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Citizenship, Social Protest, and Possible Foundations for Institutionalizing Conflict Resolution in China

by

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Undergraduate honors thesis under the direction of

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Introduction: The State-Society Relationship in China Today

The state-society dynamic in China today is contentious, inconsistent, and suffers from a lack of effective mechanisms of conflict resolution. However, before the major elements involved in this relationship are explored further, consider the following four snapshots:

Snapshot one: In June 2010, migrant workers carried out a series of strikes at a Honda factory in the southeastern city of Zhongshan, China. Unrest spread to the city of Tianjin, in the north, with ensuing strikes at a Foxconn electronics factory and a Toyota plant. Workers coordinated the strikes through use of Internet chat forums, spread information via cell phones and video uploads, and gained momentum for their cause by capturing the attention of the domestic and international media (Bradsher, and Barboza). Workers campaigned for better benefits by citing the rights owed to them by certain laws that have been passed in recent years, such as the Labor Law in 2008, which promised stricter enforcement of work regulations (Chan 7). As a result of the strikes, the government has come out in support of improving the conditions of migrant workers in urban areas, and in late June of 2010 Beijing's municipal government pledged to raise its minimum wage by 20 percent (Bradsher, and Barboza)

Snapshot two: In the 1950s, groups of urban neighborhoods began to be collectivized under the direction of a Residents' Committee, an elected board that was responsible for organizing and planning the social and community activities of the collectivized neighborhood unit, referred to as a *shequ* (社区) (Heberer, "Evolvement of Citizenship" 492). The Residents' Committees, and their smaller units, homeowners' committees, are granted relative autonomy by the government in the affairs of running the *shequ,* and are democratically elected by the residents of the community (Heberer, "Evolvement of Citizenship" 492-493). In 2001, the district government of Nanshan in Shenzhen approved a project to install a waste incinerator and

power generator near the nearby *shequ* of *Yueliangwan pianqu.* Angered by the prospect of environmental damage and degradation of the area, the homeowners' committees, at the urging of the residents, joined forces to lead a mass campaign against this decision. Residents carried out protests, staged sit-ins at the site of the plant, lodged collective complaints and made collective visits to the local complaints bureau. Through the intercession of the area's people's congress deputies—a representative body linked to the Chinese Communist Party—local officials canceled the plans to move the generator near *Yueliangwan pianqu* (Ngeow 263-264).

Snapshot three: Increasingly since the 1990s, the central government in China has made it a priority to publicize the Constitution, laws, regulations and state policies of the ruling Chinese Communist Party (O'Brien and Li, "Rightful Resistance" 30). In 1995 in a small Chinese village in Hebei, a group of twenty villagers tried to topple the village Chinese Communist Party secretary for practicing graft and levying illegally high fees. One of the ways they protested was by painting oversized Chinese characters on storefronts in the village. One slogan stated: "We're citizens. Return us our citizenship rights. We're not rural labor power, even less are we slaves" (O'Brien and Li, "Rightful Resistance" 116-117). More than five months after the slogan had been painted, it was still up on the storefront. As American political scientists Kevin O'Brien and Lianjiang Li described it, "the corrupt cadres were said to be afraid that whitewashing the wall would only add fuel to the complaint and confirm their guilt. Instead, they would tough it out: refuse to turn over the accounts, stick with their story that the books had been destroyed in a fire, and wait for the summer rains to weather the charges away. But in the meantime the allegations would stand unrebutted, there for all to see" ("Rightful Resistance"117). In rural China, O'Brien and Li contend that the publication of these official materials has led to an increased awareness among Chinese villagers of the idea of rights, and to

a new form of citizenship consciousness leading them to protest local corruption ("Rightful Resistance"4).

Snapshot 4: The *Xinfang* (信访) system was instituted by the CCP in the 1950s to act as a means of channeling possible sources of unrest in China (Chen 65). The *Xinfang* system allowed any citizen who took issue with local governance to air his or her grievances by filing a complaint, or petition, with the *Xinfang* office. Since the mid-1990s, the *Xinfang* system has been at the root of much disruptive collective action in China, especially when citizens' petitions have been ignored (Chen 61). Citizens' will engage in "troublemaking tactics" in order to gain the attention of higher authorities in the hopes that their grievances will have to be addressed (Chen 63). In July 2004, a group of villagers in Dingzhou city in Hebei province petitioned that they had been under-compensated for their land. A local official had interceded on behalf of a power plant that needed land to store its coal ash, paying the peasants who lived on the land a minimal sum and evicting them. The peasants' petition was ignored. The peasants then built dozens of tents on the construction site of the plant to prevent construction. The local government and the contractor for the plant hired about 300 thugs to attack the peasants in the middle of the night, killing six of them and wounding forty-eight. Footage of the attacks, captured on videotape by one of the peasants, soon circulated on the Internet as well as in foreign media networks. The attention generated serious pressure on the government to quell the issue. The provincial public security bureau ended up removing the city party secretary and the mayor, who were later sentenced to life in prison. The provincial government gave the villagers their land back, and it was no longer to be used for the coal-ash storage site (Cai, "Power Structure" 424).

Each of these snapshots offers a glimpse into the state-society relationship in China, especially in terms of a growing rights consciousness and a growing trend of groups making claims on the government. In snapshot one, migrant workers appropriated the language of the state to press for their "right" to better benefits, working hours, and pay. Snapshot two illustrates the rise of citizenship consciousness in China, expressed in the form of the collective will of the *shequ* in preventing a potential health and environmental nightmare from taking root in their community. The Chinese peasants in snapshot three referred to themselves as "citizens" in protesting an exorbitant fee levied by the local government, and used this "citizen" status to press for what they considered to be owed to them from the government (O'Brien and Li, "Rightful Resistance" 4).

The *Xinfang* (信访) system in section four is one of the few legal channels through which citizens can air their grievances and seek redress for perceived wrongs. In China, civic organizations such as the *Xinfang* are heavily controlled by the state (Perry 210), constraining citizen participation to a few, mostly inefficient, channels. Snapshot four illustrates the effects of the lack of efficient means of institutionalization, in the form of increasing social protest (Cai, "Social Conflicts" 109). The villagers in Dingzhou, frustrated by the *Xinfang* system's lack of efficacy, decided to engage in "troublemaking tactics" to gain attention for their cause (Chen 63). By using these tactics and exploiting the differing interests of the local and central governments, they were able to achieve what official, institutionalized participation could not.

The situations of the striking migrant workers, the *shequ* residents, the peasants in Hebei, and the villagers in Dingzhou are all reflections of new modes of relating to and making claims on the government. They are based on new notions of citizenship and rights awareness that have arisen with decentralization and marketization in the years after economic reforms. Since

China's transition to a market-based economy in the late 1980s, instances of social protest and contention have increased dramatically (Cai, "Power Structure" 411), calling into question the efficacy of existing modes of conflict institutionalization and organization of civic participation. Each of these snapshots represents a very real picture of what collective action in China looks like today, reflecting a state-society relationship that is fraught with contentious negotiation.

Though the incidents in these snapshots occurred in different areas and at different times, they share distinct similarities in the nature of their contention. The nature of this contention helps to determine what elements would possibly make for the successful institutionalization of conflict. By designing a foundation around broad themes of contention, it is possible to come up with a more widely applicable and efficacious way to institutionalize conflict resolution than is at work in China today. However, in order to describe what elements could make for the institutionalization of state-society relations, it is first necessary to understand the dynamics of this relationship at work.

This paper seeks to answer the questions, "what are the elements contributing to the contentious nature of citizen state relations in China today, and what can account for the increase in social protest in the post-reform era?" in order to suggest a possible foundation for alleviating the social problems that have arisen from lack of institutionalization. However, there are a multitude of viewpoints from which to examine this relationship. Issues of identity, culture, history, and sociology—among others—inevitably arise when tackling such a broad topic. The complexity of the issue threatens an analysis that can be too vague in its generality.

This thesis not meant to suggest a singular view, or line of logic for viewing, the state-society relationship in China. Prescribing a mass discourse on citizenship and contention is not the intention of this paper, and is beyond its scope. The intention of this paper is to provide one

way to think about civil society in China, following a line of logic that is very much limited to a political science and economically centered viewpoint. The goal of this work is to suggest elements that could aid in institutionalizing conflict resolution.

It is presumed in this paper that conflict institutionalization, if initiated from a top-down perspective, will necessarily share similar functions and characteristics regardless of the areas in which it is implemented. This paper is not designed to homogenize contention and citizenship in such a varied and complex landscape as China's. However, it does assume it is necessary to think in terms of boundary-spanning themes in order to suggest an institution that would have to be fundamentally applicable in many varied contexts and regions. It is the nature of institutionalization, and not the nature of citizenship and contention, that this paper seeks to homogenize to such a degree that it can be a reasonable undertaking for the CCP bureaucracy.

This being said, this paper follows a political and economic viewpoint in tracing and examining the state-society relationship in China. A focus on marketization, decentralization, and historical factors and their resulting effects characterize the description of the state-society relationship. From this vantage point, these elements combine to make the state-society relationship—and China's "civil society"—look like it does. Using this perceptual lens, this paper determines that the current mode of relation between the state and society is untenable in that increasing contention, combined with a lack of conflict institutionalization, is posing a possible threat to the legitimacy and stability of the regime. In the end, the goal of this paper is to make a case for a possible means of conflict institutionalization by proposing the elements and characteristics that would be most helpful in mitigating social unrest.

Though particular issues differ from group to group, as illustrated in the four snapshots above, certain themes concerning the mode in which collective action is being staged are

appearing with greater frequency among contending groups. In the four snapshots above, increasing rights awareness and citizenship consciousness played a major role in the varying events that transpired. These two issues will occupy the major focus of the second section of this paper. The characteristics for conflict resolution institutionalization will be drawn from both an examination the problems of the current lack of civil society in China, and from these commonalities present in the staging of collective action. The layout of this paper is designed to illustrate the pertinent themes in the state-society relationship in order to eventually suggest helpful characteristics for conflict institutionalization. Throughout this paper, relevant contemporary examples and one or two personal anecdotes from my yearlong stay in China will be used to illustrate the pertinence of the theoretical points presented in this thesis.

This paper is organized into four main sections: the first is a background section on the state and civil society, the second concerns citizenship, the third concerns social protest, and section four concentrates on institutionalizing conflict resolution. Outlined below are the major themes that will be brought forth in this paper, and are presented in the order in which they will appear in the writing.

1. The State and Civil Society

This first section intends to illustrate the structural, political, and bureaucratic reasons behind the state-society relationship today. That is, this section seeks to illustrate how and why there is a lack of civil society institutions in China. Structural reasons related to the dynamics of Leninist regimes like China's help us to understand why authoritarian, Leninist regimes exhibit certain characteristics in their state-society relationship during the transition to a more market-oriented economy. One of these characteristics is the state's complete control over civic organizations; in this way it is able to define the nature of political participation and limit its expression.

Politically, the ruling Chinese Communist Party differs from other Leninist regimes in Eastern Europe in terms of how it has decided to incorporate the entrepreneurial class into the fold. As the capitalist class profits from the benefits of being associated with the CCP, and the CCP profits from the economic expertise of the entrepreneurial class, otherwise independent centers of power have entered into a relationship of mutual benefit with local and central officials.

Bureaucratically, the CCP is a system of asymmetric decentralization (i.e., less control over local financial resources and how they are spent) and upward accountability (i.e., the reliance of local officials on higher-ups for promotion, which is based on their economic performance). Because of this arrangement, local officials are able to use and generate funds in a way that benefits them politically without having to cater to the needs of their constituents.

These elements are explored in an attempt to describe the lack of civil society in China, and explain the dynamics by which citizens are left out of the political equation. For example, the Dingzhou villagers in snapshot four staged disruptive collective action because their petitions to the government went ignored; this first section intends to explain why this gap in conflict institutionalization exists in the first place, to anchor the following discussions on citizenship and contention.

2. Citizenship and the State-Society Relationship

After explaining why there is a lack of citizen involvement in state affairs, section two seeks to explain the role of citizenship in the state-society relationship. This section intends to illustrate that changes in society brought about by marketization, plus the efforts of the CCP to inculcate civic virtue in the populace, have led to a new notion of citizenship among Chinese people that spans regional and class boundaries. Effects of marketization include the breaking of former

communal social groupings, such as the *danwei* (単位), or "work" unit, the rise of the notion of individual autonomy, and the decline of a central guiding ideology.

The CCP has recognized the need to foster a sense of community among social groups because decentralization has limited its means for providing social benefits, such as social security. It has named inculcating civic virtue as essential to "building a harmonious society" and has taken steps to try and institutionalize the process of inculcating civic virtue, especially through the publication and promotion of the Constitution, various laws, and official ordinances. The paper uses the role of the *shequ* (社区), a body referring to a group of neighborhoods overseen by a democratically elected board of residents, as an example of this policy in effect.

This section intends to show that as a result of these market processes and the CCP's efforts to inculcate civic virtue, a wide range of social groups have begun to think of citizenship in terms of the ability to make claims on the government. This claim making is informed by "rights consciousness," taking the form of contesting groups using the legal language of the state to press for rights and benefits they perceive as owed to them in the laws. Snapshots 1-4 in the beginning of this section are all examples of this form of claim making taking hold.

As claim making has increased in volume and intensity since the 1990s, claim making by citizens has begun to enter the realm of contentious politics. In order to illustrate the dynamics of claim making and contention in authoritarian regimes, the section ends with a description of how authoritarian systems manage how, when, and where citizens can make claims. This is intended to show the limits of conflict institutionalization in China, and connect increasing social unrest in China as being a result of the tension between new notions of rights consciousness in the populace and a lack of effective means to demand their enforcement.

3. Popular Protest and Civil Society

After discussing the increasing relevance of citizenship and claim making in the contemporary state-society relationship, this paper explores the contentious side of claim making in terms of the rise of popular protest in recent years. This section explains first why popular protest has arisen at this particular time in state-society relations, and then seeks to explain the appearance of broad trends in the nature of contention among varying groups staging collective action.

The "why now" aspect can be explained in terms of the appearance of political opportunities for those seeking to stage collective action due to social, institutional, and technological changes in the post-reform era. The broad and boundary-spanning trends seen increasingly in varying episodes of collective action is described in terms of the use of "frames" in staging contention. This section draws upon scholarly articles on collective action frames, frame resonance (the staying power of a frame), and master frames to describe how certain modes of staging contention can become a widespread scheme by which resisters across varying geographical and social boundaries carry out collective action.

The use of rights talk and the appropriation of the language of the state has been an increasing theme amongst stagers of collective resistance, as illustrated in the four snapshots above. Drawing on the research of sociology scholar William Hurst, this section suggests that these themes could be a "master frame" by which many different and varying groups of protesters are staging collective action. The section goes on to describe how frames become master frames in order to explain how this process could have occurred, and concludes by postulating that "rightful resistance," a term coined by China scholars Kevin J. O'Brien and Lianjiang Li, can serve as the term by which to define the common themes of the master frame.

4. Rightful Resistance and Popular Protest

Rightful resistance and popular protest is a subsection in section three's Popular Protest and Civil Society. Here this paper seeks to make the case that rightful resistance, as the use of the legal language of the central government's laws to press for benefits at the local level, increasingly seems to be characterizing much of the popular protest in China. This section first defines rightful resistance as a blend of historical conceptions of the state and new notions concerning citizenship that have arisen due to marketization. It goes on to describe how rightful resistance works according to the "master frame" hypothesis, and describes the means by which rightful resistance may have acted to forge a collective identity of sorts among those staging collective action. This section is designed to try and identify a broad theme—namely, rightful resistance—in the nature of contention so as to better understand what foundations are necessary for an institution seeking to alleviate social unrest.

5. Rightful Resistance and the Threat to Legitimacy

This is also a subsection under section three. This subsection, which is delving deeper in the analysis of the state-society relationship in China, attempts to illustrate the possible threat rightful resistance poses to the legitimacy and stability of the regime, in order to illustrate the pressing urgency of conflict institutionalization for the CCP. Rightful resistance relies on protesters exploiting the differing interests of the local and central governments in order to gain attention to their cause and avoid repression. This section describes the processes and considerations that go into each level's calculations of whether to suppress or concede to a protesting group's demands. This section first describes how the central government's main concern is maintaining legitimacy, where the local government is concerned mainly with quelling social unrest. Drawing on resistance scholar Yongshun Cai's research, this section

describes the process by which rightful resisters stage successful collective action. By manipulating the equation by which local and central governments determine the cost of concessions versus repression, rightful resisters are able to force structural openings, gain bargaining power, and create the political opportunity needed to have their claims met.

Drawing on the work of "Collective Violence" author Charles Tilly and on other works from Yongshun Cai, this section intends to illustrate the threat of rightful resistance protest due to the possibilities of violence when claims go unanswered for too long. This section is designed to illustrate the threat of a continued lack of institutionalization of conflict resolution because of the way in which persistent protest leads to a loss of legitimacy and authority for the central state.

This section ends by calling for better institutions for conflict resolution in China, and for more effective institutions of civil society. By illustrating the broad theme by which much contention in China seems to be operating, and by illustrating the threat of this resistance to the stability of the regime, this paper proposes that the foundation of institutions of conflict resolution should take the themes and mechanisms informing rightful resistance-based protest into account in order to relieve conflict in the state-society relationship.

6. Possibilities for a Future Institutionalization of Conflict in China

Lastly, section four of this paper proposes the characteristics and elements that would be helpful in institutionalizing the state-society relationship in China. These institutional characteristics would be designed to answer for the major themes informing state-society conflict. This section begins with an examination of organizational frameworks available in China in order to identify the structure that would best facilitate political participation and inspire an "active, involved citizenry," one of the CCP's goals in the era of decentralization. Secondly, two mechanisms for relieving social conflict would be utilized as primary (elections) and

secondary modes for citizens to negotiate with the state for their interests. Each of these elements is supported by positive feedback cycles that answer for the needs of both state and society in an institution of conflict resolution. This paper proposes a proactive, deliberative civic-style institution as a potential means to relieve this conflict.

This section of the paper seeks to draw on the discussions of the previous sections concerning citizenship, popular protest, and rightful resistance in order to suggest a foundation from which contention in the state-society relationship can be institutionalized. It is hoped that these characteristics can add to the body of discussion on contention and civil society in China, and suggest possible means for easing the current state of conflict brought about by marketization and decentralization. Doubtless the institutionalization of conflict will exhibit different characteristics and take on different flavors according to the areas in which it is implemented. However, in order to better understand how a boundary-spanning institution designed to ease conflict resolution can first be conceived of, it is necessary to identify the common themes of contention that it must address.

The goal of this paper is to extract themes of citizenship and contention, not to force such complex topics into a boiled down, pan-theory, but to better understand how to build a common foundation for the CCP to better institutionalize conflict resolution within the state-society relationship. Understanding this relationship—its historical roots, the rationale behind both the actions of the state and the citizenry within this relationship, and the forces (new and old) that are shaping how they relate to each other—is critical in order to determine how to alleviate state-society conflict with any sort of credibility. This paper is designed to that end.

SECTION 1: The Limits of Citizen Engagement in Post-Reform China

The conflict and contention characterizing the state-society relations in the introduction's four snapshots suggests that institutionalization of conflict resolution in China is largely lacking. When citizens did utilize official institutions to air their grievances, their claims went unanswered, as the villagers in Dingzhou discovered with the *Xinfang* system. What can account for this seeming lack of space for citizen engagement with the state? How did China come to utterly lack institutions of civil society?

Before beginning to identify broad themes in the state-society relationship in today's China and suggest a possible means for conflict institutionalization, this section describes the structural and historical foundations that account for the exclusion of citizen involvement in China's political affairs. First, the Leninist paradigm is applied to China in order to illustrate the economic reasons accounting for citizens' exclusion from political affairs, beginning with a brief explanation of economic change in China and its political and social effects. Secondly, this examines political reasons behind exclusion, including a key way in which China has acted to maintain its social and political influence in an era of increasing privatization. Lastly, the nature of China's bureaucratic system is used to illustrate how the structure of the political system itself leaves citizens out of the political equation. After exploring these background conditions of citizen exclusion from political life, this paper can begin to explain how notions of citizenship have changed (section 2), and how these changes have led to an increase in contention in recent years (section 3).

1. Dynamics of Leninist Regimes

1.1. China's Economic Transition

In China, economic liberalization began in earnest with political leader Deng Xiaoping's reforms in 1978. At this time, the economy was in shambles from years of social turmoil brought about by the Cultural Revolution (1966-1976) and years of Mao Zedong's disastrous economic initiatives. With Mao's death in 1976 and the ousting of the radical political group "the Gang of Four," Deng Xiaoping emerged as the leader of the Chinese state. In order to ensure China's success in the competitive global economy, he began a process of reform and opening up of the economy known as "socialism with Chinese characteristics" (Brandt, and Rawski 388).

These reforms progressed in four stages. The first stage of reforms, from 1978 to 1984, saw the beginnings of small private enterprise, the decollectivization of agriculture, and the opening up of the country to foreign investment (Brandt and Rawski 388). The second stage, from 1984 to 1989, spread privatization in China to the industrial sector, and eliminated many forms of price regulations and controls of the previous planned economy (Brandt and Rawski 389).

The events of Tiananmen Square in 1989, involving student demonstrations against corruption, inadequate treatment of intellectuals, and lack of freedom, nearly shut down the government for several weeks until a violent crackdown dispersed the crowds. The Tiananmen Square incident led the CCP to rollback reforms and concentrate on recentralizing political power from 1989 to 1992 (Brandt and Rawski 390). This period of recentralization ended in 1992 when Deng Xiaoping made his famous Southern Tour, in which he promoted his support for continuing privatization and market-oriented reforms. Immediately after the Southern Tour, a series of measures were passed supporting the continued growth of a market-oriented economy (Brandt and Rawski 391).

Since 1992, marketization has allowed for huge growth of the Chinese economy, which has increased by 9.5% per year (Brandt and Rawski 392). During this time, the processes reshaping the economy have reshaped society as well. The effects of economic liberalization on China's formerly communist society include the breakdown of former communal social groupings (e.g. the *danwei* 単位*,* or work unit system), and the rise of consumerism and individualism, as well as the rise of social inequality (Heberer, "Evolvement of Citizenship" 512).

These social changes have sometimes led to tension in the state-society relationship. Tensions over increasing inequality and official corruption have led to incidents of social unrest, and policies have had to be readjusted. For example, in the late 1990s and early 2000s, peasants staged widespread protests in the countryside over high agricultural taxes; the degree of unrest eventually led the central government to repeal all agricultural taxes (except tobacco) in 2006 (Brandt and Rawski 123). In snapshot one, the strikes carried out by migrant workers led to policy change at higher levels of government—the Beijing government's decision to raise the minimum wage by 20 percent in response to the strikes caused municipal governments all over the country to soon follow suit (Bradsher, and Barboza).

When scholars and the media refer to China's "transition," they are describing this image of rapid economic growth and reform mixed with the tensions brought about by social change. Throughout this paper, this period from the late 1990s to today is referred to as "the post-reform era," and is used interchangeably with the idea of "contemporary" China. The post-reform era occupies the major focus of the rest of this paper, because it is during this time that the broad themes of citizenship and social protest have coalesced to inform the character of state-society relations seen today. It is within this context that the dynamics of Leninist regimes operate to limit civic engagement.

1.2 The Leninist Paradigm

Leninist regimes have followed similar paths of political change when faced with economic liberalization, and exhibit strong similarities in the character of their state-society relations (Dickson 7). Leninist regimes engage in "policy cycles" during economic liberalization. This refers to the switch from emphasizing Party ideology to emphasizing pragmatic economics in a regime's policies (Dickson 8). Emphasizing ideology—or more specifically, *using* ideology—refers to the use of the government structure as a way to implement the tenets of Leninist (in China's case, Maoist) philosophy. A regime will switch the emphasis of its policies in response to changes in its political, economic, or social goals. The government's emphasis on either ideology or pragmatism has differing implications for its state-society relations.

The economic reforms carried out by Deng Xiaoping emphasize a pragmatic, rather than ideological, approach to governance. Indeed, privatization and market-oriented reforms go against the very foundations of communist philosophy, in that they create class divisions in a society that should be striving for egalitarianism (Brandt, and Rawski 388). This is not to say that furthering Party ideology becomes unimportant, however—a pragmatic policy simply means that the Party is not utilizing the government structure to carry out tenets of an ideal philosophy. The Party still uses it as a means of fostering a national identity, and often resorts to ideology when justification is needed to further the Party agenda (Dickson 8).

For example, during Mao Zedong's rule in China, the Party utilized the government structure as a means by which to carry out a communist revolution (Dickson 7). The state apparatus was used to collectivize agriculture and industry in order to drive communist-style "modernization;" according to Maoist ideology, this modernization was a necessary step on the path to an idealized communist society (Brandt and Rawski 385). Now, China's goals for development de-emphasize

the ideals of ideology and focus more on economic growth. In the scholarship of Leninist regimes, the switch of a policy cycle from emphasizing ideology to emphasizing economics is described as "the trade-off between utopia and development" (Dickson 7). Deng Xiaoping best expressed this trade-off in his famous aphorism: "as long as a cat can catch a mouse, it is a good cat whether it is black or white" (Juraga 97). This is in opposition to the idealistic views of Mao, where the cat must be *red*.

Policy cycles also affect the state-society relationship in a Leninist regime. When the Party focuses on ideology, it relies on propaganda and philosophy to mobilize society to carry out its agenda. The Party emphasizes struggle against class enemies, employing terror and revolutionary tactics to keep society under the domination of the state (Dickson 7). For example, Mao began the "Cultural Revolution" to (ostensibly) root out enemies of the Party and bourgeois elements of society (in actuality, this was Mao's attempt to re-consolidate his power base at a time when his influence was becoming challenged within the Party). Teachers, intellectuals, elites, and landowners in the countryside were dubbed "capitalist roaders" and became targets of brutal and sometimes deadly persecution by gangs of young revolutionaries carrying out Mao's calls to "make revolution" (Clark 217-249). While the Cultural Revolution got out of the state's control, it is a testament to the power of the state—at that time, represented in the person of Mao Zedong—that society could be mobilized to such a degree to carry out Mao's agenda.

The highly centralized political structure of the communist regime made it easier for the Party to dominate the social lives and activities of its citizens. With a focus on ideology, social activity was collectivized and institutionalized under the state's authority; relations to the state were highly limited to these institutionalized channels (Chen 61).

The state-society relationship now functions completely differently than in the past. With a focus on economic pragmatism, the state switches to policies promoting freer markets and uses material benefits to encourage greater productivity from workers (Dickson 7). The Party also emphasizes reconciliation rather than class struggle so as to promote social harmony, while selectively punishing "counter-revolutionaries" (Dickson 8).

In this new political environment, society is still subject to the authority of the state. However, the decentralization and marketization that results from economic pragmatism leads to a lessening of the state's control over social activities (Dickson 8). Without state guidance of social interaction, the influence of ideology on the populace inevitably lessens, giving rise to new values of individualism and individual autonomy (Heberer, "Evolvement of Citizenship" 507-509). Citizens begin to make claims on the state based on the notion that as citizens, they are owed certain benefits. However, the state's continuing strict control over political organizations limits the availability of channels for political participation. The increase of citizens' rights awareness, coupled with a lack of effective means for engagement, can lead to tension and social unrest (O'Brien and Li, "Rightful Resistance" 121).

