

*BREAKING THE RESOURCE-ORIENTED PARADIGM:
PUBLIC PARTICIPATION AND LEGAL HARMONIZATION
IN CHINA'S WILDLIFE CONSERVATION*

**ROMPIENDO EL PARADIGMA ORIENTADO A LOS RECURSOS:
PARTICIPACIÓN PÚBLICA Y ARMONIZACIÓN LEGAL
EN LA CONSERVACIÓN DE LA FAUNA SILVESTRE EN CHINA**

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ABSTRACT

China's Wildlife Protection Law (WPL), revised in 2022, reflects evolving efforts to align conservation with the state's ecological civilization vision and traditional values. Yet, its persistent resource-oriented framework—prioritizing economic utilization over biodiversity conservation—undermines systemic effectiveness. Fragmented legislation, marked by conflicts among wildlife, biosafety, and environmental regulations, complicates enforcement and governance. Limited public participation, exacerbated by insufficient transparency and entrenched wildlife industry interests, further constrains reform. Although recent revisions gesture toward modernization, they inadequately address fundamental issues like narrow species protection, neglected animal welfare, and vague legal definitions. Structural inertia, compounded by centralized political control and bureaucratic entrapment, continues to prioritize political and economic agendas over ecological sustainability. However, scholars, leveraging public influence and digital platforms, are emerging as critical actors to foster grassroots engagement, reshape public discourse, and pressure legislative reform. Genuine progress requires harmonizing laws, embedding ecological ethics, strengthening public participation, and elevating animal welfare. Without deeper, bottom-up integration of societal stewardship, China's WPL risks remaining trapped in outdated paradigms, unable to fulfill its aspirational vision of ecological civilization.

KEY WORDS

China's Wildlife Protection Law; ecological civilization; fragmented legal framework; public participation; resource-oriented legislation.

RESUMEN

La Ley de Protección de la Vida Silvestre de China (WPL), revisada en 2022, refleja la evolución de los esfuerzos para alinear la conservación con la visión de civilización ecológica del Estado

y los valores tradicionales. Sin embargo, su persistente enfoque orientado a los recursos, que antepone la utilización económica a la conservación de la biodiversidad, menoscaba la eficacia sistémica. La fragmentación de la legislación, marcada por los conflictos entre normativas sobre vida silvestre, bioseguridad y medio ambiente, dificulta su aplicación y gobernanza. La escasa participación pública, agravada por la falta de transparencia y los intereses arraigados de la industria de la fauna silvestre, dificulta aún más la reforma. Aunque las revisiones recientes apuntan hacia la modernización, no abordan adecuadamente cuestiones fundamentales como la escasa protección de las especies, la falta de atención al bienestar animal y la ambigüedad de las definiciones jurídicas. La resistencia estructural al cambio, agravada por el control político centralizado y la burocracia, sigue dando prioridad a las agendas políticas y económicas sobre la sostenibilidad ecológica. Sin embargo, los académicos, aprovechando su influencia pública y las plataformas digitales, están emergiendo como actores fundamentales para fomentar el compromiso popular, remodelar el discurso público y presionar para lograr la reforma legislativa. Para avanzar de verdad, es necesario armonizar las leyes, integrar la ética ecológica, reforzar la participación pública y elevar el bienestar animal. Sin una integración más profunda y ascendente de la gestión social, la WPL china corre el riesgo de quedarse atrapada en paradigmas anticuados e incapaz de cumplir su visión aspiracional de civilización ecológica.

PALABRAS CLAVE

Ley de Protección de la Fauna Silvestre de China; civilización ecológica; fragmentación jurídica; participación pública; legislación orientada a los recursos.

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INTRODUCTION

China's wildlife protection framework has undergone significant development since the enactment of the Wildlife Protection Law in 1988, with the most recent revision in 2022. Over time, legal provisions have expanded, both at the national and local levels. Despite its evolution, the Wildlife Protection Law still operates within a resource-oriented framework that emphasizes resource utilization over long-term conservation.

This outdated approach restricts the law's effectiveness by focusing on a narrow range of species and neglecting broader biodiversity concerns, including animal welfare. Legal inconsistencies—such as conflicts between wildlife, biosafety, and environmental regulations—pose enforcement challenges. Public participation in wildlife conservation is also weak due to limited government transparency and the economic interests tied to wildlife industries. To overcome these challenges, a shift toward an ecological civilization perspective is necessary, one that integrates coherent legal frameworks and promotes public engagement to ensure a more effective and sustainable conservation system.

Although it's undeniable that without deeper legal reforms and a shift in governance philosophy, China's wildlife protection will continue to face institutional stagnation, there is hope that some feasible bottom-up avenues may work. Scholars, as critical actors in Chinese governance context, can play an essential role in driving this change. Their expertise and public influence provide a unique opportunity to challenge the outdated resource-oriented framework and promote a shift toward an ecological

civilization perspective. By engaging with the public through digital platforms, academic publications, and lectures, scholars will not only foster an informed and engaged public but also influence public opinion and pressure policymakers to integrate these perspectives into legislative reforms.

1. THE LEGISLATIVE PATH OF WILDLIFE PROTECTION IN CHINA

1.1. Overview of the Legislative History of Wildlife Protection

In 1988, China issued the *Wildlife Protection Law*, which was the first specialized animal protection law of its kind. It has since been revised in 2004, 2009, 2016, 2018, and 2022. The 2022 revision, completed on December 30, 2022, and effective from May 1, 2023, is the latest version of the *Wildlife Protection Law* in China, with its full title being the *Wildlife Protection Law* of the People's Republic of China.¹ In recent years, the Chinese government and legislative agencies have worked hard to “further protect wildlife, preserve ecological safety, and ensure public health,” especially given the damage caused by the longstanding wildlife consumption habits to people's health and the nation's image. In March 2020, the Standing Committee of the National People's Congress (NPCSC) passed the Decision of the Standing Committee of the National People's Congress on the Comprehensive Ban on Illegal Wildlife Trade, Eradicating the Malpractice of Consuming Wild Animals, and Safeguarding Public Health and Safety² with a unanimous vote. To enhance local administrative efficiency, the State Council attempted to provide more guidance on administrative law by issuing bulletins such as the Regulations on the Protection of Terrestrial Wild Animals and the Regulations on the Import and Export Management of Endangered Wild Animals and Plants. Local authorities have also actively contributed to specialized legislation by continuously promulgating local regulations tailored to their specific circumstances. To make matters more complex, wild animal-related provisions are scattered across other areas of law, such as tort law and criminal law, and they have yet to be organized into a coherent structure.

