



New York University
A Private University in the Public Service

Class Title	“China and America: America’s Century? China’s Century? Or the Environment’s Century? An Introduction to Comparative and Global Environmental Governance
Listed as	China Environmental Governance ENVST-UA 9450 4 points
Instructor Contact Information	Name: Dan Guttman Email: djguttman@aol.com Phone: 13482853644 Office Hours: Mondays, 12:00-1:00 PM (or by appointment)
Class Time	Mondays, 1:15-4:15PM
Course Description	<p>As the 21st century began, pundits debated whether, like the 20th, it would also be “America’s century,” whether China’s remarkable economic rise would make it “China’s century,” or, perhaps, one seeing the development of “Chimerica.” At the same time, it was also said that environmental limits to development will be the primary shaper of countries and their fortunes—with China (and India), with huge population and rapid development, and the U.S., with high per capita consumption, as keys to the future of the planet.</p> <p>This course will study China’s environmental challenges and governance in the context of America’s own environmental challenges and governance system, and in the context of the challenges to the two countries as the primary sources of the world’s greenhouse gas emissions. We will consider how developments may shape business, government, and culture, and the ways in which China and America may learn from one another.</p>
Course Objectives	<p>The course objectives include:</p> <ol style="list-style-type: none">1. Provide students with basic information and concepts---of law, business, science and governance--- needed to understand 21st century environmental challenges;2. Provide students with alternative frameworks needed to sift through and understand the wealth of information about environmental challenges and opportunities faced by the US and China in the globalized world;3. Encourage (indeed, require) students to use their own, and their colleagues’, experiences in China during the semester to learn to observe and think independently about how to frame and address questions, which may be key to the century.

<p>Grading Components</p>	<p>As will be further discussed in class, students will be expected to participate in class, to contribute their own observations and experiences (both from China and, where possible, the US or other countries), and to use these observations and experiences as basis for final paper. The final paper will be the subject of prior discussions between student and teacher (by email as well as in person) and class discussion.</p> <p>As will be discussed and elaborated on in class: The final paper (and related communications) will be the primary component of the grade (60%). In addition, two quizzes (which will be given with at least one week notice, and test facts and concepts from readings and class sessions) (30%) and further class participation (10%) will be a portion of the grade.</p>
<p>Grading Expectations</p>	<p>A: Excellent performance showing a thorough knowledge and understanding of the topics of the course; all work includes clear, logical explanations, insight, and original thought and reasoning.</p> <p>B: Good performance with general knowledge and understanding of the topics; all work includes general analysis and coherent explanations showing some independent reasoning, reading and research.</p> <p>C: Satisfactory performance with some broad explanation and reasoning; the work will typically demonstrate an understanding of the course on a basic level.</p> <p>D: Passable performance showing a general and superficial understanding of the course's topics; work lacks satisfactory insight, analysis or reasoned explanations.</p> <p>F: Unsatisfactory performance in all assessed criteria.</p>

<p>Instructor Bio</p>	<p>Dan Guttman is a lawyer and teacher. He is visiting Professor at the Peking University School of Law law school clinic (where he is co-author of a comparative China/US public interest law textbook), visiting senior fellow at the Tsinghua University US/China Center, teaches at the Shanghai Jiao Tong University Leo Kao Guan law school, and is a fellow at the Johns Hopkins Center for Advanced Government Studies. He has been visiting professor/research scholar at the Tsinghua University School of Public Policy and Public Management and the Nanjing University Environment school, Lecturer at the Johns Hopkins University Whiting School of Engineering Department of Geography and Environment, and fellow at the University of California Santa Barbara Bren School Center for Sustainability and Governance.</p> <p>Dan Guttman served in the Clinton administration as Executive Director of a Presidential Advisory Commission on bioethics, and as Presidentially appointed Commissioner of the U.S. Occupational Safety and Health Review Commission. He was special counsel in US Senate investigations of Federal government management, and is United Nations Development Program sponsored foreign expert advisor on the implementation of China environmental law.</p> <p>As a private lawyer, he represented nuclear weapons workers in litigation relating to the environmental cleanup of the US nuclear weapons complex and Congressional enactment of a law to compensate workers; school workers in litigation that led to Congressional enactment of a law to protect against asbestos hazard in schools; “whistleblowers” in litigation against the oil industry and military contractors that led to hundreds of millions of dollars of recovery by the US government; janitors in litigation that enforced the Washington DC Human Rights Act against Washington DC realtors; workers in Freedom of Information litigation leading to a US court finding that a major US privatization was a model of “what not to do” in privatizing, employment discrimination victims in litigation leading to a multimillion dollar settlement. He was a partner in a law firm that pioneered in the application of competitive principles to the electric energy industry on behalf of citizens and public agencies. He has been counsel to globally involved NGOs focused in gender equity in international development funding, Horn of Africa development, and advised on energy efficiency in Eastern Europe.</p> <p>He co-authored <i>The Shadow Government</i>, a seminal study of the contracting out of the U.S. government, testified on many occasions before the U.S. Congress and other public bodies, and has written many articles/book chapters. He has shared in journalism awards, most recently for investigation of \$900 billion in Pentagon contracting. He is a Fellow of the US National Academy of Public Administration, is on the Board of Shanghai Roots and Shoots, and was graduated from Yale Law School and with highest honors from the University of Rochester.</p>
<p>Activities</p>	<p>The course will include guest speakers. Optional and suggested trips and events will be discussed throughout the semester.</p>