The biggest challenges of policy cycles lie in the changing state-society dynamic that occurs during the transition from ideological to pragmatic policy implementation. The CCP's switch to a pragmatist approach has created a space where new ideas about making claims on the government could emerge. As evidenced in snapshots 1-4, Chinese citizens have taken advantage of these openings to press for their rights. Also, while this switch has enabled unprecedented economic growth, the resulting retreat of the Party from the social sphere has created a pressing need for the CCP to adapt its new focus to maintaining its authority and political influence.

When a Leninist regime such as the CCP makes this shift to focusing on economic pragmatism, there are typically three stages of power consolidation the regime undergoes in consolidating its power to account for the new state-society dynamic. The first stage is "transformation," whereby the norms and elites of the old regime are discredited and replaced. The second is "consolidation," whereby the new regime consolidates its domination over society and works to ensure the loyalty of its cadres, drawing a clear line between state and society. Lastly is "inclusion," whereby the party integrates itself with the new, entrepreneurial social classes that emerge as a result of economic development and marketization. State and society are still delineated, with the Party exerting complete control over political organizations (Dickson 8). The Party is currently in the "inclusion" stage of power consolidation.

In this last stage, the Leninist Party attempts to integrate itself with the new capitalist classes while maintaining strict control over political organizations. In these respects, today's China exhibits the characteristics of a Leninist regime undergoing economic liberalization. Yet, China has approached the "inclusion" stage of power consolidation in a uniquely efficacious way. The following pages will explain how China's co-option of the entrepreneurial class and control over civil society has constrained citizen engagement, and has made China resilient to the pitfalls of economic liberalization in that it has prevented independent power centers from emerging to challenge its political authority.

2. Co-option of the Entrepreneurial Class and Control of Political Organizations

2.1 Co-Option of the Entrepreneurial Class: Mutual Dependence

The CCP began its "inclusion" phase during the fourth round of Deng Xiaoping's reforms, and on July 1, 2001, it was made official. On this day Jiang Zemin, the General Secretary of the CCP (1989-2002), announced that private entrepreneurs would be invited to join the Party,

removing a ban on their membership that had been in place since 1989 (Dickson1). His reasoning was that the new entrepreneurial class was making "significant contributions to the country's development and modernization," and therefore deserved a place in the ruling party (Dickson 1). While entrepreneurs are indeed responsible for much of China's economic vitality in the years since Deng Xiaoping's reforms, there was an alternative motivation for their inclusion into the Party fold: the co-option of the entrepreneurial class was a crucial means for the Party to consolidate its political power.

While other Leninist regimes accommodated the new entrepreneurial class, they failed in that these groups were able to establish independent power centers. These power centers eventually posed serious challenges to the political status quo, and in many of these Leninist regimes, the entrepreneurial class became the root of movements for democracy (Goodman 241-262). This led these regimes to topple in the face of democratization (Dickson 3). However, the CCP has thus far largely managed to prevent the entrepreneurial class from forming independent power centers. This is because it has been able to create a relationship of mutual dependence between the Party and entrepreneurs that is neutralizing the potential political threat of this historically powerful force.

Mutual dependence is heavily reliant upon the benefits conferred to entrepreneurs by the Party state. Many of these benefits are conferred to the entrepreneurial class via a special type of organization known as "business associations." With decentralization following Deng Xiaoping's reforms, the state began to set up certain types of organizations to help fill the void of state involvement in society (Dixon 9). These organizations are responsible for dispensing Party propaganda, policies, and directives to their members, and are in turn responsible for reporting the viewpoints of their membership back to the Party. Business associations are one such type of

organization (established in the early 1990s), and were set up to facilitate the connection between the entrepreneurial class and the Party (Dickson 10). Often headed by Party officials, these associations give incentives to entrepreneurs to become members of the CCP.

In his book "Red Capitalists," Bruce Dickson surveyed 600 entrepreneurs in China and questioned them on the efficacy of these business associations. His survey found that not only did members believe that the associations have helped to solve marketing and supply issues, but they have also made them feel as if they share similar goals and values with Party officials (111). A large percentage of the entrepreneurs in these organizations are already members of the Party or become so soon after joining (111). As members, entrepreneurs often find themselves in privileged positions to receive government contracts, valuable tax breaks, and financial incentives (Dickson 11). Deep cooperation with the Party often ensures an entrepreneur's financial success. The political capital business elites gain from inclusion keeps otherwise threatening elements of society content, and also keeps them dependent upon the party for such gains (Dickson 9).

This relationship of mutual dependency is reflected in turn in the benefits Party officials receive from entrepreneurs. Business associations bring the entrepreneurial class into the Party fold, linking entrepreneurs' personal success with that of the Party. Entrepreneurs, in turn, can ensure the promotion of local officials. Much economic growth and job creation depends on the entrepreneurial class. They are responsible for much of the development of local economies and are correspondingly important to the careers of local officials, whose promotion partly depends on posting high development numbers (Chien 74-77).

The entrepreneurial class and the CCP, therefore, are mutually dependent both economically and politically. Thus, a convergence rather than a divergence of interests between these two

groups has become the pattern in China (Dickson 12). This mutual dependence has helped to neutralize the potential threat of the entrepreneurial class, and allowed for the Party to consolidate its power in the post-reform period.

2.2 Monopoly over Political Participation: State-Controlled Political Organizations

The Party's consolidation of its power base was highly dependent upon its ability to set up business associations that forged strong ties between the entrepreneurial class and the CCP. As a type of political organization, business associations were highly controlled by the state and were used as instruments for promoting Party policy. This stronghold over political organizations is a second force behind the CCP's ability to consolidate and maintain its authority in the post-reform era, and is another unique aspect of China's "inclusion" phase.

According to *Red Capitalists* author Bruce Dickson, authoritarian regimes such as China's "have a monopoly on legitimate political organization, which they defend zealously" (9). Citizen participation in China is highly limited (Tilly 50). Civic organizations that exist outside of the party are illegal, including political parties, and those that do exist are subject to restrictive regulations (Perry 210).

According to China scholar Gang Guo, there are three main types of official organizations in China: the Communist Party, mass organizations, and civic associations (459). The Party and mass organizations share a mutually beneficial relationship. Mass organizations serve as "transmission belts" for the CCP, relaying party policies and directives to their membership and reflecting members' views back to the central government (Guo 462). Mass organizations are funded, staffed, and designated by the CCP, and basically function as satellites of the state (Guo 462). Well-known examples of mass organizations include the All-China Federation of Trade Unions and the All-China Women's Federation. Mass organizations such as these are each

designated to a specific social sector. They have a monopoly on representation, as they are the only national organizations legally allowed to represent a particular sector (Guo 462).

Both the Party and mass organizations significantly constrain the activities of their memberships. Party members are required to adhere to and support Party ideology and all official actions taken by the CCP, and are forbidden from engaging in "disruptive" action, such as engaging in collective protests (Guo 468). Mass organizations limit their memberships to political activities that are officially sanctioned by the Party-state. Improper or disruptive political participation is forbidden as well. Mass organizations are able to monitor with considerable efficacy the political activities of their memberships because of the monopoly on whichever social sector a particular mass organization represents. Party authorities can more easily locate and punish offenders for improper political participation in this kind of organizational framework (Guo 468).

Civic associations are more autonomous than mass organizations because they are not as heavily reliant on the Party. Leadership and staff usually come from their memberships, not designated from the Party ranks (Guo 464). Sometimes the leadership in civic organizations is even elected in direct elections (Guo 465). While civic organizations must be approved by the Party and adhere to strict limits on political activity, their membership is voluntary and based on interest (Guo 465). Environmental NGOs and the homeowners' committee that staged collective protests against the construction of the waste incinerator in snapshot two are two examples of such civic organizations.

While civic organizations do experience more autonomy in terms of their everyday functions, their political activities are highly monitored and controlled by the state. The CCP's intentions for civic organizations are that they act as a means for citizens to manage local affairs in a time

where decentralization has decreased the capacity of the state to do so (Guo 467). They are not intended to become independent power centers that could act against the interests of the state.

The available means for organized political participation in China are all designed to highly constrain the political activities of their members. Political organizations that exist outside of the state—such as political parties—are illegal; thus, the CCP has a monopoly on legitimate political organization in China (Dickson 9). Political scientist Elizabeth Perry describes the limits of political organization as such: "the state decides which social categories exist and can be represented, and it itself creates the non-governmental organizations that will represent them. The establishment of any such association is subject to its authorization" (Perry 209-210). In other words, organizations are intended to either serve as tools for the dissemination of Party policy or as a means for limited management of citizens' local affairs (Perry 211).

The state's savvy handling of the "inclusion" phase of the Leninist paradigm—including co-option of the entrepreneurial class and monopolizing control over political organization—can partially explain the lack of a space for civil society institutions in China. However, the Leninist paradigm can only partially account for the lack of citizen participation in government affairs. The system of the CCP bureaucracy itself serves to explain further the characteristics of the political system that are not conducive to citizen participation. These structural characteristics are known as "upward accountability" and "asymmetric decentralization."

3. Upward Accountability and Asymmetric Decentralization

"Upward Accountability" means that 1) officials are dependent on others in the CCP hierarchy for promotion, and 2) in order to advance in the CCP bureaucracy, officials must illustrate their ability to promote economic growth (Chien 72). Officials in the Party are dependent on others in both higher and lower positions in the official hierarchy for their success.

With decentralization, the state no longer has direct control over the implementation of policies and directives at other levels of government. Development directives issued from the center must gain the support of provincial level cadres for implementation to be prompt and effective (Chien 72). In turn, local officials depend on central leaders for promotion. This type of structure means it is more important for local officials to gain the support of others in the CCP hierarchy rather than to earn the loyalty of their constituents (Chien 71).

Political scientist Bueno de Mesquita describes how officials in authoritarian regimes rely on a "winning coalition"—that is, a select group of official elites—rather than the larger will of the people to stay in power (Mesquita 18). If Mesquita's ideas are applied in a Chinese context, "upward accountability" translates into prioritizing bureaucratic relationships over citizens' interests at the local level (Guoguang 76). As China scholar Wu Guoguang puts it, "without a democratic political framework, local Chinese officials are not accountable to the citizens under their governance, but rather to the higher authorities and to their subordinates within the Party-state power hierarchy, right down to the grassroots level of village heads" (75). Upward accountability is thus one of the elements of the bureaucratic system that acts to exclude citizens from political participation.

"Asymmetric decentralization," the other element of the bureaucratic structure, refers to the increased autonomy of local governments since market reforms with regards to financial decision-making. It is "asymmetric" because this financial decentralization exists alongside the continuing political domination of the Chinese Communist Party (Chien 69-72). The engine that drives asymmetric decentralization is the goal of promoting economic growth and development at all levels, which has been the main priority of the Party-state since the beginning of Deng Xiaoping's reforms in 1978 (Guoguang 73). As policy directives are still centralized, the central

government assigns development targets to local governments. As promotion is based on how officials meet these targets—a feature of upward accountability—local officials often use their economic powers to post high development numbers by any means possible. Sometimes local officials will try to artificially drive up development numbers by engaging in unsustainable development projects, or even by implementing exorbitant and arbitrary fees and levies on their constituents (Chien 80-82).

China scholar Shiuh-Shen Chien describes a "local predatory" environment in poor regions of China whereby local officials impose illegal fines on the peasantry to fulfill development targets issued from above (Chien 82). These cases involved the "three arbitraries" (*san luan 三乱*), which involved arbitrary taxation (*luan shou fei 乱收费*), arbitrary fines (*luan fa kuan 乱罚款*) and arbitrary apportionments or expropriation (*luan tan pai 乱摊派*), which "forced local residents to contribute money, materials, and labor to local public works projects" (Chien 83). Chien explains that by 1990, rural tax rates ranged from 10-40% of farmers' incomes in some poor regions, a major difference from the legal limit of 5% set by the central government (Chien 83).

Corruption is a major problem arising from asymmetric decentralization. The power to make financial decisions has led to a lot of power for local officials, who have the advantage of controlling the means of economic development in their areas. It is not unusual for officials to trade tax breaks and financial incentives to enterprises seeking to construct in their areas in exchange for certain benefits, favors, and fees, including board membership or partnership in the firm, or requiring matchmaker fees to facilitate joint ventures and trade (Deng, Zhang, and Leverentz 72-88). For example, political scientist David Wank describes a type of "patron-client relationship" that exists between local officials in Xiamen and entrepreneurs in large trading

companies. Local officials provide crucial resources and pertinent information, procure favorable contracts, and lower transaction costs for entrepreneurs, and receive material rewards (such as money or other favors mentioned above) in return (820-838).

A company can also bribe local officials to look the other way if, for example, it is trying to reduce production costs by implementing a cheaper, yet environmentally damaging means of production (Deng, Zhang, and Leverentz 76). As China scholar Wu Guoguang describes it, "special interest groups have been able to secure local power bases within business communities and bureaucracies with little restrictions since the 1990s, at considerable cost to the public interest"(75). The decentralization of financial responsibility in this respect has contributed greatly to local corruption.

As local officials do not depend on their constituents for political success, the environment for official corruption is ripe, and citizens are often left out of the political equation when decisions are made concerning economic development in local areas. Local officials have the leeway to make inappropriate economic decisions that could be damaging in the long run in order to post high development numbers in the short-term (Guoguang 75). Sometimes, this leads to much vitriol among Chinese citizens directed at the local government (Cai 24-30). This vitriol can erupt in social unrest and popular protest, as seen in the *shequ* of *Yueliangwan pianqu* in snapshot two when residents protested the nearby construction of an environmentally hazardous waste incinerator approved by the local government, and in snapshot four in which the Dingzhou villagers protested against the development of the coal ash storage site, another environmentally damaging project initiated by local level officials.

This potential for social unrest in the course of economic development has led the CCP to emphasize the importance of curbing social discontent. Consequently, in addition to

development numbers the performance of local officials is also evaluated according to their ability to suppress or prevent social unrest (Guoguang 73-75). The suppression of possibly destabilizing social unrest is seen as critical to the continued economic development of the country, and consequently critical to the power base of the CCP, which holds economic development as its overarching goal (Guoguang 72). Local officials are expected to actively discourage and suppress popular action (Guoguang 70-72).

Ironically, the "development mentality" that stresses the suppression of popular action to protect economic growth causes many of the disputes between citizens and local officials to escalate. In the Dingzhou villagers' case in snapshot four, initial protests over the building of the coal-ash storage site turned violent only when the local government hired thugs to attack the villagers camping out at the protest site. The attack was widely publicized and generated serious pressure on the local government, resulting in the removal of the city Party secretary and the mayor from office. The case of Dingzhou illustrates the fine line that is often tread between enforcing development and inciting unrest.

In the case of upward accountability and asymmetric decentralization, citizen participation is not only excluded by grace of the bureaucratic structure, it is actively discouraged and suppressed. As local officials are charged with maintaining social stability as well as promoting economic development in order to gain promotion, local officials tend to engage in corrupt practices and use suppression when controlling social discontent. In this type of bureaucratic system, local officials are "presented with the choice of supporting the citizens, from which they gain nothing but more potential for trouble, or victimizing the citizens, and thereby protecting what they have and potentially gaining more" (Guoguang 75). This structure creates an

environment that is exclusionary to citizen participation, and can go a long way in explaining the lack of civil society institutions in present day China.

4. Conclusion

This section explored how structural, historical, and political factors can account for the lack of a space for citizen engagement and the lack of civil society institutions in China. State-society relations in China were first explained in terms of the Leninist paradigm, which was viewed in the context of China's "transition," or process of economic liberalization. According to the Leninist paradigm, China is currently in its "inclusion" phase of power consolidation, which involves the co-option of new economic social classes and high state control over political organizations. The CCP has been able to develop a mutually beneficial relationship with the entrepreneurial class, largely neutralizing the potential threat of the development of independent power centers. High state control over political organizations and the bureaucratic structure of "upward accountability" and "asymmetric decentralization" leave little room for citizen engagement, let alone the development of autonomous civil society institutions.

This section was designed to illustrate the foundations of citizen exclusion from political life. These different factors can account for the lack of civil society institutions in China today and help give a context in which to think about the incidents of social unrest in the introduction's four snapshots. This section revealed that there exists connection between citizen exclusion from political life and the social unrest that has arisen in China in recent years. The next section focuses on a key catalyst that has transformed citizen exclusion into mobilization and collective action in today's China. This key catalyst is the notion of "citizenship" that has developed in the post-reform era.

For example, in snapshot three, a key tactic the villagers in Hebei utilized to protest the corruption of the local Party branch leader was to refer to themselves as "citizens." The inference is that as citizens, they are owed certain rights from the government and are entitled to seek the enforcement of those rights when they are infringed upon (O'Brien and Li, "Rightful Resistance" 116-117). How did this notion of citizenship come to be, and how does this notion of citizenship in contemporary China serve as a catalyst for staging social protest? These questions will be explored in the following section.

SECTION 2: Notions of Citizenship in Post-Reform China

Section one illustrated how the structure of the Chinese bureaucracy was prohibitive to citizen engagement and the development of institutions of civil society. It was also suggested that the notion of citizenship serves as a key catalyst for transforming political exclusion into social unrest. As mentioned in the case of the Hebei villagers, the idea of "citizenship" connotes a belief in one's entitlement to certain rights. This section explores how this notion of citizenship has evolved in the post-reform era, with the goal of linking it to the social unrest seen currently in China. It also identifies broad themes in the notion of citizenship in the Chinese populace, in both rural and urban areas. These themes will be used later in helping to suggest an effective means of conflict institutionalization in section four.

Forces brought about by marketization, such as the decline of Maoism, the breakdown of former communal social groupings, and the rise of individual autonomy, have contributed to the shaping of this notion of citizenship in the minds of Chinese citizens. The CCP has developed its own approach to this evolving form of citizenship in the populace. With the decline state's role in social affairs, the CCP has recognized the need for and has engaged in efforts to foster a "conscious citizenry." This is a citizenry that is socially active and informed in the policies and goals of the Party. This conscious citizenry is fostered in institutions such as urban neighborhood committees. These will be used as examples of how the CCP is acting to shape its own ideals of citizenship.

Lastly, this section illustrates how the forces shaping ideas of citizenship in the post-reform era has led to the development of "rights consciousness," a key force that has led to increased claim making on the government. This rights-centered notion of citizenship is a critical

development that can partially account for the increase in incidents of social unrest in the post-reform era.

1. The Decline of Maoism, the Breakdown of Former Social Groupings, and the Rise of Individual Autonomy

1.1 The Decline of Maoism and the Breakdown of Former Social Groupings

In informing social identities and interactions, the Party faced both a philosophical and administrative decline after the shift to promoting pragmatic over ideologically-driven policies. The state instituted economic measures that were directly counter to the ideals of Maoism—the creation of the private sector, for example—and as a result, Maoism declined in influence in social sphere (Heberer, "Evolvement of Citizenship" 509).

This philosophical decline was matched by a decline in the Party's administrative capacities in the social sector. After marketization began to take root, traditional forms of social interaction and social groupings began to dissolve. Decentralization led to a retreat of the state from people's private lives and the breakdown of collective social identities that had been organized through communist institutions (Heberer, "Evolvement of Citizenship" 510). The *danwei* (单位) system is one of the most striking examples of the organization of collective identity. Millions of Chinese workers who labored in China's State-Owned Enterprises prior to marketization were organized in a collective community according to their location of work. This community was called *danwei*. The *danwei* system functioned like the "transmission belt" organizations discussed earlier—they were the principal means for implementing Party directives and policy to the masses. The *danwei* system monitored workers and made sure they complied with Party directives such as the One Child Policy. People depended on the work unit for housing, schooling, and food, and had to receive permission from their respective work unit before

traveling or getting married (Heberer, "Evolvement of Citizenship" 509). This high level of dependency meant the work unit pervaded every aspect of social life for workers before the reform period.

The influence of organizations like the *danwei* (単位) system has radically declined since marketization, eroding the former tightly linked communal social ties. As a result, public and private spaces in the post-reform era have become more distinct, and social reality is increasingly characterized by social and spatial mobility (Ngeow 80). This new mobility opened up and expanded the social sphere, allowing people to pursue individual identities and interests (Ngeow 81). With the end of the all-embracing functions of communist institutions such as the *danwei* system, traditional communities began to dissolve, individual biographies began to take shape away from collective ones, and a trend of individualization led to a further erosion in influence of the ideological values of Maoist philosophy (Heberer, "Evolvement of Citizenship" 509).

This process of individualization has important implications for social reality in China. A new set of values, norms, and ideas in the post-reform era are informing Chinese identities. Marketization has given rise to the idea of "individual autonomy" among the populace, which is the desire to have a say in one's private affairs (Heberer, "Evolvement of Citizenship" 507). This notion has profound implications for the meaning of citizenship within the Chinese populace and in the way people conceive of their relations to the state.

1.2 Individual Autonomy

Individual autonomy is an important product of marketization and increasing individualization in Chinese society. According to political sociologist Janos Kornai, individual freedom increases in socialist societies (1) when the right to make certain types of decisions is transferred from the bureaucracy to the individual, and (2) when bureaucratic constraints on the

decisions of individuals slacken or are lifted (236-237). Decentralization and marketization have led to a lessening of state involvement in citizens' social lives, removing previous constraints on individual decision making. Individual freedoms, and the belief in individual autonomy, arise as a result (Kornai 237).

This is not to say that individual freedom carries the same connotation as in Western societies. There is a distinction between individual autonomy, or the demand for a say in one's private affairs, and the demand to influence the politics of the central government. Individual autonomy in China is driving citizens to seek personal benefits, but not in contravention of the policies of the central state. "Red Capitalists" author Bruce Dickson even claims that in some ways, this phenomenon of individual autonomy is driving citizens to further embed themselves in the government, rather than seek to break away from it (Dickson 19). In other words, individualization does not necessarily lead to democratization.

The government-affirming nature of individual autonomy in China is derived from the economic factors that brought it into being. The social changes brought about by increased openness in China—namely, the erosion of a "communal" identity into one more individualized—are largely the result of economic changes (Dickson 20). Individual autonomy is in many ways motivated by the desire to decide how to make one's own wealth rather than the desire to reform the government (Dickson 20). Thus, the desire for greater participation individual autonomy inspires is economically motivated. Economically motivated civic participation is very different from politically motivated participation in terms of how the groups involved view and relate to the government.

Two separate dynamics have led to the emergence of two different types of civic participation in recent Chinese history. The first is political, and involves "resistance to state

control on the part of groups and organizations with implicit or explicit political agendas" (Dickson 19). The students demonstrating for democracy in Tiananmen Square, for example, were this type of group. Groups such as these seek to replace significant elements of the central authority—practices or personnel—and thus are distinctly political in their goals.

The other dynamic is economic, and characterizes state-society relations today. This market dynamic "gives rise to a non-critical realm (of civic participation) which is primarily concerned with the management and regulation of collective goods and services, but less interested in changing the political system itself" (Dickson 20-21). Individual autonomy, for example, inspires citizens to independently seek material benefit and manage their daily affairs, not to seek the replacement of the central government.

During the year I lived in Chengdu, China (August 2009-2010), I witnessed these sentiments regularly. For example, an older Chinese couple ran a convenience store right outside of the foreign language building where I took my daily Mandarin classes. Dozens of international students would pour out of the main building during our breaks and head to the convenience store to purchase Coke Zeros, Chinese candies, and steamed sticky rice buns wrapped in banana leaves. The business must have pulled in thousands of yuan each day. I got to know the couple well, and one day asked them about their business. "Before this," the older woman said to me, "we both worked hard in state factories. But a few years ago, we bought a permit from the government, and set up this store to sell candies and such to foreign students like you. Now we are very well off, and drive a nice car; we can do with our money what we wish." The changes of the post-reform era allowed this couple to pursue their own private wealth, reflecting an individualization that flows in an economic, rather than political vein.

Economically driven groups can share a close, even beneficial relationship with the state—the entrepreneurial class, for example. The state is more willing to support these types of groups and adapt to their needs, while having more freedom to suppress politically motivated groups (Dickson 21). Individual autonomy and the type of civic participation it inspires are reflective of an economically driven type, and thus are seeking to support, rather than undermine, the central government.

Even when citizens make claims on the government in order to seek the enforcement of some economic right, many times they will affirm the authority of the central government at the same time as they are seeking to gain concessions. For example, the workers in snapshot one carried out their strikes to demand better pay, better working hours, and more benefits. The workers cited a labor law implemented in the late 1990s—which established a maximum number of working hours and minimum wage—in order to legitimize their claims. In their protests, workers criticized the factory owners and local government for breaking the central government's laws by failing to provide sufficient pay for overtime work (King-Chi Chan, and Ngai 289). Eventually, factory managers and the local government gave in to workers' demands, and granted them most of the concessions they sought—including a significant pay raise (King-Chi Chan, and Ngai 302). In this case of contention, workers upheld the authority of the central government (legitimating their cause by its laws), while they sought to gain economic benefits from the local government and factory managers. This economically motivated participation differs distinctly from politically motivated, reform-minded civic action.

As the nature of individual autonomy in China illustrates, the desire for democracy, or the ability for citizens to have a say in the affairs of state, does not necessarily go hand in hand with individualization. Individual autonomy in China drives the individual to seek personal benefits

from the government while further embedding themselves within it, like the Chinese couple whose government permit allowed them to pursue private financial gain. In the case of the striking workers, protesters aligned themselves closely with central policy in order to press for economic benefits at a local level. The workers realized that to be outside the system (*tizhiwai* 体制外) is to be powerless, while to be part of it (*tizhinei* 体制内) allows them to "better pursue their interests and maximize their leverage" (Dickson 19).

What is the significance of the central government-affirming quality of individual autonomy? The way in which this brand of individual autonomy informs the flavor of "rights consciousness" is an important theme by which contention plays out in China. These next few pages will explore the state's response to the effects of individual autonomy on social identity, and how the state's actions have helped to shape the idea of "rights consciousness" in the populace.

2. The CCP and "Conscious Citizens"

While individual autonomy can act as a force to bring people closer to the Party, the government does face a problem regarding the effect individual autonomy has had on community involvement. Individualization and the breakdown of communal social groupings have left a void in society in terms of active community participation. Political scientist Thomas Heberer points to increasing individualization in China as contributing to citizens feeling "a lack of responsibility for public affairs" ("Evolvement of Citizenship" 502).

This lack of involvement is a problem for the CCP. With decentralization, the state is no longer able to provide for the welfare of citizens at all levels of society (Heberer, "Evolvement of Citizenship" 498). This means that social welfare issues that used to fall in the realm of the state must now be handled at the local level. Without a means of truly enforcing the type of communal

cooperatism necessary for handling these social welfare issues, the CCP has recognized the need for a socially responsible, "active" citizenry (Heberer, "Evolvement of Citizenship" 515).

The Party also needs to ensure that its influence continues to be strong at the grassroots level. Given the Party's decline in administrative and philosophical influence in the years after reform, the CCP has developed an agenda for fostering a politically conscious citizenry devoted to implementing and upholding Party policies and goals (Heberer, "Evolvement of Citizenship" 514). As Heberer puts it, "in the view of the CCP today, a 'Chinese citizen' is increasingly required who identifies with the nation and actively devotes his or her energies to its causes" (515).