To sum up, China's wildlife protection legislation has evolved over more than 30 years, initially forming a legal framework guided by the Decision, and at its core lies the *Wildlife Protection Law*, supplemented by regulations governing both terrestrial and aquatic wildlife protection, as well as a focus on the wildlife protection catalog. This system is further supported by other related laws and complementary measures,

¹ Hereafter, the *Wildlife Protection Law* of the People's Republic of China will be referred to as the *Wildlife Protection Law*.

² Hereafter, this document will be referred to as the Decision.

creating a complicated legal structure for wildlife conservation.³ The enactment of the latest version of the Wildlife Protection Law is considered by the state a descendant of ancient Chinese wisdom and compassion, and an implementation of the spirit of the 20th National Congress of the Communist Party of China and Xi Jinping's ecological civilization thought. Official medias claimed that legislative branch actively responded to social concerns, promoted harmonious coexistence between humans and nature, and further improved the Wildlife Protection Law. This aligns with ancient Chinese philosophical principles, where there has long been an emphasis on the harmonious coexistence between humans and nature. The concept of "Heaven and Earth coexist with me, and all things are one with me,"⁴ reflecting the philosophy of "the unity of Heaven and man," has been foundational in shaping Chinese attitudes towards nature. Additionally, the compassion advocated by Confucius, the Daoist concept of oneness with nature, and the Buddhist principle of equality for all living beings all demonstrate the deep-rooted ethics foundation for wildlife protection in ancient China.⁵ Official medias also pointed out that academia found the situation desirable, as this new version has revived and redefined debates on Chinese environmental governance capabilities and systems and will attest to the government's determination of providing legislative guidance for wildlife conservation efforts by showcasing modern China's green philosophy and solutions to the world.

1.2. Legislative Challenges

Although the latest revision of the Wildlife Protection Law is beneficial for wildlife conservation and the promotion of ecosystem balance, it still has a variety of shortcomings due to the legislators' continued emphasis on utilization over protection. For example, the latest version retains the "resource-based utilization" mindset, overlooks the consideration of public health risk prevention in its legislative objectives, and expands the "whitelist" of artificially bred species. These deficiencies reflect broader issues within China's wildlife protection legal system, such as outdated

³ TAN, B. Optimization of Wildlife Protection Law Enforcement in the Post-epidemic Era—Based on the Interpretation of the Decision of the Standing Committee of the National People's Congress, *Journal of China University of Political Science and Law* 1 (2022) 50-64

⁴ It's often summarized as the "unity of Heaven and man" or "the harmony between Heaven and humanity," reflecting the idea that humans are intrinsically connected to nature and the universe. It emphasizes the belief that the natural world and human beings are not separate but are part of a greater, interconnected whole. In this view, the natural environment is seen as a reflection of cosmic order, and human actions should align with the natural rhythms and balance of the universe.

⁵ There indeed existed rift in animal perspectives between the ancient elite and the common people in China. The ancient elite advocated for harmony between humans and nature, as well as kindness toward animals, while the common people, who lived in poverty, consistently longed for protein supplements, and primarily viewed animals as resources.

legislative concepts, lack of attention to animal welfare, conflicts between laws and regulations, and significant challenges in preventing and controlling major public health risks.

1.2.1. *Outdated Legislative Approaches*

Even a brief reflection on China's wildlife protection laws and regulations can reveal that their legislative philosophy still primarily follows the traditional resource-oriented view of wildlife. The outdated legislative approach is evident in three key areas: a resource-dominated legislative value system, a narrow scope of protection under the *Wildlife Protection Law*, and a lack of attention to animal welfare. Due to the limited perspective shaped by the resource-oriented value, the *Wildlife Protection Law* provides a narrow scope of protection, covering only nationally protected species (Class I and II), provincially protected animals, and "Three-Haves"⁶ animals. This approach neglects the majority of wildlife populations in ecosystems, which not only violates the natural principles of ecological balance but also disregards the welfare of these animals.

China's wildlife protection laws and regulations are primarily driven by the resource-oriented legislative value system, which is essentially a "socioeconomic value theory" and reflects a traditional anthropocentric perspective. The underlying philosophy of this approach is "to protect for the purpose of utilization", which means the goal of protection is to facilitate better use.⁷ When the *Wildlife Protection Law* was first enacted in 1988, the legislators' focus on the utilization of wildlife resources was understandable, given that China's wildlife protection efforts were in their infancy and the concept of wildlife conservation had not yet taken deep root in the contemporary society. However, it's sad that the newly revised version of the *Wildlife Protection Law* still "inherits" this mindset, treating wildlife as a resource rather than as individual living beings. This resource-dominated, human-centered legislative approach prioritizes short-term economic benefits while giving little regard to long-term ecological and environmental interests.

⁶ In the context of biodiversity conservation in China, a key concept is the "Three Haves" (Sanyou in Chinese). This term refers to animals listed in the National Forestry and Grassland Administration's Directory of Terrestrial Wild Animals with Significant Ecological, Scientific, and Social Value. The most recent update to this directory was published on June 26, 2023. The list is not identical to the classification of "rare and endangered species", and it excludes aquatic species.

⁷ LIU, X. On the System Defects and Improvement Path of Wildlife Legal Protection in China, *Law Science Magazine* 8 (2021) 123-135

All wildlife species hold significant roles within ecosystems. Focusing solely on protecting “Three Categories”⁸ wildlife while neglecting other species poses various risks, such as damaging biodiversity, endangering public safety, and threatening public health, which ultimately undermines the fundamental goal of protecting “key species.”⁹ Influenced by a resource-oriented perspective, the current legal framework for wildlife protection in China lacks sufficient consideration of ecological and biological security, overlooking the survival interests of non-priority wildlife. As a result, there has been a noticeable decline in the population of “non-priority” wildlife species.¹⁰

Currently, expanding the scope of wildlife protection has become a global social consensus. Most countries and regions have enacted legislation that provides for the general protection of wildlife. For instance, Singapore’s Animals and Birds Act, first enacted in 1965 and revised in 2002, defines wildlife in a broader sense, encompassing nearly all biological animal species.¹¹ Similarly, Taiwan’s Wildlife Conservation Act also adopts an extensive definition of wildlife, with Article 3 stating that wildlife includes “mammals, birds, reptiles, amphibians, fish, insects, and other animal species living in their natural habitats.” In comparison, the scope of protection in the *Wildlife Protection Law* is notably narrow.¹² To address the so-called fundamental goal of protecting wildlife while maintaining ecological balance, Chinese government and legislators are well-advised to adopt an approach that prioritizes ecosystem stability. They should create laws that offer universal protection for wildlife, rather than selectively protecting species based solely on these species’ utilitarian value.

