CONTENTS

	Chapter 1. Introduction	21
1.1	Overview of the Chinese market conditions after the WTO accession	22
1.2	Regions and regional/local protectionism	26
	1.2.1 Overview of regions in China	26
	1.2.2 Regional competition and local protectionism	27
1.3	The WTO and the common market in China	30
1.4	Interests of civil society and the WTO	31
1.5	Structure of this book	34
	Chapter 2. World Trade Organization (WTO) and China	39
2.1	GATT/WTO	39
	2.1.1 GATT and the principle of non-discrimination	39
	2.1.2 GATT/WTO and the process of dispute settlement	40
	2.1.3 GATT/WTO and the local government clause	41
2.2	WTO accession	42
	2.2.1 International agreements and domestic laws in China	42
	2.2.2 Process of China's accession into the WTO	43
2.3	China's interest in the WTO membership	45
2.4	Role and interest of the United States and other Western countries	46
2.5	Highlights of the US-China WTO Agreement and its influence on the commercial relations between the US-China	47
2.6	Highlights of the EU-China WTO Agreement and its influence on the commercial relations between the EU-China	49
2.7	Overview of the India - China WTO Agreement	49



2.8 Opportunities for political and economic reform
2.8.1 Overview of the requirements of different agreements
2.8.2 Political economic regime and judicial review
2.8.3 Economical and institutional reforms after the WTO entry
2.8.4 Possible impacts of the WTO
2.9 Possible benefits and disadvantages of China's WTO membership
2.10 Continuation of the economic boom and expansion since the WTO membership
2.11 Concerns and protective measures in other countries since China's WTO membership
Chapter 3. History and Development of Regional Protectionism
3.1 History and cultural background of local protectionism
3.1.1 Historical reasons for local protection
3.1.2 Overview of Chinese history and duke power
3.1.2.1 Stages of Chinese history
3.1.2.2 Ancient Chinese history
3.1.2.3 First phase of the Chinese empire
3.1.2.4 Second phase of the Chinese empire under the Mongols
3.1.2.5 Third phase of the Chinese empire – revival of civilisation
3.1.2.6 Exploration and isolation of the Ming Dynasty
3.1.2.7 Last phase of the Chinese empire – the Manchu Dynasty
3.1.2.8 The Republic of China
3.1.2.9 The People's Republic of China
3.1.3 Cultural background and economic incentives for local protection

3.2	Issue	of route-dependence of the reform	74
	3.2.1	Local leaders as an impetus for the reform and opening policy	74
	3.2.2	Local leaders as obstacles for the reform and opening policy	75
3.3	Fiscal	policy since the economic reform	75
3.4	Comp	etition among different regional governments	77
3.5	Differ	rent models of structural breaks by provinces	78
	3.5.1	First experiment for a market reform under the protection of the province of Anhui	. 78
	3.5.2	Models for structural breaks in different provinces	.79
3.6	Overv	view of the different regional economic situations	. 82
3.7	Inequ	ality of regional economic development in China	85
	3.7.1	Regional inequality as an influential factor	. 85
	3.7.2	Reasons for the regional inequality in China	. 86
	3.7.3	Consequences and effects of regional inequality	. 91
3.8	Local	protectionism and regional specialisation	. 92
	3.8.1	Overview of local protectionism and regional specialisation	. 92
	3.8.2	Analysis of regional specialisation	. 95
	3.8.3	Data and measurement of local protectionism and regional specialisation	. 96
3.9	Deve	lopment of local protectionism and regional GDP growth	. 97
	Chap	ter 4. Administrative Market Monopoly	101
4.1	Diffe	rent types of monopolies	101
	4.1.1	Market monopoly and monopolistic competition	101
	4.1.2	Natural monopoly	102
	4.1.3	Administrative market monopoly	103