There are several different ways in which the CCP is trying to foster a "conscious citizenry." The "Action Plan for the Development of Civic Morality," introduced by the CCP in 2001, emphasizes the need for instilling new values and morals in the populace in order for China to achieve its goals of building a "harmonious society." According to the Action Plan, participation in the management of local affairs and the possession of a sense of civic spirit are key citizenship values that must be instilled to guarantee effective social management in the post-reform era (Heberer, "Evolvement of Citizenship" 500-501). Fostering this "civic spirit" requires educating the populace in self-government, in the importance of caring for others, and in essence, in how to be a "society" (Heberer, "Evolvement of Citizenship" 499). With this agenda, the CCP is trying to foster a civil culture that upholds Party authority and accounts for the effects of individualization on society (Heberer, "Evolvement of Citizenship" 446).

The Action Plan is often implemented in the civic organizations that sprung up in the 1990s to act as links between state and society as the pace of decentralization increased with spreading privatization. One such organization is residents' committees, democratically elected bodies in

urban communities whose tasks are to manage the day-to-day affairs of their neighborhoods and to publicize and promote CCP policies. This organization is a good example of how the CCP is influencing the development of the notion of "citizenship" in China in an attempt to counter the fractionalizing effects of individualization, and also illustrates how different streams of influence have come together to inform a unique notion of "citizenship" in today's China.

2.1 The Case of Neighborhood Communities

When decentralization accelerated in the reform era, multiple urban neighborhoods were consolidated to form geographically separate, urban residential areas called *shequ* (社区) (Ngeow 10). These *shequ* are known as "neighborhood communities" and are governed by a democratically elected body known as a residents' committee (Ngeow 46). Residents' committees are responsible for the day-to-day management of *shequ* affairs. Their smaller counterparts are known as "homeowners' committees," which carry out the same functions as residents' committees but on the smaller scale of an individual neighborhood.

Homeowners' committees represent the residents of a particular neighborhood who either own or rent their homes (Cai, "Homeowners' Resistance" 779). Since the late 1980s, the Chinese government began privatizing public housing, allowing residents to purchase their homes at drastically discounted prices. Consequently, by the early 2000s about 70% of urban households owned their homes, and this number continues to increase (Cai, "Homeowners' Resistance" 780). Thus the large majority of residents in the *shequ* own their residences, and have a significant stake in the management of *shequ* affairs (Cai, "Homeowners' Resistance" 780-781).

These homeowners' committees are largely responsible for fostering the form of active, politically conscious citizenship that the CCP outlined in its Action Plan. They do this in two main ways: first, by encouraging residents' participation in the community activities and political

affairs of the *shequ*, and second, through publicizing and promoting CCP policy and law. This second method, though designed to promote political consciousness in residents, has contributed to a growing sense of rights awareness.

2.1.1 Participation in Community Activities and Elections

The residents' committees of the *shequ* are responsible for organizing several types of services for the wider community, and residents are encouraged and expected to participate in them (Ngeow 36). The goal is for neighborhood residents to "develop a shared identification resting on common interests and needs and create a cooperative relationship of solidarity between each other" (Heberer, "Evolvement of Citizenship" 492). These activities are designed to foster a sense of citizenship based partly on community solidarity that has been somewhat lacking since marketization took effect. How exactly do neighborhood communities educate residents in the virtues of citizenship? According to political scientist Thomas Heberer, the *shequ* help develop citizenship in two key ways: 1) by promoting voluntary participation in community life and 2) by increasing opportunities for people to participate in social and political affairs of the *shequ*.

The activities promoted by the residents' committees range from encouraging residents to vote in the next homeowner committee election to donating money to charitable organizations (Heberer, "Evolvement of Citizenship" 493). Most importantly, the committees "mobilize residents to become involved in social community affairs like taking care of the socially weak—elderly, disabled, or sick persons, etc." (Heberer, "Evolvement of Citizenship" 492). Such voluntary civic involvement is necessary because community members are needed to shoulder burdens in local areas where the state can no longer handle issues of social welfare. For example, the disintegrating social security system in the country leaves many elderly people reliant upon

the charity of others. Without the community involvement of the *shequ* and the charitable activities it promotes*,* some people would not be able to pay for health care or food (Heberer, "Evolvement of Citizenship" 492). It is the role of these *shequ* to provide for the socially weak and help foster a sense of community solidarity to help with certain social problems.

The *shequ* also create opportunities for people to participate in other types of social activities. *Shequ* residents began to form independent committees in the 1990s to deal with issues arising from housing reform, upkeep of the neighborhood, maintenance of communal areas, and settlement of minor disputes (Ngeow 41-45). These committees are representative of the interests of the *shequ* residents and act as a form of social and civic participation. Participation in community and social activities helps to form a sense of civic duty and community solidarity in residents as they become invested in the everyday management of residential life (Heberer, "Evolvement of Citizenship" 493-494).

For example, in 2002, a group of 15 residents in a *shequ* named "Lijiang Gardens" in Guangzhou organized a "rights protection group," which acted as a watchdog for irresponsible or damaging construction projects in the *shequ*. The rights group gained wide support throughout the *shequ*, raising almost 30,000 yuan from homeowners to fund its activities. In one instance, the rights group protested the construction of a paved road that was to run right through the middle of the *shequ*, which would have brought a disrupting flow of noisy traffic to the quiet and peaceful neighborhood. The group lodged complaints and organized a series of demonstrations, eventually halting the road's construction (Cai, "Homeowners' Resistance" 785). In this example, community solidarity inspired a collective effort by residents to defend their interests in the management of local affairs.

In terms of political participation, residents are able to elect members of their residents' committees through direct elections (Heberer, "Evolvement of Citizenship" 494-495). Elections in the *shequ* have contributed residents' feelings of political efficacy, which in turn promotes civic participation (Ngeow 98-99). That is, direct elections mean that committee candidates must take the interests of their constituents into account if they wish to gain office (Brandt and Turner 766). The residents' ability to reject candidates, or vote out unpopular members, makes them more likely to participate in the elections (Brandt and Turner 766). This is because residents make a connection between their interests in the *shequ* and the responsibility of the committee members to represent those interests if they wish to be re-elected (Brandt and Turner 765). The sense of efficacy that residents derive from participation in committee elections helps to promote community solidarity. This feeling of solidarity is helpful for effective *shequ* self-governance, which relies on community participation to handle local social welfare issues.

2.1.2 Publishing CCP Laws, Policies, and the Constitution

The case of the *shequ* (社区) helps to illustrate how the CCP is acting to foster a specific notion of citizenship. This notion of citizenship emphasizes community activism and participation, and knowledge and awareness of the law. The *shequ* acts to encourage participation in community activities and elections, which is supposed to foster a sense of community and civic spirit. Most importantly, it also acts to maintain the CCP's influence in a time of decentralization by the publication and dissemination of CCP laws and policies, a task designed to increase residents' political knowledge and consciousness.

According to the Action Plan, civic morality results from a combination of "patriotism, social control, the internalization of moral values through propaganda campaigns, and the conscientious compliance with required standards and official instructions" (Heberer,

"Evolvement of Citizenship"510). Publication of laws and ordinances, and their dissemination to the public though civic organizations like the residents' committees*,* play a key role in cultivating the type of politically conscious civic morality the Action Plan describes.

The active dissemination of these laws in the *shequ* has increased residents' legal awareness. Residents have become increasingly knowledgeable of the rights they are afforded under the central government. For example, the Residents' Committee Law, written in 1989, describes the procedures and requirements for residents' committee elections held in the *shequ*. For one residents' committee election in a *shequ* in a coastal province of China, one incumbent tried to manipulate the term limits of his membership. Citing the procedures outlined in the Residents' Committee Law, a group of residents protested his actions. This eventually led to his removal from office (Ngeow 104). Residents' familiarity with the laws that the *shequ* had published allowed for them to frame their protest in the legal language of the state (O'Brien and Li, "Rightful Resistance" 2).

The use of civic organizations—such as the residents' and homeowners' committees—to publicize and promote CCP policies is not limited to the *shequ.* The publication of laws and policies is a widespread initiative that is undertaken in areas all across China. CCP laws, policies, and ordinances are displayed in community areas of the *shequ*, on roadside bulletin boards in the countryside, and in public buildings all over the country (O'Brien and Li, "Rightful Resistance" 1).

As the Chinese populace becomes more legally informed, they become more aware of how the laws apply to them personally. In snapshot three of the introduction, the villagers in Hebei referred to themselves as "citizens" when protesting an exorbitant fee imposed by a corrupt local official. As citizens, villagers believed the law gave them the right to be free from excessive and

illegal fees. The Hebei villagers were knowledgeable enough in the laws and policies of the CCP to know official regulations prohibited local fees from exceeding 5% of a village's net per capita income of the previous year (O'Brien and Li, "Rightful Resistance" 6). They were able to legitimately challenge the local official who imposed this fine because it greatly exceeded the legal rate. In this example, the villagers used the central government's policy on fines to enforce the rights they viewed as owed to them in the law.

The notion of citizenship in post-reform China is increasingly associated with the idea of rights. When citizens perceive that their rights have been tread upon, they object, using the law as their legitimating rationale. "Claim making" is when citizens approach the government to seek redress for a perceived wrong (Tilly 46). Citizens have begun to increasingly make claims on the government using the language of the law. The next portion of this paper explores the nature of claim making in contemporary China. The idea of "rights consciousness" and claim making leads to the discussion on social protest (section three), as social protest arises when legal modes of claim making prove inefficient.

3. Citizenship and Claim Making in Contemporary China

3.1 Rights Consciousness and the Law in Claim Making

As citizens become more aware of their rights, they frame their claims using "legal" language. This awareness is due in part to the publicizing of several important laws since the 1990s that directly affect the lives of citizens in different social sectors. Examples include the 1998 (revised) Organic Law of Village Committees, which outlines strict regulations for free and fair elections in the countryside (O'Brien, and Li, "Rightful Resistance" 32), and two key labor laws known as the Trade Union Law and the Labor Law, which legalized work stoppages and slowdowns and set a maximum number of working hours in factories (Chan 7). Newfound legal

rights give both urban and rural citizens a legitimating rationale for airing their grievances and making claims on the government, framed in the legal language of "rights" (King-Chi Chan, and Ngai 289).

Using the law has become an increasingly important mode of claim making in China, and talk of rights is the language of access. Snapshot three in the introduction involving the peasant protest in Hebei helps to illustrate the growing fluency in rights talk across all corners of China. When a corrupt local official tried to impose the illegal tax on the villagers, peasants demanded the tax to be lowered by using the language of "rights" (O'Brien and Li, "Rightful Resistance" 116). As the researcher who reported this occurrence, Kevin O'Brien, explains:

> Couching a long-standing grievance in the language of community membership, the protesters' claim to inclusion had become unassailable. By reworking official 'rights talk,' they had turned a contested demand for accountability into a simple plea for respect. Decollectivization had freed them. New political reforms had promised financial openness. As citizens, they had a right to inspect the village accounts and, as citizens, they had a right not to be treated as slaves ("Rightful Resistance" 116).

As this example illustrates, in the post-reform era, "citizenship" is increasingly defined in terms of the legal basis of the "citizen" status. This notion of citizenship is giving people a new psychological framework by which to approach their government and frame their grievances. In this way, citizens have been able to use their legal awareness to declare themselves "as citizens," enabling them to make claims on the government to enforce their rights.

Citizens can also use the law in a concrete way by filing lawsuits to make claims on the government. For example, the Administrative Litigation Law, enacted in 1990, allows citizens to sue state agencies if they believe their rights have been abused (Cai, "Disruptive Collective

Action" 165). However, it is very difficult for citizens to even get their cases to court, let alone receive rulings in their favor. Even if a citizen receives a favorable ruling, it is rarely executed (Cai, "Disruptive Collective Action" 165). China scholar Yongshun Cai claims that over the years, "the number of administrative litigation cases has never exceeded 2% of the total lawsuits accepted by Chinese courts" ("Disruptive Collective Action" 166).

Filing lawsuits is one of the few legal channels for airing grievances in China. These legal channels are usually highly inefficient, in that citizens are rarely successful in utilizing them to enforce their rights. One of the best illustrations of the inefficiency of these legal means of claim making is the *Xinfang* system.

3.2 The Xinfang (信访) system

The *Xinfang (*信访) system was established by the Communist Party in the 1950s as a way for citizens to make their grievances known to the state (Chen 61). If someone wished to make an official complaint to the government, he or she would file a petition at the *Xinfang* office. The number of petitions in a given period has served as a useful barometer for measuring social discontent. Petitions are indicative of the magnitude of conflicts in China because they give a numerical value by which to compare previous years' claims on the government (Cai, "Social Conflicts" 99). More petitions have been filed in recent years than ever before, and petitions have experienced exponential growth since the CCP's campaign to widely publicize its laws (Cai, "Social Conflicts" 92). For example, in 1995, the number of petitions directed to complaint agencies was 4.8 million. By 2004, this number rose to 13.7 million (Cai, "Social Conflicts" 97). These high numbers indicate a rise in claim making activities on the part of citizens.

Collective petitions to higher level authorities, through either letter writing or making visits, is the most frequently utilized legal mode of claim making (Cai, "Disruptive Collective Action"

167). Collective petitions are the most popular method of claim making for two important reasons: first, because the *Xinfang* system provides a structured, organized way to deliver a written or verbal demand to the government, and second, because it is a channel for citizen engagement established by the Party-state (Chen 56). As one of the few legal modes for claim making in China, the *Xinfang* system is a safer and more supported means by which citizens can air their grievances and reduce the risk of being charged with engaging in illegal political activities.

Though the *Xinfang* (信访) system is the most frequently used channel for claim making, it is highly inefficient. Part of the reason behind the ever-increasing number of petitions each year is that a large percentage of them are repeat petitions (Cai, "Disruptive Collective Action" 166). For example, tens of thousands of people go to the petition office in Beijing every year; some of them have been making appeals for months or years without success (Cai, "Disruptive Collective Action" 165). The large number of petitions, on the one hand, indicates citizen demand for effective means of claim making on the government and the enforcement of their rights. However, it also indicates that legal channels of claim making are inefficient and failing to meet this demand.

4. Claim Making: Entering the Realm of Contentious Politics

Contentious politics occur when citizens make contentious claims on the government. Contentious politics constitute an area of politics where groups make "discontinuous, public, collective claims on each other" (Tilly 26). In China's case, the government becomes party to this contention as the object of claims. As Charles Tilly explains it in his book, *The Politics of Collective Violence*, contentious politics are contentious because "participants are making claims that affect each other's interests" (26), and contentious politics are politics because "relations of

participants to governments are always at stake" (26). Social protest is a form of contentious politics, and often arises when legal channels of participation have been exhausted. Contentious politics are dangerous because it is through contentious politics that disruptive social unrest can arise (Tilly 27).

Regime type informs the character of contentious politics in a given country, and determines the availability of claim making channels for the actors involved. This set of available claim making channels (or claim making "performances," as Tilly terms them) in a given regime constitutes its "repertoire of contention" (Tilly 46). China, as an authoritarian regime, has a repertoire of contention with a highly limited set of available legal channels for claim making.

Repertoires contain prescribed, tolerated, and forbidden claim making "performances." Prescribed claim making performances are those expressly advocated by the state. In China's case, these would include the use of the *Xinfang* (信访) or legal system in making claims. Tolerated performances are those that are not exactly advocated by the state, but are not threatening to the regime, so they are generally accepted. Forbidden claim making performances involve illegal actions that the state will react against if and when they occur. Examples of forbidden claim making performances in China would include a public demonstration for democratic reform of the central government (Tilly 46).

When repertoires of contention contain a very limited number of tolerated performances, as in China's case, these tolerated channels are usually extensively utilized by citizens (Tilly 49-50). However, claimants "constantly run the risk of interdiction and retaliation" (Tilly 50) due to the government's complete control over these channels. That is, what constitutes a forbidden or tolerated performance can change according to political efficacy (Tilly 50). The result of highly controlled tolerated channels of claim making, according to Tilly, is that the scope of contentious

politics is minimized, and the majority of claim making is pushed into the “forbidden” category. Frustration with prescribed means of claim making in authoritarian regimes is common because of their inconsistency in terms of what constitutes legal and illegal participation (Tilly 46).

4.1 Contentious Politics and Social Unrest

As citizens grow increasingly frustrated by the lack of effective, legal (i.e. prescribed) modes of claim making, they are pushed into utilizing illegal (i.e. forbidden) channels to seek redress. Social protest is a form of illegal claim making that has risen in intensity in recent years. China scholar Yongshun Cai claims that the limited effectiveness of legal channels of claim making is partially responsible for a rise in popular protest since the post-reform era. From 1993-2005, official reports of acts of contentious politics increased from 8,700 to 87,000, many of them involving disruptive tactics or even violence (Cai, “Disruptive Collective Action” 163).

The highly rights conscious character of citizenship in post-reform China means that citizens are both aware of, and ready to seek the enforcement of, the rights they are owed in the law. The development of effective means of legal channels of conflict resolution has not sufficiently expanded to accommodate the increase in citizen claim making, and citizens have increasingly turned to social protest to vent their frustrations.

5. Conclusion

The broad themes of citizenship explored in this section reveal a rights conscious citizenry that increasingly demands effective modes for seeking the enforcement of their legal rights. This section also explored the CCP’s need to foster a politically knowledgeable, civically active citizenry to counter the effects of decentralization and maintain its connections to society. Though the state has set up organizations such as residents’ committees in the *shequ* to aid in the latter respect, conflict institutionalization is still lacking in terms of providing effective

mechanisms of claim making for a citizenry who is increasingly active in seeking the enforcement of its rights.

These themes of citizenship will help to inform the possible character of the institutionalization of conflict resolution in section four. The next section explores social protest as partly the result of these inefficient channels of claim making. Section three seeks to identify the factors that have enabled social protest to increase so dramatically in the post-reform era, and also seeks to explain why social protest in distant places across the country are increasingly exhibiting many of the same characteristics in how protesters frame and carry out their contention.

SECTION 3: Social Protest in Post-Reform China

This section begins by explaining why social protest has increased so dramatically in the post-reform era. It also explores how citizens have been able to engage in social protest with more efficacy because of an unprecedented availability of political opportunities that have arisen in the post-reform period. The same forces of marketization and decentralization that served to shape the notion of citizenship are providing the social, institutional, and technological changes that have increased political opportunities for protesters.

Within this context of expanded political opportunities, incidents of social protest across China are increasingly exhibiting some of the same characteristics. The language, rationale, and process in which protests are carried out exhibit similar patterns across the country. This section describes the way in which protesters in distant locales come to have the same framework by which they carry out collective action when seeking redress for perceived wrongs. This framework can be described as "rightful resistance," a term coined by China scholars Kevin O'Brien and Lianjiang Li. "Rightful resistance" refers to a method of claim making on the government that appropriates the legal language of the central government to seek the enforcement of rights by the local level (O'Brien, and Li "Rightful Resistance" 2). Lastly, this section describes the way in which rightful resisters carry out collective action as an illegal mode of claim making on the government, and how this mode of contention could serve as a threat to the regime.

1. Political Opportunity and the Increase in Social Protest

1.1 Social Changes and Political Opportunity

Social changes brought about by marketization and decentralization are partly responsible for the opening up of political opportunities for collective action. With the decline of communal

organizations such as the *danwei* system in the years after reforms, individuals were presented with opportunities to pursue private interests (Ngeow 80). Society became much more spatially and socially mobile because collective organizations no longer dictated where citizens could go or with whom they could interact (Heberer, "Evolvement of Citizenship" 509). Most importantly, citizens were less dependent on Party authorities for their material survival (O'Brien and Li, "Rightful Resistance" 11).

This newfound social freedom provided the opportunity for a newly rights conscious citizenry to begin to press their claims on local governments. No longer constrained by the rigid social organization of the Maoist era, citizens saw the political opportunity for social unrest as a means to challenge local governments when they perceived the violation of their rights (Cai, "Disruptive Collective Action" 164). Kevin J. O'Brien and Lianjiang Li summarized the political opportunities brought by the reform era in their study on social protest in rural Chinese villages: "the breakdown of former social groupings has made [villagers] less dependent on village cadres, and has made them less fearful in pressing new claims" ("Rightful Resistance" 11). The widespread dissemination of laws and growing coverage of the media has made potential protesters aware of their rights, and more aware of successful claim making by other groups ("Rightful Resistance" 11)."

The changes of the post-reform era have shaped the notion of citizenship as entitlement to rights, and the social changes brought about by the forces of marketization and decentralization have greatly contributed to the availability of political opportunities for collective action in today's China.

1.2 Institutional Change and Political Opportunity

In addition to social-structural changes, institutional changes have also contributed significantly to the creation of political opportunities for social protest in the post-reform era. Institutions designed to carry out the purposes of the state can sometimes end up working as a tool for citizens to make claims on the government. The mechanism by which this occurs is called *institutional conversion*. This is the process by which institutions are transformed "from agents of governmental control into instruments for the expression of interests, ideals, and rage against the regime" (Chen 55). The previously discussed *Xinfang* (信访) system, the organization citizens utilize to file complaints with the government, has recently become a good example of institutional conversion.

How exactly does the *Xinfang* system get converted into a tool for collective action? The answer to this question lies in a two-fold process. First, decentralization has allowed for citizens to approach the *Xinfang* in a direct way, rather than through institutional intermediaries (as was required during the pre-reform era.) Second, citizens are able to use "troublemaking tactics" to appropriate the institution for use in collective action. "Troublemaking tactics" refers to a method of protest that utilizes a local institution (such as the *Xinfang* office) as a platform for gaining the attention of the central government. "Troublemaking tactics" allow citizens to gain bargaining power when making claims.

Decentralization and the decline of totalistic organizations have freed up opportunities for citizens to use the *Xinfang* in making claims on the government. The *Xinfang* organizations used to work closely with other institutions present during the years of the command economy, such as the *danwei* (单位) system (Chen 66). Work units coordinated the interactions between the people and the state, and this applies to petitions filed in the *Xinfang* system as well. State agents had complete control over which petitions would go to the *Xinfang* system, and also controlled

the way in which a petition was presented (Chen 66). In addition to these physical barriers to direct involvement with the *Xinfang*, citizen consciousness in the pre-reform period was more defined in terms of Maoist ideology, rather than by the idea of the entitlement to rights. Citizens were limited by institutional restraints as well as by a lack of a legitimating basis for making claims.

However, during the reform era, the work unit was no longer the sole intermediary between state and citizen relations. Citizens began to have a direct line into the *Xinfang* system (Chen 67). Citizens increasingly well versed in their rights could petition the system directly, using the language of the law to legitimize the basis of their contention (O'Brien and Li, "Rightful Resistance" 11). The end of the work unit as an intermediary to the *Xinfang* system had a dual effect: throughout the 1990s, the number of petitions the *Xinfang* received increased dramatically from the tens of thousands to millions in the early 2000s. The National Complaints Bureau reported that 13.7 million complaints were filed in 2004 alone (Cai, "Local Governments" 35). Also, petitions were presented with increasing assertiveness by rights-conscious Chinese citizens (Chen 67).

The institutional changes brought by reform made the *Xinfang* system more available to direct petitioning. However, it is when citizens appropriate the institution for their own purposes that the *Xinfang* serves as a concrete tool for collective action. Institutional appropriation is "the mechanism through which social actors convert or incorporate existing organizations or institutions for their own purposes" (Chen 59). This is a convenient option for those who have limited resources for staging collective protest.

In the case of the *Xinfang* system, citizens can appropriate it by using "troublemaking tactics." These troublemaking tactics involve groups collectively petitioning the *Xinfang* in a

disruptive fashion in order to gain the attention of higher authorities (Chen 63). Examples of these tactics include shouting slogans and marching with banners, staging sit-ins at *Xinfang* offices, staging marches, and using symbolic tactics such as singing revolutionary songs and carrying the bodies of victims, if they are protesting an incident in which people were killed (Chen 2).

Usually, citizens engage in troublemaking tactics only if they are very invested in the claims they are trying to make and have failed repeatedly to receive redress through the use of legal channels (Cai, "Disruptive Collective Action" 167). Protesters incur considerable risk of government retaliation when they engage in these tactics (Cai, "Disruptive Collective Action" 163). Indeed, local governments have the power advantage if they act to repress these groups. However, if troublemaking tactics are used effectively, a protesting group is more likely to gain concessions for their cause than if they relied on the legal channels of *Xinfang* petitioning (Chen 63).

Troublemaking tactics enhance protesters' bargaining power in one way because by gaining the attention of higher authorities, protesters are able to "skip levels" (*yueji*). Skipping levels is when citizens stage troublemaking tactics at the highest level of government available to them—such as at the provincial capital. What usually happens is that the group's local leaders at the lower levels of government, whose promotion partially depends on preventing social unrest, rush in to try and stop them (Chen 63).

Such action usually triggers a bargaining process (Chen 66). As Xi Chen describes it, petitioners who successfully "skip levels" often meet party leaders in person, party leaders "convene special meetings" to hear their grievances, and leaders "attach priority to their concerns" (63). Thus groups that stage successful troublemaking tactics are more likely to gain

concessions for their causes. As the saying goes in China: "if you want to meet the county head, go to the municipal government; if you want to see the mayor, go to the provincial capital" (Chen 64).

The institutional changes that allowed for citizens to engage directly with the *Xinfang* opened the door for its appropriation. Protesters were able to use the *Xinfang* as a platform for staging collective action and gaining attention for their causes by "skipping levels," thus earning concessions from local leaders. Thus institutional change, along with social change, has provided political opportunities for social protest in China. The next few pages discuss one last feature that has played a vitally important role in facilitating political opportunity: the rise of technology. The use of the Internet, communication devices, and the mass media has connected citizens like never before, and has provided new opportunities for social protest in the post-reform era.

1.3 The Internet and Political Opportunity

The introduction and spread of the Internet in the post-reform era has provided unprecedented opportunities for social protest in China. The Internet can act as a tool for connecting distant groups of people, enabling them to coordinate protests and to mobilize protesters for offline events (Yang 126). The Internet's utility for coordinating and mobilizing social protest is illustrated in snapshot one, which involved migrant workers' strikes in several of China's urban factories.

The strikes began at the Foxconn and Honda factories in southern China and spread to other areas. The Internet was largely responsible for the success of the strikes. Migrant workers used the Internet to organize and spread information, and to link up with distant groups of migrant workers in various locales across China. This enabled a network of workers across the country to communicate with each other and to coordinate their strikes (King-Chi Chan, and

Ngai 302). Staging multiple, simultaneous strikes garnered much more attention and power for their cause than any single strike could accomplish. The scale of these protests greatly enhanced workers' bargaining power, enabling them to extract concessions from the government and from factory owners. For example, the Beijing government pledged to raise its minimum wage by 20 percent, and factory owners granted workers shorter hours and better working conditions (Bradsher, and Barboza).

