

## **Discourse right and participation: using application for hunting permits for foreigners at Dulan International Hunting Ground as a case study**

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### **Abstract:**

Discourse right is one of the basic rights of people to express ideas and common opinion. Exercise of this right is an important means for non-government organizations and individual citizens to take part in public issues. The struggle over the application for hunting permits for foreigners in August 2011 exemplifies the active efforts of environmental NGOs, animal rights groups and relevant personnel in influencing government's decision-making through the exercise of discourse right.

**Key Words:** Discourse right, Hunting, Environmental NGO, Animal rights groups

## 1. INTRODUCTION

Michel Foucault, the French ideologist, thought that all human knowledge is acquired through discourse, anything separated from it does not exist, the relationship between the human beings and the world is the discourse relationship. In his opinion, the discourse means a process that a social group, based on some certain rules, spreads its meanings into society to establish its social status and to be recognized by other groups. Embedded within the discourse is a complex power relationship and any discourse is the result of the operation of power relationship.

In modern societies, discourse right is actually a mechanism to express social interests. In the interests of the diversification of social environment, there are all sorts of social individuals with different interests demand need to use discourse right to express and pursue their own interests.

On September 2, 2001, The Press Office of the State Forestry Administration (SFA) announced that The Beijing Zheng'an International Travel Service and The China Women Travel Service had retrieved their applications for permits to collect specimens of blue sheep and Tibetan gazelles at Dulan International Hunting Ground in Qinghai province on behalf of seven Americans, which officially terminated the so-called Hunting Permits Event that triggered heated public debate. That result reflected a victory on the part of environmental NGOs, animal right groups and relevant experts to influence a public issue by actively engaging the mass media to express their strong opposition. In the wake of that event many questions were left behind for us to ponder over, though the attention of this paper focuses on the way that different stakeholders exercised their discourse right to express their concern and the subsequent results, respectively.

## 2. BRIEF OUTLINE OF THE HUNTING PERMITS EVENT

Established in 1985, Dulan International Hunting Ground (DIHG) is the first hunting ground in Qinghai Province that accommodate international hunters solely. From its beginning to the middle of 2005, altogether more than 600 foreign hunters visited DIHG, taking 800 trophy games of various species, generating an average annual income of about \$200,000 dollars. As a result of the abortion of the auction of trophy game quota prepared by the SFA in 2006, a national moratorium on international hunting was imposed. Without trophy game quotas, DIHG was in effect shut down.<sup>1</sup> Then in early August in 2011, 7 American hunters submitted, via Zheng'an International Travel Service and China Women Travel Service, applications for

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<sup>1</sup> Entrusted by SAF, an auction company registered in Heilongjiang Province in northeast of China put out an advertisement on West China City Daily calling for interest in an auction of trophy game quota in 8 provinces in China scheduled several days later. The planned auction was reported by China Youth Daily, triggering huge controversy in society and a heated national debate. The mass media overwhelmingly took to the position that hunting in nature seeks to generate profits rather than wildlife conservation. Some even went so far as to regard taking national protected species by foreign hunters as an act of treason. Several days later SFA decided to shelter the auction.

hunting permits to take 9 blue sheep and 7 Tibetan gazelles at DIHG. On August 5, a Specialists Committee on Wildlife Hunting, appointed by SFA, reviewed and approved those applications. According to the official regulation, SFA was obliged to make a decision on whether to issue the hunting permits within 20 working days.