<p>Attendance Policy</p>	<p>NYU Shanghai has a strict policy about course attendance that allows no unexcused absences. Each unexcused absence will result in the deduction of three percentage points from the final grade. More than two unexcused absences will result in failure of the course.</p> <p>Students should contact their instructors to catch up on missed work but should not approach them for excused absences. If you are ill, send an email to the Assistant Director for Academic Affairs (diane.geng@nyu.edu) on the day of your absence explaining your situation and what you are doing to treat the illness. Within a week of your absence, you must bring your doctor's note (if you have one) to the Academic Affairs Office and fill out a form to clear the absence. If you must be absent for a non-illness-related reason, you must apply for approval prior to the date(s) in question with the Assistant Director for Academic Affairs. Only religious holiday observances or immediate family emergencies will be considered.</p> <p>Students are expected to arrive to class promptly both at the start of class and after breaks. Arriving more than 15 minutes late or leaving more than 10 minutes early can be considered an unexcused absence. Unexcused absences from exams are not permitted and will result in failure of the exam. If you are granted an excused absence from an exam by the Assistant Director of Academic Affairs, your instructor will decide how you will make up the exam.</p> <p>This attendance policy also applies for classes involving a field trip or other off-campus visit. It is the student's responsibility to arrive at the agreed meeting point on time.</p> <p>There will be no adjustment of attendance records after the end of the semester. If you wish to contest a marked absence, you must do so before you leave Shanghai; if you think that there may be a discrepancy about your attendance in class on a given day, ask the NYU Shanghai academic staff to let you look at the attendance record.</p>
<p>Submission of Late Work</p>	<p>Written work due in class must be submitted during class time.</p> <p>Late work should be submitted <i>in person</i> to the Academic Affairs staff during regular office hours (9:30-6:00, Monday-Friday). The Academic Affairs staff will mark down the date and time of submission in the presence of the student.</p> <p>Work submitted within five weekdays will be penalized one portion of a grade for every day that it is late (so if it is late by one day, an assignment marked an "A" will be changed to an "A-," and so on). Work submitted more than five days after the due date without an agreed extension will be given a zero.</p> <p>Please note that final essays must be submitted on time.</p>

Plagiarism Policy	<p><i>Plagiarism</i>: the presentation of another person’s words, ideas, judgment, images or data as though they were your own, whether intentionally or unintentionally, constitutes an act of plagiarism.</p> <p>Students must retain an electronic copy of their work until final grades are posted on Albert. They must be prepared to supply an electronic copy if requested to do so by NYU Shanghai. Not submitting a copy of their work upon request will result in automatic failure in the assignment and possible failure in the class.</p> <p>Penalties for confirmed cases of plagiarism are set out in the Academic Guide.</p>
--------------------------	--