In one respect, the Internet allowed for workers to engage in "troublemaking tactics" but on a much larger scale. Workers used the Internet to both spread messages to other workers and to publicize their plight. For example, workers from the Honda factory uploaded videos of Honda security guards beating up protesters, posted messages to migrant worker forums urging people to resist their bosses and join in the strikes, and took cell phone pictures and videos of their own strikes and sent them to workers across China (Bradsher, and Barboza). The attention the strikes garnered, from both the national government and the international media, put great pressure on local governments and factory owners to concede to worker demands (Yang 131).

The power of the Internet for creating political opportunity lies in its ability to transmit information quickly and publicly (Yang 131). As illustrated in the example of the migrant worker strikes, the Internet acted as a powerful tool for organization and mobilization, while also helped workers publicize their cause. In addition to social and institutional changes that have been brought about by forces of marketization and decentralization, the technological wonders of the Internet have created unprecedented political opportunities for social protest in China.

2. Collective Action Frames and Similarities in Social Protest

An increase in political opportunities helps to explain the dramatic increase in social protest in one respect. An increasingly rights-conscious citizenry seeking to make claims on the

government is faced with a plethora of openings in which to stage collective action and gain attention for their causes. However, an active, rights-conscious citizenry and the availability of political opportunities for contention are only able to partially explain social protest in the post-reform era. As scholar William Gamson puts it, "we know, of course, that collective action is more than just a matter of political consciousness" (89).

The four snapshots in the introduction of this paper depicted instances of social protest in different areas of the country. Snapshot one described the strikes of the migrant workers in Zhongshan. Snapshot two described the *shequ* residents' protests against building a waste incinerator in their area. Snapshot three illustrated a village in Hebei where peasants protested illegal fees by a local official, and snapshot four illustrated the Dingzhou villagers' use of the "troublemaking tactics" to protest the development of a coal-ash storage site.

Though the incidents in these snapshots occurred in different areas and at different times, they shared distinct similarities in the nature of their contention. Each of these snapshots depicted a group of rights-conscious citizens who were acting to make claims on the government. Each of these groups directed their protest toward the local government, never the central. Each group also used legal language to gain legitimacy for their causes, and to support their right to protest.

What can account for the similarities of contention among groups that display such varied class, regional, rural, and urban distinctions? How did certain ideas come to inform the nature of collective protest? In the rest of this section, the themes of citizenship and social protest that have been traced in the post-reform environment come together to explain the nature of the contention seen in the state-society relationship today.

The psychological framework that informs how collective action is carried out is called a "frame." Protesters can begin to form a collective identity based on a particular frame, which can explain similarities of contention in varied environments. The particular frame this paper identifies as informing much of the contention in China today is referred to as "rightful resistance." The next few pages illustrate how rightful resistance influences how protesters stage and carry out their collective protest, and the possible threat that rightful resistance-based contention could pose to the regime. This discussion is aimed at illustrating the dire need for conflict institutionalization in China at this point in time, while identifying broad themes of contention that will help in formulating it.

2.1 Collective Action Frames

What *motivates* citizens to pursue collective action? That is, what in the psychology of citizens in China has changed in the post-reform era that has caused these widespread instances of collective action? Certain ideas come to inform the nature of collective protest that influence how and why citizens carry out contention in a particular way. The psychological framework that informs how collective action is carried out is called a collective action frame. These frames are constructed by those staging social protest. They involve structural and symbolic components that are designed to make the frame "resonant," a term that refers to a frame's effectiveness in establishing its legitimacy and inspiring protesters to mobilize.

In terms of structure, William Gamson identifies three components of a collective action frame: injustice, agency, and identity (90). Injustice involves the need to identify some sort of actor or agent that has brought about undeserved suffering. This is an emotional aspect of the frame, which Gamson refers to as a "hot cognition" (90). In China, this most commonly takes the form of demonizing local officials for denying citizens the rights guaranteed to them by law, by

the authority of the central government. Agency refers to the consciousness in the minds of the group seeking to act of their ability to alter policies or conditions through their collective action (90). This is an "empowerment" aspect of the frame. Lastly, the identity component refers to "defining the 'we' in the group" (90), typically against a "they" who are opposed to the group's cause. Again, local officials are typically the "they" opposed against the "we."

Each of the four snapshots illustrates the use of these three components: injustice involved local officials failing to enforce the central government's laws and oppressing the people. Agency involved the rights consciousness of each group—the "legal basis" for their claim making. Identity, as mentioned above, involved citizens pitting themselves (the "we") against local officials ("them"). The components of injustice, agency, and identity galvanized the migrant workers in Zhongshan, the *shequ* residents of *Yueliangwan pianqu*, the "citizens" of Hebei, and the Dingzhou villagers to stage collective action and demand the enforcement of their rights by local levels of government.

In addition to these three components, a collective action frame is made up of a specific content. The content of a collective action frame is what provides its interpretive schema, which is the psychological framework that informs how contention is carried out (Johnston, and Noakes 7). This schema is composed of beliefs and meanings that inspire and legitimate collective action; the way beliefs and meanings do this is by connecting themselves to legitimating symbols (Johnston, and Noakes 10). The ability to create an emotional connection between its cause and the experiences of its constituency gives a frame its power to mobilize.

The most powerful symbols are those whose legitimacy is already established (Johnston, and Noakes 10). These symbols come from the "dominant groups" in society, in China's case, the state (Johnston, and Noakes 10). The cultural legitimacy of the state has already been

established, and the symbols associated with it already have meaning and weight attached to them. The frame's constructors (i.e. protest leaders) choose from these symbols and present them in connection with their cause (Johnston, and Noakes 8). This creates an emotional connection between the members of a group to the cause.

For example, O'Brien and Li describe how peasant protest leaders who organized protests in rural Hebei province—one of which was the protest depicted in snapshot three—often appropriated Maoist slogans and buzzwords to establish the legitimacy of their contention. Some peasants, under the guise of honoring "communist values," demanded that cadres "work hard and live plainly" and be "willing to serve the people" when they protested against local corruption (O'Brien and Li 9). By using this kind of symbolic language, protesters were recalling the Maoist tradition of "searching for the real Communist Party," while "leveling challenges against 'commandists' and grasping cadres who 'oppress the masses' and are not authentic communists" (O'Brien and Li, "Rightful Resistance" 10). The symbolic language utilized by the protesters was historically legitimate and thus created an emotional connection between protesters and their cause. This helped them to mobilize because not only were they seeking to enforce their own rights, but they were also seeking to honor and uphold the Communist regime (O'Brien and Li, "Rightful Resistance" 9).

A frame is effective in establishing legitimacy when potential constituents "find its interpretation and expression of grievances compelling," as illustrated in the example above (Johnston, and Noakes 11). They are more likely to feel this way when the collective action frame is formulated with symbols that appear "natural and familiar" to them (Johnston, and Noakes 11). When a frame is able to establish its legitimacy in this way, then it is able to effectively mobilize a group to collective action. The Hebei peasants in snapshot three and in the

example above mobilized not only because of a newfound ability to press for their rights, but also because it was culturally legitimate to do so. The ability of a frame to appear legitimate and mobilize protesters in this way is described as “frame resonance.”

Sociologists David Snow and Robert Benford identify six factors that affect frame resonance. The first is *frame consistency,* which means that there can be no contradictions in terms of protesters’ tactics, core values, identification of the “problem,” and proposed solution (139). For example, if the migrant workers in snapshot one had proposed to gain benefits for themselves from the government by burning down their factories, this would have contradicted their stated desire for better working wages.

The second factor is *empirical credibility* (140). This means that the frame must match up with the way its constituents view the world. An example of this would be the Hebei peasants using Maoist slogans and “rights talk” to protest an egregiously heavy fine imposed on them by their local government. Rhetoric such as “life, liberty, and the pursuit of happiness” would not fit in to the conceptual framework with which Chinese farmers view the world, and such a slogan would not give a frame in this context any empirical credibility. Instead, protesters used slogans like those in the example above, calling on cadres to “live plainly” and “serve the people.”

The third factor is somewhat related to the second, and is known as *experiential commensurability* (140). This factor refers to how well the frame matches up to the everyday experiences of its constituents’ lives and experiences. The subject of the frame must be relatable—for example, in the case of the striking workers, better benefits, shorter hours and better pay were things that spoke to the everyday experiences of factory workers. Regardless of personal differences, these aspects of the strikes served to unite the workers by the thread of common experience. The *shequ* residents in snapshot two were united by a common value of

urban community life they did not want disrupted by the construction of an environmentally harmful waste incinerator.

Fourthly, *centrality* is an important factor affecting frame resonance (141). This refers to the importance of the core values and beliefs, as described by the frame, in the lives of the constituents. Using the case of peasant protests over land use fees as an example, the peasants' crops are the sources of their livelihoods. Their ability to provide for themselves was jeopardized when their local government office issued them higher fees for using the land. The centrality of the issue at hand was a powerful motivating factor for the legitimacy of the frame and thus in their mobilization.

Credibility of the frame's promoters (Johnston, and Noakes 11) is a fifth important factor affecting frame resonance. This aspect is pretty straightforward. Migrant workers who used the Internet to urge other workers to strike were credible because of the success of their own strikes, in their knowledge of other workers' experiences, and in their shared suffering.

Lastly, *narrative fidelity* is the sixth factor affecting a frame's resonance. Frames that are resonant "tend to mesh, draw upon, and synchronize with the dominant culture of the target, its narratives, myths, and basic assumptions" (Johnston, and Noakes 12). This can be evidenced in the appropriation of state rhetoric by protesting groups, as in O'Brien and Li's above example. The state's legitimacy is understood (at least ostensibly) as a given; and by appropriating its rhetoric, protesting groups are conferring that legitimacy onto themselves.

In order to successfully mobilize constituents, a frame must possess these characteristics. A resonant collective action frame, then, can be described as "action-oriented sets of beliefs and meanings that inspire and legitimate social movement activities and campaigns; they offer ways of understanding that imply the need and desirability of some form of action" (Gamson 89). The

above six characteristics and the appropriation of powerful symbols are ways in which frames become resonant and are able to inspire mobilization.

2.2 Master Frames

Collective action frames account for the general themes of contention seen in the four snapshots above. When a collective action frame acts as a framework for informing the contention of groups of people in widespread environments, then it is referred to as a "mass frame." A "mass frame" is a more general, but very powerful frame. A mass frame constitutes a coherent worldview that is shaped by the system in which people live; it is informed by the collective life experience of different social groups (Hurst 71). Mass frames serve to unify differing groups based on a collective experience of the system in which they live. Political scientist William Hurst refers to this collective life experience as a "disposition." In China's case, disposition could be informed by the nature of the state in the post-reform era (Hurst 73).

When a mass frame begins to determine how other collective action frames are constructed, it is a "master frame" (Johnston, and Noakes 10). In terms of influence, the master frame sparks derivative collective action frames that may differ in terms of their respective causes, but the master frame continues to act as the basic guideline (Johnston, and Noakes 10).

Collective life experience, or "disposition," can serve as a master frame that informs a wide array of collective action frames in different areas across a country. One way that dispositions develop is from "the general social political, and economic environment in an area" (Hurst 86), and the "cultural, social, and other norms" shared across the majority of members in a society (Hurst 86). These perceptions and worldviews are shaped in large part through participation in institutions, which transmit the general norms, values, and ideas that conform to government policy (Hurst 86). According to Hurst, life experience becomes collectivized "during

periods of formative political, social, and economic development" (83). Master frames begin to inform other collective frames during cycles of "protest-periods"—times of widespread social movement activity in which "the mobilization of various movements overlap in time and are often linked to one another" (Johnston, and Noakes 10). The master frame is the larger frame that begins to inform other movements of collective action.

In terms of the social protest described in this paper, a master frame can be identified in the form of a shared notion of citizenship that developed in the post-reform era. A shared "disposition" can be seen in a common notion of citizenship as entitlement to rights, as illustrated in different cases of social protest in distant areas of the country. This belief in the entitlement to rights was due in large part to the government's efforts to publicize its laws across the country, facilitated through the use of civic organizations (like the residents' committees). This experience of citizenship began to be "collectivized" during the post-reform era, a period of "formative political, social, and economic development" to which Hurst refers. The sudden availability of political opportunities in the post-reform era led to a time of widespread social movement activity, in which this notion of citizenship consolidated to become a "master frame" informing other collective action frames.

However, how did this notion of citizenship become a "master frame?" How did this notion come to influence other collective action frames across the country? Though they differ from collective action frames in how they are formed, master frames still rely on frame resonance in order to be widely applicable across varying social groups. According to Hurst, a master frame's resonance is crucial for its ability to cross boundaries and become widespread in its influence (83).

As opposed to collective action frames, which are constructed using symbols, master frames are not so much constructed as formed by large-scale processes that influence the collective life experience, or "disposition" of a large group of people. Master frames are made up of experiences that can be "widely held by people across social, political, and economic contexts" (Hurst 84). A master frame is much more powerful in its resonance because its structural framework is formed by the more deeply-rooted influences of historical, lived experience (Hurst 84).

Collective action frames are constructed through appropriating existing symbols of cultural power that are "natural and familiar" to citizens in order give the frame legitimacy and resonance. Master frames serve as the producers of these symbols; instead of having to earn frame resonance, legitimacy is innate in a master frame because it has developed alongside people's lived experiences. In other words, a master frame is not constructed through "natural and familiar" symbols, but it is a disposition that is "natural and familiar" in the lives of citizens from a wide array of backgrounds.

The notion of citizenship as "rights entitlement" developed in China alongside the social, political, and cultural changes brought about by the post-reform environment. In this way, this notion of citizenship can serve as a "master frame" that can account for the increasingly rights conscious flavor of contention appearing across different social and geographical realms. The particular kind of collective action staged using this notion of citizenship as a master frame can be described as "rightful resistance," a term coined by Kevin O'Brien and Lianjiang Li.

3. Rightful Resistance and Popular Protest

3.1 Rightful Resistance

O'Brien and Li describe rightful resistance as a form of contention in which citizens seek to defend rights explicitly stated in the law, or rights protesters believe could be derived from official sources, such as the regime's policies, principles, legitimating ideology, and the law ("Rightful Resistance" xii). They also draw their justification from less well-defined sources, from leadership speeches, to State Council regulations, to statements by higher officials recorded in newspaper articles ("Rightful Resistance" 6). Rightful resisters use central policy as the legitimizing platform from which they can protest the lack of enforcement of their rights by local governments. Rightful resisters legitimize their contention because their demands often seek only to enforce established values and principles ("Rightful Resistance" 2-3).

Rightful resistance as a master frame is composed of the notion of citizenship in which rights entitlement is a key aspect, and of ideas concerning the central state that originate in the pre-reform period. While citizenship has developed to become a shared "disposition" in the post-reform period, popular views of the state are just as key to informing the nature of rightful resistance based contention and establishing its "frame resonance." Conceptions of the state are largely rooted in the dichotomy between local and central government, in Maoist times, and between the emperor and "corrupt" officials, in feudal times. The use of potent cultural symbols that relate to these conceptions are what help to give rightful resistance its legitimacy and frame resonance.

While the language of rightful resistance often appropriates the legal language of the state, it is often framed in the Maoist rhetoric of egalitarianism and class struggle (Perry 211). Mao Zedong himself mobilized mass campaigns against "corrupt grassroots cadres" and said "to rebel is justified" (O'Brien and Li, "Rightful Resistance" 10). As Elizabeth Perry describes it, Mao's mass campaigns served as "a kind of basic training camp—in tactics and in battle slogans—for

subsequent expressions of dissent" (Perry 210). Rightful resisters, in their rhetoric and the way in which they justify their contention, reveal the influence of historical Maoist ideology.

For example, in snapshot 3 (concerning the peasant protest in Hebei province), a group of rightful resisters painted "former village cadres must confess their corruption," and "We're citizens. Return to us our citizenship rights. We're not rural labor power, even less are we slaves" as a form of protest on a storefront in the center of their village ("Rightful Resistance" 117-118). In this case, peasants were legitimizing their protests by cloaking them in the language of Maoist "justified rebellion." This "justified rebellion" against "corrupt grassroots cadres" show that Maoist conceptions of the state play a major role in how the frame resonance and legitimacy of the rightful resistance master frame is established (Perry 210-211).

Rightful resisters also appropriate buzzwords and Maoist slogans directly to establish the legitimacy of their contention, as illustrated in the previous example where peasants staged protests under the guise of honoring "communist values." By demanding that cadres "work hard and live plainly" and be "willing to serve the people," protesters framed their rightful resistance as a way of rooting out those who are acting in contravention to the Party line. They attacked local officials for failing to implement central objectives, and "leveled challenges against 'commandists' and grasping cadres who 'oppress the masses' and are not authentic communists" (O'Brien and Li, "Rightful Resistance" 10). In this way, rightful resistance is painted as an act of ritualistic fidelity to the state. The cultural legitimacy of the symbolic language associated with Maoism grants resonance to the rightful resistance master frame.

Conceptions of the state that inform rightful resistance go back further than the Maoist period. Blaming "corrupt local officials" for sabotaging the noble goals of the central state is a

practice that dates from feudal times. This conception emphasizes the moral virtue of the central government (Pye 28).

Confucian doctrine held that the Emperor, as the "Son of Heaven" acted as the intermediary between heaven and earth for the people (Ebrey 31). His natural virtue gave him the right to rule, or the "Mandate of Heaven" (Ebrey 44). Subjects were bound in obedience to the emperor and relied on him to keep the balance of harmony and order in the world. Going hand in hand with the historical presentation of the Emperor as the benevolent head of Chinese society, whose authority was immutable, was the idea of the corrupt and conniving officials (Ebrey 203). These officials were painted as greedy, power-hungry men seeking to undermine the goodness of the emperor and take advantage of him, and the people, for personal gain (Ebrey 204).

While Confucian doctrine has evolved and changed throughout time—often used as a political tool by the ruling power in China—certain underlying themes remain resonant throughout history. In contemporary America, for example, the idea of "democracy" as "rule by the people" is a sacred cultural belief (Wiebe 39). However, the definition of "democracy" and even of "people" has not remained constant by any means. Often, "democracy" in America was defined according to political convenience—in the 1940s, for example, the U.S. defined itself as "democratic" before African Americans were granted equal voting rights (Wiebe 234). The same notion applies to the idea of Confucianism in China. While it is often used as a tool of the state, and while "Confucian values" are constantly redefined, underlying principles still inform its core doctrine. In this way, the belief in the "morality of the state" is culturally legitimate—and thus relevant to rightful resisters—despite the radical changes Confucianism has undergone in the 2,500 some-odd years of its existence.

How rightful resisters have framed their contention is reminiscent of this long-standing tradition of ascribing moral virtue to the central authority (i.e., the contemporary "emperor"), while criticizing the "wicked and shrewd officials" that sought to undermine harmony and balance in society (O'Brien and Li, "Rightful Resistance" 44). O'Brien and Li found in their research that rightful resisters believed the CCP "truly cares about the peasants' interests and makes good policies" ("Rightful Resistance" 44). Many believe that the hardships they face are due to corrupt local officials taking advantage of the center in failing to implement central policy.

They believe that the central government does not know how local officials are treating the citizenry, and that it is almost a loyal duty to bring the failures of local governments in implementing central directives to the CCP's attention (O'Brien and Li, "Rightful Resistance" 45). This reflects a belief in the center's willingness, but inability, to come to the aid of protesters. As one activist in Shandong in O'Brien and Li's research explained:

"Some wicked officials have sealed off the center from reality. If peasants do not lodge complaints, the emperor (i.e., the central government) will never know what is going on. If I tell the emperor, he should thank me and take care of me. Anything otherwise and he would be an 'Edou Liu Chan' [referring to an emperor notorious for his lack of wisdom]" ("Rightful Resistance" 45).

Another protester in Hunan explained his views of the local-central relationship, and of his belief in the moral virtue of the state:

"Party policies today are good. The party opposes corruption and wants to prolong its reign so that our country can become prosperous and ordinary people can be well off. The party is determined to reverse the trend [of increasing corruption] and to adopt a broad and bright way. An ancient saying tells us that 'commoners bear responsibilities for the rise and fall of the

realm.' That's why my fellow protesters and I publicize Party policies" ("Rightful Resistance" 45).

These conceptions of the central state are reinforced because rightful resisters' experiences of persecution and abuse of power stem from their interactions with the local government. Local officials are no more or less "corrupt" than central officials, despite the conception of the state as generally acting for the good of the people. However, resisters experience the corruption of local officials directly in their every day lives, while their experiences of the center mostly stem from the published Party policies, laws, and directives (Chien 75).

For these reasons, the brunt of collective action is directed at the local level, and rightful resistance is based on juxtaposing local failures of policy implementation with the golden standards and laws released by the state (Chien 76). In this sense, the method of rightful resistance matches up with the notions of citizenship and conceptions of the state that inform its framework.

As illustrated above, rightful resistance as a master frame uses both a post-reform notion of citizenship and conceptions of the state rooted in history as its legitimating rationale. The use of potent cultural symbols dealing with Maoist rhetoric of "justified rebellion," Confucian beliefs about the moral virtue of the state, and the reinforcement of this view in everyday experience help to give the rightful resistance master frame its legitimacy and frame resonance.

As Kevin O'Brien and Lianjiang Li observed, "contractual ways of thinking and a growing fluency in rights talk appear to underlie much of the rightful resistance present in China" (6). Rightful resisters increasingly use rights talk and legal language when challenging local governments and cadres for violations of central policies—such as misconduct in economic

appropriation, contentious elections, the use of village finances, the use of village land, and corruption (O'Brien and Li, "Rightful Resistance" 6). As O'Brien and Li describe it,

> Rightful resistance is thus a product of state-building and of opportunities created by the spread of participatory ideologies and patterns of rule rooted in notions of equality, rights, and rule of law…it is a sign of growing rights consciousness and a more contractual approach to political life. It appears as individuals with new aspirations come to appreciate common interests, develop an oppositional consciousness, and become collective actors in the course of struggle ("Rightful Resistance" 4).

The "participatory ideologies" and "patterns of rule rooted in notions of rights" refer to the CCP's efforts to create conscious citizens through the publication of laws and policies and the subsequent rights consciousness that developed. Rightful resistance is treated as both an effect and a sign of this new "contractual" (i.e., rights-based) approach to relating to the government. Rightful resistance acts as a master frame by forging a collective consciousness about contention and the state-society relationship, and this collective consciousness serves to spread rightful resistance and acts as a framework for other groups to stage collective action.

3.2 Rightful Resistance as a Master Frame

Rightful resistance acts as a master frame in one way by forging a collective consciousness with regards to contention. This collective consciousness is in one respect a result of how rightful resistance tactics are spread. Imitation plays a key role in its diffusion. Groups of citizens who are frustrated with inefficient means of claim making see the successes of groups staging rightful resistance, and copy their tactics with hopes of getting the same result (O'Brien and Li, "Rightful Resistance" 77). The shared feeling of seeking redress for perceived wrongs and the shared tactics of contention contribute to forming a collective consciousness among

groups in distant places across the country. As political scientists Doug McAdam and Dieter Rucht explain it, "broadly similar grievances and experiences with contention can help forge a collective identity when limited interpersonal contact establishes minimal identification between transmitters and adopters" (74).

Protesters use the elements of the master frame of rightful resistance—namely the use of rights talk, the use of legal language, and fixing blame on local officials while upholding the authority of the central government—and apply it to fit their particular grievance. Be it in the southern countryside, in a coastal factory, or in a densely packed *shequ* community, instances of social protest are increasingly exhibiting the trappings of rightful resistance.

O'Brien and Li claim that in China, rightful resistance has "sensitized" people to new possibilities in their relationship with the state ("Rightful Resistance" 109). Rightful resistance as a master frame is providing the framework by which more and more citizens are staging collective action to enforce their rights. Though most pressure is directed at local officials, this could be a significant problem for the CCP. Rightful resistance could easily get out of control and spiral into less controlled, more violent forms of protest if protesters' grievances are not met. With more social protest than ever before, rising contention—however rightfully motivated and intended towards the central government—could become a real threat to the stability of the regime.

The tactics of rightful resisters are successful in gaining bargaining power because of their exploitation of bureaucratic differentiation—i.e., the differing interests between local and central governments since decentralization. Bureaucratic differentiation arose from the processes of economic liberalization after reforms. It is largely a feature of the "asymmetric

decentralization" and "upward accountability" that characterize the current bureaucratic structure of the CCP.

3.3 Rightful Resistance: Mechanisms of Contention

Bureaucratic differentiation is important in terms of how rightful resistance is staged in two main ways. First, with decentralization, the central government is less able to control local officials. The central government needs a way to check local power and make sure officials are implementing central directives. Rightful resistance can aid in identifying incompetent or uncooperative officials and help the central government keep the local government in line.

Second, bureaucratic differentiation means that local and central levels of government will have differing overall goals. Because promotion and career success is based on economic development and keeping control of social unrest (i.e. upwards accountability), the main goal of officials in local governments is to maintain social stability. In contrast, higher authorities in the central government depend on the legitimacy of the political system as a whole. As such, regime legitimacy is the overall political goal of the center. Rightful resisters exploit these differences when staging collective action, and in many cases have been able to meet with considerable success.

3.3.1 Bureaucratic Differentiation: Checking Local Power

With financial decentralization and control of economic development relegated to local governments, local officials have been able to develop independent sources of wealth and power in the post-reform era. The central government is wary of local officials becoming too independent or poorly implementing important party policies and directives in order to reap some kind of personal gain (Chen 65). The central government uses the amount of unrest in a locality as a kind of barometer of local officials' competence. While it is understood that most

officials are going to engage in some practices for personal enrichment, a high amount of discontent in a local area can be a signal that an official is deviating from central objectives (Chen 67).

The local *Xinfang* system, for example, serves as a useful signal to the central government if social grievances begin to increase. The collective petitioning using "troublemaking tactics" in the *Xinfang* system is a form of rightful resistance, and can indicate local conditions of corruption or incompetence to the central government. Petitions are filed based on specific complaints, which can indicate what and who may be causing problems in an area (Chen 67).

For example, if a large amount of petitions are filed in a given year complaining about "local corruption" in imposing illegally high fees and taxes, then this serves as a signal to the central government of possible incompetence and deviation from the center's main policy goals. In several cases, local officials have been dismissed because of the nature and volume of rightful resistance-based action that arises in response to their incompetence or corruption (Cai, "Disruptive Collective Action" 164).

In addition to helping the central government check local behavior, the government's response to rightful resistance can reinforce the belief of rightful resisters in the central government's desire to act for "the good of the people," and enhance the center's legitimacy and the perception of its "moral virtue" (O'Brien and Li, "Rightful Resistance" 13). Because rightful resistance targets the local level of government while upholding the authority and legitimacy of the central, the central government's relative tolerance of rightful resistance based contention (to a certain extent) encourages protesters to use rightful resistance-based contention when seeking to stage collective action. As O'Brien and Li describe it, "top Party leaders tolerate rightful

resistance mainly because it provides them with intelligence about policy violations and helps them break through the 'protective umbrellas' (*baohu san 保护伞*) that local leaders use to fend off oversight" ("Rightful Resistance" 32).