4.2	Forms	and effects of administrative market monopoly in China 103
	4.2.1	Major forms of administrative market monopoly in China 104
	4.2.1.1	Practice of holding on to the past and of preventing competition in the market
	4.2.1.2	Problems of the legal system and the legalisation of local interests 105
	4.2.1.3	Local protective price policies and trade conflicts
	4.2.1.4	Administrative subordination of utility industries
4.3	Reason	ns for administrative market monopolies 108
		Transition process from planned economy into market economy in China
	4.3.2	Historical reasons 109
	4.3.3	Influence of a highly planned centralised economy and reform policies
4.4	Major	characteristics of administrative market monopolies in China 110
4.5	Profit	analysis of administrative market monopolies 112
	4.5.1	Enormous economic loss
	4.5.2	Profit of administrative market monopolies in China
	4.5.2.1	Profit – maximizing conditions for market monopolies
	4.5.2.2	2 Waste analysis of administrative market monopolies 115
4.6	Furthe	er reforms and visions for the future
	4.6.1	Public concerns about administrative market monopolies 116
	4.6.2	Progress made on reforms on administrative market monopolies 117
	4.6.3	Introducing competition as a possible solution
	4.6.4	Further reforms to curb administrative monopolies
4.7	Count	ermeasures and conclusion
	4.7.1	Deepening of the system and the constitutional reform
	4.7.2	Strengthening competition mechanisms

	Chapter 5. Status Quo and Characteristics of Local Protectionism in China and its Detriments	123
5.1	Interregional protection – Implications of fiscal decentralisation and trade liberalisation	123
	5.1.1 Possible reasons for interregional protection	
	5.1.2 Implications of fiscal decentralisation	124
	5.1.3 Profits of local protectionism	125
	5.1.4 A model describing the rise and fall of interregional protection	125
	5.1.5 Comparison between regions	128
	5.1.6 Interregional protection and costs of market entry	129
	5.1.7 Discussion	130
5.2	The WTO commitments and independent judicial review	131
	5.2.1 Interference	131
	5.2.2 Intra-court influence and bribery	131
	5.2.3 Reform efforts and fundamental problems	132
5.3	Local Protectionism and China's WTO Compliance	133
5.4	Detriments for the economic development	135
5.5	Analysis of forged and poor quality goods and local protectionism	137
	5.5.1 Present situation of forged goods in China	138
	5.5.1.1 Forged goods and the allocation of market resources	138
	5.5.1.2 Forged goods and social distribution	139
	5.5.1.3 Forged goods and the detriments for social welfare	141
	5.5.2 Background information and potential of forged and poor quality products	143
	5.5.2.1 A cost-benefit analysis of forged goods production	143
	5.5.2.2 A concrete analysis of factors influencing the production of forged goods	145

	5.5.3 Suggestions of possible countermeasures 146	
5.6	Local protectionism and the model of a grabbing-hand economy 147	
	5.6.1 Grabbing-hand economy in China 147	
	5.6.1.1 Factor market: a grabbing-hand economy 147	,
	5.6.1.2 Seizing factor capital 148	;
	5.6.2 Local governments grabbing the property of enterprises and private persons	;
5.7	Employment protection 149)
5.8	Status quo of SOEs and local protection 151	l
5.9	Environmental protection and the negative influences of local protection 152	2
	5.9.1 Environment and resources	2
	5.9.2 Policies to protect the environment	3
	5.9.3 Environmental administrative system and regional officials	5
	5.9.4 Overview of the current status quo and negative influences on the environmental industry	7
5.10	Local protectionism in debt cases	9
5.1	Transition from a planned economy to a market economy 16	1
	Chapter 6. Game between the Central Government in Beijing and Local Governments	5
61		
	Regional protection and transformation of government functions	
6.2	Game Theory and Protectionism	6
	6.2.1 Examples of game theory	7

6.2	Game Theory and Protectionism	166	
	6.2.1 Examples of game theory	167	
	6.2.1.1 Pollution game	167	
	6.2.1.2 Games in economic life	168	
6.3	Game between local governments and the central government	169	
	6.3.1 Loser of the game	. 169	

	6.3.2 Invisible Hand vs. Visible Hand and Busy Hand of the Government 171
	6.3.3 Financial game between the central government and local governments in the domain market
	6.3.3.1 Visible-hand approach of local governments in the real estate market. 172
	6.3.3.2 Countermeasures against the growing prices for housing and land 173
	6.3.3.3 Different goals of local governments and the central government 173
6.4	Making laws: the game between ministries of the central government and the National Congress in Beijing
6.5	Joint corruption of executives of SOEs and local governments 176
	6.5.1 Overview
	6.5.2 Reasons for joint corruption 177
	6.5.3 Game of joint corruption 179
	6.5.4 Methods against joint corruption 182
	6.5.4.1 Improving the structure of state-owned enterprises 182
	6.5.4.2 Improving the mechanisms of prosecution
6.6	Open conflict between local protection and the authority of the central government
	6.6.1 Conflict between local protection and the central government regarding coal mine accidents
	6.6.2 Figurehead of the central authority 185
	6.6.3 Discussion about possible reasons for conflict
	6.6.3.1 Latent and open conflicts
	6.6.3.2 Rent-seeking of regional officials
	6.6.3.3 Possible ways of solving this dilemma