<p>Required Text(s)</p>	<p>Basic Texts:</p> <p>This course will rely on materials assembled for the course. (Specific texts are outlined in the weekly schedule and available either through Bobst Digital Resources or Blackboard)</p> <p>Supplemental Materials</p> <p>In addition, students will be expected (as will be discussed in the first class) to continually follow relevant developments in the daily and periodic press, such as <i>NY Times</i>, <i>Wall Street Journal</i>, <i>Financial Times</i>, <i>Economist</i>, and English language China press (Shanghai Daily, Global Times, China Daily, South China Morning Post) and Periodicals (see below for <i>Caixin</i> and <i>Cajing</i> websites)</p> <p><i>Chinese press on the web in English includes ; e.g., China Daily/http://www.chinadaily.com.cn/, South China Morning Post/ w.scmp.com/frontpage/hk, Global Times/http://www.globaltimes.cn/index.html; Caixin; http://english.caixin.com/caijing/ http://english.caijing.com.cn/; Shanghai Daily/http://www.shanghaidaily.com/; Caijing; http://english.caijing.com.cn; Global Times; http://www.globaltimes.cn/china/</i></p> <p><i>In going deeper (and preparing for papers) Some very useful China environment websites include (there are many more):</i></p> <p>Woodrow Wilson Center China Environment Forum website: http://www.wilsoncenter.org/program/china-environment-forum Natural Resources Defense Council china website; http://switchboard.nrdc.org/blogs/chinagreenlaw/-forum Energy Foundation (China Project); http://www.efchina.org Natural Resource Defense Council (China) Green law website; Yale Forestry School 360 website; http://e360.yale.edu U.S. EPA china law website; http://www.chinafaqs.org</p> <p><i>Some Basic Background on China's government system and structure-which will be key to course understanding-can be found at:</i></p> <p>Understanding China's Political System, Susan Lawrence, Congressional Research Service http://www.fas.org/sgp/crs/row/R41007.pdf</p> <p>China's Political Institutions and Leaders in Charts, Congressional Research Service, November, 2013; http://fas.org/sgp/crs/row/</p>
--------------------------------	---

<p>Class 1</p>	<p>Course Part One: China and the U.S. Environmental Challenges and Environmental Governance Solutions- Introduction</p> <p>Session Part one: Introduction of teacher and students;</p> <p>Session Part two: Baseline: as we begin the course, what do students know about environmental pollution and sustainability? US and China comparative environmental challenges? The ways in which US and China governments and people see and address these problems? Cooperation between US and China in dealing with challenges?</p> <p>Session Part three: Overview of Course</p> <p><i>Readings (brief!!!):</i></p> <p>Pan Yue (China Environmental official): Interview</p> <p>Guttman, “Operating Systems” http://www.epa.gov/ogc/china/guttman.pdf</p> <p>Pan Yue Interview by Der Spiegel Magazine: The Chinese Miracle Will End Soon” (http://www.spiegel.de/international/spiegel/0,1518,345694,00.html)</p>
<p>Class 2</p>	<p>Session 2: Environment basics and Core Comparative US/China and Global Environmental Challenges</p> <p>What are the basic environmental challenges facing America, China and the globe today? And how do the U.S. and China challenges compare?</p> <p><i>Readings:</i></p> <p>Zaelke, et al, “Wild Facts” from Hunter, David, <i>International Environmental Law and Policy</i>. New York: Foundation, 2011; chapter 1</p> <p>Goldman Sachs: “China’s environment,” section: “Pollution in China: a primer”</p> <p>Ian Johnson, “China’s Great Uprooting: Moving 250 Million into Cities,” NY Times, June, 2013 http://www.nytimes.com/2013/06/16/world/asia/chinas-great-uprooting-moving-250-million-into-cities.html?pagewanted=all</p> <p><i>Wall Street Journal</i>, “Breakneck development brings flooding in its wake”</p> <p><i>New York Times</i>, “Unsafe lead in the water not limited to Flint”</p>

<p>Class 3</p>	<p>Some Frameworks (or Lenses) for Viewing 21st Century Environmental Challenges: Does the Path to Sustainability Lie through Government, Market, Technology and/or Culture Change? Or is Tragedy Inevitable? Session One:</p> <p>Can peoples and their countries individually and collectively, meet 21st century environmental challenges? How do we even think about the questions? In this and the next session we discuss some frameworks that can provide lenses as we proceed to learn.</p> <p><i>Readings:</i></p> <p>Aldo Leopold, "The Land Ethic" http://home.btconnect.com/tipiglen/landethic.html</p> <p>"The Tragedy of the Commons," Garrett Hardin, <i>Science</i>, 162 (1968):1243-1248. http://www.sciencemag.org/content/162/3859/1243.full</p> <p>Oran Young, "Natural Resources: Solving Collective Action Problems," Environmental Governance chapter one.</p>
<p>Class 4</p>	<p>Some Frameworks: Session Two-Governance and Technology Innovations</p> <p><i>Readings:</i></p> <p>National Academy of Sciences: <i>Drama of the Commons</i> (chapter one)</p> <p>CCICED, Final Report: "National Capacity for Green Transformation": Introduction (October, 2015)</p> <p>Michael Spector, "The Climate Fixers" (<i>New Yorker</i>)</p>