Rightful resisters realize the presence of this local and central differentiation, and that it can be used to their advantage. Rightful resisters stage collective action using the legal language of the state as their legitimating rationale. Rightful resistance is framed so that protesters present themselves as merely trying to make local officials "carry out the polices of the central level" (O'Brien and Li, "Rightful Resistance" 7). Resisters emphasize their loyalty to the center, and the rhetoric of their protests turns their collective action into a crusade for upholding the goals of the central government (O'Brien and Li, "Rightful Resistance" 7).

For example, the protesting villagers in O'Brien and Li's interviews claimed their contention was a way of letting the government know when corrupt officials undermined its good policies (O'Brien and Li, "Rightful Resistance" 5). This method of staging contention makes protesters better able to "locate advocates among the powerful" (i.e., in the central government) and increases the chances for the success of their contention (O'Brien and Li 5, "Rightful Resistance"). The central government's support is a contributing factor to the use of rightful resistance as a master frame for collective action across the country.

3.3.2 Bureaucratic Differentiation: Social Stability vs. Regime Legitimacy

Bureaucratic differentiation informs the method of rightful resistance-based protest in another way aside from central checks on local behavior. Local and central levels of government have differing overall goals because success is defined differently for each level. For the local level, economic development based on social stability determines the career success of local officials, so maintaining social stability is the main goal (Guoguang 75). Central government

authorities depend on the authority and legitimacy of the political system as a whole in order to maintain success, and upholding regime legitimacy is thus its main goal (Cai, "Local Governments and Suppression" 37).

Rightful resisters exploit the differences in these main goals in order to gain bargaining power and concessions. In choosing how to respond to collective action, local and central governments face certain options given the circumstances of the protest being made. They can either grant concessions, or engage in repression (Cai, "Local Governments and Suppression" 24). The likelihood of either is the result of a calculated cost-benefit equation. Effectively manipulating this equation is how rightful resisters avoid repression and stage successful collective action. The way they manipulate this cost-benefit equation to gain concessions is through the use of "troublemaking tactics" to "skip levels" (*yueji*) and gain the attention of the central government.

Rightful resistance is much more likely to face repression if staged at the local level than if protesters gain the attention of the center. From the point of view of local governments, repression can stamp out social protest and discourage further resistance by enhancing citizens' views of the local government's capacity (Cai, "Local Governments and Suppression" 27). For small-scale instances of rightful resistance, repression can be a low cost-option for local governments. It is a low-cost option because the main goal of the local level is to maintain social stability; the resulting loss of legitimacy it faces from repression is thus not of great concern compared with quelling unrest (Cai, "Local Governments and Suppression" 26).

However, there are risks associated with repression at the local level. If repression fails, escalation could ensue. If rightful resistance develops into a major incident of unrest, involving violence or destruction of property, the central government may intervene in the dispute between

citizens and the local government (Cai, “Power Structure” 6-7). If the central government is forced to intervene, “it often requires the local government to address citizens’ grievances with local financial resources” (Cai, “Power Structure” 6). Also, central intervention often leads to punishment of local officials for failing to maintain social stability. If an official is stripped of his post, the local government suffers because it more directly relies on that official to carry out functions of governance (Cai, “Power Structure” 6).

This fear of central intervention should an incident of rightful unrest gain too much attention can influence the local government to grant concessions. Though concession is more costly for local governments—with limited financial resources and the pressure to produce economic growth, concessions usually involve significant financial sacrifice—if collective action is able to cause enough of a stir to threaten intervention from the central government, concession may be less costly than the punishments the central government would exact for failing to contain social unrest (Cai, “Power Structure” 7). In this way, rightful resisters often try and employ “troublemaking tactics,” such as disruption, in order to try and gain the attention of the central government, or at least appear like they could.

For example, in snapshot four, the Dingzhou villagers were able to *yueji* and gain concessions addressing their grievances. The villagers, whose land had been virtually taken away to make room for a coal ash storage site, were attacked by hired thugs during their protests. The peasants were able to video the incident and publicize it in the media. The central government then intervened on behalf of the villagers because the publicity of the incident had outreached the local government’s capacity for repression, pressuring higher levels of government to act. The local officials of the area were severely punished, with the city Party secretary and the mayor

sentenced to life in prison. In this case, the villagers achieved the purpose of their protest because of their use of "troublemaking tactics" to manipulate bureaucratic differentiation.

However, for rightful resisters, there are significant risks in utilizing these "troublemaking tactics" when trying to skip levels. If rightful resisters are successful, then their tactics of staging contention will gain them the attention of and allies in the central government. In order to gain concessions, resisters depend upon the ability of their tactics to make a sufficient enough clamor to gain central attention, while they also depend on locating "advocates among the powerful" in the central government (O'Brien and Li, "Rightful Resistance" 5). If they fail to secure these allies, then most likely rightful resistance will not succeed and those involved will be punished.

The normal method of punishment is to target key dissidents or organizers of the collective action, to make an example out of them (Cai, "Local Governments and Suppression" 30). Punishment is usually enacted using the legal system. Legal punishment is a convenient tool local governments use to punish the most serious offenders and break up instances of collective action without the risks that come with violent suppression (Cai, "Local Governments and Suppression" 29). Resisters play a risky game when trying to get the attention of the central government. If they fail, their rightful resistance can easily be turned around into "disrupting social order" and other illegal actions, inviting severe punishment (Cai, "Local Governments and Suppression" 29).

Also, rightful resistance can be risky because the support of the central government is often quite conditional, and may sometimes even be reversed. In certain situations of rightful resistance-based contention, the central government can face an awkward balancing act when deciding how and when to intervene in citizens' disputes with local governments. In 2006, for

example, villagers in the city of Taishi staged widespread protests against local government corruption. Village police cracked down violently on the protesters, but failed to stop them from staging collective action. The central government intervened on behalf of the citizens, allowing them to hold an election in which they voted out corrupt members of the village bureaucracy and elected a crop of new officials. The Party publicly announced its support of the election, upholding it as a shining example of people's village democracy ("China from the Inside").

However, other local officials in the bureaucracy began lobbying the central government, and revealed that the election would interfere with the local government's ability to implement several key economic measures handed down by the Party. Faced with supporting rightful resisters' claims or potentially upsetting the economic bottom line, the central government was forced to reinstate members of the village bureaucracy who had been voted out during the election. Better governance was promised, but the Taishi villagers still held much contempt for the returning officials, and for the next few months afterwards, sporadic protests cropped up in the town, to be suppressed by the local police force ("China from the Inside").

This instance of a reversed outcome of rightful resistance-based protest reveals the awkward balancing act in which the central government must sometimes engage when calculating whether or not to support locally aimed, rightful resistance-based protest. While supporting such collective action helps to streamline the Party bureaucracy, the structure of the CCP that relies on a hierarchical order of officials to carry out Party policy complicates matters to such a degree that the central party often risks inciting more collective action (on the part of the villagers) or inciting local officials' discontent. Bureaucratic differentiation, existing within a Party structure that is characterized by asymmetric decentralization and upwards accountability, reveals the pressures and cross-pressures faced by both levels of the government, something that

rightful resisters have been able to adapt to and exploit for their benefit on certain occasions. However, the case of Taishi reveals the risks of collective action in that success is never a sure thing, made more ambivalent by the central government's highly conditional support.

As illustrated above, rightful resistance can be risky in that gaining the attention of the central government does not automatically guarantee success—it only increases resisters' *chances* for concession. Concessions are usually granted by the central government when the cost of repression is high and/or the cost of concession is low (Cai, "Local Governments and Suppression" 24). For example, in the case of the striking migrant workers in snapshot one, the government granted concessions because the cost of repression would have greatly exceeded the benefits. The widespread scale of the strikes and the media attention they garnered made the cost of repression too high—a crackdown on such a level would have resulted in a serious loss of legitimacy for the Party-state. This forced the central government to pressure local governments and factory managers to concede to workers' demands. The Taishi protests, in contrast, did not receive as widespread media attention, so the central government did not face as high a risk of legitimacy loss as it did with the migrant worker strikes.

Legitimacy is a key variable in the central government's equation of dealing with collective resistance. Yongshun Cai defines legitimacy succinctly as "worthiness to be recognized" ("Power Structure" 5). Legitimacy is crucial for the CCP because it has claimed to be the choice of the people and the deliverer of "democracy." Such a claim justifies its authoritarian control over the country (White 138). In this sense, risk of repression for the central government is much higher than for local governments. If rightful resistance is successful, it will have generated enough of a stir to gain some publicity. The publicity of successful rightful

resistance increases the cost of its repression for the central government because then repression is much more obvious and public (Cai, "Local Governments and Suppression" 40).

If repression fails, the central government is "vulnerable to a massive eruption of protests, in which case citizens can certainly choose alternative systems" (Cai, "Local Governments and Suppression" 41). Widespread, public repression seriously undermines the legitimacy of the Party's basis for its singular rule (Cai, "Local Governments and Suppression" 41). After Tiananmen Square, for example, views of Party legitimacy were at an all-time low (White 138). Though the Party was able to maintain social control and build up its legitimacy over the years, the CCP wishes to avoid another Tiananmen by nearly any means necessary.

If repression costs are too high, then the central government will concede in order to keep its legitimacy intact. By intervening in particularly disruptive acts of collective action directed at the local level, the central government protects its legitimacy by punishing "resistance-provoking" local officials and even making concessions to accommodate citizens' grievances (Cai, "Local Governments and Suppression" 41). Successful rightful resistance thus manipulates the cost-benefit equation to make the cost of repression for both levels of government too high, granting the bargaining power to protesters that allows them to gain concessions.

While "skipping levels" in rightful resistance-based contention carries significant risks, it is still the best chance for gaining concessions for one's cause. The chance of success with these tactics is one way in which rightful resistance has been able to act as a master frame in influencing how other collective action frames stage contention, as others see the potential to gain concessions and follow its example (Johnston, and Noakes 10).

The cost-benefit equation that determines how local and central governments respond to

incidents of collective action is a result of the complex pressures and cross pressures on different levels of government that arise with bureaucratic differentiation. This bureaucratic differentiation in the post-reform era has contributed to the political opportunities available to rightful resisters for staging successful collective action. As O'Brien and Li explain it, rightful resisters "adapt to the contours of a reforming regime as they discover which openings can be exploited and where the best opportunities lie" ("Rightful Resistance" 66). Protesting groups can exploit the differing goals of each level to gain concessions and ultimately succeed in achieving their desired ends.

As more citizens become aware of rightful resistance as a channel through which to make claims on the government, and as these actions gain concessions from the government when they are "disruptive" enough, a dangerous balancing act develops. The line between "disruption" and "violence" is often very thin, and in charged situations such as social protest, peaceful collective action can quickly turn violent and destabilizing (Cai, "Disruptive Collective Action" 136). Repression, though successful in most cases, often foments resentment that springs up in disruptive social protest when the opportunity arises (Cai, "Disruptive Collective Action" 150). When collective action turns violent, it is often due to a sense of anger among citizens who are frustrated with legal channels that have proven ineffective in addressing their grievances (Cai, "Disruptive Collective Action"150).

Instances of rightful resistance-based collective action have risen dramatically in recent years. Yongshun Cai reports that in 2005, the Ministry of Public Security admitted that over 87,000 cases of social disruption involving more than 15 participants were investigated (Cai, "Local Governments and Suppression" 24). And in Jiaotong University's annual report on crisis management for 2010, "major incidents" of social unrest increased from 60 in 2009 to 72 in 2010 (Jacobs and Ansfeld). This is due in large part to the availability of structural openings for

social protest and the spread of rightful resistance as a master frame (Cai, "Local Governments and Suppression" 24). However, though social protest has increased, effective means of settling conflict and addressing citizens' grievances have remained lacking. The increase of social protest has the potential to threaten the stability and legitimacy of the regime if conflict resolution remains largely non-institutionalized. Whether intended or not, rightful resistance-based collective action has "become a serious concern for the Party-state" (Cai 24).

If China is to negotiate the social unrest that has arisen in recent years, it needs to institutionalize conflict in such a way as accommodate the themes of citizenship and social protest that have arisen in recent years. The next few pages discuss the threat of collective action to the legitimacy of the regime, emphasizing the pressing need for effective conflict institutionalization in the state-society relationship.

4. Rightful Resistance and the Threat to Legitimacy

The danger of persistent collective action carries with it a two-fold risk: collective action can turn violent (Cai, "Disruptive Collective Action" 149), and it can cause a shift in the loci of blame in the minds of those staging resistance (Cai, "Disruptive Collective Action" 150). With a continued lack of mechanisms for conflict resolution, protesters may begin to shift their focus from local inadequacies and begin to think about what is lacking in the central system (Cai, "Social Conflicts" 109).

Instances of nonviolent rightful resistance can turn destructive with the persistent lack of meaningful response from authorities, and collective action can turn violent when resisters are faced with repression from local governments (Cai, "Disruptive Collective Action" 164). Resisters who have a significant amount of frustration built up from continual failures to have their grievances addressed are more likely to shift to violence when faced with repression (Cai,

"Disruptive Collective Action" 150). The built-up frustration from exhausting approved but ineffective legal means of claim making can explode into violence when repressive tactics employed by the state spark angry resistance. Frustration can greatly contribute to how quickly a nonviolent protest turns violent (Cai, "Disruptive Collective Action" 150).

Violent collective action has been increasing in recent years. From 2000-2003, violent attacks on state agencies increased in number from 2,700 to 3,900 (Cai, "Disruptive Collective Action" 135). In Yongshun Cai's survey of collective resistance in China (published in 2006), Cai found that the of 261 cases of collective resistance in various places across China, 107 (41%) involved the use of violence (135). While it cannot be said that 41% of all collective action in China involves violence, Cai's work illustrates the growing use of violence in collective action., Jiaotong University's annual report on crisis management supports this claim, as it reported in 2010 that "major incidents" of social unrest in China increased from 60 in 2009 to 72 in 2010 (Jacobs and Ansfeld).

China scholar Zhao Shukai's research on peasant protests reaffirms this trend as well, and connects the rise in violence to a lack of effective legal means for making claims. He states: "contention within the system [*tizhi nei kangzheng 体制内抗争*], such as the *Xinfang* [信访] system, is still the main feature of peasant action, but violent contention outside the system is also obviously increasing…peasants start by lodging complaints at the county level or higher, and doing so at the province or in Beijing is also fairly common…if the petitions fail, they often turn to 'direct' [*zhijie 直接*] resistance" (221).

The persistence of collective action and the rise in violent protests in recent years has important implications for regime legitimacy. The persistence of such incidents is more concerning for authoritarian regimes because "such events are not supposed to occur in a regime

where citizens are denied the right to challenge the state" (Cai, "Power Structure" 413). Persistent resistance puts increasing pressure on the government because it reveals a deficiency in the government's ability to respond to the needs of society (Cai, "Social Conflicts" 109). The weakness of China's conflict-resolution mechanisms in such an environment threatens legitimacy loss, and the risk of losing legitimacy will keep rising as long as conflict institutionalization remains weak (Cai, "Social Conflicts" 109).

As O'Brien and Li explain it, a continued lack of conflict institutionalization will make people begin to question the ability of the central government to meet society's needs. Continued failure to address citizens' grievances will weaken popular faith in the morality of the state ("Rightful Resistance" 126). At a certain point, the authors explain, "the center's good intentions will no longer matter unless they are backed up by a capacity to right wrongs" ("Rightful Resistance" 126).

If resisters come to doubt the center's intentions, this could disintegrate the regime's basis for legitimacy (O'Brien and Li, "Rightful Resistance" 125). The loci of blame for rights infringement will shift to where "people will blame not just local officials but also the political *system"* for a lack of response to their grievances (Cai, "Social Conflicts" 109). The beginning of politically motivated, central-critical dissent could arise as the center's legitimacy wanes (O'Brien and Li 125). As O'Brien and Li describe it, "today's rightful resistance could thus evolve into a more far-reaching counter hegemonic project, particularly if rightful resisters come to doubt not only the center's ability to deliver on its promises but also its desire to do so" ("Rightful Resistance" 127).

With a persistent trend of increasing social protest and a continued lack of effective channels of conflict resolution, the government faces a significant threat to its legitimacy. In order to

effectively manage the tensions in the state-society relationship of the post-reform era, the CCP faces a pressing need to institutionalize effective mechanisms of conflict resolution.

5. Conclusion

The themes of contention identified in this section illustrate how structure, citizenship, and social protest have come together to spur the development of a form of claim making that could be potentially threatening to the legitimacy of the regime. The themes discussed in this section illustrate the major problems present in the state-society relationship in China, and how they pose a threat to social stability.

In the previous three sections, several important themes of citizenship and contention have been identified that need to be accounted for in the institutionalization of conflict resolution. These themes helped to identify major problems and vital needs of both the state and society in their relations with each other. On the part of the state, the CCP needs to maintain its connection with the populace by inculcating a civic spirit and encouraging political consciousness, while maintaining the legitimacy and the authority of the regime. On the part of society, a rights-conscious citizenry increasingly requires an efficient means of negotiating for their interests and a means for checking and curbing local corruption.

If these issues and the priorities of the principal actors involved are taken into consideration, in order to successfully meet the challenges posed by rising social unrest, the institutionalization of conflict must somehow benefit both society and state and mediate their interactions in a harmonious way. The next section will use the needs these themes have brought to light as a basis for proposing helpful characteristics for the effective institutionalization of conflict resolution in China.

SECTION 4: Foundations for the Institutionalization of Conflict Resolution

Given the increase in scope and intensity of incidents of collective action in recent years, effective institutionalization of conflict resolution on the part of the CCP would help the state avoid potentially regime-threatening social unrest. However, what characteristics would this institutionalization need to exhibit? On the part of the state, the CCP is concerned with inculcating a civic spirit and encouraging (structured) political participation, while upholding the legitimacy and the authority of the regime. On the part of society, a rights-conscious citizenry requires an efficient means of negotiating for citizens' interests and a means for checking and curbing local corruption. If the main issues and priorities are considered, the institutionalization of conflict must somehow benefit both society and state, while acting to ease the relations between them. While a description of the exact day-to-day functions of such an institution is beyond the scope of this paper, by examining the needs of the state-society relationship, a theoretical model of an institution of conflict resolution—including its basic function, role, and structure—can be determined.

This section first suggests an organizational framework that could function to serve the needs of both state and society in terms of channeling citizens' political energy. A civic organizational framework is proposed to create an "active," politically conscious membership conducive to the CCP's goals of inculcating civic spirit in the citizenry.

This section then proposes two key mechanisms to be used within this framework to serve as channels for negotiation between the state and society, reducing social unrest. These are the use of a deliberative framework and an electoral process. In varying capacities, these two mechanisms help with issues of civic consciousness and political participation, of legitimacy enhancement of both the local and central state, and of negotiation of citizens' grievances. These

three elements—an organizational framework and two mechanisms of operation—form the foundation of this paper's proposed institution of conflict resolution, and are described as "proactive, deliberative institutions."

1. Organizational Framework and Political Participation

In order to effectively institutionalize conflict resolution, some type of organization is required that can serve as a framework for coordinating state-society relations. Civic organizations foster communicational and organizational skills in their members that positively influence political participation. This kind of civic organization could meet the state's need to foster civic spirit and political consciousness in the citizenry, and could meet citizens' needs for an effective channel for representing their interests to the state.

According to the research of China scholar Gang Guo, in China, the nature and membership of organizations play a strong role in the level of political participation they inspire. There are three main types of formal organizations that Guo identifies in the Chinese context: the Communist Party, mass organizations, and civic associations. While all are subject to extensive state control, each possesses particular membership and organizational characteristics and differs in its influences on its members' political behavior and level of political participation (459).

Guo argues that an organization's influence on political participation is critically dependent upon two factors: the organization of the institution, and the nature of its membership (458). State control over political organizations was described in section one as one way China has prevented the development of independent civil society institutions (see Section 1, 2.2). These organizations were discussed in terms of the constraints placed on their membership from the *outside*. However, by examining the internal effects of an institution on its members, the ways in

which different organizations bring members together and inspire or impede political participation and civic spirit can be more clearly understood.

1.1 The Party and Mass Organizations

Section one illustrated how mass organizations serve as “transmission belts” for the Party by relating party policies to their membership and reflecting members’ views back to the central government (Guo 462). The membership of both the Party and mass organizations is heavily constrained in their political activities; they are limited to activities that are officially sanctioned by the Party-state and are required to adhere to and support Party policy (Guo 468).

A key feature of the membership of the Party and mass organizations is that it is a “passive” type of membership. The CCP and its recruiting organization, the Communist Youth League, target the young and highly educated for recruitment, seeking to “co-opt the advanced elements” into the Party (Guo 464). In this sense, the CCP uses its membership as a means to extend the reach of the regime.

Mass organizations (such as the All-China Federation of Trade Unions and the All-China Women’s Federation) are designated to a specific social sector. They have a monopoly on representation because they are the only national organization legally allowed to represent that sector. Mass organizations are eager to expand the base of their membership and “extend their coverage into the social sectors that they have the monopoly to represent” (Guo 464). People whose jobs are in state owned enterprises, who work for the Party in some capacity, or who work for government agencies are almost automatically inducted into membership.

In mass organizations and the Party, membership “inevitably becomes passive” because aside from the organizations’ grassroots leaders, membership is in large part either non-voluntary or simply nominal. This means that few members are actively involved in the organizations’

operations (Guo 465). For example, at the grassroots level, the Party has difficulty attracting ordinary members to attend mandatory meetings, and "it has become quite common for Party branches to pay their members as an incentive for attendance" (Guo 466).

In addition to the non-voluntary nature of their membership, the Party and mass organizations also fail to foster a sense of civic spirit in their members because they do not increase members' social capital. According to political scientist Tony Saich, when an organization is composed of a voluntary, or "active" membership, members are more likely to engage in political activity and accrue more social capital than those whose membership is "passive." According to Saich, communicational and organizational skills are fostered through formal or informal interactions between members of an organization, which positively influences their activity in political participation (137). The "formal and informal access, information, civic skills, and general social capital" that are developed through this interaction prepare members of an organization to be "important resources for political participation" when the need for it arises (138).

Membership in the Party or mass organizations is somewhat encapsulated according to local administrative or work units. The compartmentalized and hierarchical nature of mass organizations and the Party means that membership in them does not increase social connectedness and cohesion beyond what is already present in work and administrative units (Guo 467). While the Party and mass organizations do provide a nominal connection between their membership, the "passive" nature of this membership does not make for great organizational frameworks for inspiring civic spirit and political participation.

Guo describes the situation of the CCP and mass organizations as such: "Even though the Party or mass organizations may offer many opportunities to acquire, or improve, organizational

or communications skills in the context of activities, without active involvement by members those opportunities do not translate into advantages in civic skills that would facilitate political participation" (Brady, Verba, and Schlozman 310). The constraints on members' political activity and the limited social capital of its membership tend to limit the benefits conferred from social interaction in these organizations.

The social capital gained through members' interactions positively influences their political participation by giving them the communicational and organizational skill set to engage in political activity (Saich 137). In China's current context, the need for institutionalization of conflict resolution to help social groups effectively negotiate with the state "necessitates the cultivation of such skills among their members" (Guo 467). Therefore, an organization that inspires an active, politically conscious membership would be most helpful in coordinating the relations between the state and society.

1.2 Civic Organizations

The majority of civic associations in China have developed in the past twenty years, increasing from 116,000 in 1991 to 150,000 in 2004 (Guo 463). They range in area interest and size, and include organizations such as environmental NGOs, homeowners associations, and even pig-raisers associations (Guo 463). Though subject to strict monitoring and approval by the party-state, civic associations bring unique benefits to their membership.

In contrast to the passivity of ordinary members of the CCP and mass organizations, membership in civic organizations is more voluntary. Correspondingly, their members are much more active in the organization's activities (Guo 465). For example, whereas mass organizations such as the All China Women's Federation serve as the monopoly organization of an entire

social sector, civic associations are specialized and limited to attracting "self-selected members" who are united in their common interests or concerns (Brady, Verba, and Schlozman 280).

The "active" status of members better instills in them a sense of civic spirit and increases their political capital, which "facilitates participation in the wider political process" (Guo 465). In a study on environmental NGOs and institutional dynamics in China in 2005, China scholar Guobin Yang described how the activities in which members participated "offer[ed] meaningful and even fun experiences for self-exploration and socializing, including training in leadership, skills in interpersonal relations, and exposure to new horizons of life"(62).

Guo identifies "civic organizations" as the best type of institution for creating an "active" membership, and identifies having an active membership as necessary for making an institution truly representative of its members (457). Guo's research leads him to conclude that civic organizations, in contrast with the CCP and mass organizations, facilitate political participation to a significantly higher degree because of the social capital its membership develops. As political science scholars Henry Brady, Sidney Verba, and Kay Schlozman explain, "simply being involved with nonpolitical institutions does not foster political activity. What counts is what happens there" (280).

A better politically trained citizenry could lead to smoother state-society interactions by lessening frustration among citizens who continually encounter ineffective official means of seeking redress. However, there is a caveat with this type of organizational framework: civic organizations can be susceptible to institutional appropriation for the use of disruptive, illegal modes of action when legal modes of seeking redress are ineffectual (Guo 459).

The next few pages discuss the two mechanisms to be used within this framework—deliberation and elections—that can aid in making conflict institutionalization effective and

beneficial for both the state and society, avoiding the need for disruptive collective action and mitigating the susceptibility of civic organizations to institutional appropriation.

2. Mechanisms for Easing Social Conflict: Deliberation in Deliberative Institutions

The first mechanism that can aid in the institutionalization of conflict resolution draws from a 2008 case study of a Chongqing taxi strike. China scholar Steve Hess discusses the role of "deliberative institutions," or ad hoc bodies that aid in facilitating negotiations between the state and citizens when conflict occurs, in managing social unrest during the strike. This case study will be used to illustrate the usefulness of this type of mechanism for resolving state-society conflicts. First, however, the next few pages focus on what deliberative institutions are and how they work to manage incidents of social unrest.

Political scientist John Dryzek defines "deliberative institutions" as having six basic characteristics: 1. They carry out their functions in the context of a pressing, unresolved problem that is of interest to all of the parties involved, 2. The situation involves a degree of conflict, 3. A neutral third party "initiates, lubricates, and oversees" discussion among the parties involves, 4. Discussion among those involved is "prolonged, face-to-face, and governed by formal or informal canons of reasoned discourse," 5. The outcome of this process is a "reasoned, action-oriented consensus," 6. These institutions are ad hoc, and only last as long as the problem at hand (23).

Dryzek's definition is designed to apply to Western systems of deliberative democracy. In a democratic context, the parties involved in a conflict are viewed essentially as equals. The strong rule of law in democratic countries helps to enforce the "nonbinding nature" of the agreed settlement, as citizens have recourse to challenge the other party should it renege on the agreement (Hess 339). However, this seems problematic in the context of an authoritarian regime

such as China, where the state can act to coerce the other party into accepting an unsatisfactory settlement (Hess 339).

However, the possibilities for state manipulation do not completely invalidate the genuine utility of deliberation in an authoritarian setting. China scholar Baogang He describes the particular style of deliberation that goes on in authoritarian regimes, where the state, "constituted of unelected officials, acts as the primary agent in deploying deliberative mechanisms; arguments and reasons-communicative action solve collective problems, participants and local leaders exchange opinions, make arguments and counterarguments, and change their preferences through public deliberation" (124). Though deliberation in China's case is inextricable from authoritarian power relations, this does not diminish its utility as a possible aid in conflict resolution.