The first news about the proposed hunting appeared on August 6, 2011 on The New Beijing Daily with the title Specialists Gave Green Light to Applications of 7 Foreigners to Hunt in Qinghai. On the same day that news was picked up by more than 20 major internet web stations, such as QQ, Sohu, Sina, Chinanews, Netease, Ifeng, Xinhua, drawing instant attention of an array of animal right groups, environmental NGOs, social activists, and numerous internet surfers. On August 13, 70 animal right groups submitted a letter of petition to the SFA, asking it: a) to turn down the applications for permits for foreign hunters; b) to disclose full information on the operation of all hunting grounds in China, the species and numbers of trophy games harvested so far, and the amount, distribution and use of the proceeds generated from international hunting. Later, Mr. Jiang Jinsong, an association professor at the Institute of Science, Technology and Society of Tsinghua University, and an animal right activist, openly questioned the qualification of the specialists sitting on the committee on his blog on Sohu Internet Web station. At the same time hundreds and thousands of common surfers resorted to internet web stations to voice their objection and doubts over the permits.

On August 29, the two travel services concerned withdrew their applications for hunting permits for foreigners. Four days later, SFA announced that the processing procedure for applications had been terminated.

### 3. THE FORMATION AND STRUCTURE OF FIELD OF PUBLIC DISCOURSE

The so-called discourse field is a place, which is produced by communication and interaction, for words expression. In essence, Discourse field is equivalent to what Habermas called “Public Sphere”, that is a public space which exists between the country and society, and in which free discussion of public affairs and civic participation in political activities occurs. It is formed under the preconditions of general proximity, public issues, institutional space and legal safeguard, space for public debate and rational, non-dominant debate.

A field of public discourse on the issue of permits for foreign hunters was formed by the stakeholders, fulfilling all the conditions listed above. Firstly, the availability of internet and widespread use of information communication techniques have profoundly transformed the way that people exchange and communicate with each other. Compared with the traditional mass media of newspapers and journals, the instantaneous, interactive, and open characters of new forms of mass media, like BBS, internet forum, blog, twitter, chatroom, face book, and web newspapers and journals, make them ideal tools for public criticism and participation, typical functioning mechanism in public sphere. At the same time, the development of virtual space has also expanded considerably public space, providing new and important environment

for the development of critic spirits and public opinion. In China, internet has not only become important tools and means for civil society to take actions in real world, but also important sphere for the formation of organizations, testified by the formation of numerous internet groups and a train of public events that prompted and was responded to public opinion. In this Hunting Permits Event, internet also serves as a major platform for different organizations and groups to express their concerns and opinion. For example, the first report, named Applications to Collect Wildlife Specimens by 7 Americans Set Up High Controversy, appeared on New Beijing Daily on August 8, but on the same day that news was reproduced on all the major web stations, instantly attracting attention and comments of thousands of surfers (see the table below). When an article named “Approval from Specialist Committee of Hunting Permits for Foreigner Triggers Responses.” published on Legal Evening Paper on August 21, as many as 84,660 surfers contributed comments to the column of news critics in Sohu.com alone.

**Table 1. Numbers of surfers who commented on major web stations.**

Sohu news	Sina news	Net ease Forum	China news net	Total
32280	5650	2782	155	40967

Secondly, development of environmental NGOs in China has raised environmental issues to the level of public issues, making it possible to form rational and non-dominant debate over environmental issues. According to a survey conducted by the All-China Environment Federation in 2008, there were 3539 environmental NGOs in China, among them 1309 were established by government departments, 1382 in colleges and universities, 508 as grassroots NGOs, and 90 by international NGOs.<sup>2</sup> With increasing experiences behind them, the operations of many NGOs have switched to discourse rights and policy advocacy. In particular, many Chinese NGOs began to step into the limelight of some major public events in an unambiguous and confident manner since 2003.<sup>3</sup> In 2003 NGOs played a leading role in advocating against several development projects, such as Yangliuhu Reservoir next to Dujiangyan, Mugecuo Dam at the foot of Gongga Mountain, and dams on the Sulewen River. In 2004, environmental NGOs managed to keep the dispute over dams on Sulewen River alive, and voiced their strong concerns over the proposed relocation of Beijing Zoo and Hutiaoxia Hydropower Station in the upper reach of the Yangtze River. In 2005, NGOs responded in unison to a lakebed anti-permeation project at Yuanmingyuan (Garden of Gardens) and participated in a public hearing on EIA requirement for that project. In that period of time, the major focus of those NGOs were environmental rights of victims of pollution accidents, public access to information on and participation in and supervision of major development projects. The accumulation of such experiences has made environmental NGOs the most active and most experienced sector in society in the utilization of public mass media in disseminating and

<sup>2</sup> All-China Environment Federation. Status Report on Environmental NGOs in China[R]. 2008: 3.