⁸ This refers to the classification of wildlife species into three distinct categories based on their level of protection needs. The categories are as follows: First Category: These are the most endangered and critically at-risk species. They receive the highest level of protection, with strict regulations on hunting, trade, and habitat destruction. Examples include the giant panda and the Yangtze River dolphin. Second Category: These species are also protected, but they are not as critically endangered as the first category. They still face significant threats, and there are regulations to protect them, but they do not have the same level of stringent restrictions as the first category. An example might be the wild boar or the Chinese alligator. Third Category: These species receive lesser protection, usually in the form of regulations to prevent over-hunting or habitat destruction, but the level of protection is not as intense as that for the first two categories.

⁹ Under China’s Wildlife Protection Law, “key species” refers to specific species that are considered particularly important for the preservation of biodiversity and the ecological balance of the country. These species are designated as such because of their rarity, endangerment, or ecological significance. The law provides enhanced protection for these species, often by regulating hunting, trade, and the destruction of their habitats.

¹⁰ WANG, X., LI, W., WANG, L. The Perfect Path of China’s Wildlife Protection Law, *Journal of Shanxi Politics and Law Institute for Administrators* 4 (2021) 8-11

¹¹ Singapore’s Animals and Birds Act (2002)

¹² Taiwan’s Wildlife Conservation Act (2013)

1.2.2. *Lack of Attention to Animal Welfare*

Animal welfare is generally defined as the external conditions for the well-being of animals, which refers to the conditions provided by humans to meet the animals' needs for health and comfort.¹³ Many countries have already implemented animal welfare laws and regulations aimed at protecting wildlife well-being. For example, Germany's Animal Welfare Act (Article 1) states: "Based on humanity's special responsibility to its biological partners, the purpose of this law is to protect the life and welfare of animals." The UK's Animal Welfare Act (revised in 2006) stipulates: "This Act is designed to promote animal welfare and other related purposes."¹⁴ Despite China's considerable efforts in wildlife protection, there is currently no true law dedicated to the protection of animal welfare.

Influenced by narrow anthropocentrism, China's wildlife protection laws cover a limited range of species and inadequately address the punishment for actions that harm wild animals. There is a low level of attention given to wildlife welfare, and the legal framework for regulating the use of wildlife for medicinal, research, and entertainment purposes is incomplete, leaving many legislative gaps. For example, the methods used to obtain some wildlife medicinal materials on the market are often extremely cruel.¹⁵ In practice, many entertainment industries are highly unregulated, profiting through animal abuse and exploiting animal lives, which leads to numerous animals becoming homeless, traumatized, or dying from disease. Practices like "live animal hooping" and "animal performances," where animals are treated as "stars" for commercial gain, exemplify how businesses ignore the welfare of animals in pursuit of commercial attention and profit.¹⁶ The wildlife protection legal system only prohibits the illegal hunting of wildlife, while the prohibition against animal cruelty appears only in the form of advisory provisions, leaving perpetrators of animal abuse bearing no legal consequences.

¹³ CHANG, J. A Comparative Research on Animal Welfare Law between China and the European Union (Beijing 2006)

¹⁴ CAO M., LIU M. Thoughts on Legislation of Animal Welfare, Journal of Jinan University (Philosophy and Social Sciences) 1 (2010) 42-46

¹⁵ Li W., Zhang X., and Jing L. pointed out in their article, A Brief Discussion on the Endangered Impact of Animal Medicinal Use on Species, published in the Journal of Science and Technology Management, that in the field of wildlife used for medicine, the significant increase in population disease rates and the blind overexploitation of wild animal resources have led to severe consequences, such as the depletion of these resources, habitat degradation, shrinking distribution areas, and escalating endangerment of corresponding species.

¹⁶ See the advocacy Refuse Live Entertainment! Every Life Deserves Respect at <https://mp.weixin.qq.com/s/A85ITqNWVTrB2qtoqJBK6g>, released by the Nanchang Small Animal Protection Association.

1.2.3. *Conflicts Between Laws and Regulations*

Although China's current wildlife protection legal system involves various laws and regulations related to wildlife protection, there is a lack of coordination between their legislative objectives, effectiveness, and regulatory content. The alignment and integration of these laws and regulations need urgent improvement and official guarantee.

One of the most problematic aspects is the lack of alignment between the objectives or purposes of different laws and regulations. For example, the Biosafety Law, which came into effect on April 15, 2021, emphasizes the prevention and response to biosafety risks, safeguarding public health, protecting biological resources and the environment, and achieving harmony between humans and nature. However, the legislative purpose of the latest version of the *Wildlife Protection Law* does not take public health into consideration, which fails to address public concerns over zoonotic diseases and affects the ability and action of grassroots enforcement agencies when regulating public health issues caused by wild animals' consumption.

To enhance the coherence between laws and regulations, it is essential to first ensure the alignment of their legal effectiveness. For instance, current regulations governing wildlife used for entertainment are mainly reflected in departmental rules, such as the Notice on the Rectification and Supervision of Wild Animal Breeding and Training Activities for Wild Animal Exhibitions issued by the National Forestry Bureau in July 2010 and the Opinions on Further Strengthening Zoo Management issued by the Ministry of Housing and Urban-Rural Development in November 2010. However, these provisions are fragmented, lacking completeness, and the level of protection is inadequate. From incidents such as the "Liu Haiyang Sulfuric Acid Bear Case"¹⁷ to the "Northeastern Tiger Starvation" at Shenyang Wild Animal Park¹⁸, and the "Kunming Zoo Bengal Tiger Attack"¹⁹, it's a common phenomenon that animal abusers received

¹⁷ The "Liu Haiyang bear acid attack case" in China involved Liu Haiyang, a man who poured sulfuric acid on a black bear at a zoo in 2017. Liu claimed that he intended to harm the bear as a form of protest against the mistreatment of animals in captivity. The incident sparked public outrage over animal cruelty and zoo management practices. Liu was arrested and charged with animal cruelty, but he was later sentenced to only a brief period of detention and fined. This case highlighted significant gaps in China's animal protection laws and led to calls for stronger legal measures against animal abuse.

¹⁸ The "Northeastern Tiger Starvation" incident at Shenyang Wildlife Park occurred in 2016, when several endangered Siberian tigers were found dead in their enclosures due to starvation. Reports revealed that the tigers were deprived of food for several days, leading to their tragic deaths. The incident exposed serious issues with the zoo's animal care and management practices. Public outcry followed, with calls for stronger animal protection laws and better oversight of wildlife facilities.

¹⁹ The "Kunming Zoo Bengal Tiger Attack" incident occurred in 2017 when a Bengal tiger attacked and killed a visitor at the zoo. The visitor reportedly climbed over the safety barrier to take a closer photo of the tiger. The tiger, feeling threatened, attacked the man, leading to his tragic death. The zoo faced severe

no fundamental penalties. The root cause lies in the fact that the existing legal system does not impose deterring penalties for animal abuse in wildlife entertainment, and there is a lack of clear, specific, and higher-level legal norms to restrain such behaviors.