Deliberative institutions have been used experimentally in China in recent years—for example, in the form of "consensus conferences" and public hearings in cases of administrative punishment, and in deliberation within representative village committees (Ngeow 175). In the case of Chongqing, several measures passed in 2004 legislated a deliberative system of public consultation, involving solicitation of public opinions "when drafting legislation," and "holding public hearings when addressing issues of wide public interest" (Hess 341). In his discussion on the Chongqing taxi strikes, Hess identifies these public hearings as "providing an important platform for resolving incidents of social unrest after they have broken out" (Hess 342). During the taxi strike, deliberative institutions served as useful tools in managing a serious case of social unrest, maintaining political stability in a situation that could have turned violent (Hess 337).

On the morning of November 3, 2008, there was not a taxi to be seen on the streets of Chongqing. The 9,000 registered taxis in Chongqing's municipality organized a city-wide strike,

frustrated by a lack of response from the city to their long-standing grievances over "increased operating fees, extremely high traffic fines, low standard taxi fares, and the government's failure to crackdown on competing unregistered taxis" (Hess 344). The authorities adopted the emergency response plan advocated by the Hu Jintao-Wen Jiabao administration, which involves managing incidents of social unrest with a more cautious use of police force, and puts local officials on-site to engage in dialogue with the those involved (Hess 344-345). In the case of Chongqing, this dialogue took place in the forum of deliberative institutions outlined in the 2004 measures. Steven Hess described the process:

> As the strike extended into its fourth day on Thursday, 6 November, the Chongqing Municipality Government was faced with a seemingly intractable situation. It deployed the public hearing mechanism outlined in [the 2004 measures]. To demonstrate the seriousness with which the government appreciated the taxi drivers' concerns, CPC Party Secretary for Chongqing Municipality and member of the CPC Central Committee's Politburo, Bo Xilai, came to meet with representatives of the striking taxi drivers face-to-face at a public hearing in Chongqing. To allow the wider public to observe the discussion firsthand, the hearing was broadcast live on state-run television and other media outlets. At the meeting, which ran for three hours, Bo Xilai discussed the taxi drivers' grievances. At the conclusion of the public hearing, Bo Xilai pledged to crack down on unregistered taxis, expressed his sympathy for the drivers' other major concerns and urged them to establish a formal organization that could maintain a regular dialogue with the Chongqing government. The face-to-face meeting with a high-ranking figure such as Bo and the opportunity to have their major grievances discussed and presented

> with solutions in a public forum seemed to have had some effect on the striking taxi drivers, as they returned to work the following day." (346)

In the case of the Chongqing strikes, the city acknowledged the grievances of the taxi drivers, and engaged them in dialogue through the framework provided by the deliberative institution. The government oversaw the agreement between the parties involved, and the city was able to make a non-threatening concession—cracking down on unregistered taxis—while the taxi companies and their drivers offered concessions as well (Hess 349).

The procedure was hardly among equals—the authoritarian advantage was definitely utilized for the government's benefit. For example, when Bo Xilai called for the establishment of a "formal organization to maintain a regular dialogue" with the government of Chongqing, there was a push by taxi companies to set up a representative trade union. However, this union (The Chongqing Federation of Trade Unions, respectively) ended up as an arm of the larger mass organization, the All-China Federation of Trade Unions. Leaders in the Chongqing trade union were appointed to monitor drivers' activities; the union was also used to co-opt potential strike leaders (Hess 347). This was far from the implied meaning in Bo Xilai's speech of an organization that would exist to collectively bargain on behalf of the drivers.

Though far from equal, the mechanisms of negotiation and discussion in the deliberative institution used in the case of Chongqing illustrate an important point with regards to institutionalization of conflict resolution. The public venue and televised meeting "publicly demonstrated the government's concern for the plight of the taxi drivers" (Hess 349), and channeled a potentially violent interaction between the city and taxi drivers "into a discussion in a boardroom" (Hess 349), which encouraged the use of prescribed and tolerated channels of participation for airing grievances. Engagement with a higher-level official, who was

(ostensibly) interested and concerned for the drivers' welfare, was a key component for making protesters feel like they had some means to enforce their rights and seek redress for their wrongs. Though they did not gain all of the concessions they wanted—not by a long shot—the feeling of efficacy in having their grievances heard and addressed was sufficient to diffuse the situation from potentially volatile to peacefully resolved in a matter of days.

Deliberation, or a means of negotiating with higher officials, contributed significantly to diffusing the potential disruption of the strikes by channeling activity into an official forum, which benefited both the drivers and the state. Deliberative institutions served to enhance the legitimacy of both the local and the central government by illustrating their responsiveness and by "incorporating citizen deliberation into decision-making" (Hess 337); deliberative institutions also acted as an effective tool for managing social unrest by bringing the two parties involved to an acceptable consensus (Hess 336). The city government was able to make less costly concessions than if it had been forced into a bargaining situation—repression was already out of the option, given the scale of the strikes—revealing the utility of deliberative institutions for providing cost-effective, potent solutions to incidents of social unrest.

It seems that the deliberative framework can go far in resolving conflict after social unrest arises. Hess chalks this up to the potential of deliberative institutions for "increasing public participation, government efficiency, and managing conflict without requiring competitive elections at the national level or the loss of the government's monopoly on political power" (349). The effectiveness of the deliberative framework leads him to postulate that the creation of a "consultative rule of law regime" (a term coined by China scholar Pan Wei) could be a "viable long-term alternative to liberal democracy" (350). Indeed, it seems that a deliberative framework would address many of the issues involved in the conflicts in the state-society

relationship. Deliberative institutions provide an effective means for citizens to negotiate with local officials, and enhance the legitimacy of the regime.

However, Hess himself admits that a pitfall of deliberative institutions is their reactive nature; they are ad hoc bodies and are put into place only *after* social unrest occurs. As Hess puts it, "as yet, the Chinese state has not established a way of *proactively* addressing public demands and heading off outbreaks of social unrest before they break out" (emphasis in the original) (352).

While civic associations can inspire political participation and public spirit, and the mechanism of deliberation allows for an effective channel of negotiation, neither of these mechanisms do anything to prevent social unrest from arising in the first place. In fact, civic associations can sometimes even facilitate disruptive action when effective mechanisms of conflict resolution remain lacking (Guo 459). In order for conflict institutionalization to be effective in managing social unrest, some form of proactivity must be integrated in this institutional framework and mechanism of deliberation. The next few pages present elections as a means for introducing this element of proactivity into the structure.

3. Mechanisms for Easing Social Conflict: Proactive Elections

Elections can help prevent social unrest from arising by channeling potentially contentious political energy into an organized channel for political participation. Elections have the double benefit of enhancing regime legitimacy and promoting political participation. They can serve to benefit both the state and society, and are useful mechanisms for ordering the relations between them. The next few pages discuss the functions of elections in authoritarian regimes and illustrate how they can serve as useful tools for managing state-society conflict. This provides a conceptual framework from which to begin discussing concrete examples of the

advantages of elections in a Chinese context, in the institutions of village committees and urban *shequ* communities.

3.1 Elections in Authoritarian Regimes

According to political scientists Jennifer Gandhi and Ellen Lust-Okar, elections in authoritarian regimes perform several key functions. Elections can serve in an informational capacity, they can serve to co-opt potential opposition to the regime, they can enhance the legitimacy of the regime, and they can mitigate the risk of the ruling power's violent removal from office (405-406). Elections, even in an authoritarian setting, can also act to promote policy congruence between citizens and officials (407).

In China's case, the only elections allowed are at the local level, and mostly include village committee elections (and to a lesser extent residents' committee elections in the *shequ).* Though they do not have a national reach, elections in China can still play major roles in carrying out the functions listed above.

Elections can act in an informational capacity to provide critical intel to the national regime about conditions on the ground. In the case of China's local elections, election outcomes serve as important indicators of the loyalty and competence of party cadres. If a local incumbent earns little support in the polls, this can point out incompetency and corruption of the Party's local agents (Gandhi, and Okar 405).

Elections can also act to co-opt potential opposition. Earlier it was illustrated how the CCP's co-option of the entrepreneurial class is a tactic for neutralizing a potentially threatening social group by linking its success with that of the Party. In terms of local elections in China, independent candidates can run alongside Party members for positions in village committees (Shi1115-1118). By allowing non-Party affiliated candidates to compete in these elections,

candidates are allowed a means of advancement into political offices that can connect them with members of the Party bureaucracy. In such instances, independent candidates can end up becoming more invested in the regime as they come to benefit from "the spoils of government" (Gandhi, and Okar 405).

Elections can also act to help enhance the legitimacy of the regime, domestically and internationally (Gandhi, and Okar 406). By promoting and giving credence to the "popular will," the regime shows itself as a choice of the people. Austrian political scientist Andreas Schedler describes this process, noting that "by opening the peaks of state power to multiparty elections, electoral authoritarian regimes establish the primacy of democratic legitimation. . . [these] regimes institute the principle of popular consent, even as they subvert it in practice" (13). While multi-party elections in China are illegal, elections do serve to legitimize the regime in that popular consent is expressed at the local level.

Lastly, elections mitigate the risk of a ruler's violent removal from office. In this instance, elections act proactively to avert the threat of revolution (Acemoglu, and Robinson 121). One way in which elections help divert social unrest is by inviting non-Party members into the fold. On the one hand, this can reduce "asymmetries of information" that could potentially result in conflict (Gandhi, and Okar 406). By extending as many informational arms as possible outside of the Party context, the regime can help control the information being spread on the ground. This is not to say that tales of wrongdoing and corruption will not spread anyway, but elections do help mitigate the effects of a rampant rumor mill (Gandhi, and Okar 406).

A second way in which elections mitigate the risk of removal is by "offering an alternative route to power to those who otherwise would launch a coup" (Gandhi, and Okar 406). In China's case, village elections serve as a means of channeling political energy. If villagers are angry

about a particular policy or local government action, they can take their anger to the polls and elect a village committee member who they believe will represent their interests. In this way, elections can act to divert political energy before it turns into unrest (Kennedy 394).

If elections can act to uphold the authority of an authoritarian regime, does this mean that elections are injurious to citizens? Not necessarily. Elections in China have helped in some instances to promote policy congruence between citizens and public officials, and to promote voter efficacy (Gandhi, and Okar 406). China researcher Melanie Manion in her studies of village elections in China has illustrated that elections promote a dialogue between local officials and citizens, and have led to more agreement on policy between voters and officials (736-748). China scholar Tianjian Shi argues that turnover in elections generates citizens' belief in official accountability (1138-1139). This belief promotes continued participation in the political system, legitimizes the local and central governments in the eyes of citizens, and increases voter efficacy (1135-1139). Thus elections in China can serve the interests of both the state and the citizenry. An examination of Village and *shequ* (社区) elections, instituted in China in the late 1980s and 1990s, place these ideas in a concrete Chinese context and reveal the utility of elections in mitigating problems of political participation, regime legitimacy, and social unrest.

3.2 The Benefit of Elections: Village Committees

Village elections were introduced in China through the passage of the 1987 Organic Law on Villagers' Committees as experiments in limited democratic governance in the countryside. After ten years of implementation, the Organic Law was updated in 1998 to include principles of free and fair elections, and outlined election rules and procedures (Tan, and Qiushui 581). The new law standardized village elections so that electoral procedures across Chinese villages could have some guarantee of a degree of freeness and fairness (Tan, and Qiushui 582).

When properly implemented, elections in the countryside have had several positive effects on state-society relations. Three discussed here illustrate the benefits of elections for the state, for citizens, and for the state-society relationship: 1. Elections can increase the legitimacy of the regime. 2. Elections can increase accountability of local officials to their constituents. 3. Elections can increase voter participation and efficacy, which acts to channel political energy and prevent unrest. Most of these benefits to state and society result when elections are perceived as "free and fair," that is, "competitive" (Kennedy 394). However, as political scientists Loren Brandt and Matthew Turner explain, even imperfect elections can act to enhance regime legitimacy and make officials act in the interests of their constituents (453).

3.2.1 Elections can act to increase the legitimacy of the regime

Political scientist John James Kennedy describes two outcomes of competitive (i.e. "fair") village elections that indicate an enhancement of legitimacy. The first is an increase in citizen support for local electoral institutions. This means that villagers can be dissatisfied with the results of an election, but still support the electoral process as fair. The second outcome is that citizens feel an increased connection with the regime (391). This connection occurs when villagers connect their experiences of fair elections to central policies. Many villagers also perceive elections as a "central government attempt to offer citizens the right to monitor and sanction local officials," reminiscent of rightful resistance and the idea of the moral virtue of the state (394-395).

Regarding the first outcome, legitimacy for local institutions can come from the perception of the competitive quality of an election. When voters see competition in an election—or a choice between candidates—they view the election and the election process as fair (Landry, Davis, and Wang 769). Kennedy finds in his survey of villagers voting in a 2004 election that

when villagers were dissatisfied with a local leader's performance, they made a distinction between support for an elected individual and support for the electoral process (392-393). Elections granted legitimacy to local institutional procedures even when voters disapproved of who was put into office. When elections are competitive, villagers have faith in the laws and procedures surrounding the elections, even if they do not support an elected official personally. In this way, elections can be a positive factor for legitimation of local institutions.

Competitive elections can enhance the legitimacy of the regime as well. Villagers feel a sense of connection to the central government when they make a connection between voting in competitive elections and the policies the central government has put into place. For example, the regime's slogan of "building a new socialist countryside" has been widely publicized in rural areas through the mass media. The policies this slogan represents exhorts the importance of democratic elections and decision-making in rural areas. When villagers participate in fair elections, they "can make a direct connection between national propaganda and village experience" (Kennedy 392). The standardization of elections in the Organic Law and the affirmation villagers feel when they connect life experience to government policy makes elections an instrument for "bolstering popular confidence in the fairness of political institutions" (Landry, Davis, and Wang 781). This can legitimize local elections as well as the regime itself.

Regime legitimacy can still be enhanced even in imperfect elections. Villagers sometimes view elections as the center's attempt to allow voters to check the corruption of local officials and to sanction them (Kennedy 394). The perception of corruption among local officials and the desire of the central state to protect villagers—a key component of rightful resistance-based contention—is a strong force for directing blame to the local level, and can act for the central

government's benefit. China scholar Lianjiang Li claims that villagers view the Organic Law as "an attempt to protect them from abusive local cadres and to extend their political rights" (238).

When villagers stage rightful resistance against local leaders for poor-quality elections, they often use the Organic Law to point out officials' wrongdoings (Kennedy 393-395). According to Kennedy, in using the law to confront local officials, villagers feel an increased connection with the central government, and its legitimacy is enhanced (395). Regime legitimacy thus can benefit from both competitive and poor-quality elections, while local governments gain legitimacy only if elections are viewed as "fair."

3.2.2 Elections can act to increase accountability

Elections benefit the state by enhancing regime legitimacy. However, elections can also benefit citizens by acting to increase the accountability of local officials. Political scientists Loren Brandt and Matthew Turner claim that elections, even when corruptible, give leaders strong incentives to act in the interests of their constituents (453). The authors examined turnover rates for incumbents in recent elections across several provinces. There was considerable variation in the survival rates of incumbents—from 10% in Shaanxi to 80% in Sichuan (455). Overall, 49% of incumbents survived the most recent elections in their data (November 2007).

In their study, the authors found an inverse relationship between the percentage of land rent fees which villagers were able to keep and the likelihood of an incumbent to be re-elected (477-478). Re-election probabilities increased as leaders took steps to ensure that a larger share of the rents stayed with the villagers. The authors found that it was possible for citizens to use the threat of electoral defeat to curb the behavior of elected officials (478).

The authors' findings revealed that "turnover rates for village leaders in rural China are consistent with elections that give the electorate the ability to replace leaders who do not act in

their interests" (455). Landry, Davis and Wang's research on elections in rural China supports this conclusion as well. The idea of election fairness, perceived as "competitiveness," can support the idea of elections increasing accountability. As long as a few incumbents can lose, village elections can have a disciplining effect on local officials (764).

China scholars Kevin O'Brien and Lianjiang Li's research in village elections also show that free and fair elections improve leaders' responsiveness and the quality village governance. Their findings reveal that where free and fair elections are the norm, village leaders "live in a different world than the officials above them" ("Struggle over Village Elections" 139). As a village committee director explained: "We village cadres depend on the "ground line" [*dixian* 底线] (villagers' votes); those at higher levels depend on the antenna [*tianxian* 天线] (appointment by higher levels). If we wish to be cadres, we must win the masses' support." ("Struggle over Village Elections" 140). When Chinese candidates have to "compete for votes or lose," as Brandt and Turner describe it (766), then the election system can serve as a means to make officials more accountable.

<u>3.2.3 Elections increase citizen participation and efficacy, curbing social unrest</u>

China scholars Pierre Landry, Deborah Davis, and Shiru Wang link the competitive quality of elections to increased electoral participation and an increased sense of efficacy in villagers (763). Using a survey of 698 voters in 30 rural election districts during a village committee election in 2004, Landry, Davis, and Wang found a high correlation between the perception of competition and voter turnout (769).

Voters perceived elections as competitive when candidates had to compete for votes or face losing office. Those voters who lacked choice tended not to participate and judged the elections as unfair (Landry, Davis, and Wang 780). Even when an election was structured to

favor Party members—for example, the Communist Party Branch and local officials choose favorite candidates and have a wide means by which to make their preferences known to villagers (Landry, Davis, and Wang 775)—"the perception of competition as choice between candidates is sufficient to engage voters and increase their perception that the electoral process is fair" (763). This perception of fairness made them more likely to participate in the political system, and gave them a stronger sense of political efficacy than those who voted in uncompetitive elections (768).

An example of political efficacy as a result of election procedures can be seen in Lianjiang Li's research as well. Using a survey of 400 villagers in a county of Jiangxi, the author found that the first semi-competitive election in 1999 had an "empowering effect" on villagers in that they experienced an increase in political efficacy after removing unpopular leaders from office (648-650). The author argues that more villagers participate in politics after experiencing "free and fair elections" (653). As Landry, Davis, and Wang put it, "if we take the villagers' account of the degree of electoral competition at face value, elections were competitive in most villages and voter participation was directly related to the competitiveness of the election process" (776). In these respects, participation and efficacy increase with competitive elections, and efficacy also increases with participation.

Competitive election procedures that foster greater political participation and efficacy act to curb social unrest before it arises. This is due to the fact that citizens can express a form of political will when they vote in elections. When villagers see that local officials can become accountable to them when they rely on elections, voters make a connection between the representation of their interests and the electoral process (Tan, and Qiushui 595).

The legitimacy of competitive elections, even when they produce an undesirable outcome, is

still viewed as a possible means of representing one's interests (Tan, and Qiushui 596). The high participation rate in competitive elections illustrates that villagers make this connection between the electoral process and the ability to channel one's political will. With competitive elections, villagers are much less likely to stage collective action against local officials (Tan, and Qiushui 594).

In Qingshan Tan and Xin Qiushui's research on the effect of elections in several villages across China, the authors found that election procedures can improve tension in cadre-villager relations, reducing potential for social unrest (595). Before elections were introduced in the villages they surveyed, relations between cadres and villagers were described as "quite tense" (594), with many villagers almost completely distrustful of cadres' intentions. In the authors' survey, 69% of villagers indicated that after elections were implemented, tension was greatly or somewhat greatly improved, with cadres reporting an even higher number (594). Also, before elections were implemented, villagers would often appeal to higher authorities to report cadre wrongdoings (595). Elections have significantly reduced these appeals, which helps to avoid the awkward balancing act the central government faces when deciding whether or not to intervene in citizens' confrontations with local governments.

A greater sense of efficacy leads villagers to express their political energy in the voting booth rather than in making appeals to higher authorities (Tan, and Qiushui 595). Kennedy claims that villagers may be more willing to abide by unpopular policies (e.g. family planning, revenue collection) "if these are administered by someone they selected rather than a person appointed from above. This suggests that villagers are more likely to support elected (rather than appointed) leaders" (Kennedy 392).

Elections can thus have a double benefit of easing social unrest and making villagers more

tolerant of otherwise tension-causing policies (Kennedy 392-393). This benefits the local and central governments, as unpopular policies can significantly contribute to the amount of frustration citizens feel toward the local government, a factor that has the potential to significantly magnify the intensity of social unrest should it arise (Cai, "Local Governments" 109).

Of course, the efficacy of elections varies from village to village. Elections are often flawed, leaving villagers frustrated and disillusioned. Many instances of rightful resistance-based collective action has centered on corrupt elections (O'Brien and Li, "Rightful Resistance" 6). Petitions to higher authorities are thus still common (Chen 63). However, competitive electoral procedures in many villages across China have made significant impacts on voter participation and efficacy, and when properly implemented are able to diffuse a lot of the social tension that could potentially develop into social unrest.

3.3 Proactive Elections: Shequ (社区)*Committees*

The buildup of democratic institutions in urban areas arose in the 1990s, partially as a result of the positive results of village elections (Ngeow 9). Democratization in the village provided a way for the Party to gain legitimacy and political leeway in problem-solving in rural China, securing its "political survival" (Schubert 70). The success of village elections influenced the decision to begin experimental democratization in China's urban areas.

The effects of decentralization also played a major role in the decision to implement democratic procedures in the *shequ.* With decentralization and a lessening of state involvement in the social lives of citizens, the state was less able to control social interactions and intervene in social conflicts in urban areas (Ngeow 82-83). The Tiananmen Square incident in 1989 and the Falun Gong (法轮功)crisis in 1999 were challenges to the Party-state launched by "urban

discontents" (Ngeow 82); this convinced the Party to use democratic elements in the *shequ* as in the village committees. The view was that potential social unrest could be avoided with democratic institutions that allowed the *shequ* to deal with local issues and affairs itself (Ngeow 83).

Chinese political scientist Lin Shangli claims that elections in urban areas have helped to meet the demand of an urban population that has become increasingly aware of citizens' rights and demand more means for political participation (200-201). Despite social differences between the countryside and the urban areas, the urban *shequ* elections "may have similar stabilizing and legitimizing effects" (Ngeow 84).

However, village committee elections and *shequ* procedures differ in their degree of standardization. Legally, two different laws describe the form and function of village and *shequ* elections: the (revised) 1998 Organic Law controls village committee elections, while the 1989 Residents' Committee Law is its urban counterpart (Ngeow 103). Both village and residents' committee elections are organizations with the same "self-governing" nature in the constitution (Ngeow 84). Both elections require voter registration, anonymous voting, and loose requirements for nominees, with the same preliminary nomination processes (e.g. self-nomination or nomination by an eligible voter) (Ngeow 160). However, the requirements governing *shequ* elections are far less institutionalized than those governing village elections.

In contrast to the Organic Law, which contains 6 articles articulating election rules and procedures (e.g. anonymous ballots, open counting of votes, the functions and organization of the election committee, right of voters to recall candidates, etc.), the Residents' Committee Law only contains one article on elections. This only discusses committee members' terms of office, method of election, and qualifications for voters (Ngeow 103). The stipulations of how the

elections are to be carried out are termed as "rules" rather than as a legal provision in the residents' committee Law (Ngeow 160).

This lack of clarification means that Residents' committee elections take on different characteristics from *shequ* to *shequ*; some are direct, free and fair, while others are heavily manipulated by local officials (Zheng 120-126). This can sometimes lead to a reduction in the fairness and democratic quality of the elections, lessening the benefits they confer to the populace and to the state (Ngeow 104). Though less institutionalized than the village committee election procedures, elections in the *shequ* have met with similar results with regards to increasing voter participation and efficacy, increasing regime legitimacy, and acting as a force for social stability.

3.3.1 Political Participation

Political scientist Benjamin Read's research in 2003 involving a *shequ* south of Guangzhou paints a vivid picture of the relationship between elections and citizen participation. He opens his research with this snapshot of an election in December 2003:

> It was as close as you can come in China to an opposition political party running a slate of candidates for local office. In late December 2003, members of the Little Homeowners Team stood outside the shopping center in Lijiang Gardens, a sprawling suburban housing complex south of Guangzhou. A poster presented the names and pictures of 14 residents who were running not for any government positions but for leadership of the development's homeowner committee. A banner called on passers-by to 'defend the rights and interests of the homeowners, actively participate in the election.' Team leaders distributed pamphlets, took donations, and sold logo-bearing caps. They hoped that their

efforts would make them the neighborhood's democratically elected representatives (1240-1241).

In the case of this *shequ* election, residents held large meetings to rally homeowners' support in order to protest a development approved by the residents' committee that would lower the value of a large number of residents' homes. The rally was organized by a group of residents seeking to influence other homeowners to vote for certain candidates for positions on the homeowners' committee. This committee—a subsidiary of the residents' committee that governs a smaller body but nevertheless holds its own democratic elections—can negotiate with the residents' committee and articulate the interests of the constituents of their neighborhoods (Read 1257).

In the above example, *shequ* residents connected the electoral process with the ability to represent their own interests (Read 1257). The homeowners' committee was viewed as the association by which to articulate their concerns and have their opinions heard (Read 1257). Read claims that voters are much more likely to participate in elections when they feel that organizations exist "to express their members' desires" (1244). This feeling of representation builds faith in the electoral process and thus more effectively engages voters in political participation (1245).

This engagement of voter participation is necessary for building political efficacy. According to political scientist Mark Warren, engagement in political participation helps to nurture skills of speaking, negotiating, and problem solving, and improves political consciousness (70-72). Voters' sense of efficacy, in turn, has a positive effect on inspiring participation. The extent and quality of members' participation in a democratic institution is key for making elections effective in formulating an "active" membership (Read 1245). The active membership that elections can

produce can provide positive benefits for political participation and for the overall effectiveness of the electoral system. With competitive elections, political participation and efficacy can constitute a positive feedback cycle in the *shequ* system.

3.3.2. Regime Legitimacy

Voter participation and efficacy in *shequ* elections is closely tied to the idea of regime legitimacy. After the Tiananmen suppression, the government sought to implement democratic institutions in the *shequ* to help curb potential unrest by allowing citizens some self-determination when it came to local matters. However, another reason for the implementation of *shequ* elections after Tiananmen was to rebuild some of the legitimacy the regime lost with suppression (Bray 535).

The introduction of *shequ* self-governance was a way to create "trust and legitimacy" in the regime (Heberer "Institutional Change and Legitimacy" 96). As Ngeow puts it, "with the government supportive of *shequ* self-governance and democracy and playing a less meddling role in *shequ* affairs, the government enjoys higher support and reputation, and the interaction between the government and the [*shequs* 社区] is much more positive" (83-84).

The same mechanism of legitimation applies to both village and *shequ* elections. Regime legitimacy is enhanced because it acts as a tool for culling out incompetent or highly corrupt officials (Ngeow 84). The regime supports *shequ* elections because it is the Party's view that "if bad and incompetent officials can be rooted out, and instead competent, clean and loyal (at least, non-confrontational toward the regime) people are elected into the residents' committees and other institutions of governance, the legitimacy of the regime and the Party will be strongly enhanced" (Ngeow 84). The same mechanisms by which village elections gain legitimacy for

local institutions and the central regime can be applied to the electoral processes of the *shequ*, when elections are direct, free and fair.