<p>Class 5</p>	<p>Does Environmental Pollution Affect Me? An Introduction to Environmental Public Health</p> <p>Anna Lora-Wainwright, “An anthropology of Cancer Villages,” <i>Journal of Contemporary China</i>, January 2010</p> <p>Mukherjee, <i>The Emperor of Maladies</i>, chapters “Coffins of black” and “A thief of the night” (pages 237-257)</p> <p><i>New York Times</i> articles on Apple Supply Chain worker poisoning</p> <p>Gordon: <i>The Rise of American Growth</i>; Chapter 7 (“Nasty Brutish and short: illness and early death”)</p> <p>Yang et al., “Rapid health transition in China, 1990-2010: findings from the Global Burden of Disease Study 2010.” <i>Lancet</i>, June 8, 2013 (introduction, conclusion and tables/charts)</p>
<p>Class 6</p>	<p>Course Part Two: Governance Frames and Tools to Meet Environmental Challenges; Going More Deeply</p> <p>Session 6: Comparing China/US Institutional Environmental Governance Processes</p> <p><i>Readings:</i></p> <p>Young, Guttman et al: “Institutionalized Governance Processes: Comparing Environmental Problem Solving in China and the United States”</p> <p>Jia Xijin, “An analysis of NGO avenues for civil participation in China,” (pages 12-17 of Jia book; ecopy))</p> <p>Wang Yahua: PPT on law and other tools</p>

<p>Class 7</p>	<p>First Quiz and Introduction to American Environmental Law</p> <p><i>Readings:</i></p> <p>Guttman, “Translating Between China and American Law Systems” (from Guttman, Shive, Nagle textbook <i>Perspective on American Law</i>)</p> <p>Nagle, “Using Environmental Law” (from <i>Perspectives on American Law</i>)</p> <p>Zygmunt Plater, talk in “Environmental Citizen Suits at Thirty Something” (Environmental Law Reporter)</p>
<p>Class 8</p>	<p>China environmental governance from the top: the Planning and experimentation systems</p> <p><i>Readings:</i></p> <p>Schreifels and Wilson: “Sulfur dioxide control in China: policy evolution during the 10th and 11th Five-year Plans and lessons for the future”</p> <p>Zhufeng Zhu, et al; “Patronized Local Initiative: the Low Carbon Development Path of China”</p> <p>Kostka: “China’s Evolving Green Planning System: Are Targets the Answer?”</p>

<p>Class 9</p>	<p>China Environmental Governance: the Law system</p> <p>As western law scholars know, it is one thing to write a law, another to make it work. Today, China has many environmental laws-how do they work?</p> <p><i>Readings:</i></p> <p>Benjamin van Rooij, “The People v. Pollution: understanding citizen action against pollution in China,” Journal of Contemporary China, January 2010.</p> <p>Rachel Stern; chapters 1 and 2 (“Post Mao” and “From Dispute to Decision”) This book is available from the NYU library at: http://ezproxy.library.nyu.edu:2098/ebook.jsf?bid=CBO9781139096614</p> <p>China 2014 Environmental Law; https://www.chinadialogue.net/Environmental-Protection-Law-2014-eversion.pdf</p>
<p>Class 10</p>	<p>China’s Environmental Governance From the bottom: NGOs and citizen action</p> <p><i>Readings:</i></p> <p>Mertha: China’s Water Warriors: Citizen Action and Policy Change: Book Review Roundtable: http://asiapolicy.nbr.org</p> <p>“Group Monitors China’s Water Polluters Using Online Mapping,” http://www.worldwatch.org/node/4622</p> <p>Ma Jun NGO website: http://www.ipe.org.cn/en/index.aspx</p>

Class 11	“
Class 12	<p>Innovation (and Business Opportunity): Meeting China’s Clean Energy Targets</p> <p><i>Readings</i></p> <p>Electricity Market Reform in China (PPT)</p> <p>Goldman Sachs: “China’s environment” (excerpts)</p> <p>“China’s Green Revolution,” McKinsey and Company (2009)(Summary of Findings) http://www.mckinsey.com/locations/greaterchina/mckonchina/reports/china_green_revolution_summary.pdf</p> <p>World Resources Institute: China’s Green Tech Rise (2 parts)</p>
Class 13	<p>Second quiz and China/US Energy and Environmental Cooperation: Hopes and Realities in the aftermath of the Paris climate talks</p> <p><i>Readings:</i></p> <p>Readings to be provided</p>
Class 14	Paper discussions and wrap-up
Final Papers due	<p>Final papers due last day of exam week. Please deliver to the Academic Affairs Office before 6:00 PM. Also email to Dan Guttman (djguttman@aol.com)</p>