Strengthening the connection between laws and regulations can also help ensure the alignment of their content. The *Wildlife Protection Law* divides nationally protected wildlife into two categories, while the Regulations on the Protection and Management of Wild Medicinal Resources classifies nationally protected wild medicinal species into three categories. This discrepancy between the two lists often results in situations where an action complies with the Regulations on Wild Medicinal Resources Protection but violates the *Wildlife Protection Law*, leading to awkward legal scenarios in practice.

1.2.4. Conclusion: Key Legislative Gaps

Overall, the current wildlife protection legal system in China faces several prominent issues, including outdated legislative concepts, conflicts between laws and regulations, and insufficient public participation. These issues are not independent of each other; on the contrary, they are interwoven and mutually reinforcing each other, leading to numerous controversies in wildlife protection practices.

The outdated legislative concept of the lawmakers, who still view wildlife through the traditional resource-based perspective, stems from the government's insufficient attention to wildlife protection and its lack of a scientific and forward-looking understanding of the issue. The legislative purpose of wildlife protection Laws emphasizes the resource value of wildlife, implicitly suggesting that wildlife should be protected for the sake of exploitation. This overlooks the inherent value and dignity of animals and disregards their external well-being. The outdated legislative concept of wildlife protection is reflected in the laws and regulations, with conflicts between them being a typical manifestation of this lag in legislation. The traditional resource-based view of wildlife also affects public participation: lawmakers' insufficient attention to wildlife and the minimal guiding role of the government makes it at best inefficient to mobilize the public to participate in wildlife protection efforts.

The legal framework established by lawmakers in the field of wildlife protection tends to be fragmented, addressing each issue with a separate law. This results in poor coordination between laws and regulations, with differences in legislative goals and foresight contributing to the conflicts. Good laws are a prerequisite for good governance, but the conflicts between

criticism for its inadequate safety measures and failure to properly enforce rules to protect visitors. This incident sparked discussions about the need for stricter regulations and better public awareness regarding animal interactions in zoos, as well as the importance of protecting both visitors and animals.

wild animal protection Laws and regulations create challenges for citizens trying to comply with them, making it difficult for the public to take wildlife protection seriously.

2. EXPLORAING POTENTIAL

The principle of public participation is a fundamental concept in ecological and environmental protection.²⁰ The extent to which the public is aware of and willing to engage in wildlife protection at least partly determines the success of such efforts. For instance, to address the outdated resource-based view, expand the scope of wildlife protection, and prioritize animal welfare, drastic actions are needed to push lawmakers to incorporate the advanced perspectives on wildlife protection. In addition to that, to improve the awkward situation where laws and regulations conflict with each other, the government must organize consultations within various administrative organizations responsible for wildlife protection and listen to public voices and opinions about the difficulties in complying with conflicting laws and regulations.

2.1. Insufficient Public Participation

However, it is widely acknowledged that public participation in Chinese wildlife protection nowadays remains limited. Scholars and local practices in China have already recognized the narrow scope of wildlife protection laws. For example, in March 2020, the Administrative Law Society of the China Law Society published Ten Suggestions for the Amendment of the Wildlife Protection Law, advocating for the inclusion of all wildlife within the scope of legal protection.²¹ Nevertheless, the government and legislators disregarded these professional opinions and instead released a seemingly

²⁰ The principle of public participation is vital in global ecological protection as it democratizes environmental governance, ensuring inclusive, equitable solutions. By engaging communities, stakeholders, and civil society, it harnesses local knowledge, fosters accountability, and builds public support for policies, crucial for transboundary challenges like climate change. The 1972 Stockholm Conference linked environment and human rights, while the 1992 Rio Earth Summit enshrined participation in Principle 10 of its Declaration. The legally binding 1998 Aarhus Convention formalized access to information, public input, and justice in environmental matters. Grassroots movements (e.g., 1960s activism) and NGOs amplified public awareness, pressuring governments to adopt participatory frameworks. Digital platforms later expanded global advocacy and transparency. International agreements like the Paris Agreement (2015) further underscored participatory approaches to meet climate targets. Together, these shifts transformed public participation from a grassroots ideal to a global norm, embedding it in laws and treaties as a cornerstone of sustainable development.

²¹ LIU, N. Current Situation and Prospecting: Reflection on China's Animal Protection Legislation, *Journal of China University of Geosciences (Social Sciences Edition)* 2 (2010) 33-37

new but still flawed version of the *Wildlife Protection Law* in the same month, which still contained significant problems. To make matters worse, the roles of economic organizations, social groups, and volunteers are yet to be fully realized. With low levels of public participation and insufficient influence from the public, the positive role of public involvement is difficult to realize.

The deeper causes behind this issue are twofold. On one hand, the government has not sufficiently disclosed information about wildlife resources and protection, leading to a lack of awareness among the public about the critical survival threats facing wildlife. Without a clear understanding of the dire circumstances that wildlife is facing, it is understandably difficult for the public to actively engage in wildlife rescue efforts. On the other hand, economic factors play a significant role. The wildlife industry in China, with a considerable workforce, is kind of cornerstone of the economy. In 2016, the wildlife farming industry employed nearly 14.09 million people and generated over 520.6 billion RMB in output value.²² Under the economic-first mindset, both the government and the public tend to overlook biological safety issues and sacrifice wildlife interests for short-term economic gains. Against this subtle background, it's no wonder that many citizens disregard the value of wildlife, believing that wildlife conservation has little to do with them, while others are reluctant to invest time and energy into practical efforts.

As the relationship between government, markets, and society grows increasingly interconnected, traditional governance models are no longer adequate to meet the evolving needs of the times. Therefore, wildlife protection urgently requires the establishment of a collaborative governance framework involving all sectors of society.²³ To this end, the government must recognize the importance of public participation in wildlife protection and take multiple approaches to stimulate public enthusiasm for engaging in conservation efforts.

2.2. Stakeholder Dynamics in the Public Participation Dilemma

2.2.1. Four Basic Public Groups

To improve wild animal protection laws and regulations, it is essential for the government to understand and listen to the public's opinions and information regarding wildlife conservation. However, the public consists of diverse groups with varying

²² See the report *A Glimpse into the Scale of Wildlife Breeding in China through the "Sustainable Development Strategy Research Report on China's Wildlife Farming Industry"* at <http://www.cbcdgf.org/NewsShow/4854/11310.html>, published by the China Biodiversity Conservation and Green Development Foundation.

²³ ZHOU, K., JIANG, H. Study on the Legal System of Wildlife Protection under the Perspective of Holistic View, *Huxiang Law Review* 2 (2022) 27-37

characteristics and interests. Therefore, the government needs to consider the specific characteristics of different target groups, leverage the informational advantages these groups offer, effectively manage the conflicts within the public, and address the tension between traditional and modern ethical perspectives, ultimately reaching an optimal legislative decision.