3.3.3. Curbing Social Unrest

The electoral mechanisms that curb unrest in *shequ* elections are very similar to those of the village committee elections. Direct, free and fair elections serve to ease tension by allowing residents to channel potentially contentious political energy into political participation and casting ballots (Kennedy 391-395). When electoral processes are competitive and viewed as "fair"—i.e., competitive—citizens are much more likely to accept an unfavorable election outcome if they believe the process to be legitimate. As Landry, Davis, and Wang illustrated in their research on village committees, voters' ability to "reject" candidates translates into a feeling of being able to make demands on relevant actors (764).

The ability to curb social unrest comes from citizens' ability to exercise power, though indirectly. This power comes with a perceived ability to engage in a type of negotiation with higher authorities in expressing their interests or grievances (Read 1245). Elections make the will of the citizens, expressed in the electoral process surrounding the selection of the residents' committee, capable of "making demands on relevant actors" such as local officials (1245). In this way, Read claims that residents' committees function as a type of civil society organization for *shequ* members because it "relates to the state without trying to dominate it (1245)." The committees provide a way for citizens to negotiate for their interests in a politically meaningful way. Homeowners' committees operate on a smaller scale, but also function as modes of interest articulation to higher authorities, giving citizens a feeling of power (1246). The committees' civil society-type functioning aids significantly in their ability to channel citizen political energy before unrest arises.

In Read's example, citizens channeled their energy into campaigning for the election of certain members to their homeowners' committee. This was done in order to represent their interests and engage in a form of negotiation with the higher authorities—both residents' committee members and the local officials of their area—who sought to implement a potentially damaging development. The high degree of contestation surrounding the issue of this *shequ* actually served to mobilize voters and enhance participation in the electoral system. The ability of elections to make committees into vehicles of interest articulation makes them act like civil society organizations, and divert political energy into structured, official channels (Diamond 222). In this sense, the electoral system can act to curb social unrest because it channels citizens' contention over a particular issue into an orderly channel for interest articulation.

Direct elections in the *shequ* seem to produce the same benefits as village elections—voter participation and efficacy, enhancement of regime legitimacy, and the ability to curb social unrest. However, these benefits are strongly dependent on the degree of competitiveness of elections. Because of the ambiguity in the Residents' Committee Law regarding the exact nature of elections in the *shequ*, election type, degree of competitiveness, and thus benefits conferred vary greatly from *shequ* to *shequ.*

A major difference that greatly affects the efficacy of elections is whether the *shequ* uses a direct or indirect electoral system (Ngeow 110). Indirect elections, which characterize slightly more than half of *shequ* elections (Ngeow 110), do not confer the same benefits of voter participation, efficacy, and regime legitimacy as direct, competitive elections.

In an indirect election, candidates are nominally elected by residents. In actuality, however, elections are highly controlled and restricted, and limited to only a few participants (Ngeow 110). In indirect elections, residents' committees appoint "resident representatives" who vote for

the candidates in an election. These representatives tend to vote for the nominees selected by the residents' committee authorities (Ngeow 110). Resident involvement in indirect elections is limited to "informal consultation and confirmation" (Heberer, "Institutional Change and Legitimacy" 86). The residents' committee election has little to do with voter participation and choice; instead it is only a formality to confirm official selection (Ngeow 110).

Ngeow claims that an indirect electoral system fails to engage vigorously with and involve residents, leading to a lack of interest in everyday *shequ* affairs and in residents' committee elections (Ngeow 127). The uncompetitive character of indirect elections leads to decreased voter turnout and an increase in the likelihood of voters to stage collective action as a means to articulate their interests (Ngeow 126).

Direct elections, on the other hand, are the most "democratic" ways to elect committee members (Ngeow 111). Direct election is stipulated as the only form of election in the Organic Law governing village committee elections. According to Ngeow, direct election "expands suffrage, increases the level of political participation, and is consistent with the vision of the 'masses taking care of their own affairs' in a 'socialist democracy'" (111). In a recent report from the Ministry of Civil Affairs, the ministry acknowledged that the *shequs* (社区) that implemented direct elections "had far fewer cases of receiving voters' complaints and petitions" than those *shequ* that continued to use indirect (uncompetitive) elections (Ngeow 115-116). Recognizing the benefits for curbing social unrest, in 2008 the Ministry set a target that at least 50% of all *shequ* elections should be "direct" elections in a few years time (Ngeow 116).

Direct elections bring the same benefits to the *shequ* as they do in village committee elections—because citizens have a choice in who to reject in a competitive election, direct elections are better able to increase participation, efficacy, official accountability, and legitimacy

in local institutions and in the central government (Ngeow 127). Ngeow claims the benefits that come from direct elections generate "confidence, trust, support, and social capital" in residents (127). While even imperfect direct elections can generate some positive political benefits, it seems that indirect elections completely undermine the processes that create voter confidence in the system.

As Li Fan asserts in his research on electoral reform in the *shequ,*

> Without democratic elections being firmly established, without the residents having at least some control over the personnel of the organization (i.e. the Residents' committee) that is supposed to represent and articulate their interests, experiences showed that other elements of *shequ* democratic governance could easily become hollow and "democratic" participation by residents was not sustainable (43).

Direct elections can prevent institutions from becoming "hollow" and from failing to adequately engage and represent their members. Because they can account for many of the needs of both the state and society, elections have the potential to serve as effective proactive elements in the institutionalization of conflict resolution.

4.4 Institutionalization of Conflict Reviewed: Proactive, Deliberative Institutions

This section discussed three elements that could work together to aid in effectively institutionalizing conflict in China's state-society relations. A civic organizational framework, designed to foster an active, participatory membership, can meet the needs of both state and society by instilling civic skills that facilitate political participation. However, this framework can act to facilitate collective action when members are frustrated with ineffective legal channels of claim making.

The use of deliberation—as seen in the deliberative institutions set up during the Chongqing strike—can aid in mitigating social unrest after it arises, by providing a channel of negotiation with higher authorities. Deliberative mechanisms also reduce the costs of concessions for local and central governments. Deliberation could serve as a useful secondary mechanism of interest articulation. However, in order to prevent social unrest from arising in the first place, competitive elections are needed in this framework to channel political energy into organized, structured channels of participation.

Competitive elections can answer for several key needs in the state society relationship: they encourage participation and political efficacy, enhance the legitimacy of the regime and the local electoral institutions, and act as "civil society organizations" in such a way as to provide a channel for negotiation—though indirect—with higher authorities. With competitive, direct elections citizens feel that an organization is representative of their interests. This produces a positive feedback cycle where feelings of legitimacy promote political participation, and vice versa. The belief that a channel of interest articulation is legitimate is key for citizens perceiving it as effective, and is key for its ability to prevent incidents of social unrest from arising.

Though this paper does not seek to describe the exact functions of an institution of conflict resolution, it does suggest that an institution with a civic organizational framework that uses the mechanisms of deliberation and election could be a helpful solution to many of the issues present in the conflictual state-society relationship in China today. This paper terms this type of institution as a "proactive, deliberative institution."

Figure 1 below explains the relationship between the three mechanisms proposed in proactive, deliberative institutions and illustrates how the positive feedback cycles involved in each work to support each level of the institution, and the institution as a whole.

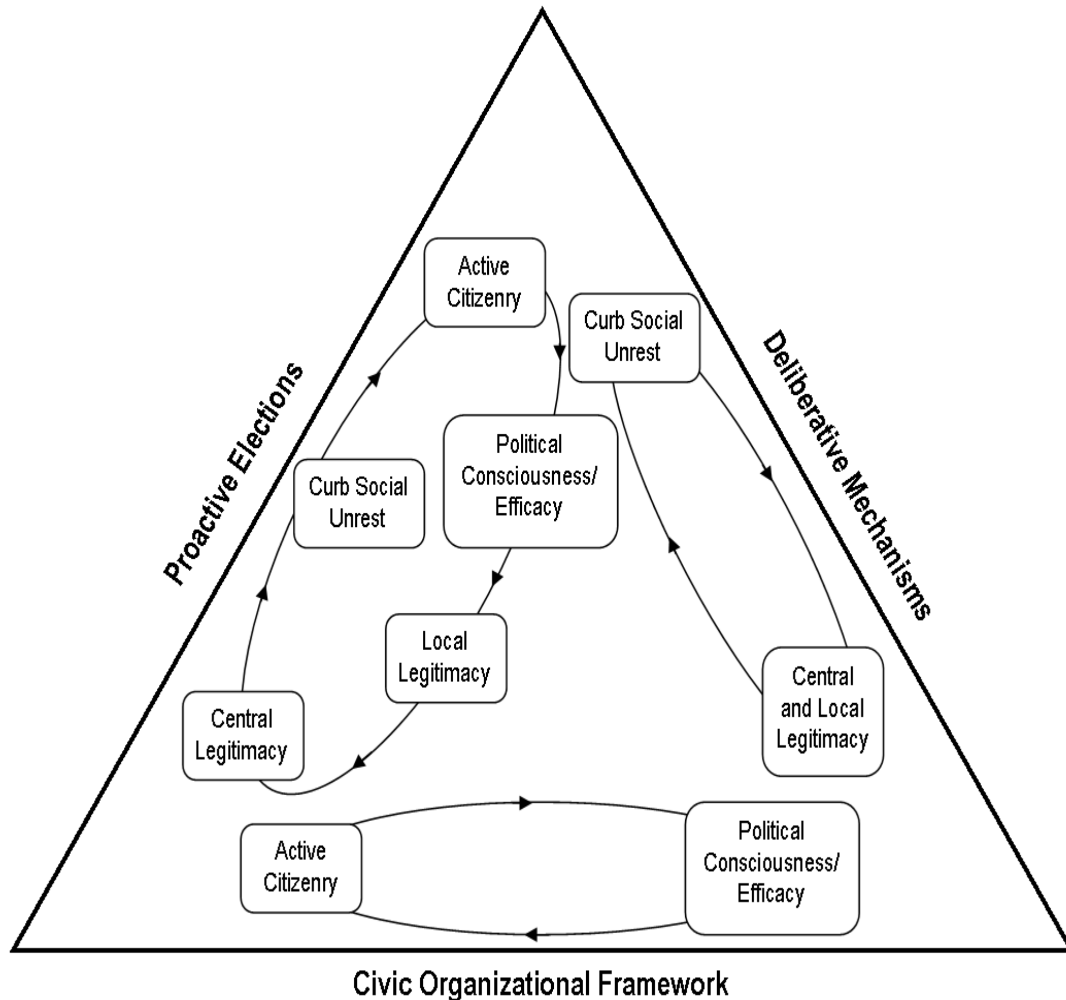

Fig.1: Proactive, Deliberative Institutions

Figure 1 illustrates the structural integrity of the proposed proactive, deliberative institutions. Each level in the structure relies on its own positive feedback cycle, which strengthens each individual level and the structure as a whole. At the same time, these positive feedback cycles work to counter the possible drawbacks of the other levels of the institution. The risk of appropriation presented by a civic organizational framework is mitigated by the use of primary (proactive elections) and secondary (deliberative mechanisms) channels for interest negotiation and articulation. Deliberative mechanisms cannot prevent social unrest from arising; however, proactive elections act as forces for social stabilization by channeling citizens' political energy before contention develops. Should elections fail to prevent social unrest from arising,

perhaps over a particularly contentious issue, deliberative mechanisms exist as a safety net to channel potentially destabilizing unrest into a structured avenue for interest negotiation. This structure would limit the costs of concessions (as seen in the case of the Chongqing taxi strike). It would also help to remove the awkward balancing act the central government must engage in when deciding how to intervene in citizens' conflicts with local governments (as elections work to reduce complaints and appeals to higher levels of government).

What results is an institutional structure made up of three levels, each supported by a positive feedback mechanism that answers for the needs of both state and society. These positive feedback cycles work to support each individual level of the structure, while working together to support the structure as a whole. These three elements provide for a structurally sound model that relies on elements that have already proven to aid in conflict resolution in a Chinese context. Thus, proactive, deliberative institutions would be both structurally and culturally feasible for the CCP to implement in aiding the resolution of state-society conflict.

In order to better conceptualize what such an institution would look like in China today, we can examine an imperfect example that approximates this institution's proposed qualities. Grassroots trade union cadres are in some areas beginning to hold direct elections and utilize some forms of deliberative mechanisms. In doing so, they are beginning to exhibit some of the characteristics that these proposed proactive, deliberative institutions would exhibit if implemented in Chinese society. Though microcosms of what proactive, deliberative institutions would have to be in order to operate on a large institutionalized scale in China, these grassroots organizations can help paint an approximate, though imperfect, picture of at what level and in what capacity they would act in the political structure.

4.5 The Case of Grassroots Trade Union Elections

Since the mid-1990s, several trade union leaders in coastal provinces such as Zhejiang, Guangdong, and Shandong have been quietly introducing direct elections for grassroots trade union cadres, with the goal of implementing a cadre system that prioritizes workers' interests (Howell 846). The introduction of direct elections is an attempt to democratize from within the larger trade union system—the All-China Federation of Trade Unions (ACFTU), respectively—which as a "mass organization" has traditionally served as a "transmission belt" organization subservient to the Party. Within a "transmission belt" structure, the trade union ostensibly functions to transmit Party policy and directives to workers while reflecting workers' interests back to the Party. In actuality, these simultaneously pursued objectives often contradict each other (Pravda and Ruble 3).

In practice, trade union cadres prioritize the interests of the Party over those of the workers because of pressure from above. The leaders of the ACFTU at all levels are predominantly CCP members, with the local Party Committee appointing local level trade union cadres (Howell 850). They receive their instructions from both local Party authorities and the central ACFTU, with Party officials holding greater authority (Howell 850). Thus cadre performance is geared towards performing well in terms of CCP directives, rather than towards representing the interests of the workers (Howell 850).

In the reform era, the "transmission belt" function of the ACFTU has led to a situation where grassroots trade union cadres "lack the skills and incentives to deal with everyday workplace issues that arise" (Howell 850). Though trade union leaders in the past have tried on different occasions to protect workers' interests (with a great push in 1989 for greater autonomy and representation for workers), the ACFTU largely "lacks legitimacy amongst Chinese workers

and is widely held to be ineffective in articulating their interests" (Chan 58-59). The ACFTU has been faced with a rising number of workers' strikes (as illustrated in the Foxconn and Honda factories), protests, and workers self-organizing (Chen 60-61). The CCP has recognized this unrest as a threat to social stability, and has urged the ACFTU to play a more prominent role in protecting workers' rights, but always "in the parameters of accepting Party leadership" (Howell 847).

At the urging of the CCP, the ACFTU issued its "Opinions on Some Core Issues in Advancing Trade Union Reform and Construction," which set up direct elections in small and medium enterprises for positions of trade union chair, vice chair and committee (Howell 854). This encouraged local trade unions to begin experimenting with direct elections, with the practice spreading throughout the late 1990s in some coastal provinces across China. The introduction of direct elections in some grassroots cadres has helped to turn these grassroots groups into effective organizations for interest group articulation. In essence, it is turning them from "transmission belt" organizations into civic organizations (Howell 846).

The transformations in grassroots trade unions that are brought on by direct elections illustrate four concepts key to this paper's argument concerning proactive deliberative institutions. First, elections have made trade union cadres more accountable to workers, which has increased pressure on cadres to put a priority on workers' interests. Second, this shift in incentives towards meeting workers' interests has led to less social unrest and collective protests within trade unions. Third, direct elections have shifted the nature of the trade union towards a more civic organizational framework. Workers are more actively involved in the institution and feel a sense of efficacy, which in turn leads to greater legitimacy for the ACFTU and for the regime itself.

Fourthly, with the addition of direct elections, the trade unions' position as intermediaries between the Party and the workers is used as a channel for negotiation. This is different from the past, when workers simply received directives because they are able to elect representatives who prioritize their interests. In their transformations, grassroots trade unions exhibit characteristics of civic organizational frameworks, proactive elections, and deliberative mechanisms. In these key ways, elections in grassroots trade unions and the resulting shifts in the form and function of these organizations help to illustrate some of the benefits proactive, deliberative institutions can bring to state-society relations in today's China.

Political scientist Jude Howell carried out research on trade union elections in 2003 and 2004 in Beijing and two other southern provinces, areas which have been at the forefront of experimenting with direct democratic elections. His research concentrated on the effects of elections on the function of grassroots trade union cadres, and will be used in the following pages to illustrate the four points concerning proactive, deliberative institutions described above.

4.5.1 Illustration 1: Trade union cadres are more accountable to workers

The direct elections implemented by grassroots trade union cadres are modeled off of the electoral procedures of village committee elections. Workers can nominate candidates to run for trade union positions such as committee member, vice-chair and chair. Workers then cast a vote for the candidate of their choice, with the candidate receiving more than half the vote earning the position (Howell 846). Direct elections are aimed at altering the incentive structure operating at the grassroots level, where local cadres have to deal directly with workers' issues and grievances (Howell 852).

Howell found that direct elections generate grassroots trade union cadres that are closer to workers, more invested in workers' rights, and more accountable (Howell 852). Widening the

pool of candidates for available leadership positions means there is more scope for competent and popular leaders to be elected (an argument that also supports village elections) (Howell 852).

Elections have made cadres more accountable to workers in the unions where they have been implemented. In Howell's interview with a senior official in the ACFTU, for example, leaders are reporting that direct elections are having a transformative effect on the behavior of trade union cadres. As the senior official put it, **"**These chairs have changed from being in the past 'they (i.e. higher-level authorities) want me to do' to 'I want to do' [*zhe xie zhuximen, you guoqu de 'yao wo gan' zhuanbian wei 'wo yao gan'* *这些主席门，有过去的 '要我干'转变为 '我要干*].''Direct elections shift the balance of interests towards the workers and make those elected more accountable to their worker constituency (853).

4.5.2 Illustration 2: Less social unrest in grassroots trade unions

In reducing Party control over the appointment of grassroots trade union cadres, direct elections have served to help refashion the institution "into something that meets workers' needs and promotes social stability" (Howell 846). On the one hand, because the competitiveness of the elections legitimize their outcomes, workers are more likely to accept unfavorable policies from a directly elected leader with less frustration than from one who is appointed (Howell 853). On the other hand, the ability to reject candidates or punish highly unpopular officials by voting them out of office increases workers' sense of efficacy, which makes them less likely to stage popular protest or collective action and choose organized political participation as a means by which to air their grievances (Howell 853).

According to Howell, the implementation of grassroots trade union elections has helped to "stabilize labor relations and reduce spontaneous unrest" (853). For example, in 2004, workers at a company in Xiamen were able to vote an unpopular trade union chair out of office in a

grassroots cadre election. This led workers to report that direct elections "better aided them in representing their interests," and made them feel "less frustration and anger" towards their local trade union organization (852). As in direct elections in the village, trade union elections also can play a role in reducing unrest by channeling political energy through vote casting and the electoral process.

4.5.3 A More civic organizational framework: political participation, efficacy, and legitimacy

In the case of participation, efficacy, and legitimacy, trade union elections elicit the same benefits as in the village and *shequ*. Howell claims in his research on trade union elections that direct elections alleviate the problem of "passive" membership by making them feel invested in the outcome of leadership elections (Howell 853). The democratizing process of elections in trade union elections, as in village and *shequ* elections, "enhance the downward accountability and legitimacy of party-state institutions through extended participation" (Howell 854). Elections have transformed grassroots trade union cadres into civic organizational type groups, in which participation, efficacy, and legitimacy play major roles in the effective character of institutions in acting to represent citizens' interests.

4.5.5 Deliberative function: the ability to negotiate with higher authorities

Lastly, transformed grassroots trade unions can function in a deliberative fashion. Direct elections strengthen the links between higher (cadres) and lower (workers) levels of trade unions by making the higher level accountable to workers (Howell 853). Ostensibly, cadres should prioritize workers' needs because they require worker support for re-election. With cadres more responsive to workers, their activities should shift to "include negotiation, contestation, and mobilization around workers' claims" (Howell 858). In the sense of becoming more deliberative

in its functioning, the union moves away from being a "transmission belt" organization towards exhibiting a civic organizations' characteristics (Howell 858).

Direct elections do grant the union more independence, which enables it to deal more effectively with workers' interests and grievances. However, the ultimate goal of direct elections is to improve the union's role as an intermediary, not to establish autonomy from the Party (Howell 857). As Chinese political reformer Su Weiqing suggests, direct elections act "to improve the bridging role of the trade union between workers and the Party;" that is, to act in an intermediary, deliberative type of role that facilitates negotiation (Howell 857). This "intermediary" role aids in reducing the potential for unrest, as workers have a direct line to the representative of their organization and can engage in interest articulation, contestation, and negotiation, reducing the need to resort to collective action to air their grievances (Howell 857).

4.5.6 *A Place for Proactive Deliberative Institutions*

As evidenced in the previous section on deliberation in grassroots trade unions, the best position for a proactive deliberative institution is in an "intermediary" role. Too much autonomy can challenge the authority of the state, yet too little and the institution becomes ineffective, with a "passive" membership that is more likely to stage collective action when frustration occurs (Guo 465). In order for it to act as an intermediary, it is logical to say that a proactive deliberative institution will be most easily employed at the mid-level of government, occupying a space somewhere between the county and township levels.

This proposed position of proactive deliberative institutions is analogous to the compromise position of trade union elections that is currently being employed in China. Instead of systematic direct elections for all sizes of enterprises, the ACFTU has suggested that direct elections are appropriate only in small and medium sized firms, state enterprises and public units

(Howell 856-857). The idea is that elections in larger enterprises have the potential to lead to social instability as workers from various backgrounds vie for a position to voice their differing grievances (Howell 861). A smaller constituency is likely to exhibit strong and multiple divisions, making their interests and grievances more manageable to negotiate (Howell 861).

This is a fitting analogy for the role of proactive deliberative institutions. Elections represent a form of (proactive) negotiation. Proactive, deliberative institutions represent a negotiating body on a larger scale. If placed at the mid-level of government, these institutions would govern a constituency small enough to foster an active, voluntary membership and a high degree of political participation and efficacy, while still being capable of engaging with higher levels of government. The mid-level place of these institutions is a reflection of its intermediary role between groups operating at different levels. A mid-level, proactive, deliberative institution can perhaps be an effective means of helping to institutionalize conflict resolution, as its characteristics have the potential to alleviate many of the major problems present in the state-society relationship. However, this type of institution could potentially involve several serious drawbacks.

4.6 Potential Drawbacks of Proactive, Deliberative Institutions

4.6.1 Reducing Mid-Level Authority

As intermediaries located in the mid-level of government, proactive, deliberative institutions could challenge the authority and jurisdiction of mid-level (e.g. township and city-level) officials. This would seem to suggest that at best, mid-level officials would be unsupportive of proactive, deliberative institutions, and at worst, work to sabotage them. However, Kennedy illustrates in his research on direct elections in China that township officials are willing to sacrifice some authority in order to gain other equally as important benefits.

The method of proactive institutions for curbing unrest would rely heavily on the use of direct elections. In Kennedy's research, direct elections could actually work in township officials' favor by enhancing the legitimacy of local electoral institutions. In Kennedy's research, citizens were more likely to use electoral channels to air their grievances if they viewed these channels as legitimate, and were thus much less likely to stage collective action (393).

Though Kennedy found that direct, free and fair elections did reduce the authority of mid-level officials to appoint their subordinates and influence local level affairs, in his findings conflict only arose when township officials tried to manipulate the election processes to maintain control over elected leaders (392). When elections were manipulated, clashes erupted between elected leaders and township officials, with township officials usually coming out on top (393). However, when this occurred, Kennedy found that it reduced the legitimacy of the election process, and increased chances for social unrest (394).

When township officials have minimal involvement in the elections, local autonomy is stronger and elected leaders have a good working relationship with township officials. (393). Kennedy explained that although elected leaders "have a dual responsibility to the township and villagers, they can best serve their constituents when they work well with the township government" (394).

As long as popularly elected officials seek to have a good working relationship with township officials—and usually they will, as it allows them to be more effective—then township officials can be just as successful in managing local affairs by giving up some authority and significantly reducing the likelihood for social unrest. Kennedy explains that for many township officials, tradeoff in some authority is worth it in terms of lessening the worry over containing social unrest. That is, they may accept losing some power in order to stay in power (Kennedy

395).

While there is no guarantee that all mid-level officials would easily accept a reduction in power—and the possible lucrative side benefits that come with the ability to influence local affairs—in exchange for a lowered probability for social unrest to arise, proactive, deliberative institutions at least offer a comparable incentive structure to officials, as promotion is equally as reliant upon containing social unrest as posting high development numbers. Kennedy's research indicates that mid-level officials could be willing to give up some power in order to further their chances for advancement and promotion.

4.6.2 Risk of Appropriation

Another possible drawback of proactive, deliberative institutions is the risk of appropriation. A civic organizational framework makes it easier for citizens seeking to stage collective action to appropriate the organization and use it for social protest (Guo 459). However, direct elections help to curb some of the risk of appropriation, in one way by increasing the effectiveness of the institution in serving as a channel for citizens to articulate their interests, but in another way as a means of co-opting potential protest leaders (Gandhi, and Okar 405).

With direct elections, elected leaders are still accountable to their constituencies for re-election, but they can also take advantage of the incentive structure of the Party bureaucracy. The advantages of elected office can serve as an attractive draw for politically and civically active individuals. Involvement in the running of the state carries with it perks and advantages that are not offered to normal citizens, such as opportunities for personal enrichment through business deals (Dickson 9-11). While direct elections keep officials accountable to citizens, just as in a liberal democracy, this does not prevent officials from taking advantage of opportunities for personal enrichment, and can be an attractive lure for active citizens who could otherwise use

their political energy for stirring up unrest (Gandhi, and Okar 405).

On the other hand, if a protest leader is not interested in the spoils of the government, or is singularly devoted to his or her cause, elections can still serve to prevent him from staging collective action against the local government (Gandhi, and Okar 405). This is because with proper election procedures, a candidate can run on a particular platform and in this way channel his or her political energy towards a particular cause, and away from staging potentially disruptive collective action (Shi1115-1118).

4.6.3 The Risks of Popularly Elected Leaders

Popular leaders do not always act to represent the interests of their constituencies, and this is a possible outcome of implementing proactive, deliberative institutions. For example, in Howell's interviews with several trade union leaders elected by direct elections, many leaders soon began to prioritize production over workers' interests (861). In a clothing factory in a coastal province, Howell noted that trade union cadres "did not consider their role in persuading workers to work excessive overtime as problematic" (861).

Many times, "Party leaders, trade union leaders, and enterprise owners have colluded to ensure that local development is prioritized over workers' interests" (Howell 862). Local governments strive to attract foreign investors by offering a multitude of policy concessions and "the promise of a cheap, compliant workforce" (Howell 861). If a trade union leader were to over-prioritize workers' interests, then he would be failing in his priority of "promoting economic growth, production, and ultimately Party interests" (Howell 862).

As an elected official in a Grassroots Work Section of a trade union pointed out in Howell's interview, "you can't focus only on workers … it doesn't benefit the enterprise as whole. If you mobilize the workers against the boss, then the enterprise may go bankrupt. You

should promote the interests of capital and you can protect the basic interests of workers'' (Howell 861-862). This balancing act of often contradictory goals (of increasing production and protecting workers' interests) could pose a significant obstacle to the effectiveness of proactive, deliberative institutions.