<sup>3</sup> FuTao. Contemporary Chinese environment NGO atlas [J]. South wind window, 2005 (2): 30-32.

expressing their opinion. It was the joint pressure from environmental NGOs and general public that led to the abortion of the proposed auction of trophy game quotas by SFA in 2006, leaving all the international hunting grounds in China stranded.

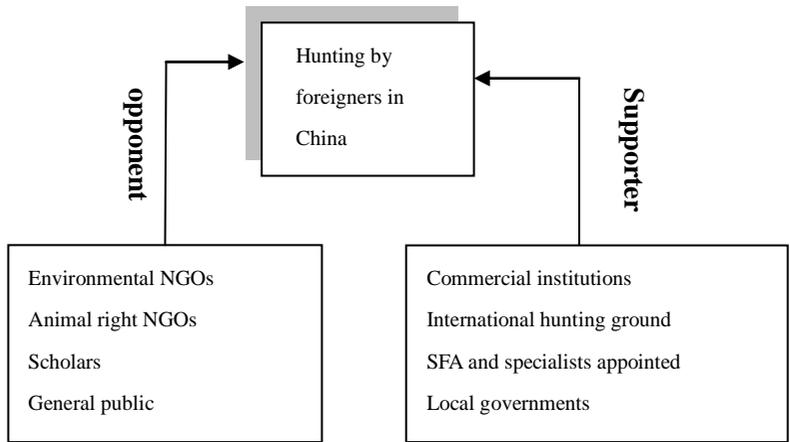
Thirdly, the concerns and reports of mass media provide basic ground and channel for the formation of field of public discourse. For a long time, mass media has played the role of bridge and intermediary in the social public sphere. Without the dissemination and focusing of mass media, the information of a certain event will be limited in a rather limited circle and cannot be passed on to reach separate individuals at large in a large-scale manner, ruling out the possibility of public participation in a massive way. Currently, on top of the traditional mass media, namely, newspaper, journals, television and broadcast, as a result of the rapid development of modern media technology, numerous new forms of internet-based media become available. These forms of new media have their advantages and disadvantages interact with each other, and jointly serve the functions of attracting and focusing the attention of general public. It is, to a great extent, owing to the vigorous involvement of mass media that the Dulan Hunting Permit Event successfully entered into the limelight of the general public as a hot issue. ,

**Table 2. Coverage of Dulan Hunting Permit Event on major mass media.**

Name of Media	Date	Topic	Reproduced by
New Beijing Daily	August 6,	Application of hunting permits by 7 Americans triggers controversy over hunting	All the news web stations (Sohu, Sina, Xinhua), community web stations (Tianya, Kaixin001, Renren, etc)
People's Daily	August 8	Dulan International Hunting Ground plans to keep a close eye on foreign hunters during their stay	
Times Weekly	August 11	Conservationists denounce hunting as a means of ecological protection.	
Legal Evening Daily	August 21	Hunting is a wildlife conservation tool with lower costs	
Beijing Times	August 30	Review of applications of permit for international hunters is suspected to be railroaded	
New Beijing Daily	September 3	Application for permits for foreign hunters is turned down	
Legal Evening Daily	September 13	Dulan International Hunting Ground is inadequate to host international hunting	
Life Week Journal	September 13	Dulan International Hunting Ground in	

		Qinghai is deep in controversy	
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In short, within the institutional and legal framework, professional environmental NGOs, animal rights groups, mass media, experts, and general public jointly created the field of public discourse by expressing their respective opinions through means of all kinds of media tools over the issue of Dulan Hunters Permits Event. In that field, the stakeholders were divided into two camps with opposite opinion in regard to the application for permits for international hunters. The components in each camp are shown in the diagram below. Judging from the viewpoints of strength, the opinion that opposed hunting enjoyed landslide majority. Why was it possible after the specialist committee appointed by SFA produced a favorable review of the applications? From the viewpoint of the author, the reason was the difference in the control and exercise of discourse right by the stakeholders concerned.