Volunteers: Volunteers are a crucial force in wildlife protection, exhibiting high levels of proactivity in conservation efforts. They play an active role in wildlife rescue, providing law enforcement leads, and other critical tasks. For instance, volunteers can collect rescue data and provide reliable information to the government, contributing to the development of wild animal protection laws by helping to form scientific research reports.

Currently, wildlife conservation volunteers in China face multiple challenges. First, there is a lack of material support and financial backing, which hinders the sustainability of their efforts despite their active participation. Second, the contributions of volunteers have not been sufficiently recognized by society. The lack of necessary praise and publicity has prevented their personal and social value from being fully acknowledged, which in turn affects the motivation of others to participate. Third, legal support is weak, and volunteers often face unclear legal status and high risks when engaging in conservation work. Particularly in enforcement activities, there is a lack of a clear legal framework to protect their rights and safety. In addition, the support conditions for volunteer enforcement are inadequate, with insufficient training and working conditions, leading to potential non-compliance during their work. Furthermore, volunteers lack clear action guidelines and supervision mechanisms, which may unintentionally lead to violations or the undertaking of non-compliant tasks. Finally, the legal status of social organizations is ambiguous, particularly when it comes to pushing for environmental public interest lawsuits in wildlife protection. This lack of legal support undermines the effectiveness and scope of conservation efforts. Overall, the volunteer workforce in wildlife protection in China faces numerous challenges across material, legal, and societal recognition dimensions, all of which need to be addressed through policy and legal reforms.

Economic Organizations: Relevant economic organizations include industries such as wildlife-based pharmaceutical manufacturing, wildlife entertainment, and wildlife breeding, all of which play significant roles in employment creation and economic development while having distinct interests. Although the development of these industries has contributed to the economy, it has also posed challenges to wildlife protection. Wildlife-based pharmaceutical manufacturing, for example, often relies on the harvesting of endangered species, driving illegal poaching and over-exploitation. Wildlife entertainment, including zoos and animal performances, sometimes encourages the commodification and mistreatment of wild animals, while also perpetuating the demand for exotic species. Furthermore, wildlife breeding operations, though they

may aim to promote conservation, often prioritize profit over animal welfare, leading to the inbreeding of species and creating unhealthy captive populations. These industries, despite their economic contributions, create a complex dilemma for wildlife conservation efforts, as they frequently prioritize short-term economic gains over long-term environmental sustainability.

But completely ignoring the voices of these industries could result in poorly designed legislation that severely impacts their financial gains, decreases the quality of life for the employees involved, and ultimately proves counterproductive to wildlife conservation—none of which is desirable. For example, in Shangqiu, Henan, the long-standing artificial breeding industry of Fei's parrot has been repeatedly identified by local police as engaging in the illegal sale of protected wildlife. This has led to the sale of 400,000 parrots being halted, arrests of involved individuals, and a financial crisis for many breeders, leaving them in a “can't raise, can't sell, and can't release” predicament.²⁴ Originally a key poverty alleviation industry, the parrot breeding sector has been severely impacted by this “parrot case,” with breeders losing their livelihoods and many parrots dying from lack of care.

The General Public: In February 2020, the Environmental Planning Institute of the Ministry of Ecology and Environment conducted a nationwide survey on public attitudes toward wildlife protection. A total of 4,619 responses were collected from 31 provinces across mainland China. The survey results indicated that while most respondents expressed sympathy and compassion for wildlife, different occupational and social groups exhibited distinct attitudes and varying levels of awareness and professional knowledge regarding wildlife protection. Enterprises demonstrated familiarity with the *Wildlife Protection Law* but showed relatively low participation in conservation campaigns. Students, while generally supportive of wildlife protection, were less knowledgeable about which species are legally protected. Farmers not only had the highest proportion of individuals who believed that the decline in wildlife populations had no direct impact on their lives but were also relatively professional in wildlife rescue, despite their low engagement in broader protection efforts. Additionally, self-employed individuals were often unclear about the roles and responsibilities of wildlife management agencies.²⁵

Experts and Scholars: Experts and scholars possess strong professional expertise, engage extensively in scientific research, have profound knowledge, and demonstrate a high sense of social responsibility. They are capable of offering rational suggestions regarding issues in both legislation and practice. Therefore, the government is well-

²⁴ ZHU, C. The Illegal Predicament of Parrot Breeding in Shangqiu: Both Immediate and Long-Term Solutions Are Needed in: <https://m.gmw.cn/baijia/2021-02/04/34599038.html>

²⁵ LI H., ZHOU F. Dilemma and Strategy of Public Participation in The Rule of Law in Wildlife Protection, *China Population, Resources and Environment* 32 (2022) 156-164

advised to organize experts and scholars to conduct analysis and evaluation during the legislative process, to leverage their expertise and contributions in promoting democratic and scientific lawmaking. On January 23, 2021, the Environmental and Resource Law Research Association of the China Law Society held a seminar on the *Wildlife Protection Law* (Revised Draft), which fully incorporated the wisdom of experts, scholars, and the public to form a Legislative Consultation Report for reference by central leadership and relevant departments.²⁶ In the report, experts and scholars provided professional advice to lawmakers on existing issues in wildlife protection to improve the quality of related legislation, but their standpoints were largely ignored.

2.2.2. Centralized Power: Barriers to Bottom-Up Approaches and Law Enforcement

In wildlife protection, public groups such as volunteers, economic organizations, and the general public play a crucial role in a bottom-up approach to conservation. For volunteers, ensuring their long-term sustainability and stability in wildlife protection efforts requires the government to provide logistical and operational support, including financial incentives and material rewards. Additionally, to reduce the legal risks volunteers may face during wildlife protection actions, the government must establish clear guidelines for their participation, ensuring that their efforts are lawful and compliant with established standards. Economic organizations, which have a significant stake in both wildlife conservation and economic development, should not be overlooked when formulating policies. The government must consider the voices of these interest groups and strike a balance between economic development and wildlife protection. Failure to do so may lead to policies that are not accepted by industries or the public. The general public, though its enthusiasm for participation may currently be low, holds significant potential in a bottom-up approach. The government's inadequate information disclosure has contributed to this low level of public engagement. However, the general public can play an important role in influencing wildlife protection decisions and their subsequent implementation, provided their interests and needs are properly identified. If the government fails to recognize and address these concerns, it could lead to unnecessary costs or opposition during policy implementation. In essence, while these public groups are vital to a bottom-up approach, the government's failure to integrate them meaningfully into the process limits their ability to contribute effectively.