Conversely, another potential drawback deals with the possibility of elected leaders being too overzealous in representing the interests of their constituents, perhaps even to the point of endangering political stability. Critics of implementing direct elections in trade unions, for example, claim that the elections will produce "weak, incompetent or politically risky leaders" who will be "unable or unwilling to moderate workers' demands" and, most worryingly, would be beyond the control of the Party (Howell 856). Direct elections run the risk of producing populist leaders who end up appropriating the institution to stage large scale collective action if worker demands are not satisfactorily met. Such results would pose significant problems for the regime in trying to maintain its political stability, with proactive, deliberative institutions acting as potential platforms for staging disruptive collective action.

One way to avoid potential appropriation, however, is to ensure the effectiveness of the institution's negotiating capabilities, so that social unrest can be proactively prevented and political energy channeled into appropriate, moderated modes of conflict resolution. If proactive elections fail in preventing unrest, then deliberation can engage higher officials in direct negotiations, which (as seen in Hess's example of the Chongqing taxi strike) can significantly reduce the scale and intensity of collective action before it gets out of control (Hess 349).

5. Conclusion

Throughout this paper, it has been stated that a key characteristic necessary for conflict institutionalization to work is that the mechanisms involved must be *effective*. Proactive,

deliberative institutions must be adequate and efficient in representing citizens' interests to the state, and serve as effective channels for engaging in negotiation with higher authorities.

It would seem that this argument could be a simple panacea for China's state-society problems, and that arguing for a new institution requiring effectiveness is somewhat pointless. Why not base an argument on the idea that conflict in state-society relations could be solved if the legal system, or the *Xinfang* (信访) system, or other pre-existing institutions were simply more effective? Why suggest a new institution at all if it is dependent on the same contingencies as other, already existing organizations?

While it is true that many issues could be resolved in the conflictual state-society relationship were these pre-existing institutions improved, there are as yet no institutions in China that can act to *simultaneously* meet the needs of citizens and the state. For example, while a more effective legal system would benefit citizens in seeking redress, it would not inculcate civic virtue and create social capital—key needs of the CCP in the post-reform era—like a civic organization could (Guo 457). If the *Xinfang* system, too, were made more effective, then it could indeed act as a channel for interest articulation; however, it would not provide a means of proactively preventing complaints from arising in the first place.

State and society require mechanisms of conflict resolution that can answer for both of their needs simultaneously, not just the needs of one or the other, if their relations are to be effectively managed. China needs some form of a consultative rule of law regime if the problems of state-society relations are to be effectively dealt with in the post-reform era.

If the Party-state is to establish such a consultative rule of law regime, it requires the implementation of effective channels for citizens to negotiate with the government. Paradoxically, this type of set up would seem to require that civil society-like institutions be set

up and managed by the state—in essence, the state would have to act to check its own power.

Though this concept seems counterintuitive, the position of the CCP is somewhat analogous to the position of township officials should proactive, deliberative institutions be implemented. While mid-level officials would lose some authority in influencing local affairs, the security they gain in the decreasing likelihood of social unrest makes it a worthwhile sacrifice (Kennedy 395). While there are significant and definite risks to the implementation of proactive, deliberative institutions, inaction or solutions that only go half way could prove to be more of a risk in the long run if increasingly volatile social unrest should persist.

CONCLUSION

This thesis sought to identify broad themes informing the contentious state-society relationship in China in order to propose a foundation for aiding the institutionalization of conflict resolution. It traced themes of citizenship and social protest to show how the post-reform environment has helped to shape important aspects of social conflict. The conflict characterizing the current environment is a result of both the ideational and structural developments brought about by marketization and decentralization: ideationally, a similar collective, lived experience of citizenship across varied environments influenced the development of a master frame of contention based on the notion of citizenship as “rights entitlement.”

Structurally, marketization and decentralization have allowed for the opening up of political opportunities—structural, institutional, and technological—for social unrest to occur. The sudden availability of political opportunities in the post-reform era led to a time of widespread social movement activity, in which this notion of citizenship could consolidate its status as a “master frame” informing other collective action frames.

The combination of an increasingly rights conscious citizenry and the continued inefficiency of legal channels for making claims on the government has led to an increase in incidents of social unrest over the years, which exhibit similar patterns in their contention. This paper proposed that contention is increasingly informed by a master frame of “rightful resistance.” The master frame of rightful resistance—based on notions of citizenship and culturally rooted conceptions of the state—derives its legitimacy from both its use of potent cultural symbols (the legal language of the state) and the success of its tactics, contributing to its spread in informing other collective action frames.

Increasing social protest and a continued lack of effective conflict institutionalization in the post-reform era is becoming a threat to regime legitimacy and stability, illustrating the pressing need for effective mechanisms of relieving social conflict.

This thesis has examined the conflicts of the state-society relationship in present day China mainly from an historical, economic, and political viewpoint, focusing on the effects of marketization, decentralization, and historical factors in shaping this nature of this relationship. In such broad topics as civil society, citizenship, and social protest, this paper sought to identify boundary-spanning themes in order to suggest characteristics of an institution that would, in its foundation, have to be applicable in many varied contexts and regions in order to be a reasonable undertaking for the CCP bureaucracy.

This paper proposed an organizational framework and two mechanisms—deliberation and election—that could serve as possible aids in alleviating some of the major issues involved in the state-society relationship in China, such as inculcating civic spirit, inspiring political participation and efficacy, enhancing regime legitimacy, providing an effective means of negotiation with the government, and preventing social unrest. This institution would work to benefit both the state and society while reducing the costs of concessions, and would alleviate the central government’s troublesome balancing act in determining how and when to support citizens’ efforts against local governments. This results in a structurally sound, proactive, deliberative institution with each level supported by its own positive feedback cycle that works to support the structure as a whole. This paper postulated that a proactive, deliberative institution implemented at the mid-level could be an effective means of providing a channel for negotiation between the state and society, while advantaging both in terms of the benefits it would confer.

<u>1.The Democracy Question</u>

When discussing such broad themes as citizenship, social protest, and conflict institutionalization, it is difficult to avoid questions of the future of Chinese civil society and possibilities for democracy. Can the implementation of proactive, deliberative institutions serve as a model for possible "democracy creep"? Will the elements of democratization the CCP is currently adopting in the village and the *shequ* (社区) spread to other, higher levels of bureaucracy? Will this spread be engineered, or will it be a result of social pressure? Will China end up as a liberal democracy, or will it remain a one-party state into the future? Such predictions are difficult to make. A myriad of variables—both predictable and unforeseen—work together to cause the structural changes that allow for democracy to develop in authoritarian regimes. However, if the themes explored in this thesis and the questions they raise can serve as a guide, it is possible to discuss the probabilities of the bottom-up democratization scenario in a Chinese context.

1.1 Proactive, Deliberative Institutions as a Model for "Democracy Creep?"

In discussing the probabilities for "democracy creep" with reforms such as proactive, deliberative institutions, it is first necessary to understand the function of grassroots reforms in terms of the arenas in which they are specifically designed to be implemented. This is because their design determines the level at which they can properly carry out their functions.

Grassroots reforms are designed for two key purposes: to increase officials' public accountability at the local level (in order to curb local social unrest and cull out incompetent Party agents), and to aid in local management of day-to-day affairs in an era of decentralization (as seen in the functions of the *shequ* elections). Democratic, grassroots reforms are designed specifically to operate in local contexts, to aid the regime in consolidating its authority in the

post-reform era. Just as the functions of proactive, deliberative institutions would cease to be conducive at higher levels of government given their design (see section 4.5.6 dealing with constituency size), so too would the functions of grassroots democratic reforms, as their primary purposes of aiding in local governance would be lost if employed at higher levels of government.

The functions of democratic management that grassroots reforms are designed to carry out exist separately from the realm of central politics. This idea applies to proactive, deliberative institutions designed to aid in conflict resolution. There is a significant difference between grassroots level social conflicts, which focus on official corruption and issues affecting economic livelihood (which is the arena of rightful resisters), and political social conflicts whereby urban intellectuals and human rights advocates protest for central level reform and democratization (for example, the recent 2011 protests in major urban centers across China calling for national-level reforms).

It would be faulty to assume that the potentially regime-threatening character of persistent rightful resistance necessarily lies in a demand for national-level democratization. While rightful resisters may begin to blame the political system should their grievances go unanswered for too long, there is a significant distinction between destabilizing social conflict aimed at receiving redress for unanswered grievances, and incidents such as Tiananmen Square in which protesters demanded democracy at the national level of government. One type is economically based (at least in its origins), and thus solvable through the implementation of effective mechanisms for conflict resolution. The other is not solvable, at least in the view of the CCP, because of its politically based nature.

The conflict resolution mechanism presented in this paper is designed specifically to deal with this local level, rightful resistance-based realm of conflict resolution; democratic reforms at

the grassroots level have little impact on the method by which political decisions are made at the central level, and could not answer for the differing goals of politically based, central-directed contention. Thus, proactive, deliberative institutions are not models for possible "democracy creep" to higher levels of government.

1.2 The Feasibility of "Democracy Creep" as a Model for National-Level Democratization

Though proactive, deliberative institutions themselves cannot be used as adequate models for gradual democratization, is it possible that a trend of spreading grassroots democratic reforms could eventually reach the national level of government? "Gradualism," or the model of "bottom-up" democratization, is widely touted in the scholarly community as a model for democratic transition in China. Scholars such as Henry Rowen assert the inevitability of "democracy creep," whereby reforms instituted at the village level bubble up into the higher levels of government. In this scenario, reforms like proactive, deliberative institutions spread the desire for democracy in society, eventually forcing the central authority to implement national level, multi-party democracy (Rowen 61-70). However, there are several serious problems with this model as it applies to China. As Bruce Gilley explains it, gradualism in China is "a script without a cast…and a script without a stage" (347).

First, gradualism seriously undermines the regime's ability to halt democratization at the lower levels. The regime has control over the scope and intensity of democratic reforms, and has acted to restrain these reforms to local arenas. A white paper on democratization, issued in 2005, confirmed the lack of any future plans to expand direct elections (Gilley 347). When two Chinese cities tried to introduce township elections earlier in 1998, the Party's Central Committee immediately declared the direct election of township heads as "unconstitutional" (Li, "Introducing Direct Township Elections" p.720). Elections at higher levels of government were

deemed impractical because the communities they governed were too large for direct democracy, under the logic that decisions made at higher levels of government should be left to knowledgeable Party officials rather than to common people (Qingjiu 83).

Second, gradualism does not adequately take into account the degree of bureaucratic entrenchment of the CCP in society, in terms of both the functioning of the state and the economic benefits it grants to a large portion of the population. The entrenchment of the Party extends throughout all levels of the Party-state. For example, policies and regulations for lower levels of government are passed by provincial level bodies of people's congresses (CCP representative bodies). Each level of government below the province also has a people's congress; however, if any level below the province wishes to implement new regulations, these policies must be approved by the local people's congress as well as the provincial level people's congress (Zhiyue 109). While the lowest levels of government—the village and *shequ* levels, for example—are given relative autonomy in managing their affairs and selecting their personnel, fluidity concerning selection of officials and adoption of day-to-day policies stops at the township level of governance. With ever more complex levels of oversight the higher one goes in the bureaucracy, the reach of grassroots democratic reforms is inevitably limited (Zhiyue 109).

The entrenchment of the Party in society extends to the economic sector as well. China's precipitous economic growth in the years since reforms has helped to further insulate the Party from the democratization taking place at the grassroots level. The entrenched bureaucracy brings many benefits to a large proportion of the population—the entrepreneurial class, for example, benefits from Party connections by receiving special financial incentives and tax breaks. The middle class in China, which has grown to over 300 million in 2011, owes its newfound affluence to the economic growth the Party has been able to promote and push forward with

sweeping economic agendas, which would be difficult to implement in a liberal democracy (Jacobs). Multiparty elections at the national level, in the view of a majority of the entrepreneurial and middle classes (Lang 129), would undermine or threaten the benefits they enjoy under one-Party rule. As China scholar Dali Lang puts it, "studies of China's emerging middle class and entrepreneurs suggest that these potential social forces are keener to protect their narrow economic interests with more legal rules than to rock the boat of single-party rule" (120).

Thirdly, the gradualist model underestimates the support of the CCP throughout the social sector, and the social prevalence of the belief that an end to one-Party rule would lead to chaos in China. Aside from the urban intellectual elite and human rights activists who make up a relatively small percentage of the population, there is not widespread popular support for introducing a democratic, multiparty system in China (Shuo 132-133). According to Chinese government scholar Bo Zhiyue, the majority point of view in China (including Party members, members of the entrepreneurial class, and the expanding middle class) views multi-party democratic elections as a means for great instability in the country, even if they would be sympathetic to the ideology of liberal democracy (112).

When I studied abroad in Chengdu, Sichuan, from 2009-2010, this view was expressed to me on several occasions. My friend circle ranged from a working class coffee shop girl, to a university student majoring in finance, to a middle class twenty-something working to promote study abroad in England, to a dyed-in-the-wool CCP devotee (who also happened to be my Chinese politics professor), to an urban intellectual who classified himself as a "bohemian-Communist-capitalist." I was shocked to discover that most of them were quite eager to discuss "democracy" in China with me. In our discussions, every single one of them confidently asserted

that multiparty democracy would lead the country into chaos, that China had its problems but the CCP was working hard to fix them, and that China "wasn't ready" (socially or economically) for national-level democracy. "Our quality of people in the countryside are too low," the university student explained to me. "It is good that we don't let them vote at a national level, because they don't understand complex issues of economics and national politics. Politicians could just say what they wanted to them and lie to get elected, and then the leadership at the national level would be corrupt."

Her views mirrored Premier Jiang Zemin's (1989-2002) comments on the matter, as he once famously declared: "should China follow the parliamentary democracy of the Western world, the only result will be that 1.2 billion Chinese people will not have enough food to eat. The result will be great chaos" (Li, "Introducing Direct Township Elections" p.720).

Lastly, there are concrete institutional barriers to bottom-up democratization. The gradualist model relies upon the presence of a "strong state," or a state that can effectively manage the process of political opening (Gilley 348). However, Gilley describes China's capacity for handling widespread democratization as "at best, middling" (347). The belief in social chaos should the CCP fall does indeed have "rational" toots. Elites in China have recognized that the Party-state lacks the ability to manage a phased introduction of democratic elections, also known as the "democracy in the installment plan" (Gilley 348).

Such assertions of China's incapacity to handle higher-level democratic reforms do not only exist in the theoretical realm. China has not always been closed off to democratic reforms—in the 1980s, for example, the CCP "was both willing and able" to engage in gradual democratization (Gilley 348). However, this plan was shut down after the 1989 Tiananmen Square incident, when the Party realized that it could not effectively manage gradual

democratization (Gilley 349). As Gilley describes it, the CCP is unable to institutionalize political competition even if it is able to institutionalize other aspects of the state—such as proactive, deliberative institutions as mechanisms for conflict resolution.

Indeed, the Party has adopted grassroots democratic reforms as a means for preventing "destabilizing" democratic change from reaching the higher levels, rather than using them as stepping stones for further democratization. Since the mid-1990s to today, there has been a regression of political contestation at the central level in China, "an 'end of politics' syndrome" that reflects the state's inability to manage political openness without inducing social instability (Gilley 348).

Thus, the gradualist model in a Chinese context is a script without a cast, in that few at the "bottom" (the grassroots level) are currently able or willing to implement national-level democracy. The gradualist model is also a script without a stage, in that China lacks the capacity to manage the institutionalization of political competition without inducing political instability.

The lack of favorable conditions for a gradualist model to take hold illustrates the improper focus many scholars have taken with regards to possibilities for national-level democratization in China. The far more likely scenario for central-level democracy has developed in the post-reform era, and involves conditions within the Party itself. Most signs indicate that democracy would have to result from intra-Party fractionalization, not from bottom-up forces of democratization. Elite-led democratization happens when "authoritarian elites under pressure of a mobilized society exploit their declining supremacy by introducing democratic reforms" (Gilley 349). Bottom-up democratization in China is unlikely because of unfavorable structural conditions. However, a younger generation of reform-minded elites have come into

power in China, and it is in this class of higher level officials that the greatest possibilities for national democratization lie (Li, "Introducing Direct Township Elections" p.721).

There are several possibilities for elite-led democratization in China. One major avenue comes from popular mobilization. For example, if reform-minded elites become inspired by a particular instance of social mobilization, an elite split within the Party can result, in which a group of higher level officials link up with citizens to implement reform (Gilley 351). The Party has taken great strides to prevent these splits from happening, however. In fact, a serious charge that Party officials can face is "splitting the Party." After Tiananmen, this was the most serious charge facing General Party Secretary Zho Ziyang (1987-1989). The intensity of punishment for this crime—not to mention the loss of one's post—is a significant deterrent for most officials, even if they are sympathetic to a cause (Gilley 351). Nevertheless, elite-split is still a viable scenario, and it has happened in the past.

However, it is more often the case—especially in larger countries like China—that reformist elites come from outside the core body of ruling leaders (Gilley 350). As Lianjiang Li explains, democratization of the national government could occur due to inter-bureaucratic rivalry. For example, the generation of younger, better-educated officials may see opportunities for advancement in popular elections. Promotion to top levels in the CCP is very difficult—one must have the right connections, perform well, and develop a lot of political capital, all of which takes a lot of time. This may lead the younger, more energetic, and reform-minded officials coming in to the CCP to try and create alternative routes to promotion by pioneering democratic reforms—namely, direct elections—in the Party (Li, "Introducing Direct Township Elections, p.722). China scholars Kevin O'Brien and Lianjiang Li point to intra-bureaucratic rivalry as the most likely mechanism by which democratic reform could be introduced in the central level of

government, as “democracy creep” from local grassroots reforms remains unlikely, at least for the foreseeable future (O’Brien, and Li, “Accommodating Democracy” p. 488).

The internal debate on “democracy” is of growing importance in the Chinese socio-political sphere. An article on the official view of “Chinese-style democracy” appeared in the *Beijing Daily News* in late 2006. The article was written by a think-tank member of the Hu-Wen administration, Yu Keping, who titled the article “Democracy is a Good Thing.” In the article, Yu described the benefits of democracy while emphasizing the necessity of its gradual and controlled introduction in Chinese society. Yu writes:

> Democracy is a good thing. It is good for the whole nation, not necessarily for a particular individual or official. Democracy is a good thing, but that does not mean that everything about democracy is good…Democracy is a good thing, but that does not mean that democracy can do everything and solve every problem . . . Democracy is not unconditional. Running it successfully takes delicate design and superb political skills. The essence of democracy is that people rule. We are presently building a modernized, strong socialist nation with unique Chinese characteristics. For us, democracy is all the more so a good thing, and it is all the more so essential. The classical authors of Marxism said: ‘There is no socialism without democracy.’ Recently, Chairman Hu Jintao pointed out further: ‘There is no modernization without democracy.’ Of course, we are building a socialist democracy with unique Chinese characteristics. On one hand, we want to absorb all the excellent results from the political culture of all mankind, including all the excellent results of democratic politics; but on the other hand, we will not import an overseas political model. Our construction of political democracy must be closely integrated with the history, culture, tradition and existing social conditions in our nation.

> Only in this way can the people of China truly enjoy the sweet fruits of political democracy (He, and Feng 163).

The above article illustrates the current debate in China concerning the state-society relationship and what "democracy" would mean for Chinese identity. One thing that remains constant is the emphasis that Chinese-style democracy will not be modeled after the West; rather, it is a more viable and preferred alternative. This view of democracy does not put major emphasis on external factors or theories in China's formation of its own "democratic" style. According to the official view, democracy should be gradual, appropriately timed, and distinctly Chinese. To quote China scholars Kai He and Huiyuan Feng, in this view, "according to the Chinese understanding, democracy is not given by external powers, but is to be taken by the Chinese people themselves at their own pace" (164).

Critics of the proponents of "Chinese-style democracy" claim that this type of view serves to insulate authoritarianism. They also claim that such a system could never last because of the growing political consciousness of the people and the corruption of the bureaucracy, which is causing widespread dissatisfaction in society and has galvanized the populace to call for political change (Xiaobo 121). However, this view fails to take into account the distinction between perception and reality in the Chinese public.

In his article "Subjective Evaluations of Changes in Civil Liberties and Political Rights in China," political scientist Diqing Lou found in a 2002 study that the majority of people he surveyed (which included groups in both rural and urban areas) believed that both civil liberties and political freedom have improved significantly in China since 1979 (175). Lou illustrated that this was a result of pure perception—in actuality, political rights in China improved moderately

over the past 25 years while civil liberties changed little over this period of time (175-177). For ordinary Chinese people, the assessment was reversed.

Lou's research led him to conclude that improved mechanisms of suppression are largely responsible for these falsely positive views of civil liberties and political freedoms. While a selected number of "enemies of the state" are imprisoned and suppressed, the larger population usually never encounters direct forms of suppression (197). Lou claims that in this way, "suppression in a society may coexist with the perceived relaxation of the political atmosphere" (198). The two-track system of selected political suppression isolates ordinary people from society's dissidents, constituting "an important safety cushion for the regime" and helping to create a "false sense of positive change" (198). Lou's research suggests that the CCP's continued use of sophisticated suppression mechanisms may aid in keeping the public supportive of one-Party rule.

2. The Importance of Effective Conflict Institutionalization in China

The complexities and nuances present in the state-society relationship reveal the difficulty of making any certain assertions concerning the path of China's future political system. National-level democratization may occur through party fractionalization, or by the much less likely scenario of bottom-up democratization. The CCP could continue to develop its own "Chinese-style" democracy that continues to implement grassroots-level reforms and insulate higher levels of government from democratic change. China may also revert back to a more authoritarian approach by increasing its crackdowns and honing its mechanisms of suppression. The nature of the Chinese state in the future will be proven only with time, and will most likely be a result of the complex workings of both predictable and unforeseen forces. While it is useful to understand which scenarios for national-level democratization are more likely, democratic transitions

throughout history have occurred with startling and unexpected suddenness. Factors of human randomness can upset the best bets of even the most astutely researched theoretical assertions.

What is important about this discussion on democratization is that regardless of the path China takes (for better or for ill), the need for local level improvements in conflict resolution remains constant. While "democracy creep" is an unlikely model for national-level democratization, this does not mean that local level events related to grassroots democracy—such as the social conflicts that produce reforms like proactive, deliberative institutions—do not have national implications. As illustrated in the threat of rightful resistance-based contention, should social protest persist and channels for conflict resolution remain lacking, there is a serious risk of regime-threatening social instability to arise.

The perception of increased civil and political liberties may be increasingly harder to maintain as resistance persists, and technology such as the Internet and the media publicize instances of social unrest. The institutionalization of conflict resolution is important if the state wants to retain this perception. Continuing social unrest jeopardizes its legitimacy and threatens to shift the loci of blame for failing to meet social needs from the local to the central level of government. While this shift in blame will not necessarily force democratic change at the central level, it could still be a source for highly destabilizing social unrest, and could deteriorate the Party's hold on power. The threat of persistent social unrest does not necessarily lie in its *democratic* possibilities, but in its possibilities for producing a crisis of authority. The difference between the two may seem a matter of semantics, but to equate one with the other would be to gravely misunderstand the goals of, and motivation behind, the sweeping trend of rightful resistance-based protest.

The fact remains that effective institutionalization of conflict resolution at the local level is necessary for the regime to effectively manage social unrest, regardless of its future model of political development. This paper has suggested proactive, deliberative institutions as a foundation for beginning to accomplish this. However, it is of the utmost necessity that conflict institutionalization be effective, viable channels for citizen participation and official accountability.

Here we have come full circle in illustrating the need for mechanisms of conflict resolution in the state society relationship. Beginning with the snapshots from the introduction, this thesis has sought to demonstrate the pressing need for institutionalizing contentious state-society relations by illustrating the potentially regime-threatening tensions that have begun to arise as channels for citizens to seek redress remain inefficient. One last, recent snapshot of the current contentious state-society relationship in China helps to drive home the relevance of this central theme.

Snapshot five: Near Valentine's Day of 2011, widespread calls for demonstrations like those currently underway in the Middle East spread across the Internet in China. The calls to action urged people to stage demonstrations in 13 Chinese cities to demand ends to corruption, inflation, and limitations on freedom, and used Internet chat sites and mobile phones to help spread the message. The sizeable turnout in each of the 13 cities was met with police officers and plainclothes security agents; people were arrested and gatherings were scattered before demonstrations began. Since the calls for demonstrations were published, police have "placed more than 100 dissidents and human rights campaigners under house arrest and threatened others who forwarded messages about the protests, and have detained six prominent lawyers and activists on suspicion of inciting subversion. Censors have also intensified the filters on micro

blogs, already among the tightest in the world" (Jacobs and Ansfield). These mechanisms of "stability maintenance" (known in Chinese as *weiwen 维稳*) have occupied a policy focus for the Hu-Wen administration. The next five-year plan, passed in Beijing this month (March 2011) emphasized more policies designed to increase social stability (Jacobs and Ansfield). Critics of these policies, however, claim that they emphasize a clamp down on symptoms of social discontent rather than addressing the underlying problems that cause them to arise. The policies of *weiwen*, warns a human rights lawyer named Pu Zhiqiang, "are not dealing with the underlying problems China faces." He adds, "such strategies are only going to create more enemies of the government" (Jacobs and Ansfield).

In Jiaotong University's annual report on crisis management, "major incidents" of social unrest increased from 60 in 2009 to 72 in 2010 (Jacobs and Ansfeld). Outbreaks of social unrest seem to be rising not only in number, but also in intensity. The emphasis on stamping out the symptoms of social unrest is inadequate in a society with an increasingly rights conscious citizenry who desires effective modes of conflict resolution. In the above example, the focus of social protest was not economic, nor was it staged using the tenets of rightful resistance. It was aimed at the central government, and called for reform at the central level.

While only a small portion of the population supports instituting democracy at the central level, the publicity of these incidents in the international media brings the Party's insecurity concerning social unrest to the fore. The threat of social protest, whereby the loci of blame begins to shift from the local to the central level, could perhaps become an increasing trend should institutions of conflict resolution remain non-institutionalized. While this may not necessarily lead to the multi-party democracy the protests were calling for, it could potentially trigger an elite-led democratization effort, and it certainly represents a serious threat to the

CCP's ability to effectively manage its state-society relations. If the regime desires to hold on to its legitimizing basis for its authoritarian rule, the current situation is unsustainable.

While proactive, deliberative institutions carry with them some significant risks to the regime (appropriation, possible challenges to the regime's authority, etc.), *effective* institutionalization can prevent many of the risks of these institutions from becoming threats to the CCP's authority, and can significantly aid in reducing conflict in state-society relations. Lack of action in China's case could be more damaging for the regime in the long run.

Effective grassroots democracy, as political scientists Kevin O'Brien and Rongbin Han put it, requires "quality of content" and "quality of results" (375-378). If conflict institutionalization is to work in China, it will also require quality of content and results. To use Kennedy's words, the CCP needs to provide effective mechanisms for checking its own power if it is to remain in power, and if it is to avoid making "enemies of the government" out of its citizens.

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