**Figure 1. Components of the two camps involved in the international hunters permits events.**

#### 4. EXERCISE OF DISCOURSE RIGHT AND APPEALING STRATEGY

By definition, the discourse right is first of all a right to speak, an equal and fair right. For the stakeholders in Dulan Hunting Permit Event, they enjoy the same right in voicing and expressing their opinion no matter whether they chose to support or oppose the application. However, the huge differences in strategy of expression, manner of speak, and contents of appeal existed among different stakeholders, resulting in considerable difference in the effectiveness in reaching their objectives.

First of all, let’s analyze the comments of the opposing side who took the initiative in the course of this public event. As the diagram above shows, the opponents’ camp consists mainly of environmental NGOs, animal rights groups, environmental activists and the general public. The moment they were aware of this issue from reporting of mass media they set out to exercise their discourse right immediately. For example, on August 8, Mr. Feng Yongfeng, a

famous environmentalist and founder of the Beijing Daerwen Institute of Environmental Study (hereafter Daerwen), put out an article named “The environment could be better protected without hunting” on his Sina.net blog. On August 11, Daerwen published major findings from a field trip to Dulan International Hunting Ground undertaken by Liu Huili, a research staff of Daerwen. Together with dozens of environmentalists and media reporters, and organized an environmental NGOs salon, in which a face-to-face argument with Mr. Wang Wei, the general manager of Zheng’an International Travel Service, was arranged. Joining hands with other 68 animal rights groups, Daerwen and China Animal Rights Journalists Salon published a letter of petition to SFA to express their anger and opposition to the proposed re-opening up to international hunting. The letter also demanded that SFA take all measures necessary to step up openness and transparency in the use of ecological resources and to ensure proper supervision of the general public. On August 13, Mr. Jiang Jinsong, an associate professor of Tsinghua University and an animal right activist, openly voiced concerns over the selection criteria and procedure and consequently the qualifications of the specialists appointed by SFA in the committee in his blog on Sohu.net.

**Table 3. Operation strategy of the opponents in exercising their discourse right**

stakeholders	Angle of Appeal	Contents of Appeal	tools
	Emotional Rational	Hunting by foreigners in China might hurt national feeling. Endangered species need better protection and hunting is harmful to conservation. Proceeds from international hunters are limited to solve the major problems. Proceeds from international hunters have not been used on wildlife conservation Specialist committee is not trustworthy and authoritative The decision of the specialist committee is not supported by scientific evidence	News reports; Media salon Blog; Mini blog; Internet forum; Field survey; Dialogue
Conclusion	Moratorium on international trophy hunting should not be lifted		

As a result of prompt response and clear expression, opponents in Dulan Hunting Permits Event finally achieved their objectives in terms of influence on general public and realization of expected objectives. Judging from the comments on internet web stations and reports on mass media, it is clear that the majority of environmental NGOs, social activists and surfers were against reinstatement of international hunting, similar as their attitude to the public auction of trophy game quota in 2006. The general view of the public and media was that what China

needs now are concrete conservation measures in the face of persistent deterioration in the quality of wildlife habitat. The approach of promoting conservation through sustainable hunting simply cannot generate enough proceeds to address practical problems in wildlife conservation.

In comparison, the exercise of discourse right on the part of supporters proved to be less than desired. While Wang Wei, the general manager of the Beijing Zheng'an International Travel Service, spared no efforts to advocate the legality and rationale of international hunting on all kinds of mass media, other experts kept themselves busy in producing scientific basis to justify the committee's review result. However, their efforts proved fruitless and unconvincing due to the lack of reliable data from sound field study on the wildlife populations in DIHG in specific and Qinghai Province in general.