²⁶ Chinese Society of Environment and Resources Law. Expert Seminar on the Wildlife Protection Law (Revised Draft) Successfully Held in: <http://cserl.chinalaw.org.cn/portal/article/index/id/824/cid/23.html>

In current China, the political system's state-centric governance model not only hinders bottom-up approaches of public participation in wildlife protection but also limits the effective functioning of key administrative departments and their ability to cooperate. Public participation in wildlife protection is fundamentally constrained by the concentration of decision-making authority at the top of the political hierarchy. The government views itself as the sole legitimate and rational entity responsible for wildlife protection, which aligns with the legal framework where wildlife is considered state property. This view reinforces the idea that conservation efforts should be driven by government action rather than public initiative. As a result, while policies are typically designed and implemented from the top down, public input remains a marginal force, with little room for bottom-up mechanisms to influence wildlife protection efforts.

This top-down governance structure also limits the role of administrative departments, which, despite being key enforcement agencies within the wildlife protection legal system, often struggle to function effectively. These departments are responsible for carrying out wildlife protection tasks, combating illegal wildlife trade activities, and providing accurate reports and data to support the legislative process. However, the lack of clear responsibility and coordination between agencies leads to overlapping authority and shifting duties, which weakens their ability to collaborate efficiently. Even though the 2020 nationwide survey conducted by the Environmental Planning Institute of the Ministry of Ecology and Environment found that governmental officials within these departments showed the highest level of concern for wildlife protection, their ability to make an impact is limited by the political system's emphasis on centralized control.

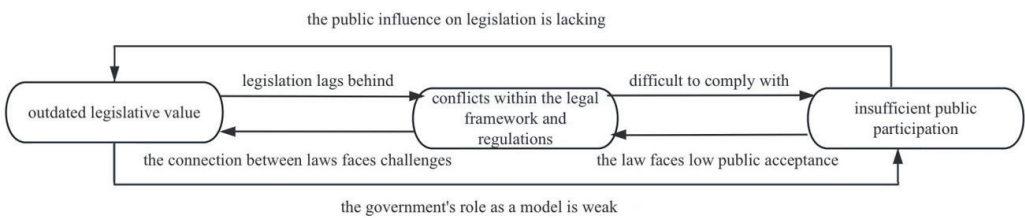
To make matters worse, the centralization of authority in China's political system shapes the government's philosophical approach to wildlife protection, focusing more on resource management than on ethical and ecological considerations. Historically, China's legal framework has treated wildlife primarily as a natural resource to be managed, rather than as part of an ecosystem requiring holistic ethical and ecological thought. Without a shift in the legislative perspective that prioritizes animal welfare and ecological values, even well-meaning efforts by administrative departments and public input will remain largely ineffective. Public participation thus remains symbolic rather than a force that can actively shape policy.

This combination of top-down governance and fragmented administrative functioning underscores a deeper issue in China's wildlife protection efforts: both public participation and the coordination of enforcement agencies are stifled by the same political structure. To improve conservation outcomes, the government must address the underlying structural issues by redefining the roles and responsibilities of administrative departments and facilitating better coordination between them. Furthermore, it must create a more inclusive decision-making process that allows for

genuine public involvement. Only then will China be able to shift from a symbolic form of participation to one that empowers citizens and enhances the effectiveness of its wildlife protection system.

3. STRATEGIES FOR ENHANCING INTERACTIVITY

The problems in Chinese wildlife conservation stem from outdated and slow-evolving legislation, conflicting legal frameworks, low public compliance due to insufficient participation, and weak governmental leadership in setting enforceable standards. These gaps result in laws that lack public acceptance and fail to address contemporary ecological challenges. While comprehensive reforms are needed, the most urgent priority is enhancing interactivity between stakeholders to bridge legal and societal divides. This can be achieved through top-down approaches and bottom-up strategies.



3.1. Government-Driven Top-Down Approach to Promoting Public Participation

Government-driven top-down promotion of public participation means that the government takes the lead in gathering public input, actively moving away from the “wildlife resource perspective,” and embracing a viewpoint that prioritizes harmonious coexistence between humans and nature. By actively organizing citizens and incorporating their feedback, the government will drive forward the cause of wildlife protection. In the transition from traditional ethics to ecological ethics, the state must play the role of a facilitator, promptly adjusting ecological ethical awareness and regulatory behavior to foster a harmonious relationship between humans and nature.²⁷

3.1.1. Positive Examples of Top-Down Promotion

²⁷ FENG, Z. Improvement of Wildlife Protection Legislation from the Perspective of Ecological Ethics, Administrative Law Review 4 (2020) 67-82

The model in which the government pushes, revises, or abolishes a law or policy based on its own ideas and principles originated in an era of hierarchy, when only those at the top of the pyramid had sufficient information to make decisions that were suitable for the circumstances. Today, this is no longer the case. In the global age, people live in an information society where ordinary citizens can access information as quickly as the government. Therefore, excluding public opinions and ideas from the legislative process is not only outdated but may also lead to difficulties and obstacles in implementing the law.

The government's top-down promotion of public participation is a key measure and an effective remedy to address many issues. When policymakers organize discussions with heads of relevant administrative departments responsible for wildlife protection to establish a consultation mechanism for improving the wildlife protection legal system, representatives of each department get a golden opportunity to express their opinions and interests, thus allowing legislators and policymakers to neutrally coordinate the interests of all parties in advance to avoid discovering problems only after the legislation is implemented. For example, on May 26, 2023, the "Clean Network Action" for wildlife protection, jointly organized by Shanghai, Jiangsu Province, and Jiaxing City, launched in Jiaxing. At the event's symposium, representatives from Jiaxing City and various counties (cities, districts), as well as related municipal departments, exchanged reports on the progress of wildlife resource protection efforts, including combating illegal bird trapping. They analyzed the current challenges and proposed plans for future actions.²⁸ In this joint defense and control mechanism, cooperation between relevant departments is beneficial for punishing illegal activities and enhancing the government's ability to regulate and protect wildlife.

The government can also assemble expert teams and relevant groups to discuss and negotiate the best approach to achieving goals. In the ongoing improvement of China's wildlife protection legal system, positive cases have already emerged. The Legislative Consultation Report, produced by the seminar held by the Environmental and Resource Law Research Association of the China Law Society on January 23, 2021, is a typical example.

3.1.2. Limitations of Top-Down Approaches in Contemporary China

²⁸ Jiaxing Bureau of Land Resources and Natural Resources. Strengthen Regional Joint Prevention and Control, Promote Wildlife Protection—the "Clear Net Action" for Wildlife Protection, A Joint Effort Between Two Provinces and One City, Has Been Launched in Our City in: https://www.jiaxing.gov.cn/art/2023/6/7/art_1559254_59582642.html

For policymakers to promote wildlife protection through a top-down approach, lawmakers need to adopt a more open stance in responding to public participation, incorporating it as part of their work. This method aligns with the current practices in our country and, when applied reasonably, significantly showcases its advantages. First, it facilitates deeper communication, addressing the core issues, and results in quick and high-quality information gathering. Through communication with experts and key figures from relevant groups, legislators can effectively understand the status of wildlife protection efforts, expert recommendations, and public opinions, identifying real-world challenges in wildlife conservation and working to resolve them. Second, this method is simple and flexible, requiring no complicated procedures to convene discussions. Third, it is a gentle way of gathering information, where during communication, legislators absorb the opinions of scholars, while experts and volunteer organizations recognize the lawmakers' sincerity in promoting wildlife protection, thus facilitating decision-making and implementation.