	Chapter 7. Influence of Local Protectionism on FDI	189
7.1	Development of Special Economic Zones in China	189
	7.1.1 Overview of Special Economic Zones	189
	7.1.2 SEZs and the WTO	191
7.2	Development of a Free Trade Zone in China	192
7.3	Foreign Trade and FDI in China	193
	7.3.1 Opening Policy and Foreign Trade	193
	7.3.2 Foreign exchange and FDI in China	194
	7.3.3 Role of FDI in China	196
	7.3.4 Evaluation of Foreign Investment	197
7.4	Analysis of the foreign investment after accession into the WTO	200
	7.4.1 Implications of FDI	200
	7.4.2 Possible reasons for the enormous foreign trade surplus	200
	7.4.3 Different interests of investors and their host country	202
7.5	Current law system regulating FDI	203
	7.5.1 Demand for FDI rules after the WTO entry	203
	7.5.2 Necessary improvements to foreign investment laws	204
	7.5.3 Domestic judicial environment and WTO's demands on transparency	205
7.6	FDI and local protectionism	207
	7.6.1 Different effects of FDI inflow	207
	7.6.2 Competition between regions for FDI	208
	7.6.3 Low labour cost and FDI	208
	7.6.4 Status quo of local officials regarding the FDI situation	209
7.7	Possible factors that have a negative influence	209
	7.7.1 Negative influences on the FDI inflow	209
	7.7.2 Foreign firms' monopolies	210

	Chapter 8. Discussion and Conclusions	213
8.1	China's rights and obligations following the WTO membership	213
8.2	China as a developing country	214
8.3	Breaking new ground on dispute settlements	215
8.4	Positive changes and people's opinions since WTO entry	216
8.5	Different attitudes towards globalisation	217
8.6	Further opening to the world	218
8.7	Globalisation and WTO membership	220
	8.7.1 Adoption of globalisation strategies for both China and Western countries	220
	8.7.2 More competition and liberalisation since the WTO membership	220
	8.7.3 Impact on trade patterns and protective actions of developed countries.	221
8.8	Reasons and influence factors for local protectionism	222
	8.8.1 Fiscal decentralisation	222
	8.8.2 Regional inequality	223
	8.8.3 Underdeveloped factor market	223
	8.8.4 Guanxi, regional seigneur power, and rent seeking	224
	8.8.5 Economic growth mode and short-term actions of local governments	225
	8.8.6 Imperfections and the lack of democracy and a legal system	226
8.9	Power economy and market monopoly	227
	8.9.1 Administrative power and "power economy"	227
	8.9.2 Administrative power and administrative market monopoly	227
8.10	O Revenue and subsidies by local protective governments	228
	8.10.1 Local protective revenue under administrative power	228
	8.10.2 Local subsidies from regional governments	228

8	8.10.3	Parasitic behaviour of local officials and SOEs
ŧ	8.10.4	Local protection and risk society
8.11	Differer	t characteristics and degrees of local protectionism on various
	levels	
:	8.11.1	Issue of route dependence in careers of provincial leaders
	8.11.2	Route-dependant behaviour of sub-provincial officials
	8.11.3	Degrees of protectionism
8.12	Govern	ment failure and transformation of current governments' roles 234
	8.12.1	Government failure
	8.12.2	Transformation of the government role and adjustment of the
		unsuitable economic growth mode
8.13	Other is	ssues
	8.13.1	Loser of the game between the central and local governments
	8.13.2	Special Economic Zones (SEZ) and Free Trade Zones
	8.13.3	Foreign direct investment
8.14	Possibl	e countermeasures against local protectionism 237
8.15	Epilog	238
	Appendi	x A
	Bibliogr	aphy24