The "Today's Topic" column on QQ comment carried a lengthy article with the title of "International Hunters Are Welcome in China". In spite of its impressive volume, it failed to justify the conclusion that hunting is a measure of conservation in disguise. Contrary to its intention, it did not help iron out some of the misconceptions related to hunting held by the general public. Rather it raised more questions. For example, when it comes to the misconception "Only international hunters are entitled to hunt in China", its explanation is that Chinese hunters do have the right to hunt but simply cannot afford to hunt. It is hard for the general public to buy this economic explanation. With its rapid economic growth and rising living standard, China has already become a leading country in consumption of luxury goods in the world and the current hunting price is certainly affordable to some of the rich people. In addition, the general public finds it hard to accept the statements like "the barbaric hunting practice in China needs to be up-graded" and "the influx of international hunters is beneficial to wildlife conservation in China". The poor effect of that article is partly attributed to the lack of basic understanding of the status of hunting in China of its author. Commenting on the justification for international hunting in that article, a surfer said: "it all boils down to money!" A 30-minute TV program was aired on CCTV Channel 2 in the evening of September 1, 2011, with the name of "The controversial international hunting, beneficial or detrimental?" That program depicted in considerable details the difficulties confronting DIHG and the pressure for local economic development, implicitly expressing support to the rationale and feasibility of international hunting there. But it was too late to be of any real help.

Why the supporters to international hunting scored miserably in exercising their discourse right in comparison to the opponents? There were several reasons that led to their failure. First aspect is the lack of organizational capacity. Compared with the booming growth of environmental NGOs and animal rights groups, supporters, i.e., hunters, hunting ground operators and other members in the hunting industry failed to form organization to take coordinated actions in the defense of their interests, but remained to behave as separate individuals. Second is the lack of legal legitimacy. Supporters can not find a single piece of legislation or regulation to justify their behavior while opponents can easily refer to provisions from the China Wild Animal Protection Law to claim hunting activities as unlawful. In addition, the Firearm Management

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Law enacted in 1996 prohibits ownership and possession of firearms by civilians, castrating effectively the hunting permit system established by the Wild Animal Protection Law.

## 5. CONCLUSION

The Dulan Hunting Permit Event proves that the way in which discourse of right is exercised can influence decisively the ultimate outcome. Compared with the weak and disorderly voice on the part of supporters, the appeals of the opponents were focused and resonant, giving them a walk-over. On all the major internet forums we came across strong objection to reopen international hunting and verbal attacks to relevant personnel and government departments. Succumbing to such pressure, the two travel agencies have finally withdrawn their application for hunting permits. As a backlash of this hunting permit event, the first China International Hunting Festival scheduled October 5-7, 2011, at Taiyuan, Shanxi, has been postponed or possibly cancelled.

In today's world with increasing environmental pollution and fragile chain of life, environmental protection and wildlife conservation demand our persistent attention and endeavor. However, hunting as a culture and industry should not be displaced or prohibited as a whole. The system of promoting conservation through sustainable hunting has been proved successful in many regions and countries around the world. Further discussion is still needed to solve those problems. The lessons from Dulan Hunting Permit Event show that in modern society increased participation of private organizations and public in the discussion of public issues in public domains is beneficial to environment protection, wildlife conservation and enhancement of democracy. It is clear that there are already some basic institutional arrangements such as practical, operational democratic procedure and means to ensure the exercise of discourse right by organizations and individuals. Though it must be made clear that this institutional arrangements cannot guarantee absolute equality and fairness in terms of discourse right, which must be sought actively by those NGOs, public opinion leaders and general public. This is exactly the status of environmental NGOs in China is in at this moment. And we hope that they take on more responsibility and struggle for more discourse right in future.