Obviously, the Chinese government opts to contact experts and scholars when adopting a top-down approach to promoting public participation in wildlife protection. Thus, experts and scholars play the role of "key persons." The "Key Person Contact Method" is a strategy in which public administrators seek advice from "key individuals" within relevant citizen groups. These key figures, such as experts or team leaders, are engaged in discussions on specific issues to obtain valuable information. This approach is one of the most basic forms of public participation and serves as an effective way for policymakers and politicians to implement top-down actions.²⁹

Unfortunately, despite the state's efforts to promote public participation through expert consultation, this approach has limited effectiveness in influencing wildlife legal protection. The core issue lies in the deeper structural and ideological constraints within China's legislative framework. The entrenched 'wildlife resource perspective' continues to shape legislative values, law enforcement, and judicial practices, hindering the adoption of ecological ethics in law. This bureaucratic entrapment not only restricts expert influence but also limits the state's ability to respond dynamically to evolving environmental challenges.

²⁹ When Latimer became mayor of Saint Paul, Minnesota, in 1975, he faced an economically depressed city with lagging municipal services, known as the "Frost City." After ten years, he revitalized the city by changing the role of government. In 1986, he summarized his new thinking: "The government must make certain adjustments and, in some areas, redefine its traditional role. I believe that municipal authorities will increasingly define themselves as catalysts and facilitators. They will increasingly see their role as determining the scope and nature of problems, then combining resources to allow others to solve them... The city government will be more willing to connect scarce public and private resources to achieve the goals of our community." See OSBORNE, D., GAEBLER, T. *Reinventing Government: How the Entrepreneurial Spirit is Transforming the Public Sector* (New York 1993)

For the state, integrating ecological ethics into legal frameworks is essential for providing clear and enforceable guidance on wildlife protection. As Roscoe states in his book, legislation can better support enforcement efforts by aligning law and ethics to define the relationship between society and the state.³⁰ Nevertheless, China's wildlife protection system has long been dominated by the wildlife resource perspective, which prioritizes economic and resource-based exploitation over conservation. This outdated value system continues to shape wildlife legislation, enforcement, and judicial decisions, limiting progress toward a more ecologically sound legal framework. A key reason for the persistence of outdated legislative values is the entrapment of bureaucratic systems. While bureaucracy can efficiently manage large-scale operations through hierarchical authority and specialization, it often resists adaptive changes.³¹ In the information economy era, failing to incorporate diverse perspectives—ranging from scientists and conservation organizations to grassroots activists—leads to rigid, outdated strategies. Without broader input, policymaking risks being confined to past habits rather than addressing current environmental challenges.

To move beyond the “wildlife resource perspective,” lawmakers must actively reshape public attitudes toward wildlife, emphasizing ecological integrity rather than economic utility. Nevertheless, if legislative philosophy remains unchanged and animal welfare continues to be sidelined, public participation in conservation will remain superficial. As a result, wildlife protection efforts will fail to foster true ecological harmony, and the concept of human-nature coexistence will remain an unfulfilled ideal.

3.2. Is a Genuine Bottom-up Approach Feasible in China's Governance Context?

The bottom-up approach to promoting public participation relies on citizens voluntarily engaging with legislators—whether by requesting services, providing feedback, or advocating for policy changes. In turn, legislative bodies and policymakers incorporate public input to refine their administrative efforts, fostering a dynamic and responsive interaction between the government and society.

3.2.1. Necessary Soils for A Bottom-Up Approach

In the context of wildlife protection legislation, the bottom-up approach allows citizens to actively exercise their right to participate. When the public contributes suggestions and takes part in conservation activities, it not only strengthens their sense of

³⁰ POUND, R. *Social Control Through Law* (London 2017)

³¹ OSBORNE, D., GAEBLER, T. *Reinventing Government: How the Entrepreneurial Spirit is Transforming the Public Sector* (New York 1993)

responsibility for wildlife protection but also deepens their understanding and support of existing laws. However, for bottom-up participation to be truly effective, the government must take significant steps to institutionalize and facilitate public involvement. This includes establishing accessible channels for public supervision, reporting mechanisms, and legal frameworks that ensure citizen input translates into meaningful legislative and enforcement actions. If the government fails to respond promptly to the general public opinions, the public may eventually perceive the collection of public input as a mere formality. For example, during the 2016 revision of the “Wildlife Protection Law,” the public consultation only disclosed the number of participants and the total number of comments but did not provide a summary or effective responses to the opinions received. This left the public unaware of whether their suggestions, concerns, and viewpoints were taken seriously by the legislative body.³² Therefore, it is crucial for the government to respond promptly to public opinions and address the issues raised by the public.

A truly effective bottom-up approach relies on an informed and engaged public because public participation is only meaningful and effective when citizens understand the issues, possess relevant knowledge, and have the motivation to take action, yet the diverse and fragmented nature of different social groups in China presents significant obstacles to fostering widespread participation in wildlife protection. Various occupational and social groups demonstrate vastly different levels of awareness, understanding, and willingness to engage, making it difficult to form a cohesive public force capable of influencing legislative and enforcement processes. For instance, enterprises tend to be well-versed in the *Wildlife Protection Law* but show low levels of participation in protection efforts, likely due to conflicting economic interests. Farmers, despite their practical experience in wildlife rescue, often see no personal stake in wildlife reduction, reducing their motivation to actively participate in advocacy. Students, while generally enthusiastic, lack familiarity with legally protected species and may struggle to contribute effectively. Self-employed individuals often remain unclear about wildlife management agencies, making it difficult for them to navigate bureaucratic processes and engage in meaningful dialogue with policymakers.

Even government departments and agencies, which demonstrate the highest level of concern for wildlife protection, function primarily as enforcers rather than facilitators of public participation. While they support regulatory measures and engage in science education, their focus is typically on top-down control rather than fostering grassroots involvement. In this fragmented landscape, public participation in wildlife protection lacks a shared foundation of knowledge, clear communication channels, and collective action mechanisms. The absence of a strong civic culture in environmental advocacy,

³² LI, H., ZHOU, F. Dilemma and Strategy of Public Participation in the Rule of Law in Wildlife Protection, *China Population, Resources and Environment* 32 (2022) 156-164

combined with structural barriers such as limited transparency and lack of effective public feedback mechanisms, further weakens the feasibility of bottom-up engagement. Without addressing these fundamental disparities in awareness, interest, and institutional support, efforts to encourage bottom-up participation in China's wildlife protection legal system will remain largely ineffective.

