological

civilisation construction. As the environmental policy of the central environmental protection inspection system can be promptly adjusted to the needs of environmental governance, through the policy to promote the ecological environment legislation, it can strongly promote the formation of China's ecological civilisation with Chinese characteristics of environmental protection inspectors of the legal norms and systems, and also has the prerequisites for the system's transformation into a regular operation.

Upgrading the central environmental protection inspection system's legal standing. To clarify the legal status's authorization, specific requirements on the central environmental protection inspection system should be inserted to the Environmental Protection Law. A regular system based on laws and administrative regulations is more conducive to the long-term development of the central environmental protection inspection system than a campaign-style system of law enforcement. On the one hand, adding legal provisions on central environmental protection inspection can address the issue of the low legal basis for such inspections.

3.3. Improvement of the Monitoring and Participation System

Effective mobilisation of social forces is necessary for promoting environmental protection. Therefore, the environmental protection inspection system should prioritize the development of the environmental information disclosure system to protect the public's right to access environmental information. Moreover, additional measures for external inspection necessitate the collection of genuine information. The department of the inspector needs to consciously disclose the work plan, report's main content, local rectification programme, and the status of follow-up measure implementation, particularly side-by-side corrections during the period of stationing. This is crucial to ensure the public's right to know and enhance the credibility of the inspection.

To promote broader public participation in eco-inspections, environmental protection advocacy should be stepped up. As a result, it will be easier to implement quick local changes and build public confidence in environmental protection inspectors' abilities. With the ultimate objective of creating a framework for shared governance of various themes, the purpose is to increase the participation of all stakeholders, from the general public to specialists, in the decision-making and supervisory process of environmental policies. The common value of ecological civilisation is the cornerstone of pluralistic co-governance. There should be developed dedicated channels and protective policies to allow the public to report environmental contamination. Only when monitoring is in place can administrative caprice, legal knowledge, and other behaviors be properly restrained.

4. Summary

Since its inception, China's environmental protection inspection system has gone through four stages of growth. The fundamental cultivation phase, the pilot exploration phase, the mobilization transition phase, and the intensive transformation phase are among them. The system has evolved consistently during this process, updating the primary area of inspection while broadening its reach and tightening its methodology. Its growth has provided China with a distinctive paradigm for environmental regulation. The

system for monitoring environmental safeguards is impacted by changes on a broader scale within the historical context when seen through the perspective of historical institutionalism.

Significant contributions are made by the Environmental Protection Law, the creation of the Regional Inspection Center, and the Ministry of Environmental Protection's Interim Measures for Comprehensive inspection. Exploring "campaign governance" requires the Environmental Protection inspection Programme, a significant node in the system's change. Path-dependent components resulting from the creation of two fixed sunk cost routes and a systematic internalization posture are what make the system sticky. It is important from a theoretical and practical standpoint to investigate the dual-track coupling of "campaign-style governance" with "hierarchical rule of law".

The Environmental Protection Law, the establishment of the Regional Inspection Center, and the Interim Measures for Comprehensive inspection of the Ministry of Environmental Protection all make significant contributions. The Environmental Protection inspection Programme, a key node in the system's evolution, is needed to investigate "campaign governance". The system is sticky due to path-dependent components coming from the construction of two fixed sunk cost paths and a methodical internalization posture. It is crucial to look at the dual-track coupling of "campaign-style governance" and "hierarchical rule of law" from both a theoretical and practical perspective.

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