3.2.2. *Why Are Scholars Key Actors?*

While the bottom-up approach faces significant challenges within China's traditionally top-down governance framework, incorporating certain bottom-up techniques remains crucial for the long-term success of wildlife protection. Within a system where centralized decision-making prevails, exploring feasible avenues for public participation is invaluable for it will complement government-led efforts and contribute to more effective and inclusive conservation strategies. Among these possible feasible avenues, a certain proportion, in all likelihood, might be established by scholars, who can help bridge the gap between the government and the public.

The harsh treatment of scholars during the Cultural Revolution left a deep scar in Chinese society.³³ Today, Chinese government is highly sensitive to public opinion and scholarly discourse, recognizing that suppressing intellectual voices can undermine its legitimacy. Even though China has a centralized system, scholars are seen as legitimate sources of knowledge and expertise, particularly in technical fields such as environmental protection, law, and social policy.³⁴ By leveraging their academic influence and engaging with social media and other platforms, scholars will gradually foster public trust, enhance transparency, and cultivate a collective sense of responsibility in many areas. Even within a system dominated by centralized authority, scholars may still create feasible channels for public participation that complement government efforts, contributing to more effective and inclusive wildlife conservation strategies.

³³ During the Cultural Revolution (1966-1976), intellectuals and scholars were subjected to harsh treatment, including public humiliation, imprisonment, and even death. The campaign targeted the "Four Olds"—old customs, old culture, old habits, and old ideas—and intellectuals were considered enemies of the state for holding ideas that were perceived as counter to the communist ideology. This period of repression undermined the value of intellectual contributions and caused significant harm to China's intellectual class.

³⁴ In the post-Cultural Revolution era, the government acknowledged that the brutal treatment of intellectuals and scholars had weakened the Party's legitimacy, as the intellectual purge had resulted in a loss of valuable expertise and trust in the government. Consequently, since the late 1970s, there has been a slow and deliberate process of rebuilding the role of intellectuals and scholars in Chinese society, both as a means of regaining legitimacy and as a way to bolster national progress through education and research.

3.3. How Can Scholars Create Effective Channels?

In this information era, scholars are well-advised to embrace social media and various online platforms to voice their opinions on the issues of animal protection and welfare. By opening their own blogs, delivering online lectures, creating self-media accounts, and releasing research reports, scholars can disseminate scientific knowledge and more civilized perspectives to the general public, thus helping to resolve some of the controversial issues that bewilder many ordinary people. A notable example of this is Professor Luo Xiang, a renowned law professor in China, whose humorous teaching style and brilliant explanations of complex criminal law theories in his online courses on legal exams have made him a household name. After gaining widespread recognition, he continued to expand his influence through social media, significantly improving the public's understanding of criminal law, particularly among those with no prior knowledge of the field. His influence extended beyond the classroom, with the public often citing his views in discussions on controversial legal cases or societal issues. For instance, after the second-instance judgment of the Datong Engagement Rape Case,³⁵ which was recently issued in mainland China, sparked public controversy, with men and women holding starkly different views on the female victim,³⁶ Professor Luo's 2020 lecture on "The Issue of Consent in Sexual Crimes" provided a pivotal perspective. His argument that "the standard for consent should not be applied from a male perspective when understanding female consent" became a powerful tool in the ongoing debate, particularly for women advocating for their rights.³⁷ While this example concerns women's rights rather than animal welfare, it highlights how a scholar, through the use of online platforms, can influence public discourse, educate society, and change how sensitive issues are understood. This is precisely the type of impact scholars can have when they engage in meaningful interactions with the public on animal protection and welfare issues. With the right approach, scholars can bridge the gap between academia and the public, gradually creating an informed and engaged society that helps shift societal attitudes toward a more humane and ecologically responsible future.

With an established self-media presence, scholars can also influence key policies and legislation by amplifying social concerns and creating public opinion pressure for wildlife

³⁵ The case involved a man accused of raping his fiancée after their engagement, the court found that the man used coercion to override his fiancée's lack of consent, emphasizing that disputes over bride price repayment did not justify unlawful acts.

³⁶ Supporters of the verdict argued it upheld women's rights to bodily autonomy, rejecting the notion that financial disputes negate consent. Critics whether the sexual intercourse in this case was entirely non-consensual.

³⁷ Yi X. briefly introduced Professor Luo's speech on "The Issue of Consent in Sexual Crimes" and posted the speech video on China Digital Times in: <https://chinadigitaltimes.net/chinese/661130.html>

conservation. This is especially important considering the Chinese government's acute sensitivity to public sentiment, which plays a crucial role in maintaining its legitimacy in governance. A prime example of this is Professor Qian Yefang, a social law scholar who has dedicated many years to the study of animal protection laws. Over the past five years, she has organized multiple academic seminars and, in 2024, successfully held the first-ever academic conference on animal protection law in China. Through her growing influence in the academic community, she has attracted more like-minded individuals to the cause. As a result, at the 2025 National People's Congress ("Two Sessions"), a great many NPC deputies introduced proposals on various issues, with a few key animal protection law proposals emerging largely due to Professor Qian's efforts. By subtly and strategically leveraging this sensitivity, scholars like Professor Qian can, with a high degree of likelihood, indirectly encourage the government to adopt policies that break from the long-standing "resource-oriented" legislative perspective. While this is not easily achieved, there is still hope through a coordination mechanism involving scholars, NGOs, and legislators, where the role of scholars is indispensable.

CONCLUSION

In practice, the legislative objectives of wildlife protection laws and regulations in China face considerable challenges in execution. The *Wildlife Protection Law*, despite being the cornerstone of the country's conservation efforts, struggles to achieve its intended goals. This issue stems primarily from the fact that the current legal framework remains entrenched in a resource-based perspective, which neglects the deeper ethical considerations surrounding the relationship between humans and nature. Consequently, the existing system remains reactive, addressing problems only when they become critical, rather than taking proactive steps to prevent harm from occurring in the first place.

To address these challenges, a fundamental shift in perspective is urgently needed. Scholars must take the lead in challenging the traditional "resource-oriented view" and advocating for an "ecological civilization view" that values biodiversity not just as a resource, but as an integral component of long-term ecological health. By emphasizing the need for sustainable development over immediate economic interests, scholars will guide the transformation of policies toward greater environmental responsibility. Given the central role of the state in China's governance, scholars need to act as crucial intermediaries, helping to integrate public feedback into the decision-making process and highlighting systemic shortcomings. By fostering a broader societal commitment to a harmonious relationship between humans and wildlife, scholars are expected to help shape a more effective and progressive wildlife protection system that reflects both ecological and ethical priorities, driving long-term change in China's conservation approach.

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